

OXFORDSHIRE COUNTY COUNCIL

MINUTES of the meeting held on Tuesday, 5 November 2024 commencing at 10.30 am and finishing at 3.30 pm

Present:

Councillor Alison Rooke – in the Chair

Councillors:

Mark Lygo (Vice-Chair)	Ted Fenton	Michael O'Connor
Juliette Ash	Donna Ford	Glynis Phillips
Brad Baines	Andrew Gant	Susanna Pressel
David Bartholomew	Stefan Gawrysiak	Eddie Reeves
Tim Bearder	Kate Gregory	G.A. Reynolds
Felix Bloomfield	Jane Hanna OBE	Judy Roberts
Liz Brighouse OBE	Jenny Hannaby	David Rouane
Nigel Champken-Woods	Damian Haywood	Les Sibley
Mark Cherry	Charlie Hicks	Nigel Simpson
Andrew Coles	John Howson	Roz Smith
Yvonne Constance OBE	Tony Ilott	Ian Snowdon
Ian Corkin	Bob Johnston	Peter Stevens
Imade Edosomwan	Liz Leffman	Dr Pete Sudbury
Trish Elphinstone	Nick Leverton	Bethia Thomas
Duncan Enright	Dan Levy	Michael Waine
Mohamed Fadlalla	Dr Nathan Ley	Liam Walker
Arash Fatemian	Kieron Mallon	
Neil Fawcett	Ian Middleton	

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.

101/24 MINUTES

(Agenda Item 1)

The minutes of the meeting held on 10 September 2024 were approved as an accurate record with the following amendment:

Item 88/24, 8th paragraph:

Councillor Bartholomew asked the Cabinet Member to provide details of the steps being taken to recover debt owed to the County Council **referred to in paragraph 110 in the Annex to the Business Management & Monitoring Report - May 2024**. Councillor Levy promised to send a written response.

102/24 APOLOGIES FOR ABSENCE

(Agenda Item 2)

Apologies were received from Councillors Banfield, Bennett, Bulmer, Field-Johnson, Graham, van Mierlo, Miller, Povolotsky and Saul.

103/24 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE

(Agenda Item 3)

There were no declarations of interest.

104/24 OFFICIAL COMMUNICATIONS

(Agenda Item 4)

The Chair congratulated those involved in three County Council projects that had been shortlisted for awards:

- Best Local Authority EV Charging Scheme in the Transport + Energy Awards 2024.
- Partnerships for Excellence Award at next month's UK Bus Awards.
- Utility Week Awards in the Unlocking Data category.

A full list of events attended by the Chair and Vice Chair had been included in the Schedule of Business. The Chair particularly highlighted the Community Awards Ceremony, Chipping Norton on 27 September as a marvellous example of a community working to support each other. At the Oxford's Older People's Day in the Town Hall on 1 October many of the stalls were staffed by Council officers representing our services for older people.

There were also congratulations to those involved in the careers fair hosted by Oxfordshire Care Leaver Association at County Hall the previous week.

The Chair invited all to attend coming events:

- The County Hall Christmas lights switch on, Wednesday 4th December at 2.30pm in the Common Hall.
- The Christmas tree lighting in Oxford Castle at 6pm on Thursday 5th December in the Castle Courtyard.
- Oxfordshire County Council Chair's Carol Service. Hosted by the Chair and the Rt Rev Gavin Collins, Bishop of Dorchester at 6.30pm on Monday 16th December at St Michael and All Angels Church, Abingdon.
- Oxfordshire County Council Chair's Charity Gala Dinner on Friday 10th January 2025 at the Mercure Oxford Hawkwell House Hotel, Church Way, Iffley, 7pm for 7.30pm. Details on how to order tickets were included the Schedule of Business.

Council was also notified of the passing in August of former Councillor Rosemarie Higham, who represented Banbury, Grimsbury & Castle Division

from May 2005 to March 2006. She served on the Democracy & Organisation Committee, Community Safety Committee and Standards Committee. She also served on Cherwell District Council and Banbury Town Council and was Town Mayor for 2003-04.

Councillors Mallon and Brighthouse paid tribute to her work on the councils and in support of the community in Banbury. Members stood for a minute's silence in memory.

105/24 APPOINTMENTS

(Agenda Item 5)

Council approved the following appointments:

Councillor Johnston to fill a vacancy on the Future Oxfordshire Partnership Scrutiny Panel.

Councillor Stevens to replace Councillor Roberts on the Planning & Regulation Committee.

106/24 PETITIONS AND PUBLIC ADDRESS

(Agenda Item 6)

The following petitions were received by Council:

Josie Proctor: City Centre Playground and highway use – 1700 signatures

Niaz Ali: Parking on Hollow Way – 57 signatures

Linda Elms: Small Businesses – 59 signatures

The following members of the public addressed Council:

Item 13 – Motion by Cllr Gawrysiak

Robert Aitken

Item 17 – Motion by Cllr Middleton

Linda Ward

The texts of speeches that have been supplied to us by the speakers are published alongside the minutes.

107/24 QUESTIONS WITH NOTICE FROM MEMBERS OF THE PUBLIC

(Agenda Item 7)

Three questions were asked. The questions, responses and supplementary questions are recorded in an Annex below.

108/24 QUESTIONS WITH NOTICE FROM MEMBERS OF THE COUNCIL

(Agenda Item 8)

Twenty seven questions were asked. The questions, responses and supplementary questions are recorded in an Annex below.

109/24 REPORT OF THE CABINET

(Agenda Item 9)

Council received the report of Cabinet covering the Cabinet meetings on 17 September and 15 October 2024.

On item 4, Oxfordshire Safeguarding Children's Board Annual Report 2023-24, Councillor Pressel noted that the number of strengths and needs forms completed in 2023-24 was well below target and asked what was being done to meet the target this year. Councillor Baines asked how the Council was ensuring that children were not at increased risk. Councillor Howson responded that the targets had been set by his predecessor and that officers were working on a strategy to increase the number of assessments in the current year.

Councillor Corkin quoted statistics indicating that people who were in care as a child had a greater risk of entering into the criminal justice system and asked if more attention should be given to that. Councillor Howson responded and agreed that everything possible should be done to keep young children out of the criminal justice system

On item Workforce Report and Staffing Data - Quarter 1 - April to June 2024, Councillor Baines asked when the anticipated £4m saving from reducing agency staff and consultancy work will be achieved and Councillor Phillips asked what was the target figure for reduced spending on agency staff. Councillor Fawcett responded that the figures showed that the Council was consistently moving in the right direction. He did not have the target figure to hand but it was in the budget. He believed that the new simpler recruitment process would lead to a reduction in reliance on agency staff which were often being engaged to provide cover during the recruitment process which was lengthy under the old system.

On item 6, Ethical Procurement Policy, Councillor O'Connor asked if the Cabinet Member would consider inserting fair employment clauses at the contract level. Councillor Levy responded that the point of the new policy was to embed ethical practices in the procurement policy but he would take the councillor's point to officers to see if there was more that could be done.

Councillor Baines asked if the Cabinet Member would bring forward an ethical policy for the disposal of public buildings. Councillor Levy responded that the Council would attempt to maximise the income so that this could be reinvested in services or other capital expenditure while at the same time doing that in an ethical way.

On item 7, Business Management and Monitoring Report - July 2024, Councillor Baines asked what the plans were to strengthen the savings plan for Children's Services and drive down the cost of care. Councillor Levy

responded that, regarding the High Needs Block, some money would come from the government but it was not yet known how much. Delivering services was the number one priority. There was progress on achieving savings but it was slower than hoped for.

Councillor Brighthouse noted how the High Needs Block had grown in the last year and asked if the Cabinet Member will be providing additional resources in the budget as central government had. Councillor Levy noted that the same problem of growing demand was faced by all councils. The new government recognised the issue and awarded extra funding of £1b but that would not go far. The key issue was how the government would tackle the accumulated deficits and that had not been decided yet.

On item 9, Capital Programme Approvals - September 2024, Councillor Enright asked if there was going to be a strategic plan to continue on from the Housing and Growth Deal. Councillor Levy responded that there had been issues with the different pots of money – some time-limited and others not linked to inflation. The projects that will not be funded from the deal will need to be included in the capital budget.

Councillor Hicks asked if the Cabinet Member could confirm that all budget lines will align with LTCP5 (Local Transport and Connectivity Plan). Councillor Levy confirmed that LTCP5 is the policy of the Council and so all budget proposals will be in line with that.

On item 10, Budget and Business Planning Report, Councillor Baines asked if the Cabinet Member welcomed the increased funding from the new government for local services. Councillor Levy responded that he would welcome all extra funding but it was unclear how those funds would be distributed and there was concern that Oxfordshire might not get its fair share.

Councillor Bartholomew asked if the budget plans had been seriously disrupted by the government's increase in national insurance contributions. Councillor Levy responded that it was expected that some or all of that would be reimbursed for the Council. The bigger impact was likely to be on the Council's contractors and subcontractors.

On item 11, Capital Programme and Monitoring Report, Councillor Hicks noted that only £1 out of every £14 spent on travel overall was being spent on Active Travel and asked if the Cabinet Member planned on increasing that ratio. Councillor Levy responded that he was a supporter of active travel and he welcomed the government's commitment to providing multi-year funding from next year as that would enable the Council to plan projects properly.

Councillor Baines asked for an update on the capital funding shortfall including which schemes were the biggest drivers of inflation and which schemes were at greatest risk. Councillor Levy said that he would respond to that question in writing.

Councillor Enright asked if there were lessons to be learned from the Housing and Growth deal in terms of delays in projects and the impact of inflation. Councillor Levy agreed that there were some things the Council could improve to be more efficient but he did not believe that the Council was the main source of the delays. Projects needed to be better matched to the funding available with better account taken of the impact of delays and inflation.

On item 12, Sustainable School Travel Strategy 2024-25, Councillor Brighthouse noted that this came to Cabinet on 17 September while three days later there was a scrutiny committee discussion on school transport. She asked if scrutiny should not have been consulted before the Cabinet decision. Councillor Roberts responded that the strategy was a statutory requirement that had to be decided by a particular date. There would then be an action plan and the feedback from the scrutiny meeting would feed into that.

Councillor Constance asked if school bus schedules could be altered to ensure that children arrive in time for the start of their school day. Councillor Howson responded that his main concern was that free school transport ended at age 16 and he hoped that the new government would address that.

Councillor Coles asked if the Council could provide more support for the School Streets scheme as some schools struggle to have enough volunteers. Councillor Baines noted that only a small number of schools had been included and asked if this displayed a lack of ambition. Councillor Gant responded that the schemes would move to camera enforcement reducing the dependence on volunteers who have been doing great work in supporting these schemes. He stated that it was a case of lack of funding not a lack of ambition.

Councillor Phillips asked when a pedestrian crossing could be installed to allow children from Risinghurst to cross the dual carriageway safely to their bus stop for travel to Wheatley Park School. Councillor Gant noted that there were legal constraints on the impact that pedestrian crossings could have on traffic flows which meant that reducing car traffic was a key part of ensuring safe travel to school.

On item 13, Community Wealth Building - Action Plan and Next Steps, Councillor Baines asked about the application of a recommendation in the report, to prioritise surplus land for affordable housing and business space rather than maximum return, in the sale of County Hall. Councillor Ley responded that he could not answer that now but that the Cabinet will continue to be transparent about the process as it develops.

Councillor Cherry asked if there was collaboration with district councils on tackling inequalities and deprivation. Councillor Ley confirmed that this was the case as there were issues in many towns around the county.

On item 14, His Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) Report for Oxfordshire Fire and Rescue Service, Councillor Baines asked why there had been a decline in all but two assessed areas and if the public can be confident that OFRS will manage money responsibly and take appropriate preventative action. Councillor Ley responded that six of the key recommendations had already been addressed, an improvement board had been put place which will report to scrutiny committee and the plan will be completed within the two years.

110/24 OXFORDSHIRE'S ANNUAL YOUTH JUSTICE PLAN 2024-2025

(Agenda Item 10)

Council was asked to approve an Annual Youth Justice Plan which it is required to produce as youth offending is a statutory and regulated service.

The report was moved by Councillor John Howson and seconded by Councillor Liz Leffman. Following discussion, Council agreed the recommendation unanimously.

RESOLVED: to adopt Oxfordshire's Annual Youth Justice Plan 2024-2025.

111/24 CALENDAR OF MEETINGS 2025-26

(Agenda Item 11)

Council had before it a list of proposed dates for Council, Cabinet and committee meetings for the Council Year 2025-26.

The report was moved by the Chair and seconded by the Vice-Chair. The recommendations were approved unanimously.

RESOLVED: to approve the calendar of meetings for the 2025-26 Council year attached to the report as Annex 1.

112/24 APPOINTMENT OF INDEPENDENT PERSONS

(Agenda Item 12)

Council was asked to consider the appointment of two Independent Persons. An Independent Person must be consulted and their views taken in to account before the Council makes its decision in certain disciplinary processes.

The recommendations were proposed by Councillor Ted Fenton, Chair of the Audit & Governance Committee, and seconded by Councillor Roz Smith, Deputy Chair. Following discussion the recommendations were approved with 52 votes in favour, one abstention and no votes against.

RESOLVED:

a) To appoint Mr Nicholas Holt-Kentwell and Mr Andrew Mills-Hicks as Independent Persons for Oxfordshire County Council from 1 December

2024 to 30 November 2026. The appointments may be renewed once for a period of two years.

b) To thank Mr Martyn Hocking for his service to the Council as an Independent Person from 14 July 2020 until 30 November 2024.

113/24 MOTION BY COUNCILLOR STEFAN GAWRYSIAK

(Agenda Item 13)

The motion was proposed by Councillor Gawrysiak and seconded by Councillor Reeves. Following debate, the motion was carried with 52 votes in favour; 0 against and 0 abstentions.

RESOLVED:

In December Oxfordshire County Council removed seven beds from the Chiltern care home without any consultation with the GP's, Henley Town Council or the community of South Oxfordshire. This lack of consultation by the Council is unacceptable and must not be repeated.

These beds were originally provided as 'NHS beds'.

Following FOI requests to the Integrated Care Board Buckinghamshire Oxfordshire Berkshire West (ICB BOB) and the Council, it has been established that these beds are NHS beds funded by the ICB, this Council and the Oxford Health NHS Foundation Trust. They should not therefore have been closed without full and proper public consultation.

Dr Broughton interim Chief Executive of the ICB BOB states 28th February 2024

"The beds have not 'lost NHS funding', "The beds continued to be overseen by the Oxford University Hospital Hub team."

These beds are therefore NHS beds which cannot be removed without consultation.

This Council:

1. Deplores the beds' removal without said consultation.
2. Believes that a full and objective account as to why these beds, which serve a population of 140,000 of South Oxfordshire, were removed and what replacement measures have since been taken.

This Council requests that Cabinet:

3. Asks partners to seek to account for the reasons why the seven Chiltern Court Beds serving South Oxfordshire cannot be reinstated, bearing in mind the new measures that have since been in place and, in the absence of such an account, take steps to reinstate them.

4. Conduct all necessary public consultations.

114/24 MOTION BY COUNCILLOR EDDIE REEVES

(Agenda Item 14)

The motion was proposed by Councillor Reeves and seconded by Councillor Walker.

The following amendment was proposed by Councillor Baines and seconded by Councillor Enright.

~~“This Council notes the Government’s decision to means-test Winter Fuel Payments (WFPs). Age UK estimates that such changes could hit 2 million people across the country, some of whom badly need the money to stay warm this winter.~~

This Council resolves to:

- 1. Recognises that the new Government inherited a terrible fiscal inheritance with £22 billion of unfunded spending commitments which had not been reported to the Office for Budget Responsibility. Left unaddressed this would have posed a major risk to the nation’s economy with the budget deficit increasing by 25%.**

- 2. Welcomes the Government’s commitment to increasing the uptake of Pension Credit, aligning Pension Credit and Housing Benefit, extending the Household Support Fund and protecting the triple lock.**

- ~~3. Requests that the Cabinet requests a report from officers with proposals for promoting a **countywide** District awareness campaign working with our **City and District Councils**, local NHS partners, Parish Councils and charitable, civic and religious groups, to encourage elderly residents who are eligible for means-tested benefits such as Pension Credit to register and claim them to ensure that they continue to receive WFPs this Winter and that those in need are sign-posted to the continuing Household Support Fund;~~

- ~~2. Request that the Leader of the Council writes to the Chancellor of the Exchequer, urging an impact assessment of the government’s decision to means test WFPs and asking HM Treasury to examine transitional measures to ensure that vulnerable pensioners, particularly those who are eligible for, but who do not — or cannot — claim, other benefits under current thresholds, are protected from fuel poverty.~~

- ~~3. Request that the Cabinet reprioritises monies within the Council’s budget for 2024/5 held within the Budget Priority Reserve and/or within other relevant contingency funds or reserves, with a view to establishing an Oxfordshire Winter Fuel Payment Protection Fund, akin to the Oxfordshire Resident Support Scheme, to ensure that pensioners who are in genuine~~

~~hardship, but who are not eligible for other government support, are helped through the Winter.”~~

Following debate, the amendment by Councillor Baines was lost with 13 votes in favour, 37 against and 1 abstention.

An amendment was proposed by Councillor Levy and seconded by Councillor Ley. This amendment was accepted by the proposer and seconder and by Council.

Following debate, the motion as amended was carried with 35 votes in favour, 13 against and no abstentions.

RESOLVED:

This Council notes the government’s decision to means-test Winter Fuel Payments (WFPs). Age UK estimates that such changes could **affect** ~~hit~~ 2 million people across the country, some of whom **may** badly need the money to stay warm this winter.

This Council resolves to:

1. Request that the Cabinet ~~requests a report from officers with proposals for promoting a District awareness campaign working with our local~~ **works with NHS, District Councils, partners, Parish Councils and charitable, civic and religious groups, to promote the full range of available support for low-income pensioners, including the Resident Support Scheme (RSS) and Better Housing Better Health. encourage elderly residents who are eligible for means-tested benefits such as Pension Credit to register and claim them to ensure that they continue to receive WFPs this Winter and that those in need are sign-posted to the continuing Recent Household Support Fund allocations have enabled these programs to expand and directly assist pensioners impacted by WFP changes, with libraries participating in the Warm Spaces initiative positioned for outreach to high-footfall pensioner areas.**

2. Request that the Leader of the Council writes to the Chancellor of the Exchequer, ~~urging~~ **calling for an impact assessment and transitional measures for pensioners affected by** ~~of the government’s decision to means testing WFPs and asking HM Treasury to examine transitional measures to ensure that vulnerable pensioners, particularly those who are eligible for, but who do not — or cannot — claim, other benefits under current thresholds, are protected from fuel poverty. This outreach should address barriers to Pension Credit access and advocate for simplified application processes to ensure equitable access.~~

3. Request ~~that the Cabinet~~ **to include addressing fuel poverty among low-income pensioners in the priorities of the council when allocating resources, for example using the Household Support Fund. Priority should be given to strengthening existing high-demand support programs and partnerships to maximize local resources. reprioritises**

~~monies within the Council's budget for 2024/5 held within the Budget Priority Reserve and/or within other relevant contingency funds or reserves, with a view to establishing an Oxfordshire Winter Fuel Payment Protection Fund, akin to the Oxfordshire Resident Support Scheme, to ensure that pensioners who are in genuine hardship, but who are not eligible for other government support, are helped through the Winter.~~

115/24 MOTION BY COUNCILLOR MARK CHERRY

(Agenda Item 15)

The motion was proposed by Councillor Cherry and seconded by Councillor Baines. Following debate, the motion was carried with 45 votes in favour; 0 against and 0 abstentions.

RESOLVED:

Council requests Cabinet to consider approving the Councils for Fair Tax declaration.

This commits Councils to

- Lead by example and demonstrate good practice in our tax conduct, right across our activities.
- Ensure IR35 is implemented robustly and contract workers pay a fair share of employment taxes.
- Not use offshore vehicles for the purchase of land and property, especially where this leads to reduced payments of stamp duty.
- Undertake due diligence to ensure that not-for-profit structures are not being used inappropriately by suppliers as an artificial device to reduce the payment of tax and business rates.
- Demand clarity on the ultimate beneficial ownership of suppliers, UK and overseas, and their consolidated profit & loss position, given lack of clarity could be strong indicators of poor financial probity and weak financial standing.
- Promote Fair Tax Mark certification especially for any business in which we have a significant stake and where corporation tax is due.
- Support Fair Tax Week events in the area, and celebrate the tax contribution made by responsible businesses that are proud to promote responsible tax conduct and pay their fair share of corporation tax.

Council also requests the Leader of the Council to write to the Chancellor of the Exchequer supporting calls for urgent reform of UK procurement law to enable local authorities to better penalise poor tax conduct and reward good tax conduct through their procurement policies.

116/24 MOTION BY COUNCILLOR JANE HANNA

(Agenda Item 16)

Councillor Hanna raised a point of order under Council Procedure Rules 15.6.1 stating that she believed the amendment proposed to this motion

introduced a substantially different proposal in that it effectively removed the Council as a stakeholder in the issue.

The Monitoring Officer responded that the amendment still involved writing a letter and the question of what was included in that letter was a matter for Council. If Members disagreed with the amendment, her advice was that they could vote against it.

The motion was proposed by Councillor Hanna and seconded by Councillor Levy.

The following amendment was proposed by Councillor Baines and seconded by Councillor Brighthouse.

“This Council notes that Oxfordshire's High Needs Block deficit is estimated to be £21.3 million for 2023/24, while across England the deficit totals £3.16 billion. The statutory override currently in place allows local authorities to temporarily hold this debt off their balance sheets but this measure only delays addressing a growing financial crisis.

The reasons behind the High Needs Block deficit are complex and reflect deep, systemic issues within the Special Educational Needs and Disabilities (SEND) system. **These issues were exacerbated by moves to increase eligibility for statutory support without additional financial assistance following the Coalition's Children and Families Act 2014.** ~~It is unrealistic to expect local authorities to manage such significant deficits in a short time frame without reform of the SEND system and baseline funding increases.~~

This Council believes that the current SEND system has lost the confidence of families.

This Council welcomes the new Government's commitment to regaining parents' confidence and commitment to whole-system reform. Council recognises these reforms will take time to develop and implement and welcomes the independent insight provided by the recent National Audit Office report.

~~Current SEND funding is based on outdated need due to an inadequate funding formula. Education Health Care Plans have risen from 3000 in 2014 to more than 7000 in 2024. Without reform, if the statutory override were to be removed, a quarter of local authorities would be insolvent within one year and another quarter within three years.~~

This Council requests that the Leader of the Council writes to the **Government welcoming the Treasury's contribution of £1 billion additional funding this year for SEND and plans for a Children's Wellbeing Bill** Secretary of State for Education to seek urgent clarity on the government's long-term plan for addressing the High Needs Block deficit. ~~Council recommends that the letter should call for reform of the SEND system to ensure it is fit for purpose and provide appropriate baseline~~

~~funding to ensure local authorities can sustainably manage their financial responsibilities without resorting to temporary fixes.”~~

Following debate, a motion was proposed to put the question of the amendment, proposed by Councillor Bartholomew and seconded by Councillor Reeves.

The motion was carried with 29 votes in favour, 11 against and 0 abstentions.

Following the summing up by the mover, the amendment was lost with 13 votes in favour, 29 against and 0 abstentions.

Following further debate on the motion, it was carried with 28 votes in favour, 14 against and no abstentions.

117/24 MOTIONS BY MEMBERS

(Agenda Items 17 to 20)

The time being 3.30 pm, these Motions were considered dropped in accordance with Council Procedure Rule 5.2.

..... in the Chair

Date of signing