

OXFORDSHIRE COUNTY COUNCIL

MINUTES of the meeting held on Tuesday, 12 July 2016 commencing at 10.00 am and finishing at 3.35 pm.

Present:

Councillor Michael Waine – in the Chair

Councillors:

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

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.

30/16 MINUTES

(Agenda Item 1)

The Minutes of the Meeting held on 17 May 2016 were approved and signed.

31/16 APOLOGIES FOR ABSENCE

(Agenda Item 2)

An apology from absence was received from Councillor Mrs Fulljames.

32/16 DECLARATIONS OF INTEREST

(Agenda Item 3)

Councillor James Mills declared an Interest in Agenda Item 10 (Connecting Oxfordshire Update – Local Transport Plan (LTP4) 2015-2031) by virtue of his membership of the Local Enterprise Partnership and Growth Board.

33/16 OFFICIAL COMMUNICATIONS

(Agenda Item 4)

The Chairman reported as follows:

Council congratulated Charles Greville Williams, Watch Manager, Oxfordshire Fire and Rescue Service, who had received the Order of the British Empire Medallist of the Order of the British Empire for services to Fire Safety and the community in Burford, Oxfordshire.

Council sent its condolences to the family of Former Labour MP Jo Cox who had died on 16 June 2016. Jo Cox had also worked for Oxfam, becoming head of policy and was also an as advisor to Gordon Brown's wife Sarah, and Lady Kinnock. She became national chairwoman of Labour Women's Network and a senior adviser to the Freedom Fund, an anti-slavery charity.

34/16 PETITIONS AND PUBLIC ADDRESS

(Agenda Item 6)

Council received the following Petition and Public Address:

A Petition of 390 signatures from the Iffley Fields Residents Association Parking Working Group requesting that the County Council initiate a consultation process involving the residents of Iffley Fields for a controlled Parking Zone.

Mr Simon Hunt, Chair of Cyclox in relation to Agenda Item 10 (Connecting Oxfordshire Update – Local Transport Plan (LTP4) 2015-2031) and the Council's current Local Transport Plan, LTP4, approved and adopted last year, in particular the following (volume 4, para 3):

"We are aware of the need to enable non-users to become confident about travelling by bike. In collaboration with the Oxfordshire Cycle Network, we will provide a comprehensive toolkit of cycling support, including training. We will promote cycling using social media, workplace travel plans and personalised travel planning."

He requested that the Council inform Cyclox of any action or progress in relation to the above and requested that the County Council consult with Cyclox on any future cycle plans for Oxfordshire before they were implemented.

Ms Sushila Dhall, Chair of Oxford Pedestrians Association spoke in relation to Agenda Item 10 (Connecting Oxfordshire Update – Local Transport Plan

(LTP4) 2015-2031) welcoming the emphasis in section 4 promoting Walking and Cycling on the basis that encouraging people to adopt those modes of transport was critical to the success of the whole strategy. However, whilst there was a wealth of detail and many specific proposals for development of the infrastructure for cycling, the association felt that the document set out good intent, but lacked any detail on encouraging walking particularly around the rail station to city centre, Banbury, Woodstock and Botley Roads, Broad Street and St. Giles, the High Street. She urged members of the Council to consider what detailed walking proposals could be added.

35/16 QUESTIONS WITH NOTICE FROM MEMBERS OF THE COUNCIL

(Agenda Item 8)

28 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 2 (Question from Councillor John Howson to Councillor Melinda Tilley), Councillor Tilley undertook to provide Councillor Howson with a written answer detailing when members could expect to hear about a final site and what the absolute deadline was when all would need to be completed to hit the 2017 admission round.

In relation to Question 10 (Question from Councillor Lilly to Councillor Nimmo Smith) Councillor Nimmo Smith undertook to provide Councillor Lilly with a written answer to the question "is there any way that parish councils can find out about 'closed door' agreements?"

In relation to Question 19 (Question from Councillor Coates to Councillor Nimmo Smith) Councillor Nimmo Smith undertook to provide Councillor Coates with a written answer detailing whether there was any scope to increase enforcement patrols outside primary schools and whether parents could be encouraged to patrol themselves?

36/16 REPORT OF THE CABINET

(Agenda Item 9)

The Council received the report of the Cabinet.

In relation to paragraph 1 (Cabinet Business Monitoring Report for Quarter 3)) (Question from Councillor Tanner) Councillor Rose gave an undertaking to consult with the Cabinet Members for Finance and Children, Education & Families and provide Councillor Tanner with a written answer explaining the large overspend in Children, Education & Families, together with an answer to whether it would continue to have a overspend.

In relation to paragraph 7 (Street Lighting Contract and Interim Policy) (Question from Councillor Mark Cherry) Councillor Nimmo Smith gave an undertaking to provide Councillor Cherry with a written answer detailing the date when the situation with the Street Lighting Contract would be rectified.

37/16 CONNECTING OXFORDSHIRE UPDATE - LOCAL TRANSPORT PLAN (LTP4) 2015-2031

(Agenda Item 10)

Council had before them a report which set out the key changes to Connecting Oxfordshire, Oxfordshire's Local Transport Plan (LTP4), adopted by Council in September 2015, following full public and Stakeholder consultation. This report outlined the first update to LTP4, which was required to reflect the changed policy context and new and updated strategies.

LTP4 had been updated in 2016 in response to the rapidly changing national and local growth, economic development, infrastructure planning and funding agendas. Last year the County Council resolved that LTP4 should be strengthened in its aims to reduce air pollution. This was also reflected in the Plan.

The Plan had been designed as a living transport policy and strategy framework document, to be kept under review and regularly updated as significant changes took place which affect transport in Oxfordshire. It would also directly inform the update of the Oxfordshire Strategic Economic Plan recently consulted upon and proposed to be completed this Autumn.

Councillor Nimmo-Smith moved and Councillor Hudspeth seconded that the recommendations set out on the face of the Agenda and the report be adopted.

Following a lengthy debate, the motion was put to the vote and was carried by 60 votes to 0, with 1 abstention.

RESOLVED: (60 votes to 0, 1 abstention) to:

- (a) adopt the updated 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, subject to any such changes being reported to County Council for approval within 12 months.

38/16 PROPOSED FEES FOR THE SUPPLY OF TRAFFIC ACCIDENT DATA

(Agenda Item 11)

Council had before it a report which outlined proposals for a schedule of fees for the supply of traffic accident data. The report was considered by the

Cabinet at its meeting on 28 June 2016. The Cabinet agreed to forward the report to Council for approval.

RESOLVED: (on a motion by Councillor Nimmo Smith, seconded by Councillor Stratford and carried by 58 votes 1, with 2 abstentions) to approve the use of the proposed fees as set out in Annex 1 to the report.

39/16 COUNTY COUNCIL MEETING DATES

(Agenda Item 12)

Council had before them a report (CC12) which sought agreement to the schedule of meeting dates proposed for the 2017/18 Council Year. The schedule had been drawn up to reflect the various rules regarding frequency of meetings set out in the Council's Constitution.

The Councillor Profile Working Group had proposed that full Council meetings start 30 minutes later at 10.30am and the Audit & Governance Committee supported this change. Accordingly, it was therefore proposed that Council start from 10.30 am – 4.00 pm from the Annual meeting in 2017.

It was also agreed by Audit & Governance Committee that where possible Monday morning meetings be avoided and it was suggested that in future Education Scrutiny Committee meet on Wednesday afternoons.

Councillor Michael Waine proposed and Councillor Zoe Patrick seconded that the recommendations set out in the report and on the face of the Agenda be adopted.

Councillor Williams moved and Councillor Coates seconded the following amendment shown in bold italics and strikethrough below:

Council is RECOMMENDED to agree the schedule of meeting dates for the 2017/18 Council Year and in particular to amend Rule 5.1 of the Council Procedure Rules with effect from the Annual Council Meeting in 2017 to reflect the new start and end times proposed for Council of 10.30 am ~~and 4.00 pm respectively.~~ **and the end of business on the Council Agenda.**

Following debate, the amendment was put to the vote and was lost by 59 votes to 2.

The substantive motion was the put to the vote and was carried by 53 votes to 1, with 6 abstentions.

RESOLVED: (by 53 votes to 1, with 6 abstentions) to agree the schedule of meeting dates for the 2017/18 Council Year and in particular to amend Rule 5.1 of the Council Procedure Rules with effect from the Annual Council Meeting in 2017 to reflect the new start and end times proposed for Council of 10.00 am and 4.00 pm respectively.

40/16 VIREMENTS TO COUNCIL

(Agenda Item 13)

Council had before them a number of Virement requests to offset over and underspends with and between directorates which were larger than £1.0m and therefore, under the Council's Financial Procedure Rules, required Council approval.

RESOLVED: (on a motion by Councillor Stratford, seconded by Councillor Hudspeth and carried nem con) to:

- (a) approve the virements greater than £1.0m for Children, Education & Families and Social & Community Services as set out in Annex 1;
- (b) approve the virement of £1.5m from contingency to offset the overspend within Children's Social Care as set out in Annex 1.

41/16 REPORT OF LOCAL GOVERNMENT OBUDESMAN

(Agenda Item 14)

The Local Government Ombudsman had issued a public report in response to an investigation into complaints against Oxfordshire County Council's Safeguarding Adults Team and Huntercombe Hall Care Home. The complaint related to events that took place in 2014. The Ombudsman concluded that there was a public interest in how the complaint and the care of the complainant's wife were mismanaged and how further residents might have been at risk.

Under the Local Government Act 1974, Council must consider the report of the Ombudsman and confirm to her the steps the Council has taken, or is taking, to comply with the recommendations of the Ombudsman.

The Director of Adult Social Services has issued a briefing for councillors to set out the actions that the Council has taken which comply with the recommendations of the Ombudsman. The Council had before it a report (CC14) which sought consideration the Ombudsman's recommendations and the actions taken by the Council.

Councillor Judith Heathcoat, in moving the motion apologised sincerely for the Council's failings in this case. She stressed that the way the Council had handled this case was very disappointing. As the Ombudsman had acknowledged, the Council had implemented robust and extensive improvements to policies and procedures and staff training as a result of this case, even though at the time it was an isolated case of poor practice and in no way systemic or representative of the general standards to which the council operated in 2014 or now.

The actions of the care home in this case were also below the normal and expected standards. The report described poor quality care provided by Huntercombe Hall Care Home.

The Council did not run this care home and had not directly managed any care home since 2001. However, the Council continued to work closely with Caring Homes Ltd, who were responsible for Huntercombe Hall Care Home to ensure that standards meet the expected levels.

There had been improvements in the way the Care Home operated following this incident. However, she stressed that the Council was still monitoring Huntercombe Hall closely under its Standards of Care Procedures, as there were continuing concerns about how effectively the home escalated concerns and alerted the Council to incidents in the home.

RESOLVED: (on a motion by Councillor Heathcoat, seconded by Councillor Hudspeth and carried unanimously) to adopt the recommendations set out on page 70 of the report. CC14.

42/16 MOTION FROM COUNCILLOR KIERON MALLON

(Agenda Item 15)

Councillor Mallon moved and Councillor Fatemian seconded the following motion:

"This Council notes emerging proposals for changes to Hospital services in Banbury and resolves to instruct officers to examine a case that looks to protect consultant led paediatrics and maternity provision at the Horton."

Councillor Cherry moved and Councillor Dhesi seconded the following amendment (shown in bold italics and strikethrough):

"This Council notes emerging proposals for changes to Hospital services in Banbury and resolves to ***set up a working group including Banbury County Councillors***, ~~instruct officers to~~ examine a case that looks to ***preserve the services that are currently available to local residents*** ~~protect consultant led paediatrics and maternity provision at the Horton."~~

Following debate, the amendment was put to the vote and was lost by 35 votes to 21, with 4 abstentions.

The Substantive motion was then put to the vote and was carried by 59 votes to 0, with 1 abstention.

43/16 MOTION FROM COUNCILLOR RICHARD WEBBER

(Agenda Item 16)

With the consent of Council, Councillor Webber moved and Councillor Hudspeth seconded his motion as amended by Councillor Hudspeth below in bold italics/strikethrough:

Council ***continues to*** supports the general principle that those in greatest need should have the highest priority. However, Council regrets that it has been compelled to abandon the concept of universal provision offered by our

children's Centres in Oxfordshire as a result of the Government's cuts in Local Authority funding. ~~Council asserts that it intends to restore a universal service as soon as financial constraints allow.~~

In the meantime, Council is aware that, as a result of the focus on the most needy children and families in our County, there will be large areas—particularly in the West which now have no Children Centre buildings - the same areas likely to suffer most from rural isolation as the Council removes bus subsidies.

Ensuring that there was some compensation for these areas was a key statement agreed by Council in its February budget. Council therefore believes that it is now essential that the effects of the loss of Children's Centres, in these areas, is compensated for by:

1. Offering active support to the parents, volunteers and Parish Councils taking over or hoping to take over the vacated Centres.

2. ~~Ensuring that rents to such bodies are kept to a minimum in order to allow them to produce realistic, and sustainable business plans.~~

3.2 Persuading District Councils to join us in giving as much support to these bodies as possible.

4.3 That the £1m Transition Fund agreed at the February budget should be committed to these areas to achieve the above.

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

RESOLVED: (unanimously)

Council continues to support the general principle that those in greatest need should have the highest priority. However, Council regrets that it has been compelled to abandon the concept of universal provision offered by our children's Centres in Oxfordshire as a result of the Government's cuts in Local Authority funding.

In the meantime, Council is aware that, as a result of the focus on the most needy children and families in our County, there will be large areas—particularly in the West which now have no Children Centre buildings - the same areas likely to suffer most from rural isolation as the Council removes bus subsidies.

Ensuring that there was some compensation for these areas was a key statement agreed by Council in its February budget. Council therefore believes that it is now essential that the effects of the loss of Children's Centres, in these areas, is compensated for by:

1. Offering active support to the parents, volunteers and Parish Councils taking over or hoping to take over the vacated Centres;

2 Persuading District Councils to join us in giving as much support to these bodies as possible;

.....

3 That the £1m Transition Fund agreed at the February budget should be committed to these areas to achieve the above.

44/16 MOTION FROM COUNCILLOR KEVIN BULMER

(Agenda Item 17)

Councillor Bulmer moved and Councillor Stratford second the following motion:

“This Council recognises that the issue of parking enforcement is of a major concern to residents across the County where there is no agreement for Civil Parking Enforcement. This Council asks the Cabinet Member for Environment to open negotiations with the district councils to find a solution to this matter.”

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

RESOLVED: accordingly.

45/16 MOTIONS 18, 19, 20, 21, 22, 23 AND 24

(Agenda Item 18)

The time being after 3.35 pm, motions 18, 19, 20, 21, 22, 23 and 24 were considered dropped in accordance with Council Procedure Rule 13.5.5.

..... in the Chair

Date of signing