

OXFORDSHIRE COUNTY COUNCIL

MINUTES of the meeting held on Tuesday, 14 July 2015 commencing at 10.00 am and finishing at 3.00 pm.

Present:

Councillor John Sanders – in the Chair

Councillors:

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

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.

33/15 MINUTES

(Agenda Item 1)

RESOLVED: the Minutes of the Meeting held on 19 May 2015 were approved and signed.

34/15 APOLOGIES FOR ABSENCE

(Agenda Item 2)

Apologies for absence were received from Councillors Constance, Godden, Langridge and Patrick.

RESOLVED: to approve, for the purposes of Section 85 of the Local Government Act 1972, the absence of Councillor Zoe Patrick from any meeting of the Authority from the date of this meeting for six months on the grounds of ill health.

35/15 OFFICIAL COMMUNICATIONS

(Agenda Item 4)

The Chairman reported as follows:

At the last Council Meeting in May, a collection was made for the Oxfam Nepal Earthquake Appeal. The grand total collected was £372. The Chairman thanked Council for their generosity.

Councillor Nick Carter, Cabinet Member for Business & Customer Services had asked the Chairman to remind members of the Carillion Visit arranged for Tuesday 21 July at Bartholomew School in Eynsham to see an example of the new Modular Construction method for school buildings and to meet some of the team in Property and Facilities partnership. All members were welcome to attend.

36/15 APPOINTMENTS

(Agenda Item 5)

RESOLVED: to note the following appointment:

Councillor Liz Brighthouse to replace Councillor Gill Sanders on the Remuneration Committee.

37/15 PETITIONS AND PUBLIC ADDRESS

(Agenda Item 6)

The following petitions were received by the Chairman of the Council:

MRS Gena Leveson, on behalf of residents seeking Traffic Calming Measures and a Safe Crossing Place in Quarry Hollow to alleviate high volumes of traffic, including HGV's driving dangerously and inadequate provision for Pedestrians and to encourage more people to walk to school and to make Quarry Hollow a more connected community.

The petition was referred to the Director of Environment & Economy.

Mr John Handley, on behalf of residents of Sunderland Avenue seeking peak traffic road closures on the west and central entrances to Sunderland Avenue (North) during peak traffic flows (&am – 10 am) and (3.30 pm – 5.30 pm) during the A40 roadworks.

The petition was referred to the Director of Environment & Economy.

38/15 QUESTIONS WITH NOTICE FROM MEMBERS OF THE COUNCIL

(Agenda Item 8)

10 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 9 (Question from Councillor Tanner to Councillor Nimmo Smith) Councillor Nimmo Smith gave an undertaking to ask officers calculate the cost of placing double yellow lines at Donnington Bridge and provide Councillor Cherry with a written answer.

39/15 REPORT OF THE CABINET

(Agenda Item 9)

The Council received the report of the Cabinet.

In relation to paragraph 1 (Addressing the Council's Future Challenges) (Question from Councillor Smith) Councillor Hudspeth gave an undertaking to give consideration to how members could be kept informed on outcomes from all boards, partnerships and alliances.

In relation to paragraph 4 (Cabinet Business Monitoring Report for Quarter 3) (Question from Councillor Liz Brighthouse) Councillor Rose gave an undertaking to request that the LEP and other boards and partnerships report into Performance Scrutiny.

In relation to paragraph 10 (The Council's response to the findings of the Serious Case Review for Children A-F and further action taken in response to Child Exploitation in Oxfordshire) (Question from Councillor Dhesi) Councillor Tilley gave an undertaking to ask the Youth Offending Team to provide a written answer detailing how many children looked after end up in crime.

In relation to paragraph 11 (Support for Children Looked After and leaving Care into Employment, Education & Training) (Question from Councillor Dhesi) Councillor Tilley gave an undertaking to ask the Youth Offending Team to provide a written answer detailing how many children looked after end up in crime.

In relation to paragraph 12 (Recommendations of the Early Intervention Cabinet Advisory Group)) (Question from Councillor Rooke) Councillor Tilley gave an undertaking to re-look at the admissions policy in relation to 'family needs'

In relation to paragraph 15 (2014/15 Financial Monitoring & Business Strategy Delivery Report – February 2015) (Question from Councillor Brighthouse) Councillor Stratford undertook to provide a written answer detailing what savings had been made following the Facilities Management Contract.

In relation to paragraph 16 (Provisional 2014/15 Revenue and Capital Outturn) (Question from Councillor Pressel) Councillor Stratford undertook to provide a written answer regarding consultation undertaken prior to the bid for the 'Riverside Routes Scheme'.

40/15 SENIOR OFFICER APPOINTMENTS

(Agenda Item 10)

As a result of the current Chief Executive leaving the Council at the end of September 2015, it was necessary for statutory roles to be re-appointed to ensure succession, principally the role of Head of Paid Service.

Under the Council's Constitution, the Remuneration Committee had made a recommendation to Full Council as to the appointment of Head of Paid Service to succeed the current Chief Executive. If Council accepted this recommendation, it would also be necessary for the Council to appoint a Monitoring Officer. The Remuneration Committee had also followed its Constitutional role in making a recommendation on that eventuality.

The Council considered a report which set out the procedural requirements in making such appointments together with the details of the recommendation(s) of the Remuneration Committee.

Councillor Hudspeth moved and Councillor Brighthouse seconded that the recommendations set out in the report and on the face of the Agenda be adopted.

Following debate the motion was put to the vote and was carried by 57 votes to 0, with 1 abstention.

RESOLVED: Accordingly.

41/15 COUNTY COUNCIL MEETING DATES

(Agenda Item 11)

Council had before them a report (CC11) which sought agreement to the schedule of meeting dates proposed for the 2016/17 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 report proposed that from April 2016 Education Scrutiny Committee and Audit & Governance Committees meet on a Monday rather than Thursday and Wednesday respectively. Education Scrutiny Committee because Thursdays are extremely congested for meetings and Audit & Governance Committee because their meetings were becoming very busy and would sometimes require an all-day meeting which was not possible on a Wednesday.

Meeting dates in February and March 2017 were spaced to try and avoid the need for meetings, particularly Scrutiny Committee meetings, in April as it is a County Council election year. On the suggestion of the Chief Finance Officer the February budget meeting was proposed for the second rather than the third Tuesday in February.

In addition it was proposed that the April 2017 Council meeting be brought forward to before the start of the restricted period. This would mean that there is one extra Council meeting in 2016/17 and there would be one less in 2017/18.

With the agreement of Council, Councillor Hudspeth moved and Councillor Rose seconded to move the recommendations as amended by Councillor Bartholomew as follows:

Audit and Governance Committee has been charged with setting up a working group to improve the demographic diversity of Councillors. It is therefore contrary to this objective to change Audit and Governance from a half-day meeting on Wednesday afternoons to a full-day on Monday.

Monday mornings are probably the worst possible time for a working Councillor to have to attend a Council meeting and the potential for this to extend to a whole day is even worse.

This Council therefore amends the proposed schedule so that Audit and Governance remains on Wednesday afternoons.

The recommendations, as amended were put to the vote and was carried nem con.

RESOLVED: to agree the schedule of meeting dates for the 2015/16 Council Year and in particular to waive Rule 2.1 of the Council Procedure Rules to allow the February 2017 budget meeting of full Council to be held on 14 February and the April 2017 full Council meeting to be held on 21 March 2017, subject to Audit and Governance remaining on Wednesday afternoons.

42/15 VIREMENTS TO COUNCIL

(Agenda Item 12)

Council had before them a number of Virement requests to offset over and underspends with and between directorates which were larger than £1.0m and therefore, under the Council's Financial Procedure Rules, required Council approval.

RESOLVED: (on a motion by Councillor Stratford, seconded by Councillor Hudspeth and carried by 47 votes to 11, with 1 abstention) to:

- (a) approve the virements greater than £1.0m for Children, Education & Families, Social & Community Services, Chief Executive's Office, and Environment & Economy Directorates as set out in Annex 1;
- (b) approve supplementary estimates of £2.0m to the Efficiency Reserve and £2.7m to the Budget Reserve as set out in paragraph 3;
- (c) approve the permanent virement of £5.481m income into the Learning Disability Pool in respect of Learning Disability client contribution budgets.

43/15 STATUTORY OFFICERS - CONSTITUTION

(Agenda Item 13)

The Government had issued Regulations to change the procedures which must be followed if a Council wished to discipline or dismiss its statutory officers – namely, the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer. As such, councils were required to adopt the new procedures no later than the first ordinary meeting of the Council in the current Council year.

Council had before them a report which outlined the changes in procedure and recommended Council formally note the statutory requirements and to ask the Monitoring Officer to amend the Constitution accordingly.

RESOLVED: (on a motion by Councillor John Sanders. Seconded by Councillor Waine and carried nem con) to note the changes to the statutory procedure and to ask the Monitoring Officer to amend the Council's Constitution accordingly.

44/15 MOTION FROM COUNCILLOR RICHARD WEBBER

(Agenda Item 14)

With the consent of Council, Councillor Webber moved and Councillor Lilly seconded his motion as amended by Councillor Williams below in strikethrough:

~~“The Government's desire to increase the rate of house building has been supported by the National Planning Policy Framework. The NPPF has certainly reduced many obstacles and delays to planning approvals. House building is now steaming ahead, at least in the South of England.~~

New Homes Bonus was designed to encourage planning authorities to allow more house building, but with the arrival of the NPPF the role of NHB has been secondary in achieving growth. With the NHB allocation of 80% to District Councils and 20% to County Councils, District Councils in the South East, have seen their finances transformed. However, the resultant need for high cost infrastructure, such as roads and schools falls to County Councils with only a 20% allocation of NHB. The increasing disparity between ever wealthier Districts and ever more financially stressed Counties is almost entirely the result of the 80:20% split of NHB.

This Council requests that the Leader and CEO together write to the LGA and CCN expressing the Council's concern and urging them to persuade central government to revisit the issue of NHB allocation."

The Motion, as amended was put to the vote and was carried unanimously.

RESOLVED: (unanimously)

"New Homes Bonus was designed to encourage planning authorities to allow more house building, but with the arrival of the NPPF the role of NHB has been secondary in achieving growth. With the NHB allocation of 80% to District Councils and 20% to County Councils, District Councils in the South East, have seen their finances transformed. However, the resultant need for high cost infrastructure, such as roads and schools falls to County Councils with only a 20% allocation of NHB. The increasing disparity between ever wealthier Districts and ever more financially stressed Counties is almost entirely the result of the 80:20% split of NHB.

This Council requests that the Leader and CEO together write to the LGA and CCN expressing the Council's concern and urging them to persuade central government to revisit the issue of NHB allocation."

45/15 MOTION FROM COUNCILLOR KEVIN BULMER

(Agenda Item 15)

With the consent of Council Councillor Bulmer moved and Councillor Hards seconded his motion as amended below in strikethrough and bold italics:.

"This Council, as traffic authority for Oxfordshire asks that the government should in this parliamentary session enact legislation or changes to regulations to make it compulsory for HGV to have commercial satellite navigation and use of personal satellite navigations are to be banned. The regulations need to make sure that the satellite navigation system is to be kept up to date with the latest agreed HGV routes and to include appropriate fines **penalties**. This council believes this change could become part of the current HGV inspection & enforcement process with little to no additional cost.

The rural areas of Oxfordshire are being particularly ~~effecte~~ **affected** by HGVs using inappropriate routes and causing both delays & excessive damage to rural roads which are not capable of sustaining this traffic. Personal satellite navigation which take you on the shortest route are not suitable for HGV and are leading to excessive economic damage to the economies of the Towns, Villages & Rural areas of Oxfordshire. The increased use of routeing agreements for minerals and waste developments will be made even more effective by this measure and put all HGV's on the same footing."

The motion as amended was put to the vote and was carried unanimously:

RESOLVED: (unanimously)

“This Council, as traffic authority for Oxfordshire asks that the government should in this parliamentary session enact legislation or changes to regulations to make it compulsory for HGV to have commercial satellite navigation and use of personal satellite navigations are to be banned. The regulations need to make sure that the satellite navigation system is to be kept up to date with the latest agreed HGV routes and to include appropriate penalties. This council believes this change could become part of the current HGV inspection & enforcement process with little to no additional cost.

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46/15 MOTION FROM COUNCILLOR JAMES MILLS

(Agenda Item 16)

Councillor Mills moved and Councillor Gill Sanders seconded the following motion:

“Foster carers play a vital role in the community. They care for some of our most vulnerable children and work as part of a team of professionals to help transform their lives.

The Council needs to recruit more local foster carers so that: the increasing number of children coming into the care system can remain close to their schools, friends and support network; young people can remain in foster care beyond the age of 18 under ‘Staying Put’ arrangements; and we can replace those carers who cease fostering each year. By reducing our reliance on fostering agencies we can reduce the cost of placements to the taxpayer.

To assist in this work the Council calls on local organisations and employers to sign up to a fostering friendly ‘Covenant’.

The Covenant sets out ways in which employers and organisations can demonstrate their support to staff or members who foster, and how they can promote the role in order to create encouragement, and to help boost foster carer recruitment numbers.

As a signatory, the County Council has increased benefits for staff that foster for the Council, introduced new incentives for all staff to recruit foster carers, and launched new initiatives to increase support to foster carers.

Oxfam, Oxford Health, Oxford City Council, Home for Good and the Bishop of Dorchester have all pledged their support for this campaign. The Council urges Directors, other employers and organisations to join us to help make Oxfordshire the most 'fostering-friendly' county in the country."

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

RESOLVED: Accordingly.

47/15 MOTION FROM COUNCILLOR SAM COATES

(Agenda Item 17)

Councillor Coates moved and Councillor Pressel seconded the following motion:

"This Council is concerned at the recent announcement of a further £13billion pounds worth of cuts in the benefits budget and at the continued additional local Government cuts announced in the recent Chancellor's Budget which would mean approximately £60million more budget reductions in Oxfordshire. This comes on top of the already draconian £88m planned reductions to be implemented over the next 3 years (in addition to £204m savings delivered between 2010/11 and 2014/15).

The Council believe that such cuts, targeted as they are on those on the lowest income are morally wrong and will further damage the economy and the social fabric of Oxfordshire and the rest of the Country. For Oxfordshire further reductions in adult social care may take the service into the realms of an unsafe provider and consequently put lives at risk.

Oxfordshire County Council calls on the Government to drop the façade of 'Austerity Economics' and adopt a policy of supporting public services instead of incrementally dismantling the welfare state.

Council asks the Leader of the Council to write directly to the Prime Minister to inform him of Oxfordshire County Councils stance on this issue."

Following debate, the motion was put to the vote and was lost by 27 votes to 23, with 1 abstention.

RESOLVED: Accordingly.

48/15 MOTION FROM COUNCILLOR DAVID WILLIAMS

(Agenda Item 18)

Councillor Williams moved and Councillor Coates seconded the following motion:

"In the Queen's speech the Government announced it would bring forward proposals for a Bill of Rights to replace the Human Rights Act. Given that many of the decisions taken and services provided by Oxfordshire County

Council must take account of human rights legislation, this Council asks the Leader to make representations to the Government and to the Lord Chancellor that the County Council would wish to be consulted about any such proposals which may affect the Council’s delivery of services to the people of Oxfordshire.”

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Following debate, the motion was put to the vote and was lost by 30 votes to 23, with 1 abstention.

RESOLVED: Accordingly.

49/15 MOTION FROM COUNCILLOR DAVID WILLIAMS

(Agenda Item 19)

Councillor Williams moved and Councillor Coates seconded the following motion:

“This Council notes with dismay the continued expansion of the Academy and Free Schools programme recently announced and the resulting diversion of funds away from LEA schools in Oxfordshire. The Council calls on the Secretary of State for Education to follow the example of the Swedish Government and end this experiment in Governance and return all schools to democratic control and accountability with clear universal professional standards, commitment to a similar curriculum, non-selective criteria and general equity in funding. Oxfordshire County Council is also concerned at the loss of large areas of school grounds worth hundreds of millions of pounds that once belonged to the County Council to independent sponsors.

The Council is concerned at the billions of pounds that have been diverted from mainstream education in the County to try to make Academies and Free Schools work and the dramatic impact this has had on LEA schools funding locally. This massive in balance in expenditure is still being undertaken with very little to show in terms of real improvements to educational outcomes.

The Council is concerned that the obvious advantages in collectively improving the quality of local education provision provided in Oxfordshire via the LEA are being wasted in the fragmentation and atomisation that Academies and Free Schools generate.

Council asks the Leader of the Council to forward copies of this motion to the Prime Minister and the Secretary of State for Education.”

Following debate the motion was put to the vote and was lost by 30 votes to 14, with 8 abstentions.

..... in the Chair

Date of signing