

OXFORDSHIRE COUNTY COUNCIL

MINUTES of the meeting held on Tuesday, 10 July 2018 commencing at 10.00 am and finishing at 3.30 pm.

Present:

Councillor Gill Sanders – in the Chair

Councillors:

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

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.

216/18 MINUTES

(Agenda Item 1)

The Minutes of the Meeting held on 15 May 2018 were approved as an accurate record, subject to the correction printed on the Schedule of Business.

217/18 APOLOGIES FOR ABSENCE

(Agenda Item 2)

Apologies for absence were received from Councillors Atkins, Billington, Johnson and Walker.

218/18 PETITIONS AND PUBLIC ADDRESS

(Agenda Item 6)

Council received the following public address:

Dr D Stork CPhys FInstP Hon Chairman, Group Against Reservoir Development (GARD) spoke in support of Agenda Item 18 (Motion by Councillor Mike Fox-Davies) against proposals to build a huge 'bunded' (or walled) reservoir in the area between the villages of Steventon – East Hanney and Drayton. GARD also campaigned in favour of environmentally sound and sustainable water resource policies for the south-east.

GARD had been opposing Thames Water's plans for over 20 years, and in 2010, successfully took a leading role in the fight against the reservoir (with Local Councils and Campaign to Protect Rural England support) at the Public Inquiry. The PI threw out the reservoir proposal and stated that, in future Thames Water should conduct proper options assessments for their Water Resource Management Plans.

The reservoir size was 150 Million cubic metres in all plans. This was 50% larger than the plan thrown out at the 2010 Public Inquiry. The reservoir, which would probably be the biggest bunded reservoir in the world, would contain 150 Million tonnes of water behind its retaining banks. Its construction, over 10 years, would devastate quality of life in the local area. Once built, its visual impact on neighbouring villages was huge and represented a threat to flood prevention in the area.

A new feature was that Thames Water now intended to sell water from the reservoir to other SE companies outside their area. Figures show that 40% of reservoir water is for sale after 2065.

He called upon the Council to support GARD and DEFRA in obtaining a second public consultation when the revised Thames Water's draft Water Resources Management Plan (dWRMP19) was produced.

219/18 QUESTIONS WITH NOTICE FROM MEMBERS OF THE PUBLIC

(Agenda Item 7)

The Leader of the Council was asked the following Question by Dr Al Chisolm

In March this year, a motion was passed unanimously by the councillors in this room calling on the Pension Fund Committee to take the best and latest advice on ESG matters, with reference to the Norwegian Sovereign Pension fund's divestment from oil and gas. This is to be welcomed and is in line with

the warning from the Pensions Minister, Guy Opperman, who in March told the House of Commons Environmental and Audit Committee that many trustees are failing to fulfil their duty to consider climate risk.

Since the motion was passed, yet another report has been published, this time by the highly reputable London School of Economics, demonstrating that removing investments from fossil fuel companies has no detrimental effect on returns, but that continuing to invest in them comes with the serious risk of stranded assets. The case for getting out of fossil fuels couldn't be clearer or more urgent as many major investors, including New York State, have understood.

The Pension Fund Committee has the means to act in line with the motion to protect the Pension Fund from climate risk. The Brunel Pension Partnership offers Low Carbon and Sustainable funds, but so far, the committee has rejected these options. There is no evidence that the motion passed by full council was even discussed at the subsequent Pension Fund Committee meeting.

There appears to be a glaring gap between rhetoric and action on mitigating climate risk. What concrete action has been taken in response to the Council's motion and how will you hold the Pension Fund Committee to account on this matter?

Answer

The questions asked are a matter for the Pension Fund Committee which has fully delegated responsibility for all matters associated with the management of the Oxfordshire Pension Fund.

I am aware that the Committee has considered the issues associated with climate change and fossil fuel investments on numerous occasions and has set out their position and asset allocation in its Investment Strategy Statement. I also understand that in preparing this Statement, the Committee had advice from its Independent Financial Advisor, and from the Chief Responsible Investment Officer for the Brunel Partnership. The latter is internationally recognised within the investment community as a leading authority on responsible and sustainable investment.

The Committee is continuing its work with the Responsible Investment Team at Brunel to develop reporting in this area, so that the Pension Fund Committee can demonstrate the results of its current policies in this area, as part of its overall management of the Pension Fund.

Supplementary Question

It is true that in March 2017, Climate risk was added to that Investment strategy statement. Since then climate risk has increased but as far as we can tell no asserts have been moved away from fossil fuels as a result.

Will you encourage the Pension Fund to transfer assets including the £21m invested directly in Shell to the Brunel Partnership Low Carbon or sustainable funds as soon as possible?

Answer

It would be inappropriate for me as Leader to direct the Pension Fund Committee in something that they have delegated responsibility for. There are however members of the Pension Committee here today and I am sure they will bring it to the attention of the Committee.

220/18 QUESTIONS WITH NOTICE FROM MEMBERS OF THE COUNCIL

(Agenda Item 8)

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

In relation to question 4 (Question from Councillor Howson to Councillor Hilary Hibbert-Biles) Councillor Hibbert-Biles undertook to write to the Regional School Commissioner to ask them how many EU teachers are employed in academies in Oxfordshire, cautioning that they were not obliged to respond.

In relation to question 5 (Question from Councillor Howson to Councillor Hilary Hibbert-Biles) Councillor Hibbert-Biles undertook to ask the Learning and Skills Council for an assurance that they would not be pulling funding from the Swan School due to the current delay in planning permission.

221/18 APPOINTMENT OF A JOINT CHIEF EXECUTIVE FOR OXFORDSHIRE COUNTY COUNCIL AND CHERWELL DISTRICT COUNCIL

(Agenda Item 9)

On 4 June 2018, Cabinet had agreed to work in partnership with Cherwell District Council and to adopt joint working arrangements with Cherwell on the basis of a formal 'Section 113 Agreement' under the Local Government Act 1972. This included an agreement that there should be a joint chief executive for both authorities with the intention that this person should also be appointed as the statutory Head of Paid Service for Oxfordshire County Council.

Council had before it a report which set out the recommendations of the Council's Remuneration Committee on the appointment of a Joint Chief Executive and Head of Paid Service for Oxfordshire County Council and Cherwell District Council. The report also recommends that if this appointment was agreed, there was then a need to agree the ending, on the grounds of redundancy, of the role of the County Council's current Chief Executive, as this post would no longer be required.

The Council's Constitution incorporated statutory rules which the authority must follow when determining the appointment of a senior manager such as the Chief Executive or 'Head of Paid Service'.

At this meeting, Full Council was receiving the recommendation of the Remuneration Committee as to an appointment of Joint Chief Executive and Head of Paid Service. Once an initial determination to appoint had been made, the Proper Officer would consult Cabinet members. Full Council would also be asked to make an initial decision on the ending of the current Chief Executive and Head of Paid Service role on the grounds of redundancy. Cabinet members would be consulted on this also.

At a second meeting, scheduled for later today, Council would consider any comments from Cabinet and would determine whether to confirm any such appointment. If so, it will also consider the matter of any redundancy.

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

Following Debate in which the Council paid tribute to Peter Clark, Chief Executive, the motion was put to the vote and was carried by 45 votes to 14.

RESOLVED: (45 votes to 14) to:

- (a) agree that Yvonne Rees should be appointed to the post of Joint Chief Executive and Head of Paid Service of Oxfordshire County Council with effect from the 1 October 2018; and in consequence
- (b) agree to the ending of the current Chief Executive and Head of Paid Service role on the grounds of redundancy; and
- (c) in consequence of 1 and 2., to ask the Proper Officer, under Part 8.4(4) and (10) of the Constitution, to notify members of Cabinet of these intentions in order to seek their views on the proposed appointment and redundancy.

222/18 ANNUAL REPORT OF THE TRANSITION FUND FOR CHILDREN'S SERVICES

(Agenda Item 10)

The Oxfordshire Together Transition Fund for open-access children's services had been running for one year. The Council had before it the first Annual Report on outcomes from grants made to community organisations from the Fund.

The report set out the background to the County Council's move to a community-led approach to open-access children's services and how the Transition Fund grants had been awarded. It further set out the types of services being delivered, how they link to other services and the feedback from residents on the quality of provision.

RESOLVED: (on a motion by Councillor Gray, seconded by Councillor Hudspeth and carried nem con) to note the report.

223/18 2018/19 REQUESTS FOR SUPPLEMENTARY ESTIMATE

(Agenda Item 11)

As set out in the Provisional Revenue and Capital Outturn Report to Cabinet on 19 June 2018, all over and underspends had been transferred to general balances. This included an underspend of £123,909 on the Transition Fund for open access children's services.

Applications to the fund were considered by a cross-party panel of Councillors in seven rounds during in 2017/18. A total of £876,091 was allocated to be used over the agreed three-year period. This left a balance of £123,909 as the fund had now closed to new applications.

Council had before it a report which proposed that Council approve the use of the £123,909 underspend and that it is transferred to the Budget Priorities Reserve until it is required.

With the consent of Council, Councillor David Bartholomew moved and Councillor Brighthouse seconded an alteration to the recommendations at the suggestion of Councillor Liz Brighthouse as shown in bold underline below:

Council is RECOMMENDED to approve the use of the £123,909 underspend on the Transition fund for open access children's services which will be transferred to and until required for this purpose transfer to the Budget Priorities Reserve until required.

Following debate, the recommendations as amended were put to the vote and were carried nem con.

RESOLVED: (nem con) to approve the use of the £123,909 underspend on the Transition fund for open access children's services and until required for this purpose transfer to the Budget Priorities Reserve.

224/18 CORPORATE PLAN

(Agenda Item 12)

The Council had before it the Corporate Plan (**CC12**) which set out the County Council's overarching strategy for the period 2018-2021, together with an updated vision for 'thriving communities' in Oxfordshire and described the council's main priorities and the specific actions that will be taken in the period to March 2019.

This document built on a short, public-facing document (the 'prospectus') which was published in October 2017 and summarised the council's vision and priorities. The Corporate Plan 2018- 2021 expands on the messages in the prospectus, drawing together our vision, values and the key areas of focus for the coming year.

RESOLVED: (on a motion by Councillor Heathcoat, seconded by Councillor Hudspeth and carried nem con) to receive the report.

225/18 ANNUAL REPORT OF THE SCRUTINY COMMITTEES

(Agenda Item 13)

The Council had before it the Scrutiny Annual Report which provided a summary of the work and impact of the council's three scrutiny committees; Performance Scrutiny, Education Scrutiny and Health Overview & Scrutiny, and any Cabinet Advisory Groups appointed by Cabinet during the year.

The report (**CC13**) was structured by committee and highlighted where the committees' influence had been greatest. It emphasised the areas where scrutiny had a tangible impact on decision-making and held decision-makers to account.

Both the Audit and Governance Committee and Performance Scrutiny Committee had reviewed this report and its layout and content had been amended to reflect their comments.

RESOLVED: (on a motion by Councillor Brighthouse, seconded by Councillor Waine and carried nem con) to receive the report.

226/18 REPORT OF THE CABINET

(Agenda Item 14)

Council received the report of the Cabinet.

In relation to paragraph 5 of the report (Adult Social Care Contributions Policy) (Question from Councillor Afridi to Councillor Stratford) Councillor Stratford undertook to provide Councillor Afridi with a written answer on how many assessments have now taken place and how many residents have been adversely affected by the Policy.

In relation to paragraph 6 of the report (Area Highway Operations in the City Council Authority Boundary – Agency Agreement) (Question from Councillor Buckley to Councillor Constance) Councillor Constance undertook to provide greater clarity in the form of written guidance to officers and members around how the new process is going to work in relation to the Agency Agreement and who is responsible for what.

In relation to paragraph 8 of the report (Thames Water – Draft Water Resources Management Plan 2019) (Question from Councillor Mathew to Councillor Constance) Councillor Constance undertook to investigate the issue of Sewer Flooding through Cabinet or CAG.

In relation to paragraph 12 of the report (Provisional 2017/18 Revenue and Capital Outturn) (Question from Councillor Howson to Councillor Bartholomew) Councillor Bartholomew undertook to provide Councillor Howson with a written answer in relation to whether the £0.2m overspend

referred to at 55.5 could be reclaimed from Network Rail or central government.

227/18 MOTION BY COUNCILLOR LIZ BRIGHOUSE

(Agenda Item 15)

With the Consent of Council, Councillor Liz Brighouse moved and Councillor Waine an alteration to her Motion as shown in bold italics/strikethrough below:

“This Council believes that children with SEND should not have their transport to and from schools and associated activities cut. This Transport enhances their lives and enables their parents to work and contribute to the economy.

The Council asks the Director for Children's Services to consider, with the affected Schools' Heads and other interested parties, this issue in order to come up with other options to curtail these costs rather than withdrawing provision from these vulnerable children and their families. Such options to include working with schools to maximise the use of the maintenance grants and looking at alternative procurement practices including better use of the integrated transport service.

The results of this work to be considered by the Education Scrutiny Committee as part of their policy development role before being determination at Cabinet ***Council endorses the use of*** ~~Any shortfall in the budget to be funded from reserves~~ ***in the event of any shortfall in the Budget*** until such time as all the options have been considered.

Cabinet is requested to defer implementation of the recent changes to the home to school transport policy until these alternative options have been diligently pursued and evaluated."

Following debate, the motion as amended was put to the vote and was carried by 51 votes to 0, with 7 abstentions.

RESOLVED: (by 51 to 0, with 7 abstentions)

“This Council believes that children with SEND should not have their transport to and from schools and associated activities cut. This Transport enhances their lives and enables their parents to work and contribute to the economy.

The Council asks the Director for Children's Services to consider, with the affected Schools' Heads and other interested parties, this issue in order to come up with other options to curtail these costs rather than withdrawing provision from these vulnerable children and their families. Such options to include working with schools to maximise the use of the maintenance grants and looking at alternative procurement practices including better use of the integrated transport service.

The results of this work to be considered by the Education Scrutiny Committee as part of their policy development role before being determined at Cabinet Council endorses the use of reserves in the event of any shortfall in the Budget until such time as all the options have been considered.

Cabinet is requested to defer implementation of the recent changes to the home to school transport policy until these alternative options have been diligently pursued and evaluated."

Following debate, the motion as amended was put to the vote and was carried by 51 votes to 0, with 7 abstentions.

228/18 MOTION BY COUNCILLOR SUSANNE BARTINGTON

(Agenda Item 16)

With the Consent of Council, Councillor Bartington moved and Councillor Cherry seconded an alteration to her Motion as shown in bold italics/strikethrough below:

The rate of global plastic production has increased in recent years with an estimated 8-12 million tonnes of plastic entering the world's oceans each year. Plastic production and pollution on this scale is unsustainable and harmful to our planet, health and wildlife.

"This Council welcomes ~~the proposals by the Government~~ **plans to reduce waste from single use plastics (SUP'S) including a** ~~to ban~~ **on the sale of** plastic straws plastic stirrers and plastic-Stemmed cotton buds **and consultation for extension of the 5p plastic bag charge and introduction of a bottle deposit return scheme. These proposals, demonstrate** the government's commitment **within the 25-year Environment Plan** to **eliminating** all **avoidable** ~~reduce the use of~~ plastic waste by 2042.

This Council asks **resolves to work towards elimination of all avoidable plastic waste and calls upon the** ~~that~~ **Cabinet Member for Environment to bring** ~~comes forward~~ **proposals by** ~~with a realistic timetable to stop using plastic straw, plastic stirrers, plastic cotton bud, non-recyclable cups and single use plastics by the Autumn~~ **2018 to:**

~~This Council asks that the Leader of the Council write to the Secretary of State for Environment congratulating him on his progressive proposals:"~~

(i) Phase out the use of avoidable SUPs in all County Council premises.

(ii) Work with contracted partners to end purchase and procurement of avoidable SUPs through the Council supply chain.

(iii) incentivise traders on County Council sites to avoid SUPs as a condition of their event permission.

With the consent of Council, Councillor Bob Johnson withdrew his motion.

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

RESOLVED: (unanimously)

“The rate of global plastic production has increased in recent years with an estimated 8-12 million tonnes of plastic entering the world's oceans each year. Plastic production and pollution on this scale is unsustainable and harmful to our planet, health and wildlife.

This Council welcomes Government plans to reduce waste from single use plastics (SUP'S) including a ban on the sale of plastic straws plastic stirrers and plastic-Stemmed cotton buds and consultation for extension of the 5p plastic bag charge and introduction of a bottle deposit return scheme. These proposals, demonstrate the government's commitment within the 25-year Environment Plan eliminating all avoidable plastic waste by 2042.

This Council resolves to work towards elimination of all avoidable plastic waste and calls upon the Cabinet Member for Environment to bring forward proposals by Autumn 2018 to:

(i) Phase out the use of avoidable SUPs in all County Council premises.

(ii) Work with contracted partners to end purchase and procurement of avoidable SUPs through the Council supply chain.

(iii) incentivise traders on County Council sites to avoid SUPs as a condition of their event permission.”

229/18 MOTION BY COUNCILLOR RICHARD WEBBER

(Agenda Item 17)

With the Consent of Council, Councillor Webber withdrew his Motion.

230/18 MOTION BY COUNCILLOR MIKE FOX-DAVIES

(Agenda Item 18)

With the consent of Council, Councillor Fox-Davies moved and Councillor Bob Johnston seconded an alteration to his motion at the suggestion of Councillor Bob Johnston as shown in strikethrough below:

“The Thames Water Draft Resources Management Plan (dWRMP19), consultation was opened on the 8th. February and closed on the 29th April. The plan proposes a new reservoir near Abingdon to serve the forecast needs of not only the Thames Water area, but also the wider South East.

The consultation response from OCC looks for clarification on: -

- the population forecast figures;
- how much water will be sold to other water companies;
- how Thames Water will speed up their programme of leakage reduction.

This Council supports the position of- GARD in response to the plan which asks Thames Water to: -

- Reduce leakage by half by 2050;
- Improve water-use efficiency to match the norms of other companies;
- Provide a proper analysis of water available through other measures, including Teddington DRA; ~~Severn-Trent water transfer~~ and water re-use.

Which together should together solve the water shortage issue and provide a 1 in 200 severity drought resilience.

And calls on the Leader of the Council to write to Thames Water, Defra, the Environment Agency and Ofwat, requesting that a second consultation be undertaken due to incomplete information or errors on the information used to base their recommendations."

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

RESOLVED: (unanimously)

“The Thames Water Draft Resources Management Plan (dWRMP19), consultation was opened on the 8th. February and closed on the 29th April. The plan proposes a new reservoir near Abingdon to serve the forecast needs of not only the Thames Water area, but also the wider South East.

The consultation response from OCC looks for clarification on: -

- the population forecast figures;
- how much water will be sold to other water companies;
- how Thames Water will speed up their programme of leakage reduction.

This Council supports the position of- GARD in response to the plan which asks Thames Water to: -

- Reduce leakage by half by 2050;
- Improve water-use efficiency to match the norms of other companies;
- Provide a proper analysis of water available through other measures, including Teddington DRA and water re-use.

Which together should together solve the water shortage issue and provide a 1 in 200 severity drought resilience.

And calls on the Leader of the Council to write to Thames Water, Defra, the Environment Agency and Ofwat, requesting that a second consultation be undertaken due to incomplete information or errors on the information used to base their recommendations."

231/18 MOTION BY COUNCILLOR SUSANNA PRESSEL

(Agenda Item 19)

Councillor Pressel moved and Councillor Banfield seconded the following motion:

"DEFRA is considering whether to grant a licence to expand the badger cull to areas of lower risk, including Oxfordshire.

There has been 5 years of culling in high risk areas at a cost to the UK tax payer of £50m so far. Not only has there been no significant reduction in bovine TB, there has actually been an increase.

So far culling has had the effect of causing badgers to move to other areas. Any that do have TB may be spreading it further. This is entirely predictable and impossible to prevent.

This Council resolves to ask the Leader to write to DEFRA saying that we are opposed to the licensing of a badger cull in Oxfordshire."

Following debate, the motion was put to the vote and was carried by 23 votes 19, with 13 abstentions.

RESOLVED: Accordingly.

232/18 MOTIONS BY COUNCILLORS MARK CHERRY, LAURA PRICE AND JOHN HOWSON

(Agenda Item 20)

The time being 3.30, these motions were considered dropped in accordance with Council Procedure Rule 15.1.

..... in the Chair

Date of signing