

# County Council

**2 November 2010**

## Agenda

## **Declarations of Interest**

This note briefly summarises the position on interests which you must declare at the meeting. Please refer to the Members' Code of Conduct in Part 9.1 of the Constitution for a fuller description.

### **The duty to declare ...**

You must always declare any "personal interest" in a matter under consideration, ie where the matter affects (either positively or negatively):

- (i) any of the financial and other interests which you are required to notify for inclusion in the statutory Register of Members' Interests; or
- (ii) your own well-being or financial position or that of any member of your family or any person with whom you have a close association more than it would affect other people in the County.

### **Whose interests are included ...**

"Member of your family" in (ii) above includes spouses and partners and other relatives' spouses and partners, and extends to the employment and investment interests of relatives and friends and their involvement in other bodies of various descriptions. For a full list of what "relative" covers, please see the Code of Conduct.

### **When and what to declare ...**

The best time to make any declaration is under the agenda item "Declarations of Interest". Under the Code you must declare not later than at the start of the item concerned or (if different) as soon as the interest "becomes apparent".

In making a declaration you must state the nature of the interest.

### **Taking part if you have an interest ...**

Having made a declaration you may still take part in the debate and vote on the matter unless your personal interest is also a "prejudicial" interest.

### **"Prejudicial" interests ...**

A prejudicial interest is one which a member of the public knowing the relevant facts would think so significant as to be likely to affect your judgment of the public interest.

### **What to do if your interest is prejudicial ...**

If you have a prejudicial interest in any matter under consideration, you may remain in the room but only for the purpose of making representations, answering questions or giving evidence relating to the matter under consideration, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

### **Exceptions ...**

There are a few circumstances where you may regard yourself as not having a prejudicial interest or may participate even though you may have one. These, together with other rules about participation in the case of a prejudicial interest, are set out in paragraphs 10 – 12 of the Code.

### **Seeking Advice ...**

It is your responsibility to decide whether any of these provisions apply to you in particular circumstances, but you may wish to seek the advice of the Monitoring Officer before the meeting.

**If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.**

To: **Members of the County Council**

## ***Notice of a Meeting of the County Council***

**Tuesday, 2 November 2010 at 10.00 am**

**County Hall, Oxford**

*Joanna Simons*

Joanna Simons  
Chief Executive

October 2010

Contact Officer: **Deborah Miller**  
Tel: (01865) 815384; E-Mail: [deborah.miller@oxfordshire.gov.uk](mailto:deborah.miller@oxfordshire.gov.uk)

In order to comply with the Data Protection Act 1998, notice is given that Items 3, 7 and 10 will be recorded. The purpose of recording proceedings is to provide an *aide-memoire* to assist the clerk of the meeting in the drafting of minutes.

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***Members are asked to sign the attendance book which will be available in the corridor outside the Council Chamber. A list of members present at the meeting will be compiled from this book.***

***The civic party will process into the Council Chamber at 9.58 am.***

***A buffet luncheon will be provided.***

## **AGENDA**

### **2. Minutes (Pages 1 - 32)**

To approve the Minutes of the meeting held on 2009 (CC1) to receive for information any matters arising therefrom.

**3. Apologies for Absence**

**4. Declarations of Interest - see guidance note**

Members are reminded that they must declare their interests orally at the meeting and specify (a) the nature of the interest and (b) which items on the agenda are the relevant items. This applies also to items where members have interests by virtue of their membership of a district council in Oxfordshire.

**5. Official Communications**

**6. Appointments**

To make any changes to the membership of the Cabinet, scrutiny and other committees on the nomination of political groups.

**7. Petitions and Public Address**

**8. Questions with Notice from Members of the Public**

**9. Report of the Cabinet (Pages 33 - 36)**

**10. Format of County Council Meeting & Review of the Constitution (Pages 37 - 42)**

**11. Questions with Notice from Members of the Council**

*WOULD MEMBERS PLEASE NOTE THAT ANY AMENDMENTS TO MOTIONS WITH NOTICE MUST BE PRESENTED TO THE PROPER OFFICER IN WRITING BY 9.00 AM ON THE MONDAY BEFORE THE MEETING*

**MOTIONS WITH NOTICE FROM MEMBERS OF THE COUNCIL**

**12. Motion from Councillor Nick Carter**

“This Council warmly welcomes the publication of Lord Young of Graffham’s Report on Health & Safety entitled *Common Sense – Common Safety*. In particular, the Council applauds the recognition of local government’s clear role in reducing administrative burdens, making the system simpler and freeing it from bureaucracy without unnecessarily risking injuries or lives.

Council welcomes

- (a) the proposals for simplifying processes applying to Oxfordshire schools;
- (b) the clear statement concerning the legal position of individuals who, for example, clear snow from around their homes or business premises during adverse weather conditions; and
- (c) the proposals to simplify procedures for low-hazard workplaces which will significantly reduce bureaucratic burdens on many of Oxfordshire's small and medium-sized businesses.

Council instructs:

- (a) The Leader of the Council to write to the Prime Minister accordingly and
- (b) Officers to review all Health and Safety measures currently in place to ensure they comply with the spirit of Lord Young's Report and to identify what relaxations will be possible when the Report is implemented to reduce burdens on our own service areas and on businesses in Oxfordshire generally."

### **13. Motion by Councillor Jean Fooks**

"Council notes:

1. That at present only 0.01% of electricity in England is generated by local authority-owned renewables, despite the scope that exists to install projects on their land and buildings. In Germany the equivalent figure is 100 times higher.
2. That at present local authorities are able to put any renewable electricity they generate to local use, and to benefit from the associated feed-in tariff for projects smaller than 5MW. But they are restricted from selling any excess renewable electricity into the grid.
3. That other Councils have taken action to develop renewable energy schemes, such as Cornwall County Council who have put solar panels on their County Hall.

Council welcomes the Government's announcement of its intention to allow local authorities to sell excess energy that they generate back to the National Grid and notes that the steps that are now being taken to extend the rights of Councils could mean up to £200m a year in income for local authorities across England and Wales.

Council requests the Cabinet to ask officers to explore the potential to expand renewable energy generation, and to report back to both Cabinet and Full Council on the potential environmental and financial benefits to Oxfordshire of this new government policy within six months."

### **14. Motion by Councillor John Tanner**

“This County Council believes the Cabinet is mistaken in signing a 25 year multi-million pound contract with Viridor for a waste incinerator at Ardley. The decision fails to recognise the 10% reduction in residual waste in the last two years. It commits £25 million a year of taxpayers’ money at a time of Government austerity. It will create a blot on the Oxfordshire countryside and make our county the recipient of other people’s rubbish for years to come. We call on the Cabinet to think again and pursue a policy of waste reduction and Mechanical & Biological Treatment (MBT) instead.”

**15. Motion by Councillor John Sanders**

“This Council regrets its decision to raise charges for Controlled Parking Zones by 25% without adequate consultation. It recognises that, in 2006, as part of the Council's lengthy consultations surrounding the CPZs, the Council promised that parking charges would be raised only in line with the Retail Price Index every three years (equating to approximately 7% over that period). In order to ensure that future commitments and promises made by this Council are considered to be credible it is essential that Cabinet be requested to undertake a further process of consultation in which all affected residents and local groups are written to .”

**16. Motion by Councillor Liz Brighthouse**

“This Council believes, in view of the level of cuts being made to services, that there should be full consultation with groups which are affected early on in the process and in particular asks the Cabinet to ensure it consults fully with Oxfordshire Unlimited when any changes are proposed which affect people with disabilities.”

**17. Motion by Councillor Sarah Hutchinson**

“This Council:

- (a) Deeply regrets its failure to provide the necessary level of social care to ensure that patients in local hospitals are discharged in a timely manner
- (b) Wishes to formally apologise to those who have been affected by this failure, some of whom have been in hospitals 4 months longer than they should have been
- (c) Notes that the lack of provision has meant that the Council will be fined a significant amount by the Royal Berkshire NHS Foundation Trust
- (d) Welcomes the approximately £750,000 of extra funding made available to the PCT by the government to deal with this problem
- (e) Requests the Cabinet to ensure that adequate resources are committed in the budget so that pressures in this area are more expeditiously alleviated
- (f) Calls on the Cabinet Member for Adult Social Care to report back to Council on additional measures being taken to prevent such high levels of delayed discharge in

the future”

#### **18. Motion from Councillor A M Lovatt**

“This Council recognises that there is a need for fundamental reform of the relationship between central and local government if we are to reduce public spending, tackle entrenched social, economic and environmental problems and rebuild trust in democratic accountability. It commends the detailed proposals for place-based budgets drawn up by the Local Government Association (LGA). These would bring together different streams of public spending in Oxfordshire into a single budget at the local level.

Council believes that these proposals would:

- (a) save public money;
- (b) cut waste and bureaucracy;
- (c) allow immediately for better decisions to be made transparently and accountably by implementing place-based budgets throughout England and Wales; and
- (d) increase local communities’ control over spending in Oxfordshire.

Council recommends that the Government begins the process of reform and instructs the Leader of the Council to write to the Prime Minister accordingly.”

#### **19. Motion from Councillor Charles Mathew**

“This Council asks that Cabinet and Council Members should convey to the County’s Members of Parliament and the present Coalition Government their desire that the voluntary Debt Advice service should be funded by a compulsory annual charge from all credit institutions and the like, to ensure that the citizens of Oxfordshire and elsewhere are able to obtain complementary financial advice ,when in need. This will also benefit those same institutions when they find themselves faced with creditors who do not know where to turn when faced with a debt mountain; such advice should assist in finding a solution without needing extreme measures and would allow this sector to pursue its vital role without constant concern over its own funding.”

#### **20. Motion by Councillor Alan Armitage**

“This Council resolves that, in common with many other councils, Oxfordshire County Council should publish on its website information about Freedom of Information requests it receives. The information to include the date received, the date when a response is due, the details of the request, the source of the request

and a link to the response given.

Council requests the Chief Executive to take action to implement this resolution and report progress to Cabinet within 6 months.”

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### **Pre-Meeting Briefing**

There will be a pre-meeting briefing at County Hall on **Monday 1 November 2010 at 10.00 am** for the Chairman, Vice-Chairman, Group Leaders and Deputy Group Leaders



# Agenda Item 2

## OXFORDSHIRE COUNTY COUNCIL

**MINUTES** of the meeting held on Tuesday, 14 September 2010 commencing at 10.00 am and finishing at Time Not Specified

**Present:**

Councillor Hilary Hibbert-Biles – in the Chair

Councillors:

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

*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.*

**77/10 MINUTES**

(Agenda Item 2)

**RESOLVED:** that the Minutes of the meetings of Council held on 15 June 2010 and 27 July 2010 be approved and signed.

**78/10 APOLOGIES FOR ABSENCE**

(Agenda Item 3)

Apologies for absence were received from Councillors, Belson, Carter, Fitzgerald-O'Connor, Goddard, Handley, Harbour, Harvey, Malik and Reynolds.

## **79/10 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE**

(Agenda Item 4)

The following declarations of interest were made:

Member	Item	Nature
Armitage	Item 19	Personal - member of the Planning & Regulation Committee
Hannaby	Item 19	Personal - member of the Planning & Regulation Committee
Catherine Mrs Fulljames	Item 8a	Personal – Question to Cabinet Member on waste management contract

## **80/10 OFFICIAL COMMUNICATIONS**

(Agenda Item 5)

The Chairman reported as follows:

- (i) Council congratulated those that had been involved in the Open Doors event at County Hall that had raised £850 for charity and in particular thanked those who had provided cakes and Tim Stimpson, who had been largely responsible for the success of the event.
- (ii) Council congratulated Shipton-under-Wychwood Cricket Club (winners in 2002 and 2003) who had reached the final of the Village Knockout at Lord's on 12 September;
- (iii) Council congratulated the local MP and Prime Minister Rt Hon David Cameron MP and Mrs Samantha Cameron on the birth of a daughter – Florence Rose Endellion on 24 August;
- (iv) The father of the local MP and Prime Minister Rt Hon David Cameron MP had died suddenly on holiday on 8 September. Council agreed that condolences be sent.
- (v) Former Lord Lieutenant Sir Ashley Ponsonby had died on 15 June; and tributes were paid to him attesting to his sense of duty, impeccable good manners, kindness and sense of fun. Council agreed that the Chairman would send, on behalf of the Council, their thoughts and sympathy to his family.
- (vi) Former County Councillor Thomas Ian (Tom) Richardson had died on 8 September and tributes were paid to him recording his efforts on behalf of the Council and individuals and his willingness to

listen to others and to bring that knowledge to bear for the benefit of the Council and residents of Oxfordshire. Council agreed that the Chairman would send, on behalf of the Council, their thoughts and sympathy to his family.

## **81/10 PETITIONS AND PUBLIC ADDRESS**

(Agenda Item 7)

### **Petitions**

Mr Ben Johnson, Bicester & District Chamber of Commerce presented a petition on behalf of local traders and residents on a request to re-evaluate Bicester Market Square modernisation.

Councillor Skolar presented a petition on behalf of local residents regarding parking in Lower Shiplake.

### **Addresses**

Dr. Ian F Groves, Ardley Against the Incinerator addressed Council speaking against the decision taken by Cabinet on 27 July 2010 to award the contract for the treatment of Oxfordshire's residual municipal waste to Viridor Waste Management Ltd.

Mrs Hazel Watt addressed Council on behalf of Bucknell Parish Council opposing the decision taken by Cabinet on 27 July 2010 to award the contract for the treatment of Oxfordshire's residual municipal waste to Viridor Waste Management Ltd.

Christine Brough, Carer addressed Council, speaking about the implications to carer's and their dependents of the decision taken by Cabinet on 20 July 2010 on revised carers commissioning intentions with in Oxfordshire.

## **82/10 REPORTS OF THE CABINET**

(Agenda Item 8)

### **(a) Meetings of the Cabinet**

The Council had before them the report of the Cabinet Meetings on 22 June, 20 & 27 July and 10 August 2010 (CC8(a)).

In relation to the Homes & Communities Agency Single Conversation: Local Investment Agreement referred to at paragraph 6 (Question from Councillor Purse) Councillor Hudspeth undertook to continue to report regularly to the Growth & Infrastructure Scrutiny Committee

In relation to queries on the Local Transport Plan 3 referred to at paragraph 7 (Questions from Councillors D Turner and Pressel) Councillor Hudspeth undertook to take matters up outside the meeting if details were passed to him.

In relation to paragraph 8 on developer contributions to service infrastructure and responding to a request from Councillor Anne Purse for information on the extent to which the scrutiny advice on this matter had been included in Council plans Councillor Hudspeth undertook to write separately.

In relation to paragraph 11 on an additional supplementary question from Councillor Larry Sanders concerning Oxford School, the Chairman requested that Councillor Larry Sanders write separately to Councillor Waine on this issue.

In relation to paragraph 12 on the Cogges Link Road Compulsory purchase and Side Roads Order (Question from Councillor Tanner) Councillor Rose undertook to supply a written answer to the supplementary question.

In relation to paragraph 14 on revised carers commissioning intentions with Oxfordshire (Question from Councillor Hannaby) Councillor Fatemian undertook to consider any written proposals put forward in relation to the future of carers' centres.

**RESOLVED:** to note the report.

**(b) Partnership Working in Oxfordshire**

The Council had before them a report on Partnership Working in Oxfordshire CC8(b).

In response to a question from Councillor Alan Armitage, Councillor Hudspeth undertook to include an item on supermarket waste reduction on a future agenda of the Oxfordshire Waste Partnership. In response to comments from Councillor D Turner he further indicated that he would welcome a presentation to Councillors from representatives of North Leigh Parish Council on their efforts in relation to the environment.

**RESOLVED:** to note the report.

**83/10 TREASURY MANAGEMENT OUTTURN REPORT 2009/10**

(Agenda Item 9)

The Council had before them the Treasury Management Outturn Report 2009/10 (CC9), together with an addenda set out as Annex 1 to the schedule of business.

Councillor Couchman moved and Councillor Mitchell seconded the recommendations set out in the report and addenda included as annex 1 to the schedule of business.

The Chairman responding to a point of order sought agreement from the meeting to consider the addenda. It was agreed 49 votes to 7 to accept the addenda for consideration.

The Chairman sought the view of the meeting on a proposal from Councillor Brighouse seeking an amendment to the recommendations shown in bold italics, as set out in paragraph 5 of the addenda:

“to:

- (a) note the Treasury Management Activity in 2009/10;
- (b) agree the changes to the Specified and Non-Specified Investment instruments section of the Treasury Management Strategy; and
- (c) agree that any further changes required to the Annual Treasury Management Strategy & Annual Investment Strategy can be delegated to the Chief Finance Officer in consultation with the ~~**Leader of the Council and**~~ Cabinet Member for Finance & Property and **leaders of the Opposition and other groups.**”

Following a vote by a show of hands the amendment was lost (30 votes to 27).

Seven members by standing in their places required a named vote in accordance with Council Procedure Rule 15(a). Voting was as follows:

Councillors voting for the motion (45)

Councillors Ahmed, Marilyn Badcock, Mike Badcock, Billington, Bolster, Bonner, Brown, Chapman, Couchman, Crabbe, Fatemian, Mrs Fulljames, Gearing, Gibbard, Greene, Hallchurch, Hayward, Heathcoat, Hibbert-Biles, Hudspeth, Jelf, Jones, Lilly, Lindsay-Gale, Lovatt, Mallon, Mathew, Mitchell, Nimmo-Smith, Owen, Robertson, Rose, Seale, Service, Sexon, Shouler, Skolar, Strangwood, Stratford, Thompson, Tilley, Nicholas Turner, Viney, Waine and Wilmshurst

Councillors voting against the motion (10)

Councillors Atkins, Brighouse, Darke, Hutchinson, Pressel, Purse, John Sanders, Val Smith, Stevens and Tanner

Councillors abstaining (9)

Councillors Altaf-Khan, Armitage, Godden, Hannaby, Patrick, Larry Sanders, Sherwood, Roz Smith and David Turner.

It was accordingly:

**RESOLVED:** to:

- (a) note the Treasury Management Activity in 2009/10;
- (b) agree the changes to the Specified and Non-Specified Investment instruments section of the Treasury Management Strategy; and
- (c) agree that any further changes required to the Annual Treasury

Management Strategy & Annual Investment Strategy can be delegated to the Chief Finance Officer in consultation with the Leader of the Council and Cabinet Member for Finance & Property.

**84/10 DIRECTOR OF PUBLIC HEALTH ANNUAL REPORT**

(Agenda Item 10)

The Council had before them the Annual Report by the Director of Public Health for Oxfordshire (CC10).

**RESOLVED:** (on a motion by Councillor Fatemian and seconded by Councillor Skolar) to approve and adopt the recommendations contained in the report.

**85/10 POLICY FOR THE OPERATION OF PERSONAL BUDGETS FOR ADULT SOCIAL CARE**

(Agenda Item 12)

Council considered a report (CC11) on the policy for the operation of personal budgets for adult social care.

Councillor Fatemian moved and Councillor Robertson seconded the recommendation contained in the report as amended by Councillor Hannaby in bold italics below:

“to approve the introduction of the Policy for the operation of personal budgets in Oxfordshire from October 2010 ***subject to monitoring that proper care is being delivered to vulnerable Oxfordshire residents.***”

**RESOLVED:** (nem con) to approve the introduction of the Policy for the operation of personal budgets in Oxfordshire from October 2010 subject to monitoring that proper care is being delivered to vulnerable Oxfordshire residents.

(In the absence of the Chairman, the Vice Chairman, Councillor Patrick Greene in the Chair)

**86/10 QUESTIONS WITH NOTICE FROM MEMBERS OF THE COUNCIL**

(Agenda Item 12)

19 questions with notice were asked. Details of the questions and answers and the supplementary questions and answers, where asked and given, are set out in the Annex to the Minutes.

**87/10 THEMED DEBATE - WHAT SORT OF COUNCIL DO WE WANT?**

(Agenda Item 14)

The Council had before it a report by the Leader of the Council CC13

Councillor Mitchell introduced the report highlighting the wider economic and political situation and the position relating to Oxfordshire. He stressed that it would be important to decide on priorities and posed a series of questions that the Council would need to consider such as the inclusion in those priorities of localities and vulnerable users and issues and opportunities around co-location.

He noted that capital was inextricably linked to revenue as there was no point in a building that was unstaffed.

During debate the following points were made:

1. Councillor Patrick commented that she felt that the title of the debate was misleading as she doubted that the discussion would lead to change. The Liberal Democrat Group would want to know that the Council supported the most vulnerable people. She accepted the need to prioritise and suggested the involvement of the private and voluntary sectors that could help to identify those in need. There was a need to address inequalities where possible and she would be pleased if Scrutiny could be involved in budget discussions.
2. There was support for co-location such as sharing school buildings. It was suggested that schools ICT suites be opened to the public at weekends.
3. There was a suggestion that opportunities should be taken to maximise income by careful sale of property assets. Councillor Couchman, Cabinet member for Finance & property supported this view and indicated that it was the intention to move ahead where practicable.
4. Councillor Tanner found the figures on debt misleading commenting that the countries level of debt as a percentage of GDP was amongst the lowest. He shared concerns over interest but noted that borrowing could sometimes be for the good. He believed that severe cuts would be damaging to the public sector. Councillor Stevens added that he believed that the deficit was doing some good for the people of Oxfordshire in terms of the economic situation. A member argued against the premise on which the measures were based. He believed that it was a financial gamble that would not be successful. Local circumstances should be taken in to account and Oxfordshire was vulnerable to a downturn due to the large public sector and high number of small businesses.
5. The current situation provided an opportunity to give responsibility back to communities encouraging pride and dignity through local choice.
6. There was some support for ensuring that in making the Council leaner and more efficient it also continued to become cleaner and greener.
7. The Council would need to go through a culture change where a budget was not spent simply because it was there. There needed to be a genuine challenge of existing thinking. Council publications were suggested as an area that could be reviewed.

8. There was a suggestion that spending on communications and media was an area in the current circumstances that could be reduced.
9. Whilst accepting the need to balance books some members were not convinced that the scale of reductions was necessary. It was right to prepare for future spending announcements from central Government but to wait on the actual figures before making decisions. It was pointed out that in the first of the Big Debates the public had not agreed with the premise of the level of cuts at the speed they were to be made.
10. It was noted that schools were becoming self managed and were largely in charge of their own destiny. The support the County Council could provide was limited and Governors would have a key role to play.
11. It was suggested that the current position was a time for neutral analysis rather than party politics and that now was a time to make use of everyone's talents.
12. A member suggested that the Fire Service should not be exempt from review.
13. The Council was faced with a huge financial challenge now and in the long term. There would be a need to be innovative and to engage with the voluntary and community sector. Excellent communication would avoid duplication and reference was made to the use of Mosaic by the Fire Service and Police.
14. The differing needs of rural and urban communities and the need for different solutions were highlighted. A member referred to the important work carried out by Town & Parish Councils.
15. A member referred to the importance of working with the City Council and other district Councils. The opportunities for shared facilities should be explored.
16. It was suggested that it would be useful to look back to previous budget debates that had suggested a variety of options including increased income through parking charges and opportunities around Park & Ride.
17. Reference was made to the success of the Shared Services project and it was suggested that this could be offered more widely. It could also provide a model for other services such as legal, human resources generally and treasury management.
18. The success of the Music Service was highlighted and there was a call to resist cutting it.
19. There was a call to protect services for children and to keep libraries where possible.
20. It was important to engage with young people when looking at priorities.
21. The importance of securing developer contributions was emphasised.
22. Members referred to individual schemes and projects that they would not wish to see cut. These included work to Rose Hill School and traffic control measures.

Councillor Mitchell responded to the points made. He stressed the importance of local member input and believed that there was a new



additional role of social entrepreneur. He stressed that it was important to work with UNISON in taking through the necessary changes.

**RESOLVED:** that the above summary of comments and issues raised be referred to members of the County Council as soon as possible before the next cycle of Scrutiny meetings.

**88/10 MOTION FROM COUNCILLOR RICHARD STEVENS**

(Agenda Item 15)

Councillor Stevens moved and Councillor Hutchinson seconded the following motion:

“This Council notes with concern the Cabinet's approval of the revised commissioning intentions for carers in Oxfordshire, as detailed in the report to Cabinet by the Director for Social & Community Services on 20 July. This Council further notes that the proposed changes may lead to the closure of the three independent charitable carers' centres in Oxfordshire (in Oxford, Banbury and Didcot), which provide welcome services (including outreach services) and which currently receive a significant proportion of their funding from Oxfordshire County Council.

Council calls on Cabinet to:

1. reconsider the proposed commissioning intentions, and in particular the proposal to replace some of the specialist services provided by the three carers' centres with a call centre function provided by the Council's "Customer Service Centre";
2. ask the Director for Social & Community Services to:
  - (i) explain why the report made to Cabinet on 20 July emphasised "reaching" or "identifying" carers rather than the quality of service provided to those carers most in need of support; and
  - (ii) provide evidence (including comparative evidence from other local authorities) on whether the carer contact targets mentioned in the report can really be achieved;
  - (iii) provide a detailed explanation of how the £243,600 projected to be saved from withdrawing funding from the carers' centres would, if the recommendations proceed, be reinvested in carers' services.”

Following debate, the motion was lost by 37 votes to 18, there being 2 abstentions.

**89/10 MOTION FROM COUNCILLOR ALTAF-KHAN**

(Agenda Item 16)

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

“This Council notes that:-

1. in 2008/9 in Oxfordshire only 20% of children eligible for free school meals achieved 5+ A\*-C GCSEs including English and Mathematics, compared to 55% of children not eligible;
2. children eligible for free school meals in Oxfordshire do less well than in most similar authorities; in the best performing authority among our statistical neighbours, Bath & North East Somerset, 33% of children eligible for free school meals achieved 5 A\*-C GCSEs including English and Mathematics;
3. the Pupil Premium would target disadvantaged pupils – those entitled to free school meals – more effectively than the present system. Nearly half of pupils receiving Free School Meals do not attend a deprived school or live in a deprived area. Area based targeting therefore misses a large proportion of disadvantaged pupils – including in many rural areas;
4. it is generally accepted that children achieve better in smaller classes as a lack of communication skills is a significant factor hampering the progress of some children at school.

The Council therefore requests the Cabinet Member for Schools Improvement to respond favourably to the current consultation on the pupil premium, asking the Government to ensure that schools with large numbers of children receiving free school meals receive a significant premium to support their pupils’ learning needs in the form of extra funding from outside the schools’ budget. This would then enable schools to employ more teachers in order to reduce class sizes, provide catch-up classes and where necessary provide other professional support.”

Councillor Brighthouse moved and Councillor Smith seconded the following amendment shown in bold italics and strikethrough:

“This Council notes that:-

1. in 2008/9 in Oxfordshire only 20% of children eligible for free school meals achieved 5+ A\*-C GCSEs including English and Mathematics, compared to 55% of children not eligible;
2. children eligible for free school meals in Oxfordshire do less well than in most similar authorities; in the best performing authority among our statistical neighbours, Bath & North East Somerset, 33% of children eligible for free school meals achieved 5 A\*-C GCSEs including English and Mathematics;

3. the Pupil Premium would target disadvantaged pupils – those entitled to free school meals – more effectively than the present system. Nearly half of pupils receiving Free School Meals do not attend a deprived school or live in a deprived area. Area based targeting therefore misses a large proportion of disadvantaged pupils – including in many rural areas;
4. it is generally accepted that children achieve better in smaller classes as a lack of communication skills is a significant factor hampering the progress of some children at school.

The Council therefore requests the Cabinet Member for Schools Improvement to respond favourably to the current consultation on the pupil premium, asking the Government to ensure that schools with large numbers of children receiving free school meals, **and schools with other important indicators of social deprivation**, receive a significant premium to support their pupils' learning needs in the form of extra funding **in addition to that which is currently available through the DSG, Extended Services and the Go4It grants** ~~from outside the schools' budget~~. This would then enable schools to employ more teachers in order to reduce class sizes, provide catch-up classes and where necessary provide other professional support."

Following debate the amendment was lost by 38 votes to 17 (there being 1 abstention).

Councillor Waine then moved and Councillor Crabbe seconded the following amendment shown in bold italic:

"This Council notes that:-

2. in 2008/9 in Oxfordshire only 20% of children eligible for free school meals achieved 5+ A\*-C GCSEs including English and Mathematics, compared to 55% of children not eligible;
2. children eligible for free school meals in Oxfordshire do less well than in most similar authorities; in the best performing authority among our statistical neighbours, Bath & North East Somerset, 33% of children eligible for free school meals achieved 5 A\*-C GCSEs including English and Mathematics;
3. the Pupil Premium would target disadvantaged pupils – those entitled to free school meals – more effectively than the present system. Nearly half of pupils receiving Free School Meals do not attend a deprived school or live in a deprived area. Area based targeting therefore misses a large proportion of disadvantaged pupils – including in many rural areas;
4. it is generally accepted that children achieve better in smaller classes as a lack of communication skills is a significant factor hampering the progress of some children at school.

The Council therefore requests the Cabinet Member for Schools Improvement to respond favourably to the current consultation on the pupil premium, asking the Government to ensure that schools with large numbers of children receiving free school meals **and the children of Service Personnel**, receive a significant premium to support their pupils' learning needs in the form of extra funding from outside the schools' budget. This would then enable schools to employ more teachers in order to reduce class sizes, provide catch-up classes and where necessary provide other professional support."

Councillor Altaf-Khan and Councillor Fooks accepted the amendment.

Following debate the motion, as amended was carried by 49 votes to 0 (there being 7 abstentions).

## **90/10 MOTION FROM COUNCILLOR ROZ SMITH**

(Agenda Item 17)

Councillor Smith moved and Councillor Armitage seconded the following motion as amended by Councillor Brown in bold italic:

"Council notes that the financial situation left by the outgoing Labour Government will have a direct impact on Oxfordshire residents, and has already reduced the County Council's grants from Government and so the services it can provide.

Council recognises that the spending cuts have been carefully considered, with the decisive action needed to reduce the deficit tempered with fairness and concern for the poorest and most vulnerable in our society.

Council welcomes the measures in the budget protecting the poor and vulnerable, which will have the effect of lessening the financial strain on the County Council, including:

- Nearly 1 million low earners taken out of tax altogether
- £2 billion extra child tax credit to tackle poverty
- Restoration of the earnings link for pensioners that Labour failed to restore in 13 years
- 10% increase in Capital Gains Tax for top earners
- New tax on banks

Council further welcomes the freeing of councils from unnecessary and wasteful bureaucracy such as the Comprehensive Area Assessment and believes the resources now freed up from this can be used to more effectively align frontline services to reflect the priorities of Oxfordshire residents **and, therefore, asks the Leader of the Council to write to the Prime Minister congratulating him on his leadership of the government.**"

Following debate the motion as amended was carried by 48 votes to 10.

**91/10 MOTIONS FROM COUNCILLORS ARMITAGE, BRIGHOUSE AND TANNER**

(Agenda Item 18)

The time being 5.00 pm the meeting closed and the motions from Councillors Armitage, Brighouse and Tanner were considered dropped in accordance with Council Procedure Rule 15.1.

..... in the Chair

Date of signing .....

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## QUESTIONS WITH NOTICE FROM MEMBERS OF THE COUNCIL

Questions are listed in the order in which they were received. The time allowed for this agenda item will not exceed 30 minutes. Should any questioner not have received an answer in that time, a written answer will be provided.

<b>Questions</b>	<b>Answers</b>
<p><b>1. COUNCILLOR JEAN FOOKS</b></p> <p>Could the Cabinet Member for schools tell Council what percentage of children within the catchment area of primary schools, who gave the school as their preferred choice, were offered a place at the school?</p>	<p><b>COUNCILLOR MICHAEL WAINE, CABINET MEMBER FOR SCHOOLS IMPROVEMENT</b></p> <p>No. This would require a special piece of work. However, the overall success rate for meeting first preferences was 89% for primary and 90% for secondary schools. This would include applications from within catchment areas which would constitute the majority of successful applications.</p>
<p><b>SUPPLEMENTARY QUESTION</b></p> <p>I am just wondering is there some information that is not readily available, do I have to make a FOI request in order to get it?</p>	<p><b>SUPPLEMENTARY ANSWER</b></p> <p>I am advised that this in time this would be available but it would be quite costly to put together and my answer “no” was in the interests of saving money.</p>
<p><b>2. COUNCILLOR JEAN FOOKS</b></p> <p>There has been much concern at the inaccurate forecasting of numbers of children needing a place in reception classes in September 2010 across the county. What improvements have been made to the forecasting for the numbers needing places in September 2011?</p>	<p><b>COUNCILLOR MICHAEL WAINE, CABINET MEMBER FOR SCHOOLS IMPROVEMENT</b></p> <p>The growth in demand for Reception places witnessed in the last three years has continued and has intensified. A number of factors are combining e.g. increased birth rates, changing patterns of migration and reduced numbers entering the independent sector. National forecasts which are used to underpin the base forecasts for the population of Oxfordshire have reflected this for the first time this year and indicate that birth rates will continue to rise until at least 2012. This has been translated to show predicted impact on the mainstream school population in Oxfordshire as part of the annual update of school forecasts completed each summer. Official forecasts are always fairly conservative and officers have been working to identify trends and likely demand at a more local level in tandem with the formal process to ensure place planning is more efficient. This has included monitoring of applications for and allocations of places and of trends in the local school sector such as drift</p>

	<p>from the independent sector, closure of small independent schools. The draft forecasts were available much earlier this year so that officers have had time to compare them with this more local knowledge and adjust them where necessary to be more accurate on a school by school basis.</p> <p>The admission numbers for September 2011 were published in April and included a number of increases to accommodate further demand for reception places and building schemes are currently being progressed. Where trends in applications have indicated further need above that forecast, for unforeseen reasons, officers have considered options and will visit any schools where further places may be required during term 1. An informal consultation is due to start shortly with schools in setting admission numbers for September 2012 which is anticipated to be the year of greatest demand overall for reception places. This will enable potential for additional places to be identified in good time.</p> <p>In short the combination of better national data and systematic analysis of admissions trends and local situations has improved the quality of our forecasts this year. This will be invaluable in allowing us to ensure sufficient places are available in 2011 and 2012. The next challenge will be to ensure the secondary school forecasts from 2016/17 academic year adequately reflect the impact of growth in the primary sector since 2008 and allow us to plan for how this demand will be met.</p>
<p><b>SUPPLEMENTARY QUESTION</b></p> <p>I would obviously like an answer to the local question of what is going to happen about the school places for the children in North Oxford and Wolvercote in particular?</p>	<p><b>SUPPLEMENTARY ANSWER</b></p> <p>Plans that are in place that are in the current year across the county something like 500 extra places have been found for 5 year olds and 200 of those are within Oxford City taking in the Botley and Cumnor area. The pressures are expected to continue and peak but the reality is we are very much part of a national picture. We are working very hard to meet that need both within the City and within the County and I would have to add that schools are working with us on that and I would also like to take the opportunity thanking the Admissions Team who are working very very hard on that and actual met all the needs within the City last year.</p>



<p><b>3. COUNCILLOR SUSANNA PRESSEL</b></p> <p>Does the Cabinet Member for Transport agree that it was a mistake to switch off all the speed cameras, in view of the widespread condemnation of this action by the public and the police, in view of the fact that the number of vehicles speeding has shot up in some places and the fact that the majority of police NAGs have chosen speeding as one of their top 3 concerns?</p>	<p><b>COUNCILLOR RODNEY ROSE, CABINET MEMBER FOR TRANSPORT</b></p> <p>I regret that, after 13 years of a Labour government, the country has been left with a debt of £950,000,000,000 that has put the County Council spending programmes under severe strain. With this in mind, it has become necessary for us to focus our spending on our core responsibilities, and on the “at risk” in our Community – i.e. the elderly and children. Speed Enforcement is NOT one of our duties, but I trust that Cllr Pressel will remind the police NAGs on whose shoulders this duty does lie.</p>
<p><b>SUPPLEMENTARY QUESTION</b></p> <p>Since that level of debt quoted here is about the same as at the end of the Tories last period in office and is proportionately the lowest debt of the GE7 countries and since each serious accident costs about £1m surely the Cabinet must admit that the decision to withdraw the money for speed cameras from the so called Thames Valley Partnership was a stupid one which puts money above people’s safety. Also we are increasing the national debt by not allowing money from fines to go to government.</p>	<p><b>SUPPLEMENTARY ANSWER</b></p> <p>I don’t.</p>

<p><b>4. COUNCILLOR ROZ SMITH</b></p> <p>What does the County Council do to raise awareness in local residents of illegal loan sharking?</p>	<p><b>COUNCILLOR JUDITH HEATHCOAT, CABINET MEMBER FOR SAFER &amp; STRONGER COMMUNITIES</b></p> <p>You have been sent of a copy of the report which went to the Adult Services Scrutiny Committee on 6 September 2010, and which I think answers your question.</p>
<p><b>SUPPLEMENTARY QUESTION</b></p> <p>Thank you to the officers for highlighting the report that was sent to the Safer &amp; Stronger Communities Scrutiny Committee, The report mentions that often the activities of the loan sharks are invisible. What worries me is that in Section 10 of this report it mentions that the team doesn't make known any detail of on-going investigations. Would the Cabinet Member agree it might be useful to involve the Local Members with regard to some of the investigations on loan sharks because we actually have quite a lot of local knowledge with regard to loan shark in our area?</p>	<p><b>SUPPLEMENTARY ANSWER</b></p> <p>Thank you for your question. I asked the officer to send you the paper so that you could see the work that has actually been undertaken. For other Councillors, Chairman, this report is actually just the beginning and it is an on-going report and it is obviously going to grow. It is going to draw more detail in and it is going to be presented to Scrutiny on a regular basis so that information and data can be drawn out. This actually comes back to your question about sharing with local members. We have to be slightly careful because obviously with loan sharks and the work that is being done, it is work that is done with Trading Standards and the Police and certain parts of any investigation have to be kept discreet because of what is happening. If you know of anything that is happening in your division, advise Trading Standards and they can take it from there. But with the publicity on loan sharks, and information on this particular project, going round to so many places I think that hopefully the loan sharks will be shy of coming to Oxfordshire.</p>

<p><b>5. COUNCILLOR JOHN TANNER</b></p> <p>Would the portfolio holder accept my congratulations for scrapping the ill-thought out Controlled Parking Zone (CPZ) for the Magdalen Road area in Oxford? Does he now regret Cllr Hudspeth wasting £350,000 of taxpayer's money on preparations for the ill-fated CPZ? What comfort can he now give residents in East Oxford who remain plagued by inconsiderate parking?</p>	<p><b>COUNCILLOR RODNEY ROSE, CABINET MEMBER FOR TRANSPORT</b></p> <p>I regret that, after 13 years of a Labour government, the country has been left with a debt of £950,000,000,000 that has put the capital programme on hold until confirmation of funding has been established. I would like to congratulate Cllr Hudspeth for the work that he has put in to this project along with the officers involved. Most importantly, I would thank him for listening to the concerns of the residents in the area to achieve the best solution possible. I note that Cllr Tanner always agrees with residents parking yet has done nothing to progress this scheme for the benefit of his constituents.</p>
<p><b>SUPPLEMENTARY QUESTION</b></p> <p>Would Councillor Rose, agree with me that the National Debt, and I don't understand why this has come into it, the National Debt as a percentage of GDP s Britains is actually the lowest of the G7 countries. Would he agree with that and would he tell me how he can explain to the people of my division why it is sensible in an era when we are making cuts to spend – well if you include, not just Magdalen Road but the Divinity Road CPZ something like £0.5 million, on preparations which we are not now able to take forward – how will he explain to local people that that is a good use of money?</p>	<p><b>SUPPLEMENTARY ANSWER</b></p> <p>Cllr Rose responding to the first supplementary question - OK if you would like an answer on the percentage of GPP basically it was just observing where Gordon Brown has left us and I am sure the rest of the electorate in this country agree with me.</p>

<p><b>6. COUNCILLOR JOHN TANNER</b></p> <p>Would the portfolio holder agree with me that the 25 year contract with Viridor for a waste incinerator at Ardley is ill-advised? Does he agree that the £25 million a year contract is poor value for money, that the incinerator will be a blot on the Oxfordshire countryside and that our county will be a dustbin for other people's rubbish for years to come?</p>	<p><b>COUNCILLOR IAN HUDSPETH, CABINET MEMBER FOR GROWTH &amp; INFRASTRUCUTURE</b></p> <p>I find it sad that only now after 13 years of a Labour government that has left the country with a debt of £950,000,000,000 that Labour are taking into account financial issues. However, I would like to reassure Councillor Tanner that this deal represents excellent value for money for the residents of Oxfordshire and is far better than throwing rubbish into the ground to rot and produce methane which is a powerful greenhouse gas, and also then having to pay additional landfill taxes of at least £8,000,000 pa. I know that Cllr Tanner approves of wind turbines that are 30% taller with a span of at least 50m each that will be a blot on the landscape of Oxfordshire and are causing concern for air traffic control at Brize Norton and Benson, so I fail to see how we can say the same for one single tower. He also has failed to grasp that there is currently 250,000 tonnes of commercial waste that goes to Ardley and not all of this comes from Oxfordshire. This waste is simply thrown into the ground to rot so if some of it could be directed to any surplus capacity at the proposed plant, this would bring even more environmental benefits. There is no need to import more waste from other areas. Of course the tax payers of Oxfordshire will benefit in an excess profit share of any of the commercial waste disposed of at the Energy from Waste facility, proving even better value for money.</p>
<p><b>SUPPLEMENTARY QUESTION</b></p> <p>I clearly disagree about some of the figures but can I take his remark that there is no need to import more waste from other areas as a commitment that if and when the incinerator goes ahead there will be no importation of waste from outside of the County?</p>	<p><b>SUPPLEMENTARY ANSWER</b></p> <p>Now regarding this situation, I said in the answer 250,000 tonnes of commercial waste and industrial waste were already coming into Ardley, some of it is not from within the County. Now Cllr Tanner is making these wild accusations about we are going to become the dustbin but actually it isn't we were already have 250,000 tonnes of waste coming into Ardley from across county plus the 600,000 tonnes of commercial and industrial waste in the county that has to be disposed of and we have to find a solution to that otherwise that waste is simply going to go into the ground to rot so I think in answer to that question it's quite simple there is already some importation, that overall the capacity of 300,000 will be adequately supplied from within Oxfordshire and the benefit to the residents of Oxfordshire is off course any additional income and excess profit because it will come back in the contract that we have hammered out with Viridor.</p>

<p><b>7. COUNCILLOR JOHN TANNER</b></p> <p>Does the leader now regret sending an e-mail on 3<sup>rd</sup> July, copied to me, which said: 'With regard to the Playbuilder Funding, these schemes have been extraordinarily fortunate in that they were formally committed just days before the Chancellor's axe fell and they will, therefore, proceed. This is not based on any specific preference or merit; simply that we said we would fund them and we keep to our word'.</p>	<p><b>COUNCILLOR KEITH MITCHELL, LEADER OF THE COUNCIL</b></p> <p>My e-mail was based on the facts as they were known at the time this issue was first raised. It subsequently transpired that the Department was minded to withhold grant for schemes that were formally committed but where work had not started. I do regret the disappointment this will have caused to those organisations expecting to benefit from these schemes. However, my real regret is that the last government so mired this country in debt to the tune of a trillion pounds (which is a pound sign followed by a one followed by twelve zeros) that the current government is having to resort to draconian measures to bring our country's financial position back to one that is not threatened by the intervention of the International Monetary Fund.</p>
<p><b>SUPPLEMENTARY QUESTION</b></p> <p>My question to Cllr Mitchell is simply this one – does he have any further information about the Playbuilder Funding and can he let us know what it is?</p>	<p><b>SUPPLEMENTARY ANSWER</b></p> <p>Only that our officers are working with the Department of Education officials to persuade them to support these schemes but I have no response beyond that.</p>
<p><b>8. COUNCILLOR JOHN TANNER</b></p> <p>Is the £47,000 Playbuilder funding for the South Oxford Adventure Playground still on hold? What advice can you offer the parents and children who use the playground? Do you think that Cllr Mitchell should keep his word?</p>	<p><b>COUNCILLOR LOUISE CHAPMAN, CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE &amp; FAMILIES</b></p> <p>At the time of writing we're still awaiting an announcement from the DfE about the outcomes of the national review on the Play Pathfinder programme.</p> <p>An updated 'grant finder' sheet, which will include information about other potential funding opportunities, tailored for all sites, has been prepared which will be sent out once the news is confirmed. Cllr Mitchell's commitment was given, in good faith, before the DfE's change of heart in relation to funding these projects so I do not believe that he should keep his word.</p>

<p><b>SUPPLEMENTARY QUESTION</b></p> <p>Would Cllr Chapman accept my thanks for her not mentioning the 'evil doings' of the Labour Government and the national debt?</p>	<p><b>SUPPLEMENTARY ANSWER</b></p> <p>All I can say Chairman on this matter is that we are where we are and we know who is responsible for the position this country finds itself in and I think I have answered the question quite fully.</p>
<p><b>9. COUNCILLOR DAVID NIMMO-SMITH</b></p> <p>Is the Cabinet Member aware of the work done in, for example, Norfolk, on using strategic tree-planting to enhance speed compliance?</p>	<p><b>COUNCILLOR RODNEY ROSE, CABINET MEMBER FOR TRANSPORT</b></p> <p>Yes we are aware of this work and are obtaining more information from Norfolk about the pros and cons. However, the reduced speeds measured by Norfolk seem relatively minimal and in my opinion wouldn't compensate for the additional hazard of the trees.</p> <p>The only site in Oxfordshire where we have such trees is the memorial on the A44 London Road just east of Chipping Norton. While thankfully there have been no accidents in recent years, looking back over the longer term shows an unusually high proportion of fatal and serious injuries where vehicles have left the carriageway and hit a tree.</p>
<p><b>10. COUNCILLOR CHARLES MATHEW</b></p> <p>Has the cabinet member for G &amp; I had a reply from Greg Clarke MP regarding Minerals &amp; Waste?</p>	<p><b>COUNCILLOR IAN HUDSPETH, CABINET MEMBER FOR GROWTH &amp; INFRASTRUCTURE</b></p> <p>No response has been received yet.</p>
<p><b>SUPPLEMENTARY QUESTION</b></p> <p>Chairman – If Councillor Mathew writes to you with a supplementary would you please answer it?</p>	<p><b>SUPPLEMENTARY ANSWER</b></p> <p>I certainly will, and as soon as I receive a reply from Greg Clarke I will let Council members know.</p>
<p><b>11. COUNCILLOR SUSANNA PRESSEL</b></p> <p>The new government has allocated the responsibility of chairing the select committees to members of the three main</p>	<p><b>COUNCILLOR KEITH MITCHELL, LEADER OF THE COUNCIL</b></p> <p>According to the County Council Constitution, the allocation of places to Scrutiny Committees is for the Council to decide and the election of the Chairman of each Scrutiny Committee is for the members of each Scrutiny Committee so appointed. It would therefore be for members of Scrutiny Committees to reconsider their Chairman and the Cabinet has no role</p>

<p>parties, according to the numbers of seats they hold. While this is not as good as allowing the opposition to chair them all, it is still better practice than allowing the administration to hog all the chairs, as this Council so shamefully does in the case of our scrutiny committees. Will the Cabinet now think again?</p>	<p>in this process.</p>
<p><b>SUPPLEMENTARY QUESTION</b></p> <p>Does our so called Leader agree that it is very sad that he and the Cabinet are unwilling or is it unable to show leadership on this important issue? That is why I said I don't see him as altogether as a leader.</p>	<p><b>SUPPLEMENTARY ANSWER</b></p> <p>Chairman I am Leader of the Council because I am Leader of my group and this Council works under the direction of 52 members who are elected in my group and working in constant partnership with the remaining small group of members who are not in our group, but we are the controlling administration. We take the policy decision, I represent them here. Our members will be Chairman of scrutiny committees that is a clear decision of our group. I don't have any problem with that. That is democracy and that is how it works.</p>
<p><b>12. COUNCILLOR SUSANNA PRESSEL</b></p> <p>Research has clearly and conclusively shown that people are far more likely to drive to work if they have a free parking space when they arrive. In view of the fact that other Councils, including Bristol, York and Leeds, have recently expressed an interest in charging employers who offer workplace parking, will the Cabinet Member for Transport now agree to investigate this?</p>	<p><b>COUNCILLOR RODNEY ROSE, CABINET MEMBER FOR TRANSPORT</b></p> <p>The only council with firm plans to introduce a workplace parking charge is Nottingham. Having spoken directly with them, it is clear that the costs involved in developing such a scheme are huge. In the current economic climate I consider this to be unrealistic.</p>

<p><b>SUPPLEMENTARY QUESTION</b></p> <p>Since this workplace parking and charges is the best way to reduce congestion and pollution, and since the cost will be much less for those councils which come after the courageous pioneer – Nottingham – and since this is clearly an invest to save scheme will the Cabinet promise to reconsider this issue soon.</p>	<p><b>SUPPLEMENTARY ANSWER</b></p> <p>I do not accept the statement that this is the best way of saving money or reducing congestion just on the advice of one member when my professionals advise so differently. So the answer is no.</p>
<p><b>13. COUNCILLOR JOHN SANDERS</b></p> <p>The South East England Development agency estimates that, as a result of government cuts, the region could lose 74,000 public sector and 33,000 private sector jobs in the next 5-6 years. Total new cases of personal insolvencies in Oxfordshire rose by 20% between 2008-2009 and this government's policies mean that the figures for 2009-2010 are likely to be worse. All these people and others will need advice centres like never before. In light of these cuts to be imposed on the country's economy that will, in particular, hit disadvantaged families, children and old people, thereby transferring further burdens on the Council in unpaid</p>	<p><b>COUNCILLOR ARASH FATEMIAN, CABINET MEMBER FOR ADULT SERVICES</b></p> <p>The provision of information and advice is an essential part of our strategy to transform adult social care. However, given the scale of the financial challenges that the Council faces it is inevitable that we must review all areas of spending to ensure that they are being used effectively and efficiently. Any proposals will be considered as part of the Council's Service and Resource Planning process. It is important to remember that the Government will not be publishing its Spending Review until 20th October and that the detailed financial information for local government will not be available until late November or early December.</p>



<p>Council Tax, child care, adult social care etc., what measures will the Cabinet Member for Finance take to maintain or even improve the Council's grants to advice centres in the coming years?</p>	
<p><b>SUPPLEMENTARY QUESTION</b></p> <p>Councillor Fatemian seems to want to ignore the valuable financial contribution that advice centres make to protect council tax payments and to save council social care and children's services costs by keeping families together. These savings will be made whatever happens in the governments spending review. There is no need to postpone generous support by the Council as it will reap greater benefits in the same financial year. In the light of Councillor Fatemian's reply is he really prepared to punish vulnerable families rather than to save costs?</p>	<p><b>SUPPLEMENTARY ANSWER</b></p> <p>I don't agree that that is the case. It is not a decision to punish vulnerable families and as it clearly says there any proposals will be considered as part of the planning and resource process.</p>
<p><b>14. COUNCILLOR JOHN SANDERS</b></p> <p>In light of the Council's premature withdrawal from the Thames Valley Road Safety Partnership will the Cabinet Member for Transport accept responsibility for</p>	<p><b>COUNCILLOR RODNEY ROSE, CABINET MEMBER FOR TRANSPORT</b></p> <p>I accept that responsibility of a debt of £950,000,000,000 to the country lies squarely with a failed Labour government after 13 years of mismanagement. This has meant that the Liberal/Conservative coalition has had to take some difficult decisions to reduce the deficit, which includes reducing the funding to the County Council for the Safer Roads partnership. The Council carries out a wide range of activities to promote road safety, as summarised in</p>

<p>the inevitable increase in deaths and injuries on our roads?</p>	<p>the annual report on road casualties in Oxfordshire recently circulated to all members. Our objective remains to achieve the best possible improvements in road safety within the resources currently available.</p>
<p><b>SUPPLEMENTARY QUESTION</b></p> <p>Interestingly the level of net public sector debt as a proportion of GDPs is roughly the same as it was at the end of the last Conservative Government nevertheless I am not surprised that Councillor Rose wants to blame someone else. At what stage will the rise of road traffic deaths and injuries force him to rethink the policy?</p>	<p><b>SUPPLEMENTARY ANSWER</b></p> <p>It is still the core responsibility of Thames Valley Police to enforce and keep speeds at a sensible level so I don't really see why he is asking me that question it should be addressed to the Chief Constable of Police.</p>
<p><b>15. COUNCILLOR JOHN SANDERS</b></p> <p>Does the Cabinet member for Police and Policy Coordination agree that ASBO's have had a real impact in driving down anti-social behaviour in Oxfordshire and, in particular, in Rose Hill?</p>	<p><b>COUNCILLOR KIERON MALLON, CABINET MEMBER FOR POLICE &amp; POLICY CO-ORDINATION</b></p> <p>I believe that Anti-Social Behaviour Orders (ASBOs) have had a significant impact on reducing anti-social behaviour (ASB) in Oxfordshire. ASBOs are civil orders which prohibit individuals from behaving in an anti-social manner and protect a community when all other measures (eg: injunctions, acceptable behaviour contracts (ABCs)) have not been successful in curtailing the anti-social behaviour.</p> <p>An ASBO consists of a series of conditions designed to stop certain behaviours. Conditions of an ASBO may include exclusions from certain areas, curfews, prohibit threatening or violent behaviour, prohibit use of intimidating language and prohibit drunkenness in a public place, for example. These conditions are put in place to tackle the triggers of the anti-social behaviour.</p> <p>Once an ASBO is in place, partner agencies continue to work with individuals to bring about positive change in their behaviour. ASBOs are designed to be long term solutions. Anyone breaching an ASBO commits a criminal offence and is dealt with accordingly. ASBOs therefore bring a halt to certain behaviours which previously would have been left unchecked.</p>

	<p>To date, in Rose Hill, there have been four people with ASBOs which expired in June 2009. These have had successful outcomes, in that the community once again has regained control of their lives where previously they felt intimidated, to the extent that some residents could not leave their homes.</p> <p>At present, there is one person with a current ASBO in Rose Hill. From an Oxford City point of view, ASBOs have definitely had an impact in reducing ASB in communities which have been suffering at the hands of these perpetrators.</p>
<p><b>SUPPLEMENTARY QUESTION</b></p> <p>I am really very pleased that Councillor Mallon's supports the retention of ASBOs as a way to keep down crime. If the Government decides to abandon the measure will he still support ASBOs?</p>	<p><b>SUPPLEMENTARY ANSWER</b></p> <p>It seems to be working so far in the area that Cllr Sanders is particularly interested in, in particular and generally in Oxfordshire. The Police Authority, the Safer Community Partnerships are all inundated with data every meeting; they go through that data at great length to sort out what the priorities will be. They will then feed back into government to give their views on schemes such as this. As I said recently at a Police Authority meeting where I was accused of not implementing policy, I should implement policy. I have implemented policy over the last 13 years that I have not necessarily agreed with but as a democratically elected member I will do my duty. So we will watch this space with interest Chairman, and the Police Authority are feeding back to Government every week. Our own Chief Constable had a meeting about a month ago when all Chief Constables from England were invited and they put their points through primarily to the government minister. Watch this space.</p>
<p><b>16. COUNCILLOR ROY DARKE</b></p> <p>In asking the population of Oxfordshire to meet the budget challenge in his introduction to the latest Oxon News, Councillor Mitchell says that there will be "some short term pain" and that "our savings targets over four years will be approximately £200 million rather than £100 million" (p.3., Oxon News, Issue 25) . Will he now acknowledge that this pain is being caused directly by the</p>	<p><b>COUNCILLOR KEITH MITCHELL, LEADER OF THE COUNCIL</b></p> <p>Gordon Brown's government had planned for 20% cuts in public spending but had failed to advise the public of this before the General Election. The Liberal-Conservative coalition, having had a good look at the country's accounts and having discovered a debt mountain of one trillion pounds (£1,000,000,000,000), has made a modest increase to the very large spending cuts that Labour had already planned and that are so necessary if this country is to get off its knees.</p> <p>Cuts in capital spending are simply those that Gordon Brown's government had already planned for in their budget but, again, had not felt it necessary to advise the public before a General Election.</p> <p>For those who wonder how Gordon Brown's government managed to clock up a national debt of a trillion pounds, look at the Treasury <a href="#">Spending Review document</a> . In every year</p>

<p>coalition government and that the excessive speed with which they are dealing with the deficit is likely to push the country back into recession and place extreme and unnecessary pressure on public services in Oxfordshire?</p>	<p>since 2001, Gordon Brown's government was spending more than it was earning. The world-wide recession and the banking crisis may have widened the gap but it had been yawning wide since 2001, long before these events happened. Gordon Brown cannot escape the consequences of his service, first as chancellor then as prime minister.</p>
<p><b>SUPPLEMENTARY QUESTION</b></p> <p>My question is about Councillor Mitchell's statement in Oxon News recently that there is some short term pain. Do I take it from that Councillor Mitchell that at the end of the 4 year period of this budget that we will return service, particularly front line services to the levels of quality and service that they are now and have been in the past?</p>	<p><b>SUPPLEMENTARY ANSWER</b></p> <p>I wouldn't like to make any predictions about the length of the economic cycle, Chairman. We are in one of the worst positions I think this Country has been in since I guess the end of the Second World War. I think it could take longer than 4 or 5 years for us to come through and to see the cycle reverse and there be growth in spending again. We have had 10 years of spending under the last Government; spending that we had to borrow to finance for almost all of those 10 years and because this takes a long time to turn around we are still at the moment as a new Government spending £4 for every £3 that we receive. We cannot go on like that; we have got to correct that structural deficit. I don't know how long it will take but I think it might be nearer to 10 years than 4 or 5. I know that is sad, and I hope it isn't, but I think we should be very straight with people that we have a very difficult financial position not just because of the debt but because of the inbuilt structural deficit that this last Government maintained without telling people openly and honestly. It is that that we have to get rid of and it is that that is going to take time for the current coalition Government to correct.</p>
<p><b>17. COUNCILLOR ROY DARKE</b></p> <p>Given the regressive impact of the measures proposed in the coalition Government's first budget, as shown by the recent IFS report (which used the Chancellor's own methodology), will the Leader commit to ensuring that further local budget measures proposed by the Conservative administration in Oxfordshire are actively designed to ensure that</p>	<p><b>COUNCILLOR KEITH MITCHELL, LEADER OF THE COUNCIL</b></p> <p>I reject the accusation that the coalition's budget proposals are regressive. Given the scale of the cuts we are facing to contribute to the necessary reduction in the mountain of debt created by the last government, I do not feel able to give any assurances until the outcome of the Spending Review 2010 and the subsequent Local Government Settlement. This Administration will seek to meet the needs of all of Oxfordshire's citizens and to balance those of the most vulnerable against the rest of the population. All members of this Council have a role to bring the needs of their constituents into the budget deliberations. Scrutiny members have an important role in providing advice on the budget and Cabinet members will welcome all of this input into the budget process. Of course, the final budget will be the responsibility of all 74 members to set a valid budget that best meets the needs of all of</p>

<p>local services are targeted at those in greatest need and suffering the deepest economic and social deprivation in the county. In addition, will he take the advice of IFS and other national bodies who suggest that all future budget proposals are evaluated in terms of reducing economic and social equality in the County?</p>	<p>Oxfordshire's residents.</p>
<p><b>SUPPLEMENTARY QUESTION</b></p> <p>This is about whether the June budget was regressive or progressive and we will no doubt discuss this later on in the agenda. In relation to my specific question I mentioned the Institute for Fiscal Studies. Given that the current Chancellor very frequently referred to IFS advice when his Party was in opposition and given that the June budget has been shown comprehensively by the IFS in the paper by Brian Lovall to have been regressive I would really like to know why he is not accepting the well focused and well analysed IFS studies or the recent nature of the June budget?</p>	<p><b>SUPPLEMENTARY ANSWER</b></p> <p>The question was around, I think, the willingness of this Council to tie itself to external validation of what it is doing. We are tied to all sorts of constraints, we have been for donkey's years. I want to inform the members of this Council to decide what the right budget is and how we strike the right balances between the vulnerable and the needs of all. That is a difficult enough question. So the implication of the original question and I think the supplementary that we in some way tie ourselves to external agencies to validate what we are doing, to give us our instructions, to tie our hands, is one that I don't accept. I think our judgement as a local councillor is what matters here and our judgement about the relative priorities of our services and the needs of our people is one that the 74 members of this council are well able to meet. So I am not willing to look at external bodies. Others can do that if they wish and I would rather see the evidence of a quite a few before I make up my own mind finally as to which one of them is right. So this Council with 74 members will set the budget, will determine the priorities and there is a very well established process in the constitution for us to do that.</p>
<p><b>18. COUNCILLOR SAJ MALIK</b></p> <p>Will the Cabinet Member for Schools Improvement confirm the numbers of school admissions</p>	<p><b>COUNCILLOR MICHAEL WAINE, CABINET MEMBER FOR SCHOOLS IMPROVEMENT</b></p> <p>The council is only responsible for admissions appeals for places at community and voluntary controlled schools; schools which are their own admissions authority (aided, trust, foundation and academy) are responsible for organising their own admissions appeals. The total</p>

<p>appeals this year per school in the county? Can he also confirm whether those figures are higher or lower than in previous years and does he consider the process for schools admissions to be best serving the people of Oxfordshire and in particular the people of East Oxford?</p>	<p>number of admissions appeals heard on behalf of community and controlled schools between 1st September 2009 and 31st August 2010 was 542 compared with 389 in the same period last year. This is an increase of 153 (or 39.3% if you prefer).</p> <p>Despite an increase in the total number of applications for school places (primary up from 7047 to 7324 and secondary from 6380 to 6497, a total increase of 277 for primary and 117 for secondary), the total number of first preferences met increased from 6422 to 6593 for primary schools and from 5838 to 5860 for secondaries, a success rate of over 90% overall (90.02% for primary and 90.2% for secondary - with 91.85% of Oxfordshire residents gaining a place at their first preference secondary school). The percentage of families which received an offer of a school place at one of their three preferred schools was nearly 97% for primary schools and over 98% for secondaries (with 98½% of those families living in Oxfordshire gaining a place at a secondary school which they listed as a first, second or third preference).</p> <p>So, yes, I believe the people of Oxfordshire, including East Oxford, are best served by the admissions process.</p>
<p><b>19. COUNCILLOR SARAH HUTCHINSON</b></p> <p>Recent research by Age UK reveals that people over 65 are twice as likely as other age groups to spend over 21 hours of every day alone. The Charity has also found that 1.2 million people in the UK over the age of fifty are 'severely excluded' from their communities.</p> <p>Given the severe affect that emotional and social isolation can have on our mental and physical health, will the Cabinet Member for Adult Services commit to ensuring that this epidemic of loneliness, particularly as it relates to Oxfordshire's elderly</p>	<p><b>COUNCILLOR ARASH FATEMIAN, CABINET MEMBER FOR ADULT SERVICES</b></p> <p>The Council recognises the impact of emotional and social isolation on older people's well-being and the important role of communities and services in providing support to local people.</p> <p>This is reflected in Social and Community Services vision statement which states: 'We will support and promote strong communities so that people live their lives as successfully and independently as possible'. This is strongly reinforced in 'Ageing Successfully,' our partnership strategy developed with the Primary Care Trust and with other organisations such as Age UK Oxfordshire, which promotes Oxfordshire as a place where older people thrive and feel empowered to live life as they want, controlling for themselves any support they need.</p> <p>'Ageing Successfully' is based on a belief that a strong local identity and sense of place provides older residents with the best possible chance of health, wellbeing and social inclusion. Work to implement the strategy recognizes the importance of creating 'lifetime neighbourhoods' which offer an accessible and inclusive environment for an ageing population. The focus is on better health and well-being for older people achieved through preventative, practical and self help services and support to prevent decline, help to achieve the maximum income and access to leisure, transport and social opportunities.</p>

residents, is at the centre of the Council's approach to service delivery?

Specific service developments are aimed at reducing the social isolation and loneliness that some older people will experience. Examples included: the Turnaround Project which aims to identify people who may be on a pathway towards high dependency and residential care and are offered early, appropriate support; an extension of the Good Neighbour Schemes (GNS), which are local voluntary groups offering a service for those in need of help and support. GNS offer support which cannot be supplied through Social Care, Health and/or other professional care agencies for example: befriending, collecting prescriptions, transport for appointments and minor household tasks. Other service developments include innovative day opportunities, dementia cafes, and an Adult Mobile Services Centre to address the needs of those in rural areas. In addition, we support preventative services to either improve the health of older people (such as through exercise classes) or to improve their skills such as through students providing IT training to older people.

The local Oxfordshire picture does not necessarily reflect the national research undertaken by Age UK. The last census identified the number of older people living alone in the County as 31,000 of the then population of just fewer than 88,000, which equates to 35%, aged 65+. This ranks Oxfordshire as the 124th lowest rate of 152 reporting authorities. However, the Council is not complacent. Hence, the Council's strong commitment to implementing 'Ageing Successfully' and all the associated projects to alleviate loneliness.

The Council also supports local communities to provide local services such as day services that people can directly access (rather than needing to be referred by Adult Social Care). Each year we have to report on the number of people accessing these services. Oxfordshire's figure of people supported has increased over the last 3 years. The latest comparative figures available are from 2008/9 which shows that in a sample week 2,495 older people in Oxfordshire accessed these services. This equates to a rate of 265 people per 10,000 population over 65. This compares to a national average of 212 people per 10,000 population – or 25% more people receiving this service.

Our commitment to working on the issues of isolation and loneliness in older people is further demonstrated by the Council bid to the National Institute of Health Research. This will fund an 18 month research project on social isolation and loneliness in older people. The bid was developed in collaboration with Age UK and Brunel University and we anticipate hearing whether we have been successful in October.

The Council's remains commitment to promoting the health and well being and reducing the social isolation that an ageing population may experience. As a result, 'Ageing Successfully' continues to be a high priority and is central to the delivery of support and approaches that

reduce the experience of loneliness of Oxfordshire's older residents.



## COUNTY COUNCIL –2 NOVEMBER 2010

### REPORT OF THE CABINET

#### ***Cabinet Member: Deputy Leader***

#### **1. Performance Management: 1st Quarter Progress Report Against Priorities and Targets**

*(Cabinet, 14 September 2010)*

Cabinet noted a report that showed progress against the Corporate Balanced Scorecard and Corporate Risk Register where performance and/or risks have been given a proposed RAG-rating of red, and in some cases amber (where performance was below expectation, where there were high risks involved, or where CCMT attention is otherwise required).

#### **2. Establishment Review**

*(Cabinet, 14 September 2010)*

Cabinet noted a report that gave an update on activity since the implementation of the Establishment Review and associated Recruitment Approval process on 1 August 2005. Details of the agreed establishment figure at 31 March 2010 in terms of Full Time Equivalents was provided, together with the detailed staffing position at 31 March 2010. The report also contained information on grant funded posts and those vacancies which are being covered by agency staff and at what cost.

#### **3. Corporate ICT Strategy**

*(Cabinet, 19 October 2010)*

Cabinet agreed the draft Corporate ICT Strategy, and to receive quarterly updates on its implementation in line with the action plan.

#### **4. Customer Service Strategy**

*(Cabinet, 19 October 2010)*

Cabinet approved the Customer Service Strategy and its 18-month action plan.

#### **5. The Future of the Council Magazine “Oxon News”**

*(Cabinet, 19 October 2010)*

Cabinet considered options for the future of the Council magazine ‘Oxon News’ and agreed to discontinue ‘Oxon News’ at the end of 2010.

### ***Cabinet Member: Adult Services***

#### **6. White Paper: Equity and Excellence – Liberating the NHS**

*(Cabinet, 14 September 2010*

*Leader and Cabinet Member for Adult Services, 1 October 2010)*

Cabinet considered a report on the recent White Paper and other related consultation papers that had set out a whole series of radical proposals for change to the NHS. Cabinet commented on the proposals and suggested response and a formal response was agreed by the Leader and Cabinet Member for Adult Services.

### ***Cabinet Member: Children, Young People & Families***

#### **7. Progress Report on Children Looked After and Leaving Care**

*(Cabinet, 19 October 2010)*

Cabinet considered one of a regular series of reports that came to Cabinet on its role as legal "Corporate Parent" to the Children and Young People Looked After by the Council, and those Leaving Care to live independently. The report addressed Council-wide improvements in Corporate Parenting, including enhanced accountability for this highly vulnerable group. It also reported on the progress and challenges posed in caring for the County's most vulnerable young people.

Cabinet agreed their continued support for the Corporate Parenting Strategy and noted the information on outcomes for looked After Children and the associated performance measures.

### ***Cabinet Member: Finance & Property***

#### **8. Financial Monitoring**

*(Cabinet, 14 September & 19 October 2010)*

Cabinet considered two reports that set out the monthly financial monitoring position.

The September report provided a further update on changes to funding in 2010/11 in addition to the position set out in the previous report and addenda to Cabinet on 20 July 2010, and the report to Council on 27 July 2010.

Cabinet approved virements and supplementary estimates; agreed the creation of the Customer Services Reserve and transfer of £1.000m to that reserve and the transfer of £1.000m to Efficiency Reserve; agreed that the Unringfenced AIDS/HIV Grant can be used to fund Supporting People service; agreed the transfer of impairment losses in relation to Landsbanki to the County fund; noted that £0.6m of Council funding for the day centre element of the Banbury Day Centre project has been released from the moratorium agreed as part of the Capital Programme Review and agreed to take up prudential borrowing to meet commitments in respect of deferred interest loans.

The October report showed that the in – year Directorate forecast was an overspend of +£0.241m, or +0.06% compared to a budget of £384.404m. The in-year forecast excluded an overspend of +£0.213m on services funded from Dedicated Schools Grant (DSG) and +£0.178m relating to the City Schools Reorganisation which was carried forward from 2009/10 as planned.

Cabinet approved virements and Supplementary Estimate requests and the return of £0.071m by CYP&F; approved transfer to reserves; approved the Capital Programme set out in the report; noted the Capital Programme Review Update and the reduction of £2.774m in Sure Start, Early Years and Children’s Centres (SSEYCC) grant funding and agreed the effect on Early Years and Children’s Centre projects and approved the proposed fees and charges for the Alert Service as set out in Part 4.

### **Service & Resource Planning Report for 2011/12 - 2015/16 (September 2010)**

Cabinet, 14 September 2010)

Cabinet considered a report on the Service & Resource Planning process for 2011/12 - 2015/16 that will culminate in the Council setting a budget requirement for the authority and an amount of Council Tax for 2011/12 in February 2011.

The report provided an update on information available pertaining to the Business Strategy; the budget for 2011/12 and the medium term; and proposed a process for Service & Resource Planning for 2011/12 including a timetable of events.

Cabinet approved the Service and Resource Planning process for 2011/12, endorsed the distribution and phasing of the total savings targets between Directorates and support services and noted the decision on the date for the budget setting meeting of Council.

### ***Cabinet Member: Growth and Infrastructure***

#### **9. Local Transport Plan 3 – Draft Plan for Consultation**

*(Cabinet, 14 September 2010)*

The Cabinet approved the draft Local Transport Plan for consultation, noting the information contained in the draft SEA Environmental Report.

#### **10. Oxfordshire Minerals and Waste Development Framework: Core Strategy - Preferred Minerals Strategy – Draft Plan for Consultation**

*(Cabinet, 19 October 2010)*

The Minerals and Waste Development Framework will set out how minerals will be supplied and waste managed in the county. The Core Strategy will include a vision and strategic objectives, spatial strategy, core policies and a monitoring and implementation framework. Cabinet considered a report that

included a set of principles to underpin the minerals part of the Core Strategy. It described the current pattern of mineral working in Oxfordshire and explained the development of, consultation on, and assessment and testing of options for the location of sand and gravel, soft sand and crushed rock workings over the next 15 to 20 years.

Cabinet agreed the guiding principles for the minerals strategy; agreed the County Council's preferred approach for mineral working in the short to medium and agreed the next steps including public consultation on the preferred minerals strategy in spring 2011.

KEITH R MITCHELL CBE  
Leader of the Council

October 2010

Division(s): N/A

## COUNCIL – 2 NOVEMBER 2010

### FORMAT OF COUNTY COUNCIL MEETINGS & REVIEW OF THE CONSTITUTION

#### Report by the Monitoring Officer

#### Introduction

1. In August and November 2009, Council agreed several significant changes to the Constitution. This report reviews the effectiveness of those changes, including the introduction of themed debates at Council meetings. It also suggests further changes, in the interests of Council efficiency. The Cabinet gave consideration to these matters on 19 October 2010 and consequently is recommending Council to accept the changes proposed.

#### The Constitution

2. The Constitution sets out the rules and procedures under which the County Council operates. Some of the content of the Constitution is laid down by law<sup>1</sup>. Other parts have been drawn up specifically by the County Council to provide a framework for the business of the Council itself and of its Cabinet, scrutiny and other committees, the individual elected members, and the staff who are responsible for the day-to day running of the services which the Council provides for Oxfordshire. It also sets out practical information about those bodies and individuals and their responsibilities.
3. The Constitution has to be approved formally by the Council but the Monitoring Officer will monitor and review the operation of the Constitution to ensure that its aims, principles and requirements are given full effect and will make recommendations on any necessary amendments to it to the Council.

#### Review of changes to the Constitution

4. The key changes to the Constitution in 2009 related to:
  - Introduction of themed debates at Council meetings
  - The order of motions on a party group rotational basis
  - Widening of scope of motions to include other public bodies
  - Abolition of the Scrutiny Co-ordinating Group
  - Introduction of members' question time at Cabinet
  - Amendments to the Protocol on Members' Rights and Responsibilities and in particular information that should be provided to local members.

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<sup>1</sup> especially the Local Government Acts 1972 and 2000 and the Local Government and Housing Act 1989 and various regulations made under those Acts

5. The themed debates are reviewed in paragraphs 6-14 below; the effectiveness of the other issues is included at paragraph 15.

**Themed debates & format of Council meeting**

6. Last year it was decided to introduce a themed debate at the annual meeting of Council and at each ordinary meeting except the budget setting and quadrennial meetings. The subject was to have direct relevance to the functions and responsibilities of the Council or to be about local issues involving other local public bodies (specified in the Council’s Constitution).
7. The themed debate at the annual meeting would be the annual review of the Oxfordshire Plan. At the September meeting, the debate would concern the annual review of the Medium Term Financial Strategy. At the other ordinary meetings, the subject of the debates would be allocated one each to the three largest political groups.
8. The proposer for a debate would specify the intended outcome and would open the debate and speak for a maximum of 15 minutes. A maximum of 90 minutes was set aside for each debate, with the Chairman having discretion to lengthen it if desirable.
9. The following debates have occurred since September 2009:

September 2009	Service and Resource Planning	Statutory Debate
November 2009	Breaking the Cycle of Deprivation	Debate chosen by the Liberal Democrat Group
January 2010	Educational Attainment	Debate chosen by the Labour Group
April 2010	Oxfordshire Plan	Statutory Debate
June 2010	Oxfordshire’s MPs	Debate chosen by the Conservative Group
September 2010	Service and Resource Planning	Statutory Debate

10. An analysis of the outcomes arising from these debates has shown that:
- Much of the work that happened after the debates on Breaking the Cycle of Deprivation (November 2009) and Educational Attainment (January 2010) was ongoing project or programme work that would have happened whether or not the debate had occurred.
  - The debates offered information and a level of detail that could improve elected members' knowledge of topics they might not have otherwise been involved in and gave elected members an opportunity to ask questions.
  - All of the debates resulted in practical actions such as sharing of information among partners, correspondence with stakeholders etc.

11. Political group leaders of the three largest groups on the Council have also given views on the effectiveness of the debates. Views included:
  - The debates had not added to the sense of well being in the County
  - The nature of discussion on Council day did not lend itself to constructive discussions
  - They did increase the knowledge and understanding of councillors but this needed to be balanced against the time they took
  - No significant difference brought about by the Debates.
12. In summary, the debates had been more useful in raising members' awareness of issues rather than contributing directly to outcomes.
13. Following discussion between group leaders, it was suggested that themed debates should be discontinued with the formal business of the Council ending at 3.30 p.m. However, in order to retain the opportunity for further discussion and of learning around key issues, it was suggested that the time from 3.30 – 5.00 p.m. could be available for whole Council discussion and presentations around key topics, for those members who wished to be involved.
14. To effect the cessation of themed debates and the ending of Council at 3.30 p.m. Council would need to agree and to amend the Constitution accordingly. Cabinet is recommending that these changes be made.

**It is recommended that Council cease holding themed debates and consequently that meetings of Council end at 3.30 p.m. but that member briefings be introduced from 3.30 – 5.00 p.m. for those members who wished to be involved.**

#### **Other changes**

15. The following changes would appear to have been positively received, no adverse comments have been made and Cabinet recommends that these arrangements should continue:
  - The ordering of motions on a party group rotational basis
  - Widening the scope of motions to include other public bodies
  - Abolition of the scrutiny co-ordinating group
  - Introduction of question times at Cabinet meetings
  - Amended Protocol on Members' Rights and Responsibilities and in particular information that should be provided to local members

**It is recommended that Council agree to the continuation of these arrangements**

## Additional changes

### Petition Schemes

16. In June this year, Council agreed to adopt a Petition Scheme. Under the Local Democracy, Economic Development and Construction Act 2009, every authority was to have a scheme in place from 15 June 2010. From 15 December 2010, a facility for allowing the public to create e-petitions must be introduced. The Coalition Government has however announced a reduction in the administrative requirements.
17. A Petition Scheme is in place and an e-petition scheme is scheduled to go live on or before 15 December 2010. However, the Coalition Government has revoked the statutory guidance around petitions as from 24 September. This is to “remove unnecessary prescription for local authorities” in keeping with the Coalition’s “priority of cutting out all wasteful spending in order to give councils greater local flexibility to determine how to handle petitions”.
18. Councils are expected to meet the minimum statutory requirements. This includes the need to establish an e-petition system. However, these decisions will now be informed by the more light-touch regime.

**It is recommended that the revocation of the statutory guidance about petition schemes be noted.**

### Council Procedure Rules

19. During the past year, several points have arisen which suggest that certain minor amendments to the Council Procedure Rules may be beneficial, largely for clarification. The potential amendments are incorporated in a draft copy of the Procedure Rules on deposit in the Members’ Resource Centre. Cabinet has noted and endorsed the amendments, which are:

Rule 5:	amend this rule to end Council meetings at 3.30 p.m. (and not 5.00 p.m.) if the recommendation above about ending themed debates is carried
Rule 12.5:	clarify that the rules allowing supplementary questions from members only apply when the original question was a ‘question on notice’
Rule 13:	clarify that the rules relating to the treatment of motions are, in the case of debate about the budget, subject to the Budget and Policy Framework Rules (Part 3.2)
Rule 16:	remove this rule (Themed Debates) if the recommendation above is carried
Rule 25:	clarify that the rights to present petitions to, and address, committees under Rule 10 should be subject to the committee chairman’s discretion to determine the length of speeches and the order in which they shall be taken



**It is recommended that the revised Council Procedure Rules be approved.**

### **Contract Procedure Rules**

20. The Contract Procedure Rules which govern the supply of goods, services and works have been amended. Most of the changes are for clarification but also reflect:
- A strengthening and clarification of the requirements for mini-competitions under framework agreements
  - Cross-referencing to the Financial Procedure Rules for decisions affecting capital expenditure so that it is clear that the Contract Procedure Rules are not setting out an alternative/inconsistent regime.
21. A copy of the revised Contract Procedure Rules is on deposit in the Member's Resource Centre and the amendments have been noted and endorsed by Cabinet.

**It is recommended that the revised Contract Procedure Rules be approved.**

### **Financial Procedure Rules**

22. The Financial Procedure Rules were substantially revised by full Council in January this year. No other amendments are needed at this time.

### **Scheme of Delegation**

23. The Council's scheme of delegation to officers is contained in Parts 7.3 and 7.4 of the Constitution. Part 7.3 relates to the general operational powers of the chief executive, directors and other officers. Part 7.4 relates to the specific powers of these posts. It is proposed that the scheme be rationalised by merging these two parts. As a result, delegations to directors would be simplified. Being overly prescriptive can give rise to the risk of key issues being overlooked and omitted, for example when laws or regulations change. Generic delegations to directors and specific delegations to the Council's statutory officers (the Chief Executive, Monitoring Officer, Chief Finance Officer) would continue to be included.
24. These delegations would be supplemented, as now, with directorate schemes of delegation which allow directors further to delegate powers to their officers. A copy of the potential Scheme of Delegation to Officers, which has been noted and endorsed by Cabinet, is on deposit in the Members' Resource Centre.

**It is recommended that Council approve the revised format of the council's scheme of delegation and that the Constitution is amended accordingly.**

## **RECOMMENDATION**

**25. Cabinet RECOMMENDS Council to:**

- (a) cease holding themed debates and that meetings of Council formally end at 3.30 p.m.;**
- (b) introduce member briefings from 3.30 – 5.00 p.m. following meetings of Council for those members who wish to be involved;**
- (c) agree to the continuation of the following amendments:**
  - (1) the ordering of motions on a party group rotational basis**
  - (2) widening the scope of motions to include other public bodies**
  - (3) abolition of the scrutiny co-ordinating group**
  - (4) introduction of question times at Cabinet meetings**
  - (5) amended Protocol on Members' Rights and Responsibilities and in particular information that should be provided to local members**
- (d) note the revocation of the statutory guidance relating to the implementation of Petition Schemes;**
- (e) approve the revisions to the Council Procedure Rules referred to in paragraph 19 of this report;**
- (f) approve the revisions to the Contract Procedure Rules referred to in paragraph 20 of this report; and**
- (g) approve the revised format of the Council's scheme of delegation as referred to in paragraph 23 of this report.**

Peter Clark  
County Solicitor and Monitoring Officer

Background papers: Letter from the Department of Communities & Local Government, 24 September 2010 "*Withdrawal of statutory guidance on petitions*"

Contact Officer: Glenn Watson

November 2010