

OXFORDSHIRE COUNTY COUNCIL

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

Present:

Councillor Patrick Greene – in the Chair

Councillors:

Don Seale	John Goddard	Anne Purse
Alyas Ahmed	Janet Godden	David Robertson
M. Altaf-Khan	Tim Hallchurch MBE	John Sanders
Alan Armitage	Jenny Hannaby	Larry Sanders
Lynda Atkins	Tony Harbour	Bill Service
Marilyn Badcock	David Harvey	Dave Sexon
Mike Badcock	Steve Hayward	Chip Sherwood
Roger Belson	Mrs J. Heathcoat	C.H. Shouler
Norman Bolster	Hilary Hibbert-Biles	Dr Peter Skolar
Ann Bonner	Ian Hudspeth	Roz Smith
Liz Brighouse OBE	Sarah Hutchinson	Val Smith
Iain Brown	Stewart Lilly	Richard Stevens
Louise Chapman	Lorraine Lindsay-Gale	Keith Strangwood
Jim Couchman	A.M. Lovatt	Lawrie Stratford
Tony Crabbe	Sajjad Hussain Malik	John Tanner
Roy Darke	Kieron Mallon	Alan Thompson
Arash Fatemian	Charles Mathew	Melinda Tilley
Anda Fitzgerald-O'Connor	Keith R. Mitchell CBE	David Turner
Jean Fooks	David Nimmo-Smith	Nicholas P. Turner
Mrs C. Fulljames	Neil Owen	Michael Waine
Anthony Gearing	Zoé Patrick	David Wilmshurst
Michael Gibbard	Susanna Pressel	

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.

109/11 MINUTES

(Agenda Item 1)

RESOLVED: that the Minutes of the meeting of Council held on 1 November 2011 be approved and signed.

110/11 APOLOGIES FOR ABSENCE

(Agenda Item 2)

Apologies for absence were received from Councillors: Billington, Carter, Handley, Jelf, Jones, Reynolds, Rose and Viney.

111/11 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE

(Agenda Item 3)

Councillor Skolar declared a personal interest on Agenda Item 12, by virtue of the fact that he had a relative in a Care Home.

Councillor Mitchell declared a personal interest in Agenda Item 15 by virtue of his being a member of the Local Government Pension Scheme.

Councillor Skolar declared a personal interest in Agenda Item 15 by virtue of being in receipt of a NHS pension.

Councillor Mitchell declared a personal interest in Agenda Item 17, by virtue of his position as a member of Adderbury Library Friends Group.

Councillor Roz Smith declared a personal interest in Agenda Item 15 by virtue of her being in receipt of a Local Government Pension.

112/11 ORDER OF BUSINESS

(Agenda Item)

RESOLVED: to vary the order of Business as indicated in these Minutes.

113/11 OFFICIAL COMMUNICATIONS

(Agenda Item 4)

The Chairman reported as follows:

- (i) The Chairman sought agreement to hold an extraordinary meeting of Council on the 20 March at 10.00 am. The meeting was necessary due to the legal requirements of the Localism Act on a number of important governance matters including:
 - approval of a pay policy for Council staff;
 - approval of a new Code of Conduct together with necessary arrangements for undertaking investigations;
 - approval of Equality objectives for the Council.
- (ii) The Chairman had sadly attended 7 repatriations for fallen servicemen since the Memorial Garden was dedicated.
- (iii) The Chairman undertook to send a card with the Council's best wishes to Councillor Jones who was in Hospital.

- (iv) The Chairman undertook to send a card and flowers with the Council's best wishes to Janet Choldcroft who was unwell.
- (v) A listing of Chairman's Events was now available on the website:
<http://www.oxfordshire.gov.uk/cms/content/chairman-council>

114/11 APPOINTMENTS

(Agenda Item 5)

RESOLVED: to appoint Mrs Kathleen Medlock as the Parent Governor Representative for Primary Schools on the Children's Services Scrutiny Committee.

115/11 PETITIONS AND PUBLIC ADDRESS

(Agenda Item 6)

The following Petition was received:

Mrs Nicky Hancock, Resident of Ardington presented a Petition of 300 signatures asking the County Council to give consideration to providing the residents of Ardington and Lockinge with a daily bus service, particularly at peak hours, to accommodate travel in the Didcot/Harwell direction and to Wantage.

116/11 TREASURY MANAGEMENT MID TERM REVIEW

(Agenda Item 8)

The Council had before them a report (CC8) which set out the Treasury Management Activity undertaken in the first half of the financial year, including debt and Investment activity, an update on Prudential Indicators, changes in Strategy, any Breaches of approved Strategy and a forecast of interest receivable and payable in the financial year.

RESOLVED: (on a motion proposed by Councillor Couchman, seconded by Councillor Shouler and carried unanimously) to note the report.

117/11 REVIEW OF THE CONSTITUTION

(Agenda Item 9)

The Council had before them a report on the Review of the Constitution (CC9) which suggested minor changes to improve the business and efficiency of the Council and reviewed the Council's Petition Scheme, to fulfil Council's requirement for an annual review of the scheme.

The Chairman sought agreement from the Meeting to amend the motion in the following terms (amendment shown in strikethrough and bold italics):

- (a) Approve the addition to the Protocol on Members' Rights and Responsibilities of explicit reference to Directors' responsibilities to

- report to the Monitoring Officer on a quarterly basis of their arrangements for keeping members informed of local issues;
- (b) ***to maintain the Petition Scheme for Oxfordshire County Council in its current form;***
 - ~~(b) Determine whether or not to maintain a Petition Scheme for Oxfordshire County Council;~~
 - (c) Amend the Councillor Call for Action Rules (Part 9.3, Annex 1) so that the committee hears, in the first instance, from the member concerned and that the consideration of evidence and witnesses occurs if and when the committee agrees to pursue the relevant Councillor Call for Action.

It was agreed nem con to accept for consideration the amendment.

Councillor Greene moved and Councillor Seale seconded the recommendations set out in the report and on the face of the Agenda as amended by above.

In response to a question from Councillor Godden on the Annex to the report, Mr Clark undertook to provide a written response to members giving details of the updates and clarifications needed in Part 8.3 of the Constitution.

Councillor Larry Sanders moved and Councillor Sherwood seconded the following amendment shown in bold italics:

- (a) Approve the addition to the Protocol on Members' Rights and Responsibilities of explicit reference to Directors' responsibilities to report to the Monitoring Officer on a quarterly basis of their arrangements for keeping members informed of local issues;
- (b) Determine whether or not to maintain a Petition Scheme for Oxfordshire County Council;
- (c) Amend the Councillor Call for Action Rules (Part 9.3, Annex 1) so that the committee hears, in the first instance, from the member concerned and that the consideration of evidence and witnesses occurs if and when the committee agrees to pursue the relevant Councillor Call for Action;
- (d) ***This Council instructs the Monitoring Officer to amend the Council Procedure Rules so that the Green Group and the independent member are treated on the same terms as the other groups on the Council as regards the order in which motions on notice are included on the agenda."***

Following debate the amendment was lost by 51 votes to 3, with 10 abstentions. The substantive amended motion was then put to the vote and it was:-

RESOLVED: (nem con)

- (a) Approve the addition to the Protocol on Members' Rights and Responsibilities of explicit reference to Directors' responsibilities to report to the Monitoring Officer on a quarterly basis of their arrangements for keeping members informed of local issues;
- (b) to maintain the Petition Scheme for Oxfordshire County Council in its current form;
- (c) Amend the Councillor Call for Action Rules (Part 9.3, Annex 1) so that the committee hears, in the first instance, from the member concerned and that the consideration of evidence and witnesses occurs if and when the committee agrees to pursue the relevant Councillor Call for Action.

118/11 REPORT OF THE CABINET

(Agenda Item 10)

The Council had before them the report of the Cabinet meeting held on 15 November 2011.

In relation to paragraph 1, (Establishment Review) (Question from Councillor Fooks) Councillor Robertson undertook to provide a written response giving detail of how many staff had been successfully redeployed.

In relation to paragraph 1, (Establishment Review) (Question from Councillor Pressel) Councillor Robertson undertook to provide a written response giving detail of how many agency staff and consultants were doing work that used to be undertaken by staff who had been made redundant and whether the use of consultants had gone up or down since 2009.

In relation to paragraph 3, (2011/12 Financial Monitoring & Business Strategy Delivery Report September 2011) (Question from Councillor Waive) Councillor Couchman gave an assurance that local members would be consulted on the land use of the disposed properties in relation to Bicester Library.

119/11 QUESTIONS WITH NOTICE FROM MEMBERS OF THE COUNCIL

(Agenda Item 11)

15 questions with notice were asked. Details of the questions and answers and the supplementary questions and answers (where asked) are set out in the Annex to the Minutes.

In relation to Question 11, Councillor Fatemian agreed to write to the award winning Ace Chairman to ask when he thought the numbers of bed blocking would go down.

120/11 MOTION FROM COUNCILLOR ARASH FATEMIAN

(Agenda Item 12)

Councillor Fatemian moved and Councillor Mitchell seconded the following motion:

This Council welcome the findings of the Commission on Funding of Care and Support chaired by Andrew Dilnot. In particular, that the recommendations from the commission remove uncertainty from the cost of social care and introduce a cap on how much any individual should pay for their care. If implemented, the recommendations from the Dilnot Commission will further the Council's Adult Social Care Directorate in closer working between health and social care and using resources to meet increased demand more effectively, resulting in better outcomes for older people.

In Summary the commission recommends that:

- Individuals' lifetime contributions towards their social care costs should be capped at £35,000 (the most appropriate and fair figure). After the cap is reached, individuals would be eligible for full state support.
- The means-tested threshold, above which people are liable for their full care costs, should be increased from £23,250 to £100,000
- There should be national eligibility criteria and portable assessments to ensure greater consistency
- All those who enter adulthood with a care and support need should be eligible for free state support immediately rather than being subjected to a means test.

Council welcomes the recommendations of the report and believe they will lead to better outcomes for Older People across the country but specifically in Oxford.

Council asks the Leader to write to the Department of Health and the local MPs to express our support for implementation of the proposals at the earliest opportunity."

Following debate, with the agreement of Council, Councillor Fatemian amended the penultimate paragraph of his motion by substituting the text "Oxford" with "Oxfordshire".

The motion, as amended was put to the vote and it was:

RESOLVED: (Unanimously)

This Council welcome the findings of the Commission on Funding of Care and Support chaired by Andrew Dilnot. In particular, that the recommendations from the commission remove uncertainty from the cost of

social care and introduce a cap on how much any individual should pay for their care. If implemented, the recommendations from the Dilnot Commission will further the Council's Adult Social Care Directorate in closer working between health and social care and using resources to meet increased demand more effectively, resulting in better outcomes for older people.

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- There should be national eligibility criteria and portable assessments to ensure greater consistency
- All those who enter adulthood with a care and support need should be eligible for free state support immediately rather than being subjected to a means test.

Council welcomes the recommendations of the report and believe they will lead to better outcomes for Older People across the country but specifically in Oxfordshire.

Council asks the Leader to write to the Department of Health and the local MPs to express our support for implementation of the proposals at the earliest opportunity.

121/11 MOTION FROM COUNCILLOR JANET GODDEN

(Agenda Item 13)

Councillor Fooks moved and Councillor Altaf-Khan seconded the following motion as amended by Councillor Shouler in bold italics:

"Council welcomes the Coalition Government's proposal to extend free childcare to disadvantaged two-year-olds by April 2013 and notes that this should benefit around 1,000 infants in Oxfordshire.

Council looks forward to the new arrangements that will improve life chances for these two-year-olds, but notes that many of the county's nurseries and children's centres are currently full. Council asks Cabinet to ensure that sufficient provision will be available in appropriate and local settings for such very young children ***within the funding envelope available*** and to report to CEF Scrutiny if there is likely to be any shortfall."

Following debate, the motion as amended was carried unanimously and accordingly:

RESOLVED:

"Council welcomes the Coalition Government's proposal to extend free childcare to disadvantaged two-year-olds by April 2013 and notes that this should benefit around 1,000 infants in Oxfordshire.

Council looks forward to the new arrangements that will improve life chances for these two-year-olds, but notes that many of the county's nurseries and children's centres are currently full. Council asks Cabinet to ensure that sufficient provision will be available in appropriate and local settings for such very young children within the funding envelope available, and to report to CEF Scrutiny if there is likely to be any shortfall."

122/11 MOTION FROM COUNCILLOR SARAH HUTCHINSON

(Agenda Item 14)

Councillor Hutchinson moved and Councillor Brighthouse seconded the following motion:

"Between January and October 2011 youth unemployment rose by 72% across the county, with an 80% increase in Oxford West and Abingdon, a 100% increase in Banbury and a 140% increase in Witney.

Given the devastating effect that unemployment can have on young people, their life chances, and their families, and the long-term costs this inflicts on society, this council is deeply concerned about the effect of the Coalition government's policies on young people, who are being robbed of employment and educational opportunities.

Council therefore asks the Cabinet Member to write to the Prime Minister expressing alarm at youth unemployment in Oxfordshire and asking the Government to take more action to provide our young people with long-term, properly paid jobs."

Following debate the motion was lost by 52 votes to 9 with 2 abstentions.

123/11 MOTION FROM COUNCILLOR ZOE PATRICK

(Agenda Item 16)

Councillor Patrick moved and Councillor David Turner seconded the following motion:

"This Council welcomes the Quality Bus Partnership and the introduction of the Smartcard joint-ticketing and joint timetabling which has followed. Council recognises that this has had some impact on helping to alleviate traffic congestion and carbon reduction in the city centre. Council therefore calls on the Cabinet to extend joint-ticketing outside Oxford to other areas of the county where more than one bus company operates and where this can help to encourage more bus usage in Oxfordshire."

Following debate the motion was lost by 36 votes to 20 with 2 abstentions.

124/11 MOTION FROM COUNCILLOR JOHN TANNER

(Agenda Item 15)

Councillor Tanner moved and Councillor Hutchinson seconded the following motion:

“This Council believes that all employees within Oxfordshire, both private and public, should have decent pensions. Elderly people who have worked hard all their lives should not be forced into poverty in their declining years, resulting in an increased call on Oxfordshire County Council services.

We regret the disruption caused to public services on 30th November. But that day of action demonstrated just how valuable are the services provided by local government staff, teachers, National Health Service employees and other public sector workers within Oxfordshire. We recognise that for local government employees, whose wages have been frozen, a cut in pension benefits is the last straw.

We applaud those dedicated public servants, including our own employees, who were prepared to lose a day's pay in order to campaign for decent pensions and proper services for the public.

It is unreasonable to ask local government employees to pay more, work longer and get less when local government public pension funds (including the Oxfordshire Pension Fund) are already funded. The public sector has a responsibility to show others what it is to be good employers, to pay decent wages and provide proper pensions.

We request the Leader to write to the Coalition Government to urge them to:

- a) negotiate just pension settlements with the public sector unions
- b) support the local government employers in providing good pensions for local government workers
- c) encourage private employers to provide pensions at least as good as the public sector.”

Following debate the motion was lost by 39 votes to 10 with 9 abstentions.

125/11 MOTION FROM COUNCILLOR SUSANNA PRESSEL

(Agenda Item 17)

Councillor Pressel moved and Councillor Stevens seconded the following motion:

“This Council has listened to the many individuals and groups who are worried that some libraries might struggle to get enough volunteers to keep them open for long enough each week.

We therefore request Cabinet in bringing forward its budget proposals to include in a reserve enough money to put back some of the staff posts which have been proposed for removal, if this becomes necessary.”

Following debate the motion was lost by 46 votes to 8 with 1 abstention.

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126/11 MOTION FROM COUNCILLOR LARRY SANDERS

(Agenda Item 18)

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

“It is important that as many residents as possible learn to communicate well in English. This is good for their children's education, good for the economy and good for the promotion of an inclusive and harmonious community.

Unfortunately, in recent years, Government policy has led to the reduction of the number of residents receiving free English language tuition from Oxfordshire County Council by 84%, from 760 to 120, in the period 2006/7 to 2010/11. This has led to a decrease in the number attending County Council English language classes by 53%, from 772 to 361, in the same period.

Resolved:

That this County Council:

- recognizes the importance of encouraging and aiding residents to become more effective communicators in English;
- asks the Safer and Stronger Communities Scrutiny Committee to assemble the views of community organisations, local schools and employers and the Adult Learning team with the goal of making recommendations to these groups and other decision-makers which will encourage people to take up the educational opportunities available and which will assist them in making contact with all governmental and non-governmental agencies which could make grants which would make it possible for more people to take part.”

Following debate the motion was lost by 37 votes to 19 with 1 abstention.

127/11 MOTION FROM COUNCILLOR RICHARD STEVENS

(Agenda Item 19)

The time being 3.30 pm the meeting closed and the motion from Councillor Stevens was considered dropped in accordance with Council Procedure Rule 15.1.

..... in the Chair

Date of signing