

WEST OXFORDSHIRE DISTRICT COUNCIL

At the Meeting of the
WEST OXFORDSHIRE DISTRICT COUNCIL
held in the Council Chamber, Council Offices, Woodgreen,
Witney, on Wednesday 2 September 2015 at 2.00 pm.

PRESENT

Councillors: N A MacRae MBE (Chairman), Mrs M J Crossland (Vice Chairman), A J Adams, Mrs J C Baker, M A Barrett, R J M Bishop, M Brennan, Mrs L J Chapman, A S Coles, J C Cooper, D A Cotterill, C Cottrell-Dormer, R A Courts, C G Dingwall, Mrs J M Doughty, H B Eaglestone, P Emery, Mrs E H N Fenton, E J Fenton, S J Good, A M Graham, J Haine, A D Harvey, Miss G R Hill, P D Kelland, R A Langridge, Ms E P R Leffman, Mrs L E C Little, R D J McFarlane, J F Mills, T J Morris, B J Norton, T N Owen, Dr E M E Poskitt, A H K Postan, Mrs C E Reynolds, W D Robinson, G Saul, T B Simcox, G H L Wall and B J Woodruff.

21. MINUTES

RESOLVED: that the Minutes of the meeting of the Council held on 24 June 2015, copies of which had been circulated, be confirmed as a correct record and signed by the Chairman.

22. APOLOGIES FOR ABSENCE

Apologies for absence were received from A C Beaney, Mrs L C Carter, N G Colston, P J G Dorward, D S T Enright, P J Handley, H J Howard and E H James.

23. DECLARATIONS OF INTEREST

There were no declarations of interest from members or officers.

24. RECEIPT OF ANNOUNCEMENTS

24.1 Sir Barry Norton K.T.

The Chairman reported that Councillor Norton had been awarded a knighthood in the recently announced Dissolution Honours list. Mr MacRae gave his congratulations on behalf of all members and officers of the council.

Mr Norton responded that he was overwhelmed to have received such an accolade and by the good wishes he had received from a wide range of people. Mr Norton indicated that whilst the award recognised his time in public service and service to the residents of North Leigh in particular and West Oxfordshire as a whole it had only been possible with the support of colleagues and friends.

Mr MacFarlane gave his congratulations and suggested that the award was richly deserved as recognition of how Mr Norton had led the council.

Mr Cooper, Leader of the Liberal Democrat Group, indicated that the award was recognition of the hard work and dedication to the people of the district that Mr Norton had demonstrated over a number of years. Mr Cooper advised that he had personally enjoyed working with Mr Norton and gave his congratulations on behalf of the Liberal Democrat Group.

Mr Saul, Deputy Leader of the Labour Group, gave his congratulations on behalf of the Labour Group. Mr Saul emphasised that it was positive that people in local government were being recognised for their hard work.

24.2 Councillor Carol Reynolds

The Chairman welcomed Councillor Mrs Reynolds to her first meeting of the council following her election at the recent Witney North by-election.

24.3 Councillor Mick Brennan

Mr MacRae welcomed Mr Brennan back to the council following his accident earlier in the year. The Chairman wished Mr and Mrs Brennan good luck with their continued recovery.

24.4 Andrew Tucker

The Chairman reported that Andrew Tucker, Strategic Director, would be retiring from the authority on 25 September 2015 and there would be a farewell event at 4.00pm on that date. Mr MacRae thanked Mr Tucker for his hard work and highlighted the work that had been undertaken in respect of the Local Plan and Oxfordshire Growth Board. It was advised that Christine Gore was already in post and would be taking on the role from Mr Tucker.

24.5 Member Briefings

The Chairman reminded members that a briefing on issues associated with the A40 would be held on Wednesday 16 September 2015 commencing at 3.00pm. In addition a workshop in respect of the new waste contract would be held on Thursday 17 September 2015 commencing at noon.

24.6 Devolution Bid and 2020 Update

Mr Norton reported that as members may already have been aware the Oxfordshire District Councils and the County Council had been in discussion in recent weeks about whether to submit a proposal to Government seeking greater devolution powers. If a Deal was to be considered as part of the Chancellor's Comprehensive Spending Review then proposals needed to be submitted by 4 September 2015. A large number of places including Core Cities and County areas were intending to submit proposals.

An outline submission had been put together for Oxfordshire over a very short timescale which built on the successful work of the Oxfordshire Growth Board supporting the Local Enterprise Partnership to deliver on its objectives set out in the Strategic Economic Plan.

Mr Norton advised that following a meeting of Oxfordshire Leaders with Government Officials the previous week it was considered that the ambition should be modest, focusing on the current areas of strength around Health and Social Care; strategic transport infrastructure; and skills.

The proposals would also include 'hooks' for those areas such as housing and growth that may wish to be developed further in any future negotiations. It was agreed that no commitments should be made around housing numbers beyond current plans; joint strategic planning arrangements; nor pooling of New Homes Bonus. Rather it should set out current activities around planning and the delivery of the planned housing numbers for the County.

Mr Norton emphasised that the council would not be committing to changing existing joint governance arrangements with the Growth Board and LEP but may be prepared to undertake a review of these arrangements should they be required as part of any devolution deal.

Mr Norton advised that further discussion would take place at the next Oxfordshire Leaders meeting on 3 September 2015 to determine whether to submit a proposal. It was reiterated that submitting a proposal did not constitute any formal position on behalf of

this Council and any details would be subject to full discussion and the agreement of the Council.

In respect of the 2020 Vision project Mr Norton reported that the business case was being further developed using government grant and that a report had been approved by the Governance Board for consideration by each partner authority. The report would be considered at the forthcoming meetings of Finance and Management Overview & Scrutiny Committee, Cabinet and Council.

Mr Coles referred to the devolution bid and sought clarification that Oxford City Council had been involved in discussions as they had specific issues that could impact. Mr Norton confirmed that the city council was fully involved in the process.

Mr Cooper indicated that many members had not been aware of the devolution discussions and asked for a report to be presented at the next Cabinet meeting giving more detail. Mr Norton restated that there was no commitment on the council at this stage and that any decisions would be dependent on the outcome of the bid, and agreed that a briefing paper could be provided for the Cabinet meeting on 16 September.

24.7 West Oxfordshire Draft Local Plan

Mr Robinson preceded his announcement by thanking Andrew Tucker for his help and support during his time as Cabinet Member with responsibility for Planning.

Mr Robinson confirmed that the draft Local Plan had been submitted for inspection and confirmation had been received that hearings would commence on 6 October 2015. The first hearing sessions would deal with strategic issues before an adjournment until November when site specific matters would be considered.

Mr Robinson advised that the Inspector had already asked a number of questions relating to the plan and responses had been sent. Information relating to the inspection was available on the council website.

24.8 Chipping Norton and Witney Hospitals

Mr Mills, Cabinet Member with responsibility for Health, updated members in respect of issues at Chipping Norton and Witney Hospitals.

Mr Mills advised that members would be aware of the on-going issues in relation to both Chipping Norton Community Hospital and Witney Community Hospital, both of which had received significant press coverage over the past few weeks.

In relation to Chipping Norton Community Hospital, the County Council had announced some weeks ago that it could no longer afford the costs of NHS nurses to care for patients occupying the Intermediate Care beds at the hospital, and that from 1 April 2016 this responsibility would be taken over by the Order of St John's nursing staff. The Order of St John runs the major part of the facilities at this site. Mr Mills reported that strong representations had been made by many interested parties, including this Council, and in late July a round table meeting was chaired by David Cameron MP, at which certain commitments were made, principally in relation to suspending any public consultation pending a review of the options available to retain NHS nursing staff for these specific beds.

Mr Mills indicated that subsequently, and only two weeks later, the County Council had announced its intention to go ahead with a formal consultation on two options, one of which is for the Order of St John to manage the Intermediate Care beds, the other being described as 'alternative ways of providing intermediate care in the north of the county'.

Mr Mills advised that at his request the Strategic Director had written to the Director of Adult Services at Oxfordshire County Council indicating dissatisfaction with the situation and seeking confirmation that OCC and the Oxfordshire Clinical Commissioning Group were in discussion with local providers regarding the possible models that might be achievable in the context of their second option. A letter was sent on 21 August and no reply had yet been received.

Mr Mills reported that the closure of the Wenrisc Ward at Witney Community Hospital was headline news in the Witney Gazette on 29 July. Mr Mills and the Leader of the Council immediately wrote to the Chief Executive of Oxford Health expressing serious concerns about the closure itself and about the failure to consult or at least engage with the Council prior to the closure being made public.

Following that letter the Strategic Director and Mr Mills had a very constructive meeting with the Trust's Chief Operating Officer and Operational Director, who also came to the Council Offices on 18 August to give a briefing to all those members who chose to attend. Mr Mills suggested that this had been a constructive event and many of the councillors present expressed their thanks for the honesty and openness of the Trust's representatives.

Mr Mills indicated that it had been clear throughout these face-to-face discussions that the decision to close the Wenrisc Ward had not been taken lightly. Whether the decision not to go through a formal public consultation was properly taken in accordance with the agreed county protocol was another matter, which Mr Mills would be taking up separately in his role as a County Councillor for Witney. Nevertheless, every assurance had been given that the closure was indeed temporary, and that Witney Community Hospital was as close to the ideal model as exists in Oxfordshire. Mr Mills confirmed that it had also been guaranteed that there would be a close working relationship with the Trust in the intervening period in order that the council we could be kept up to date with progress. It was anticipated that a public statement would be made by the Trust about when the closure will commence, and their commitment to it reopening, in the very near future.

Mr Mills expressed the hope that Council would be confident of his commitment to keeping a close watch on both these issues and ensuring that our views were heard at every opportunity. It was also the case, however, that rumours abound in relation to Witney Community Hospital in particular. Mr Mills requested that if any member had any specific concerns in relation to this situation, that in the first instance these were passed to either him or Christine Gore who now had direct contact with the Chief Operating Officer at Oxford Health and could quickly determine the factual position on the Council's behalf.

25. PARTICIPATION OF THE PUBLIC

No submissions were received from the public in accordance with the Council's Rules of Procedure.

26. RECOMMENDATIONS FROM THE EXECUTIVE AND COUNCIL COMMITTEES

The Council considered the report of the Chief Executive setting out a recommendation made by Cabinet on 22 July 2015.

The recommendation was proposed by Mr Norton and seconded by Mr Robinson and on being put to the vote was carried.

RESOLVED: that the recommendation made by the Cabinet on 22 July 2015 in relation to Neighbourhood Development Plans be approved (Minute No. CT/32/2015/2016).

27. REPORTS OF THE CABINET AND THE COUNCIL'S COMMITTEES

The reports of the meetings of the Cabinet and the Council's Committees held between 25 June and 22 July 2015 were received:

27.1 Leisure Contract Monitoring

(Minute No. E&S/21/2015/2016)

Mr Graham referred to the forthcoming procurement process for the new leisure contract and sought clarification that the timescale was achievable and whether the Sport England guidelines would be followed. Finally Mr Graham asked when the further update for members including details of accounts, staffing and cleaning protocols at the facilities would be available.

Mr Mills, Cabinet Member for Leisure, undertook to find out the detailed information and provide a written answer for Mr Graham, which would be circulated to all members of the Council.

(Post meeting note: Subsequent to the meeting a written response to the questions was circulated to all members. A copy of the responses can be accessed from the following link: [Responses Document](#))

27.2 Quality of Care in Hospitals

(Minute No. E&S/22/2015/2016)

Miss Leffman referred to on-going issues at Chipping Norton Hospital and expressed the hope that the scrutiny committee would continue to be involved. Mr Mills confirmed that the committee would continue to be advised of progress and Oxford Health had indicated their willingness to attend meetings if necessary.

27.3 The Guildhall, Chipping Norton

(Minute No. FMOS/25/2015/2016)

Mr Cooper questioned why Chipping Norton Town Council did not pay rent on the Guildhall. Mr Cooper, whilst acknowledging that the previous borough council had transferred assets, suggested that this was not unusual and that a number of other local councils had done the same. Mr Cooper suggested that other areas were subsidising Chipping Norton and that if rent was payable it would benefit the district council financially.

Mr Morris, Chairman of the Finance and Management Overview & Scrutiny Committee, referred to discussions at the meeting of the committee and reiterated the history regarding the negotiations in 1973. Mr Morris indicated that subsidy was not unusual and the district council also did this through initiatives such as Community Facility Grants.

27.4 Open Space Grass Cutting

(Minute No. ENV/18/2015/2016)

Mr Coles asked if a meeting had been held with Witney Town Council to discuss opportunities for collaborative working on grass cutting. Mr Harvey confirmed that officers of the two councils had met and options were being developed for further consideration.

27.5 Recycling Bring Sites

(Minute No. ENV/18/2015/2016)

Miss Leffman highlighted the current consultation by Oxfordshire County Council (OCC) regarding the future operation of Household Waste Recycling Sites. Miss Leffman indicated that there were already problems at the bring sites with fly-tipping which was a cost to the district council. Miss Leffman suggested that if any sites were closed by OCC this would be

a further drain on the district council resources so the cost implications needed to be considered.

Mr Harvey, Cabinet Member for Environment, acknowledged the concern and advised that OCC had been asked to provide more detailed information which was still awaited.

Mr Harvey concurred with Miss Leffman in respect of fly-tipping issues and that the OCC claim that fly-tipping would not increase as a result of closures needed to be fully challenged. Mr Harvey outlined the problems being faced at bring sites, enforcement issues including use of CCTV and the potential for additional costs to fall on the district.

Mr Harvey clarified that the cost of clearing excess waste from bring sites was included in the current contract with Kier but might need to be reviewed as part of the new contract. Miss Leffman acknowledged the response and reiterated the need to look at potential costs. Mr Harvey agreed and emphasised that it would be an important consideration when responding to the consultation.

28. QUESTION BY A COUNCILLOR

In accordance with Standing Order No. 10(b) a written question for the Leader of the Council had been received from Councillor A M Graham, namely:

‘In light of the circumstances which led to the recent by election in which a councillor resigned due to meetings largely taking place in day time hours and in order to serve the community better, will he consider a review, (in time for next May elections) of more balanced timings of meetings of council and committees to reflect the needs of working people to attend meetings so as not to put people off from standing for election due to too many meetings held in day time hours; and if a review is not possible, can he explain why not?’

Mr Norton gave the following response:

“Mr Chairman, I would like to thank Mr Graham for his question, as it is obviously important that aspects of how the Council conducts its business are kept under review.

The current timings of meetings reflect the wishes of the majority of Council members, and it is of course not likely that there will be a schedule which suits each of our 49 members – clearly some working people may find it easier to attend late afternoon or evening meetings, but others may have shift patterns or family responsibilities which cause difficulties plus, of course, many members are also members of, or otherwise regularly attend, meetings of town and parish councils.

Every year, the three Overview & Scrutiny Committees agree their start time for the ensuing year, and the decision taken reflects the membership of each of the committees at that time, rather than being based on the previous year's membership.

Additionally, when the programme of meetings is considered and approved by Council, it is open to any member at that time to propose (i) a different start time for one or more specified meetings; or (ii) that each meeting considers its start time in the following civic year, as is the case with the Scrutiny Committees; or (iii) another alternative, such as rotating the start times.

Whilst not agreeing to a full review I will look in to the matter further with officers with a view to obtaining opinions prior to the Council next considering a future programme of meetings. I anticipate that the programme of meetings for 2016/17 will be put before the Council meeting in January, in which case the outcome will be known well ahead of the May elections”.

29. REVIEW OF POLITICAL BALANCE AND THE ALLOCATION OF SEATS ON COMMITTEES

The report of the Chief Executive reviewing the allocation of seats on committees, as a consequence of the Witney North by-election, in accordance with rules relating to political balance was received.

The recommendations in the report were proposed by Mr Norton and seconded by Mr Robinson. The Leader also confirmed that in the event of the recommendations being approved, the Conservative Group would be allocating its additional seat on each of the Environment and Finance and Management Overview and Scrutiny Committees to Councillor Mrs Reynolds.

On being put to the vote the proposition was carried, and it was -

RESOLVED:

- (a) That the allocation of Committee seats to the political groups on the Council be as set out in the Table following paragraph 3.3 in the report, with immediate effect;
- (b) That the appointment of Mrs Reynolds to the Committees specified above be noted; and
- (c) That the remaining content of the report be noted.

30. LOCAL AUTHORITIES (STANDING ORDERS) (ENGLAND) (AMENDMENT) REGULATIONS 2015 MANDATORY STANDING ORDERS RE DISMISSAL OF STATUTORY OFFICERS

Consideration was given to the report of the Head of Democratic Services regarding the legal obligation imposed upon the council to incorporate new constitutional provisions dealing with the dismissal of statutory officers.

The recommendations in the report were proposed by Mr Norton and seconded by Mr Robinson. On being put to the vote the proposition was carried, and it was -

RESOLVED:

- (a) That the Head of Democratic Services be authorised to include the provisions in the Appendix, or provisions to the like effect, into the Officer Employment Procedure Rules in Part 4 of the Council's constitution, and to make any consequential amendments to the constitution as necessary to reflect the requirements contained in the Local Authorities (Standing Order) (England) (Amendment) Regulations 2015; and
- (b) That the remaining content of the report be noted.

31. SEALING OF DOCUMENTS

The Council received and noted the report of the Chief Executive which gave details of documents numbered 11115 to 11131A sealed since the last meeting.

The meeting closed at 2.40pm

CHAIRMAN