

## OXFORDSHIRE COUNTY COUNCIL

**MINUTES** of the meeting held on Tuesday, 3 November 2009 commencing at 10.00 am and finishing at 17.02 pm

### **Present:**

Councillor Tony Crabbe – in the Chair

Councillors:

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

*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.*

### **84/09 MINUTES OF THE LAST MEETING**

(Agenda Item. 1)

**RESOLVED:** that the Minutes of the meetings of Council held on 8 September 2009 be approved and signed.

On Minute 74 (Questions with Notice from Members of the Council), Question 10 from Councillor Armitage, Council was advised that Councillor Mitchell's answer to the supplementary question was as follows:

"For the first quarter of this financial year, the Council paid to identified SME's 73.5% of invoices within 14 days of receipt."

## **85/09 APOLOGIES FOR ABSENCE**

(Agenda Item. 2)

Apologies for absence were received from Councillors Gibbard, Goddard, Handley, Malik, Sherwood, Shouler, R Smith and Tilley. Council agreed to ask the Chairman to send, on behalf of the Council, their best wishes to Councillor Shouler.

### **Section 85 of the Local Government Act 1972 – Approval of Absence**

**RESOLVED:** to approve, for the purposes of Section 85 of the Local Government Act 1972, the absence of Councillor Handley from any meeting of the Authority from the date of this meeting on the grounds of caring for his wife who is seriously ill.

## **86/09 DECLARATIONS OF INTEREST**

(Agenda Item. 3)

The following declarations of interest were made:

<b>Member</b>	<b>Item</b>	<b>Nature</b>
Brighthouse	Item 14 (Motion from Councillor Hutchinson)	Personal – Father in sheltered accommodation where the warden service has been withdrawn
Mrs Fulljames	Item 10(a)(15) (Report of the Cabinet)	Personal – lives near to one of the sites
Hibbert-Biles	Item 14 (Motion from Councillor Hutchinson)	Personal – Chairman of Supporting People Commissioning Body
L Sanders	Item 10(a)(8) (Report of the Cabinet)	Personal – Chair of Governors of Oxford School
N Turner	Item 10(a)(8) (Report of the Cabinet)	Personal – Member of the North Oxfordshire Academy's Governing Board run by ULT

## **87/09 OFFICIAL COMMUNICATIONS**

(Agenda Item. 4)

The Chairman reported that:

- (a) It was Children and Young People's 'Takeover' Day in the week beginning 2 November 2009. Council agreed to permit Francesca

Ingall (student) who was shadowing Councillor Chapman, Cabinet Member for Children, Young People & Families, to sit next to her in the Council Chamber and to answer a question from a member if she were able to do so. Council also agreed that photographs of the students attending the meeting could be taken if they stood to speak.

- (b) Staff Sergeant Olaf Schmid of the Royal Logistic Corps based with 11 Explosive Ordnance Disposal Regiment at Vauxhall Barracks, Didcot, had been killed on Saturday, 31 October 2009 in Afghanistan. Council agreed that the Chairman would send, on behalf of the Council, their thoughts and sympathy to his family.

## **88/09 APPOINTMENTS**

(Agenda Item. 5)

### **RESOLVED:**

- (a) to appoint Mrs Galina Kildyushova as the Parent/governor representative for primary schools on the Children's Services Scrutiny Committee;
- (b) to appoint Councillor J Sanders to replace Councillor Hutchinson on the Oxfordshire Joint Health Overview & Scrutiny Committee;
- (c) (by a majority and nem con) to appoint Professor Meryll Dean and Mr Mark Greenwood as independent members of the Standards Committee.

## **89/09 PETITIONS AND PUBLIC ADDRESS**

(Agenda Item. 6)

- (a) Dr Daryn Bowyer (Home Bursar, Pembroke College) addressed Council about the significant detrimental effect of buses stopping at G1 bus stop in St Aldate's, Oxford on the students of the College and asked that the location of the bus stop be reviewed to mitigate risks. Consideration of the address was taken with Item 16.
- (b) As part of Children and Young People's 'Takeover Day', Marie Biston, who was participating in Vtalent, a one-year volunteering course, addressed Council about Children and Young People's 'Takeover' Day. Council noted her address.

## **90/09 QUESTIONS WITH NOTICE FROM MEMBERS OF THE PUBLIC**

(Agenda Item. 7)

**Question from Mr Wilson, Weston-on-the-Green to Councillor Hudspeth, Cabinet Member for Growth & Infrastructure**

Is the Council aware of errors in transport calculations by Viridor?

Is the Council aware of the serious errors in the submission by Viridor ("*Vehicle Mileage Appraisal- Ardley EFW*", SLR additional data submitted on 15th August 2009) because the figures in the column headed "*Distance from Ardley (km)*" for the round trip distance are really miles. For example, the round trip distance Bicester/Ardley/Bicester is at least 6 miles not 6 km; and the Oxford /Ardley/Oxford distance is at least 26 miles, not 26 km.

In consequence the column "*Veh/km travelled*" should read "*Veh/miles travelled*" and the figures for fuel consumption, fuel cost and carbon production should all be increased, using the original rates of 9.0 mpg (RCVs) and 8.3 mpg (HGVs), £1.08 per litre and 2.68 kg/litre carbon production. The original values are shown in the left-hand columns, the corrected values in bold on the right.

Sector	Vehkm**	<b>Veh/miles</b>	Fuel ltr	<b>Fuel ltr</b>	Fuel cost*	<b>Fuel cost*</b>	t/CO2	<b>t/CO2</b>
RCVs	846,924	826,924	221,253	427,791	£238,953	£462,014	593	1,146
WTS	189,007	189,007	53,541	103,521	£57,824	£111,803	143	277
Fly ash	83,600	83,600	23,682	45,789	£25,576	£49,452	63	123
TOTAL		<b>1,099,531</b>	298,476	<b>577,101</b>	£322,353	<b>£623,269</b>	799	<b>1,546</b>
Error		403,855		278,625		£300,916		747

\*\*At least one of the distances quoted is wrong. The Alkerton/Ardley/Alkerton round trip is reported to be 29 km. but it is actually 39 miles.

\*Extra fuel cost is only one of the additional costs incurred in extra vehicle mileage.

### Answer from Councillor Hudspeth

Thank you for your question which related to information provided by Viridor Waste Management as part of their recent planning application. Officers have asked Viridor about the accuracy of this information but no response has been received as yet.

Regardless of the points made about alleged errors in Viridor's calculations the decision on the planning application for the energy from waste plant at Ardley has been taken. This question was not put in time for it to be investigated before the meeting of the Planning and Regulation Committee.

Transport Strategy & Development Control have confirmed that the data questioned was not an issue for their assessment which was confined to highway capacity and safety issues.

The points made relating to the alleged inaccuracy in the data seem to be aimed at the procurement decision rather than the planning decision. I have made it clear all along that the planning and procurement processes are completely separate. From a procurement point of view the County Council undertook its own work in relation to vehicle movements and mileages for the vehicles that would be used to deliver municipal waste. The data submitted by Viridor in support of their application and being questioned was not used in the procurement process at all.

(The member of public was unable to be present to ask the question in person.)

## **91/09 CONSTITUTION - CHANGES TO CABINET PORTFOLIO RESPONSIBILITIES AND REVIEW OF THE CONSTITUTION**

(Agenda Item. 8)

### **(a) Changes to Cabinet Portfolio Responsibilities**

The Council was advised that the Cabinet Member for Finance, Councillor Charles Shouler, had resigned from his post with effect from 30 September 2009. With effect from that date, there had been changes to responsibilities for executive functions.

In moving the recommendation, Councillor Mitchell reported that 'Governance' had also been added to the Deputy Leader's portfolio.

**RESOLVED:** (on a motion by Councillor Mitchell and seconded by Councillor Robertson) to note the changes to Cabinet Portfolio Responsibilities as set out below:

<b>Cabinet Member</b>	<b>Additional Functions</b>
Leader of the Council	Finance and Property
Deputy Leader of the Council	Procurement and Governance
Schools Improvement	Cherwell District Council liaison

### **(b) Review of the Constitution**

The Council had before them a report of the Monitoring Officer (CC8(b)).

Councillor Carter moved and Councillor Mathew seconded the adoption of the recommendation.

Councillor Stevens moved and Councillor Brighthouse seconded the following amendment (shown in italic typeface and by strikethrough):

Paragraph 10(d) of the Protocol on Members' Rights and Responsibilities to read as follows:

The Director for Children, Young People & Families will ensure that members are informed about ~~appropriate and significant~~ matters concerning schools *that are: (i) whose catchment areas lie within their divisions; or (ii) attended by a significant number of children living within their divisions.*

After debate, the amendment was lost by 47 votes to 17.

**RESOLVED:** (on a motion by Councillor Carter and seconded by Councillor Mathew and carried by 48 votes to 0) to approve the amended Protocol on Members' Rights and Responsibilities for immediate implementation.

## **92/09 AUDIT COMMITTEE - PROPOSED CHANGE TO THE COMMITTEE'S TERMS OF REFERENCE**

(Agenda Item. 9)

The Council was advised that the Audit Committee had considered, at its meeting on 23 September 2009, a report on the role of the Audit Committee in Treasury Management. The Communities & Local Government Committee and the Audit Commission had undertaken separate reviews looking at treasury management practices in local authorities produced as a result of public concerns raised following the collapse of Icelandic banks. In their separate reports, the Minister for Communities & Local Government had suggested and CIPFA and the Audit Commission had recommended that all local authorities should have an Audit Committee with specific responsibility for the scrutiny of the treasury management function.

**RESOLVED:** (on a motion by Councillor Wilmshurst and seconded by Councillor Jelf) to amend the Committee's terms of reference to include specifically the role of scrutinising and monitoring treasury management policies in accordance with the Audit Commission recommendation.

## **93/09 REPORTS OF THE CABINET**

(Agenda Item. 10)

The Council had before them the:

- (a) Report of the Cabinet meetings on 7 and 15 September and 20 October 2009 (CC10(a));
- (b) Report on Partnership Working in Oxfordshire (CC10(b)).

- (a) Report of the Cabinet

On Paragraph 8 (Question from Councillor Stevens), Councillor Waine agreed to ask the Director for Children, Young People & Families whether an equality impact assessment had been undertaken in connection with the proposals for secondary school provision in the Grove/Wantage area.

On Paragraph 8 (Question from Councillor Brighthouse), Councillor Waine agreed to ask the Director for Children, Young People & Families to notify all members how many surplus places there were for 4 year olds currently in Oxford and where the places were.

- (b) Report on Partnership Working in Oxfordshire

Council asked that, in future reports on the Oxfordshire Children and Young People's Trust, an explanation of the national indicator targets be given. In addition, Council asked that all reports on partnership working in future include an explanation of acronyms used in the reports.

## **94/09 QUESTIONS WITH NOTICE FROM MEMBERS OF THE COUNCIL**

(Agenda Item. 11)

28 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.

## **95/09 THEMED DEBATE - BREAKING THE CYCLE OF DEPRIVATION TAKING ACCOUNT OF THE RECESSION**

(Agenda Item. 12)

The Council had before them a report by the Head of Strategy (CC12).

Councillor Patrick moved and Councillor Godden seconded the recommendation as amended (shown in italic type) as follows:

Council is RECOMMENDED to *give advice to the Cabinet and the Oxfordshire Partnership in relation to the strategy for breaking the cycle of deprivation.*

During the debate, the following issues were raised:

### **Unemployment**

#### Young People

- Need more positive title for this group of young people than NEETS (Not in Education, Employment or Training).
- Lack of affordable social housing in pockets of deprivation and it is difficult for young people to set up home on their own.
- For 16-18 year-old NEETs, average level of unemployment was 7.1% in August (more than 10% of this group were in Banbury and Cowley/Iffley, nearly as many were in Didcot and almost 15% were in south-east Oxford). Within those figures, the vulnerable groups are not faring well with young people leaving care at 60%, young offenders at 70% and teenage mothers at 87%.
- Employers say they cannot offer apprenticeships as young people lack basic skills.
- UK has more young people in custody than other countries. When they are released from custody, they find it difficult to get work. In families where fathers have convictions, their sons are more likely to have convictions.
- Focus on opportunities the public sector (in particular the County Council) can create for young people e.g. employment for young people leaving care, more training/apprenticeships e.g. in caring.
- NEETS still face problems when they are over 18.
- Need facilities for young people e.g. keeping youth clubs operating.

#### General

- People other than young people also need jobs.
- People should be encouraged to claim all benefits to which they are entitled.

- Local voluntary groups can achieve more than statutory organisations and grants to the former should be protected.
- Work of agencies needs to be better co-ordinated.
- Lack of ambition from the political leadership.
- Poor housing may lead to low educational attainment to low skills to unemployment.
- Raise aspirations and help access to employment.
- UK only G7 country still in recession and the recession may get worse and continue for years.
- Banbury has lost manufacturing jobs and needs similar types of employment for those who have lost their jobs.
- Some families may have 3 generations' experience of unemployment
- Different solutions may be needed for different local areas.
- Invest in skills, housing and seek to attract investment into the County.
- Seek to insulate 1000 homes in Oxfordshire rather than subsidise car drivers.
- Back to Work action group and Improving Education output group have no funding for projects.
- Tackle deprivation by withdrawing funding from some areas and spending in deprived areas.

### **Hidden Deprivation**

#### Young People

- Not having a car impacts on the employment and social life of young people.
- Not everybody goes to university or achieves 'A' levels – need other jobs e.g. in caring, serving in shops.
- The Princes Trust seeks to encourage children to stay on at school and has bought bicycles/mopeds to enable children to see their friends.
- A young unemployed person may be the only young person in their village in the daytime.
- In 2002, no child at Cherwell School living on the Cutteslowe Estate continued their education at the school post 16. A Mentoring Scheme was introduced. Visits were made to the 67 families to talk about continuing at school and 19 of these children were persuaded to continue at school. The scheme did not require much funding.
- In some rural areas, people need their own transport as there is no public transport.

#### Older People

- Elderly people may see few people and may rely on the TV for company.
- Elderly people may have to rely on one weekly bus service to get to medical appointments.

#### Rural Areas

- In rural areas, it can be difficult to access services e.g. children centres, mobile libraries.
- Encourage villages to work together on community transport schemes



- New government initiatives introduced to tackle deprivation rarely get to rural areas.
- Marie Biston (the young person who spoke at the meeting) asked about free transport post 16 to educational establishments; it is a tax on learning for children in rural areas.

#### General Issues

- Concerned that Home Start support may be withdrawn as some families need services taken to them.
- Green gyms have been set up in some areas to encourage well-being.

### **Health Inequalities**

#### Funding

- Oxfordshire has lowest funding per capita in the country.
- Public health is the poor relation and needs more funding.
- EU regional policies funding is available to tackle health inequalities.

#### General Issues

- All major health services are in Oxford and as a consequence some people in the county live a long way from an acute hospital/JR Hospital.
- The Director of Public Health is our “conscience” – breaking the cycle of deprivation is one of his objectives.
- Oxfordshire Joint Health Overview & Scrutiny Committee is looking at equity of access/outcomes. The Centre for Public Scrutiny has resources for a beacon authority to combat health inequalities and Oxfordshire is considering bidding for resources.
- Rising number of over 50s and so need to target services accordingly.
- Carers can face economic hardship as some have to give up work to be carers.

### **Narrowing the Gap**

#### Education

- Lower educational attainment levels by persistent absentees from schools and pupils with behavioural and social disorders.
- Better nutrition to improve concentration and learning – hence the importance of breakfast clubs.
- Physical health games/Physical Education to improve well-being of pupils.
- School curriculum needs to be stimulating.
- Short-term target should be to improve discipline at home and school.
- Need investment in schools as a basic education is needed by all.
- Children learn social skills in children’s centres/nursery schools.

#### General Issues

- Long-term target should be to raise aspirations.
- Concern that most recommendations of the scrutiny review on social inclusion have not been implemented.

- Difficult to build up social capital in large urban centres enabling communities to do things for themselves.
- Communities should all be part of raising children.
- Support marriage/family values.
- Many organisations may be involved in helping a family but one main contact person might be better.

**RESOLVED:** to give advice to the Cabinet and the Oxfordshire Partnership in relation to the strategy for breaking the cycle of deprivation.

## **96/09 MOTION FROM COUNCILLOR ANNE PURSE**

(Agenda Item. 13)

Councillor Purse moved and Councillor Fooks seconded the following motion:

“This Council notes:

- (a) the urgent nature of climate change, and the need to act within the next few years, and
- (b) the lack of sufficient progress towards the Council's own targets of 18% reduction in CO<sub>2</sub> produced as outlined in recent Cabinet papers.

This Council also notes the recent dismissal of calls to join the 10:10 climate change targets, despite the fact that many other local authorities are taking this initiative on board.

This Council therefore recommends Cabinet to:

- (a) sign up to 10:10 as an interim indication of the Council's intention to meet its targets; and
- (b) urgently find new methods to deliver better carbon management by this authority by:
  - (1) researching into opportunities for carbon offsetting on suitable land owned by the County Council;
  - (2) developing incentive schemes to encourage better energy use in buildings and services which are failing to get the carbon savings needed by this Council, especially in our schools; and
  - (3) aiming to ensure that all new additions to buildings make a positive contribution to the carbon footprint of the building.”

After debate, the motion was lost by 45 votes to 17.

## **97/09 MOTION FROM COUNCILLOR HUTCHINSON**

(Agenda Item. 14)

Councillor Hutchinson moved and Councillor Brighthouse seconded the following motion:

“This Council accepts that governance requires decisions and that those decisions reflect the values of the decision makers. Council also acknowledges the benefit of low level care such as wardens in sheltered accommodation to elderly and disabled people. It also agrees that it is wrong to take resources away from one vulnerable group because we need to properly support another. Council therefore asks the Cabinet to pledge their support for the service and to acknowledge that without the warden service the financial costs to the Council would be much higher as many people would then require more extensive levels of care and assistance.”

After debate, the motion was lost by 47 votes to 8.

#### **98/09 MOTION FROM COUNCILLOR VAL SMITH**

(Agenda Item. 15)

Councillor V Smith moved and Councillor Stevens seconded the following motion:

“This Council congratulates the Sure Start/Children’s Centre Project Team in Oxfordshire for completing the programme which provides important support to families across the county.

We recognise the success they have achieved and that the full benefit of their work will be realised over the coming years as the children mature and families grow stronger. The importance of Sure Start will be seen in the stable families, stronger communities and the reduction in anti social behaviour that their early intervention work will engender.

We applaud the Sure Start/Children’s Centre staff for their commitment to our children and families. We thank the county officers who have driven this forward and congratulate Council and especially Councillor Chapman for their longstanding commitment to these centres.

Council therefore asks that Cabinet continues the project and so reaps the benefits for the people of Oxfordshire.”

Councillor Chapman moved and Councillor Waine seconded the following amendment (shown in italic type):

“This Council congratulates the Sure Start/Children’s Centre Project Team in Oxfordshire for completing the programme which provides important support to families across the county.

We recognise the success they have achieved and that the full benefit of their work will be realised over the coming years as the children mature and families grow stronger. The importance of Sure Start will be seen in the stable families, stronger communities and the reduction in anti social behaviour that their early intervention work will engender.

We applaud the Sure Start/Children's Centre staff for their commitment to our children and families. We thank the county officers who have driven this forward and congratulate Council and especially Councillor Chapman for their longstanding commitment to these centres.

Council therefore asks that Cabinet continues the project and so reaps the benefits for the people of Oxfordshire, *providing the government continues with the funding.*"

After debate, the amendment was carried by 53 votes to 7.

**RESOLVED:** (nem con):

"This Council congratulates the Sure Start/Children's Centre Project Team in Oxfordshire for completing the programme which provides important support to families across the county.

We recognise the success they have achieved and that the full benefit of their work will be realised over the coming years as the children mature and families grow stronger. The importance of Sure Start will be seen in the stable families, stronger communities and the reduction in anti social behaviour that their early intervention work will engender.

We applaud the Sure Start/Children's Centre staff for their commitment to our children and families. We thank the county officers who have driven this forward and congratulate Council and especially Councillor Chapman for their longstanding commitment to these centres.

Council therefore asks that Cabinet continues the project and so reaps the benefits for the people of Oxfordshire, providing the government continues with the funding."

## **99/09 MOTION FROM COUNCILLOR ALAN ARMITAGE**

(Agenda Item. 16)

Councillor Armitage moved and Councillor D Turner seconded the following motion:

"Council notes that since the implementation of Phase 1 of Transform Oxford:

- (a) Congestion caused by buses waiting in St Aldate's has increased significantly, making it very difficult for bicycles to overtake safely;
- (b) A considerable increase in people waiting for buses on the pavement has made it impossible on occasions for pedestrians to pass bus stops in St Aldate's without stepping into the road;

- (c) The designation of a bus bay right up to the corner of the road into Pembroke Square has created a particularly hazardous concatenation of waiting bus users, stationary buses, passing pedestrians, cyclists and vehicles using Pembroke Square, without clear sight lines;
- (d) Rural bus users are having to walk considerably further from the main shopping area in order to find their bus stops.

Council therefore recommends that Cabinet presses ahead urgently with the bus companies in forming a Bus Quality Partnership in order to reduce the total number of buses in the centre of the city and to reduce the number of bus stops extending along St Aldate's. Cabinet is also urged to ask for an urgent review of the situation close to Pembroke Square."

After debate, the motion was lost by 43 votes to 15.

In response to a comment from Councillor Armitage that it was stated in the leaflet about Transform Oxford that Queen Street would need to be dug up again in two years' time, Councillor Hudspeth replied that Queen Street would not need to be dug up again and asked that this be recorded in the minutes.

..... in the Chair

Date of signing ..... 2010