

OXFORDSHIRE COUNTY COUNCIL

MINUTES of the meeting held on Tuesday, 3 November 2020 commencing at 10.30 am and finishing at 3.43 pm.

Present:

Councillor Les Sibley – in the Chair

Councillors:

John Howson	Stefan Gawrysiak	Glynis Phillips
Jamila Begum Azad	Mark Gray	Susanna Pressel
Hannah Banfield	Carmen Griffiths	Laura Price
David Bartholomew	Pete Handley	Eddie Reeves
Dr Suzanne Bartington	Jane Hanna OBE	G.A. Reynolds
Tim Bearder	Jenny Hannaby	Judy Roberts
Liz Brighouse OBE	Neville F. Harris	Alison Rooke
Paul Buckley	Steve Harrod	Dan Sames
Kevin Bulmer	Damian Haywood	Gill Sanders
Nick Carter	Mrs Judith Heathcoat	John Sanders
Mark Cherry	Hilary Hibbert-Biles	Emily Smith
Dr Simon Clarke	Ian Hudspeth	Roz Smith
Yvonne Constance OBE	Tony Ilott	Lawrie Stratford
Ian Corkin	Bob Johnston	Dr Pete Sudbury
Arash Fatemian	Liz Leffman	Alan Thompson
Neil Fawcett	Mark Lygo	Emma Turnbull
Ted Fenton	D. McIlveen	Michael Waine
Nicholas Field-Johnson	Kieron Mallon	Liam Walker
Mrs Anda Fitzgerald-O'Connor	Jeannette Matelot	Richard Webber
Mike Fox-Davies	Charles Mathew	

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.

52/20 MINUTES

(Agenda Item 1)

The Minutes of the Meeting held on 8 September were approved and signed, subject to the amendments set out on the Schedule of Business.

53/20 APOLOGIES FOR ABSENCE

(Agenda Item 2)

Apologies for absence were received from Councillor Sobia Afridi, Councillor Maurice Billington and Councillor Lorraine Lindsay-Gale.

54/20 OFFICIAL COMMUNICATIONS

(Agenda Item 4)

Council sent best wishes for a speedy recovery to Councillor Maurice Billington.

Council thanked staff for their tireless contributions across all services in the County and for their ongoing commitment during the pandemic.

Council AGREED to add an item of urgent business as Agenda Item 8a.

55/20 APPOINTMENTS

(Agenda Item 5)

Council noted the following appointments:

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Councillor Susanna Pressel in place of Councillor Laura Price.

56/20 PETITIONS AND PUBLIC ADDRESS

(Agenda Item 6)

Council received a Petition from Mr Chris Jessop, Chairman of Goring Heath Parish Council requesting Council support to reduce the traffic speed limit through Crays Pond from the current 40mph to 30mph, and to request that Council instruct relevant officers to undertake this reduction with urgency.

57/20 QUESTIONS WITH NOTICE FROM MEMBERS OF THE PUBLIC

(Agenda Item 7)

Councillor David Bartholomew received the following question on Notice from Mr Chris Henderson:

As budget setting approaches, I wonder if the Cabinet Member could explain to me the high level of balances and reserves held by the County.

The business management and monitoring report July 2020 forecasts general balances at £30.3 million at the end of 20-21. This is significantly higher than the risk assessed level of £23.4 million. Why?

Answer:

At the year-end any underspend on Council services is transferred into

general balances. The Council's 2019/20 year-end position was better than forecast when the 2020/21 budget was set. Therefore, general balances started the year already higher than the risk assessed level at £28.7m. The current forecast of £30.3m assumes that there may be a further contribution by the end of the 2021/22 financial year. However, given the unprecedented uncertainty regarding the financial impact of Covid-19, this is uncertain. With a net revenue budget of £475m, £30.3m is only enough to meet 23 days' worth of spend.

Similarly looking at "earmarked reserves" there are some very large figures. Capital reserves are set to increase to £35.2 million, with the vague explanation that it is for "financing capital expenditure in future years". If this is not allocated to specific projects with a likelihood of delivery, then does it really qualify as an earmarked reserve at all?

The Capital Programme for the period 2019/20 to 2029/30 which was approved by Council in February 2020 set out how the programme is to be funded. This includes the full use of the Capital Reserve over the period of the programme. If this reserve was not held, then some schemes currently in the programme would not be able to proceed.

The "demographic risk reserve" is set to increase to £6 million. Can the Cabinet member explain exactly what this is for?

This reserve is held to help manage demographic risk, particularly the significant pressures relating to High Needs. At the end of 2019/20, the High Needs part of the Dedicated Schools Grant reserves was in deficit by £11.2m and is forecast to be in deficit by £22m at the end of 2020/21. Whilst the Council is not required to meet the deficit in the High Needs reserve from general funding, it cannot have negative reserves overall. Given the significant deficit forecast, this reserve ensures that overall, the Council has sufficient reserves.

There is an insurance reserve of £11.4 million. It is claimed that this figure is based on experience of claims but since the figure has remained relatively unchanged and the reserve has not been used for some years then is it really necessary?

Each year an independent actuarial assessment is undertaken to review the appropriate level of reserves to be held for future claims. The outcome of this assessment informs the annual review of Earmarked Reserves which is undertaken as part of the Budget and Business Planning process. In 2019/20 £1m was released from the reserve to support service delivery.

I also notice there is a vehicle and equipment replacement reserve of £2.8 million. Can the Cabinet member then explain why the new electric cars for Community Safety at £200,000 were cut from the budget in September and not simply financed from this reserve?

Annual contributions are made into the vehicle and equipment replacement

reserve to allow for the replacement of our fire appliances and other vehicles. These funds are fully committed to replacement of our existing stock and there isn't enough in the reserve to meet additional vehicles.

Many would applaud the County for saving for a "rainy day". However, it might be an idea to look out of the window and see that the weather couldn't get much worse and spend some of these reserves rather than cutting services.

As part of their 'going concern' assessment our External Auditors have used the Institute for Fiscal Studies' Covid risk and resilience indicators for local government (published in June) to assess the level of reserves. Reserves data indicates that Oxfordshire has 'most risk' compared to our peers as our percentage of earmarked reserves to net revenue budget. Furthermore, CIPFA's Financial Resilience Index, which provides information on the level of reserves for all authorities, also identifies that Oxfordshire County Council is more at risk than other Counties in terms of the level of reserves held compared to its net revenue budget. The appropriate level of reserves and balances to be held by the Council is considered as part of the Budget and Business Planning process every year.

Supplementary Question

Thank you for your reply.

The projected figure for balances is from July, well into Covid. I still don't understand why they should be higher than the risk assessed level.

I have looked at the Capital Programme as set out in February. As far as I can see only £18.07 million of the £35.2 million capital reserves are projected to be used by 2029. Perhaps the Cabinet Member can explain why the rest qualifies as an earmarked reserve?

I just hope that when budgets are set for next year Members look closely at reducing the level of reserves.

Answer

The risk assessment determines the minimum level of General Balances that should be held rather than a finite sum. The risk assessment is undertaken annually and with increasing and new risks, it would not be prudent to spend this one-off resource now with the expectation that the risk assessment will require a higher level of General Balances in 2021/22 than in 2020/21.

The Capital Reserve will be used over the period of the Capital Programme not in one specific year.

58/20 QUESTIONS WITH NOTICE FROM MEMBERS OF THE COUNCIL

(Agenda Item 8)

25 questions with Notice were asked. Details of the questions and answers and supplementary questions and answers will be set out in the Annex to the minutes.

In relation to Question 5, Councillor Constance undertook to provide Councillor Sudbury with a written answer clarifying whether the County Council had contact with other local authorities such as Hackney who had ambitious tree planting targets.

In relation to Question 8, Councillor Hudspeth undertook to provide Councillor Bearder with a written answer clarifying what proportion of the £35k cost of the report was paid for by each respective council.

In relation to Question 10, Councillor Bartholomew undertook to provide Councillor Roberts with a written answer on whether there was a likely timescale for when OCC would be signing the funding agreement.

In relation to Question 12, Councillor Stratford undertook to provide Councillor Pressel with a written answer as to whether the Council had a policy in relation to vaping.

In relation to Question 13, Councillor Constance undertook to provide Councillor Pressel with a written answer on why the specialist consultant support was only for 30 to 40 schools and why the council were employing contractors to undertake this work.

In relation to Question 24, Councillor Stratford undertook to provide Councillor Hannaby with a written answer detailing how many homes were participating in designated settings; how much more funding they would receive and how that would be funded.

59/20 ITEM OF URGENT BUSINESS - COVID UPDATE POST PRIME MINISTER'S ANNOUNCEMENT

(Agenda Item)

Under the provisions set out in Section 100B(4) of the Local Government Act 1972 (as amended) the Chairman of the meeting was of the opinion that the following item - COVID Update Post Prime Minister's Announcement could be taken after Agenda Item 8 as urgent business in view of the recent Government announcement and developing national situation.'

Council received an update from the Leader of the Council as follows:

"When I suggested this debate at the end of last week, I thought we would be discussing the different Tier levels in Oxfordshire. Obviously, that has changed following the announcement of the National Lock down by the Government on Saturday.

However, what has not changed is my thanks and support to Ansaf our Director of Public Health who has been invaluable in his work over recent months. He has been ably assisted by his deputy Val Messenger along with all the Public Health team. Also, I have to thank the amazing hard work of our CEO Yvonne Rees who appears to be working 24 hours a day and making sure I know that by phone calls/emails at all time of the day and night.

The residents of Oxfordshire owe Yvonne and Ansaf a huge thank you for all their hard work and commitment. I would like to take this opportunity to thank all our staff who have worked exceptionally hard over the recent months.

We were moving into the recovery phase but that work now has to be changed as now staff will be focusing on supporting our residents especially the vulnerable in Oxfordshire. I know staff will rise to the occasion despite the fact that many are almost running on empty due to their hard work over the recent months. There is a packed agenda for business as usual. I cannot say how proud I am to be Leader of Oxfordshire County Council with the dedication and hard work of both staff and members.

The move to a national lockdown has been triggered by following the scientific advice which is what we were doing locally with our recommendation to move the whole of the county to Tier 2. It was about following the data trends as the virus was spreading across the age groups in all districts across the county.

The virus does not respect boundaries therefore we have to consider what is best for the majority of Oxfordshire. The virus does not suddenly stop just past the Park & Ride on the Botley Road Likewise on Old Road it does not simply disappear as you cross the bridge into South Oxfordshire.

I realise that would impact on some communities that have little or no connection with Oxford however it's important that we do our best to reduce the spread. I know there will be an economic and general health impact but by following the scientific advice at an early stage could have reduced the need for longer stricter messages.

This is as much about protecting the economy as well as resident's health as the 2 go hand in hand. I speak as somebody who ran a couple of small businesses for 30 years and fully understand the pressures that go with running small businesses which are the backbone of the economy. However, I understand the need to protect the NHS and resident's health. The NHS were just starting to reduce the back log of operations and that must continue to protect the health of the nation.

It is important that Test, Track and Trace is improved so that we have the tools to carry out the function. Locally we deliver the system far better than at a national level however we need the funding to deliver the service especially

as it would mean ramping up our local operations to deal with the sheer volume of data that comes in. at which level that is done is always a challenge perhaps the Local Resilience Forum level is the best for the volume with real time information passed down to local Directors of Public Health.

Whilst I know that we in Oxfordshire are prepared to take on Test, Track and Trace some areas might not have the capacity and it's important that Local Government work as 1 to deliver the service.

When we come out of the National Lockdown my current understanding is that we'll return to the Tier system again. I cannot prejudge what the data will say in December however I can assure you that we as a council will follow the scientific advice from our Director of Public Health when we come to make recommendations about which Tier level should apply to Oxfordshire.

I will try to answer questions but as all the regulations have not yet come out there will be some gaps however the CEO and her team are making notes of the meeting so once answers are known they will be provided. We can all play our part by ensuring we follow the rules so that we save lives and protect the NHS.

The Council thanked the Leader for his update and thanked staff across the board for their ongoing Commitment. During debate, wide support was given to the update from the Leader and it was widely acknowledged that a well-informed local response was more effective than a National response and that local test and trace would be better devolved to local systems, to enable swift action following scientific evidence.

The following point were also raised during discussion:

- Were Central Government going to recompense local government for their work during the crisis?
- Council thanked researchers from Oxford on their work into treatments and vaccines.
- Members wished to see Granular data on OCC Website.

60/20 REPORT OF THE CABINET

(Agenda Item 9)

Council received the report of the Cabinet.

In relation to paragraph 1 of the report (Question from Councillor Price to Councillor Heathcoat) Councillor Hudspeth undertook to ask Councillor Heathcoat to provide a written response with the specific details of the total number of posts being held back from recruitment as part of the £15m in year budget cuts?

In relation to paragraph 1 of the report (Question from Councillor Roz Smith to Councillor Heathcoat) Councillor Hudspeth undertook to ask Councillor Heathcoat to provide a written response in relation to concerns about the

rising number of unemployed 18 to 24-year olds and whether more apprenticeships were being offered this year?

In relation to paragraph 4 of the report (Question from Councillor Jane Hanna to Councillor Steve Harrod) Councillor Harrod undertook to provide a written response on whether there was an update of risk assessment of safeguarding in light of OSCB Annual Report statistics.

In relation to paragraph 4 of the report (Question from Councillor Emily Smith to Councillor Steve Harrod) Councillor Harrod undertook to provide a written response detailing what measures had been put in place over the past 3 years to alleviate the impact of the removal of the Youth Service, as highlighted in the OSCB Report.

In relation to paragraph 5 of the report (Question from Councillor Emma Turnbull to Councillor Lindsay-Gale) Councillor Hudspeth undertook to ask Councillor Lindsay-Gale to provide a written response detailing what progress has been made, since the Cabinet Meeting, in undertaking a full review of the High Needs Block and how Councillor Lindsay-Gale was going to ensure that young people did not suffer as a result of the deficit reduction measures when it was known that young people with SEND had been severely impacted by Covid.

In relation to paragraph 5 of the report (Question from Councillor Richard Webber to Councillor Lindsay-Gale) Councillor Hudspeth undertook to ask Councillor Lindsay-Gale to provide a written response detailing whether there was any news of government support for the High Needs Block.

In relation to paragraph 9 of the report (Question from Councillor Judy Roberts to Councillor Constance) Councillor Constance undertook to speak with the parking Manager and provide a written response on when the Website would be amended so that people outside of the City Boundary could report parking enforcement complaints.

In relation to paragraph 11 of the report (Question from Councillor Glynis Phillips to Councillor Bartholomew) Councillor Bartholomew undertook to provide a written response on the progress of the review of the Major Infrastructure Programme pipeline and when the outcome of this review will be shared with members.

In relation to paragraph 13 of the report (Question from Councillor Richard Webber to Councillor Mark Gray) Councillor Gray undertook to provide a comment on the inequality of stop and search of young Caribbean males and to forward the comments to the police.

In relation to paragraph 14 of the report (Question from Councillor Glynis Phillips to Councillor Harrod) Councillor Harrod undertook to provide a written response in relation to the risk register line LR2 which raised the risk of central government intervention in relation to safeguarding children and

adults and the associated assessment of the likelihood of central government intervention.

61/20 COMMITTEE DATES

(Agenda Item 10)

Council had the schedule of meeting dates proposed for the 2021/22 Council Year before it for approval.

The schedule had been drawn up to reflect the various rules about frequency of meetings set out in the Council's Constitution. Attention was drawn to the following proposed changes to previous patterns:

Bring forward April Council in 2021 to 23 March to avoid the restricted period before the elections. Bring forward February Council in 2022 to 8 February to aid District Council budget setting.

Following discussion with Political Group Leaders it was also proposed that whilst meetings of full Council were being held virtually that their start time should be brought forward to 10.00am.

RESOLVED: (on a motion by Councillor Les Sibley, seconded by Councillor John Howson and carried nem con)

- (a) agree the schedule of meeting dates for 2021/22 and in particular to agree to waive Rule 2.1 of the Council Procedure Rules to allow the April 2021 meeting of full Council to be held on 23 March 2021 and the February 2022 Council meeting to be held on 8 February 2022;
- (b) agree that Council meetings start at 10.00am for the period that Meetings are held virtually.

62/20 MOTION BY COUNCILLOR LIZ LEFFMAN

(Agenda Item 11)

Councillor Liz Leffman moved and Councillor Jane Hanna seconded the following Motion:

"With the closure of schools for an entire term due to the Covid pandemic, restricted access to leisure facilities, and reduced support for their emotional and mental health, the lives of young people in Oxfordshire have been severely disrupted over the past six months. Many young people from disadvantaged backgrounds will have suffered disproportionately and 16-24-year olds are most vulnerable to the resulting economic downturn.

A year ago, this council acknowledged the importance of youth services and agreed to a county-wide review. A partial Youth Study is now being commissioned. Although the outcome of this study will not be known for several weeks, this Council recognises that the need for a well-funded, county-wide youth offer has never been greater, and commits to creating a Youth Strategy for Oxfordshire as soon as possible.

This Council asks the Director for Children's Services to establish an internal team to work in partnership with voluntary organisations, ensuring that our young people are provided with a youth offer that supports their learning, their physical development, their mental well-being and their employment prospects. This council commits to ensuring that young people in our County receive the informal education and support that they need to recover from the effects of the Covid pandemic so that they can flourish."

Following debate, the Motion was put to the vote and was lost by 31 votes to 29.

RESOLVED: Accordingly.

63/20 MOTION BY COUNCILLOR CHARLES MATHEW

(Agenda Item 12)

With the consent of Council, Councillor Charles Mathew moved and Councillor Nicholas Field-Johnson seconded the following Motion, amended at the suggestion of Councillor Tim Bearder as shown below in strikethrough and bold italics:

"The decision, last autumn now, by the Oxfordshire LEP to withdraw the funding from the Loop Farm project (Duke's Cut to Loop Farm Roundabout), a long-promised relief road to the A40 round Oxford, undermines sensible solutions to the endless traffic jams on the A40 between Witney and Oxford roundabouts. Given that the use of public money should be productive.

Council asks Cabinet to review the plans presently being offered and adopt a long-term strategy that will meet the public's needs for the next twenty years at least and ~~should include serious consideration of a rail link from Carterton, Witney and Eynsham to Oxford~~ **as part of this work Council asks the Cabinet to consider undertaking a feasibility study should funding be confirmed to look at a rail link from Carterton, Witney and Eynsham to Oxford."**

Following debate, the Motion as amended was put to the vote and was carried nem con, with 1 abstention.

RESOLVED: (nem con, with 1 abstention)

"The decision, last autumn now, by the Oxfordshire LEP to withdraw the funding from the Loop Farm project (Duke's Cut to Loop Farm Roundabout), a long-promised relief road to the A40 round Oxford, undermines sensible solutions to the endless traffic jams on the A40 between Witney and Oxford roundabouts. Given that the use of public money should be productive.

Council asks Cabinet to review the plans presently being offered and adopt a long-term strategy that will meet the public's needs for the next twenty years at least and as part of this work, Council asks the Cabinet to consider

undertaking a feasibility study should funding be confirmed to look at a rail link from Carterton, Witney and Eynsham to Oxford.”

64/20 MOTION BY COUNCILLOR LIZ BRIGHOUSE

(Agenda Item 13)

Councillor Liz Brighouse moved and Councillor Emma Turnbull seconded the following Motion:

“The impact of COVID 19 has exposed the enormous inequalities in our County and the senseless death of George Floyd followed by demonstrations across our County have highlighted the injustices and inequalities experienced by many. In particular, there have been calls for changes to the National Curriculum which reflects our past rather than our present or future needs.

Until 1988 Oxfordshire, as the Local Education Authority was responsible for what was taught in Oxfordshire Schools. When that ended, the responsibility went to the Secretary of State for Education advised by a National Curriculum Council, this was revised by Labour. In 2010 Michael Gove, as Secretary of State for Education in the Coalition Government, abolished it completely and took power to himself advised by Dominic Cummings.

Now is the time to consider whether this is the most inclusive or effective way of determining what our children learn. The CBI and the TUC think that the National Curriculum is inappropriate for the needs of industry and the life chances of future employees. We see cries from those demonstrating in the streets that it is not inclusive and diverse. Now is the time for change.

This Council asks the Leader of the Council to seek support from the LGA and the CCN to lobby Central Government to bring forward proposals to devolve responsibility for the Curriculum to Local Government within a framework agreed by an Advisory Council made up of Local Authorities CBI, TUC, Teachers, Faith Groups, EHRC.”

Following debate, the Motion was put to the vote and was lost by 32 votes to 28.

RESOLVED: Accordingly.

65/20 MOTION BY COUNCILLOR SUZANNE BARTINGTON

(Agenda Item 14)

Councillor Suzanne Bartington moved and Councillor Ted Fenton seconded the following Motion:

“Increasing tree cover is recognised as one of the most effective strategies to tackle the climate crisis, given the critical role of trees for absorbing and storing carbon. Additional benefits of appropriate tree species in suitable locations include mitigating flood risks, improving air quality, providing

protected wildlife and contributing to improved mental health. Our Government has pledged to plant 30 million trees each year until 2024, and it is estimated that doubling UK woodland cover could absorb 10% of UK annual greenhouse emissions.

In July 2019 this Council declared a climate emergency and committed to achieving carbon net-zero status by 2030. Currently, trees cover 9% of Oxfordshire's land area, compared with an EU average of 35%. We therefore call upon the Cabinet Member for Environment to:

1. Recognise the critical role of existing tree preservation and planting for effective climate action and consider developing a Trees and Woodland Strategy.
2. Set a target for increased tree cover in Oxfordshire, and explore the viability of doubling coverage by 2045
3. Undertake a survey to identify existing tree cover and suitable sites for new trees (with consideration for habitat protection, land-use and biodiversity)
4. Work collaboratively with District, Town and Parish Councils, civic and commercial partners to deliver tree planting initiatives, considering maintenance responsibilities.
5. Influence developer schemes to ensure tree planting is undertaken, supported by relevant planning agreement contributions.
6. Write to the SoS for Environment, Food and Rural Affairs to request additional local authority funding to support tree-planting and maintenance.”

Following debate, the Motion was put to the vote and was carried unanimously.

RESOLVED: Accordingly.

66/20 MOTION BY COUNCILLOR BOB JOHNSTON

(Agenda Item 15)

Councillor Bob Johnston moved and Councillor Judith Roberts seconded the following Motion:

“Council asks the Cabinet Member for Environment that full consideration be given to cyclists and pedestrians when future schedules are drawn up for grass cutting and vegetation management.

Along with vision splays, verges next to footpaths and cycle tracks must be given greater priority and cut earlier and more frequently than at present.

Other flower-rich highway verges where these priorities do not apply must be cut only once a year at the end of October when insects and birds have finished breeding. This will both maximise the potential for the County's wildlife to thrive and prevent footways and cycle tracks becoming unpleasant to use, especially in wet weather.”

Following debate, the Motion was put to the vote and was carried by 54 votes to 1, with 3 abstentions.

RESOLVED: Accordingly.

67/20 MOTION BY COUNCILLOR EMMA TURNBULL
(Agenda Item 16)

The time being 3.43 pm, this Motion was considered dropped in accordance with Council Procedure Rule 15.1.

..... in the Chair

Date of signing