...Decisions... Decisions...

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.)

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

COUNTY COUNCIL - TUESDAY, 23 MARCH 2021

RECOMMENDATIONS FROM THE AGENDA	DECISIONS	ACTION
1. Minutes To approve the minutes of the meeting held on 9 February 2021 (CC1) and to receive information arising from them.	The minutes of the Meeting held on 9 February 2021 were approved and signed as an accurate record of the Meeting, subject to the amendment set out in the Schedule of Business.	DLG (DM)
2. Apologies for Absence	There were none.	DLG (A. Newman)
3. Declarations of Interest		
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.	There were none.	
4. Official Communications	Council thanked staff for their ongoing commitment and hard work throughout the pandemic. Council paid tribute to those members that would no longer be standing in the next election. The Council held a Minute's silence at	
	12 noon to mark the National Day of Reflection to pause and reflect on the past 12 months and to pay tribute to all those who had died from COVID. Council paid tribute and held a minute's silence in memory of former	All to note

	County Councillor Ray Jelf, Member for the Deddington Division 2002 – 2003, 2005 – 2009.	
5. Appointments		
To make any changes to the membership of the Cabinet, scrutiny and other committees on the nomination of political groups.	There were none.	
6. Petitions and Public Address	Council received the following Petitions and Public Address:	
This Council meeting will be held virtually in order to conform with current guidelines regarding social distancing. Normally requests to speak at this public meeting are required by 9 am on the day preceding the published date of the meeting. However, during the current situation and to facilitate these new arrangements we are asking that requests to speak are submitted by no later than 9am four working days before the meeting i.e. 9 am on 17 March 2021. Requests to speak should be sent to Deborah.miller@oxfordshire.gov.uk together with a written statement of your presentation to ensure that if the	Petitions Mr Mark Hull, in relation to discharging untreated sewage into the river Thames; Mr Ruff in relation to residents' parking in Banbury; Ms Lidia Arciszewska in relation to reduction of traffic speed on Lower Road, Long Hanborough; Mr Charlie Maynard in relation to proposed railway line from Oxford, via Eynsham and Witney, to Carterton; Public Address Mr Jamie Hartzell in relation to the	CDEP (J. Larkcom)
technology fails then your views can still be taken into account. A written copy of your statement can be provided no later than 9 am 2 working days before the meeting.	Motion by Councillor Susanna Pressel Mr David Dickie in support of the Motion by Councillor Stefan Gawrysiak; Ms Amanda Chumas in support of the	
Where a meeting is held virtually and the addressee is unable to participate virtually their written submission will be accepted.	Motion by Councillor Stefan Gawrysiak; Mr Jamie Clarke, Parent at St Ebbes School, Oxford in support of the	
Written submissions should be no longer than 1 A4 sheet.	Motion by Councillor Damian Haywood Ms April Jones, Parent at New Hinksey School in support of the Motion by Councillor Damian Haywood Mr Tony Fox, local resident in support of the Motion by Councillor Stefan Gawrysiak.	
7. Questions with Notice from Members of the Public	Council received the following questions on notice from members of the public See Annex 1:	
	Mr Andrew Siantonas to Councillor	

8. Questions with Notice from	Yvonne Constance; Mr Gregory O'Broin to Councillor Yvonne Constance. 37 questions with Notice were asked.	
Members of the Council	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 Constance undertook to notify parish and town councils in advance of the works starting.	CDEP (J. Larkcom)
	In relation to Question 7, Councillor Lindsay-Gale undertook to send Councillor Fenton a full list of schools which were significantly under roll for next year.	DCS (K. Mace)
	In relation to Question 12, Councillor Constance undertook to provide Councillor Bartington with a written answer in relation to point 5 of the written response and in particular what quality control was in place in terms of audit and implementation.	CDEP (J. Larkcom)
	In relation to Question 13, Councillor Constance undertook to provide Councillor Bartington with a written answer as to whether there was any possibility of extending the timescale for Witney.	CDEP (J. Larkcom)
	In relation to Question 21, Councillor Reeves gave an assurance (as far as he was able) to Councillor Fatemian that works would start on 10 May 2021 as planned.	CDEP (J. Larkcom)
9. Report of the Cabinet	Council received the report of the Cabinet.	
Report of the Cabinet Meetings held on 15 December 2020, 19 January 2021 and 23 February 2021 (CC9).	In relation to paragraph 3 of the report (Question from Councillor Webber to Councillor Lindsay-Gale) Councillor Lindsay-Gale undertook to provide Councillor Webber with a written response with the specific details about what discussions Oxfordshire	DCS (K. Mace)

	has had to produce a settlement to remove the High Needs Block deficit.	
	In relation to paragraph 4 of the report (Question from Councillor Webber to Councillor Constance undertook to raise the issue of prioritising actions to address the Climate Emergency, by ensuring that the quantifying by best estimate all carbon generating activities as well as any ameliorating measures are given high prominence in the vision document, rather than just in Appendix 2.	CDEP (J. Larkcom)
	In relation to paragraph 8 of the report (Question from Councillor Hanna to Councillor Bartholomew) Councillor Bartholomew undertook to provide Councillor Hanna with a written response regarding the new Grove School and whether there was any risk that the Department of Education intervention will have a detrimental impact on the agreed timeline and delivery of the Grove Airfield School by 2023.	DF
	In relation to paragraph 8 of the report (Question from Councillor Phillips to Councillor Bartholomew) Councillor Bartholomew undertook to provide Councillor Phillips with a written response in relation to Capital Programme Monitoring Report on the number of projects that had received an early warning notice which had incurred additional costs and whether they had exceeded the contingency budget.	DF
10. Governance Review		
Under the Constitution, the Monitoring Officer is required to monitor and review the operation of the Constitution to ensure that its aims, principles and requirements are given full effect. This includes making recommendations to Council on any necessary amendments. The report before Council seeks the approval of one change. It also seeks approval for a		

proposed way forward for reviewing the Constitution.		
Council is RECOMMENDED to approve:	Recommendations Agreed nem con.	DLG (G. Watson)
 (a) the proposed amendment (at paragraph 8) to bring the definition of a Key Decision into the main body of the text with the addition of consultation arrangements for Key Decisions taken by officers; (b) the proposal that the Monitoring Officer should bring forward proposals to the Audit & Governance Committee, after the May 2021 County Council elections, in the 4th cycle of the meetings for that Committee, for achieving a full review of the structure and content of the Constitution. 		
11. Changes to Constitution of the Pension Fund Committee		
As part of an Independent Governance Review of the Pension Fund, Hymans Robertson recommended changes to the constitution of the Pension Fund Committee. The main driver for the recommended changes was to improve the representation of Scheme Employers on the Fund, whilst maintaining the majority position of the County Council as the Administering Authority. This is consistent with best practice guidance from the LGPS Scheme Advisory Board. The changes also result in a reduction of 2 in the total membership which should facilitate ensuring all Committee members have the requisite skills and knowledge to undertake their responsibilities on the Committee and improve the effectiveness of the Committee. The Pension Fund Committee at its meeting supported the proposals and recommended that these should be in place before the formation of the new Pension Fund committee following the May elections.		
Council is RECOMMENDED to agree the changes to the constitution of the Pension Fund Committee as follows:	Recommendations Agreed by 46 votes to 14, with 2 abstentions.	DF (S. Collins/K. Ahmed)

5 County Council Representatives selected in accordance with the political balance of the Council. These would form the only voting members of the new Committee 2 Academy School Representatives non-voting Oxford **Brookes** University Representative - non-voting 1 District Council Representative non-voting 1 Scheme Member Representative non-voting. 12. Health Scrutiny Arrangements for Oxfordshire In 2020 both Oxfordshire Joint Health Overview and Scrutiny Committee and Oxfordshire's Council approved in principle Terms of Reference for a new health overview scrutiny committee which will system-wide scrutinise health issues across the Buckinghamshire, Oxfordshire and Berkshire West (BOB) area. The report seeks Council's approval of revisions to those Terms of Reference, which were proposed jointly at a meeting of HOSC Chairs and scrutiny officers in the relevant 5 BOB local authorities on 5 February 2021. The revised Terms of Reference were approved bv Oxfordshire Joint Health Overview and Scrutiny Committee at its meeting on 12 March 2021. The Council is RECOMMENDED to Recommendations agreed by 48 DLG approve: votes to 13, with 2 abstentions. the revisions to the draft Terms of (a) Reference for a health scrutiny committee for health system-wide issues across the Buckinghamshire, Oxfordshire and Berkshire West (BOB) area; (b) a delegation from Council to enable the Monitoring Officer, in consultation with the Chairman and Deputy Chairman of the Oxfordshire Joint Health Overview and Scrutiny Committee, to make

minor changes to the Terms of Reference after 23 March 2021 should other BOB councils request them as part of their own approval process.		
13.Interim Arrangements for taking Emergency Decisions immediately following the County Council Elections		
The report seeks approval to a temporary variation to the delegated powers of the Chief Executive to aid effective decision making in the period between the retirement of councillors following the elections in May and the Annual Council meeting on 18 May 2021.		
Council is RECOMMENDED to agree a temporary variation to Part 7.1 of the Constitution Specific Powers and Functions of Particular Officers with effect that from 10 May to 18 May 2021 paragraph 6.3 (c) is to be read as follows:-	Recommendations Agreed nem con.	DLG (S. Whitehead)
"(c) Any function of the Cabinet or of a Council committee or sub-committee, after consultation with the appropriate Director and thereafter with the Chairman and Vice-Chairman of the Council and the Leader, as appropriate."		
14. Members Code of Conduct - Decision Notice		
The report notifies Full Council of a decision by the then Interim Monitoring Officer on the outcome of a Member Code of Conduct complaint, following the meeting of a Members' Advisory Panel in December last year.		
The Council is RECOMMENDED to note the decision of the Interim Monitoring Officer with regard to a Members' Code of Conduct Complaint concerning Cllr Liam Walker.	Recommendations Agreed nem con.	DLG (G. Watson)

15. Motion by Councillor Deborah McIlveen		
"This Council notes that the National Domestic Abuse Helpline received over 40,000 calls and contacts during the first three months of the Covid-19 lockdown [BBC July 2020].	The Motion was Agreed unanimously (recorded vote in Minutes).	DHR
Domestic Violence is common and overwhelmingly impacts women and girls globally, nationally and in Oxford as well as children and men. Domestic violence impacts on workplaces and communities and is a significant cost to the public purse.		
 This Council recognises that: The Covid pandemic, lockdowns and restrictions make it more difficult for survivors to seek help; Local authorities have a duty of safety to their employees and residents using services and are working to stop domestic violence. 		
 Review the Corporate Domestic Violence Policy that applies to service delivery and employment for Oxfordshire County Council, support implementation with training and monitor and review annually. Work with partner agencies, communities and trade unions to promote measures to increase the safety of those experiencing domestic violence. Provide information on how to help friends, family and colleagues experiencing domestic abuse. Campaign and lobby for increased sustainable funding from central government for organisations working with victims and survivors, especially services for BAME communities that are underfunded." 		
16. Motion Without Notice	Following the Vote on the preceding item, Councillor Eddie Reeves indicated that he wished to move a procedural Motion (Council Procedure	

Rule 14.1.) to enable the Meeting to finish.

The Council adjourned for 10 minutes to allow the Chairman to seek advice from the Monitoring Officer. Following the adjournment, the Monitoring officer advised that to end the meeting Council Procedural Rule 14.1(x) (to suspend a specified Council Procedure Rule or part thereof) to suspend and therefore alter the specified cut off time by which the meeting should conclude (i.e. by 3.30 p.m.) referred to in Council Procedure Rule (CPR) 5.1.(iii) would need to be moved, which would then in effect end the meeting and mean that the remaining business on the Agenda would be considered dropped in accordance with Council Procedural Rule 13.5.8.

Accordingly, Councillor Eddie Reeves moved and Councillor Damian Haywood seconded Council Procedural Rule 14.1(x) (to suspend a specified Council Procedure Rule or part thereof) to suspend and therefore alter the specified cut off time by which the meeting should conclude (i.e. by 3.30 p.m.) of the Meeting at Council Procedural Rule 5.1(iii).

The Motion was put to the vote and was agreed by 59 votes to 2, with 1 abstention.

17. Motion by Councillor Richard Webber

"The Council's Procurement procedures have been the subject of concern for some time. At the latest Audit and Governance Committee meeting, the subject of a claim made over a breach of Procurement procedures by the Council was considered. This breach of procedure has cost the Council, and hence Oxfordshire taxpayers, £1.6 million in compensation and legal costs.

Considered dropped in accordance with Council Procedure Rule 13.5.8.

Council notes that the role of the Audit &

Governance Committee is to ensure that the Council's procedures are robust, that taxpayer's money is controlled properly and that it is spent wisely.

The timeline provided to the Audit and Governance Committee meeting on this matter shows that the Portfolio Holder and the Chair of Audit and Governance were both aware of the breach and cost of court settlement in February 2020, but the Committee was only informed in January 2021. Council believes that by withholding this information from the Audit and Governance Committee for 11 months, the Executive failed to act in the interest of Oxfordshire taxpayers.

Council commits to ensuring that, in future, in the interests of transparency and good governance, any breaches of procedure are made known to members of the Audit and Governance Committee as soon as they are known to the Executive, and that committee members are allowed to see any reports relating to such breaches of procedure (redacted as necessary). following any reasonable request from members of that committee and assuming there is no legal reason why such documents should be with-held.

18. Motion by Councillor Eddie Reeves

"This Council fully recognises the value of the much-loved Horton General Hospital to the residents of Banbury and its surrounding catchment area, which uniquely covers four counties.

Local efforts to retain acute services at the Horton have been welcomed by Councils at all tiers in recent months and by community groups and residents alike. This Council's position has always been that the Horton's future should be as a fully functioning General Hospital complementing the world-class services at both the John Radcliffe Hospital and Churchill Hospital so as to build on Oxfordshire's enviable reputation — both nationally and internationally — as a centre for excellence in healthcare. That remains

Considered dropped in accordance with Council Procedure Rule 13.5.8.

unequivocally the case today.

This Council is encouraged that Oxford University Hospitals NHS Foundation Trust (OUHFT) and the Oxfordshire Clinical Commissioning Group (OCCG) have listened to the strong representations of residents, Councillors and community groups (notably, Keep the Horton General) in recent years and those of Victoria Prentis MP and this Council welcomes steps taken by both OUHFT and OCCG to develop a masterplan for the Horton without delay.

For its part, this Council resolves to do all it can to support the advancement of this vision and commits to reviewing options with Councils at other tiers with a view to supporting OUHFT and CCG-led redevelopment plans so as to deliver an improved facility on the hospital's existing site or at a new and improved one within the Banbury area that is accessible to residents across the Horton's unique four-county catchment area."

19. Motion by Councillor Stefan Gawrysiak

"The County Council will consider environmental weight restrictions across the County, particularly areas which are subject to significant levels of HGV traffic, prioritising the towns of Burford, Chipping Norton and Henley-on-Thames. However, the county council is very unlikely to have any funding available for this in the coming years so any schemes would need to be funded through development and/or by communities, businesses local and town/parish councils.

This policy clearly states that Henley is subject to significantly high levels of HGV traffic. Henley is also an AQMA area which means we have significant pollution.

Council calls upon the Corporate Director for Environment and Place to complete the necessary studies in the event that funding to cover the whole cost is secured through development and/or by local communities, Considered dropped in accordance with Council Procedure Rule 13.5.8.

businesses and town/parish councils and would not fall on the OCC."		
20. Motion by Councillor Susanna Pressel		
"Officers are currently developing a small scheme for a workplace parking levy (WPL) across one section of East Oxford. If that scheme is approved, the revenue it generates will be spent on just one new bus route to serve only those commuters who would otherwise drive to work in that "eastern arc".	Considered dropped in accordance with Council Procedure Rule 13.5.8.	
This is a step in the right direction, but we need to be far more ambitious. A larger scheme would do far more to help us achieve our climate action goals; it would do far more to reduce congestion and improve air quality; and crucially it would generate far more ring-fenced revenue to spend on better public transport to benefit all our residents as well as just a few commuters.		
The WPL in Nottingham has so far raised more than £75 million (at least £10m each year), which the council has spent on public transport, including an electric bus network.		
The Transport Act 2000 says that the regulations for WPLs are designed to be flexible. The only restriction on WPLs is that "a scheme may only be made if it facilitates the policies set out in the Local Transport Plan (LTP)". As a Standard Note from the House of Commons Library puts it: the regulations "aim to create maximum flexibility as to how and where the money raised is spent".		
This Council requests that the Corporate Director Environment & Place give consideration to expanding the WPL scheme through the development of a business case for Connecting Oxford that covers a much wider area and not just the "eastern arc"."		
21. Motion by Councillor Damian Haywood		

"It is a sad reality that up and down the country, roads around schools have become plagued with a surge of traffic concentrated over a 50-minute period at drop off and pick up times. This results in increased risks of collisions with vulnerable road users and other motorists, unlawful parking, traffic jams, road rage. People on foot and cycling are left with the feeling that roads are no place for them. This has implications for everyone especially children.

Statistics from the Department of Transport reveal that 14% of children killed on Great Britain's roads in 2018 were during the morning school run (7-9am) and 23% after school between 3-5pm. Furthermore, Kings College London found that children are exposed to levels of NO₂ five times higher when travelling to school in the morning than while at school.

For the past 30 years, children have been progressively removed from the roads which have been abandoned to motor vehicles. This created a vicious circle: traffic makes the roads unsafe so parents will drive their children everywhere.

It's time to create a virtuous circle by supporting families to switch to active travel by making it easier for parents and children to get to school in more environmentally friendly ways by restricting non-essential vehicles from roads surrounding schools at the start and finish of the school day. This Council asks the Corporate Director Environment and Place to develop a rolling programme of school streets across the County."

22. Motion by Councillor Arash Fatemian

"This Council was profoundly disappointed to hear the view of Liberal Democrat MP Layla Moran who, when asked on BBC Question Time (18 February) about curbs on free speech in our universities, claimed that it "should not be a priority right now" only days after moderate academics had Considered dropped in accordance with Council Procedure Rule 13.5.8.

written compellingly about professional attacks suffered by them.

As a county with a number of first-class schools and colleges, excellent public libraries and two leading universities, and with a great many residents employed by this Council and others in the Education profession, this Council:

- Publicly deplores the position held by the MP for Oxford West and Abingdon;
- ii) reaffirms in the strongest possible terms that it believes in freedom of speech everywhere, particularly in our schools, colleges, public libraries and universities;
- believes that students whether at school, college or university – should be taught how to think, not what to think;
- iv) offers reassurance to students, teachers and academics throughout this county that we will continue to work with our schools, public libraries and other educational institutions to ensure that views can be expressed without fear of retribution or persecution;
- v) asks the Leader to write to all local MPs, schools, public libraries and higher and further education establishments in Oxfordshire clearly outlining this Council's stance;
- vi) asks the Leader to write to the MP in question, inviting her to reconsider the insensitive implications of her remarks, which serve only to condone abuse, rather than promote open, liberal and diverse debate."

ANNEX

QUESTIONS WITH NOTICE FROM MEMBERS OF THE PUBLIC

Question from Mr Andrew Siantonas to Councillor Yvonne Constance

Following the withdrawal of subsidy for the 17 bus in 2016, many people in the Wolvercote and Summertown division of Oxfordshire County Council have lost their ability to independently access facilities across the county. This is because these people find it difficult to walk from, for example, Kendall Crescent shops or Wren Road up to Banbury Road along which the buses

run. They have to rely on relatives or friends or pay for expensive taxis. Even though we are looking forward to coming out of lockdown thanks to the success of the vaccination programme, these people will effectively remain in enforced lockdown because of their lack of access to public transport.

Given the recent government announcement of £3 billion to invest on buses in England, what plans does the County Council have to ensure these people again have access to public transport either by restoring the 17 bus or by providing other acceptable services.

Answer

The County Council welcomes the publication of the National Bus Strategy and its ambition in relation to providing high quality public transport for the whole community. However, we are at a very early stage in the process and nothing is yet clear, therefore no commitments can be made at this stage to any particular changes or improvements that may be made.

The Council is required to enter into a statutory Enhanced Partnership with bus operators, and to commit to do so by the end of June. This is followed by the production of a Bus Service Improvement Plan which must be finalised by the end of October. These are exceptionally challenging timescales for a comprehensive plan which covers a broad range of areas such as bus priority, vehicles, information, ticketing and branding as well as service provision.

Therefore, at this point the County Council cannot be specific about the improvements that could potentially be delivered by the strategy. We await further details about the £275m funds for the recovery period (covering the next financial year), during which period we expect there to be minimal changes made. Any changes arising from the Partnership and Improvement Plan are not likely to take place before April 2022.

Most people in the Jericho and Cutteslowe areas live within 800 metres of a bus stop served by an exceptionally high number of buses. For those who are unable to access these, community transport options which offer a more door-to-door service may be more suitable. The Comet community bus is available on weekdays between 10am and 2pm and can be used for a wide variety of purposes. Further details are available on the Council's website at www.oxfordshire.gov.uk/comet or by telephoning 01865 323201 (9am – 12pm Monday to Friday).

Supplementary Question

Thank you for your reply. I agree that Banbury Road is very well served with buses. However, many of the people who live 800 metres from the bus routes are in bungalows and flats designed for older people and people with physical difficulties which is why the 17 was so useful for them.

I recognise the challenging timetable in which to produce a comprehensive plan and that it is still early to make specific commitments, but can I ask if urban areas like Wolvercote and Summertown will be considered for enhanced service provision or will the focus be on rural areas?

Answer

Thank you for your question. You draw attention to a very important problem, mostly in rural areas. There is a significant recognition by Government that funding is needed to be able to restore frequent and reliable transport systems. I cannot answer your question, but we are

required to deliver the enhanced partnership by the end of June, and the fully developed plan on how we would spend our allocation from the National Bus Strategy money by October. However, your question is noted, and I will ensure that you are informed about the programme by October.

Question from Mr Gregory O'Broin to Councillor Yvonne Constance

When OCC Cabinet approved Scheme C (Didcot to Culham River crossing) in July 2020 was it aware of the following impediments to the road alignment: -

- (a) The imminent proposed enlargement of the private Appleford rail sidings that would require a much larger & costlier road bridge to cross over the curving rail tracks?
- (b) The absence of any investigation of the degree of damage to Appleford residents (& their wellbeing), from noise, air quality, & visual impact caused by elevating the road above adjacent roof levels?
- (c) The absence of any detailed cost or feasibility studies of other technically viable road alignments within the same land corridor that would reduce the impact on the local community?

Answer

(a) The imminent proposed enlargement of the private Appleford rail sidings that would require a much larger & costlier road bridge to cross over the curving rail tracks?

Hanson received planning permission for the two additional rail sidings on 27th October 2020. The Cabinet report detailed the alignments based on a feasibility design consulted on in March/April 2020. As preliminary designed has progressed, OCC has worked with stakeholders to further define design parameters across all four schemes, not just the Didcot to Culham River Crossing.

(b) The absence of any investigation of the degree of damage to Appleford residents (& their wellbeing), from noise, air quality, & visual impact caused by elevating the road above adjacent roof levels?

High level assessments are conducted to define the preferred options which consider a whole multitude of factors. The detailed assessment of noise, air quality and visual impact is undertaken as part of a planning application. It is not possible or feasible to conduct detailed analysis on all options considered. Detailed mitigation requirements, including noise and visual screening, are determined through the Environmental Impact Assessment process as part of the planning application.

(c) The absence of any detailed cost or feasibility studies of other technically viable road alignments within the same land corridor that would reduce the impact on the local community?

Early scheme sifting takes into account many constraints including Scheduled Ancient Monuments, environment, topography, land use etc. In response to the consultation in 2018, OCC realigned the Didcot to Culham River crossing route, north of Hanson's private railway sidings, further away from Appleford. Officers do not believe that moving the alignment further west, south of the railway sidings, is possible due to the reasons already highlighted in the response to Appleford Parish Council on 4th March 2021.

Supplementary Question

We note the answers that have been provided and do not believe they fully address the matters raised. However, we will take our supplementary questions forward to a meeting with OCC officials later this week and therefore, we will not present them at this forum. Thank you for the opportunity."