

These notes indicate the decisions taken at this meeting and the officers responsible for taking the agreed action. For background documentation please refer to the agenda and supporting papers available on the Council's web site ([www.oxfordshire.gov.uk](http://www.oxfordshire.gov.uk).)

If you have a query please contact Deborah Miller (Tel: 07920 084239; E-Mail: [deborah.miller@oxfordshire.gov.uk](mailto:deborah.miller@oxfordshire.gov.uk))

## COUNTY COUNCIL - TUESDAY, 11 DECEMBER 2018

RECOMMENDATIONS FROM THE AGENDA	DECISIONS	ACTION
<p><b>1. Minutes</b></p> <p>To approve the minutes of the meeting held on 6 November 2018 (<b>CC1</b>) and to receive information arising from them.</p>	<p>The Minutes of the Meeting held on 6 November 2018 were approved and signed as an accurate record subject to replacing 'in with 'is' on page 16.</p>	<p>DLG (D. Miller)</p>
<p><b>2. Apologies for Absence</b></p>	<p>Apologies for absence were received from Councillors Buckley, Fawcett and Handley.</p> <p><b>RESOLVED:</b> to approve, for the purposes of Section 85 of the Local Government Act 1972, the absence of Councillor Pete Handley from any meeting of the Authority from the date of this meeting on the grounds of his serious ill health.</p>	<p>DLG (A. Newman)</p>
<p><b>3. Declarations of Interest - see guidance note</b></p> <p>Members are reminded that they must declare their interests orally at the meeting and specify (a) the nature of the interest and (b) which items on the agenda are the relevant items. This applies also to items where members have interests by virtue of their membership of a district council in Oxfordshire.</p>	<p>Councillor McIlveen declared a non-pecuniary interest in Agenda Item 15 (Motion by Councillor Emma Turnbull) by virtue of her position as a Youth Worker at Wolvercote Youth Club.</p>	<p>DLG (D. Miller)</p>
<p><b>4. Official Communications</b></p>	<p>Council noted that the Chairman's Annual Charity Dinner had raised £1,030 for local charities. The Chairman reminded members that donations would still be accepted.</p>	<p>All to note</p>

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	Council observed a minute's silence and paid tribute to former County Councillor Jean Fooks. The Chairman indicated that she had sent a wreath to the family on behalf of Council.	
<p><b>5. Appointments</b></p> <p>To make any changes to the membership of the Cabinet, scrutiny and other committees on the nomination of political groups.</p>	<p><b>RESOLVED:</b> to note the County Returning Officer's report and welcome Councillor Jane Hanna, OBE and Councillor Timothy Bearder to the Council.</p>	All to note.
<p><b>6. Petitions and Public Address</b></p>	There were none.	
<p><b>7. Questions with Notice from Members of the Public</b></p>	There were none.	
<p><b>8. Questions with Notice from Members of the Council</b></p>	<p>18 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.</p> <p>In relation to question 2 (Question from Councillor Howson to Councillor Heathcoat) Councillor Heathcoat undertook to investigate adding a further presentation from a Crown Court Judge to speak with regard to the Law and changes with regard to prosecution to the Safe Drive; Stay alive presentation.</p> <p>In relation to question 13 (Question from Councillor Turnbull to Councillor Heathcoat) Councillor Heathcoat undertook to provide Councillor Turnbull with a written answer detailing how the Council would absorb the loss as the apprenticeship</p>	<p>Cllr Heathcoat CFO</p> <p>Cllr Heathcoat DHR</p>

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	levy finished in 2019.	
<p><b>9. Report of the Cabinet</b></p> <p>Report of the Cabinet Meetings held on 18 September 2018 and 20 November 2018 (CC9).</p>	<p>The Council received the report of the Cabinet.</p> <p>In relation to paragraph 1 (Staffing Report – Quarter 2) (Question from Councillor Laura Price to Councillor Heathcoat) Councillor Heathcoat undertook to provide Councillor Price with a written answer detailing how many and where interim managers were across the directorates.</p> <p>In relation to paragraph 4 (Oxfordshire Safeguarding Children’s Board) (Question from Councillor Emily Smith to Councillor Harrod) Councillor Harrod undertook to provide Councillor Smith with a written answer as to what was being done to ensure that all children have access to a Youth Worker.</p>	<p>Cllr Heathcoat DHR</p> <p>Cllr Harrod DCS (K. Mace)</p>
<p><b>10. Treasury Management Mid-Term Review (2018/19)</b></p> <p>The report sets out the Treasury Management activity undertaken in the first half of the financial year 2018/19 in compliance with the CIPFA Code of Practice. The report includes Debt and Investment activity, Prudential Indicator monitoring and forecast interest receivable and payable for the financial year.</p> <p><b><i>Council is RECOMMENDED to note the report and the Council’s Mid-Term Treasury Management Review 2018/19.</i></b></p>	<p>Recommendations agreed nem con.</p>	<p>DF (T. Chapple)</p>
<p><b>11. Constitution Review</b></p> <p>This report seeks Full Council’s agreement to incorporate several changes into</p>		

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<i>RECOMMENDATIONS FROM THE AGENDA</i>	<i>DECISIONS</i>	<i>ACTION</i>
<p>changes to the Council's Constitution. The changes fall under two headings and are sought to bring greater clarity and to reflect decisions already taken by the Council. The Monitoring Officer has delegated authority to make changes to the Constitution to reflect the decisions of the Council, Cabinet and Committees and where changes are needed to bring clarity or to reflect legislation. Other changes require the approval of Full Council. In this case, the proposed changes are being brought to Full Council for approval. The background papers incorporating the governance documents to be included, are available to councillors in the Members' Resource Centre..</p> <p>The first change proposed is to the Council's Officer Employment Procedure Rules, effectively to bring greater clarity to the arrangements for appointing the Council's senior managers. The proposed change brings the Council's terminology for its senior manager positions into line with the wording in the relevant Regulations and to be clear as to the relevant body or person responsible for making the appointment in each case. This will enhance accountability and avoid confusion that has arisen as to the definition of 'Chief Officers' and 'Deputy Chief Officers'.</p> <p>For example, currently, the terms or reference of the Remuneration Committee are that it has a role in appointing Directors with no distinction made between 'Strategic Directors' and any other 'Directors'. This report proposes a distribution of responsibility that provides greater clarity. The choice of which posts should be appointed by the Remuneration Committee lies with the County Council itself and is not determined by regulations.</p> <p>This matter is entirely separate from the</p>	<p>With the Consent of Council, the Chairman moved the recommendations, together with the following additional recommendation:</p> <p><b>Council is RECOMMENDED to approve the changes to the Council's Financial Procedure Rules set out in paragraphs 6 and 7 and to ask the Monitoring Officer to amend the Constitution accordingly.</b></p> <p>The recommendations as amended were agreed nem con.</p> <p><b>RESOLVED:</b> (nem con) to:</p> <p>(a) agree that the proposed senior officer appointment arrangements set out at Annex 1 be incorporated into the Council's Constitution;</p> <p>(b) agree that the following be incorporated into the Council's Constitution:</p> <p>(i) terms of reference of the Partnership Working Group, Joint Shared Service and Personnel Committee and the Joint Appeals Committee;</p> <p>(ii) the protocol on the 'Roles of Members and Officers in Dealing with Conflicts of Interest';</p> <p>(iii) the Chief Executive Protocol.</p> <p>(c) Ask the Monitoring Officer to make the changes accordingly to the Constitution and the Council's Pay Policy Statement;</p> <p>(d) approve the changes to the Council's Financial Procedure Rules set out in paragraphs 6 and 7 and to ask the Monitoring Officer to amend the Constitution accordingly.</p>	<p>DLG (G. Watson)</p>

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<p>arrangements agreed by Council for handling any joint management appointments arising from the Oxfordshire-Cherwell Partnership. The scenarios in this report are solely those that the Council is required to have in place for its own appointments where these occur outside of that context. It is proposed to insert Annex 1 as an appendix to the Council's Officer Employment Procedure Rules.</p> <p>The second change is an administrative one. This is to insert new provisions into the Council's Constitution to give effect to the decisions already taken by the Council regarding the partnership between this Council and Cherwell District Council. The changes proposed are the insertion of an 'Ethical Walls arrangement' and the terms of reference of the two new committees - namely the Joint Shared Service and Personnel Committee and the Joint Appeals Committee.</p> <p>The third change is to adopt into the Constitution the 'Chief Executive Protocol' endorsed by the Audit and Governance Committee, which sets out how the Joint Chief Executive will work effectively on behalf of both authorities.</p> <p><b>Council is RECOMMENDED to:</b></p> <p><b>(a) agree that the proposed senior officer appointment arrangements set out at Annex 1 be incorporated into the Council's Constitution;</b></p> <p><b>(b) agree that the following be incorporated into the Council's Constitution:</b></p> <p><b>(i) terms of reference of the Partnership Working Group, Joint Shared Service and Personnel Committee and the Joint Appeals Committee;</b></p> <p><b>(ii) the protocol on the 'Roles of Members and Officers in</b></p>		

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<p align="center"><b>Dealing with Conflicts of Interest’;</b>  <b>(iii) the Chief Executive Protocol.</b></p> <p><b>(c) Ask the Monitoring Officer to make the changes accordingly to the Constitution and the Council’s Pay Policy Statement.</b></p>		
<p><b>12. East West Rail Link</b></p> <p>East West Rail, linking Oxford to Cambridge and beyond, has been supported by Oxfordshire over the course of its development since 1995. The Council is a Stakeholder and agreed financial contributor to the project. Strategically, the case and need for East West Rail has never been more important, as it is an essential infrastructure element of the Oxford-Milton Keynes-Cambridge corridor as well as supporting the wider growth and connectivity agenda in Oxfordshire and across England’s Economic Heartland.</p> <p>A Transport and Works Act Order has now been submitted for phase 2 of the Western section, between Oxford and Bedford, which requires the approval of the Secretary of State. A Public Inquiry into the scheme due to be held in February/March 2019.</p> <p>Whilst the County Council is a strategic supporter of the project and the benefits it would bring, there are significant concerns about some aspects of the proposals as set out in the Transport &amp; Works Act, and it is proposed that the Council objects to these aspects of the scheme at the Public Inquiry. Objection at a Transport &amp; Works Act Inquiry by the Council, as a Statutory Body, requires approval by Full Council under the terms of the Transport &amp; Works Act regulations. The purpose of this report is to seek that approval.</p>	<p>With the Consent of Council, Councillor Yvonne Constance accepted the amendment put forward by Councillor Bob Johnston as set out in bold italics and underline below.</p> <p><b><i>COUNCIL is RECOMMENDED to:</i></b></p> <p><b><i>(a) confirm its position as objecting to the Transport and Works Act Order on Highways / Transport and Ecology Grounds, on the basis of the points set out in Annex 2 to this report; and</i></b></p> <p><b><i>(b) with agreement from the Cabinet Member for the Environment, authorise officers to withdraw either or both areas of objection on the basis of satisfactory further information or updated proposals submitted by the East West Rail Alliance in response to these objections and to conclude such legal agreement(s) with Network Rail as they consider necessary to protect the County Council’s interests;</i></b></p> <p><b><i>(c) <u>In progressing the East West Rail Link project every effort should be made to facilitate a subsequent electrification of</u></i></b></p>	<p>DEE( J. Disley)</p>

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<p><b>COUNCIL is RECOMMENDED to:</b></p> <p>(a) <b>confirm its position as objecting to the Transport and Works Act Order on Highways / Transport and Ecology Grounds, on the basis of the points set out in Annex 2 to this report; and</b></p> <p>(b) <b>with agreement from the Cabinet Member for the Environment, authorise officers to withdraw either or both areas of objection on the basis of satisfactory further information or updated proposals submitted by the East West Rail Alliance in response to these objections and to conclude such legal agreement(s) with Network Rail as they consider necessary to protect the County Council's interests.</b></p>	<p><u><b>the link. This could mean for example ensuring that footbridges and other structures have sufficient clearance to allow the installation of a 25 KV catenary."</b></u></p> <p>The recommendations as amended were carried unanimously.</p> <p><b>RESOLVED:</b> (unanimous)</p> <p>(a) <b>confirm its position as objecting to the Transport and Works Act Order on Highways / Transport and Ecology Grounds, on the basis of the points set out in Annex 2 to this report; and</b></p> <p>(b) <b>with agreement from the Cabinet Member for the Environment, authorise officers to withdraw either or both areas of objection on the basis of satisfactory further information or updated proposals submitted by the East West Rail Alliance in response to these objections and to conclude such legal agreement(s) with Network Rail as they consider necessary to protect the County Council's interests;</b></p> <p>(c) <b>In progressing the East West Rail Link project every effort should be made to facilitate a subsequent electrification of the link. This could mean for example ensuring that footbridges and other structures have sufficient clearance to allow the installation of a 25 KV</b></p>	

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	<b>catenary."</b>	
<p><b>13. Motion by Councillor Laura Price</b></p> <p>"The greatest strength of local government is its ability to embrace openness and transparency, working with and for the people we represent to strive for the very best services and the most effective use of public money.</p> <p>To ensure that Council is committed to this fundamental principle we propose the Monitoring Officer conduct a review of:</p> <ol style="list-style-type: none"> <li>1. Any meetings including Members relating to Council functions and informing decision-making which are held in private</li> <li>2. Timings of meetings</li> </ol> <p>The review will be reported back to Audit &amp; Governance Committee to form an action plan ensuring the maximum amount of business is held in public and that meetings are scheduled at times which enable the widest possible access to elected Councillors."</p>	<p>The Motion was lost by 31 votes to 27.</p>	
<p><b>14. Motion by Councillor Mike Fox-Davies</b></p> <p>"The high growth in housing and commerce is driving many construction projects across most areas of Oxfordshire and this has major consequences to the surrounding community. One of these consequences is the damage by the construction traffic to minor roads and allied infrastructure which are not designed for that weight or volume of traffic.</p> <p>This Council therefore seeks to ask the Strategic Director for Communities to instruct officers to put the necessary mechanisms in place which will require Developers to mitigate any damage to</p>	<p>With the consent of Council, Councillor Fox-Davies accepted the amendment by Councillor Judy Roberts as set out below in bold italics:</p> <p><i>"The high growth in housing and commerce is driving many construction projects across most areas of Oxfordshire and this has major consequences to the surrounding community. One of these consequences is the damage by the construction traffic to minor roads and allied infrastructure which are not designed for that weight or volume of</i></p>	<p>DEE (J. Disley)</p>



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<p>such roads and infrastructure and return them back to pre-construction condition.”</p>	<p><del>traffic.</del> <b><i>Including, but not limited to, footpaths, verges, bridges and culverts.</i></b>”</p> <p>This Council therefore seeks to ask the Strategic Director for Communities to instruct officers to put the necessary mechanisms in place which will require Developers to mitigate any damage to <del>such roads</del> <b><i>they have caused to the minor roads</i></b> and infrastructure <b><i>from the construction site to the nearest major highway</i></b> and <del>return</del> <b><i>returning</i></b> them back to pre-construction condition.”</p> <p>The Motion as amended was carried unanimously.</p> <p><b>RESOLVED:</b> (unanimous)</p> <p>“The high growth in housing and commerce is driving many construction projects across most areas of Oxfordshire and this has major consequences to the surrounding community. One of these consequences is the damage by the construction traffic to minor roads and allied infrastructure including, but not limited to, footpaths, verges, bridges and culverts.”</p> <p>This Council therefore seeks to ask the Strategic Director for Communities to instruct officers to put the necessary mechanisms in place which will require Developers to mitigate any damage they have caused to the minor roads and infrastructure from the construction site to the nearest major highway-returning them back to pre-construction condition.”</p>	
<p><b>15. Motion by Councillor Emma Turnbull</b></p> <p>“There is inadequate youth service provision for young people (aged 11-19) across Oxfordshire in their local</p>	<p>The amendment by Councillor Harrod as set out below in bold italics below was carried by 32 votes to 26.</p>	<p>DCS (K. Mace) DLG (C. Harris)</p>

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<p>neighbourhoods.</p> <p>In recent years, Oxfordshire County Council has lost 136 youth worker posts, which provided open-access sessions in youth and community centres, with activities such as music and sports, alongside detached and outreach work on the streets.</p> <p>Young people need safe places to meet outside of formal educational settings. Currently there is no direct provision for young people in Oxfordshire. Without the support of youth workers, many young people are failing to achieve their potential during their vital teenage years, and lack self-esteem and confidence. Without somewhere to go and somebody to talk to, these young people have an increased risk of unhealthy relationships and behaviours, substance misuse, exploitation and mental health issues.</p> <p>There is a huge need for a statutory youth service delivered in dedicated youth settings, providing opportunities and support for young people to develop in a positive way.</p> <p>Council calls on the Cabinet to:</p> <p>Consider the needs of young people in Oxfordshire with a view to funding a sustainable youth service; Write to the Secretary of State for Education to enable provision of a statutory youth service.”</p>	<p>“There is inadequate <b>inconsistent</b> youth service provision for young people (aged 11-19) across Oxfordshire in their local neighbourhoods. <b>Communities.</b></p> <p>In recent years, Oxfordshire County Council has lost 136 youth worker posts, <del>which</del> <b>who</b> provided open-access sessions in youth and /community centres, with activities such as music and sports, alongside detached and outreach work on the streets.</p> <p><b>Many</b> <del>Y</del>young people need safe places to meet outside of formal educational settings. Currently there is no direct provision for young people in Oxfordshire <b>paid directly by the public</b>. Without the support of youth workers, <del>many</del> <b>some</b> young people, <b>particularly vulnerable young people</b>, are <b>at risk of</b> failing to achieve their potential during their vital teenage years, <del>and</del> <b>with</b> lack self-esteem and confidence. Without somewhere to go and somebody to talk to, <b>some of</b> these young people have an increased risk of unhealthy relationships and behaviours, substance misuse, exploitation and mental health issues.</p> <p>There is a <del>huge</del> <b>always a</b> need for a statutory <b>better</b> youth services delivered in dedicated youth settings, providing opportunities and support for young people to develop in a positive way <b>and this may be achieved by a variety of statutory and community lead services.</b></p> <p>Council calls on the Cabinet to:</p> <p>Consider the needs of young people</p>	

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	<p>in Oxfordshire with a view to <b>reviewing best practice for third-sector provision of youth services and assessing the options for funding a financially sustainable youth service in the medium term</b>;</p> <p>Write to the Secretary of State for Education to <b>explore the scope for extending best practice among third sector providers of youth services and reviewing future possibilities for providing enable provision of a statutory youth service.</b>"</p> <p>The Motion as amended was carried by 34 votes to 0, with 24 abstentions.</p> <p><b>RESOLVED:</b> (34 votes to 0, with 24 abstentions)</p> <p>"There is inconsistent youth service provision for young people (aged 11-19) across Oxfordshire in their Communities.</p> <p>In recent years, Oxfordshire County Council has lost 136 youth worker posts, who provided open-access sessions in youth/community centres, with activities such as music and sports, alongside detached and outreach work on the streets.</p> <p>Many young people need safe places to meet outside of educational settings. Currently there is no direct provision for young people in Oxfordshire paid directly by the public. Without the support of youth workers, some young people, particularly vulnerable young people, are at risk of failing to achieve their potential during vital teenage years, with lack self-esteem and confidence. Without somewhere to go and somebody to talk to, some of these young people</p>	

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	<p>have an increased risk of unhealthy relationships and behaviours, substance misuse, exploitation and mental health issues.</p> <p>There is always a need for better youth services, providing opportunities and support for young people to develop in a positive way and this may be achieved by a variety of statutory and community lead services.</p> <p>Council calls on the Cabinet to:</p> <p>Consider the needs of young people in Oxfordshire with a view to reviewing best practice for third-sector provision of youth services and assessing the options for funding a financially sustainable youth service in the medium term;</p> <p>Write to the Secretary of State for Education to explore the scope for extending best practice among third sector providers of youth services and reviewing future possibilities for providing a statutory youth service.”</p>	
<p><b>16. Motion by Councillor Jamila Azad</b></p> <p>“In Oxfordshire we have a proud record of excellent support for children in our care, however a 2016 report by The Children’s Society found that when care leavers move into independent accommodation and begin to manage their own budget fully for the first time it can be extremely challenging. With no family to support them and insufficient financial education, some are falling into debt and financial difficulty.</p> <p>Research from The Centre for Social Justice found that over half (57%) of young people leaving care have difficulty managing their money and avoiding debt</p>	<p>Motion agreed Unanimously.</p>	<p>DLG (C. Harris)</p>

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<p>when leaving care.</p> <p>The Children and Social Work Act 2017 places corporate parenting responsibilities on district councils for the first time, requiring them to have regard to children in care and care leavers when carrying out their functions. This provides us with a fantastic opportunity to work together with our District and City colleagues for the benefit of approximately 800 young care leavers in the 16-25 year old age bracket.</p> <p>Council therefore resolves to ask the Leader of the Council to use our convening powers and expertise in corporate parenting to work with all council tax collecting authorities to look at the implications of exempting young care leavers, with a view to agreeing a workable proposal to be published across Districts in Sept 2019.”</p>		

**ANNEX**
