

OXFORDSHIRE COUNTY COUNCIL

MINUTES of the meeting held on Tuesday, 1 November 2022 commencing at 10.30 am and finishing at 3.40 pm

Present:

Councillor Susanna Pressel – in the Chair

Councillors:

Felix Bloomfield	Andy Graham	Glynis Phillips
Brad Baines	Kate Gregory	Sally Povolotsky
David Bartholomew	Jane Hanna OBE	Eddie Reeves
Tim Bearder	Jenny Hannaby	G.A. Reynolds
Liz Brighthouse OBE	Damian Haywood	Judy Roberts
Nigel Champken-Woods	Charlie Hicks	Alison Rooke
Mark Cherry	John Howson	David Rouane
Andrew Coles	Tony Ilott	Geoff Saul
Yvonne Constance OBE	Bob Johnston	Les Sibley
Imade Edosomwan	Liz Leffman	Nigel Simpson
Duncan Enright	Nick Leverton	Roz Smith
Mohamed Fadlalla	Dan Levy	Ian Snowdon
Arash Fatemian	Dr Nathan Ley	Dr Pete Sudbury
Neil Fawcett	Kieron Mallon	Bethia Thomas
Ted Fenton	Ian Middleton	Michael Waine
Nick Field-Johnson	Freddie van Mierlo	Liam Walker
Donna Ford	Calum Miller	Richard Webber
Andrew Gant	Jane Murphy	
Stefan Gawrysiak	Michael O'Connor	

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.

81/22 MINUTES

(Agenda Item 1)

The minutes of the meeting held on 7 October 2022 were amended as follows:-

Item 9 - Report of the Cabinet

In relation to a question from Cllr Liam Walker, Cllr Calum Miller explained the reasons why the programme for LED street lighting has been delayed but he had been assured that it would be completed in the current financial year

In relation to a question from Cllr Liam Walker, Cllr Andrew Gant undertook to inform Cllr Walker of where the advertisement of the traffic regulation order for the Cowley LTN had been published

and agreed as a correct record.

82/22 APOLOGIES FOR ABSENCE

(Agenda Item 2)

Apologies for absence were received from Councillors Ash, Banfield, Bennett, Bulmer, Corkin, Lygo, Thomas and Paule.

83/22 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE

(Agenda Item 3)

Councillor Middleton declared an interest in item 17 – Motion by Councillor Nigel Simpson – as a resident of Yarnton, withdrew from the meeting during the discussion and did not vote thereon.

84/22 OFFICIAL COMMUNICATIONS

(Agenda Item 4)

The Chair reported on her recent and forthcoming engagements including visits to thank volunteers in various divisions across the County, the Civic Supper, the Farm visit on 4th November and Christmas carols on 6 December.

85/22 APPOINTMENTS

(Agenda Item 5)

Council noted the following appointment:-

Councillor Walker to replace Councillor Corkin on People Overview and Scrutiny Committee

86/22 PETITIONS AND PUBLIC ADDRESS

(Agenda Item 6)

Petitions

7 petitions on issues concerning children with special educational needs and disabilities (SEND) had been received. The Chair had agreed for 3 speakers to address the Council.

Mary Totman, Olivia Johnson and Ross Kuklinski were invited to address the Council.

Mary Totman referred to what she considered to be systemic failings and discrimination in assessing the needs of vulnerable children. Ms Totman

accused the Council of failing to accept the recommendations in professional reports which had resulted in the development of poor quality education and health care plans. Ms Totman considered that the authority was prone to “cherry picking evidence” with a view to saving costs and that, as a result, many children were receiving inadequate educational provision. She refuted the suggestion that all of these problems were the result of national issues and that the County Council’s policies were a contributory factor.

Olivia Johnson considered that there had been a complete breakdown of communication between the Council and parents of children provided with Education and Health Care Plans (EHCP) which did not reflect their needs. In her view, it was not the case that all children could be adequately supported in the mainstream educational system. She said that the authority was wasting money on defending its case in tribunals and the failures of the SEND system had an impact on families, their finances and mental health. She said that every child had a right to an education through which they could thrive and requested that the Council replaced its adversarial practices with collaboration with parents. She requested that the Council adhered to legal timescales and provided services that worked for all children.

Ross Kuklinski said that the County Council had refused to adhere to court orders and communicate with parents in dealing with SEND cases. He referred to the case of his daughter where delaying tactics on the part of the authority and refusal to discuss her proposed EOTAS package had a severe impact on her education and welfare. He criticised the Council for resorting to legal representation at considerable cost in preference to adopting improved communication policies and practices which would enable better services to be provided to children and their parents.

Public Address

Paul Roberts, CEO of Aspire Oxfordshire, referred to the impact of the cost of living crisis on the work of front line charities. Increased demand for services and assistance had placed huge demands on those working on the third sector and he considered that the effect of the economic situation on vulnerable communities in Oxfordshire would be greater than the COVID pandemic. He encouraged the Council to continue to work in collaboration with charities to help build an inclusive economy in the County.

Jamie Clark addressed the Council on the success of the School Streets scheme introduced by the Council. He expressed concern that the ANPR cameras and associated permit schemes had not yet been implemented and the scheme was relying on the good will of volunteers. He asked that the Council publish a timetable for the cameras and permit parking schemes and consider a budget for employing wardens to replace volunteers.

Zahura Plummer spoke in opposition to the motion by Councillor Eddie Reeves (Item 15). She referred to the considerable benefits of the LTNs on

the lives of families living in areas benefitting from the schemes. There had been a considerable reduction in traffic transporting children to schools in these areas. Children were being encouraged to cycle to school along safer streets and families were saving money on fuel costs. The schemes needed to be supported by traffic filters to ensure a co-ordinated approach to traffic controls within Oxford.

Danny Yee addressed the Council in opposition to the motion by Councillor Reeves. He referred to the importance and benefits of a sustainable transport system, particularly for children attending school and older people needing to access services. The introduction of LTNs had resulted in a considerable reduction in traffic, promoting safer neighbourhoods and were a cost effective method of supporting the objectives of the Central Oxfordshire Traffic Plan (COTP).

Richard Parnham spoke in support of Councillor Reeves motion. He considered that there had been inadequate sampling and diligence in the data collection for traffic volumes and air quality following the introduction of the LTNs in East Oxford. The data evidence had not been comprehensive and had not provided adequate evidence in support of the schemes. He suggested that improvements were needed in data collection for future LTN and traffic filter schemes.

The Monitoring Officer advised the Council that she was not aware of any evidence of inadequate or incorrect collection of data in relation to traffic schemes.

Robin Tucker, co-chair of the Coalition for Healthy Streets and Healthy Travel, addressed the Council. He referred to a wide range of statistics and survey results demonstrating demonstrating the climate and health-related benefits of LTNs in Oxfordshire. He also expressed concern about criminal activity including vandalism of the traffic control measures.

Nick Welch, Chair Divinity Road Area Residents' Association, addressed the Council, referred to support from the LTNs in his area and the need for the scheme to be properly evaluated. The acts of vandalism of the traffic control measures are causing considerable disruption to the schemes. The Residents' Association fully supported the Council's actions in monitoring and evaluating the schemes going forward.

87/22 QUESTIONS WITH NOTICE FROM MEMBERS OF THE PUBLIC

(Agenda Item 7)

Ms Aodhin MacBride had given written notice of the following question to Councillor Duncan Enright

To what extent has the provision of early years educational settings (nurseries) been considered in the design of the Marston Ferry road traffic filter?

There are no nurseries in New Marston, so like many other parents of young working families in this area, we are required to send our children to nursery in Summertown. Our daughter is too young to be transported on a bike and so we have to travel by car. Implementing the traffic filter will force us to make a very large detour via the ringroad (with greater co2 emissions). The proposed additional bus route from Summertown to the JR does not solve this issue as it doesn't actually go into New Marston.

Councillor Enright replied:

An Equality Impact Assessment (EqIA) has been developed by Steer, an independent transport consultancy, which was informed through direct engagement with Oxford City Council's Transport and Movement focus group. An EqIA is a process designed to ensure that a policy, project or scheme does not unlawfully discriminate against any protected characteristic. A summary of the EqIA can be found on our Let's Talk Oxfordshire consultation webpage: <https://letstalk.oxfordshire.gov.uk/traffic-filters-2022>.

The EqIA identified that the Traffic Filters may inconvenience some drivers and those who rely on cars, which may include some parents/carers with children at nurseries and primary schools. To mitigate the impact on these people, the EqIA recommended a series of permits and exemptions from the Traffic Filters. These mitigation measures were developed to strike the balance between lessening the negative impacts of the Traffic Filters without overly diluting the wider benefits of the scheme.

A series of additional mitigation measures are also outlined within the EqIA, which range from implementing bus priority and service improvements to maximise the benefits of the filters, to accelerating Local Cycling and Walking Infrastructure Plan (LCWIP) schemes to enable more people to switch from driving to cycling or walking. Oxfordshire County Council, in partnership with Oxford City Council, intend to deliver these mitigation measures following the implementation of the Traffic Filters scheme.

In the case of New Marston, quite a large area will be within 5 minutes' walk of the improved bus route (Marston Ferry Road, Cherwell Drive and Headley Way) that would enable residents to get to Summertown without having to take a detour via the Ring Road. So in reality this may well be an option for quite a number of people in this area.

We would encourage people to complete the questionnaire survey on our [consultation website](#) to give us their views on the proposals for trial traffic filters.

Mr Richard Parnham had given written notice of the following question to Councillor Andrew Gant:

Can Councillor Grant explain why the TRO orders, purporting to make the Cowley LTNs permanent on 22 August 2022, did not appear on <https://letstalk.oxfordshire.gov.uk/>, the location specified in the order's official public notice, until 12 October 2022, a full seven weeks after we might reasonably have expected to see these TRO orders published on this specific website?

Councillor Gant replied:

This was an omission which was rectified as soon as it was brought to our attention. The public notices of the orders were published in the Oxford Times in accordance with the relevant regulations (Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996) and the subsequent omission from the Let's Talk website did not affect the legal status of the retention of the measures on the ground. However, officers have reviewed their processes to ensure that such an omission cannot happen again.

In reply to a supplementary question, Cllr Gant undertook to provide a written response detailing the procedures for advertising the Cowley LTN traffic regulation order and the communications with consultees.

Mr Peter West had given notice of the following question to Councillor Andrew Gant:

Can Councillor Gant explain why the online public notice, announcing that the Cowley LTNs had been made permanent, were added onto the bottom of a completely unrelated draft traffic order regarding speed restrictions close to the East Oxfordshire village of Great Milton – thereby rendering the online notice invisible to anyone searching on the online public notices section of the Oxford Mail for the Cowley LTN notice within three miles of Cowley, the correct location to where the notice should have been geographically tagged to?

Councillor Gant replied:

The online versions of notices are uploaded through a central portal. Unlike the hard copy version we do not have control over the final format. The online version is different from the hard copy as it does not show a division between the notices. As the Great Milton and Cowley LTN notices were submitted at the same time this meant that they appeared together in the online version. I note the issue regarding tagging and have asked officers to explore what might be done to address this.

In reply to a supplementary question, Cllr Gant said that he was entirely satisfied that the Council had complied with all the legal requirements regarding the Cowley LTNs.

88/22 QUESTIONS WITH NOTICE FROM MEMBERS OF THE COUNCIL

(Agenda Item 8)

15 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 6 (Councillor Brad Baines to Councillor Andrew Gant) Councillor Gant undertook to provide a written response on the Council's objectives for providing level 2 Bikeability training.

In relation to question 11 (Councillor Liam Walker to Councillor Andrew Gant) Councillor Gant undertook to provide information on the monitoring by the Highways Department of new 20mph schemes.

89/22 REPORT OF THE CABINET

(Agenda Item 9)

Council received the report of the Cabinet.

In relation to a question from Cllr Charlie Hicks, Cllr Calum Miller undertook to ensure that the KPI statistics contained in the Business Management & Monitoring report were presented to Scrutiny Committees on a routine basis.

In relation to a question from Cllr Brad Baines, Cllr Calum Miller undertook to explore, with District Council and other agency partners, possible options for enhancing support for key workers employed by the Council including housing costs.

In relation to a question from Cllr Yvonne Constance, Cllr Duncan Enright undertook to provide a written response on the process for consulting town and parish councils on the "Decide and Provide" requirements for Transport Assessments.

90/22 DISPENSATION FROM ATTENDING MEETINGS

(Agenda Item 10)

With the consent of Council, this report was withdrawn.

91/22 OFFICER SCHEME OF DELEGATION

(Agenda Item 11)

Council had before it a report by the Monitoring Officer setting out the Officer Scheme of Delegation within the Constitution as it related to Council functions. This was required to be agreed annually.

RESOLVED: (on a motion by Councillor Susanna Pressel, seconded by Councillor Felix Bloomfield, and carried nem con) to approve the Scheme of Delegation as it relates to Council functions and the amendments to the parts of the Council's Constitution annexed to this report (which include a revised Officer Scheme of Delegation) where these are not already within the delegations granted to the Director of Law and Governance.

92/22 CALENDAR OF MEETINGS 2023/24

(Agenda Item 12)

Council had before it the schedule of meeting dates proposed for the 2022/23 Council Year. The Schedule had been drawn up to reflect the various rules about frequency of meetings set out in the Council's Constitution and took into account Bank Holidays and the summer period when meetings were traditionally avoided as far as practicable.

RESOLVED: (on a motion by Councillor Susanna Pressel, seconded by Councillor Felix Bloomfield, and carried nem con) to approve the calendar of meetings for the 2023-24 civic year attached to the report.

93/22 CAPITAL GOVERNANCE - AMENDMENTS TO THE FINANCIAL REGULATIONS, SECTION 5, CAPITAL

(Agenda Item 13)

Council had before it a report setting out proposed amendments to the Financial Procedure Rules following a review of the Council's Capital Governance framework, processes and structures. The amendments were considered and endorsed by the Audit and Governance Committee at its meeting on 21 September 2022.

RESOLVED: (on a motion from Councillor Roz Smith, seconded by Councillor Brad Baines, and carried nem con) to approve the amendments to the Financial Procedure Rules (Financial Regulations, Section 5 "Capital") as set out in Annex 1 to the report, as recommended by the Audit and Governance Committee.

94/22 MOTION BY COUNCILLOR ROZ SMITH

(Agenda Item 14)

Councillor Roz Smith moved and Councillor Geoff Saul seconded the following motion:

This Council notes:

There are over 2 million employees providing unpaid care to friends and family members, such as personal care, medical and social support, and attending appointments.

The pressure on people as they balance their work with caring is hard. This Council believes that more action is needed to support people in employment with caring responsibilities.

Council therefore proposes to support the Carer's Leave Bill being brought to Parliament which will, for the first time, create a statutory entitlement for employers to offer unpaid leave for employees with caring responsibilities.

The Bill is expected to provide for up to one week's unpaid leave per year (in addition to paid leave allowance) and would provide more flexibility for carers, making things easier for them and their employers.

Eligibility for the leave would be clearly defined in the Bill, taking a broad approach to reflect the wide range of caring relationships and responsibilities.

Council therefore:

1. resolves for the leader to write to all Oxfordshire MP's asking them if they will support the Carer's Leave Bill
2. resolves to ask the Cabinet to commission a review of the communications and support for local advice services for employed Carers residing in Oxfordshire to ascertain if there is any further support that can be given

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

RESOLVED:

This Council notes:

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95/22 MOTION BY COUNCILLOR EDDIE REEVES

(Agenda Item 15)

Councillor Eddie Reeves moved and Councillor Yvonne Constance seconded the following motion:

This Council notes that significant concerns have been raised locally and nationally surrounding the data sets used to justify the introduction of Low Traffic Neighbourhoods (LTNs).

This Council further acknowledges its shortcomings in connection with certain of the LTN consultations and restates its commitment to consult more fully with local businesses, community groups and residents with mobility and/or religious requirements that make LTNs in parts of Oxford more problematic than in others.

Without prejudice to the administration's aim of reducing car-use, this Council recommends to Cabinet that it halt any immediate expansion in LTNs with a view to reassuring residents surrounding the data-sets and consultation methodologies used to justify and aid their introduction.

This Council further recommends to Cabinet that an independent audit of LTNs introduced in, or planned for, Oxfordshire be set in train to allow the Local Government Association or such other organisation to impartially assess their value in economic and environmental terms, together with their corresponding levels of democratic support.

Following debate, the motion was put to the vote and was lost by 35 votes to 19 with no abstentions.

96/22 MOTION BY COUNCILLOR CHARLIE HICKS

(Agenda Item 16)

Councillor Charlie Hicks moved and Councillor Judy Roberts seconded the following motion:

This Council has considered a change of Governance in the past from Leader and Cabinet to having a more inclusive Committee

structure. The Oxfordshire Fair Deal Alliance wishes to review the decision-making structures of the County Council, with the aim of operating in a much more inclusive way that can involve all the talents of the council.

The Council now requests the Director for Law & Governance to institute a Full Governance Review of the County Council as soon as practicable, with any recommended changes to the Council's Executive and Governance structure to be decided by Full Council and fully implemented by May 2024.

Following debate, the motion was put to the vote and carried by 36 votes to 16 with 1 abstention.

RESOLVED: (by 36 votes to 16)

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97/22 MOTION BY COUNCILLOR NIGEL SIMPSON

(Agenda Item 17)

Councillor Nigel Simpson moved and Councillor Liam Walker seconded the following motion:

Oxfordshire County Council has acknowledged the Climate Change Emergency.

A major contributor to excessive CO2 output is unnecessary car journeys. The proposal by Network Rail to shut the vital link between Yarnton and Kidlington by closing the level crossing at Sandy Lane will result in a significant increase in carbon emissions.

Permanent closure would see drivers forced to use alternative routes resulting in an average extra distance travelled of nearly two miles per journey.

Based on a recent survey undertaken by Yarnton Parish Council and on current usage this is estimated to result in an extra 4750 miles travelled on weekdays and 3800 at weekends, resulting in 1.5 million unnecessary miles per year.

The cost of such surplus miles is hundreds of thousands of pounds to residents and businesses who rely on their cars; and extra pollution in the form of many tonnes of carbon emissions, contrary to the Council's environmental objectives.

This would go directly against the Council's ambition to reduce CO2 output generated by transport and very significantly degrade the network of contacts that currently underpins the ancient and vital community nexus around the parishes of Yarnton, Begbroke and Kidlington.

This Council calls upon the Leader to request relevant Cabinet colleague(s) to engage with the local parishes, Network Rail and Oxford University Developments to discuss with them the ways in which this vital link can be maintained at least cost to the environment and for the benefit of all users with improvements, especially for cyclists and pedestrians.

Following debate, the motion was put to the vote and was lost by 32 votes to 19 with 1 abstention.

98/22 MOTION BY COUNCILLOR EDDIE REEVES

(Agenda Item 18)

Councillor Eddie Reeves moved and Councillor Liam Walker seconded the following motion:

Given the scale of the cost-of-living crisis, this Council resolves to show a lead by recommending to Cabinet that catering for meetings of Full Council and at civic functions be cancelled unless catering is considered essential.

Where appropriate, this Council further recommends to Cabinet that it commit to reallocating such monies to helping those residents in greatest need.

Following debate, the motion was put to the vote and was lost by 36 votes to 18 with no abstentions.

99/22 MOTION BY COUNCILLOR SALLY POVOLOTSKY

(Agenda Item 19)

Councillor Sally Povolotsky moved and Councillor Ian Middleton seconded the following motion:

The UK government has announced only a £100 payment for "Off Grid" homes relying on oil or LPG. A big gap in fiscal support compared to the £400 for all other households on the grid.

Heating and oil prices have seen huge hikes. The average cost of filling a 1,000-litre tank at the start of the year was about £620. By August, which is oil buying season, Oxfordshire residents prices had peaked and the same tank cost £1,108 or more to fill, and the market fluctuates.

The disparity is that most people are required to pay up front for oil, while people on mains energy pay monthly. Residents don't just face a warmth

crisis but that low-income households in rural areas face a potential health crisis due to cold homes. Without action, this government risks the health of many of the 1.5 million who have no option other than to use oil or LPG to heat their homes.

There's a potential cost and service gap issue to local authorities by the increased demand for health and mental health services.

This council asks our leader to write to government to;

1. Match the £400 energy grant for ALL energy users
2. Create a package for rural Oxfordshire communities to provide grants for renewables / air source heat pumps or help switch to biofuel boilers, as well as retrofitting and insulation.
3. Recognise that this cost of living emergency has further health service impacts in Oxfordshire and fund the needs of society

Following debate, the motion was put to the vote and was carried by 36 votes to 0 with 14 abstentions.

RESOLVED:

The UK government has announced only a £100 payment for "Off Grid" homes relying on oil or LPG. A big gap in fiscal support compared to the £400 for all other households on the grid.

Heating and oil prices have seen huge hikes. The average cost of filling a 1,000-litre tank at the start of the year was about £620. By August, which is oil buying season, Oxfordshire residents prices had peaked and the same tank cost £1,108 or more to fill, and the market fluctuates.

The disparity is that most people are required to pay up front for oil, while people on mains energy pay monthly. Residents don't just face a warmth crisis but that low-income households in rural areas face a potential health crisis due to cold homes. Without action, this government risks the health of many of the 1.5 million who have no option other than to use oil or LPG to heat their homes.

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3. Recognise that this cost of living emergency has further health service impacts in Oxfordshire and fund the needs of society

100/22 MOTION BY COUNCILLOR NATHAN LEY

(Agenda Item 20)

Councillor Nathan Ley moved and Councillor Charlie Hicks seconded the following motion:

This Council recognises that excessive noise pollution from major highways raises the risk of negative health outcomes for our residents, most notably cardiovascular disease, cognitive impairment, and sleep disturbance. This particularly affects those who live in closest proximity to the busiest major strategic roads, including the A34 and M40.

The World Health Organisation (WHO) guidelines “strongly recommends reducing noise levels produced by road traffic below 53 dB, as road traffic noise above this level is associated with adverse health effects”. However, it’s well known that noise levels are far in excess of this in many residential areas, especially where formally defined as ‘Noise Important Areas’, where the highest 1% of noise levels at residential locations can be found. This includes neighbourhoods within Abingdon, Botley and Banbury among others.

Traffic volumes on our major roads have massively increased, with the number of cars on the road doubling in the past 30 years. In light of this, and given the absence of physical sound mitigation measures along many highways-adjacent areas in Oxfordshire, we believe National Highways must take action to improve residents’ quality of life. The existing designation of several ‘Noise Important Areas’ provides a framework for further investigation, and this must be matched by appropriate physical remedies.

Acknowledging the important future role of our strategic network, Council asks the Leader to write to National Highways’ Chief Executive Nick Harris to stress the importance of funding and implementing physical noise mitigation infrastructure as soon as possible, especially pre-existing ‘Noise Important Areas’.

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

RESOLVED:

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101/22 MOTION BY COUNCILLOR ROBIN BENNETT

(Agenda Item 21)

The time being 3.40 pm, this Motion was considered dropped in accordance with Council Procedure Rule 15.1

(Monitoring Officer’s remarks - The Monitoring Officer expressed concern about the conduct of debate during the afternoon session of the meeting. She reminded members that they had a responsibility to uphold the ethical governance of the Authority, in accordance with the Code of Conduct, and to treat others with respect.)

..... in the Chair

Date of signing