

# **County Council**

**12 July 2016**

## **Agenda**

## Declarations of Interest

### The duty to declare.....

Under the Localism Act 2011 it is a criminal offence to

- (a) fail to register a disclosable pecuniary interest within 28 days of election or co-option (or re-election or re-appointment), or
- (b) provide false or misleading information on registration, or
- (c) participate in discussion or voting in a meeting on a matter in which the member or co-opted member has a disclosable pecuniary interest.

### Whose Interests must be included?

The Act provides that the interests which must be notified are those of a member or co-opted member of the authority, **or**

- those of a spouse or civil partner of the member or co-opted member;
- those of a person with whom the member or co-opted member is living as husband/wife
- those of a person with whom the member or co-opted member is living as if they were civil partners.

(in each case where the member or co-opted member is aware that the other person has the interest).

### What if I remember that I have a Disclosable Pecuniary Interest during the Meeting?

The Code requires that, at a meeting, where a member or co-opted member has a disclosable interest (of which they are aware) in any matter being considered, they disclose that interest to the meeting. The Council will continue to include an appropriate item on agendas for all meetings, to facilitate this.

Although not explicitly required by the legislation or by the code, it is recommended that in the interests of transparency and for the benefit of all in attendance at the meeting (including members of the public) the nature as well as the existence of the interest is disclosed.

A member or co-opted member who has disclosed a pecuniary interest at a meeting must not participate (or participate further) in any discussion of the matter; and must not participate in any vote or further vote taken; and must withdraw from the room.

Members are asked to continue to pay regard to the following provisions in the code that *“You must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself”* or *“You must not place yourself in situations where your honesty and integrity may be questioned.....”*

Please seek advice from the Monitoring Officer prior to the meeting should you have any doubt about your approach.

### List of Disclosable Pecuniary Interests:

**Employment** (includes *“any employment, office, trade, profession or vocation carried on for profit or gain”*.), **Sponsorship, Contracts, Land, Licences, Corporate Tenancies, Securities.**

For a full list of Disclosable Pecuniary Interests and further Guidance on this matter please see the Guide to the New Code of Conduct and Register of Interests at Members' conduct guidelines. <http://intranet.oxfordshire.gov.uk/wps/wcm/connect/occ/Insite/Elected+members/> or contact Glenn Watson on (01865) 815270 or [glenn.watson@oxfordshire.gov.uk](mailto:glenn.watson@oxfordshire.gov.uk) for a hard copy of the document.

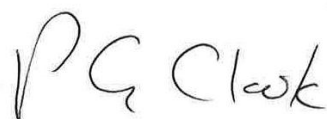
**If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.**

To: Members of the County Council

## ***Notice of a Meeting of the County Council***

**Tuesday, 12 July 2016 at 10.00 am**

**Council Chamber - County Hall, New Road, Oxford OX1 1ND**



P.G. Clark  
County Director

July 2016

Contact Officer: **Deborah Miller**  
Tel: 07920 084239; E-Mail: [deborah.miller@oxfordshire.gov.uk](mailto:deborah.miller@oxfordshire.gov.uk)

In order to comply with the Data Protection Act 1998, notice is given that Items 3, 7 and 12 will be recorded. The purpose of recording proceedings is to provide an *aide-memoire* to assist the clerk of the meeting in the drafting of minutes.

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***Members are asked to sign the attendance book which will be available in the corridor outside the Council Chamber. A list of members present at the meeting will be compiled from this book.***

***A buffet luncheon will be provided***

## **AGENDA**

### **1. Minutes (Pages 1 - 6)**

To approve the minutes of the meeting held on 17 May 2016 (**CC1**) and to receive information arising from them.

### **2. Apologies for Absence**

### **3. Declarations of Interest - see guidance note**

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.

### **4. Official Communications**

### **5. Appointments**

To make any changes to the membership of the Cabinet, scrutiny and other committees on the nomination of political groups.

### **6. Petitions and Public Address**

### **7. Questions with Notice from Members of the Public**

### **8. Questions with Notice from Members of the Council**

### **9. Report of the Cabinet (Pages 7 - 10)**

Report of the Cabinet Meetings held on 15 March 2016, 19 April 2016 and 24 May 2016 (**CC9**).

### **10. Connecting Oxfordshire Update - Local Transport Plan (LTP4) 2015-2031 (Pages 11 - 20)**

Report by Director for Environment & Economy (**CC10**).

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

Annex 1 summarises the main changes to LTP4. The report also specifically references changes agreed by Cabinet on 28 June 2016.

LTP4 has 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. Annex 2 sets out how the LTP has been updated to reflect this in more detail.

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

***Council is RECOMMENDED 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.***

## **11. Proposed Fees for the Supply of Traffic Accident Data (Pages 21 - 24)**

*Cabinet Member:* Environment

*Forward Plan Ref:* 2016/038

*Contact:* Owen Jenkins, Service Manager for Highways, Commercial & Transport

*Tel:* (01865) 323304

Report by Director for Environment & Economy (**CC11**).

This report presents 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.

***Council is RECOMMENDED to approve the use of the proposed fees as set out in Annex 1.***

## **12. County Council Meeting Dates (Pages 25 - 32)**

The report of the Monitoring Officer containing the schedule of meeting dates proposed for the 2017/18 Council Year is attached (**CC12**).

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

The Councillor Profile Working Group proposed that full Council meetings start 30 minutes later at 10.30 am and the Audit & Governance Committee supported this change. The meeting is therefore proposed 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 is suggested that in future Education Scrutiny Committee meet on Wednesday afternoons.

***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 10.00 am and 4.00 pm respectively.***

### **13. Virements to Council (Pages 33 - 46)**

Report by the Chief Finance Officer (**CC13**)

As set out in the Provisional Revenue and Capital Outturn Report to Cabinet on 28 June 2016 given the pressures in both Special Educational Needs (SEN) Home to School Transport and Children's Social Care staffing, it is proposed that the underspends in Social and Community Services, Environment & Economy and Corporate Services will be used to offset the overspends in Children, Education & Families. Details are set out in Annex 1.

Some of the virements required to offset over and underspends within and between directorates are larger than £1.0m and require approval by Council under the Council's Financial Procedure Rules.

***Council is RECOMMENDED 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.***

### **14. Report of Local Government Ombudsman (Pages 47 - 70)**

The Local Government Ombudsman has 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 relates to events that took place in 2014. The Ombudsman's report is Annex 1 to this report.

The Ombudsman concluded that there is a public interest in how the complaint and the care of the complainant's wife were mismanaged and how further residents may 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 is asked to consider the Ombudsman's recommendations and the actions taken by the Council.

## **MOTIONS WITH NOTICE FROM MEMBERS OF THE COUNCIL**

*WOULD MEMBERS PLEASE NOTE THAT ANY AMENDMENTS TO MOTIONS WITH NOTICE MUST BE PRESENTED TO THE PROPER OFFICER IN WRITING BY 9.00 AM ON THE MONDAY BEFORE THE MEETING*

### **15. Motion From Councillor Kieron Mallon**

"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."

### **16. Motion From Councillor Richard Webber**

Council 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. Persuading District Councils to join us in giving as much support to these bodies as possible.
4. That the £1m Transition Fund agreed at the February budget should be committed to these areas to achieve the above.

### **17. Motion From Councillor Kevin Bulmer**

"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."

## 18. Motion From Councillor Lynda Atkins

"This Council is very much aware of the obligations its owes to the Armed Forces community within Oxfordshire as enshrined in the Armed Forces Covenant; that the Armed Forces community should not face disadvantage in the provision of services and that special consideration is appropriate in some cases, especially for those who have given the most. It is also aware, through experience, of the absence of definitive and comprehensive statistics on the size or demographics of the Armed Forces community within Oxfordshire. This includes serving regular and reserve personnel, veterans, and their families. As a result, the Council believes that that the availability of such data would greatly assist the Council, local partner agencies, the voluntary sector, and national Government in the planning and provision of services to address the unique needs of the Armed Forces community within Oxfordshire.

Consequently, this Council asks the Leader of the Council to support and promote the Royal British Legion's call to include a new topic in the 2021 census that concerns military service and membership of the Armed Forces community. We further call upon the UK Parliament, which will approve the final census questionnaire through legislation in 2019, to ensure that the 2021 census includes questions concerning our Armed Forces community."

## 19. Motion From Councillor Bob Johnston

"Council calls on the officers to develop the business case for a new fast rail service to go from Bristol to Swindon, Grove/Wantage and Milton Keynes. In doing so they should co-operate with similar efforts in Wiltshire and elsewhere. This will improve the cost/benefit ratio for the new station at Wantage/Grove.

County officers are asked to discuss with Network Rail and the DfT for the inclusion of a station at Wantage/Grove into the funding during Network Rail's next control period starting in 2019 with a view to the station being opened by the end of the control period. The station will reduce wear and tear on local roads and reduce commuting time between the rapidly growing communities in South Oxfordshire. It will also improve access to skills and education for both 16 - 19's and adults living in those parts of the County."

## 20. Motion From Councillor Janet Gooden

This Council notes that:

- Mental ill health costs some £105 billion each year in England alone;
- people with a mental illness are disproportionately victims of crime;
- good levels of mental health in the community improve education standards, improve employment rates, and reduce crime levels;
- employment is a strong protective factor for mental well-being, but less than 1 in 10 people with a mental illness are in paid employment;
- untreated behavioral disorders in childhood are strongly associated with problems in adolescence leading to entry into the criminal justice system;



- around a third of dementia sufferers in the UK live alone;
- Council understands the responsibilities of local authorities for supporting people with mental illness living in their communities, and the important overview they can have through their lead roles in multi-agency partnership working with police, NHS colleagues and the voluntary sector.

This Council therefore resolves to ask the Leader of the Council to improve outcomes and quality of life for those suffering from mental illness by: (a) signing the Local Authorities' Mental Health Challenge promoted by a group of national mental health organisations (among them the Mental Health Foundation, the Mental Health Providers' Forum, Mind, the Royal College of Psychiatrists and YoungMinds); and (b) committing accordingly to appointing an elected member as 'mental health champion' across the Council, and identifying a member of council staff to act as 'lead officer' for mental health.

## **21. Motion From Councillor David Williams**

"Given that the Council has moved from the total closure of all 44 Children's Centres to a figure that now stands at 18, this Council resolves that the decision to close all the Centres is reviewed by Cabinet with a view to keeping all centres open beyond the proposed closure date of March 2017 and that further funding sufficient to underpin that commitment beyond the original £2m identified in the budget from the unspecified savings budget heading is made available.

During 2016-2017 constructive consultations with the new authorities that emerge from the devolution decision to begin along with other organisations that may be willing to co-sponsor the Children Centres beyond 2017 such as the Health Service, the Police, Parish councils and Charities."

## **22. Motion from Councillor David Williams**

"There are now at least two proposals for the reorganisation of local government in Oxfordshire both based on the concept of unitary authorities. Cases for the efficacy of service delivery can be made for each structure, a single County authority or a number of District/City based unitary authorities. However the cornerstone of any new structure must be that it is democratic and what the people of Oxfordshire perceive as representing their local community interest.

With this in view the County will undertake public consultation of those on the electoral roll in Oxfordshire that accepts the unitary principle and presents four options:

- One single County Wide Unitary with a high degree of devolution.
- Two Unitary Authorities. The City of Oxford and a unitary incorporating all the market towns around the City.
- Three Unitary Authorities. The City of Oxford and two unitaries incorporating one to the North and one to the South.
- Four Unitaries. Composed of the City of Oxford, Cherwell (Banbury ) West Oxford (Witney) and South Oxfordshire (Didcot and the Vale)

Advocates of all these structures to make their case to the electorate prior to the vote.

The results of this consultation to be submitted by the Leader of the Council to Central Government to illustrate the wishes of local people and with the various submissions from the existing local governments.”

## 23. Motion From Councillor David Williams

“The EU Referendum held on the 23<sup>rd</sup> of June with its decision to exit the European Union is a very damaging decision for Oxfordshire’s economy and wellbeing and is not a mandate for abandoning the progressive reforms that the European Union introduced.

EU regulations related to pollution controls have become critical to our traffic management policies as have directives related to waste management in guiding our recycling systems. Our County economic infrastructure plans are clearly now profoundly influenced by monies channelled via the European Union structural funds and regional aid policies. Competition rules and international trade regulation plus employment directives from the EU influence our contracting, employment and procurement regulations underpin a great deal of Council tendering.

This Council is concerned that all these influences that have been to the advantage of the County Council’s operation are not lost and urges the Government to introduce a Consolidation Act to clearly incorporate all outstanding EU directive and regulation at present operational into British Law. Council requests the Leader of the Council to write to the Prime Minister to illustrate the Council’s opinion.”

## 24. Motion From Councillor Sam Coates

“Having considered the proposal to build 5 new Park and Rides and expand two existing sites at a cost of £75m Council is not convinced that this is efficient use of taxpayer’s money.

The scheme rests partly on a projected need generated by 100,000 extra homes in the County by 2031. To meet the likely need of extra car commuters during that period, extensions to existing park and rides and double decking might be possible at lower cost.

The proposal also envisages building on the Green belt in four of the five planned new locations which would mean a substantial loss of amenity to the people of Oxfordshire and is yet another reason not to proceed with this proposal.

As an alternative to address commuters pressure, Council asks the Cabinet that the £75m is spent on improving cycle ways, walking , reintroducing bus subsidies and speeding the opening to the public the Cowley Wheatley rail line.”

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### Pre-Meeting Briefing

There will be a pre-meeting briefing at County Hall on **Monday 11 July 2016 at 10.15 am** for the Chairman, Vice-Chairman, Group Leaders and Deputy Group Leaders