

## OXFORDSHIRE COUNTY COUNCIL

**MINUTES** of the meeting held on Tuesday, 1 July 2014 commencing at 10.30 am and finishing at 3.55 pm.

**Present:**

Councillor Anne Purse – in the Chair

Councillors:

Val Smith	Mark Gray	David Nimmo Smith
Lynda Atkins	Patrick Greene	Neil Owen
Jamila Azad	Tim Hallchurch MBE	Zoé Patrick
David Bartholomew	Pete Handley	Glynis Phillips
Mike Beal	Jenny Hannaby	Susanna Pressel
Maurice Billington	Nick Hards	Laura Price
Liz Brighthouse OBE	Neville F. Harris	G.A. Reynolds
Kevin Bulmer	Steve Harrod	Alison Rooke
Nick Carter	Hilary Hibbert-Biles	Rodney Rose
Louise Chapman	Simon Hoare	Gillian Sanders
Mark Cherry	John Howson	John Sanders
John Christie	Ian Hudspeth	Roz Smith
Sam Coates	Bob Johnston	Lawrie Stratford
Yvonne Constance	Richard Langridge	John Tanner
Arash Fatemian	Stewart Lilly	Melinda Tilley
Neil Fawcett	Lorraine Lindsay-Gale	Michael Waine
Jean Fooks	Sandy Lovatt	Richard Webber
Mrs C. Fulljames	Mark Lygo	David Williams
Anthony Gearing	Kieron Mallon	David Wilmshurst
Janet Godden	Charles Mathew	

*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.*

### **32/14 APOLOGIES FOR ABSENCE**

(Agenda Item 1)

Apologies for absence were received From Councillors Dhesi, Heathcoat and Sibley.

### **33/14 MINUTES**

(Agenda Item 3)

The Minutes of the Meeting held on 20 May 2014 were approved and signed, subject to the following amendment:

Minute 26/14, last paragraph ...~~Council~~ **Castle Site** and *at* ...

### **34/14 OFFICIAL COMMUNICATIONS**

(Agenda Item 4)

The Chairman reported as follows:

Council congratulated the following people from The Queen's Birthday Honours List which had been published in June:

QPM – Assistant Chief Constable Brendan O'Dowda QPM, Thames Valley Police;

OBE – Mrs Anne Kelaart OBE DL, Deputy Lieutenant and former High Sheriff – for services to the rural community in Oxfordshire;

MBE – Robin Aitken MBE and David Cairns MBE – Co-directors Oxford Food Bank – for services to vulnerable people;

BEM – Gary Mattingley BEM, Station Manager, Oxfordshire Fire & Rescue Services – for services to protecting communities from flooding;

BEM – Helen Stewart BEM, Town Clerk, Thame Town Council – for services to Neighbourhood planning in Thame;

OBE – Group Captain Victoria Gosling OBE, based at RAF Benson, for her commitment to the air base and to adaptive sports for the disabled or injured;

BEM – Mrs Carole Chalton OBE, Lately Day Support Manager, Abingdon Alzheimer's Club, for services to Older People.

The Chairman presented an award which had been given by the Municipal Journal for the Children's Social Care Team of the year to the Kingfisher Team. Sue Evans, Team Manager, Maureen Baker, Assistant Team Manager, Fern Haward, Social Worker and Andy Roberts, Thames Valley Police attended the meeting to accept the award on behalf of the Kingfisher Team.

Investors in People was the national quality standard for the training and development of people. Council congratulated officers for retaining the Corporate Investors in People (IIP) status. This followed an assessment when external assessors spoke with around 200 staff from across the organisation.

Council congratulated Oxfordshire Children, Education and Families Directorate who had been judged to be providing a good service for children in need of protection, looked after children, the adoption service and the service provided for care leavers. In addition the leadership, management and governance of the service had also judged to be good.

Council further welcomed the letter from the Minister of Education congratulating Oxfordshire and asking that they Share 'Good Practice' with other authorities.

### **35/14 APPOINTMENTS**

(Agenda Item 5)

Councillor Hudspeth moved and Councillor Rose seconded the appointment as set out on the face of the Agenda.

The motion was put to the vote and it was:

**RESOLVED:** (nem con) to add the Local Government Association Fire Commission to the list of 'strategic' Outside Bodies to which the Cabinet makes appointments.

### **36/14 PETITIONS AND PUBLIC ADDRESS**

(Agenda Item 6)

Council received the following petitions and public address:

Mr Graham Paul Smith, National Councillor, CTC (Cyclists Touring Club), presented a petition requesting the Council to reconsider, urgently, the current design for The Plain, and the approach to design, to provide instead for a maximum amount of segregated provision for people cycling, to positively engineer the difficult transition to a central cycle lane; and to make changes to the circulating carriageway to support the presence of people cycling.

Mr Duncan Enright, West Oxfordshire District Council presented a petition requesting that the Council build a four way junction on the A40 at Shores Green to relieve traffic in Witney as soon as possible.

The Chairman referred the Petitions to the relevant Director for action.

Public Address:

Ms Al Chisholm, Fossil Free Oxfordshire divestment campaign, spoke in support of Agenda Item 18 (Motion From Councillor Williams) urging the Council to disinvest in any fossil fuel companies and to give consideration to investing in renewable energy companies instead, with a view to protecting the environment for future generations and protecting the Council's finances.

### **37/14 QUESTIONS WITH NOTICE FROM MEMBERS OF THE COUNCIL**

(Agenda Item 8)

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

In relation to Question 7 (Question from Councillor Williams to Councillor Fatemian) Councillor Fatemian gave a commitment to brief all members on the impact of the New Care Act draft legislation and at either the same or a later date on the impact on the County Council's finances.

In relation to Question 12 (Question from Councillor Tanner to Councillor Nimmo Smith) Councillor Nimmo Smith undertook to look again at the 18 month delay to the road works at Kennington and Hinksey Hill roundabouts.

**38/14 OFSTED INSPECTION OF SERVICES FOR CHILDREN IN NEED OF HELP AND PROTECTION, CHILDREN LOOKED AFTER AND CARE LEAVERS**

(Agenda Item 9)

The Council had before them the Ofsted Report on the Inspection of services for children in need of help and protection, children looked after and care leavers.

The report had concluded that Oxfordshire County Council's leadership in delivering services for children in care and in need of help and protection was "strong and effective" and made "a demonstrable difference" in improving the life chances of some of the most vulnerable children in Oxfordshire."

More than 3,100 children in Oxfordshire receive a specialist children's service, 512 are the subject of a child protection plan and 467 are looked after by the County Council.

Ofsted has four levels of ranking for local authority children's services – Outstanding, Good, Requires Improvement and Inadequate. Under Ofsted's new inspection framework, which it describes as a 'harder test', there are few councils ranked as Good or Outstanding.

Inspectors visited Oxfordshire County Council from April 29 to May 21 and have concluded that the council should be rated "Good" across all three key categories of their inspection

- Children who need help and protection,
- Children looked after (including adoption performance and experiences and progress of care leavers)
- Leadership, management and governance.

The report made clear that the work done by the joint County Council, Thames Valley Police and health service Kingfisher team to combat child sexual exploitation was "high quality", and that "large numbers of professionals had been effectively trained to identify potential indications of child sexual exploitation". It also said that "good arrangements are in place to respond when children go missing from home and care".

Ofsted also noted that the Council's two children's homes were judged to be "good" and "outstanding" in their most recent Ofsted inspections.

Councillor Tilley moved and Councillor Hudspeth seconded the recommendations as set out on the face of the Agenda.

In moving the recommendation, Councillor Tilley congratulated members and staff on the excellent outcome of the Inspection.

Council made the following observations:

- The rating was the result of hard work by everyone who worked with children and families. Council praised the consistent leadership from both the Cabinet Member and the Director and the cross party working in this area.
- Council noted that the issues for improvement set out in the report “were of no surprise” and were work in progress. However, Council noted the importance of continual improvement within the area.
- Council noted that children’s social services were strong and effective, and made a real difference to the lives of the most vulnerable children and young people in Oxfordshire.
- Council praised officers for the way the council worked with other agencies to manage issues linked to child sexual exploitation. They further noted that work to help troubled families was targeted and responsive with good take up by those families most in need.
- Child protection inquiries were carefully planned by children’s social care with the police and other agencies and investigated thoroughly.
- Council highly praised the social workers and in particular those with responsibility for children in care and noted that children said they had good, long-term relationships with social workers. Council particularly praised “children’s voice” and the Children in Care Council.
- Council commended the work of the Corporate Parenting Panel.
- The council noted that further work needed to be done around the virtual school, school governors, local members visiting children’s homes and attainment for Children in Care.

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

**RESOLVED:** accordingly.

### **39/14 REPORT OF THE CABINET**

(Agenda Item 10)

The Council received the report of the Cabinet.

In relation to paragraph 4 (Externalisation of Back/Office School Facing Services) (Question from Councillor Christie) Councillor Rose gave an assurance to look at the issue of providing a base in Oxfordshire for schools Human Resources staff.

### **40/14 MILITARY LIAISON ANNUAL REPORT 2013-14**

(Agenda Item 11)

Oxfordshire County Council has had a history of support and collaboration with the Armed Forces and since 2011 has been working under the

Community Covenant framework to ensure integration between the armed forces community and the local civilian community, providing the necessary services to both. The military is also an important strategic partner for the Council and plays a full part in the Oxfordshire Partnership.

The Council had before them a report (CC11) which provided an overview of the work undertaken in support of the Armed Forces over the course of 2013/14.

**RESOLVED:** (on a motion by Councillor Hudspeth, seconded by Councillor Val Smith and carried nem con) to note the report.

#### **41/14 COUNTY COUNCIL MEETING DATES**

(Agenda Item 12)

Council had before them a report (CC12) which sought agreement to the schedule of meeting dates proposed for the 2015/16 Council Year. The schedule had been drawn up to reflect the various rules regarding frequency of meetings set out in the Council's Constitution.

The final finance settlement in 2015 and future years was not expected until early to mid-February. This, together with the deadline for business rates forecasts from district councils being 31 January, meant that a Council meeting to agree the budget on 10 February (the second Tuesday in the month as set out in the Constitution) was unworkable. It was suggested that the Council meeting in 2015 be rearranged to 17 February 2015 and that it is scheduled for the third week in February going forward.

Linked to the above and to allow for the provisional settlement to be in late December (which has been the pattern for the last two years) it was suggested that the Cabinet meeting in January 2015 was rearranged to 27 January and that it is scheduled for that week going forward.

Based on the Constitution, the Council meeting in April 2015 would be 7 April 2015. This is the day after Easter Monday and in the past this had caused difficulties for Members. It was therefore suggested that Rule 2.1 of the Council Procedure Rules be waived to allow the meeting to be held on 14 April 2015.

In previous years the December Council meeting had been cancelled or reduced to half a day due to its proximity to the November date leading to lack of business. It was suggested that from 2015/16 the two meetings be replaced by one meeting held in late November.

With the agreement of Council, Councillor Purse moved and Councillor Val Smith seconded to move the recommendations as amended by Councillor Pressel in strikethrough:

**Council is RECOMMENDED to agree:**

- a) ***the changes to the dates of Cabinet and Council meetings in January and February 2015 and going forward to reflect the changed budget process;***
- b) ***the schedule of meeting dates for the 2015/16 Council Year and in particular:***
  - (i) ***to waive Rule 2.1 of the Council Procedure Rules to allow the 2015 April Council meeting to be held on 14 April;***
  - ~~(ii) ***that from 2016 the November and December Council meetings be replaced by a single meeting to be held in the last week in November;***~~
  - (iii) ***that Rule 2.1 of the Council Procedure Rules be amended to reflect the changes agreed above.***

Following debate, the motion was put to the vote and it was:-

**RESOLVED:** (nem con) to agree:

- (a) the changes to the dates of Cabinet and Council meetings in January and February 2015 and going forward to reflect the changed budget process;
- (b) the schedule of meeting dates for the 2015/16 Council Year and in particular:
  - (i) to waive Rule 2.1 of the Council Procedure Rules to allow the 2015 April Council meeting to be held on 14 April;
  - (ii) that Rule 2.1 of the Council Procedure Rules be amended to reflect the changes agreed above.

#### **42/14 VIREMENTS TO COUNCIL**

(Agenda Item 13)

As set out in the Provisional Revenue and Capital Outturn Report to Cabinet on 17 June 2014, some of the carry forwards of revenue over and underspends from 2013/14 to 2014/15 rely on virements which were larger than £0.5m. Since these represent a change in policy, albeit temporary in 2014/15, Council's approval was sought as required under the Authority's Financial Regulations.

**RESOLVED:** (on a motion by Councillor Hudspeth, seconded by Councillor Rose and carried nem con) to approve the virements larger than £0.5m for Children, Education and Families, Social & Community Services and Environment & Economy directorate and the associated carry forwards as set out in Annex 1 to the report.

**43/14 MOTION FROM COUNCILLOR BOB JOHNSTON**

(Agenda Item 14)

Councillor Johnston moved and Councillor Howson seconded the following motion:

“Transport connectivity which is vital for Oxfordshire’s economic future is now at crisis point. We do have outline proposals for a new transport plan. However much of it is too car focused. The tram-train is an innovative way of tackling some of the County’s problems, which would be as effective as individual car use and would be more environmentally friendly.

The tram-train is a hybrid vehicle which can use both the traditional heavy rail and dedicated light rail tracks. The advantage of this system to Oxfordshire is that it can use existing city centre heavy rail facilities with usually only minimal alterations, and on to which light rail tracks can be added where no heavy rail lines exist. Lines could run out to Witney, Kidlington and Horspath. Tram-trains can run on roads where required, with appropriate signalling. Such systems are very popular on the continent Karlsruhe is a good example and they are to be trialled in the UK along the Sheffield to Rotherham corridor.

Council therefore calls for a report to go to Cabinet which scopes and costs the project in outline and also to identify potential sources of finance. Such as project could potentially form a part of Network Rails Control Period 5 investment programme which runs from 2014 to 2019.”

Councillor Williams proposed and Councillor Coates seconded the following amendment as shown in bold italic/strikethrough:

“Transport connectivity which is vital for Oxfordshire’s economic future is now at crisis point. We do have outline proposals for a new transport plan. However much of it is too car focused. The tram-train is an innovative way of tackling some of the County’s problems, which would be as effective as individual car use and would be more environmentally friendly.

The tram-train is a hybrid vehicle which can use both the traditional heavy rail and dedicated light rail tracks. The advantage of this system to Oxfordshire is that it can use existing city centre heavy rail facilities with usually only minimal alterations, and on to which light rail tracks can be added where no heavy rail lines exist. Lines could run out to Witney, Kidlington and Horspath. Tram-trains can run on roads where required, with appropriate signalling. Such systems are very popular on the continent ~~Karlsruhe is a good example and they are to be trialled in the UK along the Sheffield to Rotherham corridor.~~ ***where an underground section is part of the system to protect historic city centres from surface congestion.***

Council therefore calls for a report to go to Cabinet which scopes and costs the project in outline and also to identify potential sources of finance. Such

as project could potentially form a part of Network Rails Control Period 5 investment programme which runs from 2014 to 2019.”

Following debate, the amendment was put to the vote and was lost by 57 votes to 2.

Following debate, the substantive motion was put to the vote and was lost by 29 votes to 27.

**RESOLVED:** accordingly.

#### **44/14 MOTION FROM COUNCILLOR JOHN SANDERS**

(Agenda Item 15)

Councillor John Sanders moved and Councillor Hudspeth seconded the following motion:

"Oxfordshire has been identified as one of the areas where there could be a potential to frack for shale gas. Rightly many residents particularly in the north of the County are concerned about the implications for their communities. This Council believes that its members need to have the opportunity to discuss the issues and asks that a Themed Debate is organised in the near future to allow that to happen."

Councillor Hudspeth moved and Councillor Rose seconded "that the question be now put". The Chairman stated that she did not believe that the item had been sufficiently debated and ruled it out of order.

Following debate, the motion as amended was put to the vote and was carried nem con.

**RESOLVED:** accordingly.

#### **45/14 MOTION FROM COUNCILLOR JOHN SANDERS**

(Agenda Item 17)

Councillor John Sanders moved and Councillor Price seconded the following Motion:

"This Council welcomes the decision by Cabinet to go ahead with implementing the project to ease traffic on the A40 at Shores Green, Witney, as recommended by the independent planning inspector and the Conservative Secretary of State for Transport. It now urges that the project be implemented without delay in order to ease chronic traffic congestion in the area."

Councillor Hoare moved and Councillor Langridge seconded the following amendment shown in bold italics/strikethrough:

“This Council welcomes the decision by Cabinet to go ahead with implementing the project to ease traffic on the A40 at Shores Green, Witney, as recommended by the independent planning inspector and the Conservative Secretary of State for Transport. ***It welcomes the 4 phased approach to the Witney Transport issues that is being implemented*** ~~It now urges that the project be implemented~~ without delay in order to ease chronic traffic congestion in the area.”

Following debate, the amendment was put to the vote and was carried by 40 votes to 14.

The substantive motion, as amended, was put to the vote and was carried nem con.

**RESOLVED:** (nem con)

“This Council welcomes the decision by Cabinet to go ahead with implementing the project to ease traffic on the A40 at Shores Green, Witney, as recommended by the independent planning inspector and the Conservative Secretary of State for Transport. It welcomes the 4 phased approach to the Witney Transport issues that is being implemented without delay in order to ease chronic traffic congestion in the area.”

#### **46/14 MOTION FROM COUNCILLOR DAVID WILLIAMS**

(Agenda Item 18)

Councillor Williams moved and Councillor Coates seconded the following motion:

“As the County Council can now fulfil its legal obligations to ensure a good rate of return by investing its reserves and pension funds in companies that are operating renewable energy generation locally and nationally the County consider it is now the appropriate time to disinvest in fossil fuel industries. This would apply not only to the £42million invested directly into fossil fuel companies by the pension fund but also Unit Trusts that have fossil fuel burning concerns as a part of their general investment portfolio.

This move would conform and reinforce the Councils existing commitment to moving to a low carbon economy and run in line with moves to disinvest at the Universities and the City Council.

As this is budgetary matter the County Council therefore directs the Cabinet to introduce such a change of policy to all investments directly under their day to day management via contingencies and reserves. The Council’s desire to disinvest in fossil fuel companies should be made known to the Trustees of the Pension Fund for their consideration and subsequent action.”

Following debate, the motion was put to the vote and was lost by 41 votes to 4, with 9 abstentions.

**RESOLVED:** accordingly.

**47/14 MOTION FROM COUNCILLOR DAVID WILLIAMS**

(Agenda Item 19)

Councillor Williams moved and Councillor Coates seconded the following motion as amended with Council's agreement by Councillor Mark Grey in bold italics/strikethrough:

"This Council is concerned at the level of bee colony collapse in the UK and Oxfordshire with a 60% decline over the last 10 Years and the threat to our food supply as bees provide over 80% of crop pollination. With this in view and taking into account the Council's responsibilities for conserving biodiversity, this Council calls on the Secretary of State for the Environment to extend his recent moratorium on the use of neonicotinoids to an outright ban.

The Council therefore asks Cabinet to:

- (i) ~~launch a programme that would~~ **Seek to support and protect bees** focused on establishing bee colonies in its green spaces and wild areas with bee friendly plants;
- (ii) ~~establish and fund a 'Bee Friendly Wildlife Group' of officers charged with promoting bee keeping in Oxfordshire.~~ **Empower officers to co-ordinate interest groups and other third parties to seek external funding to develop bee related projects and to establish a unified response to this issue;**
- (iii) encourage the use of bee hives on municipal land and in the gardens of volunteers and encourage forms of gardening and land use that support pollinating insects. ~~The team should also visit~~ Encourage schools to educate children about the relationship between bees and biodiversity and the problems surrounding bee mortality;
- (iv) ~~ask the Bee Friendly Wildlife Group to commit resources to mapping Bee-lines (1)~~ **Request officers to consider ways in which they can advise local farmers on their crop planting operations** and ~~to act in an advisory agent to local farmers on their crop planting operations.~~ **commend** Berkshire and Buckinghamshire and Oxon Wildlife Trust in their Friendly Gardening Awards scheme which includes the category of a 'nectar bar' (2)."

Councillor Lygo moved and Councillor Hoare seconded "that the question be now put".

The procedural motion was put to the vote and was carried nem con.

The substantive motion as amended was the put to the vote and was carried nem con.

**RESOLVED:** (nem con)

“This Council is concerned at the level of bee colony collapse in the UK and Oxfordshire with a 60% decline over the last 10 Years and the threat to our food supply as bees provide over 80% of crop pollination. With this in view and taking into account the Council’s responsibilities for conserving biodiversity, this Council calls on the Secretary of State for the Environment to extend his recent moratorium on the use of neonicotinoids to an outright ban.

The Council therefore asks Cabinet to:

- (i) seek to support and protect bees focused on establishing bee colonies in its green spaces and wild areas with bee friendly plants;
- (ii) empower officers to co-ordinate interest groups and other third parties to seek external funding to develop bee related projects and to establish a unified response to this issue;
- (iii) encourage the use of bee hives on municipal land and in the gardens of volunteers and encourage forms of gardening and land use that support pollinating insects. Encourage schools to educate children about the relationship between bees and biodiversity and the problems surrounding bee mortality;
- (iv) request officers to consider ways in which they can advise local farmers on their crop planting operations and commend Berkshire and Buckinghamshire and Oxon Wildlife Trust in their Friendly Gardening Awards scheme which includes the category of a ‘nectar bar’ (2).”

#### **48/14 MOTION FROM COUNCILLOR DAVID WILLIAMS**

(Agenda Item 20)

Councillor Williams moved and Councillor Coates seconded the following motion:

“Flooding in Oxfordshire has recently caused many millions of pounds worth of damage to homes and businesses. With the prospect of extreme weather conditions such as sustained torrential downpours being repeated on an ever increasing scale due to global warming it is imperative that the County Council not only puts in place local engineering flood defences but also accepts that it must play its part in flood prevention by contributing to the campaign to prevent climate change. With this in view the Council calls on the Cabinet to commission a full officer’s report in conjunction with other authorities that illustrates the local causes of flooding in the whole County and to outline how working with other stakeholders such as the Environment Agency cost effective local measures can be introduced to mitigate the effects of increasingly freak weather episodes.

The comprehensive range of works suggested should not include measures that merely divert flood waters away from particular area of the County and relocate the flooding to other towns and villages. The report should give a reasonable estimate of the costs involved and with other authorities the County should seek such monies from Governmental sources.

.....

In approaching the Government the County should also be clear that expensive local engineered solutions will not stop the problem and that it is now more important than ever that the Conservative/Liberal coalition actually does something to honour its pledge to be the 'Greenest Government ever.'

Councillor Purse moved and Councillor Rose seconded "that the question be now put".

The procedural motion was put to the vote and was carried nem con.

The substantive motion was then put to the vote and was lost by 44 votes to 2, with 4 abstentions.

**RESOLVED:** accordingly.

..... in the Chair

Date of signing