

## OXFORDSHIRE COUNTY COUNCIL

**MINUTES** of the meeting held on Tuesday, 13 September 2011 commencing at 10.00 am and finishing at 3.25 pm.

### **Present:**

Councillor Patrick Greene – in the Chair

### Councillors:

Don Seale	Pete Handley	Rodney Rose
Alyas Ahmed	Jenny Hannaby	John Sanders
Alan Armitage	Tony Harbour	Larry Sanders
Marilyn Badcock	Steve Hayward	Dave Sexon
Mike Badcock	Mrs J. Heathcoat	Chip Sherwood
Maurice Billington	Hilary Hibbert-Biles	C.H. Shouler
Norman Bolster	Ian Hudspeth	Dr Peter Skolar
Ann Bonner	Ray Jelf	Roz Smith
Liz Brighthouse OBE	Peter Jones	Val Smith
Iain Brown	Lorraine Lindsay-Gale	Richard Stevens
Nick Carter	A.M. Lovatt	Keith Strangwood
Louise Chapman	Sajjad Hussain Malik	Lawrie Stratford
Jim Couchman	Kieron Mallon	John Tanner
Tony Crabbe	Charles Mathew	Alan Thompson
Roy Darke	Keith R. Mitchell CBE	Melinda Tilley
Arash Fatemian	David Nimmo-Smith	David Turner
Jean Fooks	Neil Owen	Nicholas P. Turner
Mrs C. Fulljames	Zoé Patrick	Carol Viney
Anthony Gearing	Susanna Pressel	Michael Waine
John Goddard	Anne Purse	David Wilmshurst
Tim Hallchurch MBE	David Robertson	

*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.*

### **76/11 MINUTES**

(Agenda Item 1)

**RESOLVED:** (On a motion by Councillor Mitchell, seconded by Councillor Robertson and carried nem con, with 1 abstention) that the Minutes of the meeting of Council held on 14 June 2011 be approved and signed, subject to the following amendment:

Minute 65/11 (Report of the Cabinet), Paragraphs 5,7,10 and 12 the text “to arrange a meeting with” being substituted with “to meet with”.

## **77/11 APOLOGIES FOR ABSENCE**

(Agenda Item 2)

Apologies for absence were received from Councillors Altaf-Khan, Atkins, Belson, Fitzgerald O'Connor, Gibbard, Godden, Harvey, Hutchinson, Lilly, Reynolds and Service.

## **78/11 OFFICIAL COMMUNICATIONS**

(Agenda Item 4)

The Chairman reported as follows:

As Chairman of the Council, Councillor Greene would be supporting the Fire Fighter's Charity, taking part in a number of fundraising events. Following a suggestion by the Chairman, the Fire Fighter's Charity had introduced a 'text to donate' number to allow people a convenient way to donate. A fire fighter display and charity box had also been placed in the reception area at County Hall. The Chairman urged members to join him in supporting this important cause.

The Chairman would be inviting members of the Woodcarvers' Association to a reception to thank them for their generosity in allowing the Chairman to display 3 woodcarving panels celebrating 1000 years of Oxfordshire in County Hall Reception.

The Chairman welcomed the attendance at the ceremony to mark the handover of repatriations of the fallen military personnel to RAF Brize Norton, and the dedication of the new memorial garden of 1 September 2011. He paid respect to Sgt Barry Weston of Royal Marines 42 Commando who was repatriated in Brize Norton last week. He reported that the Chairman, or representative, would be attending all future repatriations.

The Chairman and Vice-Chairman had attended the Open Doors on the 10<sup>th</sup> and 11<sup>th</sup> of September at County Hall. Council thanked Tim Stimpson, Facilities Manager for giving up his weekend to provide tours and organisation for this event.

The Chairman reported that officers were looking at ways to inform Councillors of events that the Chairman attended as formal representative of the Council.

The Chairman reported that a response had been received from the Royal Norwegian Embassy thanking the County Council for its support.

## **79/11 APPOINTMENTS**

(Agenda Item 5)

### **RESOLVED:**

- (i) to appoint Councillor Sarah Hutchinson in place of Councillor Val Smith on Children's Services Scrutiny Committee;
- (ii) Councillor Val Smith in place of Councillor John Sanders on the Oxfordshire Joint Health Overview & Scrutiny Committee;
- (iii) to note the following additions and clarifications (shown in bold below) to the Cabinet Member portfolios indicated to take effect from 26 August 2011:

Cabinet Member for Transport: Strategic transport planning; implementation of schemes for transport; highways; traffic and parking; **flooding - lead local Flood Authority role and engineering/technical matters**; road safety; public passenger transport and access to the countryside.

Cabinet Member for Growth & Infrastructure: Strategic planning within Oxfordshire; minerals strategy; waste management; environmental management; flooding - **Planning Authority/planning policy role**; clean and green; climate change; archaeology; South Oxfordshire District Council liaison and South Oxfordshire Local Strategic Partnership.

## **80/11 PETITIONS AND PUBLIC ADDRESS**

(Agenda Item 6)

The following petitions and public address were received:

### **Petitions**

Mr Alfred Fullah petitioned Council requesting that Oxfordshire County Council replace the zebra crossing on Oxford Hill, Witney with a Toucan crossing (raised crossing controlled by lights).

### **Public Address**

Ms Katherine Wedall, a mother of a child with multiple disabilities spoke in support of Motion 18.

## **81/11 2011/12 - REQUESTS FOR VIREMENTS & CHANGES TO THE ANNUAL TREASURY MANAGEMENT STRATEGY & ANNUAL INVESTMENT STRATEGY**

(Agenda Item 8)

The Council had before them a report by the Assistant Chief Executive & Chief Finance Officer (CC8) which sought approval for temporary virements larger than £0.5m, where they represented a change in policy and all permanent virements that represented a change in policy.

**RESOLVED:** (on a motion by Councillor Couchman, seconded by Councillor Mitchell and carried nem con): to

- (a) approve the virements larger than £0.5m and the associated carry forwards from 2010/11 for Children, Education & Families, Social & Community Services and Environment & Economy as set out in annex 1a and 1b to the report;
- (b) approve the permanent virement of £1.5m from the additional grant funding to the Older People's elements of the Older People and Physical Disabilities Pool as set out in paragraph 5 and 6 to the report;
- (c) note the changes to the Specified and Non-Specified Investment instruments section of the 2011/12 Treasury Management Strategy set out in paragraphs 7 to 9 and Annex 2 to the report.

## **82/11 TREASURY MANAGEMENT 2010/11 OUTTURN**

(Agenda Item 9)

The Council had before them a report by the Assistant Chief Executive & Chief Finance Officer which set out the Treasury Management activity undertaken in the financial year 2010/11.

Councillor Mitchell paid tribute to Sue Scane and her team for the excellent work undertaken in the last financial year.

**RESOLVED:** (on a motion by Councillor Couchman, seconded by Councillor Mitchell and carried unanimously) to:

- (a) to note the Council's Treasury Management Activity in 2010/11;
- (b) thank Sue Scane and the Treasury Management Team for their excellent work.

## **83/11 REPORT OF THE CABINET**

(Agenda Item 10)

The Council had before them the report of the Cabinet Meetings on 21 June and 19 July 2011 (CC10).

In relation to paragraph 6 (Provisional 2010/11 Revenue and Capital Outturn) (Question from Councillor Armitage) Councillor Couchman undertook to ask Councillor Rose to supply a written answer regarding the surplus in the On-Street Parking Account.

In relation to paragraph 9 (Property and Facilities Procurement – Project Review) (Question from Councillor Armitage) Councillor Couchman undertook to supply a written answer detailing the situation regarding retrospective billing for 'Food with Thought'

In relation to paragraphs 16 and 18 (St Christopher's Primary School, Cowley and New Marston Primary School) (Questions from Councillors Malik and Darke) Councillor Tilley undertook to visit the schools.

**84/11 PARTNERSHIP WORKING IN OXFORDSHIRE**

(Agenda Item 11)

The Council had before them a report by the Head of Strategy & Communications (CC11) which provided an update on all thematic partnerships and district local strategic partnerships, together with detail on the future role of the Oxfordshire Partnership and the refresh of the Oxfordshire 2030 objectives.

Councillor Chapman paid tribute to the Director for Children, Education & Families, Ms Paine and Jim Leivers for the excellent arrangements in place for the new hubs.

**RESOLVED:** (on a motion by Councillor Mitchell, seconded by Councillor Robertson and carried by 44 votes to 8, with 8 abstentions):

- (a) to note the report;
- (b) that the partnership update reports are discussed annually at Full Council rather than 3 times a year.

**85/11 QUESTIONS WITH NOTICE FROM MEMBERS OF THE COUNCIL**

(Agenda Item 12)

14 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 14, Councillor Fatemian undertook to provide Councillor Larry Sanders with a detailed explanation of the system.

**86/11 MOTION FROM COUNCILLOR JEAN FOOKS**

(Agenda Item 13)

There being no mover or seconder this motion was considered dropped in accordance with Council Procedure Rule 15.1.

**87/11 MOTION FROM COUNCILLOR RICHARD STEVENS**

(Agenda Item 14)

Councillor Richard Stevens moved and Councillor Pressel seconded the following motion:

“This Council notes with concern that delayed transfers of care in Oxfordshire showed a serious deterioration in July 2011 resulting in 145 people being delayed in Oxfordshire hospital beds when they do not need to be there (according to official Government figures published by the Department for Health).

This Council also notes Cllr Keith Mitchell's admission on 11 August that the Council is "trying to operate a system that is just about bust", and Cllr

Mitchell's view that the Council will need to "secure more funding as we have more elderly people".

This Council calls on Cabinet to:

- (i) consider carefully the outcome of the discussions relating to delayed discharges between representatives of the NHS and the Council at the Adult Services Scrutiny Committee of 6 September;
- (ii) set out the changes it proposes to make to fix a "system that is just about bust"; and
- (iii) explain in detail how the Cabinet intends to "secure more funding" to tackle the problem."

Following debate, the motion was put to the vote and was lost by 43 votes to 18.

**88/11 MOTION FROM COUNCILLOR JOHN SANDERS**

(Agenda Item 15)

There being no mover or seconder this motion was considered dropped in accordance with Council Procedure Rule 15.1.

**89/11 MOTION FROM COUNCILLOR JOHN TANNER**

(Agenda Item 16)

Councillor Tanner moved and Councillor Larry Sanders seconded the following motion:

"This Council welcomes the high level of recycling at the Redbridge Recycling Centre in Oxford. We recognise the importance of every district in Oxfordshire having a modern recycling centre and we welcome the plans for a new recycling centre at Kidlington. We welcome, as a first step, the decision to allow public access at the weekends to the new Redbridge centre after it is refurbished.

Council therefore resolves to ask Cabinet for:

- (a) a review of the current policy which bans pedestrians from entering the existing Redbridge site
- (b) the provision of an alternative temporary site in, or close to, the south east of Oxford while Redbridge is being modernised
- (c) an extension of the times during the week when the refurbished Redbridge site will be open to the public

We welcome the achievements of the Oxfordshire Waste Partnership in boosting recycling across the County. We underline the County Council's commitment to reduction, reuse and recycling; to creating a low carbon economy; and to encouraging walking and cycling."

Councillor Tanner proposed and Councillor Larry Sanders seconded the following amendment to his motion:

“delete (b) and (c)”

There being no support, the amendment was not allowed.

The substantive motion was then put to the vote and was lost by 40 votes to 18.

## **90/11 MOTION FROM COUNCILLOR ANNE PURSE**

(Agenda Item 17)

Councillor Purse moved and Councillor Fooks seconded the following motion as amended by Councillor Robertson in bold italic:

“This Council notes that:

The establishment of the East-West Rail project from Oxford going east towards Milton Keynes and ultimately Cambridge has long been considered both desirable and practically possible. Although it did not get funded in the last Regional round, there is now a window of opportunity which must be grasped;

The western section of the project is important to our adjoining counties in the South East, and on into the East Midlands, providing a step change in the transport links between a number of important economic clusters, including those in Oxfordshire, that are critical to the economic recovery locally and nationally;

The importance of the project is reflected in its outstanding benefit cost ratio (in the order of 6:1) reinforced by the business case that shows the new rail service will be profitable;

Local authorities along the route have long championed the scheme ***and this administration has been one of its leading advocates;***

Council therefore resolves:

- (a) to write to the Secretary of State asking him to include the East-West rail project in the next High Level Output Specification to be published in 2013; and
- (b) to write to MPs along the route asking them to join the new All Party Parliamentary Group set up by Ian Stewart, MP for Milton Keynes South, and to actively promote the project in their constituencies.”

Following debate, the motion as amended was carried unanimously.

**RESOLVED:**

This Council notes that:

The establishment of the East-West Rail project from Oxford going east towards Milton Keynes and ultimately Cambridge has long been considered both desirable and practically possible. Although it did not get funded in the last Regional round, there is now a window of opportunity which must be grasped;

The western section of the project is important to our adjoining counties in the South East, and on into the East Midlands, providing a step change in the transport links between a number of important economic clusters, including those in Oxfordshire, that are critical to the economic recovery locally and nationally;

The importance of the project is reflected in its outstanding benefit cost ratio (in the order of 6:1) reinforced by the business case that shows the new rail service will be profitable;

Local authorities along the route have long championed the scheme and this administration has been one of its leading advocates;

Council therefore resolves:

- (a) to write to the Secretary of State asking him to include the East-West rail project in the next High Level Output Specification to be published in 2013; and
- (b) to write to MPs along the route asking them to join the new All Party Parliamentary Group set up by Ian Stewart, MP for Milton Keynes South, and to actively promote the project in their constituencies."

## **91/11 MOTION FROM COUNCILLOR LARRY SANDERS**

(Agenda Item 18)

Councillor Larry Sanders moved and Councillor Sherwood seconded the following motion:

"The Health and Social Care Bill currently before Parliament might:

- Significantly increase the portion of Oxfordshire NHS owned and operated in the interests of profit-making corporations;
- Increase costs, fragment services and reduce quality of care;
- Lead to the closure of NHS hospitals in Oxfordshire;
- Dismantle vital cooperative relationships built over many years;
- Force drastic change on an organisation which requires stability;
- Create increased transaction costs and profits at the expense of patient care;



- Give powers to the Oxfordshire Clinical consortia to deny care, close services, introduce charges and top-up fees and sell private insurance;
- Leave Oxfordshire NHS unprotected against the full impact of European Union competition laws;
- Remove the cap on the number of private patients NHS Hospitals in Oxfordshire can treat, thus denying care to NHS patients;

For these reasons this Council requests that the Safer & Stronger Scrutiny Committee consider these issues and decide whether it should:

- call upon all members of the House of Lords, regardless of Party affiliation, to reject the Health and Social Care Bill;
- explore the reasons behind the British Medical Association and the Royal College of Nurses opposition to this Bill;
- take into account the general level of opposition by the public to the privatisation of the NHS."

The Chairman reminded members to keep in mind the public address received at Agenda Item 6.

8 Members by standing in their places required a named vote in accordance with Council Procedure Rule 15(a). Voting was as follows:

Councillors for the motion (10)

Brighthouse, Darke, Malik, Pressel, J Sanders, L Sanders, Sherwood, V Smith, Stevens, Tanner.

Councillors voting against the motion (41):

Ahmed, Marilyn Badcock, Mike Badcock, Billington, Bolster, Bonner, Brown, Chapman, Couchman, Crabbe, Fatemian, Fulljames, Greene, Hallchurch, Handley, Harbour, Hayward, Heathcoat, Hibbert-Biles, Hudspeth, Jones, Lindsay-Gale, Lovatt, Mallon, Mathew, Mitchell, Nimmo-Smith, Owen, Robertson, Rose, Seale, Shouler, Skolar, Strangwood, Stratford, Thompson, Tilley, N. Turner, Viney, Waine, Wilmshurst.

Councillors abstaining (8)

Armitage, Fooks, Goddard, Hannaby, Patrick, Purse, R Smith, D Turner.

Accordingly, the motion was lost.

**92/11 MOTION FROM COUNCILLOR LARRY SANDERS**

(Agenda Item 19)

Councillor Larry Sanders moved and Councillor Sherwood seconded the following motion:

“This Council requests that the Chief Executive explore the cost and other implications of creating a full audio recording of Council Meetings which can be easily accessed by residents and report them to the next meeting which would then consider whether such a recording system should be implemented.”

Following debate, the motion was lost by 43 votes to 14, with 2 abstentions.

**93/11 MOTION FROM COUNCILLOR LARRY SANDERS**

(Agenda Item 20)

Councillor Larry Sanders moved and Councillor Sherwood seconded the following motion:

"This Council notes the excellent work being done by the City of Edinburgh Council to establish the “Edinburgh Guarantee” for its young people. This Council also notes the importance of the existing September Guarantee operating in England to ensure all young people are offered a full time place of learning by September of the year after their 16th and 17th birthday. This Council recognises the good intentions set out in signing the Apprenticeship Pledge. However this Council realises the dire effects of unemployment on young people and commits itself to the creation of an Oxfordshire Guarantee, designed to increase the number of jobs, education or training opportunities being made available to young people, to help them move into a positive destination.

Council therefore calls on the Cabinet to begin work with the County Council’s partners to establish this Guarantee, building upon the Council's existing Apprenticeship Pledge and September Guarantee and to report it progress to this Council at reasonable intervals."

Following debate, the motion was lost by 42 votes to 11, with 7 abstentions.

..... in the Chair

Date of signing ..... 2011