

OXFORDSHIRE COUNTY COUNCIL

MINUTES of the meeting held on Tuesday, 14 June 2011 commencing at 10.00 am and finishing at 3.35 pm.

Present:

Councillor Patrick Greene – in the Chair

Councillors:

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

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.

58/11 MINUTES

(Agenda Item 1)

RESOLVED: that the Minutes of the meeting of Council held on 17 May 2011 be approved and signed, subject to the following amendments:

Page 4 – Officer Scheme of Delegation – Add the following text to the resolution “On a motion by Councillor Greene, seconded by Councillor Seale and carried”

Page 9 – Motion from Councillor Armitage – replace the text “Councillor Godden seconded” with “Councillor Goddard seconded”.

59/11 APOLOGIES FOR ABSENCE

(Agenda Item 2)

Apologies for absence were received from Councillors: Marilyn Badcock, Mike Badcock, Goddard, Handley, Harvey, Hutchinson, Jelf, Mathew, Reynolds, Service and Viney.

60/11 DECLARATIONS OF INTEREST

(Agenda Item 3)

The following declarations of Interest were made:

Councillor Liz Brighouse declared a Personal Interest in Agenda Item 17 due to her Mother being a resident of a Care Home.

Councillor Jenny Hannaby declared a Personal Interest in Agenda Item 17 due to her position as Trustee of Wantage Nursing Home.

Councillor Louise Chapman declared a Personal Interest in Agenda Item 18 due to having Daughters currently in Further Education.

61/11 OFFICIAL COMMUNICATIONS

(Agenda Item 4)

The Chairman reported that he would be sending letters on behalf of the Council congratulating all residents of Oxfordshire who received honours in the Queen’s Birthday Honours list, and in particular:

- (i) Congratulating Peter William Neyroud, QPM Chief Constable and Chief Executive Officer, National Policing Improvement Agency on receiving the CBE for services to the Police;
- (ii) Congratulating Ms Romy Briant on receiving the MBE for services to the Prevention of Domestic Violence in Oxfordshire;
- (iii) Congratulating Mrs Christine Marjorie Burden on receiving the MBE for services to Older People in Oxford;
- (iv) Congratulating Mrs Jill McCleery, JP Chair of Governors, St. Ebbe’s Primary School on receiving the MBE for voluntary service to Education;
- (v) Congratulating Joanna Simons, Chief Executive OCC, on receiving the CBE for her work as Chief Executive.

Councillors Mitchell, Patrick, Brighouse and L Sanders congratulated and paid tribute to Joanna Simons on receiving the CBE for her work as Chief Executive. The Chairman then presented Ms Simons with some flowers.

62/11 APPOINTMENTS

(Agenda Item 5)

RESOLVED: to appoint Councillor Tony Crabbe in place of Councillor Ray Jelf on the Audit Committee.

63/11 STANDARDS COMMITTEE - ANNUAL REPORT 2010/2011

(Agenda Item 8)

The Council had before them the Annual Report of the Standards Committee (CC8).

RESOLVED: (on a motion by Councillor Greene and seconded by Councillor Seale and carried nem con) to receive the report.

64/11 THE FUTURE OF BBC OXFORD

(Agenda Item 9)

The Council had before them a report by the Head of Strategy and Communications (CC9) which outlined proposals for consultation of the future of BBC Oxford.

Councillor Fatemian moved and Councillor Skolar seconded the following motion as amended by Councillor Patrick in bold italic:

The Council is RECOMMENDED to:

- (a) record that it believes that a cessation of the local TV service and dilution of the local radio service would deny the people of Oxfordshire a truly local and comprehensive television news **and radio** service and that local communities could lose their voice and the council could lose an important channel of communication;
- (b) ask the Leader of the Council to write to the Chairman of the BBC Trust, the Director General of the BBC and to respond to any consultation on the proposals expressing the Council's concern and opposition;
- (c) ask the Leader of the Council to write to all six local MPs and the Culture Secretary to express these concerns and ask for their support against the proposals.

Following debate, the motion as amended was carried unanimously.

RESOLVED: (unanimously) to:

- (a) record that it believes that a cessation of the local TV service and dilution of the local radio service would deny the people of Oxfordshire a truly local and comprehensive television news and radio service and that local communities could lose their voice and the council could lose an important channel of communication;

- (b) ask the Leader of the Council to write to the Chairman of the BBC Trust, the Director General of the BBC and to respond to any consultation on the proposals expressing the Council's concern and opposition;
- (c) ask the Leader of the Council to write to all six local MPs and the Culture Secretary to express these concerns and ask for their support against the proposals.

65/11 REPORT OF THE CABINET

(Agenda Item 10)

The Council had before them the report of the Cabinet Meetings on 19 April and 24 May 2011 (CC10).

Council was advised that paragraph 9 of the report was within the Cabinet Portfolio for Police & Policy Co-ordination and not Schools Improvement.

In relation to paragraph 2 of the report, Councillor Fatemian undertook to provide Councillor Hannaby with a written response on the current arrangements for the provision of brokers;

In response to a question from Councillor Stevens on paragraph 2 of the report, Councillor Fatemian stated that a report outlining full monitoring arrangements of all home support providers would be going to the December meeting of the Adult Services Scrutiny Committee;

In relation to paragraph 3 of the report, Councillor Chapman agreed to arrange a meeting with Councillor Tanner to discuss Littlemore Youth Club;

In relation to paragraph 3 of the report, Councillor Chapman agreed to provide Councillor Stevens and Val Smith with a written explanation outlining the proposals to meet the statutory duty to secure access to recreational activities;

In relation to paragraph 3 of the report, Councillor Chapman agreed to arrange a meeting with Councillor Pressel to discuss provision of services for young people within her division;

In relation to paragraph 4, Councillor Chapman undertook to ask officers to provide Councillor Godden with a written response, outlining arrangements for briefing staff on how to recognise the trafficking of children and to look at the issue at a future meeting of the Corporate Parenting Panel;

In relation to paragraph 5, Councillor Chapman undertook to send a link to the Corporate Parenting Strategy to all members of the County Council;

In relation to paragraph 7 of the report, Councillor Lindsay-Gale undertook to provide Councillor Purse with a written response outlining any minor changes that had been made to the Strategy;

In relation to paragraph 7 of the report, Councillor Lindsay-Gale undertook to arrange a meeting with Councillor Tanner to discuss Redbridge Recycling Centre;

In relation to paragraph 8 of the report, Councillor Mallon gave an assurance that the youth bid from Whealtley Young People Centre would be considered in the next round of bids;

In relation to paragraph 8 of the report, Councillor Mallon undertook to arrange a meeting with Councillor Brighouse to discuss Big Society Funding for Libraries;

In relation to paragraph 10, Councillor Tilley undertook to provide Councillor Brighouse with a written response outlining the cost of educating individual children in primary schools across the County.

66/11 SCRUTINY COMMITTEES - ANNUAL REPORT

(Agenda Item 11)

The Council had before them the Annual Report of the scrutiny committees (CC11).

RESOLVED: (on a motion by Councillor Carter and seconded by Councillor Lovatt and carried by 43 votes to 9) to receive the report.

67/11 CABINET SCHEME OF DELEGATION

(Agenda Item 12)

The Council had before them a report by the Monitoring Officer (CC12).

RESOLVED: (on a motion by Councillor Mitchell, seconded by Councillor Robertson and carried by 54 votes to 1) to:

- (a) amend Part 4.4 of the Council's Constitution to effect the changes to the 'Delegated Decisions by Individual Cabinet Members' referred to in paragraph 8 above;
- (b) agree that the website copy of the Constitution should be the master copy, that the routine circulation of hard copies should cease and that the Monitoring Officer be asked to amend the Constitution to make clear that the website copy is the definitive version.

68/11 AMENDMENTS TO THE FINANCIAL PROCEDURE RULES- CHANGE TO CONSTITUTION

(Agenda Item 13)

The Council had before them a report by the Chief Finance Officer and Monitoring Officer (CC13).

RESOLVED: (on a motion by Councillor Mitchell, seconded by Councillor Robertson and carried by 54 votes to 1) to:

- (a) to agree the proposed amendments to the Financial Procedure Rules, as outlined in paragraph 4 to the report and as detailed in Annex 1;
- (b) to ask the Monitoring Officer to amend the Council's Constitution accordingly.

69/11 COUNTY COUNCIL MEETING DATES

(Agenda Item 14)

The Council had before them the report of the Monitoring Officer (CC14) containing the schedule of meeting dates proposed for the 2012/13 Council Year. Directors and Political Groups had been consulted on a draft schedule. The schedule had been drawn up to reflect the various rules about frequency of meetings set out in the Council's Constitution.

RESOLVED: (on a motion by Councillor Mitchell, seconded by Councillor Robertson and carried by 44 votes to 10) to:

- (a) Agree the principle of the June Council meeting being replaced by a meeting in the second Tuesday in July;
- (b) agree the schedule of meeting dates for the 2012/13 Council Year; and
- (c) instruct the Monitoring Officer to make the necessary consequential amendments to the Council Procedure Rules in respect of the dates of Council meetings.

70/11 QUESTIONS WITH NOTICE FROM MEMBERS OF THE COUNCIL

(Agenda Item 15)

22 Questions with notice were asked. Details of the questions and answers and the supplementary questions and answers (where asked) are set out in Annex 1 to the Minutes.

In relation to Question 1, Councillor Rose undertook to meet with Councillor Sanders to discuss the issue further;

In relation to Question 2, Councillor Rose undertook to meet with Councillor Sanders to discuss the issue further;

In relation to Question 19, Councillor Lindsay-Gale undertook to look further into the issue regarding the protection of paleontological remains and respond to Councillor Pressel;

In relation to Question 21, Councillor Rose undertook to provide Councillor David Turner with a written answer confirming whether all rural bus stops in the City would be returned to their original with shelter.

71/11 MOTION FROM COUNCILLOR ARASH FATEMIAN

(Agenda Item 16)

Councillor Fatemian moved and Councillor Chapman seconded the following motion:

“This Council welcomes the news that this week, 13th-19th June 2011, is National Carers Week which seeks to draw public attention to and support the work of the UK’s six million Carers.

This County Council always has and will continue both to recognise and be very grateful for the enormously valuable contribution made by Carers of all ages across Oxfordshire. Supporting Carers as well as we are able to will always be a core element of our strategy.

The new Carers strategy adopted by this council seeks to support and improve this recognition. A recognition that many Carers across the county, whose enormous contribution is vital to Oxfordshire and greatly under-appreciated, are not receiving any support at all. It is important to help identify Carers so that we can provide them with the support that they so greatly need.

This Council therefore:

- (i) welcomes National Carers Week and supports its aims in highlighting the work of Carers and helping to identify hidden Carers of all ages and provide them with help and support;
- (ii) agrees to publish information about Carers Week on the County Council Website for the remainder of this week;
- (iii) asks all Councillors to consider signing the ‘Carers Wall’ in support of the work of all Carers, of all ages, across Oxfordshire.”

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

RESOLVED: (unanimously)

This Council welcomes the news that this week, 13th-19th June 2011, is National Carers Week which seeks to draw public attention to and support the work of the UK’s six million Carers.

This County Council always has and will continue both to recognise and be very grateful for the enormously valuable contribution made by Carers of all ages across Oxfordshire. Supporting Carers as well as we are able to will always be a core element of our strategy.

The new Carers strategy adopted by this council seeks to support and improve this recognition. A recognition that many Carers across the county, whose enormous contribution is vital to Oxfordshire and greatly under-appreciated, are not receiving any support at all. It is important to help identify Carers so that we can provide them with the support that they so greatly need.

This Council therefore:

- (i) welcomes National Carers Week and supports its aims in highlighting the work of Carers and helping to identify hidden Carers of all ages and provide them with help and support;
- (ii) agrees to publish information about Carers Week on the County Council Website for the remainder of this week;
- (iii) asks all Councillors to consider signing the 'Carers Wall' in support of the work of all Carers, of all ages, across Oxfordshire.

72/11 MOTION FROM COUNCILLOR JANET GODDEN

(Agenda Item 17)

Councillor Godden moved and Councillor Hannaby seconded the following motion as amended by Councillor Fatemian in bold italic:

"Council is dismayed to learn of the adverse Care Quality Commission report on a private care home in Oxfordshire where this authority places clients. Care plan processes, dietary needs, medicines management, activities for residents, staff training, and quality monitoring fell short of the required standards.

Council also notes with concern:

- (a) the recent LINKs report on Oxfordshire care homes (JOHSC, 19 May item 8c) where some of the same deficiencies are mentioned, and which concludes that 'it is vital to consider whether value for money is given in all cases and whether the care received by residents is always as good as it can be'; and
- (b) that new responsibilities for inspection and monitoring are likely to be placed upon the Council under the Localism Bill.

Council therefore requests that:

- (i) Cabinet review the fees structure for care homes to ensure that the Council is both paying a reasonable going rate and receiving good value for money;
- (ii) The Director for Social & Community Services keeps members informed about the outcome of inspection reports on all care homes;
- (iii) Clients are not placed in care homes that cannot demonstrate good internal care monitoring processes, together with a reliable complaints system for use by relatives as well as by residents; and

- (iv) a post-Council briefing is arranged on current inspection regimes, and the anticipated new responsibilities of local authorities and the role of Healthwatch in this respect;
- (v) ***that in the first instance, a report be taken to Adult Services Scrutiny Committee to consider the points raised above and to then present this report, with the comments and recommendations from scrutiny, to Cabinet for their consideration.***

Following debate, the motion as amended was carried nem con.

RESOLVED:

Council is dismayed to learn of the adverse Care Quality Commission report on a private care home in Oxfordshire where this authority places clients. Care plan processes, dietary needs, medicines management, activities for residents, staff training, and quality monitoring fell short of the required standards.

Council also notes with concern:

- (a) the recent LINKs report on Oxfordshire care homes (JOHSC, 19 May item 8c) where some of the same deficiencies are mentioned, and which concludes that 'it is vital to consider whether value for money is given in all cases and whether the care received by residents is always as good as it can be'; and
- (b) that new responsibilities for inspection and monitoring are likely to be placed upon the Council under the Localism Bill.

Council therefore requests that:

- (i) Cabinet review the fees structure for care homes to ensure that the Council is both paying a reasonable going rate and receiving good value for money;
- (ii) The Director for Social & Community Services keeps members informed about the outcome of inspection reports on all care homes;
- (iii) Clients are not placed in care homes that cannot demonstrate good internal care monitoring processes, together with a reliable complaints system for use by relatives as well as by residents; and
- (iv) a post-Council briefing is arranged on current inspection regimes, and the anticipated new responsibilities of local authorities and the role of Healthwatch in this respect;
- (v) that in the first instance, a report be taken to Adult Services Scrutiny Committee to consider the points raised above and to then present this report, with the comments and recommendations from scrutiny, to Cabinet for their consideration.

73/11 MOTION FROM COUNCILLOR JEAN FOOKS

(Agenda Item 18)

Councillor Fooks moved and Councillor Altaf-Khan seconded the following motion:

"Council welcomes the Coalition Government's announcements on the replacement for Educational Maintenance Allowance to support young people over 16 to stay on at school or college. It is understood that the new scheme should be in place for the forthcoming academic year. It will be better targeted and continue to support those currently receiving the allowance. This demonstrates the Government's commitment to helping young people stay longer in education.

Breaking the cycle of deprivation' is one of the Council's overriding priorities. Enabling young people to stay at school is one way to meet this, yet eligible

pupils are unlikely to learn of these allowances by themselves. Council therefore asks the Cabinet Member for Schools Improvement to ensure that targeted groups of pupils (such as those in care, care leavers, those with severe disabilities) are aware of the scheme and to alert schools to the scheme and the importance of doing all they can to ensure that all other eligible pupils (such as those recognised by their schools as facing specific barriers to participation such as transport costs or the cost of necessary equipment for their courses) are made aware of the substantial support that will be available to them from schools.

Council requests that all reasonable steps are taken to gather information about the effective take up of these supports and that the matter is referred to Children's Services Scrutiny Committee for further consideration."

Following debate the motion was put to the vote and was carried by 49 votes to 8.

RESOLVED: (49 votes to 8)

Council welcomes the Coalition Government's announcements on the replacement for Educational Maintenance Allowance to support young people over 16 to stay on at school or college. It is understood that the new scheme should be in place for the forthcoming academic year. It will be better targeted and continue to support those currently receiving the allowance. This demonstrates the Government's commitment to helping young people stay longer in education.

Breaking the cycle of deprivation' is one of the Council's overriding priorities. Enabling young people to stay at school is one way to meet this, yet eligible pupils are unlikely to learn of these allowances by themselves. Council therefore asks the Cabinet Member for Schools Improvement to ensure that targeted groups of pupils (such as those in care, care leavers, those with severe disabilities) are aware of the scheme and to alert schools to the scheme and the importance of doing all they can to ensure that all other eligible pupils (such as those recognised by their schools as facing specific

barriers to participation such as transport costs or the cost of necessary equipment for their courses) are made aware of the substantial support that will be available to them from schools.

Council requests that all reasonable steps are taken to gather information about the effective take up of these supports and that the matter is referred to Children's Services Scrutiny Committee for further consideration.

74/11 MOTION FROM COUNCILLOR RICHARD STEVENS

(Agenda Item 19)

Councillor Stevens moved and Councillor Pressel seconded the following motion:

"This Council welcomes the abandonment of the Cabinet's proposals of 26 November 2010 to cease funding 20 of our 43 public libraries in Oxfordshire, and the recognition in the Council's announcement of 27 May 2011 that fulfilling the statutory duty to provide a comprehensive and efficient library service under the Public Libraries and Museums Act 1964 requires a community needs-based assessment of library provision.

This Council further:

- (i) acknowledges the concern of members of the public throughout Oxfordshire who mounted successful campaigns to save their local libraries, and regrets the uncertainty generated by the proposals of 26 November 2010; and
- (ii) calls on the Cabinet to explain in detail how funding for volunteers will be put in place for the 21 libraries whose staffing would, under the new proposals, be dependent upon or would incorporate volunteer library staff, so as to ensure the long-term viability of such libraries."

Councillor Patrick moved and Councillor R Smith seconded the following amendment shown in bold italic:

"This Council welcomes the abandonment of the Cabinet's proposals of 26 November 2010 to cease funding 20 of our 43 public libraries in Oxfordshire, and the recognition in the Council's announcement of 27 May 2011 that fulfilling the statutory duty to provide a comprehensive and efficient library service under the Public Libraries and Museums Act 1964 requires a community needs-based assessment of library provision.

This Council further:

- (i) acknowledges the concern of members of the public throughout Oxfordshire who mounted successful campaigns to save their local libraries, and regrets the uncertainty generated by the proposals of 26 November 2010; and
- (ii) calls on the Cabinet to explain in detail how funding for volunteers will be put in place for the 21 libraries whose staffing would, under the new proposals, be dependent upon or would incorporate volunteer

library staff, so as to ensure the long-term viability of such libraries.”
and

(iii) calls on the Cabinet to quantify to Council at the earliest opportunity the savings it is proposed make from the library service in each of the following ways:

(a) staff reorganisation and reduction;

(b) the more economical and efficient procurement and distribution of book stock; and

(c) increasing revenue by developing existing library buildings for mixed use and by charges for services provided by libraries.”

Following debate the amendment was lost by 39 votes to 19.

The substantive motion was then put to the vote and was lost by 39 votes to 17.

75/11 MOTION FROM COUNCILLOR VAL SMITH

(Agenda Item 20)

Councillor Val Smith moved and Councillor Brighthouse seconded the following motion:

"This Council values highly the work of youth workers and the youth service in Oxfordshire.

We believe that the youth service can:

- increase young peoples' participation as active citizens and volunteers
- engage them in education
- increase personal and social skills
- improve access to health information.

We, therefore, urge the Cabinet to bring forward plans to ensure there are trained youth workers in the HUBS able to deliver youth work in communities to reflect both the 1996 Education Act and the guidance which was embedded in the Education and Inspections Act 2006."

Following debate the motion was put to the vote and was lost by 39 votes to 18.

..... in the Chair

Date of signing