

OXFORDSHIRE COUNTY COUNCIL

MINUTES of the meeting held on Tuesday, 11 September 2018 commencing at 10.30 am and finishing at 4.00 pm.

Present:

Councillor Gill Sanders – in the Chair

Councillors:

Sobia Afridi	Mark Gray	Glynis Phillips
Lynda Atkins	Carmen Griffiths	Susanna Pressel
Jamila Begum Azad	Jenny Hannaby	Laura Price
Hannah Banfield	Neville F. Harris	Eddie Reeves
David Bartholomew	Steve Harrod	G.A. Reynolds
Dr Suzanne Bartington	Mrs Judith Heathcoat	Judy Roberts
Maurice Billington	Hilary Hibbert-Biles	Alison Rooke
Liz Brighouse OBE	John Howson	Dan Sames
Paul Buckley	Ian Hudspeth	John Sanders
Kevin Bulmer	Tony Ilott	Les Sibley
Nick Carter	Dr Kirsten Johnson	Emily Smith
Mark Cherry	Bob Johnston	Roz Smith
Dr Simon Clarke	Liz Leffman	Lawrie Stratford
Yvonne Constance OBE	Lorraine Lindsay-Gale	Alan Thompson
Ian Corkin	Mark Lygo	Emma Turnbull
Arash Fatemian	D. McIlveen	Michael Waine
Neil Fawcett	Kieron Mallon	Liam Walker
Ted Fenton	Jeannette Matelot	Richard Webber
Nicholas Field-Johnson	Charles Mathew	
Mike Fox-Davies	Zoé Patrick	

The Council considered the matters, reports and recommendations contained or referred to in the agenda and schedule of business for the meeting and decided as set out below. Except insofar as otherwise specified, the reasons for the decisions are contained in the agenda, reports and schedule of business, copies of which are attached to the signed Minutes.

3/18 MINUTES

(Agenda Item 1)

The Minutes of the Meeting held on 10 July 2018 were approved and signed subject to the figure for the number of Finnish Teachers set out in Annex 2, page 19 being amended to read 1, and to 'Susanne' being changed to 'Suzanne' on page 9.

Matters Arising

In relation to Minute 226/18, Councillor Constance reported that the Agency Agreement had now been signed and undertook to circulate guidance for Councillors as soon as it was available.

4/18 APOLOGIES FOR ABSENCE

(Agenda Item 2)

Apologies for absence were received from Councillors Mrs. Anda Fitzgerald O'Connor, Gawrysiak and Handley.

5/18 DECLARATIONS OF INTEREST

(Agenda Item 3)

Councillor Howson declared a personal interest in Agenda Item 16 (Motion by councillor Kieron Mallon) by virtue of his position of Vice President of the Magistrates Association for England and Wales.

6/18 OFFICIAL COMMUNICATIONS

(Agenda Item 4)

The Chairman reported as follows:

The Chairman reminded members that she would be holding her Chairman's Dinner on Friday 23 November and that invites would be sent out shortly.

Council paid tribute to Peter Clark, thanking him for his time with the Authority, most notably as Chief Executive;

Council Congratulated Staff and paid tribute to Tim Stimpson on the very successful Open Doors event.

7/18 APPOINTMENTS

(Agenda Item 5)

RESOLVED: to note the following appointments:

The Leader of the Council had given notice of a number of changes to Cabinet Member portfolios and membership. There would no longer be a post of Cabinet Member for Public Health & Education with the responsibilities transferring to the newly named Cabinet Members for Adult Social Care & Public Health and Education & Cultural Services respectively. The new and revised portfolios below came into effect on 1 September 2018.

Name	Portfolio	Extent of authority
Ian Hudspeth	Leader of the Council	Strategy; corporate and community leadership; strategic communications; major external

		partnerships; regional and strategic infrastructure and planning; economic growth and development; Districts Liaison.
Mrs Heathcoat	J Deputy Leader of the Council	Governance and Internal management; HR & industrial relations; policy co-ordination; Customer services; Fire & Rescue; trading standards; emergency planning; the Prevent agenda
Lawrie Stratford	Cabinet Member for Adult Social Care & Public Health	Adult Social Care & Public Health; Champion for Mental Health
Steve Harrod	Cabinet Member for Children & Family Services	Statutory Lead Member for Children's Services.
Lorraine Lindsay-Gale	Cabinet Member for Education & Cultural Services	Education; Registration service; Library service; Coroner's service; Music service; Museum service; History service Cultural services; Tourism.
Yvonne Constance	Cabinet Member for Environment	Highways; minerals strategy, strategic waste & waste management; environment management, flooding; strategic rail.
David Bartholomew	Cabinet Member for Finance	Finance; Broadband, Communications; support to SMEs.
Mark Gray	Cabinet Member for Local Communities	Neighbourhood Plans; Local Community development; Community cohesion; Equalities; Voluntary and community sector relations; Oxfordshire Together; Community Funding; Member Locality working.

Eddie Reeves	Cabinet Member for Transformation	Fit for the Future, Property, ICT and Procurement
Ian Corkin	Cabinet Member for Cherwell Partnership	Delivery of Cherwell Partnership agreement

Horton HOSC

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Councillor Fatemian
 Councillor Rooke
 Councillor Kieron Mallon
 District Councillor Owen
 District Councillor Gaul
 District Councillor Woodcock
 District Councillor Richards
 County Councillor Baker
 (representing Northamptonshire)
 County Councillor Redford
 (representing Warwickshire)
 Mr Keith Ruddle – Co-opted Member

Audit & Governance Committee

Councillor Glynis Phillips to replace Councillor Helen Evans.

Cherwell Partnership Working Group

Councillor Ted Fenton
 Councillor Ian Hudspeth
 Councillor Jeanette Matelot
 Councillor Liz Brighthouse
 Councillor Liz Leffman

8/18 PETITIONS AND PUBLIC ADDRESS

(Agenda Item 6)

Council received a Petition from Sixth Form Pupils at Burford School requesting that the Council reduce the speed limit outside the school entrance from 40 mph to 30 mph to bring it in line with all other schools in Oxfordshire and to ensure the safety of the pupils.

The Petition was referred to the Director for Communities for consideration.

9/18 QUESTIONS WITH NOTICE FROM MEMBERS OF THE COUNCIL

(Agenda Item 8)

4 Questions with Notice were asked. Details of the questions and answers and supplementary questions and answers will be set out in the annex to the minutes.

In relation to question 4 (Question from Councillor Howson to Councillor Constance) Councillor Constance undertook to provide Councillor Howson with a written answer explain when the County Council took the decision to install electric charging points in his division.

10/18 THEMED DEBATE - FIT FOR FUTURE

(Agenda Item 9)

The Council had before it proposals for an Operating Model which was a detailed description of how the Council would work in the future, with the key aim of putting better outcomes for residents and the delivery of the Thriving Communities Vision at the centre of all plans and operations.

Development activity since March had produced a detailed design for the Operating Model and Cabinet was due to consider the proposal on 18 September 2018.

Ahead of that meeting, Council had been invited to discuss the proposals within the Operating Model through a Themed Debate.

Overall, Council was supportive of the case for change and noted the opportunities that members had been given to understand and engage with the development programme thus far.

Council raised issues around the following themes which were summarised for the attention of Cabinet at their meeting on 18 September 2018:

Digital access – Some members stressed the importance of considering accessibility issues, particularly for vulnerable residents and for those with various challenges with communication. Accessibility for those whose preference was on-line access was also considered. The importance of assisted digital and alternative channels was raised, including access via the library network. The importance of user testing and good system design was highlighted.

Implementation issues - Several issues were identified associated with implementation including:

- Deliverability of IT projects and the importance of strategic planning for IT systems rather than piecemeal development.
- The importance of pilots and testing and the need to upgrade the Council's website.

- Risk that the voluntary and community sector might not be in a position to support delivery of the pre-front door layer.
- That unless the final offer was high quality and that investment was maintained, staff might find alternative ways of working and the benefits would be lost.
- That implementation contracts needed to incorporate clear performance indicators and exit clauses to manage risk.
- Concerns that implementation needed to be fully owned by Council staff and members and that engagement of external advisors might make that less likely.
- That the scale of the programme meant that timescales were likely to be longer than those set out.
- That the right internal team needed to be in place to manage the process and that contingency plans were in place for when things go wrong.
- Questions on how the Integrated Business Centre (IBC) would interact with the new Operating Model.

Impact on staff – Issues raised included the impact of redundancy on individuals, the risks of losing the knowledge of longstanding members of staff, the specific risks of loss of professional staff and the risks of major changes in staffing having an impact on positive culture. The concern was raised that managing the link between vacant posts created through staff turn-over, and those at risk through the process, was not straight-forward. Members noted that it was important for business continuity to maintain key staff in key positions throughout the change. Good business continuity planning was advocated. The impact on staff morale of regular change was raised as was the importance of comprehensive staff engagement.

Finance issues – Further certainty and detail on costs and on the delivery of benefits was requested by some members. The potential additional impact of redundancy costs currently not factored into the financial model was raised. The potential for contract management and contract failure to increase costs was considered.

Oversight and Scrutiny – Members emphasised the importance of member engagement and effective scrutiny throughout the process to:

- Ensure the most effective use of resources.
- Monitor and challenge timescales and the delivery of benefits.
- Challenge and improve business cases.
- Review performance and delivery.
- Ensure member intelligence informed implementation.

The development of a joint Performance Scrutiny and Audit and Governance sub-committee for this issue was discussed. A formal cross-party Member Reference Group was also being proposed.

Other specific points raised included:

- The risks and costs associated with contact management and the commissioner/provider split and whether those were given sufficient focus within the Business Case.
- Concern that insufficient detail on prevention was given.
- The use of customer service language in the documentation.
- That to deliver the full benefit, digital transformation needed to focus on innovative new approaches – not simply taking existing processes and delivering them online.
- Whether the potential for additional income generation identified within the Business Case was sufficiently ambitious.

RESOLVED: following debate the Council agreed to forward the above comments to Cabinet for their consideration at their meeting on 18 September 2018.

11/18 JOINT WORKING ARRANGEMENTS BETWEEN OXFORDSHIRE COUNTY COUNCIL AND CHERWELL DISTRICT COUNCIL: GOVERNANCE ARRANGEMENTS

(Agenda Item 10)

Cabinet agreed on 4 June 2018 to enter into a joint working arrangement with Cherwell District Council. The arrangements were governed by a formal “Section 113 Agreement”. Section 113 of the Local Government Act 1972 enabled local authorities to enter into agreements with one another for the placing at the disposal of each other their respective officers for carrying out their respective functions. The Section 113 Agreement established a structure to enable proposals for joint working to be approved with the necessary Member oversight.

Council had before it a report which sought approval to appoint two Joint Committees:

- Joint Personnel Committee – to take decisions on certain staffing matters arising from and necessary for implementing, the shared service approach;
- Joint Appeals Committee – to hear and determine staffing appeals arising from the shared service proposals.

Councillor Ian Corkin moved and Councillor Ian Hudspeth seconded that the recommendations set out in the report and on the face of the Agenda be approved.

Following debate, the motion was put to the vote and was carried by 56 votes to 1.

RESOLVED: (56 votes to 1) **to:**

- (a) establish a Joint Personnel Committee and a Joint Appeals Committee;
- (b) delegate to the Audit and Governance Committee the decision to approve the final Terms of Reference of both Joint Committees;

- (c) ask the Director of Law and Governance to exercise his delegated authority to give effect to the wishes of Group Leaders and to make appointments to these Joint Committees; and
- (d) ask the Monitoring Officer to exercise his delegated authority to make the necessary and consequential changes to the Constitution to reflect these decisions.

12/18 REPORT OF THE CABINET

(Agenda Item 11)

The Council received the Report of the Cabinet.

In relation to paragraph 4 (Performance Scrutiny Household Recycling Deep Dive Recommendations) Question to Councillor Constance from Councillor John Sanders, Councillor Constance undertook to provide Councillor Sanders with a written answer detailing what income was generated from the charging of certain non-Household recycling at the recycling centres against the cost of additional fly-tipping?

In relation to paragraph 6 (Capital Programme Monitoring Report) Question to Councillor Reeves from Councillor Phillips, Councillor Reeves undertook to either meet with Councillor Phillips or to provide Councillor Phillips with a written answer detailing what progress had been made in moving the Children from Maltfield House.

In relation to paragraph 6 (Capital Programme Monitoring Report) Question to Councillor Bartholomew from Councillor Roberts, Councillor Bartholomew undertook to provide Councillor Roberts with a written answer detailing whether the basic needs programme had been looked at to ascertain whether any items have already met or failed to meet their purpose.

13/18 MOTION BY COUNCILLOR NICK FIELD JOHNSON

(Agenda Item 12)

Councillor Nick Field-Johnson moved and Councillor Liz Leffman seconded the following motion:

“This Council is concerned about the widely reported over use of combined sewer overflows which should only discharge untreated sewage into our rivers in exceptional conditions. It appears that this has not been the case and these sewage overflows are used much more frequently.

The Council is aware the Windrush and all but one of Oxfordshire’s rivers are receiving treated effluent which is greatly inferior to that which is required for rivers in Sites of Special Scientific Interest, for example:

The River Windrush and about 80% of British rivers are failing to achieve the good health standard required by the European Water Framework directive. There is a real risk that such rivers run the risk of turning from assets to liabilities for our communities and businesses. The potential designation of

the Cotswolds as a National Park makes this even more pertinent for Oxfordshire.

Council calls for the Leader to write to the Minister for the Environment, the Chief Executive Officer of Thames Water and the Head of the Environment Agency, supporting the long and short term aims to fight Against Sewage Pollution in our rivers. The focus of this motion is on the Windrush but its success will impact positively on all of Oxfordshire's river and streams affected by sewage pollution."

Following debate, the motion was put to the vote and was carried by 58 votes to 0.

RESOLVED: (unanimous) accordingly.

14/18 MOTION BY COUNCILLOR RICHARD WEBBER

(Agenda Item 13)

Councillor Richard Webber moved and Councillor Laura Price seconded the following Motion:

"The impact of Brexit (hard or soft) will affect all Oxfordshire residents.

This Council believes that with Brexit fast approaching, it is both sensible and realistic that the potential risks and impact of Brexit on Oxfordshire - good and bad, short term and long term - are fully understood as far as is possible and aired in public together with detailed discussion on how these impacts can be mitigated.

To achieve this, this Council undertakes to organize and co-ordinate a public conference/symposium in autumn 2018 in which Oxfordshire's experts and leaders in business, science, engineering, education, social services and other areas are invited to participate, together with elected representatives at all levels. As the largest organisation in the County representing most of the interests most likely to be affected, OCC is uniquely placed to lead this initiative by immediately setting up a Cross Party Working Group. The findings and conclusions of the symposium would be presented as a report to full Council and other authorities."

Following debate, the Motion was put to the vote and was lost by 30 votes to 27.

RESOLVED: accordingly.

15/18 MOTION BY COUNCILLOR ALISON ROOKE

(Agenda Item 14)

Councillor Alison Rooke moved and Councillor Jenny Hannaby seconded the following motion:

“Council fully supports the requirement for meaningful public consultation following the suggestion of any significant change of provision by any of Oxfordshire's NHS healthcare providers, including the closure of community hospital beds and GP surgeries, prior to any decisions being made by the Oxfordshire Clinical Commissioning Group (OCCG).

Consultation on phase two of the sustainability and transformation plan, which was promised would happen two years ago, will not now take place. The CCG refuse to say how or when any consultation will take place regarding the future of Oxfordshire's community health service provision.

Communities across Oxfordshire are left in limbo regarding the future of their local health services, and Council calls on the Leader of the Council to write to the OCCG requesting that they publish their future plans as a matter of extreme urgency.”

Following debate, the motion was put to the vote and was carried by 53 votes to 0 (unanimously).

RESOLVED: (unanimous) accordingly.

16/18 MOTION BY COUNCILLOR BOB JOHNSTON

(Agenda Item 15)

Councillor Bob Johnston moved and Councillor John Howson seconded the following motion:

"The current CEO of Network Rail, Mark Carne has stated that the organisation should end its scrapyards mentality. Thus far nothing has happened. The Council therefore calls on the Leader of the Council to write to Network Rail calling for effective action to clear up the County's railway system from the piles of discarded rails, left over base tubes and all the other metallic detritus currently disfiguring it. The metal concerned is high quality steel and has a high scrap value, the proceeds of which could be reinvested in the County's Railway Network."

The motion was put to the vote and was carried by 53 votes to 0 (unanimously).

RESOLVED: (unanimous) accordingly.

17/18 MOTION BY COUNCILLOR KIERON MALLON

(Agenda Item 16)

Councillor Kieron Mallon moved and Councillor John Howson seconded the following motion:

“This Council decries the Ministry of Justice's decision to close the Banbury Magistrates' and County Court.

This Council notes that "the Banbury Court" is an integral part of the fabric of the town, and is already a combined justice centre hearing both civil and criminal cases. The Council therefore rejects any suggestion that it is

underused and further observes that the Banbury Magistrates' and County Court provides an important alternative venue for criminal and civil justice, both in Oxfordshire and the surrounding counties, given the high volume of cases now heard out of Oxford.

This Council further notes the additional pressure that the closure would place on the Oxford Combined Court Centre and considers that further centralisation of services to Oxford will put additional strain on City congestion and, notably, on local Banbury people and those in the surrounding area in need of access to justice, including the elderly, families with young children or without independent means of transport and those on low incomes.

Accordingly, this Council instructs the Leader to write to the Ministry of Justice to engage with local councils, particularly in light of the joint strategic partnership now in train between Oxfordshire County Council and Cherwell District Council, with a view to exploring the options of utilising space in public buildings to continue supporting locally administered justice and the needs of the people of North Oxfordshire, and the neighbouring counties.”

Following debate, the Motion was put to the vote and carried unanimously (50 votes to 0).

RESOLVED: (unanimous) accordingly.

..... in the Chair

Date of signing