

OXFORDSHIRE COUNTY COUNCIL

MINUTES of the meeting held on Tuesday, 8 September 2015 commencing at 10.00 am and finishing at 4.20 pm.

Present:

Councillor John Sanders – in the Chair

Councillors:

Lynda Atkins	Mark Gray	Neil Owen
Jamila Azad	Patrick Greene	Zoé Patrick
David Bartholomew	Tim Hallchurch MBE	Glynis Phillips
Mike Beal	Pete Handley	Susanna Pressel
Maurice Billington	Jenny Hannaby	Laura Price
Liz Brighthouse OBE	Nick Hards	Anne Purse
Kevin Bulmer	Neville F. Harris	G.A. Reynolds
Nick Carter	Steve Harrod	Alison Rooke
Louise Chapman	Mrs Judith Heathcoat	Rodney Rose
Mark Cherry	Hilary Hibbert-Biles	Gillian Sanders
John Christie	John Howson	Les Sibley
Sam Coates	Ian Hudspeth	Roz Smith
Yvonne Constance OBE	Bob Johnston	Lawrie Stratford
Steve Curran	Stewart Lilly	John Tanner
Surinder Dhesi	Lorraine Lindsay-Gale	Melinda Tilley
Arash Fatemian	Sandy Lovatt	Michael Waine
Neil Fawcett	Mark Lygo	David Williams
Jean Fooks	Kieron Mallon	David Wilmshurst
Mrs C. Fulljames	Charles Mathew	
Anthony Gearing	James Mills	

The Council considered the matters, reports and recommendations contained or referred to in the agenda for the meeting and decided as set out below. Except insofar as otherwise specified, the reasons for the decisions are contained in the agenda and reports, copies of which are attached to the signed Minutes.

50/15 MINUTES

(Agenda Item 1)

The Minutes of the Meeting held on 14 July 2015 were approved and signed.

51/15 APOLOGIES FOR ABSENCE

(Agenda Item 2)

Apologies for absence were received from Councillors Godden, Langridge, Owen and Webber.

The Council welcomed Zoe Patrick back on her return to the Chamber.

52/15 OFFICIAL COMMUNICATIONS

(Agenda Item 4)

The Chairman reported as follows:

Council paid tribute to the Joanna Simons on her 10 years' service as Chief Executive to Oxfordshire County Council. The Chairman presented Joanna with a bouquet of flowers on behalf of Council as a token of its appreciation.

Council paid tribute and held a minute's silence to honour the memory of former County Councillor Ann Bonner, County Councillor from 2009-2013 and former County Councillor Richard Rymer, County Councillor from 1985 – 1989.

53/15 PETITIONS AND PUBLIC ADDRESS

(Agenda Item 6)

Council received the following public address:

Ms Helen Marshall, spoke on behalf of Protect Rural Oxfordshire (PRO) against the proposals in relation to Park & Ride Sites set out in Agenda Item 14, Local Transport Plan 2015 – 2031. PRO believed the sites proposed in the Plan would have a severe detrimental impact on the greenbelt and that the County Council should have conducted proper research into the impact of such sites before including them in the Strategy. PRO further questioned the logic of locating Park & Ride sites in the Countryside, thus moving congestion onto rural roads. Furthermore, there was no information in the Park & Ride Strategy explaining why 6 of the proposed sites were in the greenbelt and the cumulative effect this would have, or whether alternative sites had been considered. She urged the Council to reject the LTP4 until a proper evidence based study had been carried out into Park & Ride provision in Oxfordshire.

Ms Julie Maberley, speaking in relation to Agenda Item 14, urged the Council to oppose the Local Transport Plan 4 (LTP4) on the basis that the Strategy was not strategic and did not include planned funds for the transport infrastructure needed to support the proposed growth in the Wantage & Grove area in terms of road infrastructure, public transport, cycling and local schools.

Ms Jill Huish, local Resident and user of children centres in Oxford spoke in relation to agenda Item 8, Questions with Notice from Members of the Council against the closures of Children's Centres. She related her personal experiences with the centres, including the extensive support she received through Domestic Violence. She urged the County Council to reconsider closing the centres as they provided essential support to mothers and families such as outreach, domestic violence, breast feeding, mental health support, speech therapy, freedom support and nutrition allowing families to

help themselves before intervention was needed. She believed the closure of the centres would see an increase in Social Services intervention and leave many families in Oxfordshire isolated and vulnerable.

Mr Alexander Murray, Local resident of Witney spoke in support Agenda Item 15, Motion from Councillor Laura Price. He expressed deep concern that the trust had been implementing changes to the Community Hospital without due and proper consultation and that further changes would result in patients from Witney having to go elsewhere for treatment. He urged the Council to support the Motion put forward by Councillor Laura Price.

Mr David Hartley, West Oxon 38 Campaign Group spoke in support of Agenda Item 15, Motion from Councillor Laura Price. He expressed deep concern over the implemented changes carried out thus far including ward closure and staff losses at the Witney Community Hospital. He further expressed concern that the implementations had not been carried out with the expected transparency or formal consultation with all 'stakeholders' and that the decision by the OCCG, raised serious questions regarding the future integrity of WCH to offer the high standard of health provision it had been clearly able to manage up until these apparently arbitrary and unilateral changes.

54/15 QUESTIONS WITH NOTICE FROM MEMBERS OF THE PUBLIC
(Agenda Item 7)

Mrs Alison Williams to Councillor Judith Heathcoat

Can the Cabinet Member for Adult Social Care assure ratepayers, Councillors and those who use the services that thorough risk assessments have been undertaken which take into account potential health & safety hazards that will be faced by the most vulnerable people in our county as a result of reduction in services due to the most recent cuts to their budgets in this financial year and following years?

Furthermore, can the responsible Councillor explain and give proof to elected members residents and users that reassure us that none of the people of Oxfordshire will be at any serious risk or harm as a result of this third round of severe cuts in services.

Answer:

Adult Social Care prioritises the safety and wellbeing of all service users and carers, and has overarching statutory responsibility for safeguarding the adult population of the county. As such, all decisions taken in the directorate include full consideration of the potential impact they will have, both positive and negative, to ensure that there will not be any unacceptable risks or consequences resulting from proposed changes.

In line with national good practice and Oxfordshire County Council policy, all proposals to change policy, service delivery or projects are informed by a

Service and Community Impact Assessment (SCIA). This considers the potential impact of the proposals on individuals and communities, staff, other service areas, and partner and provider organisations. Assessments consider the full range of potential risks and impacts, including health and safety, and set out the action that will be taken to mitigate any negative impacts identified.

The Service and Community Impact Assessments are used to inform decision-making within Adult Social Care and for the Council as a whole - Service and Community Impact Assessments accompany Cabinet papers recommending changes in policy, projects and service delivery. An overall impact assessment considering the cumulative impact of changes in the council budget on particular groups and individuals is also produced each year as part of the papers agreed by Cabinet and Council.

Supplementary Question

Would you agree with me that your answer merely describes the process and the services and that the Community Impact Assessments, on the Council Website, do not clearly identify any evidence or show low, medium and high risk assessments addressing health and safety and legal rights of vulnerable people? Do you not agree that they do not set objectives, which have due regard to the duties placed on the Council by their own Equality Policy, the Human Rights Act 2010, or the Council's own Constitution, which can identify councillors who vote for those savage cuts, if legal proceedings ensue, because now you are remiss in gathering sufficient evidence to inform your decisions.

Answer

What the supplementary question shows is that it is believed by many that we are cutting what people get. Oxfordshire County Council is not, we will continue to meet eligibility need. Paragraph 1 states that we have overarching statutory responsibility for safeguarding the adult population. Paragraph 2 outlines national good practice, which we uphold and Paragraph 3 answers the question overall.

55/15 QUESTIONS WITH NOTICE FROM MEMBERS OF THE COUNCIL

(Agenda Item 8)

16 Questions with notice were asked. Details of the questions and answers and the supplementary questions and answers (where asked) are set out in Annex 1 to the Minutes.

In relation to Question 15 (Question from Councillor Harris to Councillor Hudspeth) Councillor Hudspeth gave a commitment to organise a meeting of interested councillors across the County to discuss the points set out in Councillor Harris's question.

56/15 SENIOR OFFICER APPOINTMENTS

(Agenda Item 9)

At the last meeting of Council on 14 July, the Council commenced the statutory procedure for making the appointment of Head of Paid Service, nominating Mr Peter Clark, Chief Legal Officer. Council also noted that if it wished to appoint the Chief Legal Officer as the Head of Paid Service then it would also need to make a nomination to the post of Monitoring Officer. This was because the law did not allow the same person to be both a Monitoring Officer and a Head of Paid Service for the same Authority. As a result, Council nominated Mr Nick Graham, the Deputy Head of Law and Culture, to be the successor Monitoring Officer. These nominations were subject to consultation with Cabinet Members. No objections were made to either appointment.

Council had before them a report (CC9) which set out the procedural requirements for Council to finalise these senior officer appointments.

RESOLVED: (on a motion by Councillor Hudspeth, seconded by Councillor Rose and carried by 58 votes to 0, with 1 abstention) to confirm the following:

- (a) that the Chief Legal Officer be appointed as the Council's Head of Paid Service;
- (b) that the Deputy Head of Law and Culture be appointed as the Council's Monitoring Officer;
- (c) that both appointments take effect on the cessation of the current Chief Executive's employment with the Council.

57/15 TREASURY MANAGEMENT OUTTURN 2014/15

(Agenda Item 10)

The Council had before them a report by the Chief Finance Officer (CC10) which set out the Treasury Management activity undertaken in the financial year 2014/15 in compliance with the CIPFA Code of Practice. The report included Debt and Investment activity, Prudential Indicator Outturn, Investment Strategy, and interest receivable and payable for the financial year.

During debate, the Shadow Cabinet Member asked a number of detailed questions which the Cabinet Member, Councillor Lawrie Stratford agreed to respond to in writing. The questions were as follows:

1. Is lending to other local authorities genuinely safe;
2. In the light of our cash balance of £341m and his recent criticisms of councils' cash balances, are we at risk of being penalised by the Chancellor;
3. While growth at 3% sounds impressive (Para 7), doesn't the trade deficit of 5 or 6% of GDP pose risks; and

4. In view of the economic slow-down in China, should we reconsider the inclusion of Overseas-China Banking Corporation in our list Lending List?

The Cabinet Member for Finance, Councillor Lawrie Stratford gave an undertaking to respond to the questions in writing.

RESOLVED: (on a motion by Councillor Stratford, seconded by Councillor Hudspeth and carried nem con) to note the Council's Treasury Management Activity in 2014/15.

58/15 PARTNERSHIPS UPDATE REPORT

(Agenda Item 11)

The Council had before them an Annual report which set out some of the key activities over the past year of both the Oxfordshire Partnership and a number of other key formal partnerships within which the County Council played a part.

The report provided an update on the Oxfordshire-wide partnerships which were critical in progressing key countywide priorities, enabling partners to work across the themes of a thriving Oxfordshire, including economic growth, health and wellbeing, thriving communities, and support to the most vulnerable.

Each partnership report addressed the following points: the current focus for the Partnership; the personnel (Chairman and supporting staff) of the Partnership; the Partnership's governance arrangements; the Partnership's key achievements in the last year; the aims for the Partnership in the year ahead; the key challenges for the Partnership and how those would be addressed going forward.

RESOLVED: (on a motion by Councillor Hudspeth, seconded by Councillor Rose and carried nem con) to note the report.

59/15 DIRECTOR OF PUBLIC HEALTH ANNUAL REPORT

(Agenda Item 12)

The Council had before them the 8th Annual Report by the Director of Public Health which summarised key issues associated with the Public Health of the County. It included details of progress over the past year as well as information on future work. It was an independent report for all organisations and individuals.

The report had also been considered during July 2015 at the Oxfordshire Health Overview & Scrutiny Committee the Oxfordshire Health and Wellbeing Board and Oxfordshire County Council's Cabinet.

RESOLVED: (on a motion by Councillor Hibbert-Biles, seconded by Councillor Hudspeth and carried nem con) to receive the report.

60/15 REPORT OF THE CABINET

(Agenda Item 13)

The Council received the report of the Cabinet.

In relation to paragraph 7 (2015/16 Financial Monitoring & Business Strategy Delivery Report – May 2015) (Question from Councillor Smith) Councillor Stratford gave an assurance to ask Councillor Nimmo Smith to provide Councillor Smith with a written answer to the following 2 questions:

Transport & highways budgets for projects – when will we see how that money will be spent?

What is being done about the A40 crossing and traffic calming in Quarry Hollow?

In relation to paragraph 8 (Public Health Annual Report) (Question from Councillor Phillips) Councillor Hibbert-Biles gave an assurance to provide Councillor Phillips with a written answer with details on why the 7 Health targets would not be met.

61/15 CONNECTING OXFORDSHIRE: LOCAL TRANSPORT PLAN 2015 - 2031

(Agenda Item 14)

With the agreement of Council, Councillor Nimmo Smith accepted the proposed amendment by Councillor Fooks as follows:

“This Council passed a motion in April 2014 recommending that LTP4 should recognize the need to reduce pollutants from road traffic.

Whilst admitting that air quality “may well get worse with increasing traffic levels”, LTP4 seriously underestimates the impact on health of exposure to NOx gases and Particulates.

LTP4 estimates that 13,000 premature deaths a year are caused by overall combustion emissions, with road transport being the biggest source, although the estimate until recently was that 29,000 premature deaths are caused each year due to particulates alone. Even this figure is less than half the latest estimate by the “Committee on the Medical Effects of Air Pollutants”.

Council therefore requests that LTP4 should be strengthened in its aims to reduce air pollution by more positively:

- Encouraging walking and cycling;
- restricting diesel vehicles in town centres;
- working more proactively with the city and District Councils to develop and enact Air Quality Action Plans;
- introducing low-or zero-emission mass transit vehicles.”

Following debate, the motion as amended was put to the vote and was agreed by 32 votes to 25, with 2 abstentions.

RESOLVED: (on a motion by Councillor Nimmo Smith, seconded by Councillor Hudspeth and carried by 32 votes to 25, with 2 abstentions) to:

- (a) adopt Connecting Oxfordshire: Local Transport Plan 2015-2031 (LTP4) as council policy; and
- (b) instruct the Deputy Director of Environment and Economy (Strategy & Infrastructure Planning), in consultation with the Cabinet Member for Environment, to keep the document under review and to make any necessary changes, including the amendment by Councillor Jean Fooks, subject to any such changes being reported to County Council for approval within 12 months.

62/15 MOTION FROM COUNCILLOR LAURA PRICE

(Agenda Item 15)

With the consent of Council, Councillor Price moved and Councillor Heathcoat seconded her motion as amended below in strikethrough:

“Since May 2014 several of our Community Hospitals have undergone changes to the services they deliver and how those services are delivered. Individually these changes have not been deemed appropriate for public consultation and communities have been left feeling cheated of an opportunity to engage.

These hospitals form an integral part of the work of Oxfordshire Adult Social Care and are crucial in providing seamless appropriate and timely care for vulnerable elderly and disabled people in the County.

This Council, therefore, asks that in their role as commissioner, the Oxfordshire Clinical Commissioning Group lead on a full public consultation on the future shape of Oxfordshire’s Community Hospitals and that Oxfordshire Council fully engage with the process ~~and Oxfordshire County Council urgently co-ordinate a full public consultation on the future shape of Oxfordshire’s Community Hospitals~~ before further incremental changes damage the public’s relationship with these vital services.”

Following debate, the motion, as amended was put to the vote and was carried nem con.

RESOLVED: (nem con)

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63/15 MOTION FROM COUNCILLOR KEVIN BULMER

(Agenda Item 16)

Councillor Bulmer moved and Councillor Harrod seconded the following motion:

“As we all know, this Council is facing extreme pressure to reduce expenditure, to the extent that we are now considering closing some of our Household Waste Recycling Centres in order to save some £350,000 annually. An alternative to these closures would be to charge residents for their use. However, long-standing legislation from the Civic Amenities Act 1967 to the Environmental Protection Act 1990 has required local authorities to provide free-to-use household waste recycling centres for their residents to dispose of household rubbish and recycling. The government's 2011 waste review upheld this principle.

The government is concerned these charges will inconvenience residents; increase fly-tipping and back-yard burning; and make recycling harder for people rather than its stated objective of making it easier. The government believes that residents should continue to have free access to household waste recycling centres in their local authority area.

However, when the alternative to 'free access' becomes 'no access', this argument loses some of its impetus. In spite of the noted success of kerbside recycling in Oxfordshire, there are still a million-plus trips made to HWRCs in this county annually. Clearly, a nominal charge of a pound a time would generate far more revenue than the £350,000 savings target.

This Council calls upon the Leader of the Council to send a letter to the Secretary of State for Communities and Local Government requesting an urgent re-evaluation of the government's stance, thereby to enable LAs to charge residents to use HWRCs, in order to prevent their closure.”

Following debate, the motion was put to the vote and was agreed by 38 votes to 16.

RESOLVED: accordingly.

64/15 MOTION BY COUNCILLOR ROZ SMITH

(Agenda Item 17)

With the consent of Council, Councillor Smith moved and Councillor Johnson seconded her motion as amended by Councillor Bartholomew below in bold italics and strikethrough:

“This Council recognises the invaluable work undertaken by volunteers running village halls and community centres throughout Oxfordshire. The community buildings the volunteers look after provide facilities such as lunch clubs, exercise classes, pre-schools, libraries and other activities to improve health and wellbeing.

Austerity measures and budgets cuts have meant grants towards the costs of improving and maintaining the village halls and community centres are diminishing. The volunteers have to fund raise even more vigorously to maintain and upgrade the buildings they look after. Most building work on village halls and centres is liable for VAT at the standard rate of 20%; ***but usually parish councils are able to claim this back. However, in some instances charities or community groups not aligned with parish councils could, for example, have to find another £20,000 for the VAT bill on a £100,000 extension.*** for instance, a village hall committee raising funds for a £100,000 extension has to find another £20,000 for the VAT bill. This is a tax on voluntary effort.

This Council agrees to show support for the National Village Halls, ***by instructing the Chief Financial Officer to write to parish councils clarifying the VAT position and by writing to all Oxfordshire MPs to ask them to support calls to reduce the VAT burden on charitable organisations looking after our village halls and community buildings when VAT cannot be reclaimed.*** ~~Forum campaign to reduce the VAT rate for building improvements to charitable organisations by writing to all Oxfordshire MPs to ask them to support the campaign to reduce this tax burden on charitable organisations looking after our village halls and community buildings when considering the next national budget.”~~

Following debate, the motion, as amended was put to the vote and was carried nem con.

RESOLVED: (nem con)

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..... in the Chair

Date of signing