

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the Economic and Social Overview & Scrutiny Committee
held in Committee Room 1, Council Offices, Woodgreen, Witney,
at 6.30pm on Thursday 6 July 2017

PRESENT

Councillors: P J Handley (Chairman), Mrs E H N Fenton (Vice-Chairman), M A Barrett, A C Beaney, Mrs L C Carter, J C Cooper, Mrs J M Doughty, H B Eaglestone, P D Kelland, Mrs L E C Little, T N Owen, G Saul, C J A Virgin and B J Woodruff

16. MINUTES

RESOLVED: That the minutes of the meeting held on 25 May 2017 be approved as a correct record and signed by the Chairman.

17. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

There were no apologies for absence or temporary appointments.

18. DECLARATIONS OF INTEREST

There were no declarations of interest from Members or Officers in items to be considered at the meeting.

19. CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised that Mrs Crossland had withdrawn from the Committee and her place taken by Mr C J A Virgin, the recently elected representative for The Bartons. Mr Handley expressed his appreciation of Mrs Crossland's contribution to the work of the Committee in the past and welcomed Mr Virgin to the meeting.

20. LOCAL POLICE AREA COMMANDER – ANNUAL UPDATE

The Committee received a presentation from Superintendent Mark Johns, Local Police Area Commander, Cherwell & West Oxfordshire, regarding policing priorities and levels of recorded crime.

In response to a question from Mr Owen, Superintendent Johns advised that there were very few significant arson offences in the rural areas, the majority of those recorded being of a minor nature such as bin fires. Mr Owen noted that Officers tended to be redeployed frequently and wondered whether this had an adverse impact on continuity. In response, Superintendent Johns explained that, at a senior level, Officers tended to remain in one place longer. Other Officers might remain within the Police area but work out of other stations whilst PCSO's tended to remain based in one location for longer periods. Superintendent Johns noted that West Oxfordshire was fortunate in having a good team of PCSO's.

In response to a question from Mrs Little, he advised that offences investigated by Operation Bullfinch and other similar inquiries were recorded as sexual offences. However, these were complex investigations with numbers of victims, offenders and individual offences. In response to a question from Mrs Doughty, Superintendent Johns confirmed that the Kingfisher team was still in place, although all services were subject to the impact of the comprehensive spending review. Funding remained a constant challenge but the value of the team was acknowledged and lessons learned from the past. Mrs Doughty stressed the importance and expressed her appreciation for the work of that team.

In view of the levels of vandalism reported in Witney, Mrs Doughty went on to enquire about the employment of Police resources in the town. Superintendent Johns advised that a recent restructuring had helped to improve the availability of resources for neighbourhood policing. Prior to the restructuring Officers had operated in three teams; those responsible for patrolling, responding to 999 and urgent 101 calls and some investigative work, an investigative team and a neighbourhood team that had also been used to back-fill deficiencies in the other areas.

The new structure incorporated a smaller response team, a smaller neighbourhood team with a designated problem solving team and a larger investigative team that would be used to back-fill the response team as necessary. This structure would enable neighbourhood teams being dedicated to resolving core problems. There were 207 Officers covering the whole area with some 70 to 80 within West Oxfordshire. Earl feedback on the revised arrangements for neighbourhood policing had been favourable and Superintendent Johns welcomed long term feedback from members.

Mr Eaglestone expressed concern over the proliferation of the use of cannabis amongst young people and questioned whether 'stop and search' powers were still employed. In response, Superintendent Johns confirmed that the power to stop and search still existed but was used in a different way than it had been in the past. Officers needed to have grounds to believe that an individual was in possession of drugs before they were able to carry out a search. The issue of drug use amongst young people was recognised and dealt with through the schools and neighbourhood teams.

Mr Cooper suggested that it was open to Members to make representation to the Police Commissioner should they consider resources available to be inadequate.

Mr Cooper also questioned whether any analysis had been carried out to explain the increase in shoplifting. Superintendent Johns advised that there had been no recent analysis regarding causal factors but suggested that individual financial constraints and the need to fund a drugs habit were both contributory factors. Mr Kelland noted that it was often high value items rather than foodstuffs that were taken.

(Mrs Carter joined the meeting at this juncture)

Mr Kelland expressed some concern at the low outcome rate in relation to domestic burglary. In response, Superintendent Johns advised that there had been a series of burglaries committed by perpetrators from outside the District and a number of significant arrests had been made.

Mr Kelland went on to question information he had been given suggesting that a parish council would not be permitted to install CCTV covering public areas. Superintendent Johns advised that, whilst this was not a Police matter, he could not see why it would be the case.

In response to questions from Mr Barrett, Superintendent Johns advised that offences taking place on railway property was recorded by the British Transport Police whilst offences taking place elsewhere but referred by the Transport Police were recorded by Thames Valley. With regard to weapons offences, he explained that bladed weapons were included in this category and, fortunately, the number of offences was low.

Mr Saul was pleased to note that knife crime did not appear to be a particular issue in West Oxfordshire and Superintendent Johns confirmed that the District was incredibly safe as such occurrences were rare and far fewer than experienced in other parts of the Police Area.

Mr Woodruff made reference to the investigation into historic cases of sexual grooming in Banbury and enquired whether this was likely to lead to any further prosecutions. He also asked what measures were being taken to deal with such gangs and questioned whether racial considerations made Officers reluctant to intervene. Superintendent Johns advised that action was being taken on both historic cases and current issues and the Kingfisher team and PCSO's were important in getting victims to report these crimes. It was not an easy task to persuade victims to engage with the criminal justice process and such work was both time consuming and resource intensive.

It was now recognised that it was essential to build confidence and improve partnership working. Any children who had been missing were subject to a safe and well check and any potential links to sexual offences were treated as a priority. When policing the night-time economy, Officers were mindful of any young girls accompanied by older men and would check to see if there were any safeguarding issues. In terms of racial considerations, Superintendent Johns stressed that race was not an issue; anyone found committing a crime would be dealt with in the same manner regardless of race. With regard to the historic cases such as those in Rochdale or Oxford, Superintendent Johns indicated that policing had been in a different place at that time and policing priorities lay elsewhere.

Mrs Carter indicated that issues of mental health and domestic violence absorbed a significant proportion of police time and asked whether there was anything that the Council could do to assist. Superintendent Johns advised that reports of domestic violence were higher in West Oxfordshire than in some other parts of the Police Area. Whilst he acknowledged that all agencies were stretched, it was necessary to adopt a joined-up, partnership approach, working together to provide the resources required to support victims. When dealing with domestic violence it was essential to build confidence to encourage those affected to come forward.

Mrs Carter asked whether there was anything to suggest that rural isolation reduced reporting levels. Superintendent Johns advised that it was uncertain whether rural isolation was a factor but explained that the greatest concern was for those cases in which violence escalated to a serious level before being reported; in West Oxfordshire low level incidents were reported.

Mrs Carter went on to enquire whether there had been a disproportionate increase in low level crime in Chipping Norton in comparison with other parts of the District. In response, Superintendent Johns advised that, whilst there had been an increase in low level crime, this was uniform throughout the District. Regardless of the recent increase, crime levels remained very low.

Mr Beaney questioned the impact of crime surrounding the use of the internet and Superintendent Johns advised that this took two forms. There was cybercrime which involved the direct use of the internet for criminal purposes as well as traditional crime such as harassment which simply used the internet as a means of delivery. Specialist Officers were being trained to address these issues.

Mr Handley noted that Operation Bullfinch had been both costly and resource intensive for all organisations involved. He stressed the difficulties involved in persuading victims of grooming and abuse to engage with the criminal justice process against individuals who they had thought of as friends. He recognised the difficulties faced by the Police in bringing the perpetrators to justice and expressed his appreciation of the efforts involved in such demanding work.

Mr Handley enquired whether instances of vandalism were recorded as crimes against society and whether there was any concern that publicising specific occurrences could give rise to copycat offences. Superintendent Johns advised that vandalism was recorded as criminal damage and explained that he was of the opinion that it was better to be open about such occurrences. Doing so enabled crime prevention messages to be disseminated and also encouraged witnesses to come forward and evidence secured. Mr Handley went on to suggest that it would be helpful to know if those involved in shoplifting were known to the local food banks and also enquired how many Officers were currently off duty due to long term stress. Whilst he did not have a causal breakdown, Superintendent Johns advised that there were currently 14 of his 207 Officers on sick leave.

Mrs Fenton expressed concern over hare coursing and the anti-social activities of those involved in the practice. Superintendent Johns advised that this was more of a problem in South Oxfordshire than in West and that instances and the resultant damage were recorded and addressed by the neighbourhood teams.

Mr Owen expressed concern over the growing feeling of frustration amongst the general public over perceived failures to address certain issues. Superintendent Johns assured Members that the force was well aware of community tensions and had seen examples of hate crime throughout the area following the Brexit vote. He reiterated that regardless of these issues, the Police would deal with all crimes and the offenders who commit them.

Mr Kelland enquired whether the Police station in Eynsham was to be retained and Superintendent Johns advised that, whilst the force's estate was under review, he was not aware of any suggestions that it would be closed.

Mrs Doughty expressed her thanks to Superintendent Johns and asked that he convey Members' appreciation to his team for the good work they carried out within the District.

In response to a question from Mrs Carter, Superintendent Johns outlined the resources currently deployed across Cherwell and West Oxfordshire, indicating that this level was the norm for a normal weekday. Additional resources were deployed over weekends and other occasions as required. Superintendent Johns advised that calls for services had increased over the last two months and on a recent Saturday; more 999 calls had been received than on New Year's Eve.

Mr Kelland expressed some concern over a recent incident he had witnessed in which two Officers had been taken off duty to remain with a prisoner whilst in hospital. Superintendent Johns explained that this was a rare occurrence that did not have any great impact on resources.

Mr Virgin asked whether an increased Police presence was deployed on occasion simply for reassurance and Superintendent Johns advised that this was not the case, any additional presence being related to an on-going operation.

In conclusion, the Chairman thanked Superintendent Johns for his contribution to the meeting and the work undertaken by the Thames Valley Police on behalf of the residents of West Oxfordshire.

RESOLVED: That the information provided be noted.

21. PARTICIPATION OF THE PUBLIC

In accordance with the Council's Rules of Procedure, Mrs Brenda Churchill addressed the meeting with regard to agenda item No. 6 (Committee Work Programme - Deer Park Medical Centre)

Mrs Churchill thanked Members for giving her the opportunity to speak and advised that the closure of the Deer Park practice had been referred for review by the Secretary of State on 11 April but that nothing further had been heard to date. The PPG was now acting as a campaign group and the local Member of Parliament was supporting their objective to get the surgery re-opened to alleviate the waiting times for appointments experienced at other practices in the town. Mrs Churchill advised that there had been complaints regarding the transfer of patient records and changes to medication and many patients had yet to register with an alternative practice. There had also been an increase in the numbers attending the Minor Injuries unit in Witney.

Mrs Churchill made reference to impending retirements from the Clinical Commissioning group and asked that the Council to retain the Working Party to oversee phase 2 of the Sustainability and Transformation Programme. With regard to the STP, Mrs Churchill advised that Witney Town Council was now recognised as a consultee and other local councils were being encouraged to engage in the consultation process.

In conclusion, Mrs Churchill thanked Members for their support in seeking to secure the reopening of the Deer Park Surgery.

Mrs Little expressed her thanks to Mrs Churchill for her work and confirmed that she still hoped to see the surgery re-open.

22. COMMITTEE WORK PROGRAMME 2017/2018

The Committee received and considered the report of the Strategic Director which gave an update on progress in relation to its Work Programme for 2017/2018.

22.1 Oxfordshire Health Care Transformation Programme

Mr Cooper questioned the impact of the Sustainability and Transformation Programme on services at the Horton Hospital and enquired as to the progress of the Judicial Review initiated by Cherwell District Council. Mrs Doughty advised that the review was on-going.

Mrs Carter expressed her concern at the transfer of obstetrics from the Horton to the John Radcliffe Hospital and the impact that this would have on the on-going viability of the maternity service at the Horton. Mrs Doughty advised that, under its new Chairmanship, the Joint Health Overview and Scrutiny Committee was keen to scrutinise the Transformation Programme. Services in Banbury and surrounding areas were included within the first phase of the STP and the CCG's proposals were to be the subject of further consideration at the next meeting of the HOSC was to be held at 10:00 on 7 August.

Mrs Doughty reminded Members that HOSC meetings were open to the public and invited them to advise her of any questions they would wish her to raise as the Council's representative. HOSC had sought a meeting with the CCG Board prior to its meeting on 10 August and was to be provided with the agenda to scrutinise before the Board met. Mrs Doughty also advised that the new Chairman of Healthwatch, Professor George Smith, was keen to ensure that the CCG's proposals received effective scrutiny. She considered that the Joint HOSC was beginning to make progress and wished to meet following the CCG Board to review the position. Mrs Doughty indicated that the recently reappointed HOSC was of the opinion that the CCG's consultation process should have been carried out as a single exercise, not in a two phased approach.

It was noted that, whilst the concerns expressed by Members had been clearly communicated to the CCG in the Council's response to the first phase of the consultation, the Oxfordshire Joint Health Overview and Scrutiny Committee had not been formally advised that the Committee had no confidence in the manner in which it had dealt with the County Council's referral of Phase One of the consultation on the Oxfordshire Healthcare Transformation Programme.

Mr Beaney considered that this failure had weakened the Council's response. However, given that the Joint HOSC had since been reconstituted, he suggested that the Committee write to the current Chairman advising them of the previous concerns and inviting them to attend a future meeting to outline their future intentions.

Mrs Carter suggested that the Committee should also write to the local Member of Parliament but Mrs Doughty advised that he was already heavily involved in discussions and had been represented at recent HOSC meetings.

Mr Kelland stressed that, given recent approvals for large scale residential development throughout the District, it was important for the CCG to be involved in the planning process to ensure that adequate health care provision was made. Mr Beaney expressed concern over the impact of the closure of the Deer Park Surgery on other practices and the differing standards of service on offer across West Oxfordshire.

The Head of Leisure and Communities advised that the Cabinet Member with responsibility for health had sought a meeting with the Chairman and Vice-Chairman of the West Oxfordshire Locality Group to discuss ways in which the necessary levels of engagement could be achieved. Mr Handley reiterated the importance of those commissioning health provision being involved in the development planning process.

RESOLVED: That Officers be requested to write to the Chairman of the Oxfordshire Joint Health Overview and Scrutiny Committee to advise him of the Committee's concerns over the manner in which it had previously dealt with the County Council's referral of Phase One of the consultation on the Oxfordshire Healthcare Transformation Programme and inviting them to attend a future meeting to outline their future intentions.

(Mr M A Barrett left the meeting at this juncture)

22.2 RAF Brize Norton

The Strategic Director advised that, despite efforts by the Council's Officers and officials from the Department of Communities and Local Government, no progress had been made towards the commencement of development on MOD land in Carterton. He suggested that the Committee might wish to write to the local Member of Parliament to seek his assistance in bringing this project forward.

Mr Handley indicated that he had attended a recent meeting at the County Council in relation to children and education and had been advised that the only commitment to development at present was for some 200 units. There would be no movement of the remaining 700 properties until 2022. Mr Handley stressed the impact that this delay and the lack of MOD funding were having on education in Carterton and agreed that the Council should seek Mr Courts' assistance. Mrs Little, the Council's Veterans Champion, advised that she had recently spoken to the Chief of the Air Staff regarding the needs of Carterton. She also indicated that Airtanker was keen to offer apprenticeships through Carterton College.

Mr Beaney pointed out that education was a matter of parental choice and that there was no guarantee that those living in Carterton would choose to attend school there. Mr Owen stressed that the Council's concern lay with housing, not education and Mrs Carter agreed that the District required additional housing and, in particular, affordable homes.

The Strategic Director and Head of Paid Service noted that the Council's Local Plan sought to deliver housing in Carterton and the development of the MOD land had become a key issue since the project was deleted from its investment programme. The Council had sought to utilise its own funding to 'pump prime' development and would continue to explore ways in which it could assist in bringing the project forward.

Mr Handley noted that RAF Brize Norton was one of the largest bases in Europe and had a significant impact upon the local infrastructure.

In addition to seeking support from the local Member of Parliament, Members also wished to make representation to the Secretary of State for Defence and the Chief of the Air Staff.

RESOLVED: That Officers be requested to write to the local Member of Parliament, Secretary of State for Defence and the Chief of the Air Staff expressing their concern at the continued delay in the redevelopment of MOD land in Carterton and seeking their support in expediting the commencement of the project.

22.3 Local Development Framework

In response to a question from Mr Cooper, the Strategic Director and Head of Paid Service advised that a report seeking consideration of responses to Cherwell District and Oxford City Councils on consultations relating to Local Plans and the meeting of Oxford's unmet housing need was to be considered by the Cabinet at its meeting on 24 July.

22.4 Welfare Reform Act – Meeting with Registered Social Landlords

It was noted that this matter was to be considered at the next meeting of the Committee and the Chairman invited Members to raise any specific questions through Committee Services.

Mr Cooper indicated that he intended to make reference to the withdrawal of resident warden services by Cottsway Housing at Caroline Court in Woodstock.

22.5 Planning Enforcement System

Mr Beaney reiterated concerns previously expressed over the operation of the Council's Planning Enforcement Service and suggested that the Committee give consideration to establishing two working groups; the first to consider the operation of the enforcement function in general terms and the second to consider the failure to bring enforcement action in relation to the former Unicorn public house in Great Rollright to a satisfactory conclusion.

The Strategic Director and Head of Paid Service advised that, whilst a working group could usefully give consideration to the former, it would not be an appropriate forum in which to discuss an individual enforcement matter. He went on to explain that the case in question was particularly complex and had the potential to expose the Council to significant financial risk. He confirmed that Officers would be happy to discuss the matter with individual Members and indicated that it was expected that progress would be made shortly.

Mr Handley suggested that a report could be submitted to the next meeting of the Committee after such a meeting had taken place. Mr Owen questioned why the specific issue could not be discussed in public and the Strategic Director and Head of Paid Service explained that there were issues of confidentiality surrounding the matter. Mr Cooper questioned this position and, in order to enable the matter to be considered in more detail it was:-

RESOLVED: That the Committee being of the opinion that it was likely, in view of the nature of the business to be transacted, that if members of the public were present during the following items of business there would be a disclosure to them of exempt information as defined in paragraphs 3 and 5 of Part 1 of Schedule 12A to the Local Government Act 1972 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)), the public be excluded from the meeting.

Having considered the information subsequently provided regarding legal constraints, financial risks and valuation information, Mr Beaney accepted the offer of a meeting with Officers and withdrew his suggestion that a working group be formed to consider the matter of the Unicorn public house.

The Committee then resolved that the public be readmitted to the meeting and:-

RESOLVED: that an informal Member working group be formed comprised of Members of this Committee and Members of the Development Control Committee to give consideration to the operation of the planning enforcement system.

22.6 Leisure Management Contract Working Party

Following Mrs Crossland's resignation from the Committee it was **AGREED** that Mrs Little would take her place on the Leisure Management Contract Working Party.

It was noted that arrangements would be made for the Working Party to meet once the new contract arrangements had bedded in.

RESOLVED: That, subject to the amendments detailed above, the Committee's Work Programme for 2017/2018 be approved.

23. CABINET WORK PROGRAMME

The Committee received and considered the report of the Head of Democratic Services which gave members the opportunity to comment on the Cabinet Work Programme published on 22 June 2017.

Mr Cooper made reference to the Homelessness Reduction Bill and questioned whether the associated consequences and costs had been assessed. In response, the Strategic Director and Head of Paid Service advised that further information would be provided at the September meeting when registered social landlords would be in attendance.

RESOLVED: That the content of the Cabinet Work Programme published on 22 June 2017 be noted.

24. REVIEW OF MEMBER STRUCTURES AND DEMOCRATIC COSTS

The Committee received and considered the report of the Strategic Director and Head of Paid Service which invited Members to make comments upon the report submitted to the Council on 26 April in response to the Leader of the Council's commitment for a review of the current committee structures, electoral cycle and the number of Members of the Council.

Mr Cooper suggested that it was good practice for any organisation to review its structures and practices from time to time and went on to make three specific suggestions. The first was that more information was required from those appointed to represent the Council on outside bodies regarding their operation. Secondly, given the actions of neighbouring authorities, Mr Cooper suggested that the Council should give consideration to the number of Members serving on the Council and finally he suggested that the Council should consider revising its scrutiny arrangements by establishing two Overview and Scrutiny Committees being internally and externally focussed. Whilst any financial savings would be minimal, Mr Cooper believed that this would be a more efficient arrangement.

Mr Handley expressed concern that the report did not provide sufficient detail as to the potential financial savings associated with revised structures. He considered that it would not be possible to reduce the number of overview and scrutiny committees whilst the existing workload remained. Whilst he considered that the Finance and Management Overview and Scrutiny Committee could be combined with the Audit and General Purposes Committee, Mr Handley did not believe that, given their current workload, the Economic and Social and Environment Overview and Scrutiny Committees could be successfully combined.

Mr Handley went on to suggest that, if the scrutiny function was to be reviewed, the Cabinet structure should also be considered. He suggested that the current overview and scrutiny structure enabled back bench Members to be involved in the Council's decision making process and promoted public involvement. He criticised the current Cabinet structure as being too secretive and suggested that Ward Members should be co-opted to the Cabinet when relevant local issues were being discussed.

With regard to the number of Members, Mr Handley indicated that any associated boundary changes would take some time to resolve and suggested that, given the current debate over local government re-organisation, it would be inopportune to pursue this at present.

In response the Strategic Director and Head of Paid Service acknowledged that the review was financially driven as, whilst the Council's staffing structure had been significantly slimmed down, the Member structure had remained unchanged during a continued period of austerity. He emphasised that the report simply identified areas for further consideration and it was for Members to determine which, if any, they considered to warrant further consideration. Additional information would be provided as required.

With regard to the Cabinet arrangements, the Strategic Director and Head of Paid Service noted that all Members were welcome to attend and to contribute to the discussion. This was not so at other authorities and, where participation was restricted to Members of the Executive only, wider discussion tended to take place at full council meetings.

Mr Handley questioned the efficiency of shared services and indicated that he did not understand how financial savings could be achieved through a review of Member structures. He considered that this was the wrong time to consider a review and suggested that the current arrangements should be retained.

Mr Beaney expressed some support for the concept of two overview and scrutiny committees and suggested that further information on this would be helpful. He also indicated that he could not support the idea of planning applications being determined by a single committee. Mr Beaney acknowledged Mr Handley's concerns over division of the current workload and emphasised the importance of ensuring effective scrutiny of Cabinet decisions. He noted that it was difficult for those in full time employment to attend daytime meetings but indicated that he was open to consider further suggestions.

Mr Woodruff indicated that it was not only financial considerations that should be taken into account; the efficiency of the current structure should also be considered and, in that respect, the review was to be welcomed. It was important to look at the effectiveness of the Council's structure. Whilst he did not perceive the need for drastic change, Mr Woodruff welcomed the current debate.

It was proposed by Mr Owen and seconded by Mrs Little that the Council be advised that the Committee is of the opinion that the current Member structures should be retained.

Mr Saul suggested that the Council should concentrate on identifying which structure provides the best scrutiny but recognised that a reduction in the number of committees could result in a reduction in the role of back bench Members. On balance, he indicated that he supported retention of the status quo.

Mrs Carter suggested that consideration of the matter could be deferred for provision of more detailed information and Mr Beaney stated that, whilst he would not wish to see a reduction in the number of overview and scrutiny committees, he would be prepared to consider additional evidence.

RESOLVED: That, the Council be advised that the Committee is of the opinion that the current Member structures should be retained.

25. PERFORMANCE INDICATORS – YEAR END 2016/2017

The Committee received and considered the report of the Head of Leisure and Communities providing information on the Council's performance at the end of the year 2016/2017.

RESOLVED: That the information provided be noted.

26. CHAIRMAN'S ANNOUNCEMENTS AND UPDATE REPORT

The Committee received and noted the Chairman's update report.

Mr Beaney indicated that he had yet to receive a response to the concerns he had raised regarding the Council's leisure facilities. The Strategic Director and Head of Paid Service undertook to follow this up.

27. MEMBERS QUESTIONS

27.1 Madley Park Playing Fields Project

In response to a question from Mrs Carter, the Strategic Director and Head of Paid Service confirmed that, as requested at the last meeting, the Cabinet had agreed to refer the Madley Park Playing Fields Project back to the Committee for further consideration once the final design of the play area has been completed.

The meeting closed at 9:05pm

Chairman