



To: Members of the Cabinet

Notice of a Meeting of the Cabinet

Tuesday, 22 May 2018 at 2.00 pm

Rooms 1&2 - County Hall, New Road, Oxford OX1 1ND

A handwritten signature in black ink that reads 'Peter Clark'.

Peter Clark
Chief Executive

May 2018

Committee Officer: **Sue Whitehead**

Tel: 07393 001213; E-Mail: sue.whitehead@oxfordshire.gov.uk

Membership

Councillors

Ian Hudspeth	Leader of the Council
Mrs Judith Heathcoat	Deputy Leader
Lawrie Stratford	Cabinet Member for Adult Social Care
Steve Harrod	Cabinet Member for Children & Family Services
Lorraine Lindsay-Gale	Cabinet Member for Property & Cultural Services
Yvonne Constance OBE	Cabinet Member for Environment
David Bartholomew	Cabinet Member for Finance
Hilary Hibbert-Biles	Cabinet Member for Public Health & Education
Mark Gray	Cabinet Member for Local Communities

*The Agenda is attached. Decisions taken at the meeting
will become effective at the end of the working day on 30 May 2018
unless called in by that date for review by the appropriate Scrutiny Committee.
Copies of this Notice, Agenda and supporting papers are circulated
to all Members of the County Council.*

Date of next meeting: 19 June 2018

Declarations of Interest

The duty to declare.....

Under the Localism Act 2011 it is a criminal offence to

- (a) fail to register a disclosable pecuniary interest within 28 days of election or co-option (or re-election or re-appointment), or
- (b) provide false or misleading information on registration, or
- (c) participate in discussion or voting in a meeting on a matter in which the member or co-opted member has a disclosable pecuniary interest.

Whose Interests must be included?

The Act provides that the interests which must be notified are those of a member or co-opted member of the authority, **or**

- those of a spouse or civil partner of the member or co-opted member;
- those of a person with whom the member or co-opted member is living as husband/wife
- those of a person with whom the member or co-opted member is living as if they were civil partners.

(in each case where the member or co-opted member is aware that the other person has the interest).

What if I remember that I have a Disclosable Pecuniary Interest during the Meeting?.

The Code requires that, at a meeting, where a member or co-opted member has a disclosable interest (of which they are aware) in any matter being considered, they disclose that interest to the meeting. The Council will continue to include an appropriate item on agendas for all meetings, to facilitate this.

Although not explicitly required by the legislation or by the code, it is recommended that in the interests of transparency and for the benefit of all in attendance at the meeting (including members of the public) the nature as well as the existence of the interest is disclosed.

A member or co-opted member who has disclosed a pecuniary interest at a meeting must not participate (or participate further) in any discussion of the matter; and must not participate in any vote or further vote taken; and must withdraw from the room.

Members are asked to continue to pay regard to the following provisions in the code that *"You must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself"* or *"You must not place yourself in situations where your honesty and integrity may be questioned....."*

Please seek advice from the Monitoring Officer prior to the meeting should you have any doubt about your approach.

List of Disclosable Pecuniary Interests:

Employment (includes *"any employment, office, trade, profession or vocation carried on for profit or gain"*.), **Sponsorship, Contracts, Land, Licences, Corporate Tenancies, Securities.**

For a full list of Disclosable Pecuniary Interests and further Guidance on this matter please see the Guide to the New Code of Conduct and Register of Interests at Members' conduct guidelines.

<http://intranet.oxfordshire.gov.uk/wps/wcm/connect/occ/Insite/Elected+members/> or contact Glenn Watson on **07776 997946** or glenn.watson@oxfordshire.gov.uk for a hard copy of the document.

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.

AGENDA

1. Apologies for Absence

2. Declarations of Interest

- guidance note opposite

3. Minutes (Pages 1 - 12)

To approve the minutes of the meeting held on 17 April 2018 (**CA3**) and to receive information arising from them.

4. Questions from County Councillors

Any county councillor may, by giving notice to the Proper Officer by 9 am two working days before the meeting, ask a question on any matter in respect of the Cabinet's delegated powers.

The number of questions which may be asked by any councillor at any one meeting is limited to two (or one question with notice and a supplementary question at the meeting) and the time for questions will be limited to 30 minutes in total. As with questions at Council, any questions which remain unanswered at the end of this item will receive a written response.

Questions submitted prior to the agenda being despatched are shown below and will be the subject of a response from the appropriate Cabinet Member or such other councillor or officer as is determined by the Cabinet Member, and shall not be the subject of further debate at this meeting. Questions received after the despatch of the agenda, but before the deadline, will be shown on the Schedule of Addenda circulated at the meeting, together with any written response which is available at that time.

5. Petitions and Public Address

6. Oxford - Gathorne Road Wingfield House - Proposed Restoration of Parking Permits (Pages 13 - 90)

Cabinet Member: Environment

Forward Plan Ref: 2018/006

Contact: Hugh Potter, Team Leader, Area Operations Hub Tel: (01865) 810228

Report by Director for Infrastructure Delivery (**CA6**).

The report considers the proposed provision of residents and visitors parking permits to

Wingfield House, 2A Gathorne Road, Headington, Oxford, following the rescission of the previous decision by the Cabinet Member for Environment on 8 February 2018.

The Cabinet is RECOMMENDED not to approve the proposed changes to the CPZ Order as set out in the report.

7. Adult Social Care Contributions Policy (Pages 91 - 160)

Cabinet Member: Adult Social Care

Forward Plan Ref: 2018/049

Contact: Ben Threadgold, Policy & Performance Service Manager Tel: 07867 467838

Report by Director for Adult Services (**CA7**).

The Adult Social Care Contributions Policy outlines how the Council ensures a fair approach to assessing the financial contributions made by people with eligible care needs towards the cost of the social care services they receive.

Social care is not necessarily a free service and the Care Act 2014 permits the Council to recover a reasonable charge from service users who have insufficient means to pay for services themselves.

A review of the Contributions Policy in 2017 identified several changes that would ensure a fairer and more consistent approach to assessing people's financial contributions, simplify the process, and better align the Policy with the Care Act 2014. A public consultation on these proposals was held between January and April 2018 to gather people's views on the potential impact of the changes. This paper proposes changes to the Contributions Policy as a result.

Cabinet is RECOMMENDED to:

- (a) Consider the results of public consultation on the proposed changes to the Adult Social Care Contributions Policy,***
- (b) Approve the recommended policy changes, and***
- (c) Approve the implementation of the policy changes from October 2018***

8. Equalities Policy - Revised Equalities Policy - Including Revised Objectives - Post Consultation Stage (Pages 161 - 192)

Cabinet Member: Local Communities

Forward Plan Ref: 2018/022

Contact: Amy Allen, Policy Officer Tel: 07920 084362

Report by Policy & Performance Service Manager (**CA8**).

The Equality Policy 2018-2022 sets out how the Council is approaching its responsibilities for ensuring that the principles of equality, diversity, fairness and inclusion are applied to our own workforce and the services we commission and deliver to residents. It demonstrates how the Council is meeting the requirements placed on

public bodies under the Equality Act 2010, including setting eight objectives for the next four years.

A draft of the policy went out for public consultation between January - March 2018 and the policy has been amended following feedback.

An annual action plan has been developed, this will be monitored and reported quarterly as part of the Council's overall performance management arrangements.

The Cabinet is RECOMMENDED to approve the Equality Policy and Strategy 2018 – 2022.

9. Staffing Report - Quarter 4 - 2017 (Pages 193 - 200)

Cabinet Member: Deputy Leader

Forward Plan Ref: 2017/172

Contact: Sarah Currell, HR Manager – Business Systems Tel: 07867 467793

Report by Director of Human Resources (**CA9**).

This report gives an update on staffing numbers and related activity during the period 1 January 2018 to 31 March 2018. It gives details of the actual staffing numbers at 31 March 2018 in terms of Full Time Equivalents. These are shown by directorate in Appendix 1. In addition, the report provides information on the cost of posts being covered by agency staff and an Agency Trend analysis in Appendix 2.

The Cabinet is RECOMMENDED to note the report.

10. Forward Plan and Future Business (Pages 201 - 202)

Cabinet Member: All

Contact Officer: Sue Whitehead, Committee Services Manager Tel: 07393 001213

The Cabinet Procedure Rules provide that the business of each meeting at the Cabinet is to include “updating of the Forward Plan and proposals for business to be conducted at the following meeting”. Items from the Forward Plan for the immediately forthcoming meetings of the Cabinet appear in the Schedule at **CA10**. This includes any updated information relating to the business for those meetings that has already been identified for inclusion in the next Forward Plan update.

The Schedule is for noting, but Cabinet Members may also wish to take this opportunity to identify any further changes they would wish to be incorporated in the next Forward Plan update.

The Cabinet is RECOMMENDED to note the items currently identified for forthcoming meetings.

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CABINET

MINUTES of the meeting held on Tuesday, 17 April 2018 commencing at 2.00 pm and finishing at 3.30 pm

Present:

Voting Members: Councillor Ian Hudspeth – in the Chair
Councillor Mrs Judith Heathcoat
Councillor Steve Harrod
Councillor Hilary Hibbert-Biles
Councillor Mark Gray

Other Members in Attendance: Councillor Liz Brighthouse (Agenda Item 9)
Councillor Jamila Begum Azad (Agenda Item 8)
Councillor Paul Buckley (Agenda Item 8)
Councillor John Howson (Agenda Item 6)
Councillor Gill Sanders (Agenda Item 6)
Councillor John Sanders (Agenda Item 7)
Councillor Richard Webber (Agenda Item 7)

Officers:

Whole of meeting Sue Whitehead (Resources Directorate)

Part of meeting Item	Name
6	Ben Threadgold, Policy and Performance Service Manager; Roy Leach, Strategic Lead for Education Sufficiency
7	Amanda Jacobs, Principal Transport Planner
8	Sarah Jelley, Senior Policy and Performance Officer
9	Sarah Jelley, Senior Policy and Performance Officer

The Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting, together with a schedule of addenda tabled at the meeting, and decided as set out below. Except insofar as otherwise specified, the reasons for the decisions are contained in the agenda, reports and schedule, copies of which are attached to the signed Minutes.

34/18 APOLOGIES FOR ABSENCE

(Agenda Item. 1)

Apologies were received from Councillors Bartholomew, Constance, Lindsay-Gale and Stratford.

35/18 MINUTES

(Agenda Item. 3)

The Minutes of the meeting held on 20 March 2018 were approved and signed as a correct record.

36/18 QUESTIONS FROM COUNTY COUNCILLORS

(Agenda Item. 4)

Councillor Howson had given notice of the following question to Councillor Constance:

“Why was the Proposed Amendments to Parking Restrictions in Frenchay Road, Oxford that first appeared in the forward Plan in September 2016, withdrawn in March 2018 leaving residents to wait until after 2021 for any consultation on a possible CPZ (Controlled Parking Zone) before they can expect any relief from commuter and other parking in their street and also making access for emergency vehicles very difficult.”

Councillor Hudspeth (in the absence of Councillor Constance) replied:

“Following consultation it was clear that further work was needed on the Frenchay Road area parking restrictions and the item was removed from the forward plan to allow the scheme to be reviewed. The fact that you were not updated about this is an oversight for which officers and I apologise.

As you know the city and county councils are working together to agree a programme of Controlled Parking Zones in the city over the next few years. It will not be possible to implement every zone with the funding available so some prioritisation is necessary. Local members are being asked for their input into this process and this will be taken into account before the programme is finalised.

Completely new parking schemes included in the final programme are expected to be implemented during 2020/21. However, schemes for which design work and consultation have been previously completed could be implemented sooner than this.

Schemes not included in the final programme are not ruled out if additional funding can be found to pay for them. Again, if they are schemes where previous design work and consultation has already been completed then they could potentially be implemented well before 2021.”

Councillor Webber had given notice of the following question to Councillor Hudspeth:

“How much money in total has been collected from maintained schools in 2017-18 from the Apprenticeship Levy and how much of this money has been spent on apprenticeships?”

Councillor Hudspeth replied:

“SAP shows a total of £451,200.57 charged against schools for the Apprenticeship Levy during 2017-18 financial year. Once I have the details of the amount spent I will let Cllr Webber have these.”

Councillor Webber had given notice of the following question to Councillor Hudspeth:

“What steps have been taken to discuss use of a Level 7 Senior Leader Master's Degree Apprenticeship with the Chartered Institute of Management or any other similar body?”

Councillor Hudspeth replied:

“This is an interesting idea that I will raise with the Local Enterprise Partnership who work with businesses and young people across Oxfordshire to help meet our county's 'skills agenda' including through apprenticeships.”

Councillor Emily Smith had given notice of the following question to Councillor Hibbert Biles:

What are the current reserves recorded for each maintained primary school in Oxfordshire?

Councillor Hibbert-Biles replied:

The Finance team are in the process of closing the annual accounts for Schools.

All figures provided here are PROVISIONAL.

Confirmed School Reserves will be circulated to schools after April 23rd and to Schools Forum at the 21st June meeting.

Summary Table

Open schools				
	Balance at 1 April 2017		Balance at 31 March 2018	
	No. of Schools	Balance £000	No. of Schools	Balance £000
Primary Schools				
Schools in Surplus	155	-11,679	141	-9,971
Schools in Deficit	16	546	17	806
Secondary Schools				
Schools in Surplus	0	0	1	-183
Schools in Deficit	3	1,587	2	2,061
Special Schools				
Schools in Surplus	5	-1,048	7	-976
Schools in Deficit	4	161	2	295
Sub total Revenue	183	-10,433	170	-7,968
Schools Contingency & Schools Forum		-7,851		-7,143
Total	183	-18,284	170	-15,111

School Reserves is made up of individual school balances from the 170 schools. The overall change on these is a reduction of £3.2m, which is represented by approximately £0.8m being transferred to academy converters, £0.7m net reduction on the new schools' Growth Fund and £1.7m net movement on schools individual revenue balances.

Councillor Pressel had given notice of the following question to Councillor Constance:

“Walton Street is a busy road in my division, almost an arterial road. It is in a very poor state in its northern and southern sections. It contains many deep potholes and stretches which are failing.

Please can you make sure it is resurfaced as soon as possible?”

Councillor Hudspeth (in the absence of Councillor Constance) replied:

“There are no plans to undertake comprehensive resurfacing works in the near future but preparatory work to design the right solution will take place in the coming year. In the meantime essential maintenance by our City Council colleagues will continue to be undertaken to ensure the highway remains safe for the public to use.

The same assessment process is used across all of Oxfordshire’s roads to ensure that funds are prioritised.”

37/18 PETITIONS AND PUBLIC ADDRESS

(Agenda Item. 5)

The Leader of the Council had agreed the following requests to address the meeting:-

Item	Speaker
6. Education Scrutiny Working Group Report on School Exclusions	Councillor John Howson Councillor Gill Sanders, Chairman of the Working Group on School Exclusions Councillor Michael Waine, Chairman of the Education Scrutiny Committee
7. Thames Water – Draft Water Management Plan 2019	Councillor Richard Webber, speaking as Liberal Democrat Group Leader at the invitation of the Chairman Councillor John Sanders, Shadow

	Cabinet Member for Environment
8. Transition Fund for Community Initiatives for Open Access Children's Services – Round 7	<p>Kathy Peto (East Oxford Primary School)</p> <p>Statement from Don Anderson on behalf of Cuttesloe Community Association</p> <p>Councillor Paul Buckley, local councillor for Wolvercote & Summertown</p> <p>Councillor Jamila Begum Azad, Shadow Cabinet Member for Children & Family Services</p>
9. Councillor Priority Fund	Councillor Liz Brighouse, Leader of the Opposition

38/18 SCHOOL EXCLUSIONS WORKING GROUP REPORT

(Agenda Item. 6)

The Education Scrutiny Committee working group completed an investigation into school exclusions in March 2018.

A working group of Education Scrutiny Committee members had investigated the increased use of exclusion across schools in Oxfordshire with the aim of identifying the underlying reasons for this and to make recommendations to help reduce the number of fixed term and permanent exclusions in the future.

The working group report and recommendations were considered and endorsed by the Education Scrutiny Committee on 14 March 2018. Cabinet considered a report that contained a number of recommendations which the Cabinet was asked to consider and respond to within six weeks, as per the requirements in the Council's constitution.

Councillor John Howson, thanked councillors and officers involved in the first deep dive investigation undertaken by the Education Scrutiny Committee. Councillor Howson paid tribute to the work carried out by the Head of the Virtual School and by staff at Meadowbrook. The challenge was how to develop the experience of pupils here to all pupils and this was the responsibility of all partners. He welcomed the collaboration between schools and fully endorsed the recommendations of the working group report.

Councillor Gill Sanders, Chairman of the Working Group on School Exclusions explained the context for the decision to investigate school exclusions and the particular concern over the exclusion of pupils with Special Educational Needs, the numbers of primary and children in transition

to secondary school and pupils in Years 10 and 11 being excluded. Councillor Sanders detailed the work of the Group, emphasising the range of people they had spoken to and visits to several schools. Councillor Sanders in commending the recommendations to cabinet highlighted the generally good collaborative working between schools, the merit in pre-exclusion panels, the importance of continuing to support the work of the The Virtual School and Meadowbrook, the delays in the CAMHS process and the Didcot initiative. Councillor Sanders thanked officers particularly Katie Read, Senior Policy Officer, for their work and also thanked Councillor Howson, who though not a member of the Working Group, had joined them and made a valuable contribution to the work of the Group.

Councillor Michael Waine, Chairman of the Education Scrutiny Committee, noted that this was the first of three planned deep dive investigations and thanked Councillor Gill Sanders for leading the Group and thanked officers for the excellent support received. Councillor Waine in detailing the recommendations noted that it was a cause for celebration that schools were not excluding children who are looked after. Councillor Waine highlighted the important support and challenge role of governors in the exclusions process. He referred to schools that were exemplars of good practice and the need for that to be shared. The timeliness of Education Health and Care Plans was seen as a major issue. Councillor Waine also highlighted the importance of robustly challenging schools on the use of reduced timetables as this had safeguarding implications.

Councillor Hibbert-Biles, Cabinet Member for Public Health & Education, thanked the Education Scrutiny Committee and echoed thanks to the work of The Virtual School and Meadowbrook. All of the recommendations were laudable. She would like to put them all in place but although there were some where work was already being undertaken, others would need costing. Looking at each of the recommendations in turn Councillor Hibbert-Biles commented as follows:

- (a) Councillor Hibbert-Biles agreed with the recommendation but it would need to be costed;
- (b) This was already being thought about but further consideration of the financial implications were necessary.
- (c) This was already being done;
- (d) Councillor Hibbert-Biles agreed with the recommendation but it would need to be costed as there would need to be consideration of what could be done with the resources available;
- (e) Councillor Hibbert-Biles agreed with the recommendation
- (f) This was key to the development of the child
- (g) This was already being done;
- (h) Work had already started to put this in place.

Councillor Hudspeth referred to the progress report requested at paragraph 12 of the report and suggested this come include potential costings and come back to Cabinet and the Education Scrutiny Committee.

RESOLVED: to:

- (a) consider the recommendations of the Education Scrutiny Committee Exclusions working group for the Council;
- (b) ask the Director for Children's Services, in consultation with the Cabinet Member for Public Health and Education, to prepare a response for the next meeting of the Education Scrutiny Committee.
- (c) Instruct that the progress report referred to at paragraph 12 include potential costings of the recommendations and be considered by Cabinet during the autumn.

39/18 THAMES WATER - DRAFT WATER RESOURCES MANAGEMENT PLAN 2019

(Agenda Item. 7)

Thames Water are currently consulting on their Draft Water Resources Management Plan 2019 which looks ahead over the next 80 years to 2100. The consultation documents outline the proposed demand management and water supply options that Thames Water are considering.

Cabinet considered a report setting out the key issues and seeking approval to the draft response to the consultation.

Councillor Webber, Leader of the Liberal Democrat Group and councillor for Sutton Courtenay & Marcham, stated that he had been heavily involved from a district perspective during the previous iteration and he was aware that this was the third or fourth iteration. It affected not only his Division but everyone in Oxfordshire. It was estimated that the reservoir could attract 1million visitors per year and this would add to the pressure on infrastructure. The process was funded by public money and previously cost up to £45m and then opponents had had to fund the opposition to public enquiry stage. This found in favour of the opponents of the reservoir and he found it difficult to see what new arguments were being brought forward other than the population figure being higher. Councillor Webber highlighted the arguments on population forecasting whilst noting that this was a regional facility. In relation to the science he noted that so far the only voice being heard was Thames Water and he urged Cabinet to ensure that Group Against Reservoir Development (GARD) were given an opportunity to present their arguments. Councillor Hudspeth, Leader of the Council replied that he had no objections to the proposal that GARD provide a briefing to councillors but that the same offer should be made to Thames Water. He proposed that officers investigate the opportunities for briefings for all members from GARD and Thames Water.

Councillor John Sanders highlighted Thames Water's poor service record with his constituents. Councillor Sanders also referred to the lack of ambition in the target of reducing water leakage by 15% over seven years and to the fact that they intended to sell water. He was concerned that there would be

insufficient consultation with local people and asked Cabinet to note the proposals with concern. Councillor Hudspeth stressed that Cabinet were not endorsing Thames Water proposals but were asked to endorse the key issues raised by officers.

During discussion Cabinet heard from officers on the population figures and that Thames Water accepted that the figures were moving all the time. Cabinet endorsed the key issues and commented on the need to update the creaking water infrastructure, with water treatment plants not being updated and some areas having supplies turned off to address sediment issues. It was suggested that the Council continue to challenge Thames Water robustly over the need to consider other areas in the region.

RESOLVED: to:

- (a) endorse the key issues raised within this report as the response to this consultation, including the request for immediate and regular discussion with Thames Water on the proposed reservoir in terms of its catchment and location.
- (b) ask officers to investigate the opportunities for briefings for all members from Group Against Reservoir Development (GARD) and Thames Water.

40/18 TRANSITION FUND FOR COMMUNITY INITIATIVES FOR OPEN ACCESS CHILDREN'S SERVICES - ROUND 7

(Agenda Item. 8)

In February 2016 the council agreed to set aside £1m for creating a 'one off' fund to provide pump priming to support the provision of open access children's services.

In September 2017 Cabinet agreed the proposed use of the underspend of £232,674 for further rounds of grant funding and a cross party group of councillors bringing proposals back to cabinet for decision.

The working group have considered the applications under the seventh round of bids against the criteria outlined in the guidance notes and Cabinet considered a report setting out their recommendations.

Kathy Peto, for East Oxford Primary School, thanked Cabinet for considering giving part of the grant requested but asked that consideration be given to funding more fully. Ms Peto, clarified that they were not asking for rent for use of the school. The school was unable to accommodate the stay and play sessions and would need to rent space in the former children's centre. She noted that any rent would come back to the County Council but also queried whether the rent could be waived as had happened for other groups. Ms Peto explained the nature of the outreach work referred to in the bid application.

The Chairman referred to the statement included in the addenda from Don Anderson on behalf of Cuttesloe Community Association.

Councillor Paul Buckley, local councillor for Wolvercote & Summertown, declared a non-pecuniary interest as his wife was a trustee of Cuttesloe Community Association. Councillor Buckley spoke in support of the statement from Don Anderson requesting a deferral of the decision in respect of the bid by Cuttesloe Community Association. He highlighted the success of the activities and the impact the loss of £3k would make to their finances in 2018/19. He explained that the recommendation was based on out of date data and that most of the money carried over related to money raised by trustees themselves. He added that only £2k of Council funded money was being carried over and this was going to new work. He expressed concern with the way that the matter had been handled and hoped that in future there would be greater communication with groups at an earlier stage.

Councillor Jamila Begum Azad, Shadow Cabinet Member for Children & Family Services expressed concern at the reduced funding for East Oxford. It was an area with a high degree of transition and a high number of refugees. Many families experienced language barriers and the local primary school had a high number of pupils with English as an additional language. The former children's centre was at risk of under use and Councillor Begum Azad supported the bid by the School and would wish to see funding increased as there was still money in the pot.

Councillor Gray, Cabinet Member for Local Communities responding to the points made confirmed that it had appeared to the Working Group that on the East Oxford Primary School bid space was to be rented from the school and they were not comfortable with that. He thanked Ms Peto for her clarification that this was not the case. He confirmed that the Group had never supported outreach work given the transition fund was about access to activities. Sarah Jelley, Senior Policy & Performance Officer, indicated that it was possible to offer a rent free period for one year. It was proposed that the request for deferral be agreed and that the matter be determined by the Cabinet member for Local Communities. On the request by Cuttesloe Community Association Sarah Jelley detailed that since publication of the report clarification on the information provided and the request for deferral had been received. It was proposed by Councillor Gray that the request for deferral be agreed and the matter be considered by him at a future delegated decisions meeting.

During further discussion Councillor Hibbert Biles spoke in support of the Health Exercise and Nutrition for the Really Young (HENRY) programme, part of the bid from St Edbergs Church with Kingsmere which she felt should be supported. Councillor Gray explained the reasons for the recommendation of the Panel.

The Leader of the Council referring to the remaining funding proposed that Political Group Leaders consider the use of residual funding but noted that it would be for Council to agree.

RESOLVED: to:

- (a) approve for funding the following bids:
 - a. Benson Little Acorns
 - b. Didcot APUK
 - c. St Edburges Church with Kingsmere (reduced award)
 - d. The Comfort Trust;
- (b) approve changes/variations to the following previously awarded projects:
 - a. Abingdon Carousel
 - b. Faringdon Town Council
- (c) approve delegated authority to Cabinet Member for Local Communities delegated decisions for minor changes and variations to projects; further that authority be delegated to the Cabinet Member for Local Communities delegated decisions to determine the application by East Oxford Primary School and the request from Cutteslowe Community Association; and
- (d) ask Political Group Leaders to consider the use of the residual funding.

41/18 COUNCILLOR PRIORITY FUND

(Agenda Item. 9)

The Councillor Priority Fund will run across two financial years, and will be at the discretion of individual councillors to award and officers will enact their decision under officers' delegated powers. This paper suggests a general criterion for eligible applicants, and two processes for administering the fund to either external organisations, or internal OCC services. It also sets out considerations for councillors in deciding which bids to fund.

Councillor Liz Brighouse, Opposition Leader, referred to the difficulty with individuals or small groups giving funding to Groups on the basis of forms. It was important that the process be equitable with councillors properly trained in relation to grant giving. She felt that without training the decisions would be open to challenge. Councillor Brighouse added that she personally did not support this proposal but if it was to be done then there needed to be greater clarity about what could be funded. More money was involved and greater risk. Councillor Brighouse proposed that the scheme be delayed for consideration by Political Group leaders. That a breathing space would allow consideration of the real problems she feared could ensue to ensure that it is done equitably and with clarity.

During discussion Cabinet supported the proposals and welcomed the greater flexibility provided by the scheme, noting that a previous scheme had been criticised by councillors as being too restrictive. Councillor Gray, Cabinet Member for Local Communities stressed that the money was

delegated to councillors to spend in their localities and that he applauded and encouraged councillors to pool their budgets.

RESOLVED: to:

- (a) approve the governance arrangements under officers' delegated powers;
- (b) approve the Councillor Priority Fund Guidance Notes;
- (c) approve the Councillor Priority Fund Funding Request Form; and
- (d) approve the process for Allocation of Funding to Internal Services.

42/18 DELEGATED POWERS - APRIL 2018

(Agenda Item. 10)

Cabinet noted the following schedule reporting on a quarterly basis executive decisions taken under the specific powers and functions delegated under the terms of Part 7.2 of the Council's Constitution.

Not for call in.

<i>Date</i>	<i>Subject</i>	<i>Decision</i>	<i>Reasons for Urgency</i>
2 February 2018	Request for Exemption from tendering requirements under the Contract Procedure Rules - Provision of Case Management and Legal Support by West Berkshire Council's Trading Standards Service	Approved an exemption from the tendering requirements under OCC's Contract Procedure Rules in respect of a joint working arrangement with West Berkshire Council's Trading Standards Service for the provision of case management and legal support on regulatory issues at an estimated annual cost of £57k with a cost to Oxfordshire County Council in year 1 of £37k.	To secure the necessary effective and value for money support making use of existing arrangements.
1 March 2018	Request for exemption from tendering under Contract Procedure Rule ("CPR") 20 in respect	Approved an exemption from the tendering requirements under OCC's Contract Procedure Rules in respect of the award of a housing nominations agreement with	In order to be able to respond to the market pressures to give the confidence to Fairhome to acquire the properties.

	of the award of a housing nominations agreement for service users with learning disabilities with complex needs	the nominated Registered Provider nominated by Fairhome Group for service users with learning disabilities with complex needs. The Council will cover rent for void periods and any shortfall between housing benefit and rent (capped). The agreement is for 25 years with a break clause exercisable by the Council at 15 years. The estimated maximum annual cost to the Council for this scheme is £40,925. The estimated maximum combined annual cost of this scheme and another similar scheme with the same housing provider (subject to a previous exemption from the CPRs) is £112,528.	
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43/18 FORWARD PLAN AND FUTURE BUSINESS

(Agenda Item. 11)

The Cabinet considered a list of items for the immediately forthcoming meetings of the Cabinet.

RESOLVED: to note the items currently identified for forthcoming meetings.

..... in the Chair

Date of signing 2018

Division(s): Headington & Quarry

CABINET– 22 MAY 2018

PROPOSED RESTORATION OF PARKING PERMITS TO WINGFIELD HOUSE, 2A GATHORNE ROAD

Report by Director for Planning and Place

Introduction

1. Following the rescission of the Cabinet Member decision on 8 February 2018 further formal consultation and car parking surveys have been carried out relating to the proposed amendment to the Oxfordshire County Council (Headington Central) (Controlled Parking Zone and Various Restrictions) Order 2005 as amended (“the CPZ Order”) so as to allow permit eligibility for residents of Wingfield House 2A Gathorne Road Headington.

Background Information

2. Planning permission for the construction and conversion at 2A Gathorne Road as five flats (and subsequently further extension to provide a maisonette) were granted in May 2007 (07/00399/FUL) and May 2011 (11/00875/FUL) subject to a condition that the authorised development should not be occupied until the traffic order governing parking at the area had been varied to exclude the residents of the property from eligibility for residents’ parking permits and residents’ visitors’ parking permits. The County Council as local traffic authority considered it appropriate to promote, and following consultation, vary the CPZ Order so as to exclude the residents of the property as redeveloped from permit eligibility.
3. The owner of Wingfield House made a planning application to the City Council for a variation of condition (planning ref. 16/00345/VAR & 16/00342/VAR) so as to remove the planning condition that required residents of the property to be excluded from eligibility for parking permits within the CPZ. The county council recommended refusal of the variation of condition on the basis that it changes the principle of the development which was to be car-free, does not result in a sustainable development and the need to protect the existing residents’ access to car parking given the area is already under significant car parking stress.
4. The City Council refused the applications and the owner then appealed this refusal. The Planning Inspector allowed the appeal as on the evidence before him he considered that the applicant demonstrated sufficient capacity was available to accommodate the demand generated by Wingfield House. The Planning Inspector considered parking capacity and highway safety in the appeal decision (APP/G3110/W/16/3160284 & APP/G3110/W/16/3160286). A copy of which can be seen at Annex 1.
5. It should be noted that one of the parking surveys considered in the above appeals were surveys undertaken by the county council for the Access to

Headington project and therefore covered a much wider area than is considered reasonable walking distance from Wingfield House to access car parking. Other surveys considered in the appeal were undertaken using the Lambeth Methodology but are now out of date given they were undertaken two years ago.

6. At the Cabinet Member for Environment's Delegated Decision meeting on 12 October 2017 a report was considered on the proposed CPZ Order variation so as to provide parking permits for Wingfield House, due to the successful appeal. Following consideration of the officer's report (Annex 2) which recommended approval of the proposed changes and representations made both in support of the proposal by the representative of the owner of the property, and also those against made by local residents, the local member and the Opposition spokesman for Environment, the Cabinet Member for Environment decided not to approve the proposed provision of parking permits. The minute of the decision is at Annex 3.
7. Following the above meeting, on the 18 December 2017 the County Council received a letter from the legal representatives of the owner of the property citing grounds on which they considered the decision by the Cabinet Member for Environment were not valid. A response was sent by the County Council on 4 January rebutting the cited grounds, but acknowledging that in the Minute of the decision, the reasons could be better expressed and that on this basis alone it would be recommended to the Cabinet Member for the Environment that the decision should be rescinded. Despite this proposal, on 30 January 2018 the owner (Harold Grant) filed a judicial review claim challenging the Cabinet Member's decision.
8. The 12 October 2017 decision was rescinded by the Cabinet Member for Environment's Delegated Decision on 8 February 2018 (Annex 4) to allow a comprehensive review of the proposal including an up-to-date survey of on-street car parking demand in the area. Subsequently, Robin Purchas QC (as deputy High Court Judge) refused Mr Grant permission to claim judicial review and certified that his claim was totally without merit. A copy of the Court Order is found at Annex 5.

Legal Background

9. It is important to note that Section 122 Road Traffic Regulation Act 1984 does not oblige the county council to follow the result of the planning appeal, which allowed the variation of the condition to make Wingfield House eligible for parking permits, when deciding on highways and transport related matters. The deputy High Court Judge made this point in his order. Parking orders and various other traffic orders are a function of the County Council as local traffic authority further to powers conferred by the above Act. Section 122 of that Act specifies that it is the duty of a local authority upon whom functions are conferred by the act to exercise them (so far as practicable having regard to matters specified below) so as to secure the expeditious convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. The matters referred to are:-

- a. the desirability of securing and maintaining reasonable access to premises;
 - b. the effect on the amenities of any locality affected and (without prejudice to the generality of the paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run;
 - c. national air quality strategy (S80 Environment Act 1995);
 - d. the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and
 - e. any other matters appearing to the local authority to be relevant.
10. In light of the above, it can be seen that the relevant legislation sets out a series of factors to be considered and weighed in the balance.
11. The county council as the local traffic authority is also subject to the duty imposed by S16 of the Traffic Management Act 2004 being a duty to manage their road network with a view to achieving, so far as may be reasonably practicable having regard to their other obligations, policies and objectives, the objectives of securing the expeditious movement of traffic on the authority's road network and facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority.

Formal Consultation

12. The previous consultation on the proposed variation to the CPZ Order started on 7 September 2017. 36 residents, including the Residents Association, the Windmill Road Residents Action Group, the local Cyclox representative, and both City and County Councillors objected to the proposal to provide full parking permit eligibility to the flats at Wingfield House, 2A Gathorne Road.
13. The consultation on the proposed variation to the CPZ Order has been repeated as the matter is to be considered afresh. A copy of the draft variation order, statement of reasons, and a copy of the public notice appearing in the local press were sent to formal consultees on 15 March 2018. These documents, together with supporting documentation as required, were deposited for public inspection at County Hall. They were also deposited at local libraries and are available for inspection in the Members' Resource Centre. At the same time, the Council wrote to local residents affected by the proposed changes, asking for their comments. Finally, public notices were displayed as appropriate, and in the Oxford Times.
14. It should be noted that the owner of Wingfield House and his representatives were unfortunately not included in this consultation by mistake. However, this was rectified and the party was given sufficient time to respond to the consultation by extending the deadline for comments.
15. A copy of the consultation responses can be found at the Members Resource Centre. A summary of the consultation responses received is presented below in Table 1.

Table 1 – Summary of Consultation Responses

	Object	Support	No objection
Residents	34	1	
Other respondents		18	
Councillors	3		
Thames Valley Police			1
Windmill Road Residents' Action Group	1		
St Anne's, Gathorne, Margaret Roads & Rock Edge Resident's Association	1		
Quarry Rovers Football Club		1	
Total	39	20	1

16. The reason cited by supporters is the availability of car parking spaces on roads in the vicinity of Gathorne Road.
17. The main reasons cited by objectors are as follows:
- Insufficient parking available for existing residents and visitors;
 - Allowing Wingfield House access to parking permits will put further pressure on parking which is already limited;
 - Access to Headington proposals would result in a reduction of parking spaces in the area which is already under pressure;
 - Setting a precedent for developments similar to Wingfield House to apply for a variation of condition and access the CPZ;
 - Additional pollution, frustration and congestion caused by cars cruising around to find an available space;
 - Impact of additional parking pressure on older residents and families with young children;
 - Variation of condition would be against county council policies;
 - Increased occurrence of indiscriminate and illegal parking;
 - Developer could have provided on-site car parking if required rather than applying for a variation of condition after the development was built and occupied;
 - Residents of Wingfield House have access to sustainable transport modes in this area.

Car Parking Surveys

18. The county council commissioned car parking surveys, in accordance with the Lambeth Methodology (Annex 6), a standard methodology in the industry, and these were carried out to estimate parking stress on Tuesday 20th, Thursday 22nd and Saturday 24th February 2018.
19. The parking survey was undertaken overnight to capture peak demand and covered a 200 metres radius of Wingfield House, as this is considered to be a

reasonable (2min) walk. Again, this is based on the Lambeth Methodology. The results and a plan showing the geographical extent of the survey can be found at Annex 7. It should be noted that the Lambeth Methodology states that where a short distance of a road falls within the 200m radius, these should be discounted to reflect behaviour of those looking for a car parking spaces close to their home. Therefore, Rock Edge Close has not been included as only 20 metres of it is within 200 metres of Wingfield House.

20. The proposed parking changes as a result of the Access to Headington project are as follows and will result in the net decrease of two spaces in the local area as below:
- 8 spaces lost on Windmill Road
 - 1 additional space on Gathorne Road
 - 5 additional spaces on St Annes Road
21. Wingfield House comprises 4 x 1 bed flats and 2 x 2 bed flats. The potential car parking demand from the development, should the properties be eligible for parking permits, has been assessed using 2011 Census data. Census data suggests that car ownership in the Headington and Quarry and Risinghurst output areas is 1.1 vehicles per household (a copy of the census data is at Annex 8). This would suggest that Wingfield House is likely to generate the demand for circa six car parking spaces.
22. The tables below show the results for the weekday and Saturday. Local Authorities in London consider 80% occupancy of on-street parking as an indication of high parking stress. Any parking occupancy over 80% has been highlighted in the tables below.

Table 2 – Tuesday 20 February 2018 car parking occupancy (pre-Access to Headington)

Road	Occupied	Capacity	% Occupancy	Spare Capacity
Gathorne Road	29	24	121%	-5
St Annes Road	29	31	94%	2
Windmill Road	18	39	46%	21
Total	76	94	81%	18
Total plus Wingfield House demand (6 spaces)	82	94	87%	12

Table 3 – Tuesday 20 February 2018 car parking occupancy (post-Access to Headington)

Road	Occupied	Capacity	% Occupancy	Spare Capacity
Gathorne Road	29	25	116%	-4
St Annes Road	29	36	81%	7
Windmill Road	18	31	58%	13
Total	76	92	83%	16
Total plus Wingfield House demand (6 spaces)	82	92	89%	10

23. The results for Tuesday 20 February show that both Gathorne Road and St Annes Road suffer from high parking stress currently with some indiscriminate and illegal parking occurring on Gathorne Road. Both roads will continue to suffer from high parking stress following the completion of the Access to Headington proposals. Windmill Road does not suffer from parking stress. Parking occupancy in the area within 200 metres of Wingfield House is over 80% in total indicating high levels of parking stress and the addition of parking demand from Wingfield House will increase this further.

Table 4 – Thursday 22 February 2018 car parking occupancy (pre-Access to Headington)

Road	Occupied	Capacity	% Occupancy	Spare Capacity
Gathorne Road	19	24	79%	5
St Annes Road	28	31	90%	3
Windmill Road	17	39	44%	22
Total	64	94	68%	30
Total plus Wingfield House demand (6 spaces)	70	94	74%	24

Table 3 – Thursday 22 February 2018 car parking occupancy (post-Access to Headington)

Road	Occupied	Capacity	% Occupancy	Spare Capacity
Gathorne Road	19	25	76%	6
St Annes Road	28	36	78%	8
Windmill Road	17	31	55%	14
Total	64	92	70%	28
Total plus Wingfield House demand (6 spaces)	70	92	76%	22

24. The results for Thursday 22 February show that parking demand in the area is lower when compared to Tuesday 20 February, however the survey on Thursday still shows that St Annes Road suffers from high parking stress currently. This will slightly reduce with the addition of five parking spaces on St Annes Road due to the Access to Headington Project. Again Windmill Road is shown to have spare car parking capacity. Parking occupancy in the area within 200 metres of Wingfield House remains close to 80% in both scenarios.

Table 5 – Saturday 24 February 2018 parking occupancy (pre-Access to Headington)

Road	Occupied	Capacity	% Occupancy	Spare Capacity
Gathorne Road	24	24	100%	0
St Annes Road	24	31	77%	7
Windmill Road	12	39	31%	27
Total	60	94	64%	34
Total plus Wingfield House demand (6 spaces)	66	94	70%	28

Table 5 – Saturday parking occupancy (post-Access to Headington)

Road	Occupied	Capacity	% Occupancy	Spare Capacity
Gathorne Road	24	25	96%	1
St Annes Road	24	36	67%	12
Windmill Road	12	31	39%	19
Total	60	92	65%	32
Total plus Wingfield House demand (6 spaces)	66	92	72%	26

25. The parking occupancy results for Saturday show that Gathorne Road suffers from high parking stress currently and is predicted to continue to suffer from high parking stress following the implementation of the Access to Headington proposals. Similar to the weekdays, Windmill road does not suffer from parking stress on Saturday. Parking occupancy within 200 metres of Wingfield House on a Saturday is approximately 65% in both scenarios, and will continue to be below the 80% limit with the addition of potential demand from Wingfield House.
26. It should be noted that on weekday surveys and Saturday survey indicates spare capacity on Windmill Road. This may reflect the busy nature of the road which makes it unattractive for residents living on Gathorne Road and St Annes Road to use for car parking as they may feel it is unsafe to leave their car and have to cross a busy road.

Policy Information

27. The Local Transport Plan set outs the Goals and Objectives of the LTP. Goal 2 of the LTP is as follows:
To reduce emissions, enhance air quality and support the transition to a low carbon economy – Reduce the proportion of journeys made by private car by making the use of public transport, walking and cycling more attractive.
28. The Oxford Transport Strategy which forms part of the Local Transport Plan states:
The county council will seek to restrict access to parking on the public highway for new developments and change of use developments, such as Houses in Multiple Occupation (HMOs), to protect existing residents' access to parking and reduce parking demand in Oxford.
29. Oxford City Council's Sites and Housing Plan states in Policy HP16:
Planning permission will be granted for car-free or low-parking houses and flats in locations that have excellent access to public transport, are in a controlled parking zone, and are within 800 metres of a local supermarket or equivalent facilities.
30. County council officers believe varying the CPZ Order to allow Wingfield House residents permits for the CPZ would undermine the above policies which are in place to protect existing residents' access to parking and to reduce the reliance

on the private car. It should though be noted that the Wingfield House inspector did discuss Policy HP16 (see paragraphs 5-6).

Cumulative Impact

31. The variation of the CPZ Order to afford the residents of Wingfield House parking permit eligibility could set a precedent and encourage residents at other properties of “car free development” to seek a comparable variation to the parking order for their zone so that they too become eligible for parking permits. Having granted such a variation for residents of Wingfield House, where no special extenuating circumstances apply, it could be considered inconsistent and inequitable to refuse other applications. Each incremental increases in parking eligibility might have a limited effect but in aggregate would lead to greater parking stress, traffic generation and emissions contrary to the aims of the Local Transport Plan.
32. A recent appeal decision where the Planning Inspector considered the cumulative impact of new developments on CPZs provides useful reference.
33. The application sought to vary the planning condition imposed on planning permission (ref. 17/01202/FUL) for 34A Davenant Road which sought to exclude the development from the CPZ. The development comprised the erection of 1x 5-bed dwelling house and 2x 4-bed semi-detached dwelling houses. The parking provision for the development did not meet adopted parking standards and therefore the county council recommended refusal of the variation of the condition citing overspill parking on the surrounding roads.
34. The Planning Inspector states in the 13 April 2018 appeal decision (ref. APP/G3110/W/17/3188901 – Annex 9):

‘The CPZ, together with the policies of the development plan, seeks to manage the impact of new development on that limited resource. Although the impact of the appeal scheme alone would be small, it seems to me that the purpose of the policy is to manage the cumulative impact of multiple small changes. If I were to allow the appeal that would have the effect of undermining the policy approach.’
35. On this basis the Planning Inspector dismissed the appeal. It should be observed that the 34A Davenant Road appeal decision does not oblige the county council to adopt the officer recommendation in this report in the same way that the 10 February 2017 Inspector’s decision on Wingfield House does not oblige the county council to decline to adopt the officer recommendation. However, it serves to demonstrate that different planning inspectors have approached the same issue from very different standpoints.

Overall Assessment

36. The county council is required to consider the proposal applying its statutory duties as local traffic authority. The expansion of permit eligibility as proposed would not facilitate the expeditious convenient and safe movement of vehicular and other traffic nor secure provision of suitable and adequate parking facilities

which are factors the county council have to secure so far as is practicable, in accordance with under S122 as explained at paragraph 9. Rather in light of the parking survey results this is likely to exacerbate parking stress on Gathorne Road and taking account of cumulative impact, which could arise by virtue of this case providing a precedent, is likely to lead to other “car free properties” seeking eligibility for parking permits.

37. As to the various matters to which the County Council should have regard so far as practicable as identified at paragraph 9, the proposal would not directly impact upon reasonable access to premises or bus services but the objectors consider the proposal would be adverse to local residential parking amenity. The increased traffic generated by the proposal alone would not materially affect air quality.
38. As to other relevant matters, regard has been had to the planning inspector’s decision on Wingfield House (which generated the proposal for the CPZ Order variation) as well as the 34A Davenant Road decision.
39. However, the Planning Inspector stated in his decision (paragraph 16) that he could only determine the appeal on the information before him and did not profess to apply the statutory regime applying to traffic regulation matters as it was a planning appeal. Whilst self-evidently the owner of Wingfield House considers that approval of the proposal would be in his interest and those of the residents at Wingfield House and off-street parking accommodation is not available at the property, the approval of the proposal would be contrary to the interests of other residents at Gathorne Road as well as infringing city and county policies.

Conclusion

40. Varying the Traffic Regulation Order to allow Wingfield House access to the CPZ would undermine policy in place to protect existing residents’ access to parking and to reduce the reliance on the private car. The updating parking survey results, whilst mixed, show acute parking stress already exists on Gathorne Road in particular for much of the time. This is borne out by objectors. Allowing Wingfield House access to the CPZ would set an undesirable precedent, although the officer recommendation is put forward on the individual merits in any event. Having regard to these matters, and the statutory duties, it is considered by officers that the county council should not vary the CPZ Order so that residents of Wingfield House become eligible for parking permits.

Financial and Staff Implications

41. Should the Cabinet not follow the officer recommendation the cost of the variation to the CPZ Order under consultation, including that described in this report, will be met from the fund set up for this purpose.

RECOMMENDATION

42. **The Cabinet is RECOMMENDED not to approve the proposed changes to the CPZ Order as set out in the report.**

SUE HALLIWELL

Director for Planning and Place

Contact Officer: Chanika Farmer (07557 082590)

May 2018

Appeal Decisions

Site visit made on 23 January 2017

by **B Bowker Mplan MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10 February 2017

Appeal A Ref: APP/G3110/W/16/3160284

2A Wingfield House, Gathorne Road, Oxford, Oxfordshire OX3 8NF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr Harold Grant against the decision of Oxford City Council.
 - The application Ref 16/00342/VAR, dated 30 April 2015, was refused by notice dated 5 April 2016.
 - The application sought planning permission for the erection of one and a half storey rear extension (with accommodation in roof space) to provide 1-bed maisonette without complying with a condition attached to planning permission Ref 11/00875/FUL, dated 27 May 2011.
 - The condition in dispute is No 6 which states (sic) that:
The development hereby permitted shall not be occupied until the Order governing parking at has been varied by the Oxfordshire County Council as highway authority to exclude the site, subject to this permission, from eligibility for resident's parking permits and resident's visitors' parking permits unless otherwise agreed in writing by the Local Planning Authority.
 - The reason given for the condition is:
To ensure that the development does not generate a level of vehicular parking which would be prejudicial to highway safety, or cause parking stress in the immediate locality, in accordance with policies CP1, CP6, CP10 and TR13 of the Oxford Local Plan 2001-2016.
-

Appeal B Ref: APP/G3110/W/16/3160286

2A Wingfield House, Gathorne Road, Oxford, Oxfordshire OX3 8NF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mr Harold Grant against the decision of Oxford City Council.
- The application Ref 16/00354/VAR, dated 3 February 2016, was refused by notice dated 5 April 2016.
- The application sought planning permission for the erection of two storey building to provide 5 flats (3x1 bed, 2x2 bed) including accommodation in roof space without complying with a condition attached to planning permission Ref 07/00399/FUL, dated 23 May 2007.
- The condition in dispute is No 6 which states that:
The development hereby permitted shall not be occupied until the Order governing parking at land on the plot referred to in this permission as the rear of 139, 141 and 143 Windmill Road, adjoining 2 Gathorne Road has been varied b the Oxfordshire County Council as highway authority to exclude the site, subject to this permission, from eligibility for resident's parking permits and resident's visitors' parking permits.

- The reason given for the condition is:
To ensure that the development does not generate a level of vehicular parking which would be prejudicial to highway safety or cause parking stress in the immediate locality.
-

Applications for costs

1. Applications for costs have been made by Mr Harold Grant against the decision of Oxford City Council. Both applications are the subject of a separate Decision.

Decisions

Appeal A

2. The appeal is allowed and planning permission is granted for the erection of one and a half storey rear extension (with accommodation in roof space) to provide 1-bed maisonette, at 2A Wingfield House, Gathorne Road, Oxford, Oxfordshire OX3 8NF, in accordance with the application Ref 16/00342/VAR, dated 30 April 2015, without compliance with condition No 6 previously imposed on planning permission Ref 11/00875/FUL, dated 27 May 2011, but subject to the attached schedule of conditions, Schedule A.

Appeal B

3. The appeal is allowed and planning permission is granted for the erection of two storey building to provide 5 flats (3x1 bed, 2x2 bed) including accommodation in roof space, at 2A Wingfield House, Gathorne Road, Oxford, Oxfordshire OX3 8NF, in accordance with the application Ref 16/00354/VAR dated 3 February 2016, without compliance with condition No 6 previously imposed on planning permission Ref 07/00399/FUL, dated 23 May 2007, but subject to the attached schedule of conditions, Schedule B.

Background and Procedural Matters

4. The two appeals seek to remove conditions relating to two separate planning permissions at the same site. Despite being subject to separate decisions, both conditions sought to prevent future occupants of No2A Wingfield House from obtaining parking permits for the same reason; to prevent harm to highway safety. These conditions are reported to have been complied with and currently occupiers of the appeal site are not eligible to apply for parking permits.
5. The concerns of the Highway Authority do not relate to parking availability and highway safety and relate to the conditions being necessary based on the good levels of access the site has to sustainable forms of transport. Reference is also made to Policy HP16 of the Sites and Housing Plan (SHP). This policy states that permission will be granted for car free housing in locations that have excellent access to public transport, that are within a controlled parking zone and within 800 metres of a local supermarket. My site visit confirmed such circumstances apply to the development.
6. However, SHP Policy HP16 was adopted after the approval of the original planning permissions and does not alter the original reasons used to justify the conditions. Therefore, I must focus my determination of the appeals on the reason both conditions were imposed at the time; to preserve highway safety.

7. For similar reasons, concerns regarding the effect of the development on living conditions with reference to noise, disturbance and pollution do not form part of my consideration of the appeal. Accordingly, the main issue is as below.

Main Issue

8. The main issue is the whether the conditions are reasonable and necessary in the interests of highway safety.

Reasons

9. The appeal site is a two storey building comprising four flats each with one bedroom and two flats each with two bedrooms. The surrounding area is predominantly residential in use with Nuffield Orthopaedic Hospital to the south west and Windmill School to the north of the site. Roughly half of properties at Gathorne Road benefit from off street parking. Apart from properties along Windmill Road, the majority of properties in the surrounding area benefit from off street parking. The site is located within a Controlled Parking Zone.
10. During my late morning site visit, albeit representing only a short period of time, I saw a number of vacant on street parking spaces at Gathorne Road and St. Anne's Road. In addition, whilst Windmill Road received a constant flow of traffic at a moderate speed, Gathorne Road was not particularly busy. I also saw that Gathorne Road is straight with a 20mph speed limit, double yellow lines at its junctions and thus offers highway users good levels of visibility. However, I appreciate that later in the day the availability of parking spaces in the immediate area is likely to reduce and that levels of traffic and pedestrian activity are likely to increase.
11. The appellant has undertaken a number of Parking Stress Surveys across a range of dates and times within 150 and 200 metres of the appeal site in accordance with the 'Lambeth' methodology. Concerns are raised regarding the accuracy, timings and methodology of the appellant's parking surveys. However, I understand that the dates and times were agreed with the Highway Authority. I consider that the range of dates, times and the survey area chosen are reasonable and up to date, with the latest survey undertaken in February 2016. However, as the appellant's Google Map based surveys do not include precise times, they are afforded limited weight.
12. Owing to the number of bedrooms per flat at No 2A, and taking into account potential visitors, the likely demand for parking spaces arising from the proposed change in the conditions would be modest. In this context, I consider that the appellant's surveys indicate that on street parking capacity exists in the surrounding area to accommodate the development.
13. To inform the 'Access to Headington' (ATH) initiative, Oxford County Council's undertook a parking assessment, which concluded that Windmill Road has a consistent underutilisation of on street parking. The assessment also involved side roads along Windmill Road including Gathorne Road. Part of the ATH initiative involves the removal of all 38 on street parking spaces along Windmill Road and the creation of 35 additional new spaces at adjoining side roads.
14. However, taking into account the length of Windmill Road and the number of adjoining side streets, the ATH's modest net loss of 3 on street parking spaces and the redirected parking demand would be met over an area larger than Gathorne Road. Moreover, the County Council's parking assessment concludes

that at least 40 parking spaces would remain vacant in the area after accounting for spaces removed at Windmill Road.

15. Whilst concern is raised regarding the ATH initiative and associated parking stress surveys, no substantive reasons are before me to discount its findings. The parking surveys undertaken by residents indicate a lower number of on street parking spaces than the appellant's surveys. However, as the higher figures in the appellant's and Council's respective surveys corroborate one another, I find them a more credible form of evidence for establishing parking availability in the area. Consequently, even taking into account the ATH initiative, the surrounding area would be able to meet the modest parking needs of the appeal site.
16. A number of appeal decisions have been brought to my attention including a decision¹ at Gathorne Road. The appellant and residents refer to the decision in support of their respective cases. Whilst I have not been provided with the full details of this case, I note that the decision was made over 5 years ago. Consequently the decision and underpinning evidence are unlikely to provide an up to date account of local parking capacity. Nor do I have full details of development proposals referred to in the surrounding area, such as the expansion of Windmill School. Moreover, I must determine the appeal based on the evidence before me.
17. In reaching my decision I have carefully considered objections from residents and Ward Councillors, which include concerns regarding precedent. However, this decision would not prevent the Council from resisting development in locations where additional on street parking would lead to an adverse effect on highway safety.
18. In summary, in this case, sufficient on street parking capacity exists to meet the needs of occupants at No 2A. Moreover, the evidence before me does not indicate that as a result of removal of the conditions, on street parking would occur to an extent that would harm highway safety.
19. Therefore, I conclude that the conditions are not reasonable or necessary in the interests of highway safety. Consequently, the proposed change to conditions would meet the requirements of Core Strategy Policies CP1, CP6, and CP10 which are of most relevance to this matter. Combined, insofar as they relate to this matter, these policies require parking levels to be appropriate for the use proposed and development to be acceptable in respect of highway safety.

Conclusion

20. The Planning Practice Guidance makes it clear that decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged. As I have no information before me about the status of the other conditions imposed on the original planning permissions, I shall impose all those that I consider remain relevant. In the event that some have in fact been discharged, that is a matter which can be addressed by the parties.
21. For the reasons given above I conclude that the appeals should succeed. As a result I will vary the respective planning permissions by deleting the disputed conditions.

¹ APP/G3110/A/11/2143838

B Bowker

INSPECTOR

Attached – schedule of conditions.

Appeal A

Schedule A: Conditions

- 1) The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans: P2.15A proposed, P2.14A proposed, P2.13A plans - proposed, P2.12A plans - proposed.
- 2) The materials used in the external elevations of the new development shall match those of the existing building.
- 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or enacting that Order) no additional windows shall be placed in the side and rear elevations without the prior written consent of the Local Planning Authority.

Appeal B

Schedule B: Conditions

- 1) Samples of the exterior materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority before the start of work on the site and only the approved materials shall be used.
- 2) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or enacting that Order) the window(s) marked in green on the approved plan shall be glazed in obscure glass and thereafter retained.
- 3) That notwithstanding the details of the approved plans, the overall ridge height of the approved building shall not be any higher than 0.8 metres higher than the ridge height of number 2 Gathorne Road.
- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or enacting that Order) the window(s) marked green on the plan shall have a cill height not less than 1.6 metres above floor level.
- 5) Notwithstanding the provisions of Class A of Part 2 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or enacting that Order) details of the means of enclosure along the highway frontage shall be submitted to and approved in writing by the LPA prior to the commencement of development and no residential unit shall be occupied until the approved means of enclosure have been fully implemented. No alterations shall be made to this means of enclosure unless otherwise agreed in writing by the LPA.

CABINET MEMBER FOR ENVIRONMENT– 12 OCTOBER 2017

PROPOSED DISABLED PERSONS PARKING PLACES IN CHERWELL DISTRICT & OXFORD, AND PROPOSED RESTORATION OF PARKING PERMITS TO WINGFIELD HOUSE, 2A GATHORNE ROAD, OXFORD

Report by Director for Infrastructure Delivery

Introduction

1. This report considers objections received as a result of a formal consultation on proposals to introduce new Disabled Persons' Parking Places (DPPP) at various locations in Cherwell District and Oxford City. The report also considers the proposed restoration of residents and visitors parking permits to Wingfield House, 2A Gathorne Road, Headington, Oxford, following a successful planning appeal.

Background

2. New DPPPs have been requested by a disabled resident near Gillett Close and in Ruscote Avenue, Banbury, and by disabled drivers visiting the shop and post office in High Street, Hook Norton. In addition, a new DPPP have been requested by a disabled resident in Oxford – Spindleberry Close Blackbird Leys. These locations are shown on plans at Annexes 1 – 4. The report considers the outcome of a formal consultation held on these proposals. Also, following a successful planning appeal by the owner of Wingfield House 2A Gathorne Road, Headington, involving the restoration of eligibility for parking permits, a formal consultation has been carried out proposing an amendment to the CPZ Traffic Regulation Order to restore permit eligibility in line with the Planning Inspector's decision.
3. Other proposals advertised at the same time were either unopposed, or had queries arising which have been resolved satisfactorily. These have therefore been dealt with under my delegated authority to avoid unnecessary delays to applicants.

Formal Consultation

4. A copy of the draft Traffic Regulation Order, statement of reasons, and a copy of the public notice appearing in the local press, containing the proposed parking place changes were sent to formal consultees on 7 September 2017. These documents, together with supporting documentation as required and

plans of all the DPPPs, were deposited for public inspection at County Hall, and the Cherwell District Council offices at Bodicote. They were also deposited at local libraries and are available for inspection in the Members' Resource Centre. At the same time, the Council wrote to local residents affected by the proposed changes, asking for their comments. Finally, public notices were displayed at each site as appropriate, and in the Oxford Times.

5. One resident objected to the proposal in Gillett Close, and one resident objected to the proposal in Ruscot Avenue, Banbury. Three households objected to the proposal in High Street, Hook Norton, and one resident supported it. Two residents have objected to the proposal in Spindleberry Close, Oxford. Finally, 36 residents, including the Residents Association, the Windmill Road Residents Action Group, the local Cyclox representative, and both City and County Councillors objected to the proposal to restore full parking permit eligibility to the flats at Wingfield House, 2A Gathorne Road.
6. These are summarised at Annex 5 together with officer responses. Copies of all the responses received are available for inspection in the Members' Resource Centre. The County Councillors at the time of the consultation have indicated their support for the DPPP proposals in their Divisions. The County Councillor and City Councillors for the area around Gathorne Road have objected to the parking permit proposal here.
7. Having carefully considered the points made by the objectors to the proposed DPPPs, and recognising that in locations where parking is congested disabled people are at a greater disadvantage, it is suggested that the proposals proceed as advertised.
8. With regard to the issue of permit eligibility at 2A Gathorne Road, the issue of parking capacity in the area does appear to have been thoroughly addressed by the Planning Inspector (copy of the Inspector's report at Annex 6) and it is therefore suggested that the proposal to allow residents to have permits proceed as advertised.

Financial and Staff Implications (including Revenue)

9. The cost of all the proposed work under consultation, including that described in this report, will be met from the fund set up for this purpose, and developer funding.

RECOMMENDATION

10. **The Cabinet Member for Environment is RECOMMENDED to approve the proposed changes, as set out in the report**

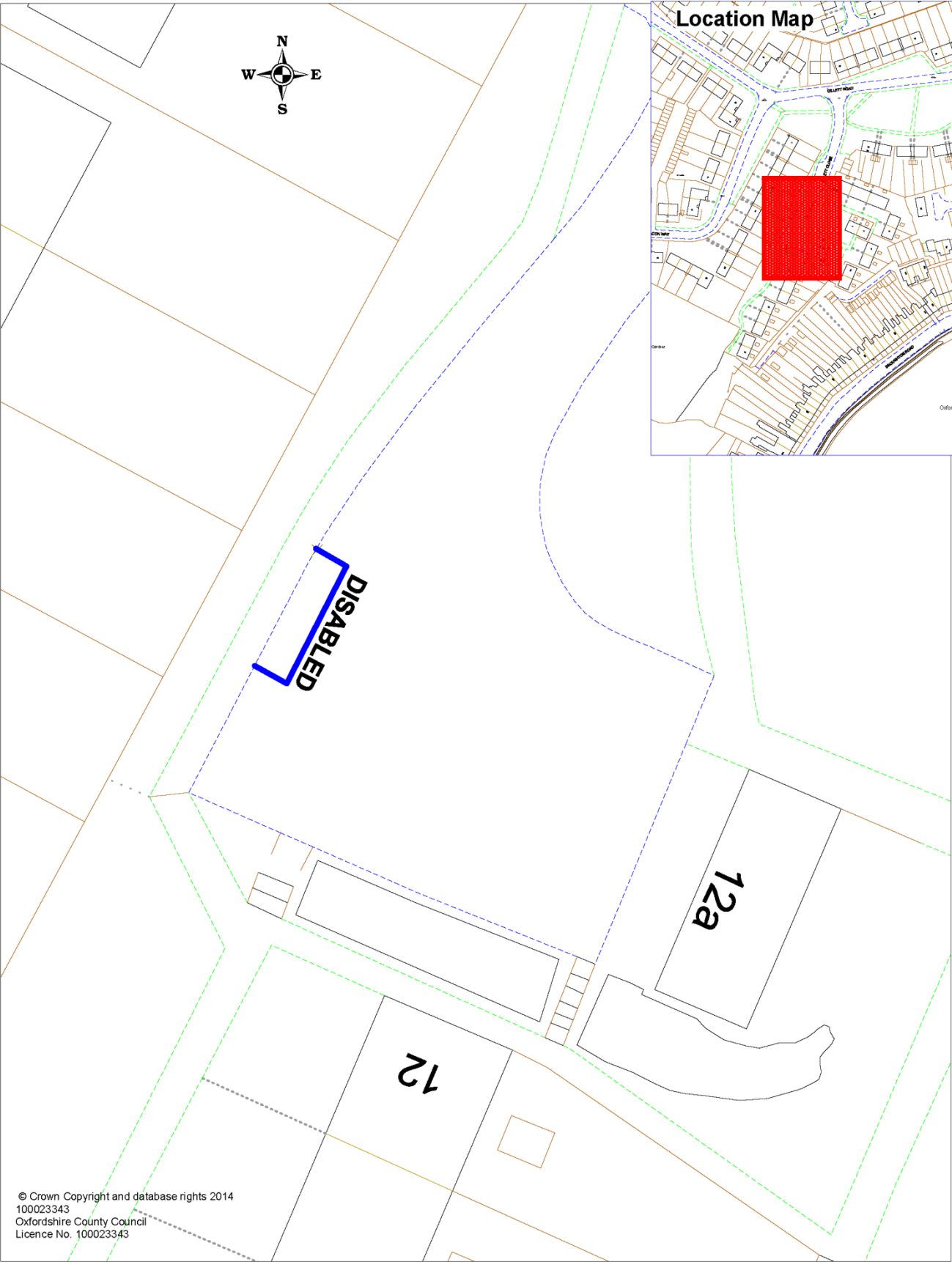
OWEN JENKINS

Director for Infrastructure Delivery

Background papers: Plan of proposed restrictions
 Consultation responses

Contact Officers: Mike Ruse (01865 815978)

September 2017

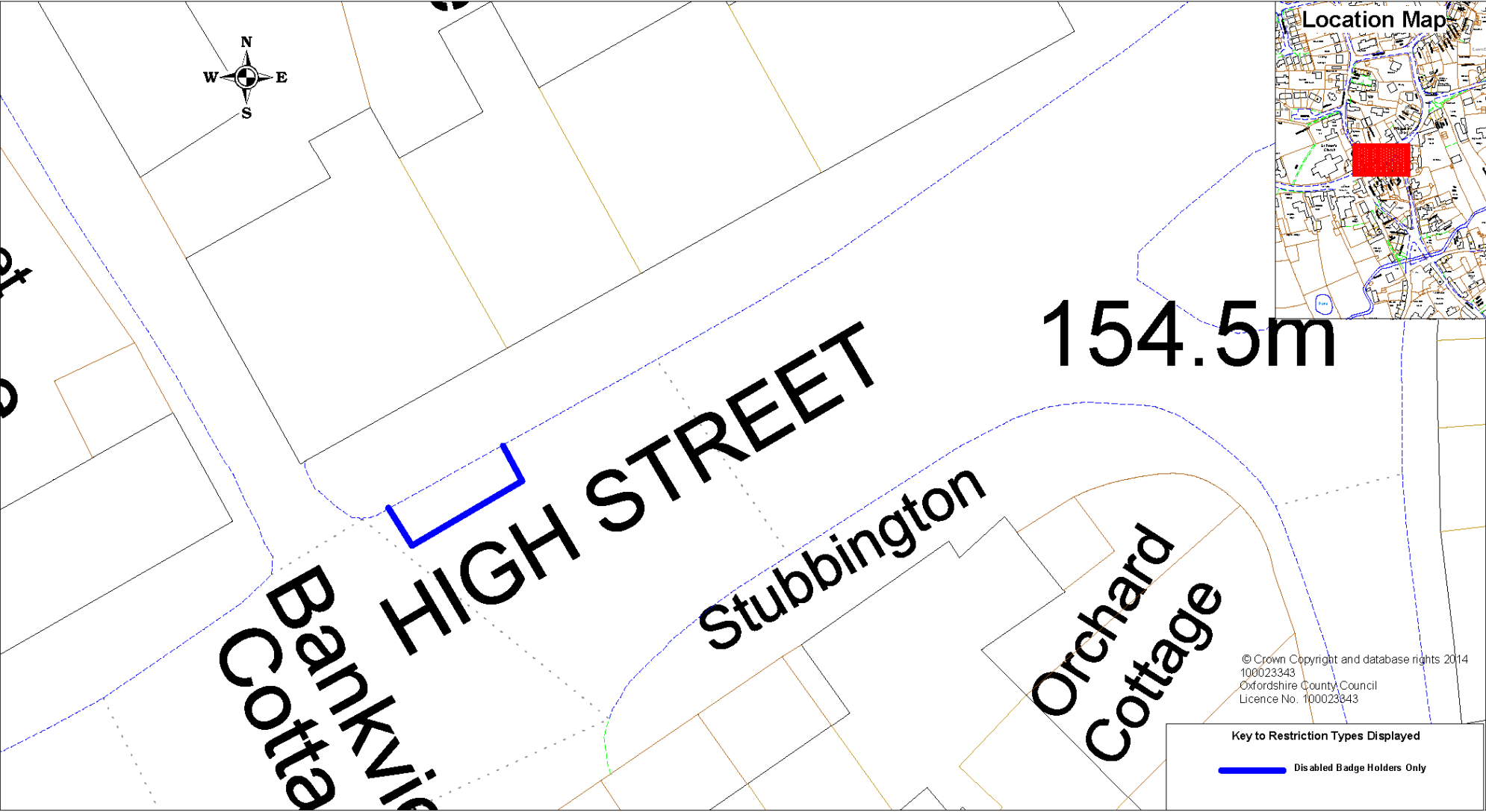


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Proposed DPPP Gillett Close, Banbury

SCALE	NTS
DATE	03/02/2017
DRAWING No.	
DRAWN BY	

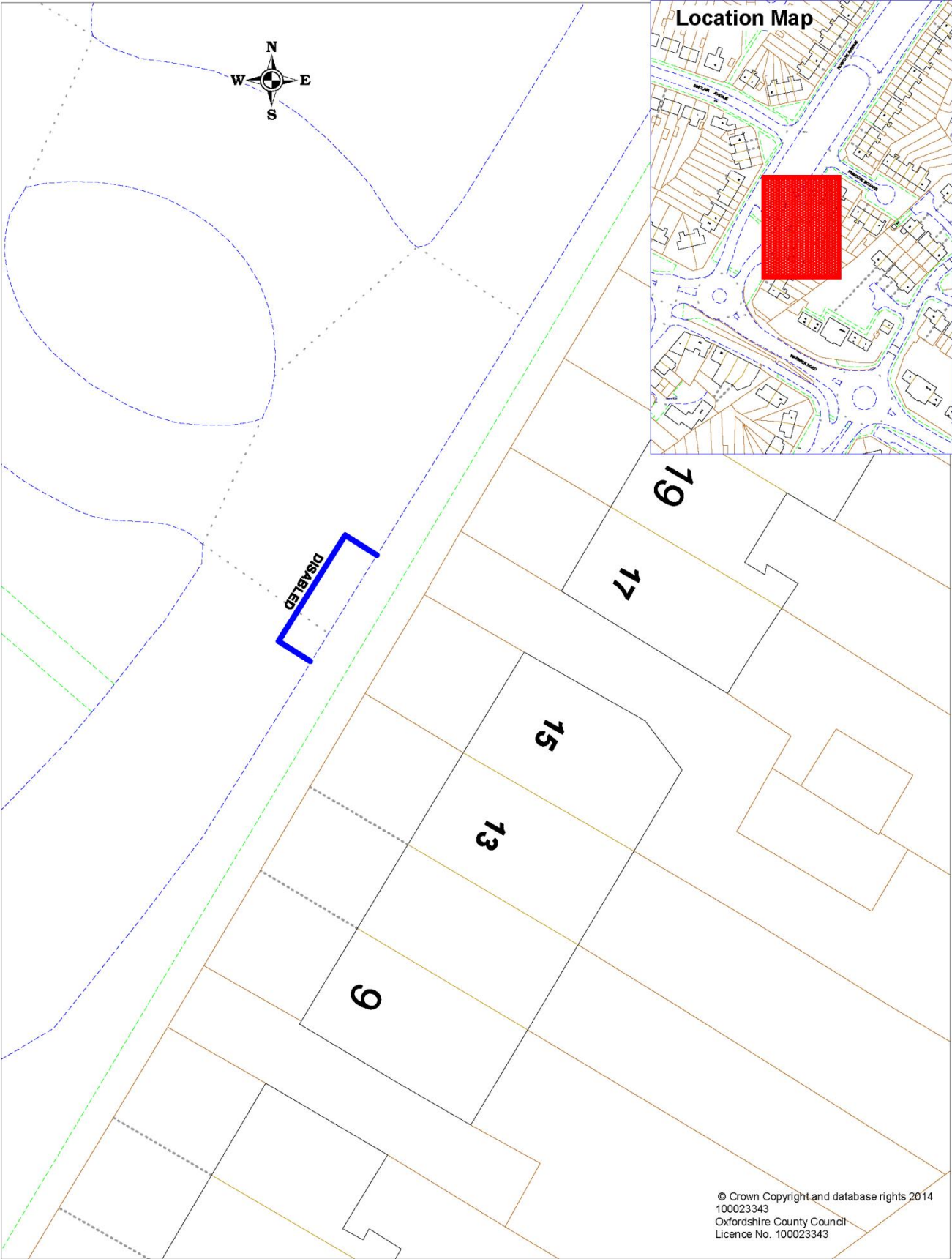


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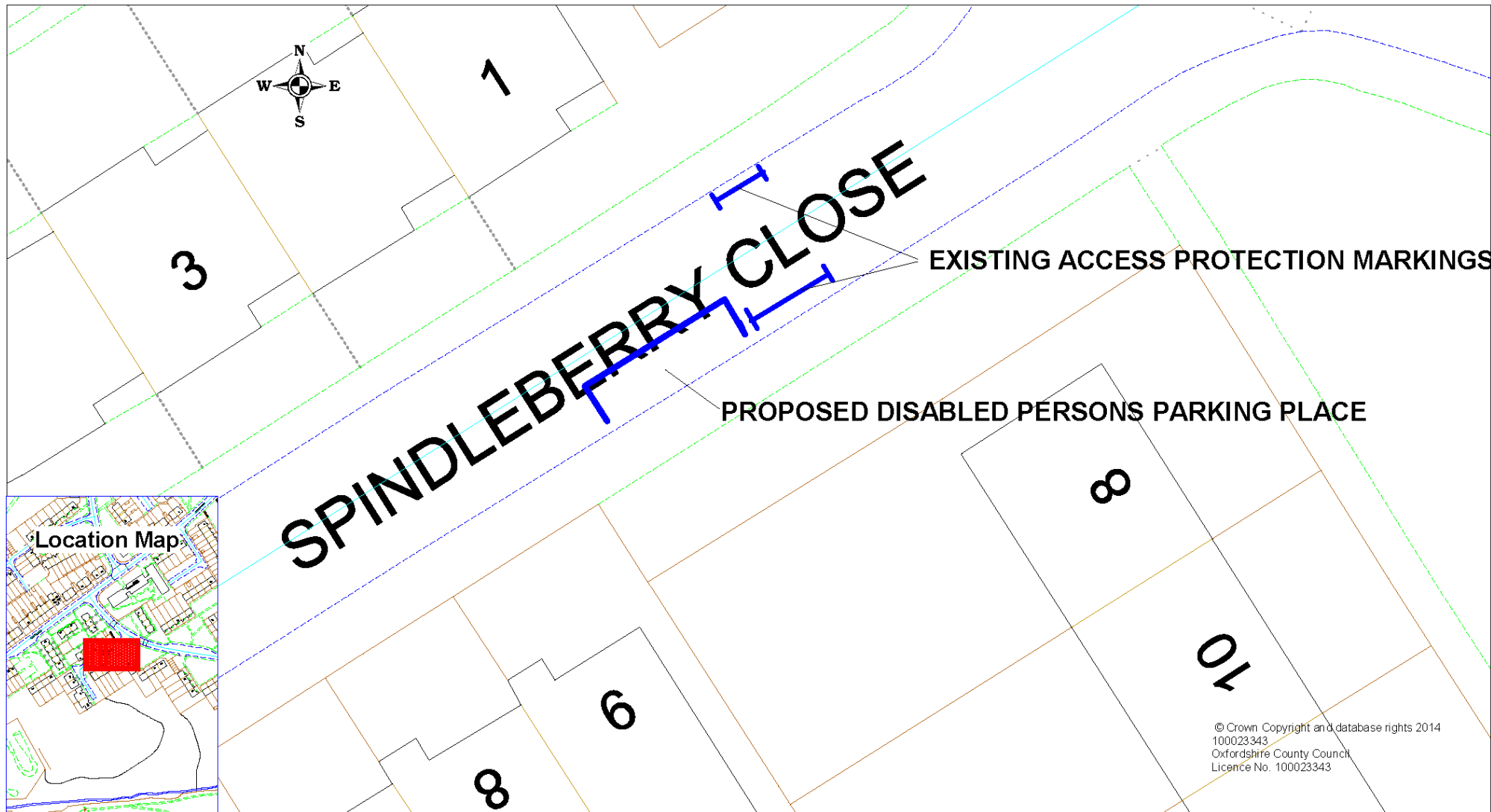
**Proposed DPPP
High Street, Hook Norton**

SCALE	NTS
DATE	01/11/2016
DRAWING No.	
DRAWN BY	



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 OXFORDSHIRE COUNTY COUNCIL ENVIRONMENT & ECONOMY www.oxfordshire.gov.uk		Proposed DPPP Ruscote Avenue, Banbury		SCALE	NTS
				DATE	13/03/2017
				DRAWING No.	
				DRAWN BY	



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Proposed DPPP Spindleberry Close, Oxford

SCALE	NTS
DATE	12/09/2017
DRAWING No.	
DRAWN BY	

RESPONSES TO CONSULTATION

RESPONDENT	COMMENT	RESPONSE
Proposed DPPP in Gillette Close, Banbury		
A resident, Gillett Close	Objects because the DPPP is for a resident at a Deacon Way address. There are already residents from Broughton Road and Deacon Way parking in the Close. Gillett Close residents need to park near their homes and this will make it more difficult.	The applicant finds it easier to get from the rear of the house on to Gillett Close. A garage exists but is too narrow to open the car doors and not wide enough to get in and out. Bay is planned in front of garage. The homes in Deacon Close are on the opposite side of the Close and have plenty of parking space, although non residents can park there.
Proposed DPPP in High Street, Hook Norton		
Two residents, High Street	Object to the proposal. They have their own garage and parking but are writing on behalf of the community. They believe the bay would have only limited use and suggest a limited time bay (say 30 minutes) instead, which would help all shoppers including elderly non-badge holders.	A limited time bay would not help badge holders and the proposal is supported by the shop. Apart from residents, most parking here is by shoppers and of limited duration.
Two residents, High Street	Object to the proposal. The proposed bay will cause considerable difficulties for them. They and their immediate neighbours have no off-street parking and this applies to houses beyond the shop, at the top of Bell Hill, and the cottages opposite. Because of the road layout, cars park where there is a space including their immediate frontage. Workers at the shop and dentist also park here. The shop is open 7 days a week, and for 6 days – 12 hours per day. There is constant	When there is pressure on parking, disabled people are at a greater disadvantage. While the proposed DPPP has been requested by 2 badge holders and has the support of the shop, as well as the Parish Council, one of the badge holders is moving away in a few months and no other badge holders in Hook Norton have come forward during Formal Consultation or before. Advisory DPPPs are no longer permissible under Department for Transport regulations. The OCC website gives particular information and guidance on locating DPPPs outside homes of those disabled residents who qualify but that doesn't

	<p>traffic movement. They have no rear access and as there is no railing where the bay is planned, this is useful to them for deliveries etc. The shop also has deliveries and large lorries park along the frontage here. They believe the bay will be empty for most of the time. If proposal goes ahead they would consider applying for a residents parking area here. They believe the badge holder who asked for the bay is moving away from the village. They also consider OCC should have written to more residents than those along this frontage, although they acknowledge a number of street notices were put up, and the Council did more than the legal requirement. Could the bay be advisory only for more flexibility? They note that OCCs website only has information on disabled bays outside disabled resident's homes, and believe this is misleading. .</p>	<p>preclude the Council from considering DPPPs that are for general use by badge holders.</p>
Two residents High Street	<p>Object to the proposal. They believe the proposed DPPP would be inappropriate here. The shop have told them the three badge holders who would use it only use the shop for 5 minutes in any week and one has moved away. One of the shop managers has told them that they support the proposal because it is away from their immediate frontage and so won't interfere with their deliveries.</p>	<p>As above.</p>

A resident, Hook Norton	Supports the proposal and surprised that the residents here question the need as they are able to reach the shop with ease while disabled drivers cannot. The shop has seen people falling on the steps up to the footway nearer the shop. Hook Norton has a growing population of elderly people and the parking problem near the shop creates a real problem for disabled drivers visiting it so the proposed DPPP is essential. The residents here are a small proportion of the population of the village and nobody else has objected.	As above.
Hook Norton Parish Council	The Councillors were generally in favour of the proposal and there were no objections.	Noted.
Proposed DPPP in Ruscote Avenue, Banbury		
A resident Ruscote Avenue	Questions the need for the proposed DPPP as there are no disabled residents where space is proposed. The residents in this part of the Avenue either have dropped kerbs and off-street parking and where the space is proposed a drive and garage exists. Parking is limited on street for visitors and the proposal will add to the lack of space.	The DPPP is planned outside a current badge holder's home. Although a shared drive and a garage exist, the drive is on a slope, and is rough and uneven. The badge holder can't get in or out of the car when it is in the garage and can't get from there to the house. The garage itself is derelict and rickety. The property is rented.
Proposed DPPP in Spindleberry Close, Oxford		
A resident, Spindleberry Close	Objects to proposal. She is not aware of another disabled resident in the Close other than the resident who already has a DPPP and believes all other residents are sufficiently mobile. There is parking pressure here and as a home owner and parking permit holder she expects to be	The proposed DPPP is located near the home of a current badge holder. The grassed area in question is not publically adopted highway so OCC has no jurisdiction to consider parking. The City Council has installed parking areas in similar situations elsewhere in Blackbird Leys but currently there are no known plans in this vicinity. The allegations of misuse of visitor permits

	able to park outside or near her home. Currently when Oxford United are playing at home, supporters park here with visitor permits obtained from residents outside the Close or illegally. She suggests parking spaces for residents are instead provided on the “green space” at the Pegasus Road end of the Close. She strongly opposes the proposal.	have been passed to the Parking Team to investigate.
The daughter of a resident in Spindleberry Close	She objects to the proposal. There is already a DPPP nearby and one more would detrimental to the (other) residents and visitors to the Close. Five bungalows and four houses exist and there are only four spaces left for everybody else. Her 90 year old mother lives here, and while she is not a badge holder as she has no car, she cannot walk far so it would be more difficult for the daughter to take her out in the car. It will be more difficult for her carers and deliveries. Adjoining No 9 is a patch of waste ground with a shrubbery which could be allocated to parking. She believes the applicant has sufficient mobility to regularly walk, mow the lawns so why is a DPPP thought necessary?	Her mother could apply for a badge as car ownership is not required. The daughter could use the proposed DPPP to take her out and bring her back provided the mother’s badge was displayed. When parking is limited the disabled are at a disadvantage. The off-street area mentioned is not publically adopted land so OCC has no jurisdiction. As above.
Proposed restoration of full parking permit eligibility to flats at Wingfield House, 2A Gathorne Road, Headington, Oxford		
36 residents in Gathorne Road, St Anne’s Road, including the St Anne’s Gathorne Road & Margaret Road Residents Association, the	All object to the proposals. The developer chose not to provide off-road parking on site to maximise the number of flats possible and hence increase profits. The Development was therefore given planning permission by the City Council on the basis that the flats would be ineligible for parking permits in Headington Central CPZ. A subsequent appeal by the	As the objectors have noted the development was granted planning consent on the basis that it would be car-free. County officers supported this principle at the time of the initial application (2007) and objected to the subsequent planning application (in 2016) which sought to remove the condition preventing permits being issued to residents of this site. It remains officers’ view that the development should continue to

<p>local representative of Cyclox, and the Windmill Road Residents Action Group</p>	<p>developer against the planning condition was overruled at the time. Conversely the developer of 1A Gathorne Road, in recognition of the prevailing permit policy of both Authorities provided off-street parking understanding that permits would not be allowed. This area has good communication links and is ideal for car free development. The tenants in the flats at Wingfield House were aware that permits were not allowed when they took on their tenancies, and if parking on-street was an issue they could have rented elsewhere. The objectors believe the developer will increase the rent for the flats if permits are restored. This would also mean an increase of between 6 to 12 vehicles parking in the area.</p> <p>Parking is already congested in Gathorne Road and St Anne's Road with residents from Windmill Road parking here. While parking is more available during the working day when residents are at work, in evenings and weekends the parking is full, as evidenced in surveys carried out by the residents. Previous surveys have been carried out during the day when more parking spaces are available and as a result of the latest appeal the Government Inspector also inspected the road one week-day at lunchtime. The residents' surveys and pictures show that parking is full at night. The proposed reduction in spaces on Windmill Road as a result of Access to Headington will make the situation even worse. Gathorne Road</p>	<p>be car-free.</p> <p>However, there has now been an appeal against retention of the planning condition and the Planning Inspector's report is clear that in reaching a different conclusion, he has taken into account survey information from a number of sources. The Inspector's statement that "the evidence before me does not indicate that as a result of removal of the conditions, on street parking would occur to an extent that would harm highway safety" is very clear.</p>
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	<p>is near the edge of the Zone boundary, so residents unable to park here will have to park the other side of the busy Windmill Road which is undesirable for the elderly. While permits were restored to 9 & 9A Gathorne Road following a planning appeal, each property was only allowed 1 permit so this has not increased on-street parking pressure. If full eligibility to permits for Wingfield House were allowed, this would create a precedent and other developers would seek to overturn similar planning conditions on existing developments in order to obtain full eligibility.</p>	
<p>County Councillor for Headington & Quarry Roz Smith</p>	<p>Objects to the proposal. "With advice from Oxfordshire County Council, Oxford City Council planning committee put a condition on this property that it should be exempt from parking permits, i.e. a car free development. The condition was sensible given the proximity of regular public transport, local services within easy walking distance, (GP, Dental, library, schools etc.) plus an active car sharing scheme. The owner has now appealed this condition and it seems an ill-informed planning inspector found in his favour. This was a shock, given the pressure on the few residents parking spaces within Gathorne Road, nearby St Anne's and Margaret Roads. If allowed, we could see as many as 12 more vehicles competing for the 18 spaces in Gathorne Road and the few spaces in surrounding area.</p> <p>Many homes do not have off road parking and</p>	<p>As above</p>

	<p>the Access to Headington project will see even more pressure when residential spaces in Windmill Road are removed. The detailed work around removal of parking spaces in Windmill Road undertaken by county officers with consultation with residents and local councillors will be undermined by allowing parking eligibility for the Wingfield House development.</p> <p>The stated aim of Access to Headington is to encourage use of sustainable means of transport. If this change to the eligibility for parking permits is allowed then I envisaged a raft of appeals for changes to parking conditions within the City's controlled parking zones.</p> <p>I concur with my city councillor colleagues that if this change is approved then it will be more difficult for the local planning authority, (Oxford City Council), to turn down applications and for the County Council to further its aim of reducing the high volume of vehicle movements within the City.</p> <p>I recognise it will be unusual, but not the first time, that a local authority to challenge an appeal decision by a planning inspector.</p> <p>However, I feel the arguments for exempting these properties from the eligibility for parking permits in the Headington CPZ are overwhelming and I urge the Cabinet member to continue the exemption for this development".</p>	
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<p>City Councillors M Altaf-Khan & Ruth Wilkinson</p>	<p>Both object to the proposal. "As city councillors for Headington Ward, we are writing to object most strongly to the proposed changes which seeks to restore the above Gathorne Road properties to full permit eligibility. We set out our concerns below.</p> <ul style="list-style-type: none"> • We believe that the County Council should not be encouraging the use of cars in areas that are excellently served by frequent public transport, especially at a time when the Access to Headington project is facilitating better space for cyclists, and when concerns from our residents about air quality in the area are increasing. The advent of Rapid Transit buses will improve travel for Headington residents still further, and there is a successful car-share scheme currently in operation in the area. • Applications to intensify or change the use of flats and HMOs in this area have been permitted by the planning authority including councillors on East Area Planning Committee <i>only on condition that these are car-free developments</i>. Gathorne Road is close to excellent public transport routes in and out of Oxford, the airports and London. • There are currently only 18 dwellings in Gathorne Road; on-road parking spaces are already under pressure both from existing permit-holders, and from hospital 	<p>As above</p>
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	<p>and care workers seeking to access the Nuffield Orthopaedic Centre and a Gathorne Road property for tenants with special needs. The removal of some on-road parking spaces in Windmill Road as part of the Access to Headington scheme is likely to shift parking to adjoining residential roads including Gathorne Road. The restoration of permit eligibility to tenants in these six properties would reduce on-road parking availability for current Gathorne Road permit-holders, and potentially shift parking pressure to St Anne's Road nearby, thus impacting negatively on permit-holders there too.</p> <ul style="list-style-type: none"> • We are anxious that this proposed change arising from what we feel to have been a questionable inspector decision does not serve as a precedent for the Headington area, which contains a very large number of shared houses, HMOs and flats which have only received permission for build or change of use on condition that they are car-free. We recognise that it is most unusual for a local authority to challenge an appeal decision by a planning inspector, but we feel that the arguments for exempting these properties from eligibility for the CPZ are overwhelming. <p>We urge the Cabinet Member to oppose this change and ask her to continue to exempt these</p>	
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	properties from full permit eligibility in the Headington Central CPZ”.	
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Appeal Decisions

Site visit made on 23 January 2017

by **B Bowker Mplan MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government
Decision date: 10 February 2017

Appeal A Ref: APP/G3110/W/16/3160284

2A Wingfield House, Gathorne Road, Oxford, Oxfordshire OX3 8NF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mr Harold Grant against the decision of Oxford City Council.
- The application Ref 16/00342/VAR, dated 30 April 2015, was refused by notice dated 5 April 2016.
- The application sought planning permission for the erection of one and a half storey rear extension (with accommodation in roof space) to provide 1-bed maisonette without complying with a condition attached to planning permission Ref 11/00875/FUL, dated 27 May 2011.
- The condition in dispute is No 6 which states (sic) that:
The development hereby permitted shall not be occupied until the Order governing parking at has been varied by the Oxfordshire County Council as highway authority to exclude the site, subject to this permission, from eligibility for resident's parking permits and resident's visitors' parking permits unless otherwise agreed in writing by the Local Planning Authority.
- The reason given for the condition is:
To ensure that the development does not generate a level of vehicular parking which would be prejudicial to highway safety, or cause parking stress in the immediate locality, in accordance with policies CP1, CP6, CP10 and TR13 of the Oxford Local Plan 2001-2016.

Appeal B Ref: APP/G3110/W/16/3160286

2A Wingfield House, Gathorne Road, Oxford, Oxfordshire OX3 8NF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mr Harold Grant against the decision of Oxford City Council.
- The application Ref 16/00354/VAR, dated 3 February 2016, was refused by notice dated 5 April 2016.
- The application sought planning permission for the erection of two storey building to provide 5 flats (3x1 bed, 2x2 bed) including accommodation in roof space without complying with a condition attached to planning permission Ref 07/00399/FUL, dated 23 May 2007.
- The condition in dispute is No 6 which states that:
The development hereby permitted shall not be occupied until the Order governing parking at land on the plot referred to in this permission as the rear of 139, 141 and 143 Windmill Road, adjoining 2 Gathorne Road has been varied b the Oxfordshire County Council as highway authority to exclude the site, subject to this permission, from eligibility for resident's parking permits and resident's visitors' parking permits.

- The reason given for the condition is:

To ensure that the development does not generate a level of vehicular parking which would be prejudicial to highway safety or cause parking stress in the immediate locality.

Applications for costs

1. Applications for costs have been made by Mr Harold Grant against the decision of Oxford City Council. Both applications are the subject of a separate Decision.

Decisions

Appeal A

2. The appeal is allowed and planning permission is granted for the erection of one and a half storey rear extension (with accommodation in roof space) to provide 1-bed maisonette, at 2A Wingfield House, Gathorne Road, Oxford, Oxfordshire OX3 8NF, in accordance with the application Ref 16/00342/VAR, dated 30 April 2015, without compliance with condition No 6 previously imposed on planning permission Ref 11/00875/FUL, dated 27 May 2011, but subject to the attached schedule of conditions, Schedule A.

Appeal B

3. The appeal is allowed and planning permission is granted for the erection of two storey building to provide 5 flats (3x1 bed, 2x2 bed) including accommodation in roof space, at 2A Wingfield House, Gathorne Road, Oxford, Oxfordshire OX3 8NF, in accordance with the application Ref 16/00354/VAR dated 3 February 2016, without compliance with condition No 6 previously imposed on planning permission Ref 07/00399/FUL, dated 23 May 2007, but subject to the attached schedule of conditions, Schedule B.

Background and Procedural Matters

4. The two appeals seek to remove conditions relating to two separate planning permissions at the same site. Despite being subject to separate decisions, both conditions sought to prevent future occupants of No2A Wingfield House from obtaining parking permits for the same reason; to prevent harm to highway safety. These conditions are reported to have been complied with and currently occupiers of the appeal site are not eligible to apply for parking permits.

5. The concerns of the Highway Authority do not relate to parking availability and highway safety and relate to the conditions being necessary based on the good levels of access the site has to sustainable forms of transport. Reference is also made to Policy HP16 of the Sites and Housing Plan (SHP). This policy states that permission will be granted for car free housing in locations that have excellent access to public transport, that are within a controlled parking zone and within 800 metres of a local supermarket. My site visit confirmed such circumstances apply to the development.

6. However, SHP Policy HP16 was adopted after the approval of the original planning permissions and does not alter the original reasons used to justify the conditions. Therefore, I must focus my determination of the appeals on the reason both conditions were imposed at the time; to preserve highway safety.

7. For similar reasons, concerns regarding the effect of the development on living conditions with reference to noise, disturbance and pollution do not form part of my consideration of the appeal. Accordingly, the main issue is as below.

Main Issue

8. The main issue is the whether the conditions are reasonable and necessary in the interests of highway safety.

Reasons

9. The appeal site is a two storey building comprising four flats each with one bedroom and two flats each with two bedrooms. The surrounding area is predominantly residential in use with Nuffield Orthopaedic Hospital to the south west and Windmill School to the north of the site. Roughly half of properties at Gathorne Road benefit from off street parking. Apart from properties along Windmill Road, the majority of properties in the surrounding area benefit from off street parking. The site is located within a Controlled Parking Zone.

10. During my late morning site visit, albeit representing only a short period of time, I saw a number of vacant on street parking spaces at Gathorne Road and St. Anne's Road. In addition, whilst Windmill Road received a constant flow of traffic at a moderate speed, Gathorne Road was not particularly busy. I also saw that Gathorne Road is straight with a 20mph speed limit, double yellow lines at its junctions and thus offers highway users good levels of visibility. However, I appreciate that later in the day the availability of parking spaces in the immediate area is likely to reduce and that levels of traffic and pedestrian activity are likely to increase.

11. The appellant has undertaken a number of Parking Stress Surveys across a range of dates and times within 150 and 200 metres of the appeal site in accordance with the 'Lambeth' methodology. Concerns are raised regarding the accuracy, timings and methodology of the appellant's parking surveys. However, I understand that the dates and times were agreed with the Highway Authority. I consider that the range of dates, times and the survey area chosen are reasonable and up to date, with the latest survey undertaken in February 2016. However, as the appellant's Google Map based surveys do not include precise times, they are afforded limited weight.

12. Owing to the number of bedrooms per flat at No 2A, and taking into account potential visitors, the likely demand for parking spaces arising from the proposed change in the conditions would be modest. In this context, I consider that the appellant's surveys indicate that on street parking capacity exists in the surrounding area to accommodate the development.

13. To inform the 'Access to Headington' (ATH) initiative, Oxford County Council's undertook a parking assessment, which concluded that Windmill Road has a consistent underutilisation of on street parking. The assessment also involved side roads along Windmill Road including Gathorne Road. Part of the ATH initiative involves the removal of all 38 on street parking spaces along Windmill Road and the creation of 35 additional new spaces at adjoining side roads.

14. However, taking into account the length of Windmill Road and the number of adjoining side streets, the ATH's modest net loss of 3 on street parking spaces and the redirected parking demand would be met over an area larger than Gathorne Road. Moreover, the County Council's parking assessment concludes

that at least 40 parking spaces would remain vacant in the area after accounting for spaces removed at Windmill Road.

15. Whilst concern is raised regarding the ATH initiative and associated parking stress surveys, no substantive reasons are before me to discount its findings. The parking surveys undertaken by residents indicate a lower number of on street parking spaces than the appellant's surveys. However, as the higher figures in the appellant's and Council's respective surveys corroborate one another, I find them a more credible form of evidence for establishing parking availability in the area. Consequently, even taking into account the ATH initiative, the surrounding area would be able to meet the modest parking needs of the appeal site.

16. A number of appeal decisions have been brought to my attention including a decision¹ at Gathorne Road. The appellant and residents refer to the decision in support of their respective cases. Whilst I have not been provided with the full details of this case, I note that the decision was made over 5 years ago. Consequently the decision and underpinning evidence are unlikely to provide an up to date account of local parking capacity. Nor do I have full details of development proposals referred to in the surrounding area, such as the expansion of Windmill School. Moreover, I must determine the appeal based on the evidence before me.

17. In reaching my decision I have carefully considered objections from residents and Ward Councillors, which include concerns regarding precedent. However, this decision would not prevent the Council from resisting development in locations where additional on street parking would lead to an adverse effect on highway safety.

18. In summary, in this case, sufficient on street parking capacity exists to meet the needs of occupants at No 2A. Moreover, the evidence before me does not indicate that as a result of removal of the conditions, on street parking would occur to an extent that would harm highway safety.

19. Therefore, I conclude that the conditions are not reasonable or necessary in the interests of highway safety. Consequently, the proposed change to conditions would meet the requirements of Core Strategy Policies CP1, CP6, and CP10 which are of most relevance to this matter. Combined, insofar as they relate to this matter, these policies require parking levels to be appropriate for the use proposed and development to be acceptable in respect of highway safety.

Conclusion

20. The Planning Practice Guidance makes it clear that decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged. As I have no information before me about the status of the other conditions imposed on the original planning permissions, I shall impose all those that I consider remain relevant. In the event that some have in fact been discharged, that is a matter which can be addressed by the parties.

21. For the reasons given above I conclude that the appeals should succeed. As a result I will vary the respective planning permissions by deleting the disputed conditions.

¹ APP/G3110/A/11/2143838

B Bowker

INSPECTOR

Attached – schedule of conditions.

Appeal A

Schedule A: Conditions

- 1) The development permitted shall be constructed in complete accordance with the specifications in the application and approved plans: P2.15A proposed, P2.14A proposed, P2.13A plans - proposed, P2.12A plans - proposed.
- 2) The materials used in the external elevations of the new development shall match those of the existing building.
- 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or enacting that Order) no additional windows shall be placed in the side and rear elevations without the prior written consent of the Local Planning Authority.

Appeal B

Schedule B: Conditions

- 1) Samples of the exterior materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority before the start of work on the site and only the approved materials shall be used.
- 2) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or enacting that Order) the window(s) marked in green on the approved plan shall be glazed in obscure glass and thereafter retained.
- 3) That notwithstanding the details of the approved plans, the overall ridge height of the approved building shall not be any higher than 0.8 metres higher than the ridge height of number 2 Gathorne Road.
- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or enacting that Order) the window(s) marked green on the plan shall have a cill height not less than 1.6 metres above floor level.
- 5) Notwithstanding the provisions of Class A of Part 2 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or enacting that Order) details of the means of enclosure along the highway frontage shall be submitted to and approved in writing by the LPA prior to the commencement of development and no residential unit shall be occupied until the approved means of enclosure have been fully implemented. No alterations shall be made to this means of enclosure unless otherwise agreed in writing by the LPA.

DELEGATED DECISIONS BY CABINET MEMBER FOR ENVIRONMENT (INCLUDING TRANSPORT)

MINUTES of the meeting held on Thursday, 12 October 2017 commencing at 10.00 am and finishing at 11.25 am

Present:

Voting Members: Councillor Yvonne Constance OBE – in the Chair

Other Members in Attendance: Councillor Roz Smith (for Agenda Item 5)
Councillor John Sanders (Labour Group Spokesperson for Environment)

Officers:

Whole of meeting G. Warrington (Law & Governance); Director for Infrastructure Delivery

Part of meeting

Agenda Item	Officer Attending
4.	J. Wright & O. South (Infrastructure Delivery)
5.	A. Kirkwood & M. Ruse (Infrastructure Delivery)
6.	A. Kirkwood and R. Freshwater (Infrastructure Delivery)
Urgent Item (7)	M. Kraftl & A. Warren (Planning and Place)

The Cabinet Member for Environment considered the matters, reports and recommendations contained or referred to in the agenda for the meeting, together with a schedule of addenda tabled at the meeting and decided as set out below. Except as insofar as otherwise specified, the reasons for the decisions are contained in the agenda, reports and schedule, copies of which are attached to the signed Minutes.

24/17 PETITIONS AND PUBLIC ADDRESS

(Agenda No. 3)

<i>Speaker</i>	<i>Item</i>
John White – <i>Mayor of Burford</i>)
Ken Gray – <i>Burford Town Council</i>)
Daren Godfrey – <i>Cotswold Recovery Vehicles</i>)
Tom Hickman – <i>Tom Hickman Landscapes</i>) 4. A361 Burford High Street –) Proposed Environmental Weight) Limit

Michael Tysoe – <i>Mayor of Chipping Norton</i> County Councillor Nicholas Field-Johnson – <i>Local Member</i>))))
Julian Philcox – <i>JP Consultants</i> James Larminnie – <i>Cyclox</i> Frank Murray – <i>Resident</i> Valerie Seagrott – <i>Resident</i> Geoff Sutton – <i>Resident</i> Peter West – <i>Resident & representing Gathorne & St Anne's Road Residents' Association</i> City Councillor Altaf Khan County Councillor Roz Smith – <i>Local Member</i>)))5. Proposed DPPS in Cherwell and Oxford & Restoration of Parking Permits to Wingfield House, 2A Gathorne (All in relation to the Gathorne Road element)))))

25/17 A361 BURFORD HIGH STREET - PROPOSED ENVIRONMENTAL WEIGHT LIMIT

(Agenda No. 4)

The Cabinet Member for Environment considered (CMDE4) objections and comments received in the course of a statutory consultation on proposals to prohibit use of the A361 Burford High Street as a through route for north to south heavy goods vehicle traffic. The specific option taken to formal consultation was for a prohibition of vehicles exceeding 7.5 tonnes maximum gross weight travelling between Burford and Fulbrook roundabouts (A40 to A424).

John White the Mayor of Burford spoke in support of a prohibition. Referring to hazards to people and damage to buildings he considered the case more than made itself. Air pollution, although below EU limits, was very high particularly at the bridge area. There were 162 listed buildings on High Street including many commercial businesses some of which had been badly affected and with tourism accounting for an income to the town of some £15m per annum it was an important consideration in any decision. There were 19 children from Fulbrook attending the local school many of whom used the bridge which had no footpath with lorries encroaching onto a very narrow walking area. If the matter was deferred then he asked for a strict time limit for the matter to be reconsidered and that Burford Town Council be involved in any further consultations.

Ken Gray for Burford Town Council also spoke in support of a prohibition. He confirmed that speed data for all traffic was in fact available for High Street near the top of hill which showed that 25% of vehicles were travelling over 30mph and 4% below 20mph. Burford Town Council should be included in any further research carried out on displaced HGV traffic which he considered needed to be the sole responsibility of OCC. An 18 tonne limit was supported by all councils north of

Burford. Finally he referred to 2 existing origin/destination surveys, one for Burford and one for Chipping Norton which he considered would be key to a rerouting study.

Daren Godfrey (Cotswold Recovery Vehicles) spoke against a prohibition citing some 40 lorries a day from their operation which used this route in connection with vehicle recovery work which they undertook for, amongst others, Thames Valley Police and Gloucestershire police. They needed to attend incidents within 30 minutes in order to remove dangerous material from the highway and as they operated vehicles between 7.5 tonnes and 22 tonnes any prohibition on their vehicles would seriously affect their ability to comply with the terms of their contracts, particularly as some alternative routes would double the length of journeys while others were totally unsuitable. That in turn could jeopardise contracts and therefore jobs while increasing their carbon footprint. He understood concerns regarding speed of traffic and supported a 20 mph limit for High Street.

Tom Hickman (Tom Hickman Landscapes) spoke against a prohibition. He owned a garden landscaping and skip hire business operating 6 HGVs over 7.5 tonnes on a 7 acre site at Fulbrook only ½ mile away from the Fulbrook roundabout and. The A361 represented the gateway to their working day with 99% of their journeys requiring access over the bridge and up the High Street. A prohibition would increase mileage and times for journeys with major cost implications both financially and environmentally. As a resident of Burford he was aware of traffic problems in the town and if any prohibition was to be imposed then there should be exemptions for local companies.

Michael Tysoe (Mayor of Chipping Norton) supported calls for a prohibition. Prohibiting HGVs on this route would have major knock on benefits for Chipping Norton including reductions to the severe air pollution levels in the Horsefair. He did not expect there to be major implications for businesses in Chipping Norton but did expect there to be major benefits for small towns and villages such as Burford, Bloxham, South Newington as well as Chipping Norton which were not built for large vehicles.

Councillor Nicholas Field-Johnson supported a prohibition which was aimed at large continental type lorries. He supported moves to seek exemptions for local vehicles and endorsed John White's comments regarding damage to buildings on the High street and the detrimental effect on tourism which was key to the town with pollution also a major concern. He felt that there had been a lot of misrepresentation regarding vehicles diverting elsewhere and questioned the motives behind the expressed opposition from both Gloucestershire and Worcestershire county councils. There was no one solution for the Cotswold region and the problem needed to be tackled piece by piece starting with Burford and Chipping Norton. He endorsed calls for a deadline for further consultation in order to ensure a decision as soon as possible.

Officers confirmed that the original proposal had been for a larger zone at 7.5 tonnes which would have allowed local access by HGVs to and from the rural area north of Burford, thereby meeting the concerns of some businesses based outside the town. However, this had been changed to the current proposal for a smaller zone because large zones were more difficult to enforce. Another option would have been to keep the focus on Burford High Street but to set the limit at 18 tonnes allowing

medium sized lorries through (local or otherwise) but not larger vehicles with more than two axles e.g articulated and large quarry trucks.

It appeared that the majority of HGV traffic through Burford to/from the north travelled to/from the Witney/Oxford direction. That suggested HGVs avoiding a Burford weight limit would be more likely to divert to the east rather than to the west through Gloucestershire. It was important to do as much as possible to prevent the problem just being moved elsewhere and a deferral offered a further opportunity to look at specific solutions over a smaller area as an alternative to a larger zone, which would be difficult to enforce.

Acknowledging the obvious advantages to Burford itself the Cabinet Member for Environment also recognised the importance of establishing how any proposals might affect other areas, including neighbouring highway authorities and local businesses, the effect of displaced traffic on other routes such as the A40 which was already severely congested and the impact of setting an 18 tonne restriction. Therefore having regard to the information in the report and the representations made to her at the meeting she confirmed her decision as follows:

- (a) defer implementation of proposals to prohibit use of the A361 Burford High Street as a through route for north to south heavy goods vehicle traffic by prohibiting vehicles exceeding 7.5 tonnes maximum gross weight travelling between Burford and Fulbrook roundabouts (A40 to A424) as advertised, pending further investigation to determine the wider effect the scheme would have on neighbouring areas as a result of displaced vehicles;
- (b) the matter be reconsidered by the Cabinet Member for Environment within 6 months;
- (c) all neighbouring councils to be included in further investigation and consultation to include potential for implementing a 20 mph speed limit on High Street and the impact on local vehicles of a prohibition set at 18.

Signed.....
Cabinet Member for Environment

Date of signing.....

26/17 PROPOSED DISABLED PERSONS PARKING PLACES IN CHERWELL DISTRICT AND OXFORD AND PROPOSED RESTORATION OF PARKING PERMITS TO WINGFIELD HOUSE, 2A GATHORNE ROAD, OXFORD
(Agenda No. 5)

The Cabinet Member for Environment considered (CMDE5) objections received as a result of formal consultation on proposals to introduce new Disabled Persons' Parking Places (DPPP) at various locations in Cherwell District and Oxford City and the

proposed restoration of residents and visitors parking permits to Wingfield House, 2A Gathorne Road, Headington, Oxford, following a successful planning appeal.

Julian Philcox referred to the independent Planning Inspector's appeal in February 2017. Based on sound and robust evidence provided by JP Planning Ltd and, importantly, Oxfordshire County Council as Local Highway Authority as part of the 'Access to Headington' background work that evidence had assessed both the status quo (the position on the ground at the time of evidence collection) and the position should the Access to Headington proposals come forward. Both scenarios had shown more than adequate capacity on-street to cater for the provision of permits to residents of Wingfield House. Furthermore S288 of the Town & Country Planning Act allowed for a legal challenge via the High Court within 6 weeks of the Inspector's decision. No such challenge had been made. He added that the results of the Parking Stress survey evidence of the County Council showed significant underutilisation of on-street parking spaces in the vicinity as evidenced in a report by the then Deputy Director of Environment & Economy (Strategy) to the Cabinet Member for Environment meeting of 9 June 2016. He urged the Cabinet Member to have regard to the above and endorse the recommendation of county officers.

James Larminnie on behalf of Cycloxx opposed restoration of permits. To do so would have severe environmental consequences, which he felt had not been fully considered and that any moves to increase traffic went against the Council's own environmental policies. Increased traffic meant increased parking in cycle lanes. That made cycling less enjoyable and less safe. Approving restoration of permits set a dangerous precedent and needed to be resisted.

Frank Murray a local resident opposed restoration or permits. Regretting the need to make representations at all at this stage he felt the CPZ should have prevented this situation occurring and agreeing proposals to restore permits would have ramifications for other CPZs. He was appalled that this decision had been based on a 1 day investigation and poor photographic evidence. Parking had become a very sensitive issue and to introduce additional vehicles into an already saturated area such as Gathorne Road and St Anne's Road was difficult to contemplate. There was a lot of opposition to this which needed to be taken into account.

Valerie Seagrott a resident of Gathorne Road drew attention to the parking pressures locally which led to illegal parking on corners. Double yellow lines had been placed outside her house for safety reasons yet were ignored. That implied to her that there was not enough space now let alone if more traffic were introduced. Gathorne Road had a lot of families with children living there. They needed to park close to their homes and it was wrong to inconvenience them. It was hard to accept that there was any capacity for more parking and it was clear to her that the developers were playing the system. She opposed restoration but if it went ahead it should be postponed until further surveys had been carried out after completion of Access to Headington.

Geoff Sutton a governor of Windmill school and local resident had been appalled by the Planning Inspector's decision which he felt was flawed. He felt the Inspector had been misled by evidence put before him and that residents had not been listened to. The situation locally had not been investigated thoroughly with night time surveys carried out by residents ignored. The current 18 spaces in Gathorne Road were

usually gone by late afternoon and to increase the pressure by 30% and possibly as much as 60% was unthinkable. An earlier county council email which he had seen had indicated a change would not be supported but that had now been reversed.

Peter West spoke on behalf of Gathorne Road and St Anne's Road residents association. Referring to evidence of daytime surveys he emphasised that the main problem, however, occurred at night and although requests had been made for the Inspector to consider surveys for both day and night the latter, in his opinion, had not been carried out adequately enough. The principle concern locally was that parking issues were causing huge problems in the community which would only worsen if permits were restored.

City Councillor Altaf Khan endorsed the comments expressed by local residents all of whom would be wholly disadvantaged if permits were restored. Wingfield House had originally been approved as a car free development and that should remain the case. Permits were currently being sold to commuters and the pressure on Headington was immense. This was a landmark decision and restoration of permits for this development should be resisted.

County Councillor John Sanders (Labour Group spokesperson for Environment) expressed concern regarding any precedent that might be set if the Inspector's decision was upheld and the damage that would be done to the principle of car free development particularly bearing in mind the potential for the development of 1,000 car free units proposed in the Cowley area.

Councillor Roz Smith supported the City Council's original decision to make this a car free development. She recognised this was a difficult decision but if the officer recommendation was supported then it would be in the face of a great deal of current Council policy. She accepted that sale of permits did happen and that was a situation that was difficult to enforce and police. She thanked the speakers for the points raised in opposition and regretted that no challenge had been made to the Inspector's decision. She did not consider that the Lambeth methodology had been followed insofar as surveys had not been undertaken at the correct times. The Inspector had not referred to parking stress and she reiterated the point that supporting his decision could mean extra parking provision of up to 60%. That was not safe in the current situation. The developer had been happy with the original car free permission and that should be the case going forward.

The Cabinet Member noted a written statement received from Richard Stoneman opposing the application for the restoration of residents' permits at Wingfield House and reiterating points raised by other speakers.

With regard to the element of the report regarding provision of disabled persons parking spaces in Cherwell and Oxford officers confirmed that with regard to the proposal for High Street, Hook Norton it was now apparent that there was no longer any genuine need for that space and that their recommendation now was to withdraw proposed provision.

Having regard to the information set out in the report and the representations made to her at the meeting the Cabinet Member for Environment was not minded to make a

change to the status for Wingfield House to allow restoration of eligibility for parking permits. She also accepted the amended officer recommendation with regard to not proceeding with the disabled parking space in High Street, Hook Norton and confirmed her decision as follows:

- (a) not approve restoration of eligibility for parking permits for Wingfield House, 2A Gathorne Road, Oxford;
- (b) approve disabled persons parking spaces at Gillett Close and Ruscote Avenue, both Banbury and Spindleberry Close, Oxford but not High Street, Hook Norton.

Signed.....
Cabinet member for Environment

Date of signing.....

27/17 PROPOSED REVISED WAITING RESTRICTION & EXTENSION OF 20 MPH SPEED LIMIT - A4144 WOODSTOCK ROAD BY THE RADCLIFFE OBSERVATORY QUARTER, OXFORD

(Agenda No. 6)

The Cabinet Member for Environment considered responses received to a statutory consultation to reduce the number of pay and display parking places and extend the 20mph speed limit on the A4144 Woodstock Road, Oxford adjacent to the Radcliffe Observatory Quarter. The measures had been proposed in conjunction with the redevelopment of the Radcliffe Observatory Quarter.

The Cabinet Member noted comments received from County Councillor Susannah Pressel who welcomed a 20 mph limit but felt that compliance would be much more likely if all roads in the City were subject to a similar limit. She also found it difficult to see how the proposed cycle provision could be said to meet the standards of the "cycle super route" which had been proposed for Woodstock Road.

Officers confirmed that the scheme would be monitored and that the extended length of speed limit was 250 meters.

Having regard to the information in the report before her and the representations made to her at the meeting the Cabinet Member for Environment confirmed her decision as follows:

to approve proposals to reduce the number of pay and display parking places and extend the 20mph speed limit on the A4144 Woodstock Road, Oxford adjacent to the Radcliffe Observatory Quarter as advertised.

Signed.....
Cabinet Member for Environment
Date of signing.....

28/17 URGENT BUSINESS - QUEEN STREET EXPERIMENTAL TRO

(Agenda No. 7)

..... Cabinet had previously approved an experimental TRO to close Queen Street to buses, taxis and private hire, subject to Secretary of State approval. However, recent advice from the Department for Transport had indicated further monitoring would be required prior to closing the street to buses on an experimental basis. However, there was still a requirement to close the street to taxis and private hire vehicles and the Cabinet Member for Environment had agreed to consider an urgent report which sought approval to defer a decision on exclusion of buses, but implement the exclusion of taxis and private hire vehicles in line with the proposals reported to Cabinet in July 2017.

The Cabinet Member confirmed that in accordance with Regulation 16 of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 (as amended), the Chairman of the Performance Scrutiny Committee had agreed that in her opinion the matter was urgent and could not reasonably be deferred insofar as it would cause delay in the implementation of the TRO, prior to the new Westgate centre opening on Tuesday 24 October.

Also as set out under Rule 19(a) of the Scrutiny Procedure Rules, this decision was declared exempt from Call-In as it was deemed urgent and any delay would seriously prejudice the Council's interests.

Officers confirmed that there would be an opportunity for further comment from taxi groups as part of the experimental traffic order process.

Councillor Sanders raised the issue of opening Turl street and Market Street to taxis.

Having regard to the information before her in the printed report and the representations made to her at the meeting the Cabinet Member for Environment confirmed her decision as follows:

- (a) pending the decision of the Secretary of State, to defer a decision on the part of the experimental TRO reported to Cabinet in July 2017 excluding buses from Queen Street until further monitoring had been undertaken with the Westgate centre open; and
- (b) approve implementation of the part of the experimental TRO to exclude taxis and private hire vehicles from Queen Street.

Signed.....
Cabinet Member for Environment

Date of signing.....

.....
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CABINET MEMBER FOR ENVIRONMENT – 8 FEBRUARY 2018

OXFORD GATHORNE ROAD – PROPOSED RESTORATION OF PARKING PERMITS TO WINGFIELD HOUSE (2A GATHORNE ROAD)

Report by Director for Infrastructure Delivery

1. At the Cabinet Member for Environment's Delegated Decision meeting on 12 October 2017 a report was considered on the proposed restoration of parking permits for Wingfield House, a development of six flats at 2A Gathorne Road. Following consideration of the officer's report (Annex 1) and representations made both in support of the proposal by the representative of the owner of the property, and also those against made by local residents, the local member and the Opposition spokesman for Environment, the Cabinet Member for Environment decided not to approve the proposed restoration of parking permits, as detailed in the Minute of the decision (Annex 2).
2. Following the above meeting, on the 18 December the County Council received a letter from the legal representatives of the owner of the property citing grounds on which they considered the decision by the Cabinet Member for Environment were not valid. A response was sent by the County Council on 4 January rebutting the cited grounds, but acknowledging that in the Minute of the decision, the reasons could be better expressed and that on this basis alone it would be recommended to the Cabinet Member for the Environment that the decision should be rescinded. A fresh decision will then be required including a comprehensive review of the representations which have been made and an up-to-date survey of parking in the area.

RECOMMENDATION

The Cabinet Member for the Environment is RECOMMENDED to rescind the decision taken on 12 October 2017 not to approve restoration of parking permits for Wingfield House, 2A Gathorne Road, Oxford and require a further report on the proposal to include a comprehensive review of the representations made together with an up-to-date parking survey for consideration of the matter to a future meeting.

OWEN JENKINS

Director for Infrastructure Delivery

Background papers: The relevant Report and Minute for the Cabinet Member for Environment decisions meeting on 12 October 2017;

Contact Officers: Hugh Potter 07766 998704

February 2018

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HAWLEY
DX: 155710 OXFORD 13

Our ref: CO/434/2018
Your ref: AEH/JXB/STC/3707719

27 April 2018

Dear Sir / Madam,

Re The Queen on the application of GRANT v OXFORDSHIRE COUNTY COUNCIL

Permission to apply for judicial review has been refused and notice of that refusal is enclosed. As the application was considered to be totally without merit, you may not request that the decision to refuse permission be reconsidered at a hearing before the Administrative Court [see Civil Procedure Rule 54.12(7)].

Accordingly, I write to inform you that the file in this matter has been closed.

In Civil Cases

Where an application is identified by the Administrative Court as being totally without merit, the route of appeal against the refusal of permission to apply for judicial review is to the Court of Appeal Civil Division. An application to the Court of Appeal for permission to appeal will be determined on paper without an oral hearing [CPR 52.15(1A)].

In Criminal Cases

Where an application is identified by the Administrative Court as being totally without merit, there is no further route of appeal against the refusal of permission to apply for judicial review.

Yours faithfully,

A Retkoceri

For Court Manager

CC: defendant and any interested party

The Administrative Court Office will not accept service via email. When using the above email address it should be noted that mail sent after 4.30 p.m. may not be opened until 9.00 a.m. on the following working day. Court users should not send sensitive information over the public Internet.



**In the High Court of Justice
Queen's Bench Division
Administrative Court**

CO Ref:

CO/434/2018

In the matter of an application for Judicial Review

The Queen on the application of
HAROLD GRANT

versus
OXFORDSHIRE COUNTY COUNCIL

**Application for permission to apply for Judicial Review
NOTIFICATION of the Judge's decision (CPR Part 54.11, 54.12)**

Following consideration of the documents lodged by the Claimant and the Acknowledgement of service filed by the Defendant

Order by Robin Purchas QC as deputy High Court Judge

Permission is hereby refused; the application is considered to be totally without merit

Reasons:

1. It is wholly unarguable that, following the planning appeal decision, it was not open to the Defendant to refuse to vary its existing parking restriction order to allow parking permits to be issued for residents of the Claimant's premises.
2. There is no arguable basis for contending that the decision was not lawfully delegated to the cabinet member who took the decision, notwithstanding any failure to reflect that delegation by way of update to the constitution.
3. On the alleged inadequacy of reasons in the circumstances where the cabinet member's decision was contrary to the recommendation of the officers, in response to the preaction protocol letter the Defendant agreed to rescind the decision and to make a new decision whether to vary the order including reconsultation. The Defendant purported to rescind the decision on 8th February 2018 and the proposed variation order was proposed for reconsideration on 12th April 2018. In the circumstances the original decision and these proceedings have become academic and the grant of permission would not in any event be justified.
4. For all the above reasons the application would be bound to fail and is wholly lacking in merit.
5. In the circumstances, including the failure of the Defendant to file any statement of costs, it is just that there be no order for costs.

BY VIRTUE OF CPR 54.12(7) THE CLAIMANT MAY NOT REQUEST THAT THE DECISION TO REFUSE PERMISSION BE RECONSIDERED AT A HEARING.

Signed

The date of service of this order is calculated from the date in the section below

Solicitors: HAWLEY
Ref No. AEH/JXB/STC/3707719

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LAMBETH COUNCIL PARKING SURVEY GUIDANCE NOTE

1. INTRODUCTION AND POLICY BACKGROUND

Most forms of development have the potential to increase the amount of on-street parking, more commonly known as parking stress. High parking stress can affect highway safety, the free-flow of traffic, amenity, access by emergency services, refuse collection and delivery of goods. Investigation of this impact forms an important part of the Council's analysis of proposed developments and therefore it is essential that enough information is submitted by a developer to allow a full analysis of the issue. An unacceptable increase in parking stress, or the submission of an insufficient level of information, can lead to a recommendation for refusal of a planning application.

Lambeth's policies on parking related to new development are based on the Mayor's London Plan, the Core Strategy and the saved policies of the Council's Unitary Development Plan 2007 (UDP). Developers are particularly advised to read Chapter 6 (London's Transport) of The London Plan, and the policies and standards, particularly Table 6.1 Parking Standards, contained therein. Chapter 6 of The London Plan can be viewed on the GLA's website at the following address:

<http://www.london.gov.uk/shaping-london/london-plan/strategy/chapter6.jsp>

Developers are also advised to read Criteria (f) of Core Strategy Policy S4, and the saved elements of UDP policies 14 and 17, although policy 39 may also be relevant. The Core Strategy and the saved policies of the UDP can be viewed on the Council's website at the following address:

<http://www.lambeth.gov.uk/Services/HousingPlanning/Planning/PlanningPolicy/LDFCoreStrategy.htm>

Ordinarily the Planning Department will not validate a residential planning application without a parking survey. In some cases parking surveys are required for commercial developments as well, depending on the scale and nature of the development. Submitting a survey enables the Council to make an informed decision, within statutory planning timescales, and benefits applicants in obtaining a quick decision.

A developer can propose on-site parking bays up to the maximum stated in Table 6.1 of the London Plan but in areas of high PTAL and within a CPZ a car free development (and permit exempt) would be expected unless acceptable justification is provided. However, even where on-site parking is proposed this may not accommodate all cars generated by a development, so a parking survey may still be required. An assessment of likely car ownership of future occupants can then be undertaken to understand the scale of any overspill parking. The cumulative effect of other consented development in the immediate area will also need to be taken into account when assessing the effect of parking on street.

Advice on whether a survey is required can be obtained from the Council's Transport Planning team by emailing transportplanning@lambeth.gov.uk with details of the proposed development. If a survey is not required a written response will be provided confirming this and should be submitted with the planning application.

2. UNDERTAKING A SURVEY

The following guidelines should be followed when undertaking a survey. If these guidelines are not followed the Council may not be able to make a full and proper assessment of the proposal.

Residential Developments

The Council requires a parking survey to cover the area where residents of a proposed development may want to park. This generally covers an area of 200m (or a 2 minute walk) around a site. For further detail see 'Extent of survey' below.

The survey should be undertaken when the highest number of residents are at home; generally late at night during the week. A snapshot survey between the hours of 0030-0530 should be undertaken on two separate weekday nights (ie. Monday, Tuesday, Wednesday or Thursday).

Commercial Developments

Surveys for commercial developments should cover an area within 500m walking distance (or a 5 minute walk) of a site. For further detail, see 'Extent of survey' below. Surveys should generally be done during proposed opening hours on an hourly beat basis.

Excluding the extent and time of the surveys the same principles apply as a survey for a residential development as set out below, but developers should contact the Council for further advice.

Survey times

For sites close to any of the following land uses, additional survey times may be necessary:

- Town centre locations: surveys should be undertaken Monday-Wednesday only.
- Regular specific evening uses close to the site (eg. church, etc): additional surveys should be undertaken when these uses are in operation.
- Commercial uses close to the site: morning and early evening surveys may also be required due to conflict with commuter parking. In these cases surveys between the hours of 0700-0830 and 1800-1900 may be required, noting the amount of parking on a 15-minute basis over this time.
- Railway stations/areas of commuter parking: additional morning and evening peak hour surveys will be required in order to assess the impact of commuter parking. These should be done between 0700-0800 and 1730-1830.

Surveys ***should not*** be undertaken:

- in weeks that include Public Holidays and school holidays and it is advised that weeks preceding and following holidays should also be avoided;
- on or close to a date when a local event is taking place locally since this may impact the results of the survey.

In some cases, the hours of the survey may need to be extended or amended. Applicants should contact the Council prior to undertaking a survey if there is any doubt.

Extent of survey

All roads within 200 metres (or 500m for commercial uses) walking distance of the site. Note this area is **NOT** a circle with a 200/500m radius but a 200/500m walking distance as measured along all roads up to a point 200/500m from the site.

Since people are unlikely to stop half way along a road at an imaginary 200/500m line so the survey should be extended to the next junction or shortened to the previous one, or taken to a suitable location along a road.

The following areas should be *excluded* from surveys:

- If the site is in a CPZ any parking bays in an adjoining CPZ should be excluded.
- If the site lies adjacent to, but not in, a CPZ then all roads in that CPZ should be excluded.
- Areas that fall outside of Lambeth should be excluded.
- Places where drivers are unlikely to want to park, for example:
 - If there is no possibility of parking somewhere within the 200m boundary
 - If drivers would not wish to park in an area, due to perceived safety issues, or difficulty in accessing the parking for example.

Common sense should be applied in all cases and the extent of the survey area and justification for any amendments should be included in the survey. If inadequate justification is provided for a survey area then amendments may be required or a recommendation made accordingly.

Required Information

The following information should be included in the survey results, to be submitted to the Council:

- The date and time of the survey.
- A description of the area noting any significant land uses in the vicinity of the site that may affect parking within the survey area (eg. churches, restaurants, bars and clubs, train stations, hospitals, large offices, town centres etc).
- Any unusual observations, e.g. suspended parking bays, spaces out of use because of road works or presence of skips, etc.
- A drawing (preferably scaled at 1:1250) showing the site location and extent of the survey area. All other parking and waiting restrictions such as Double Yellow Lines and Double Red Lines, bus lay-bys, kerb build-outs, and crossovers (vehicular accesses) etc should also be shown on the plan.
- The number of cars parked on each road within the survey area on each night should be counted and recorded in a table as shown below. It would be helpful to note the approximate location of each car on the plan (marked with an X).
- Photographs of the parking conditions in the survey area can be provided to back-up the results. If submitted, the location of each photograph should be clearly marked.

Areas Within A Controlled Parking Zone (CPZ)

Only Resident Permit Holder (RPH) Bays and Shared Bays which allow residents parking (these may be shared with Pay-and-Display parking and/or Business Permit Holders) should be counted.

To calculate parking capacity each length of parking bay must be measured and then converted into parking spaces by dividing the length by 5 (each vehicle is assumed to measure 5m) and rounding down to the nearest whole number. For example a parking bay measuring 47m in length would provide 9 parking bays ($47/5=9.4=9$). The capacity of each separate parking bay must be calculated separately and then added together to give a total number of parking spaces for each road in the survey area.

The results should generally be presented in the following format (figures given as an example):

Street Name	Total Length (m) of parking spaces	No. of RPH parking spaces	No. of cars parked in RPH bays	RPH Parking Stress (%)
A Street	350	70	70	100
B Street	250	50	40	80
C Street	150	30	10	33
Total	750	150	120	80

A separate note should be made of any areas where cars can legally park overnight. These are generally Single Yellow Lines or Single Red Lines (SYL/SRL) or short term parking or Pay-and-Display bays (ST). The number of cars parked in these areas should be counted and presented separately.

Areas Not In A Controlled Parking Zone (CPZ)

All areas of unrestricted parking should be counted. To calculate parking capacity each length of road between obstructions (such as crossovers, kerb build-outs, yellow lines, etc) must be measured and then converted into parking spaces by dividing the length by 5 and rounding down to the nearest whole number. For example a length of road measuring 47m in length would provide 9 parking bays ($47/5=9.4=9$). The capacity of each section of road must be calculated separately and then added together to give a total number of parking spaces for each road in the survey area.

The distance between crossovers should be measured in units of 5m. For example, if the distance between 2 crossovers or a crossover and a junction is 12m then only 10m should be counted in the survey, and any space between crossovers measuring less than 5m should be discounted from the calculation. For reasons of highway safety, the first 5m from a junction should also be omitted from the calculation.

A map or plan showing the measurements used in calculating parking capacity should be supplied so that this can be verified by the Council. The parking survey may not be accepted if this is not supplied.

The results should generally be presented in the following format (figures given as an example):

Street Name	Total Length (m) of kerb space	Length of unrestricted parking (m)	No. of parking spaces	No. of cars parked on unrestricted length of road	Unrestricted Parking Stress (%)
A Street	400	350	70	70	100
B Street	300	250	50	40	80
C Street	200	150	30	10	33
Total	900	750	150	120	80

UNDERSTANDING THE RESULTS

The results of the parking survey will be analysed by the Council in accordance with the London Plan and saved policies in the Council's UDP, any Supplementary Planning Documents produced by the Council in relation to parking, and any other Transport policy guidance produced by the Council, Transport for London, or nationally.

The Council will also take into consideration the impact of any recently permitted schemes in determining the acceptability or not of each proposed development.

Note that stress levels of over 100% stress (or 100% occupancy level) are possible. This is because small cars may need less space than 5 metres to park, meaning that additional cars can be accommodated.

FURTHER ASSISTANCE

For further assistance or explanation please contact the Council's Transport Planning and Strategy team at the address below

Spanish

Si desea esta información en otro idioma, rogamos nos llame al 020 7926 2618.

Portuguese

Se desejar esta informação noutro idioma é favor telefonar para 020 7926 2618.

Yoruba

Tí ẹ ba fẹ ìmoràn yí, ní èdè Òmíràn, ẹjọ, ẹ kàn wà l'ágogo 020 7926 2618.

French

Si vous souhaitez ces informations dans une autre langue veuillez nous contacter au 020 7926 2618.

Bengali

এই তথ্য অন্য কোনো ভাষায় আপনার প্রয়োজন হলে অনুগ্রহ করে ফোন করুন 020 7926 2618.

Twi

Se woƿe saa nkaeboy yi wo kasa foforo mu a fre 020 7926 2618.

Lambeth Council

Transport Planning & Strategy

1st Floor Blue Star House

234-244 Stockwell Road

London SW9 9SP

Telephone: 020 7926 9000

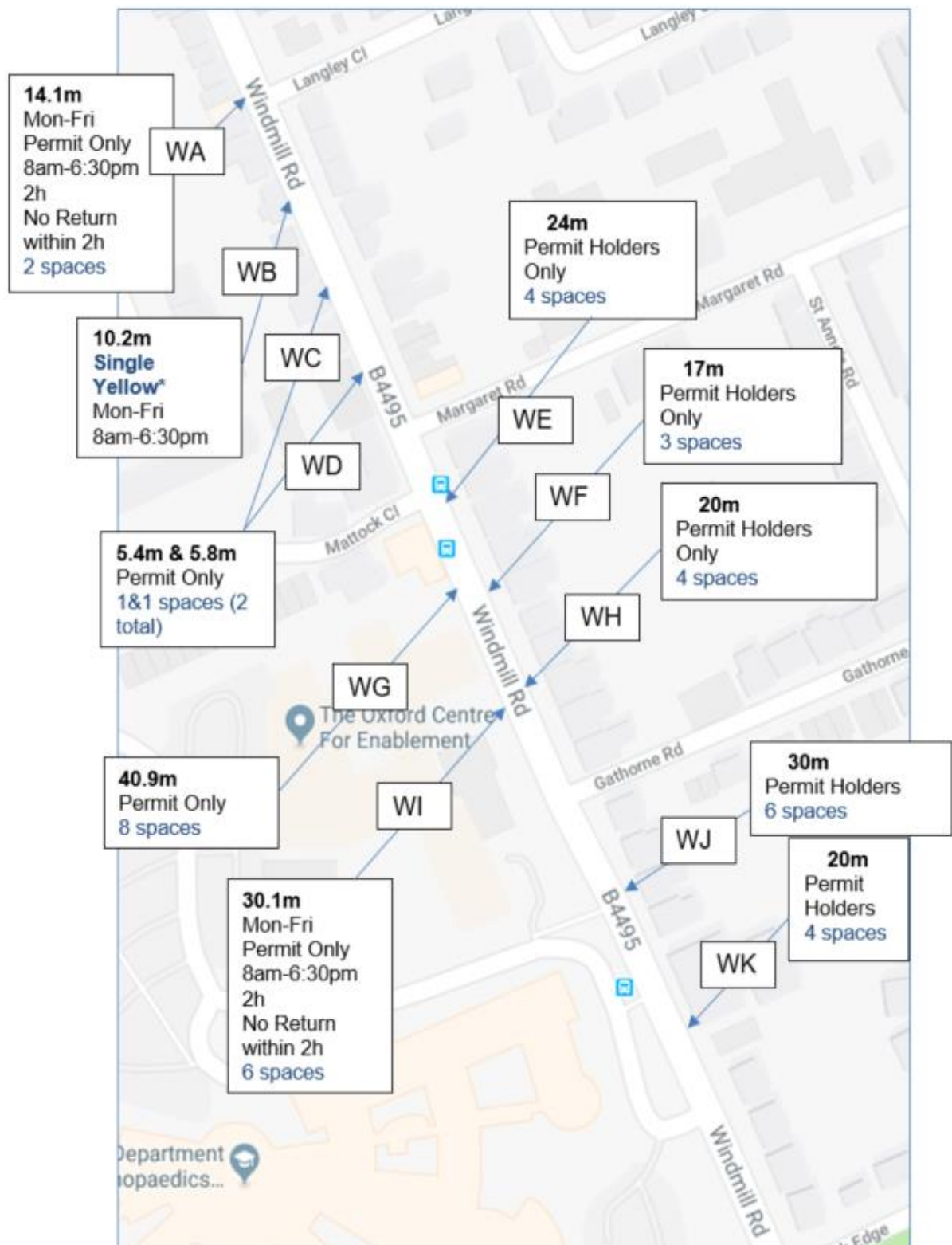
Fax: 020 7926 9001

Email: transportplanning@lambeth.gov.uk

www.lambeth.gov.uk

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Windmill Rd: 39 spaces total capacity (in marked bays)



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Headington Parking - Windmill Road Area
20th, 22nd, and 24th February 2018

Data File:TC6196

Grid Ref:

Official Parking Spaces Occupied on 20th February 2018

Note: The + figure is the number of vehicles with no permit

Road	Time						
	04:00	08:00	10:00	12:00	14:00	16:00	18:00
GATHORNE ROAD	29	23	23	23	23	22	23
ST ANNES ROAD	29	26	27	22+2	23+1	19	20
WINDMILL ROAD	18	15	15	16+1	15	17	14
Totals	76	64	65	61+3	61+1	58	57

Official Parking Spaces Occupied on 22nd February 2018

Note: The + figure is the number of vehicles with no permit

Road	Time						
	04:00	08:00	10:00	12:00	14:00	16:00	18:00
GATHORNE ROAD	19	18	19+2	20+3	20+2	18	20
ST ANNES ROAD	28	21	21+3	18	20+4	21+3	23
WINDMILL ROAD	17	15	17+5	12	16+4	16+3	15+3
Totals	64	54	57+10	50+3	56+10	55+6	58+3

Official Parking Spaces Occupied on 24th February 2018

Note: The + figure is the number of vehicles with no permit

Road	Time						
	04:00	08:00	10:00	12:00	14:00	16:00	18:00
GATHORNE ROAD	24	23	20	19	19	21	21
ST ANNES ROAD	24	24+1	23+2	24+1	24+1	23+1	27+5
WINDMILL ROAD	12	12+1	13+2	16+7	15+4	15+4	10+1
Totals	60	59+2	56+4	59+8	58+5	59+5	58+6

Headington Parking - Windmill Road Area
20th, 22nd, and 24th February 2018

Data File:TC6196

Grid Ref:

Durations of vehicles parked in Official parking spaces on 20th February 2018

Note: The + figure is the number of vehicles with no permit

Road	Duration	Time						
		04:00	08:00	10:00	12:00	14:00	16:00	18:00
GATHORNE ROAD	Less than 2 Hrs	9	1	1				2
	At least 2 Hrs	2					3	
	At least 4 Hrs	1		1				
	At least 6 Hrs		1		2			
	At least 8 Hrs	2		1				
	At least 10 Hrs	1	1					
	All Day	14						
ST ANNES ROAD	Less than 2 Hrs	7	1	5	1+1	2	2	4
	At least 2 Hrs	4			2+1			
	At least 4 Hrs	1	3	1		1		
	At least 8 Hrs	1						
	At least 10 Hrs	1						
	All Day	15						
WINDMILL ROAD	Less than 2 Hrs	6	3	4	4	2	5	4
	At least 2 Hrs	2						
	At least 4 Hrs				1			
	All Day	10						

Headington Parking - Windmill Road Area
20th, 22nd, and 24th February 2018

Data File:TC6196

Grid Ref:

Durations of vehicles parked in Official parking spaces on 22nd February 2018

Note: The + figure is the number of vehicles with no permit

Road	Duration	Time						
		04:00	08:00	10:00	12:00	14:00	16:00	18:00
GATHORNE ROAD	Less than 2 Hrs	4		1+1	1+1			5
	At least 2 Hrs	3			1+1		2	
	At least 4 Hrs			1+1		2		
	At least 6 Hrs	1	1					
	At least 8 Hrs	1	1	2				
	At least 10 Hrs	1						
	All Day	9						
ST ANNES ROAD	Less than 2 Hrs	10	1	2+1	1	3+3	2+2	7+1
	At least 2 Hrs	3	1	1+1		1+1	2	
	At least 4 Hrs	1	1			1		
	At least 6 Hrs			1				
	At least 10 Hrs	1						
	All Day	13						
WINDMILL ROAD	Less than 2 Hrs	2		5+5	1	5+4	4+3	4+2
	At least 2 Hrs	5		1			1	
	At least 4 Hrs	1				2		
	At least 6 Hrs	1		1				
	All Day	8						

Headington Parking - Windmill Road Area
20th, 22nd, and 24th February 2018

Data File:TC6196

Grid Ref:

Durations of vehicles parked in Official parking spaces on 24th February 2018

Note: The + figure is the number of vehicles with no permit

Road	Duration	Time						
		04:00	08:00	10:00	12:00	14:00	16:00	18:00
GATHORNE ROAD	Less than 2 Hrs	1						1
	At least 2 Hrs	3					2	
	At least 4 Hrs	2				2		
	At least 6 Hrs	2			1			
	At least 10 Hrs	1						
	All Day	15						
ST ANNES ROAD	Less than 2 Hrs	1		1+1	1		1+4	6
	At least 2 Hrs	3			1		1	
	At least 4 Hrs					2		
	At least 6 Hrs	1						
	At least 8 Hrs	2		1				
	At least 10 Hrs	1	1+1					
	All Day	16						
WINDMILL ROAD	Less than 2 Hrs	2	1	1	5+3	3	4+1	2+1
	At least 2 Hrs	1	1	1+1		1+1		
	At least 4 Hrs	1			1+1	1		
	At least 6 Hrs			1				
	At least 8 Hrs	1						
	All Day	7						

Headington Parking - Windmill Road Area
20th, 22nd, and 24th February 2018

Data File:TC6196

Grid Ref:

Analysis of overnight parked vehicles on 20th February 2018

Road	Not returning during survey	Vacating By:				Returning by:				Parked all Day	Total Cars Parked Overnight
		08:00	10:00	14:00	16:00	12:00	14:00	16:00	18:00		
GATHORNE ROAD	6	2	1	2	1	2		1		14	29
ST ANNES ROAD	4	4	1	1	1		1		2	15	29
WINDMILL ROAD	5	2							1	10	18

Analysis of overnight parked vehicles on 22nd February 2018

Road	Not returning during survey	Vacating By:					Returning by:					Parked all Day	Total Cars Parked Overnight
		08:00	10:00	12:00	14:00	16:00	10:00	12:00	14:00	16:00	18:00		
GATHORNE ROAD	1	3		1	1	1	1		1	1		9	19
ST ANNES ROAD	2	3	1			1		1		2	5	13	28
WINDMILL ROAD	2	5	1	1								8	17

Analysis of overnight parked vehicles on 24th February 2018

Road	Not returning during survey	Vacating By:					Returning by:			Parked all Day	Total Cars Parked Overnight
		08:00	10:00	12:00	14:00	16:00	12:00	14:00	16:00		
GATHORNE ROAD		3	2	2		1	1			15	24
ST ANNES ROAD		3		1	2	1		1		16	24
WINDMILL ROAD		1	1		1			1	1	7	12

Census date	Geography	Geography code	Cars: All categories: Car or van availability; measures: Value	Cars: No cars or vans in household; measures: Value	Cars: 1 car or van in household; measures: Value	Cars: 2 cars or vans in household; measures: Value	Cars: 3 cars or vans in household; measures: Value	Cars: 4 or more cars or vans in household; measures: Value	Cars: sum of All cars or vans in the area; measures: Value	Households	Car ownership per household
2011	Headington	E05006551	2556	865	1146	442	82	21	2382	2556	1.1
2011	Quarry and Risinghurst	E05006562	2639	606	1272	614	114	33	2997	2639	0.9

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Appeal Decision

Site visit made on 30 January 2018

by Mrs J Wilson BA BTP MRTPI DMS

Inspector appointed by the Secretary of State

Decision date: 13th April 2018

Appeal Ref: APP/G3110/W/17/3188901
34A Davenant Road, Oxford OX2 8BY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Gomm Developments (Oxford) Ltd against the decision of Oxford City Council.
 - The application Ref 17/02342/VAR, dated 5 September 2017, was refused by notice dated 30 October 2017.
 - The application sought planning permission for demolition of existing dwelling house and garage. Erection of 1 x 5-bed dwelling house (Use Class C3) and 2 x 4-bed semi-detached dwellinghouses (Use Class C3) provision of car parking and alterations to access and landscaping without complying with a condition attached to planning permission Ref 17/01202/FUL, dated 13 July 2017.
 - The condition in dispute is No 13 which states that: The development hereby permitted shall not be occupied until the Order governing parking at Davenant Road has been varied by the Oxfordshire County Council as highway authority to exclude the site, subject to this permission, from eligibility for residents' parking permits and residents' visitors' parking permits unless otherwise agreed in writing by the Local Planning Authority.
 - The reasons given for the condition is: To ensure that the development does not generate a level of vehicular parking which would be prejudicial to highway safety, or cause parking stress in the immediate locality, in accordance with Policies CP1, CP6, CP10 and TR13 of the Adopted Oxford Local Plan 2001-2016.
-

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Gomm Developments (Oxford) Ltd against Oxford City Council. This application is the subject of a separate decision.

Main Issues

3. The main issue is whether the disputed condition is reasonable and necessary in the interests of highway safety or to prevent parking stress in the locality in the context of the development plan policy.

Reasons

4. The area around the site is predominantly residential with the majority of properties benefiting from off street parking. A large amount of the road frontage is given over to individual accesses to dwellings and the remainder is subject to restricted parking for short periods or for permit holders, and in some parts purely for permit holders during daytime hours. The restrictions are part of a Controlled Parking Zone (CPZ).
5. During my afternoon site visit, albeit representing a relatively short period of time, there were a number of vacant on street parking spaces. Traffic flows were steady, though not continuous and speeds were moderate. I am aware that later in the day the availability of parking spaces in the immediate area would be lower as residents return home and that traffic and pedestrian activity would be likely to increase. Even so, during the day the road had the characteristics of a busy thoroughfare.
6. Parking Surveys undertaken prior to the application suggest that of the 90 parking bays available no more than 30% were regularly occupied though local residents are critical of the timing of the surveys undertaken during a holiday period. Further photographs submitted with the appeal and taken later in the year indicate parking capacity in the early morning, late afternoon and early evening. A freedom of information request by the appellant revealed that of 88 eligible households 29 parking permits have been issued with a further 40 residents taking an allocation of 25 visitor permits per year. The appellant argues that this demonstrates a lack of interest in permits for local residents; that the area is not under parking stress and indicates if permits were to be available for occupants of the appeal site this would not exceed the available capacity.
7. The development would provide half the required parking spaces when measured against the Councils standard (3 compared to the 6 required). Moreover, on street parking spaces would be lost to create the additional accesses thereby reducing on street provision. This would inevitably lead to some additional pressure for spaces. Policies in the Development Plan seek to ensure that new development accommodates its parking requirements and through this the Council actively manages patterns of growth. Reduced provision can be considered where it can be demonstrated that sites are in accessible locations. However, where this occurs the plan states that "*A planning condition may be applied that prevents development from taking place unless the scheme is excluded from relevant controlled parking zones, so that future occupants are not entitled to on-street car parking permits*"¹. This ensures that, where parking standards are not met, it does not result in an adverse effect on the availability of on-street parking.
8. The appellant argues that the condition would not meet the relevant tests in that it seeks to correct an existing problem. This argument is flawed on the basis that the development would increase the parking requirement on site from that which currently exists as it would represent a net gain of two units. I note that there is an extant consent for two dwellings however that proposal met the requirements for car parking within the site and did not therefore warrant the imposition of the same condition disputed here. The appellant

¹ Paragraph A3.43, which forms part of the supporting text to Policy HP 16 of the Sites and Housing Plan

refers to an appeal decision² relating to the tests for conditions however the circumstances were different to those which apply here. Consequently I afford it little weight.

9. Drawing all of the above together, I acknowledge that there are times of the day when there is only limited demand for on-street parking in Davenant Road. Nevertheless, I accept the evidence of local residents that there is pressure on parking spaces at other times. Moreover, the CPZ was instituted to manage the problem of parking being displaced into this residential area from other parts of the City. On-street parking is a limited resource, a resource that would be depleted by the appeal scheme. The CPZ, together with the policies of the development plan, seeks to manage the impact of new development on that limited resource. Although the impact of the appeal scheme alone would be small, it seems to me that the purpose of the policy is to manage the cumulative impact of multiple small changes. If I were to allow the appeal that would have the effect of undermining the policy approach.
10. A further consideration in this case is the particular nature of Davenant Road. This is a residential road with many individual accesses to dwellings. It carries a significant volume of through traffic which cuts through the area to avoid congestion elsewhere. In these circumstances I consider that unmanaged demand for on-street parking could be harmful to highway safety.
11. I conclude that the disputed condition is both reasonable and necessary. The removal of the condition would conflict with saved Policies CP1 and CP10 of the Oxford Local Plan, Policy CS13 of the Oxford Core Strategy and Policy HP16 of the Sites and Housing Plan. Together these policies seek to ensure that appropriate provision is made for parking.
12. In accordance with S38(6) of the Planning and Compensation Act 2004, and as set out in paragraph 12 of the Framework, proposals which conflict with the development plan should be refused unless other material considerations indicate otherwise. In this case there are no material considerations which indicate this.

Other Matters

13. Reference has been made to cases in the same CPZ³ where the Council imposed and then removed similar conditions. Those schemes met the required parking standard and the circumstances are not therefore comparable.
14. The appellant suggested that as consent already exists for 2 dwellings without any restrictions regarding permits any further restrictions should only apply to one of the three properties. However, as noted above, that scheme provided sufficient parking on site. It could be implemented as an alternative to the appeal scheme but does not alter my conclusion on the merits of this appeal.

Conclusion

15. For the reasons given above and having regard to all other matters raised the appeal is dismissed.

Janet Wilson INSPECTOR

² APP/T3725/W/15/3136110

³ 2 Blandford Avenue and 18 Apsley Road

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Division(s): N/A

CABINET – 22 MAY 2018

REVISIONS TO THE ADULT SOCIAL CARE CONTRIBUTIONS POLICY

Report by Director for Adult Services

EXECUTIVE SUMMARY

1. The Adult Social Care Contributions Policy outlines how the Council ensures a fair approach to assessing the financial contributions made by people with eligible care needs, towards the cost of the social care services they receive.
2. Following a review of the Policy in 2017 several changes were identified that would ensure a fairer and more consistent approach to assessing people's financial contributions, simplify the process, and better align the Policy with the Care Act 2014. A public consultation on these proposals was held between January and April 2018 to gather people's views on the potential impact of the changes.
3. Feedback from the consultation is set out below, as well as a rationale for each proposed change and the recommended way forward.
4. **In summary, the Policy changes being recommended to Cabinet are:**
 1. **Make an indicative 25% allowance for disability related expenditure in a person's financial assessment, but offer an individual assessment of these costs if a person feels their disability related expenses are greater than this.**
 2. **Reduce the initial fee the Council charges for arranging a person's care from £150 to £140, and introduce an annual fee of £210 where the Council is asked to manage the ongoing provision of care and support.**
 3. **Only offer a 12-week property disregard (where the Council does not include the value of person's property in their financial assessment for the first 12 weeks of care) to new residents entering a care home for a permanent stay or where there is an unexpected change in a person's financial circumstances. The council will continue to disregard the value of a property if it is occupied by a qualifying relative such as a spouse or a son or daughter with a disability.**
 4. **Financially assess everyone on an individual basis and no longer offer couples assessments in accordance with the Care Act 2014.**
 5. **Charge people the full cost of home care services, based on what care providers actually charge the Council, rather than an average hourly**

rate. This would not include contingency care where a person is in the Reablement Service and waiting for long term care.

- 6. Clarify the policy on charging process for non-statutory services to ensure the Council:**
 - **Continues the current charging practice for the Telecare service,**
 - **Continues the current charging practice for the Laundry service, subject to a review of this service being completed, and**
 - **Reserves the option to charge for one-off non-statutory services, such as Blitz cleans.**
5. If all of these recommendations were accepted and implemented an estimated 1,700 people would see an increase in their weekly contribution, whereas approximately 3,100 would see their weekly contribution fall or remain the same.
6. In implementing these changes, the Council would ensure that everyone affected is offered a full financial reassessment, to make sure any alteration in their weekly contribution is affordable. The Council may also carry out a review a person's care package to explore alternative, more affordable ways of meeting their needs.
7. No service user's finances would fall below the guaranteed minimum income level and where required, the Council's waiver scheme may be used to mitigate financial hardship.
8. Implementing all of the recommendations would generate estimated savings/income for the Council of £1.8 million. This would be reinvested in frontline services for adults of all ages with care and support needs.

Introduction

9. This paper sets out the key messages from the public consultation on proposed changes to the Adult Social Care Contributions Policy and recommends a way forward in response.
10. Changes to the Policy are being recommended to ensure a fairer and more consistent approach to assessing the financial contributions made by individuals towards the cost of the social care services they receive. As a result of the changes the financial assessment process is expected to be shorter, less invasive, and better aligned with Care Act 2014 guidance.
11. The recommended way forward will enable the Council to recover the actual costs of providing adult social care services to people in Oxfordshire. If accepted, the policy changes would create savings/income for the Council of £1.8 million¹ per year, which would be reinvested in frontline services for adults with care and support needs, ensuring the financial sustainability of adult social

¹ £1.5 million per year was included in the MTFTP

care in Oxfordshire. As a result of the changes it is likely that approximately 1,700 people will see an increase in their weekly contribution, whilst 3,100 people's contribution will decrease or stay the same.

12. Headline consultation responses for each proposed change are set out below, alongside a rationale for the recommended way forward. Over 620 people responded to the consultation, representing the views of adult social care users, their families, carers, partner organisations and members of the public.

Background

13. Social care is not a free service and national funding arrangements make it clear that councils need to collect income locally to contribute towards the cost of services. The Care Act 2014 permits the council to recover a reasonable charge for social care from people who use services who have insufficient means to pay for the service themselves. The Act is clear however, that Councils should take account of no more than the full cost of providing the service.
14. The Care Act ensures that everybody receiving care has enough income to pay for daily living costs. For residential care this is the Personal Expenses Allowance (PEA) and for non-residential care this is the Minimum Income Guarantee (MIG). These are allowances that are made when assessing how much a person can afford to pay for their care.
15. Income from charging for services where it is appropriate to do so is therefore an essential part of the council's financial strategy.
16. The Adult Social Care Contributions Policy was introduced in January 2014 and outlines how the Council ensures a fair approach to assessing the financial contributions made by people with eligible care needs, towards the cost of the social care services they receive.
17. In Spring 2017 an in-depth review of the policy was undertaken to ensure it remains fit for purpose. A number of opportunities to make the policy fairer and more consistent with national guidance were identified and consulted on.

Key Messages from the Consultation

18. A ten-week public consultation on the proposed changes launched on 24 January 2018 and concluded on 3 April 2018. More than 4,800 people directly affected by the proposals were written to and over 620 responses were received from adult social care users, their families, carers, partner organisations and members of the public. People shared their views in various ways, including via an online and paper questionnaire and through focus groups, emails and calls.
19. Many respondents indicated that the proposals were complex and it was difficult to understand the impact of the proposed changes on people's specific circumstances. A significant number of questionnaires were sent back

incomplete or blank, which could indicate that people did not want or feel able to provide a response. There were calls for the policy changes to be much clearer and simpler to understand.

20. In response to this, answers to frequently asked questions were published online and sent to every person affected, alongside a second letter and copy of the questionnaire. Also included was a detailed example showing the impact of the disability related expenditure proposal, as this was the proposed change that most people said they did not understand.
21. The Financial Assessment Team received a total of 442 telephone calls from people wishing to discuss the detail of the proposals and 66 people attended the face-to-face focus groups to gain a greater understanding and share their views. Indicative examples were shared at these focus groups, to demonstrate the impact of the proposed change to disability related expenditure on a person aged under 65 and over 65 years, as this was identified as particularly complex.
22. A number of people highlighted the need to ensure that people affected by any agreed policy changes are given sufficient notice to prepare for any change in their weekly contribution.
23. Clear and accessible information was requested about how savings from the policy changes will be spent to improve other aspects of adult social care. People and providers also said they want greater transparency around financial assessments and to see a fairer system for everyone.
24. A consistent message from individuals and providers was that the most vulnerable people should be protected from the negative effects of any policy changes. Many respondents emphasised the need for people to be treated as individuals and for their specific circumstances to be taken into account.
25. Providers said that they felt the impact of changes may be felt by family members who provide informal care. They also stressed that the change should be handled carefully as the people affected are vulnerable. They want plenty of notice given to people before changes take effect and evidence of how the savings are used in Adult Social Care.

Disability Related Expenditure

Consultation proposal

26. When people access adult social care, the Council has the ability to assess how much they are able to contribute towards the costs of meeting their care needs. This includes making an allowance for any specific or additional costs a person incurs due to their age or disability.
27. Currently specific amounts are included in a person's financial assessment for various disability related costs, with receipts only being requested when expenditure is over a certain level – this can lead to inconsistencies in the assessment process. On average these assessments mean that between 21%

and 23% of a person's disability benefit is excluded from their financial assessment.

28. The proposal consulted on introduces an indicative allowance for disability related expenditure, rather than taking account of individual disability related costs. The allowance would be approximately 25% of a person's disability benefit and would reflect the level of cost already taken into account in the majority of cases. If a person is not claiming disability benefits, no allowance would be made for disability related expenditure. However, people would be supported to make a claim via the Department of Work and Pensions or Age UK.
29. This approach would allow the Council to complete financial assessments using data from the Department of Work and Pensions, making the assessment process quicker and less invasive, because home visits from a Council officer would not be needed in every case.
30. If a person feels their disability related expenses are greater than this, they would be able to request an individual disability related expenditure assessment. The criteria applied would be more aligned with national guidance and receipts would be required for all items.
31. More than 3,100 people are likely to see no change in their weekly contribution or would see their contribution decrease as a result of this proposal. Approximately 1,700 people are likely to see an increase in their weekly contribution. Less than 10% of these people would see an increase of £30 per week or more in their assessed contribution towards their care. These figures will vary depending on the number of people who request an individual disability related expenditure assessment.
32. Based on current people who use services, this policy change would deliver additional income of approximately £1.1 million per year to the Council.

Headline consultation responses

33. This proposal generated the greatest number of responses. Approximately 50% of respondents agreed with the proposed change and 50% disagreed.
34. There was strong feeling that people need to be treated as individuals and the financial assessment should take account of a person's specific circumstances. Others welcomed the proposal for a more systematic and fairer approach to assessing disability related costs, particularly if this would provide greater clarity for people who use services.
35. There was support for the proposal where it would reduce administrative costs and make the assessment process simpler and easier to understand. People were particularly keen to see the savings reinvested in adult social care.
36. Some concern was expressed about the accuracy of the information held by the Department of Work and Pensions. A number of respondents suggested that

excluding an indicative allowance of 25% of a person's disability benefit from their financial assessment is too little. Others assumed that a person's disability benefit would entirely be spent on disability related items and others suggested 50% would be more appropriate. There were also concerns that a blanket policy would discriminate against people with the most complex conditions and significantly increase costs for them.

37. There were a number of requests for greater clarity about the type of costs included in an assessment of disability related expenditure. The Council does not have a definitive list of items, but uses guidance from the National Association of Financial Assessment Officers to inform its assessment process. It would not be possible to provide a complete list of items that may be included, as expenditure is often unique to the individual.
38. Social Care providers said that they agreed with the proposals in principle, but expressed concern that more people will request an individual disability related expenditure assessment, and this could cause delays in the process. They said this would be particularly felt by agencies helping people to obtain benefits.

Recommendation

39. **The recommendation is to implement the proposal as consulted on:
Make an indicative 25% allowance for disability related expenditure in a person's financial assessment when a person is receiving a disability benefit and offer an individual assessment if a person feels their disability related expenses are greater than this.**
40. This new approach will mean that:
 - a. The assessment process is more equitable, as there is a direct link between a person's disability benefit and their disability related expenditure, and this will increase annually in line with benefit changes.
 - b. In many cases a person will not need to undergo a home visit from a council officer to complete the financial assessment.
 - c. In many cases a person will not need to provide details of their disability related expenditure, some of which can be personal in nature.
 - d. It is likely to lead to a quicker and simpler financial assessment, so that a person knows how much they will be expected to contribute sooner.
41. Where an individual assessment is undertaken, receipts would be required for all items taken into account. The outcome of this assessment will be the figure used in calculating the person's contribution, whether this is above or below 25%.

Fees for Arranging a Person's Care

Consultation proposal

42. The Council is able to charge an arrangement fee for people with eligible care and support needs who have financial assets above £23,250 (the nationally set threshold) and ask the Council to arrange their care.

43. The arrangement fee reflects the cost to the council of negotiating and/or managing the contract with a provider and covers any administration costs incurred.
44. Currently the Council charges two different levels of *one-off* arrangement fees depending on the extent of its involvement in providing someone's care:
- *Level 1 - £150* - Where the council sources the care, but the person enters in to a private arrangement with the care provider.
 - *Level 2 - £500* - Where the council sources the care and manages the ongoing provision of care and support.
45. Individuals currently pay the same one-off fee whether they receive care arranged by the Council for 2 months or 2 years. Introducing an annual ongoing fee instead would mean a fairer approach to charging for the costs incurred by the Council in monitoring a person's ongoing care and support. The fee would also be applied on a pro rata basis so that people who receive care for only part of a year would be charged a proportionate fee.
46. The proposal is therefore, to reduce the one-off arrangement fee from £150 to £140 and introduce an annual fee of £210 where the Council is asked to manage the ongoing provision of care and support.

Headline consultation responses

47. Just over half of those who shared their views on this proposal were supportive of the change to arrangement fees. Some respondents commented that the annual arrangement fee is set too high, however the majority were in favour of the fees being cost neutral. It was important for people that the fees remain fair, consistent and transparent.
48. Many people who responded indicated that this proposal would not affect them as their savings are below the national threshold. There were some queries about what the Council would charge if a person asked for their care provider to be changed.
49. Providers said that they would like to see clear information on how the fees relate to services provided.

Recommendation

50. **The recommendation is to implement the proposal as consulted on:
Reduce the initial arrangement fee from £150 to £140 and introduce an annual fee of £210 where the Council is asked to manage the ongoing provision of non-residential care and support for an individual.**
51. All new service users will be charged these adjusted fees from when the new Policy is agreed. People whose care is already managed by the Council will be

charged the ongoing fee where they have been receiving this for more than a year.

52. The Council will reserve the right to charge a person the initial arrangement fee whenever they request that their care is delivered by a different provider. This will not be the case where a person pays an annual fee for the Council to manage the ongoing cost their care, as this fee already includes provision for care reviews.

12-Week Property Disregard

Consultation proposal

53. For the first 12 weeks after a person enters a care home, the value of their home is not taken into consideration by the council in its assessment of how much they should contribute to their care home costs. This gives people breathing space to decide whether they wish to stay in care permanently, without the pressure of having to sell their property straight away to fund this. It also enables people to acquire the funds required to pay for the cost of their care if this is tied up in property.
54. Under national legislation, the council will continue to disregard the value of a property if it is occupied by a qualifying relative such as a spouse or a son or daughter with a disability.
55. Currently the Council offers a 12-week property disregard to everyone with eligible care needs, including people who have previously placed themselves in a private care home and then approach the Council for financial assistance.
56. In line with legislation set out in the Care Act, the proposal is to only offer the 12-week property disregard to new permanent residents in care homes or where there is an unexpected change in a person's financial circumstances.
57. The recommended policy change will better align the approach to property disregards with the Care Act 2014. This states that authorities must provide a disregard when a person first enters a home as a permanent resident, and where there is an unexpected change in an individual's financial circumstances, including after a different type of property disregard ends.
58. Based on the information gathered for the financial year 2016-17 the Council would see an increase in income of approximately £60,000 per year as a result of this proposal. The actual figure will depend on the number of people applying for the disregard and their individual financial circumstances.

Headline consultation responses

59. The majority of respondents agreed that this proposal is reasonable, although many indicated that they would not be affected because they do not own property.

60. Some people queried what would happen if a spouse or partner is still living in the property and whether the policy means that their home would need to be sold within the 12-week period. Concerns were also expressed that the 12-week period puts additional stress on a person and their family, and may not be a long enough period. People also queried how property disregards are applied where people enter a care home for a significant period of time, but do not become a permanent resident.
61. Providers said they were broadly in favour of aligning the current policy to the Care Act, however they would like to see clear definitions around discretionary disregards.

Recommendation

62. **The recommendation is to implement the proposal as consulted on:
Only offer a 12-week property disregard to new residents entering a care home for a permanent stay or where there is an unexpected change in a person's financial circumstances.**
63. It will be assumed that people who have placed themselves privately in a care home and then approach the Council for care and support, will have already considered what to do with their property. A 12-week property disregard will therefore, not be offered in these cases.
64. How the 12-week property disregard is implemented will not change. After the 12-week period is finished a person can either choose to make their own arrangements or ask the Council to assist with a deferred payment agreement until the property is sold. If a person's former home continues to be occupied by a spouse or other close relative the Council must disregard the value of the property. This is different from the 12-week property disregard.
65. This policy change will only apply to people who newly enter care homes on a permanent basis. No backdated charges will be applied to people who were in private care and requested a 12-week property disregard under the previous policy.

Assessment of Couples

Consultation proposal

66. Currently, people living with a partner in their own home are offered the option to receive both an individual and joint financial assessment. The assessment with the lowest contribution is then used to determine a person's contribution. This approach goes further than the Care Act 2014 requires, at considerable cost to the Council.
67. The Care Act 2014 statutory guidance states that:
"The local authority has no power to assess couples or civil partners according to their joint resources. Each person must therefore be treated individually"
(Care and Support Statutory Guidance, para 8.8)

- 68. However, the guidance is also clear that where a person receives income as part of a couple, the presumption is that they have an equal share of that income.
- 69. The proposal is to financially assess everyone as an individual. This would better align the Policy with the Care Act 2014.
- 70. As a result of this change the Council's income would increase by an estimated £0.3 million per year.

Headline consultation responses

- 71. Most people agree with the principle of individual assessments, however, there is concern that women may be negatively impacted, as they are more likely to have lower pensions or fewer assets. Some people think that the change should only apply to new assessments.
- 72. It was suggested that some individuals would want to be treated as part of a couple at such a vulnerable stage of their lives and that assessing everyone individually does not reflect the spirit of the Care Act.
- 73. Providers suggested that this is likely to affect men with higher incomes. They would like the Council to ensure that the lower income partner is supported. Other providers agreed that it was sensible to align with the Care Act and assess individually.

Recommendation

- 74. **The recommendation is to implement the proposal as consulted on: Financially assess everyone on an individual basis and no longer offer couples assessments.**
- 75. The change will apply to all new clients from when the new Policy is agreed. People who have previously been assessed as part of a couple will also be reassessed as an individual, which will mean that their contribution may change.

Recovering the full cost of services

Consultation proposal

- 76. The Council currently uses an average hourly rate of £19.40 to calculate how much a person should contribute to the cost of their home care. This does not reflect the amount the Council is charged by care providers for the cost of care and support it manages on behalf of individuals. This means in some cases the Council is partially subsidising the cost of care for people who would otherwise be wholly funding their care.

- 77. To make the Policy fairer, the proposal is to ensure the contribution people make towards the cost of the home care they receive covers the full cost of these services to the Council, basing this on what care providers actually charge, rather than an average hourly rate. Certain services would not be charged at full cost, such as contingency care where a person remains with the Reablement Service awaiting long term care.
- 78. It is anticipated that just over half of those affected by this policy change would see no change or a reduction in their weekly contribution.
- 79. If the policy change is implemented the Council's income would increase by an estimated £0.4 million annually. The actual figure will depend on the actual hours of care being delivered.

Headline consultation responses

- 80. More people disagreed with this proposal than those that agreed. Many people think that the average hourly rate of £19.40 is not a realistic reflection of the cost of care in Oxfordshire. There were fears that the cost of privately arranged care is higher because providers are compensating for the lower hourly rate they receive from the Council.
- 81. There is significant concern that the use of actual hourly rates will mean that some people will pay more for the care and support they receive depending on where they live in the county. If people cannot afford an increased contribution, there were fears that this could compromise the quality and level of care they receive. It was suggested that the Council should negotiate a uniform hourly rate, to reduce the impact of market forces on the costs it incurs.
- 82. Respondents were clear that choice and quality are important and should not be compromised by this change.
- 83. Providers expressed concern that people may decide to stop receiving the required amount of care if it costs more. They said that this may lead to longer-term effects on health and wellbeing and suggested this could put a strain on the Council and partner organisations.

Recommendation

- 84. **The recommendation is to implement the proposal as consulted on: Charge people the full cost of home care services, based on what care providers actually charge the Council, rather than an average hourly rate.**
- 85. The Council works closely with providers to ensure there is a diverse, sustainable and high-quality care market in Oxfordshire. It is important to ensure that a range of care and support services are available for people to have choice over how their needs are met and to enable them to achieve things that are important to them.

86. Most councils in England already operate the way we are proposing to operate in future – reflecting the actual cost of care, which differs town by town and village by village, typically linked to the general costs of living in that particular area. In a large county there is bound to be more variation in the actual cost of living.

Charging for non-statutory services

Consultation proposal

87. The Council commissions several non-statutory services (services which the council is not obliged to provide) that can be used to meet a person's eligible care needs, examples include:
- Telecare
 - Laundry
 - Blitz Cleans of service user homes
88. In some cases, these services are used as part of a person's Support Plan to meet their eligible care needs, and in other cases people with no eligible needs are receiving these services and not being charged.
89. The proposal is to ensure that where the Council provides a non-statutory service to a person who does not have eligible needs or whose eligibility has not been established, they will be charged the full cost of that service.
90. This new approach would provide clarity about when people should be charged for using these services. This could result in some people's contribution increasing and others contributing where they had previously not done. In the case of the Telecare Service the changes would also streamline the financial assessment process by removing the current benefits check.

Headline consultation responses

91. Most people agree with the proposal that services which do not form part of a person's support plan should be charged for. A small number disagreed with the proposal.
92. Providers raised concern that this proposal could impact on people receiving income-supporting benefits, such as Pension Credit, who require equipment to maintain their independence, but do not meet the eligibility criteria for social care. There is fear that those who currently receive a free non-statutory support service would no longer choose to pay for this if it became chargeable, leaving them at risk.

Recommendation

93. **The recommendation is to:**
(a) Continue the current charging practice for the Telecare service,

- (b) Continue the current charging practice for the Laundry service, subject to a review of this service being completed, and**
- (c) Reserve the option to charge for one-off non-statutory services, such as blitz cleans.**

94. In light of feedback from professionals, service providers and the public it is recommended that the approach to charging for non-statutory services differs according to the type of support delivered.
95. The Telecare service helps older and vulnerable people remain independent and feel safer in their own home through the use of monitoring equipment and sensors. People who are currently not charged for this service and who have not had a care and support assessment are usually people receiving Employment Support Allowance, Housing Benefit, Income Support or Guarantee Pension Credit, who are passported to the service.
96. It is likely that this service is playing a key role in helping prevent their need for longer term care and support, through maintaining their independence. Charging for the Telecare service could increase costs for the Council through the provision of other forms of longer-term support, where these individuals choose not to pay the charge to continue receiving the service.
97. Laundry service is in the process of being reviewed and charging practice will remain the same until that review is complete.
98. Blitz cleans may be chargeable according to a person's eligible need. If an eligible need was not established, the person may be charged the full cost of the service. If they have an eligible care need then this will be charged in line with their assessed contribution. These charges will be made subject to managerial discretion.

Implementation of Policy Changes

99. Several responses to the consultation emphasised that people affected by the proposed changes are some of the most vulnerable, therefore the implementation of the revised Policy will need to be managed carefully.
100. If the recommended changes are agreed a financial re-assessment will be offered to everyone who currently contributes to the cost of their care. This will ensure every person affected will know the impact on them individually. The level of contribution may increase for some, but may decrease or stay the same for others.
101. No one will be left with less than the minimum level of income needed to maintain a reasonable quality of life, as stipulated in the Care Act 2014, as a result of the recommended changes. Where appropriate the Council will work with people to review their care package, and consider alternative ways of meeting their needs, to minimise an increase in costs.

102. People whose contribution changes will not be expected to make any back dated payments for services previously received before the new charging policy is brought into effect.
103. If the policy changes are agreed, all individuals affected by the changes will be contacted by July 1st 2018 to inform them of the difference in their weekly contribution.
104. Options were explored around phasing the policy for those adversely affected. They were deemed to be too costly for the council as well as being less easy to understand, which may as a result pose a risk to vulnerable people.
105. **The recommendation is to introduce the policy changes from 1st October 2018.**

Financial and Staff Implications

106. If all of the policy changes are implemented the projected savings/income for the Council is estimated at £1.825 million per year on an on-going basis.

107. I n i m p l e m e n t i n g		Annual savings/ increased income
	Disability Related Expenditure	£1.140 million
	Arrangement fees	£0.005 million
	12-Week Property Disregards	£0.060 million
	Assessment of Couples	£0.260 million
	Recovering the full cost of services	£0.360 million
	TOTAL	£1.825 million

ng these changes there would be additional costs to the Council of approximately £87,000, incurred in the following areas:

- An estimated 4 additional full time visiting officers in the Financial Assessment Team for 16 weeks to undertake visits to people affected by these changes.
- External support from AGE UK to manage disability benefit applications where these are not already taken up by individuals.
- Social worker input to determine appropriate disability related expenditure allowances and identified needs within the support plan.
- Technical updates to the council's financial systems to take account of the policy changes, including new billing arrangements.

Equalities Implications

108. A Service and Community Impact Assessment has been completed and updated as a result of the consultation feedback received. Cabinet has a duty

to consider this Assessment prior to making its decision, specifically to consider the potential impact of the changes, particularly on individuals with protected characteristics.

109. A Service and Community Impact Assessment has been completed to consider the potential impact of the changes, particularly on individuals with protected characteristics. This is appended to the report and has been updated as a result of the consultation feedback received.

RECOMMENDATIONS

110. **Cabinet is RECOMMENDED to:**

- (a) Consider the results of public consultation on the proposed changes to the Adult Social Care Contributions Policy,**
- (b) Approve the recommended policy changes, and**
- (c) Approve the implementation of the policy changes from October 2018**

KATE TERRONI

Director for Adult Services

Contact Officer: Ben Threadgold, Policy and Performance Service Manager

May 2018

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Oxfordshire County Council Policy for Contributions in Adult Social Care

Approved: 22/05/2018
Active from: 01/10/2018
Review: 22/05/2020

Purpose

1. This policy outlines how the council ensures a fair approach to contributions from individuals towards the social care services they receive. It covers residential and non-residential care services following an assessment, and direct access services such as day care.
2. This policy is based on appropriate legislation and Government guidance, including:
 - The Care Act 2014, associated regulations and statutory guidance
 - The Mental Capacity Act 2005
 - Mental Health Act 1983 section 117 – the duty on health and social care services to provide free aftercare to patients previously detained under certain sections of the act
3. It should be read in conjunction with the council's Adult Social Care policies on Assessment and Review, Support Planning, Safeguarding and Complaints, Appeals and Compliments, and associated operational procedures and guidance.

Context

4. Oxfordshire County Council aims to support and promote strong communities so that people live their lives as successfully, independently and safely as possible. The council aims to promote independence and choice, be fair and equitable and give people more power and control over their lives.
5. Social care is not a free service and national funding arrangements make it clear councils need to collect income locally to contribute towards the cost of services.
6. Income from charging for services where it is appropriate to do so is therefore an essential part of Oxfordshire County Council's financial strategy.
7. This policy is based on national legislation and in determining the contribution to be paid by an individual the council cannot be less generous than the provisions set out in the Care Act 2014.

Policy Principles

The policy will be comprehensive, to reduce variation in the way people are assessed and charged.

- We will adopt a simple, efficient, cost effective financial assessment and income collection process.
- Charging arrangements will reflect the actual cost of services
- The charging rules will be applied equally so that those with similar needs or services are treated equitably

- People should not be charged more than it is reasonably practicable for them to pay
- We will provide people with timely, clear and concise information about the costs of their care.
- The policy will contribute to the sustainability of Adult Social Care in Oxfordshire
- The financial assessment will ensure that people on low incomes are not put in financial hardship as a result of paying towards their care costs. Advice and support to claim welfare benefit entitlements will be made available to people and carers.

These principles will be applied when considering the charging arrangements for any new services that are commissioned.

Policy Inclusions

8. This policy covers contributions from individuals towards the cost of Adult Social Care services for which the council has powers to charge. It also applies equally to people in prison with social care needs.
9. A person's eligibility to receive services from Adult Social Care will be determined by a care needs assessment based on National Eligibility Criteria.
10. The amount a person is required to pay towards their care and support needs will be determined by a financial assessment in line with the principles outlined in this policy.
11. This policy only applies to all people who are considered to be Ordinarily Resident in Oxfordshire (as defined in the Care Act 2014) and meet the nationally set eligibility criteria.

Policy Exclusions

12. This policy does not cover:
 - Services for which the council may not charge under legislation and/or statutory guidance. This includes:
 - aftercare services under section 117 of the Mental Health Act 1983,
 - services provided to people suffering from any form of Creutzfeldt-Jakob Disease,
 - intermediate care services such as reablement, crisis and intermediate care beds,
 - community equipment and minor adaptations up to £1,000,
 - providing advice about the availability of services or for assessment, including assessment of community care needs,
 - services provided under specific health and housing legislation by other organisations, such as the NHS.
 - Housing-related support services which are subject to separate arrangements.

Mental Capacity

13. In line with the Care Act 2014 and the principles set out in the Mental Capacity Act 2005, the council will assume that people have mental capacity and can make decisions for themselves unless it is established otherwise.
14. If a person has substantial difficulty in engaging in the financial assessment process and has no other means of accessing appropriate support through relatives, friends or others involved, the council will ensure access to an independent advocate to facilitate their involvement. Where applicable, this will be an advocate who meets the requirements of the Mental Capacity Act.

Safeguarding

15. If at any stage the council suspects that a person is experiencing or is at risk of abuse or neglect, a safeguarding enquiry will be carried out. This will establish if any action needs to be taken to prevent or stop abuse or neglect and will involve the person in deciding next steps. This is covered in the Safeguarding policy and associated guidance.

Requesting support to meet eligible needs

Non-Residential Care

16. The council has a duty to meet the eligible needs of people who require non-residential care and request the assistance of the council.
17. A person with eligible needs and who has savings above the full cost threshold of £23,250 can ask the council to meet these needs. In these cases, the council will charge arrangement fees to cover the cost of arranging those services.

Residential/Nursing Care

18. The council has a duty to meet the eligible needs of people who require residential care/nursing care and who have savings under the full cost threshold of £23,250
19. The council can use its discretion to meet the needs of people who require residential/nursing care and who have savings over the full cost threshold. Where the council chooses to do this, it will not charge an arrangement fee.

Personal Budgets

20. Anyone eligible for care and support from the council will have a Personal Budget. A Personal Budget is the amount of money allocated to an individual to provide the support they require, based on an assessment of needs. For more information about Personal Budgets, please see the Support Planning Policy.
21. A person will make a single contribution towards the cost of their care based on an assessment of their financial circumstances. They will then pay whichever is the lesser amount of either the full cost of the care they require to meet their needs, or their maximum assessed contribution. If the assessed contribution is less than the full cost of the care they require to meet their needs, the council will fund the difference. People may choose to purchase additional care at their own expense.

Charges for Services

22. People will be charged based on the actual cost incurred by the council in providing those services. Certain services would not be charged at full cost, such as contingency care where a person remains with the Reablement Service awaiting long term care.
23. There is no maximum weekly contribution rate, although individuals will only pay the lesser amount of the full cost of their care or their assessed contribution. The minimum weekly contribution level will be £2.00 per week.
24. The Care Act 2014 allows councils to take into account the value of a person's property, and Oxfordshire County Council will also take other capital and income into account in the financial assessment of individuals, unless it is required to be disregarded under legislation or statutory guidance.
25. For people receiving non-residential services, the council will not include the value of their property that they reside in.
26. When a person owns a second or additional property that is not their main residence it will be considered as an asset in the financial assessment.
27. For respite care, including temporary stays of less than 8 weeks the council will undertake a financial assessment as if the individual is living in their own home.

Financial Assessment of Contributions

28. Each person will be assessed on their own finances to calculate their assessed contribution towards the cost of the care they receive. It is the individual's responsibility to provide all of the information required to complete the financial assessment
29. If a person refuses to disclose their financial details they will be required to pay the full cost of the service. In such cases it will pursue any debt accrued
30. It is the person's responsibility to inform us of any change in their financial circumstances in a timely way

When Contributions Will Start

31. A person may be asked to contribute from the date when they begin receiving a chargeable service
32. The council will aim to complete financial assessments as soon as possible and expects the person to cooperate in that process
33. After they have been financially assessed, people will be obliged to make their assessed contribution towards chargeable services

Admission to hospital

34. When people are admitted to hospital for a short period of time and their care arrangement remains in place, for example a care home placement or Direct Payment we will continue to charge their assessed contribution. This will be subject to regular review.

Treatment of Income, Capital and Investments

35. In carrying out a financial assessment, the council will take into account all relevant income and capital that is not required to be disregarded.

The value and treatment of capital will be based on the guidelines set by the Department of Health who will set an amount:

- a. Below which capital will not be taken into account when assessing the person's contribution.
- b. Above which the person will be expected to pay the full cost of their care and support.

Until further notice the following thresholds apply to assessments made under the Care Act 2014 for both residential and non-residential care:

- Up to £14,250 – we will not take account of an individual's savings.
- Between £14,250 and £23,250 – we will assume that for every £250 in excess of £14,250 an individual is able to contribute £1.00 per week from capital
- Above £23,250 – we will ask the individual to pay the full charge.

Deprivation of capital

36. If someone has deprived themselves of capital or an asset in order to reduce their contribution, this may be treated as deprivation of funds to pay for care and the contribution will be calculated as if the individual still owned the capital or asset.

Living Expenses - Non-Residential

37. People receiving non-residential care services are entitled to retain a certain amount of their income to pay for general living costs. This amount is set by the Department of Health and is known as the Minimum Income Guarantee (MIG).

Joint/shared costs

38. When calculating the financial assessment, joint costs related to housing (e.g. utility bills) may be shared between the individual and anyone else living in the same home who shares responsibility for those costs with the individual.

Disability Related Expenses

39. Disability Related Expenditure is considered to be a reasonable additional expense that an individual receiving non-residential care incurs due to their age or disability, and may vary from individual to individual. The aim is to allow for reasonable expenditure needed for independent living by the person. The council will not include items that could be considered as normal living costs, which are covered by the allowance made in the Minimum Income Guarantee.

40. An indicative allowance of 25% of a person's Disability Benefit is allowed for Disability Related Expenditure.

41. If a person requests, the council will complete an individual disability related expenditure assessment.

42. Where an individual assessment is undertaken, receipts would be required for all items taken into account. The outcome of this assessment will be the figure used in calculating the person's contribution. The council will not make allowance for costs that should be covered elsewhere e.g. incontinence pads provided by NHS.

Living Expenses – Residential

43. People receiving residential care services are entitled to retain a certain amount of their income to pay for personal costs not met by the care home. This amount

is set by the Department of Health and is known as the Personal Expenses Allowance (PEA).

44. In certain circumstances the council may consider increasing the Personal Expenses Allowance to cover other exceptional living costs as set out in the Care Act.

Personal Injury Awards

45. In existing proceedings where claims are made against defendants in legal proceedings alleging wrongdoing or negligence (such as insurance companies or the NHS), the council will give consideration to intervening in those proceedings where appropriate.
46. The council will also take into account any personal injury awards that are not held in Trust once a 52-week disregard period from the time they are awarded has expired.

Trust Funds

47. The council will consider whether to recover the cost of care from a trust fund, where reasonable to do so, having regard for the terms of the trust.

Treatment of Property

12 Week Property Disregard

48. If the person is moving permanently into a registered care home, the council may disregard the value of the property they are vacating for the first 12 weeks of their residency.
49. The disregard will end if the property is sold within 12-weeks and the resulting capital will be included in the person's assessment

Discretionary Property Disregards

50. The council may use its discretion in appropriate cases to disregard the value of a person's property from the financial assessment, if a qualifying third-party lives there. For example, this may be where it is the sole residence of someone who has given up their own home to care for the resident, or someone who is an elderly companion of the resident (particularly if they have given up their own home).
51. If a person is moving elsewhere (for example into Extra Care Housing or to move in with relatives) and the property has not been sold within 12 weeks, the council will exercise its discretion and may offer to provide deferred payments secured by a legal charge over the property.

Deferred Payment Agreements

52. If the person's main or only home is not already disregarded, the council will offer Deferred Payment Agreements to allow a person to defer the costs of their care and support until a later date. This will normally be until the person sells their home, or until they pass away.
53. Deferred payments will normally be secured by a legal charge against the person's property, and in most cases the council will expect this to be the first charge against the property.
54. The council will charge a single, flat rate for arranging and administering a deferred payment agreement. This will be non-refundable and the amount will be

set annually by the County Council Cabinet. Individuals can choose to pay this fee up front or add it to the loan, in which case it will be subject to the same interest charges as the rest of the loan.

55. In some cases, a full valuation may be needed in setting up a deferred payment agreement. Where this is required, the cost will be the responsibility of the individual whether they arrange the valuation themselves or ask the council to do it for them. This cost will be non-refundable and the amount will be set annually by the County Council Cabinet. Individuals can choose to pay this fee up front or add it to the loan, in which case it will be subject to the same interest charges as the rest of the loan.
56. The council will apply interest to any amount deferred, which will be calculated on a compound basis. This will be charged at the maximum level of interest set nationally, which is reviewed on a six-monthly basis.

Changes in an individual's financial circumstances

57. Individuals must notify the council of any changes to their financial circumstances as these can affect their financial assessment. A change in a contribution may be triggered either by a change in type or level of service or the financial circumstances of the individual. Changes to contributions may be backdated to the actual date of any change.
58. The council reserves the right to review all financial assessments at any point. This may require individuals to provide new or additional information and evidence where necessary. Where individuals fail to provide information following written requests, contributions will be recalculated to the maximum level from the date of the first written request.
59. Where appropriate the council may automatically reassess based on changes that we become aware of through policy changes, Department of Works and Pensions or regulation changes. These may include annual increases to standard benefit payments such as the State Retirement Pension, occupational or other private pensions (except fixed rate annuities) or service cost increases.

Deferred Interest Loans

60. In some circumstances, the council may offer deferred interest loans to support people making adaptations costing in excess of £30k to allow them to continue to live at home. Eligibility for these loans will be assessed to establish that the person is unable to fund the work themselves and the council will be the lender of last resort.
61. People in receipt of a Deferred Interest Loan will be subject to review to ensure that the adaptation is still appropriate and in use.
62. Where the person no longer lives permanently at the property the interest on the loan becomes payable.
63. The capital of the loan becomes repayable when the person leaves the property permanently or the property is sold or transferred to another person. This may be deferred only in exceptional circumstances e.g. where there is a spouse still living in the property until they also are deceased or the house is sold.

‘Top Up’ Payments and Purchasing Additional Services

64. If a person chooses to receive care that is more expensive than the council has assessed they require to meet their eligible needs, they or their families can ‘top-up’ the costs to purchase the care of their choice.
65. If a person is receiving funding from the council and they are in a care home they cannot ‘top-up’ their own care funding unless they have a 12-week property disregard or receive funding via Section 117 of the Mental Health Act. They would instead require top-up from a third party, e.g. family or charity.
66. The council will at all times ensure that Personal Budgets are sufficient to meet the person's eligible care needs. Any ‘top ups’ will be the individual’s choice, and can only be made once they are aware of their right to have all their eligible care needs met without the requirement for a ‘top up’.
67. The person paying the ‘top up’ will be expected to sign an agreement, which sets out the conditions of making a ‘top up’.
68. In the event the ‘top up’ ceases, the council is under no obligation to increase its contribution to cover the difference in cost. This may result, for example, in the person having to move to other accommodation and being given a number of alternative options to choose from, unless, after an assessment of need, it is shown that their assessed eligible needs can only be met in the current accommodation.

Debt Recovery

69. Where an individual fails to make payment of invoices for care services provided by the council, action will be taken in accordance with the council’s policy. This may result in legal action being taken and extra cost to the individual.
70. Non-payment of a deferred charge, or otherwise not following the terms of a deferred payment agreement, will result in debt recovery processes being instigated.

Waivers and appeals

71. If a person disagrees with their financial assessment they can request a reassessment of their finances.
72. Waivers apply only to non-residential care services and related financial assessments. They will only be issued in exceptional circumstances, for example when incurring the full assessed contribution would have a detrimental impact on the individual. Whilst each case will be considered on its merits, the contribution may be waived or reduced where it can be shown that paying the full assessed contribution would cause severe financial hardship or the individual’s health would be put at serious risk.
73. Waivers will be considered and approved by the relevant Adult Social Care Service Manager. All waivers will be documented and reviewed at an agreed frequency.

Disagreements or complaints

74. Where disagreements or complaints occur, we will attempt to work with individuals or their representatives to resolve them and this may involve either:
- a. a review of the financial assessment and/or service;
 - b. a complaint or representation against policy; and
 - c. an application for a waiver of the contribution.

If an individual remains dissatisfied with the outcome of the assessment process they can ask for the decision to be reconsidered under the council's complaints procedures.

Review

75. The policy will be reviewed regularly. This will take into account learning from complaints, compliments and concerns, including from people who use the council's services.

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Service and Community Impact Assessment (SCIA)

Front Sheet:

Directorate and Service Area:

Adult Social Care

What is being assessed (e.g. name of policy, procedure, project, service or proposed service change):

Contributions Policy for Adult Social Care

Responsible owner / senior officer: Ben Threadgold

Date of assessment: May 2018

Summary of judgement:

This assessment considers the impact of the proposed changes to the Adult Social Care Contributions Policy on individuals, communities, staff, other council services and providers.

The Adult Social Care Contributions Policy was introduced in January 2014 and was last revised in July 2016. It outlines how the council ensures a fair approach in assessing the contributions made by individuals towards the social care services they receive.

Following the introduction of a new Adult Social Care and finance system the council has taken the opportunity to review the Contributions Policy with a view to ensuring equity and sustainability whilst also maximising cost efficiencies. The review also aimed to address inconsistencies that have been identified in current policy. It has been completed in line with the legislation set out in the Care Act (2014).

This review has identified a number of suggested changes in policy which if implemented are likely to have both positive and negative impacts.

Potentially positive impacts include; some people will see a reduction in their contribution, the policy will be more equitable, it will address inconsistencies in approach and it will help sustain Adult Social Care.

Potentially negative impacts include; some people will see an increase in their assessed contribution and in some cases, may be impacted by more than one of the changes in policy, causing a cumulative increase in contribution.

Those people affected will be contacted by the council's Financial Assessment Team who will offer the person a full reassessment of their finances. If appropriate the

council will also review the person's care package to explore alternative ways of meeting their needs.

There are potential impacts on staff, other services and providers associated with awareness of the implementation of the new policy if the changes are agreed, but these are not considered to be significant and are mitigated through implementation plans.

The council implemented a 10-week public consultation involving 2 sets of letters and explanatory materials, focus groups, and email and telephone support. This assessment has been reviewed following the consultation period to ensure the consideration of potential impacts remains accurate, and reflects any newly identified impacts or changes as a result of the consultation feedback.

Detail of Assessment:

Purpose of assessment:

The purpose of this assessment is to consider the impact of the proposed revisions to the Adult Social Care Contributions Policy, which includes changes to current policy that will affect people using services, providers and council services / staff.

This assessment also fulfils the Council's requirements under Section 149 of the Equalities Act 2010, as set out below.

Section 149 of the Equality Act 2010 ("the 2010 Act") imposes a duty on the Council to give due regard to three needs in exercising its functions. This proposal is such a function. The three needs are:

- o Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act.
- o Advance equality of opportunity between people who share a protected characteristic and those who do not.
- o Foster good relations between people who share a protected characteristic, and those who do not.

Complying with section 149 may involve treating some people more favourably than others, but only to the extent that that does not amount to conduct which is otherwise unlawful under the new Act.

The need to advance equality of opportunity involves having due regard to the need to:

- remove or minimise disadvantages which are connected to a relevant protected characteristic and which are suffered by persons who share that characteristic,
- take steps to meet the needs of persons who share a relevant protected characteristic and which are different from the needs other people, and
- encourage those who share a relevant characteristic to take part in public life or in any other activity in which participation by such people is disproportionately low.

- take steps to meet the needs of disabled people which are different from the needs of people who are not disabled and include steps to take account of a person's disabilities.

The need to foster good relations between different groups involves having due regard to the need to tackle prejudice and promote understanding.

These protected characteristics are:

- age
- disability
- gender reassignment
- pregnancy and maternity
- race – this includes ethnic or national origins, colour or nationality
- religion or belief – this includes lack of belief
- sex
- sexual orientation
- marriage and civil partnership

Context / Background:

The Adult Social Care Contributions Policy was introduced in January 2014 and was last revised in July 2016. The policy outlines how the council ensures a fair approach in assessing the contributions made by individuals towards the social care services they receive.

Following the introduction of a new Adult Social Care and finance system the council has taken the opportunity to review the Contributions Policy with a view to ensuring equity and sustainability whilst also maximising cost efficiencies. The review also aimed to address inconsistencies that have been identified in current policy. It was completed in line with the legislation set out in the Care Act (2014).

The council is proposing to make the following changes to the Contributions Policy:

- Make an indicative 25% allowance for disability related expenditure in a person's financial assessment, but offer an individual assessment of these costs if a person feels their disability related expenses are greater than this.
- Reduce the initial fee the Council charges for arranging a person's care from £150 to £140, and introduce an annual fee of £210 where the Council is asked to manage the ongoing provision of care and support.
- Align its policy on 12 Week Property Disregards more closely with the Care Act and Only offer a 12-week property disregard (where the Council does not include the value of person's property in their financial assessment for the first 12 weeks of care) to new residents entering a care home for a permanent stay or where there is an unexpected change in a person's financial circumstances.

- Financially assess everyone on an individual basis and no longer offer couples assessments in accordance with the Care Act 2014.
- Charge people the full cost of home care services, based on what care providers actually charge the Council, rather than an average hourly rate. This would not include contingency care where a person is in the Reablement Service and waiting for long term care.

The council also initially proposed to amend its policy on non-statutory services to clarify the charging process for these services. Following consultation this was reviewed and the proposal is now to:

- (a) Continue the current charging practice for the Telecare service,
- (b) Continue the current charging practice for the Laundry service, subject to a review of this service being completed, and
- (c) Reserve the option to charge for one-off non-statutory services, such as blitz cleans.

Proposals:

Disability Related Expenditure

Disability Related Expenditure (DRE) is the cost a person incurs due to their age or disability. This forms part of the overall financial assessment which determines how much a person can afford to contribute towards their care costs.

Currently the council completes an individual DRE assessment for every person and makes an allowance for this cost regardless of whether a person is claiming disability benefits or not.

The council proposes a move to a percentage of disability benefits model under which a person's allowance for DRE will be based on the disability benefits they receive. Under the new policy the person will be given an indicative DRE allowance of 25% of their disability benefit, which will change in line with any increases in benefits.

If a person is not claiming disability benefits, no indicative allowance will be made for Disability Related Expenditure. However, the council will support the person to make a claim for these benefits by referring them to the Department of Work and Pensions or Age UK.

If a person feels that their Disability Related Expenditure is greater than the indicative allowance they will be able to request an individual DRE assessment.

The council has chosen this approach in order to remove the current subjectivity which surrounds the Disability Related Expenditure assessment and to introduce a fairer, more straightforward and less intrusive approach.

An indicative allowance for Disability Related Expenditure will also allow the council to complete financial assessments using Department of Work and Pensions data. Where a client has given all of their financial details to the Department of Work and Pensions they will not need to resubmit this data to the council.

The new policy will mean that:

- There is a direct link between a person's disability benefit and their Disability Related Expenditure.
- In many cases the person won't need to undergo a home visit from a council officer in order to complete the financial assessment.
- The person won't need to provide details of their Disability Related Expenditure, some of which can be intimate in nature, unless they choose to do so.
- It is likely to lead to a quicker financial assessment and the person will know how much they will be expected to contribute sooner.
- The financial assessment will be easier to understand.

Arrangement Fees

Legislation introduced in the Care Act 2014 enables the council to charge an arrangement fee for people with eligible needs, who have financial assets above £23,250 and ask the council to arrange their care. The arrangement fee takes into account the cost of negotiating and/or managing the contract with a provider and covers any administration costs incurred. The council cannot charge for carrying out assessments, preparing support plans and reviews of support. Arrangement fees cannot be applied to residential care.

The council currently charges two levels of arrangement fee depending on the level of its involvement. These are both one off fees.

Level 1 - £150 - Where the council sources the care but the person enters in to a private arrangement with the care provider.

Level 2 - £500 - Where the council sources the care and manages the ongoing provision of care and support

The council proposes to change the way it implements arrangement fees by:

1. **Reducing the one-off arrangement fee from £150 to £140** and
2. **Introducing an annual fee of £210** where the Council is asked to manage the ongoing provision of care and support.

The council is proposing this approach to ensure that the arrangement fee will reflect the ongoing cost to the council of monitoring a person's care. It will also ensure

equity in that the person will be charged during the period which they ask the council to arrange and monitor their care.

12-Week Property Disregards

The 12-Week Property Disregard is based on national legislation and means that when a person first enters a care home, the value of their property is not taken into account during this initial twelve-week period. The aim of the disregard is to give people moving into a care home time to decide what they want to do with their property.

Under the current policy the council offers a 12-Week Property Disregard to everyone with eligible care needs, including people who have previously placed themselves in a private care home and then approach the council for financial assistance.

The council proposes to revise its policy on 12-Week Property Disregards so that it aligns more closely with the legislation set out in the Care Act. The 12-Week Property Disregard will be offered in the following circumstances:

- (a) When a person first enters a care home as a permanent resident
- (b) When a property disregard other than the 12-week property disregard unexpectedly ends because the qualifying relative has died or moved into a care home
- (c) At the council's discretion if there has been a sudden and unexpected change in the person's financial circumstances.

The change in policy will mean that self-funders who later approach the council will no longer be given an automatic 12-Week Property Disregard.

The council is proposing this approach as the purpose of a 12-Week Property Disregard is to give people moving into a care home time to decide what they want to do with their property. People who have previously placed themselves in a care home under a private arrangement have already had time to consider this and so a 12-week property disregard is not appropriate in these cases.

There is also a financial cost to the council in being more generous in its treatment of 12-week property disregards than the Care Act requires and the change in policy would remove the costs the council currently incurs in doing taking this approach.

Couples

The council currently offers people living with a partner in their own homes the option of receiving both a single and joint financial assessment. It then uses the assessment with the lowest contribution.

Under the new policy the council proposes to assess every person as an individual which would better align with the guidance set out in the Care Act.

This approach is being proposed to ensure that everyone is assessed under the same criteria. Whilst the council has previously used its discretion in being more generous than the Care Act requires, there is a financial impact in doing this. The change in policy would remove the current additional cost the council incurs.

Full Cost Recovery

When recharging the cost of home-care the council currently uses an average hourly rate of £19.40 per hour. Often this does not reflect the actual amount the council is being charged by care providers which means in these cases the council is partially subsidising the cost of care.

Under the new policy the council proposes to adopt a model of full cost recovery and recharge at the same hourly rate it is billed by care providers.

This approach is being proposed as the council cannot continue to subsidise the cost of care for people who are assessed to pay the full cost of their care. Recharging at the full cost rate would remove the cost the council incurs.

Non-statutory services

The council currently commissions a number of non-statutory services which can be used to meet a person's eligible needs, examples include:

- Telecare
- Laundry
- Blitz Cleans

In light of feedback from professionals, service providers and the public it is recommended that the approach to charging for non-statutory services differs according to the type of support delivered.

The Telecare service helps older and vulnerable people remain independent and feel safer in their own home through the use of monitoring equipment and sensors. People who are currently not charged for this service and who have not had a care and support assessment are usually people receiving Employment Support Allowance, Housing Benefit, Income Support or Guarantee Pension Credit, and are passported to the service.

It is likely that this service is playing a key role in helping prevent their need for longer term care and support, through maintaining their independence. Charging for the Telecare service could increase costs for the council through the provision of other forms of longer-term support, where these individuals choose not to pay the charge to continue receiving the service.

It is proposed that the current charging practice for the Telecare service therefore continues.

The Laundry service is in the process of being reviewed, therefore it is proposed that the charging practice remains the same until that review is complete.

Blitz cleans may be chargeable according to a person's eligible need. If an eligible need was not established, the person may be charged the full cost of the service. If they have an eligible care need then this will be charged in line with their assessed contribution. These charges will be made subject to managerial discretion.

Evidence / Intelligence:

The proposals have been developed based on an analysis of current practice within Oxfordshire County Council. The council has also considered the policies used by other local authorities, the National Association of Financial Assessment Officers and in conjunction with the guidance set out in the Care Act.

The proposed changes to the Contributions Policy has been subject to public and stakeholder consultation. The outcome of this has further informed this assessment of the impact on individuals, staff and services, and the development of the final recommended policy changes. The consultation included focus group discussions, online and telephone consultation and stakeholder engagement, and written feedback through paper questionnaires, letters and emails. There was also targeted communication with people identified as most likely to be impacted by the proposed changes.

Current data from the council's financial assessment system was used to provide an estimation of the impact of each proposal. The full impact will not be known until financial reassessments for all those affected are complete, should the policy changes be agreed.

Disability Related Expenditure

The change in assessing Disability Related Expenditure would apply to both new and existing users of Adult Social Care services.

Of the 3,500-people affected, modelling indicates that up to 40% of people (c. 1,300) could see an increase in their weekly contribution as a result of this change, whilst 60 % (c. 2,200) could see a decrease or no change. N.B. These figures are indicative only and a full assessment of people may result in them paying a different contribution.

Arrangement Fees

The change in arrangement fees would apply to both new and existing people who have savings over the full cost limit and who ask the council to arrange their care.

12 Week Property Disregard

The change in policy on 12 Week Property Disregards would only apply to new people from the date of the policy change.

Couples

The change in policy for couples would affect both new and existing users of Adult Social Care services. Of the 250-people affected, modelling indicates that moving to a single assessment would mean that up to 45% of people (c. 110) could see an increase in their weekly contribution, whereas 55% (c. 130) could see this decrease or remain the same.

Whilst the council has previously used its discretion in being more generous than the Care Act requires, there is a financial impact in doing this.

Full cost recovery

If the council implements a model of full cost recovery this would affect both new and existing users of Adult Social Care services.

Of the people currently using services more than half would be likely to see a reduction or no change in their contribution

The council's net income is currently being reduced by not receiving up to £360,000 annually by not recharging at the full cost rate. It should be noted that this figure depends on the actual hours of care being delivered.

Alternatives considered / rejected:

Feedback from staff indicates that some areas of the Contributions Policy aren't clear and there have been inconsistencies in its application and interpretation as a result.

In some cases, the council's policy is more generous than is required under the Care Act and there is a monetary cost in taking this approach. In order to ensure the sustainability of Adult Social Care in Oxfordshire the council can no longer absorb the monetary cost of a policy that is more generous than is required under current legislation. It is for this reason that doing nothing is not an option.

A number of other potential changes to existing policy have also been considered and discounted as either having too great an impact on the people affected or being too costly for the Council to implement.

The possibility of phasing the implementation for those adversely affected was considered, but was deemed too costly and would prove too complex for people to understand.

The council also initially proposed to amend its policy on non-statutory services to clarify the charging process for these services. Following consultation this was reviewed and the proposal is now to:

- (a) Continue the current charging practice for the Telecare service,
- (b) Continue the current charging practice for the Laundry service, subject to a review of this service being completed, and
- (c) Reserve the option to charge for one-off non-statutory services, such as blitz cleans.

Impact Assessment:

Impact on Individuals and Communities:

The changes in policy affect everyone equally, regardless of their age, gender reassignment, pregnancy and maternity, race (including ethnic or national origins, colour or nationality), religion or belief (including lack of belief), sex, sexual orientation, marriage and civil partnership. However, it is more likely to affect older people and people with disabilities due to the nature of people who need social care.

Whilst the amendments to the policy do not affect any one group in particular it is likely that some people will see a change in the amount they are assessed to contribute towards their care, with some paying more, some paying less and with no change for others.

Department of Health guidance states that contributions to care costs should not reduce a person's net income below levels of income equal to basic levels of Income Support or the Guarantee Credit of Pension Credit plus 25%. This means that people on low incomes and from areas of deprivation are likely to contribute less towards the cost of their care. The amendments to the policy are in line with this approach and will ensure that people are always left with a minimum level of income before they are expected to contribute towards their care.

In a small number of cases the policy changes may have a cumulative affect resulting in a significant increase in a person's contribution. For example, someone previously benefitting from a couples' allowance may be made worse off by moving to a single assessment and then further impacted by the change in assessing Disability Related Expenditure. Based on current modelling of the interplay between the policy changes, where people are affected it will normally be by no more than two of the changes and in a very small number of cases a maximum of three of the changes.

For example, a person paying the full cost of their care will be affected by the move to full cost recovery and by the change in arrangement fees but they would not also be affected by the change in policy 12 Week Property Disregard, couples or non-statutory services.

In some cases, a person might be positively impacted by one change but then

If the policy changes are agreed, the council will write to anyone affected by the changes in policy and offer the person a reassessment of their finances to ensure it captures the most up to date information. It will ensure that the person is not left with less than the minimum income stipulated in the Care Act. Where appropriate the council will review the person's care package to look at the alternative ways of meeting the person's needs.

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<p><u>Disability Related Expenditure</u></p> <p>Risk that people with higher than average Disability Related Expenditure may be financially disadvantaged</p>	<p>People will still be entitled to their statutory minimum income guarantee for everyday living costs.</p> <p>There will be a 3-month implementation phase where the person will be advised of their new contribution to give them time to plan their finances.</p> <p>If appropriate the council will review the person's care package to explore alternative ways of meeting their needs.</p> <p>The waiver scheme may be used in cases where the change in policy causes serious financial hardship.</p> <p>If approved the implementation of policy will not be until 1st October 2018 to allow time to prepare and work with individuals to limit the impact.</p> <p>The people likely to be affected were advised of the proposed changes as part of the consultation. They will also be written to with their assessed contribution following cabinet decision and there will be 3 months before this takes effect. If a person feels their disability related costs are higher than the indicative allowance, the council will offer them an individual assessment to examine these costs in more detail.</p> <p>The council has modelled the Disability Related Expenditure allowance on the typical current costs incurred by people currently using services. This resulted in an allowance of 22% and the council has added an additional buffer of 3% to this figure to allow for any variance in the person's actual expenditure.</p> <p>All of the people affected will be advised in advance of the changes that are being introduced. This will include information</p>
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	<p>about how to contact the council should they wish to undergo an individual DRE assessment.</p> <p>People will still be entitled to their statutory minimum income guarantee for everyday living costs.</p> <p>There will be a 3-month implementation phase where the person will be advised of their new contribution to give them time to plan their finances.</p> <p>If appropriate the council will review the person's care package to explore alternative ways of meeting their needs.</p> <p>In exceptional circumstances there is an appeal process that can waiver a financial assessment outcome.</p>
<p>Clients who do not receive disability related benefits will not qualify for any DRE allowance and will see a rise in their contribution. Individuals may decide that they no longer wish to receive care services or reduce their care package due to the cost. This could mean they do not receive the support they require to meet their eligible needs.</p>	<p>All clients will be advised in advance of the changes that are being introduced. They will be advised how to apply to claim disability benefit from the DWP and what to do if they receive this benefit. Where required the DRE allowance will be backdated to the start of the payment.</p> <p>The council's Financial Assessment Team will offer the person a full reassessment of their finances and will also work closely with the person's social worker to ensure this risk is minimised.</p> <p>People will still be entitled to their statutory minimum income guarantee for everyday living costs.</p> <p>There will be a 3-month implementation phase where the person will be advised of their new contribution to give them time to plan their finances.</p> <p>If appropriate the council will review the person's care package to explore alternative ways of meeting their needs.</p> <p>The waiver scheme may be used in</p>

<p>Disability premiums as part of a person's Employment and Support Allowance will not be used to calculate an indicative disability related expenditure allowance. This could mean that people with these premiums will be disadvantaged.</p>	<p>cases where the change in policy causes serious financial hardship.</p> <p>A person's disability premium benefit will not be used to calculate the indicative DRE allowance however those people receiving such premiums will still receive one of the disability benefits that are used in the calculation.</p> <p>The council's Financial Assessment Team will offer the person a full reassessment of their finances and will also work closely with the person's social worker to ensure this risk is minimised.</p> <p>People will still be entitled to their statutory minimum income guarantee for everyday living costs.</p> <p>There will be a 3-month implementation phase where the person will be advised of their new contribution to give them time to plan their finances.</p> <p>If appropriate the council will review the person's care package to explore alternative ways of meeting their needs.</p> <p>The waiver scheme may be used in cases where the change in policy causes serious financial hardship. If a person feels that their indicative DRE allowance is not sufficient they can ask for an individual assessment</p>
<p><u>Arrangement Fees</u></p> <p>People who have paid the one-off fee of £500 under the council's previous policy on arrangement fees will now be expected to pay an ongoing annual fee.</p> <p>People may be charged a second 'one-off' fee if they wished to change care provider.</p>	<p>The council will contact the people affected by the change in policy to give them prior notice. This will include details of alternative options should they no longer wish for the council to arrange and monitor their care.</p> <p>The Council will consider charging the arrangement fee again if it is reasonable to do so. If the provider could not provide adequate care, there was a safeguarding concern or the change was due to</p>

<p><u>12 Week Property Disregards</u></p> <p>As the council has previously been more generous in allowing self-funders who have arranged care privately, a 12 Week Property Disregard there may be an expectation that this will continue.</p> <p><u>Couples</u></p> <p>For some couples the change in policy will result in them paying more for their care services than under the previous policy. Some individuals may decide that they no longer wish to receive care services or reduce their care package due to the cost. This could mean they do not receive the support they require to meet their eligible needs.</p> <p><u>Full cost recovery</u></p> <p>For some people the change in policy may result in them paying more for their care than under the previous policy and as a result they may decide to cancel their care services or reduce their care package due to the cost. This could</p>	<p>provider collapse then it would not be appropriate to charge the fee a second time.</p> <p>The council was clear during the public consultation about the proposed change in policy, and will continue to be clear in any future communication with people using services.</p> <p>The council's Financial Assessment Team will offer the person a full reassessment of their finances and will contact their social worker in the event that they wish to reduce or cancel their care.</p> <p>People will still be entitled to their statutory minimum income guarantee for everyday living costs.</p> <p>There will be a 3-month implementation phase where the person will be advised of their new contribution to give them time to plan their finances.</p> <p>If appropriate the council will review the person's care package to explore alternative ways of meeting their needs.</p> <p>The waiver scheme can be used in cases where the change in policy causes serious financial hardship.</p> <p>The council will identify those people affected and communicate this change in policy. It will include information about the alternative options available to them.</p> <p>People will still be entitled to their</p>
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mean they do not receive the support they require to meet their eligible needs.	<p>statutory minimum income guarantee for everyday living costs.</p> <p>There will be a 3-month implementation phase where the person will be advised of their new contribution to give them time to plan their finances.</p> <p>The council's Financial Assessment Team will offer the person a full reassessment of their finances and will contact their social worker in the event that they wish to reduce or cancel their care</p> <p>If appropriate the council will review the person's care package to explore alternative ways of meeting their needs.</p> <p>The waiver scheme can be used in cases where the change in policy causes serious financial hardship.</p>
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Impact on Staff:

There is likely to be an initial increase in workload for staff in the Financial Assessment Team in dealing with the financial reassessments and the queries resulting from the changes in policy. This could in turn impact on the team's day to day workload. An implementation plan will be put in place to ensure the team is sufficiently resourced to cope with the increase in workload during this period, including additional resources as required.

There is also a risk that staff are not aware of the changes in policy and do not implement it effectively. A communication plan will be put in place to ensure that staff are fully briefed on the changes in policy. This will include training sessions as well as guidance and procedure documents. There will also be a review of other policies, procedures and guidance available to staff to ensure these are updated or removed where they are no longer relevant.

Risks	Mitigations
Increased workload for Financial Assessments Team in having to reassess people currently using services in accordance with the new policy could impact on waiting times for assessment for new clients	<p>Briefings and training for staff as part of implementation plan following agreement of policy</p> <p>Consideration will be given to employing additional staff within the Financial Assessment Team for the period leading up to and immediately after</p>

<p>Staff are not aware of the new policy, and cannot implement it / communicate it to people using services appropriately.</p>	<p>implementation.</p> <p>Some changes in the policy may reduce burdens on the Financial Assessments Team and therefore limit the impact on waiting times for assessments</p> <p>Communications and engagement plan as part of consultation included communication and training with staff.</p> <p>Review of other policies, procedures and guidance available to staff, including the Council intranet and internet sites, to ensure that they align and consistently enforce the new policy</p> <p>Implementation and training plan will be developed for staff in bringing in the new policy.</p>
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Impact on other Council services:

The changes in policy may have an impact on Adult Social Care Teams where people receiving services approach their social worker about the changes in policy. The council will ensure that all Adult Social Care Teams are fully briefed about the change in policy and where to direct people in the event of any queries.

It is also possible that implementing the new policy could lead to increased complaints from clients and carers, and legal challenge. However, as the changes in the policy have been considered in line with the guidance set out in the Care Act as well in consultation with various teams across the council including with colleagues in finance and social care, these risks are not considered to be significant.

Risks	Mitigations
<p>Increase in workload for Social Workers in terms of queries, reassessments and waivers</p>	<p>The council will ensure that social workers are aware of the new policy and where to direct people in the event of queries.</p>
<p>Increase in the number of complaints for the council's Complaints Team.</p>	<p>The council will aim to mitigate this by contacting those people affected as part of the communications plan.</p> <p>The council will ensure its Complaints Team is fully briefed and aware of the</p>

Potential increase in debt cases for Debt Recovery Team if people refuse to pay for any increase in their contribution.	change in policy. Those likely to be adversely affected will be contacted as part of the consultation, and offered a re-assessment and help to consider alternative care provision to reduce costs if appropriate
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Impact on providers:

The majority of the policy changes do not directly affect care providers, however there is a risk that if they are not told of or do not understand the policy changes they may give incorrect information to people using services. However, they were made aware of the consultation and asked to contribute their opinions. They will be informed of any resulting policy changes.

Risks	Mitigations
If care providers are not aware of the change in policy they may give people using services incorrect information.	Care providers were included in the public consultation. Providers will be fully briefed on any subsequent policy changes. All communications given by providers to people using services will be updated.

Social Value

If the Public Services (Social Value) Act 2012 applies to this proposal, please summarise here how you have considered how the contract might improve the economic, social, and environmental well-being of the relevant area.

How might the proposal improve the economic well-being of the relevant area?

N/A, beyond contributing to the sustainability of social care and supporting people to remain independent for as long as possible (and therefore economically active within the local area

How might the proposal improve the environmental well-being of the relevant area?

N/A, beyond potential for slight reduction in travel around the county undertaking financial assessments.

Action plan:

Summarise the actions that will be taken as a result of the assessment, including when they will be completed and who will be responsible. It is important that the officer leading on the assessment follows up to make sure the actions are completed, and updates the assessment as appropriate. Any significant risks identified should also be added to the appropriate service or directorate risk register, to ensure they are appropriately managed and reviewed.

Action	By When	Person responsible
Informal Cabinet	28 November 2017	Kate Terroni / Benedict Leigh
Develop communications and stakeholder engagement plan for consultation period	12 January 2018	Lynn Smith/Ben Threadgold
Public consultation (8 weeks)	12 January – 3 April 2018	Lynn Smith/Ben Threadgold
Cabinet approval of new policy following consultation	22 May 2018	Kate Terroni / Benedict Leigh
Develop implementation plan for policy, accompanying policies, procedures and guidance	End May 2018	Rob Winkfield /Jason Felstead/Claire Pollock
Communications plan- write to those affected by the policy to inform them of the decision.	End June 2018	Sheldon O'Donoghue
3-month period of requested individual reassessments prior to implementation of policy	June-September 2018	Sheldon O'Donoghue
Implementation of policy	October 2018	Ben Threadgold / Claire Pollock

Monitoring and review:

Try to be as specific as possible about when the assessment will be reviewed and updated, linking to key dates (for example when consultation outcomes will be available, before a Cabinet decision, at a key milestone in implementation)

Person responsible for assessment: Ben Threadgold/Rob Winkfield

Version	Date	Notes
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CA7

		(e.g. Initial draft, amended following consultation)
1	08/06/17	Initial draft
2	10/05/2018	Amended following consultation



Contributions Policy Consultation

Consultation Report:

Commissioned by: Benedict Leigh, Deputy Director of Adult Services

Authors: Lynn Smith and Adrian Chant, Engagement Team

Date: 3 May 2018

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Italics indicate verbatim quotes.

All responses are anonymous

Purpose

This report summarises a public consultation carried out between January and April 2018 on proposed changes to the Adult Social Care Contributions Policy, following a review of the Policy in 2017. Its purpose is to provide more detailed information on the consultation process and responses received from users of services, carers, members of the public, stakeholders and partner organisations.

Key Findings

- Respondents were broadly in acceptance of most of the proposals.
- Respondents were split roughly 50/50 on the proposals relating to Disability Related Expenditure and Recovering the Full Cost of Services.
- A consistent message from carers and service users was the need to be treated fairly, consistently and compassionately.
- There is a need for very clear and accessible information to be provided to vulnerable service users and their carers, with a lengthy notice period of any changes before implementation.

Background

1. This consultation sought the views on proposals that change the way Oxfordshire County Council charges for adult social care services. These services support adults living at home (for example, home care, day care and transport) and in residential care.
2. The proposed changes aim to:
 - Ensure a fairer and more consistent approach to assessing the financial contributions made by individuals towards the cost of the social care services they receive.
 - Simplify the financial assessment to make this a shorter and less invasive process.
 - Better align the charging arrangements with the guidance on charging in the Care Act 2014.
 - Enable the council to recover the actual cost of providing these services to people in Oxfordshire.
 - Support the financial sustainability of adult social care, ensuring that frontline services for the most vulnerable are protected
3. More than 4,400 people directly affected by the proposals were written to and over 620 responses were received from adult social care users, their families, carers, partner organisations and members of the public. People responded online, by post and through focus groups, emails and phone calls.

4. A response rate to the questionnaire of 14.3% is accepted as being at a good level of engagement.
5. Submissions in the form of letters, e-mails and phone calls were also received and analysed.

Consultation Process

1. Letters and questionnaires were sent to all residents receiving a service that could be affected by these proposals. This totalled in excess of 4,460 people.
2. Online consultation questionnaires hosted on Oxfordshire County Council e-portal. The survey included only open questions around the proposals to allow respondents to express views in their own words.
3. It was clear from responses received during the first few weeks after the launch of the consultation on 24 January, that many people found the information supplied confusing, and did not have sufficient understanding to make informed responses to the consultation questions.
4. People also said they wanted to know what potential changes would mean for them, resulting in them being either unwilling or felt unable to respond to the consultation. However, providing this information was not possible or appropriate until the policy was approved as it would require individual assessments on draft proposals.
5. To address this issue, council officers responded to these concerns by producing a document of Frequently Asked Questions (FAQs) with illustrative examples. This clarified those questions which were not well understood; specifically, that around Disability Related Expenditure.
6. The FAQs, together with the questionnaire and a covering letter explaining the above were posted on 14 March, with an extension of 2 weeks to the length of the consultation (10 weeks in total). The extra time, together with the additional information provided, resulted in a further 235 responses being received over the final 2 weeks of the consultation. This was equivalent to the number of responses received (240) in the period before the second mailing. The proportion of people responding to the second mailing, who said they didn't understand some of the proposals fell significantly.
7. Focus Groups were held with service users (including older people, family members and carers of people with learning disabilities and people with physical disabilities). These took place in Banbury (27th February), Oxford (6th March) and Didcot (23rd March). A workshop for Providers was also held in Oxford on 7th March.
8. By the end of the consultation 634 people had given their views:
 - Online responses: 45
 - Postal responses from first mailout: 240

- Postal responses from second mailout: 235
- Participation at three service user and carer focus groups: 66
- Participation at one provider focus group: 5
- Responses received via the dedicated consultation phone line: 36
- E-mail submissions: 4 (including Carers Oxfordshire, MS Society & 'Keep Our NHS Public')
- Phone calls to dedicated consultation phone line: 442
- Provider responses: 3 (from My Life My Choice, Age UK Oxfordshire and 'anonymous')

Questionnaire Response Analysis

Q1. Disability Related Expenditure (451 responses)

- More people responded to this question than any of the others.
- Respondents were split approximately 50/50 in agreeing or disagreeing with this proposal.
- Of those that disagreed, the message was that 25% allowance for DRE is too low; 50% is suggested as more realistic.
- People were particularly keen to see savings reinvested in adult social care
- Greater clarity with a fairer and more systematic approach would be welcomed by many.
- Respondents wanted an accurate assessment and the right to an independent re-assessment.
- Concern was expressed about the blanket percentage being discriminatory, particularly for people with more complex conditions and disabilities, learning disabilities or mental ill-health, who may not have the capacity to know that they could request individual assessments.
- Concern was expressed about the need for re-assessments and whether this would cost the council money, if the majority of service users requested a re-assessment.
- Respondents emphasised the importance of the individual and the wide variation in what constitutes DRE.
- People are already paying for additional (essential) care out of Disability Living Allowance.

Respondent quotes representative of key messages above:

"I think this is a fair way to assess this type of expenditure as it will be less intrusive and will mean that people will not panic if they have lost receipts that prove their expenditure,"

"A person's Disability Related Expenditure does not allow for spending on Social Care expenditure that promotes social Independence and mental well-being. Hence, the proposed (25%) allowance puts people who are solely dependent on DWP benefits at a financial disadvantage."

Q2. Arrangement Fees (384 responses)

- Of those who were likely to be affected (48% of total responses), 56% agreed with this proposal.
- 41% of those who responded said that this would not affect them as they did not have enough savings – so no comment
- A majority were in favour of the fees being cost neutral. It was important for people that the fees remain fair, consistent and transparent.

Respondent quotes representative of key messages above:

“I think people with a prognosis of less than 6 months, for example, shouldn't have to pay this.”

“Agree with these proposed changes, however I do not agree that any changes should be made towards those people who are so severely disabled that they are medically proven to be unable to arrange their own care services.”

Q3. 12 Week Property Disregard (344 responses)

- Of those who were likely to be affected (47% of total responses), 62% agreed with this proposal.
- 42% said that as they don't own property they won't be affected
- Concerns were expressed that the 12-week period puts additional stress on a person and their family, and may not be a long enough period.
- Queries were raised over how property disregards are applied where people enter a care home for a significant period of time, but do not become a permanent resident.
- Providers were broadly in favour of aligning the current policy to the Care Act 2014 but wanted to see clear definitions around discretionary disregards.

Respondent quotes representative of key messages above:

“Any information needs to be provided clearly and in a timely manner, with a clear appeals process. Staff need to be clearly briefed on this.”

“I agree that there should be a period of 'grace' but 12 weeks was not enough in current market.”

Q4. Assessment of couples (351 responses)

- A strong majority of people agreed with the principle of being assessed as an individual.
- There was a key concern that women may be disproportionately impacted, as they are more likely to have built up lower value pensions or male spouses/partners may control their financial assets.
- Where people agreed to the proposal, they said that this seemed fair, and that it made sense to treat people as individuals.

- Where there was disagreement to this proposal, it was because people who were married and held joint assets wished to continue to be viewed and assessed as a couple. It was suggested that some individuals would want to continue to be treated as part of a couple at such a vulnerable stage of their lives and that assessing everyone individually does not reflect the spirit of the Care Act 2014.

Respondent quotes representative of key messages above:

“The Care Act states that people should be treated with respect and their needs and wishes taken into consideration. An individual part of a couple would probably need and wish to be treated as a couple at this very late or vulnerable stage of life.”

“I do not think this is fair. In the past, many women did not work but stayed at home to look after the children and the household. They will therefore be reliant on their husband's work pension and this should be taken into account in the assessment.”

Q5. Full cost recovery for home care (341 responses)

- A slight majority of people disagreed with this proposal.
- The current average hourly rate of £19.40 was not considered a realistic figure.
- There were fears that the cost of privately arranged care is higher because providers are compensating for the lower hourly rate they receive from the Council.
- There is significant concern that the use of actual hourly rates will mean that some people will pay more for the care and support they receive and that this would create a post code lottery. With restricted choice in care homes, concerns were expressed that people might be forced to pay more, due to the lack of choice.
- If people cannot afford an increased contribution, there were fears that this could compromise the quality and level of care they receive. Providers expressed concern that people may decide to stop receiving the required amount of care if it costed more and that this may lead to longer-term effects on health and wellbeing, putting a strain on the Council and partner organisations.

Respondent quotes representative of key messages above:

“If you are going to charge the cost to the client as charged by the provider, then there should be a choice of providers offering different rates for everyone who needs to have home care.”

Q6. Non-statutory services (327 responses)

- A substantial majority of respondents supported this proposal.
- Respondents considered that unless a service forms part of a care plan then residents should pay for it.
- Several responses indicated that people were not aware of the services in question and would have found it helpful to know about them.

Some respondents, including providers, highlighted that this change could have broader consequences on people who are receiving these services without charge but do not have a financial assessment. There is fear that those who currently receive a free non-statutory support service would no longer choose to pay for this if it became chargeable, leaving them at risk.

Respondent quotes representative of key messages above:

"I think you should make it clear the services you provide - I was not aware you provided them."

"If people require laundry service or blitz cleans, they often require these because of disability or mental health needs. It may help people stay at home for longer if these services are offered."

Q7. Comments about Council managing impacts (322 responses)

- After the initial mailout, respondents commented that they found the information provided inadequate, with questions being complicated and confusing. Following the FAQs and secondary communications by officers the response rate increased significantly as a result.
- Respondents wanted plenty of notice about changes: they wanted to be communicated with in a timely manner and at a level that vulnerable groups could understand clearly. They wanted advisory and support services in place to help residents cope with the proposed changes
- Respondents wanted to know how the proposed savings would be spent, to improve other aspects of social care.
- Respondents voiced their concern that the Council must protect its most vulnerable clients.
- Respondents wanted transparency and fairness on financial assessments
- There was a general perception that the proposals would make the system fairer for everyone, and that this is important.
- Respondents were concerned over possible delays during the system changes which might affect vulnerable residents financially.

Q8. Other comments (239 responses)

- Respondents emphasised the complexity of the social care system and therefore the difficulty for vulnerable people in understanding the proposals and their impact.
- Some respondents voiced a considerable level of stress and anxiety about the proposals, emphasising that changes must be carefully made with vulnerable residents in mind.

Analysis of Focus Group discussions

The majority of those attending each focus group wished to talk about Disability Related Expenditure as this was viewed as the most confusing aspect of the consultation.

There were many questions about the proposed introduction of a 25% allowance figure.

Comments were made about the consultation process itself. There was agreement amongst those attending that the questions should have been tested before the documents were made public. and that worked examples were needed on the portal and on paper and case studies should have been supplied.

Anxiety and worry was expressed by many who attended. However, this decreased as more worked examples were supplied by council staff, together with FAQs, and the facility to discuss and work through different DRE scenarios.

Several commented that longer assessments were needed by professional health clinicians or social workers should be trained to understand medical needs that are complex.

Other comments included:

- More transparency needed about NAFAO (National Association of Assessment Officers) guidance as this does not appear to be independent.
- Some costs are not considered e.g. TV licence, water rates, rent.
- Tighter financial restraints make it more difficult for people to stay in their caring role.
- Several comments were made about recent changes to daytime services having a profound effect on carer and service users' lives.
- Training of staff to supply up to date information and advice is important.
- Saving in administration could be swallowed up in re-assessments. Has that been put into the calculation? How will OCC manage the potential increase in financial and care re-assessments?
- Peoples experiences are that the system is under stress – so getting reassessments done in a timely manner is seen as unrealistic.

Key messages from the Provider focus group

Feedback was generally in line with other responses.

Disability Related Expenditure:

- Generally, this proposal was positively received
- Concern that the main driver was budget cuts
- A question about the process for backdated benefits

Full cost recovery:

- Concern was expressed that people will stop receiving the care that they need because it costs them more
- £19.40 per hour is significantly higher than the national average

Non-statutory services:

- Non-statutory services become statutory if they form part of a care plan - at that point the council are obliged to provide it
- People will refuse to pay and may fall into crisis - people may make bad decisions

General points made:

- Will the effect on people be monitored?
- Confirmation was given that savings are to be reinvested into adult social care, not external organisations

Online responses from the three provider organisations were in line with other responses from individual responders.

Phone calls and emailed responses

The main consultation phone line was staffed by the council's Financial Assessment Team, who received a total of 442 phone calls over the period the consultation was open. A dedicated email address was also in use to allow people to respond through this route, if they preferred.

Overall feedback received was centred on a lack of understanding and concern expressed about the information provided. Many emails and calls indicated that people did not understand that the papers they had received were a public consultation. However, in most cases, Financial Assessment Team staff assisted people's understanding.

Key feedback from the consultation phone line

Many respondents indicated people would prefer to leave disability related expenditure as individually assessed because 25% would not cover costs. They were clear that the new individual DRE assessment must be implemented so that items specific to each individual are considered, and that this should also form part of the support planning process.

People also wanted further information about how the proposed changes would impact them individually, although this information could not be provided, as it would not have been appropriate to do so until any changes had been approved. Some comments were received about the need to make a phased introduction for any changes.

Analysis of Respondents

The consultation received a wide range of qualitative responses. All free text comments that were received were collated and organised into common themes and analysed accordingly.

Responses are self-selecting: only people who chose to give their views have had them recorded. Attention has been paid to understanding who has responded to the

consultation, to understand where some groups are being under or over represented through the findings.

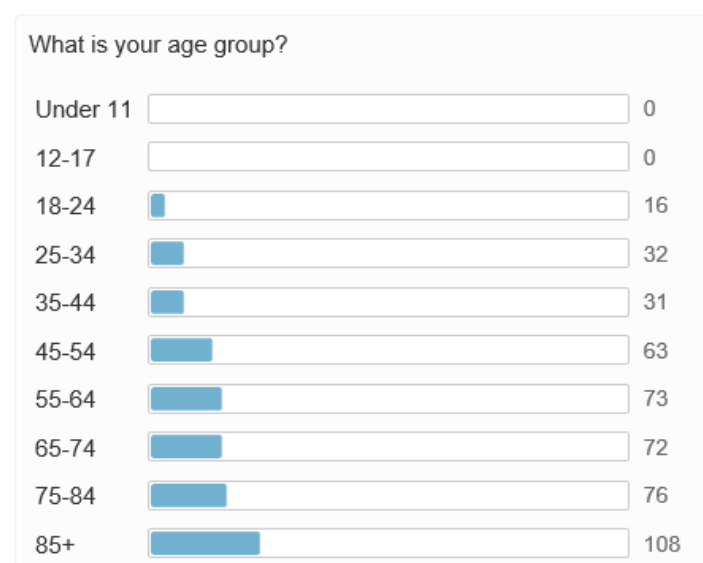
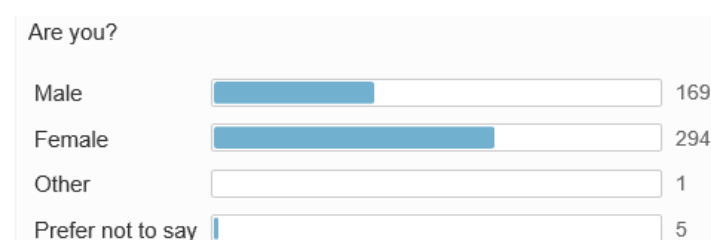
The primary method of analysis is qualitative with an approach used to understand the issues raised by those who have contributed, to capture the themes that emerge from responses and gauge the strength of perceptions by different groups.

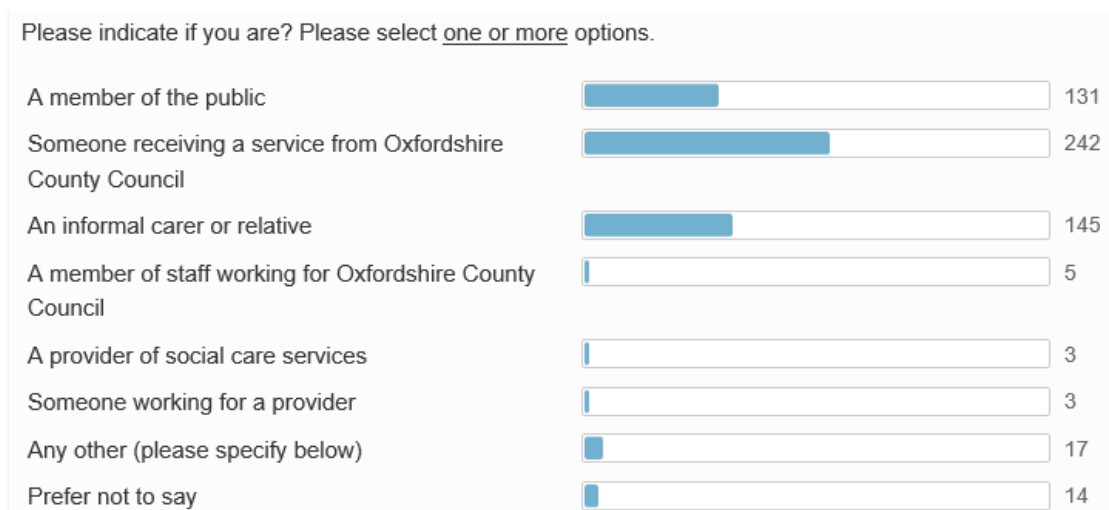
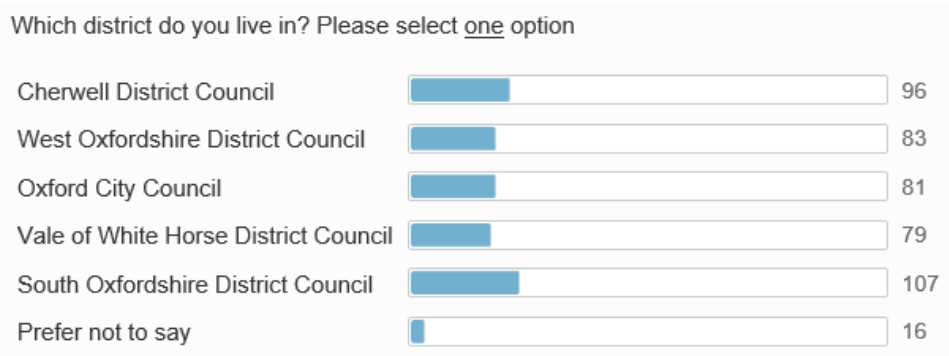
Who responded to the consultation?

There was a good response from across the county, and across age ranges, although predominantly older people, with the most significant number of responses from the over 85 age range. Responses were predominantly from people who received a service or carers, but there was also a good level of responses from the public.

This is broadly representative of the make-up of adult social care service users, and the outcomes of the consultation have been used to inform the Service and Community Impact Assessment which considers potential impacts from implementing proposals and mitigating actions.

Whilst respondents were all asked demography questions to help us to understand who was responding, none of these questions were mandatory and therefore not all respondents provided answers to all or any of these categories.





Responses to the question – “If you have a disability, please describe it. Leave blank, or write none if appropriate, or 'prefer not to say'”:

Out of a total of 347 responses received on paper or online (66.5% of the total responses received):

- 19% said none, not applicable or preferred not to say;
- 6% reported having a learning disability;
- 3.5% Autism;
- 3% Multiple Sclerosis;
- 2.5% stroke;
- 2% dementia;
- 2% Parkinson’s disease;
- 2% Down’s Syndrome.

The remaining responses described a wide variety of physical disabilities and mental health issues.

In response to the question: “Please describe your ethnic group or background”:

Out of a total of 390 responses received on paper or online (75% of the total received) people described themselves as being:

- 24% White British
- 12.5% British
- 10% White
- 9% English
- 5.5% White English
- 3.3% non-British
- 3% preferred not to say

Actions

This Report forms an Appendix to the Cabinet Report on Revisions to the Adult Social Contributions Policy. Cabinet will make decisions relating to the proposed changes to the Adult Social Care Contributions Policy on 22 May 2018.

Implementation of any agreed changes are proposed to take effect from October 2018 onwards.

Appendix 1: Questionnaire

Adult Social Care Contributions Policy Consultation Questionnaire

**Please complete and return this questionnaire by the 3 April 2018
in the FREEPOST envelope provided.**

1. Disability Related Expenditure

Please give your views on the proposed change to the way that ‘disability related expenditure’ is accounted for in a person’s financial assessment and the potential impact of the proposal.

The proposal is to make an indicative allowance for disability related expenditure which is expected to be approximately 25% of a person’s disability benefit. However, if a person feels their expenses are greater than this, they will be able to request an individual disability related expenditure assessment.

The criteria applied in the assessment will be based on national guidance and make it clearer for service users and financial assessors what type of expenditure is considered in a financial assessment, to reduce inconsistencies in how the allowance is applied.

This approach will also allow the council to complete financial assessments using Department of Work and Pensions data. Where a client has given all their financial details to the Department of Work and Pensions they will not need to resubmit this data to the council.

Please write your views here

2. Arrangement Fees

Please give your views below on the proposed changes to arrangement fees and their potential impact.

The council charges two levels of arrangement fees for people with eligible care and support needs, who have financial assets above £23,250 and ask for their care to be arranged by the council. The arrangement fees reflect the cost to the council of negotiating and/or managing the contract with a provider and covers any administration costs incurred.

The proposal is for the council to reduce the initial arrangement fee for level 1 (where the council sources care, but the person enters into a private arrangement) from £150 to £140 and for level 2 (where the council sources care and manages the ongoing arrangements) from £500 to £350. However, an annual arrangement fee of £210 will also be introduced for people who have paid the level 2 fee, to accurately reflect the ongoing cost to the council of managing the care services. This fee will only apply to those people with savings over £23,250 and who ask us to arrange non-residential care on their behalf.

Please write your views here

3. 12 Week Property Disregard

Please give your views below on the proposed change to the 12 Week Property Disregard policy and its potential impact.

For the first 12 weeks after a person enters a care home, the value of their home is not taken into consideration by the council in its assessment of how much they should contribute to their care home costs. This gives the individual breathing space to decide whether they wish to stay in care permanently, without the pressure of having to sell their property straight away.

The proposal is to only offer a property disregard to new care home residents or at the council's discretion. This will better align the policy with national guidance and legislation, which only states that authorities must provide a disregard when a person first enters a home as a permanent resident, and where there is an unexpected change in an individual's financial circumstances.

Please write your views here

4. Assessment of couples

Please give your views below on the proposed change to the way couples are assessed and the potential impact of the proposal.

Currently individuals living with a partner in their own home are offered the option to receive both an individual and joint financial assessment. The assessment with the lowest contribution is then used to the benefit of the person being

assessed. This approach goes further than the Care Act 2014 requires, at considerable cost to the council.

The proposal is to remove the offer of a joint assessment for couples and assumes that people will be financially assessed as individuals.

This proposal will better align the Contributions Policy with the Care Act 2014, which states that each person must be treated individually.

Please write your views here

5. Full cost recovery for home care

Please give your views below on the proposed change to the costs recovered by the council for home care and the potential impact of the proposal.

Currently an average hourly rate of £19.40 is used to calculate how much a person should contribute to the cost of their home care. Some care providers charge above this hourly rate and others below, which means that in some cases the council is subsidising the cost of care.

The proposal is to introduce a fairer policy that ensures the contribution people make towards the cost of home care covers the full cost of these services, based on charges by providers.

Please write your views here

6. Non-statutory services (e.g. Telecare)

Please give your views below on the proposed change to charging for non-statutory services and its potential impact.

A number of services are commissioned by the council that they are not obliged to provide, including telecare, laundry services and Blitz Cleans.

In some cases, these services are used as part of a person's Support Plan to meet their eligible care needs; however, there are currently examples of people with no eligible needs receiving these services who are not being charged.

The proposal is to ensure that if a person receives a non-statutory service to meet their eligible needs, this will form part of their Support Plan and financial assessment, but if someone receives this service who doesn't have eligible needs / their eligibility has not been established, they will be charged the actual cost of that service.

Please write your views here

- 7. Do you have any comments on how the council intends to manage the possible impacts of any of the proposed changes to people who use adult social care?**

Please write your views here

- 8. Are there any other aspects of the proposed policy change that you would like to comment on?**

Please write your views here

Appendix 2- Examples of Disability Related Expenditure calculation

Disability Related Expenditure

The costs you have to pay as a result of your disability that are not considered 'normal living costs'

How we calculate your assessed contribution:

Non-Disability Income e.g. Pensions/ESA

+

Disability Benefits e.g. AA, DLA, PIP

-

Disability Related Expenditure

-

Minimum Income Guarantee (set by Government)

=

Assessed Contribution

Disability Related Expenditure

The costs you have to pay as a result of your disability that are not considered 'normal living costs'

Examples: Assessment for person over 65

	Current Policy Example 1	Current Policy Example 2	Proposed Change
Non-Disability Income - State and Private Pension	£180.30	£180.30	£180.30
+			
Disability Benefit - Attendance Allowance	£83.10	£83.10	£83.10
-			
Disability Related Expenditure - Current Policy : <i>Assess the cost of each item.</i> Proposed Change: <i>25% of Disability Benefit.</i>	£12.50	£30.00	£20.78
-			
Minimum Income Guarantee (set by Government)	£189.00	£189.00	£189.00
=			
Assessed Contribution	£61.90	£44.40	£53.62

Disability Related Expenditure

The costs you have to pay as a result of your disability that are not considered 'normal living costs'

Examples: Assessment for person under 65

	Current Policy Example 1	Current Policy Example 2	Proposed Change
Non-Disability Income - Employment and Support Allowance	£125.00	£125.00	£125.00
+			
Disability Benefit - Disability Living Allowance	£83.10	£83.10	£83.10
-			
Disability Related Expenditure - Current Policy : <i>Assess the cost of each item.</i> Proposed Change: <i>25% of Disability Benefit.</i>	£15.00	£25.00	£20.78
-			
Minimum Income Guarantee (set by Government)	£131.75	£131.75	£131.75
=			
Assessed Contribution	£61.35	£51.35	£55.57

Appendix 3 - Frequently Asked Questions

Adult Social Care Contributions Policy Consultation

Frequently Asked Questions

General questions

Why are you proposing to change the Contributions Policy?

We have reviewed the current policy and think it can be made fairer, clearer and more in line with national guidance. We want to ensure everyone's contribution is assessed in the same way through an open, easy-to-understand process. We will ensure that, in line with national guidance, you have enough income to meet your living costs and any factors that are specific to you are considered.

What happens after the consultation?

A report outlining the feedback from the consultation will be published online at www.oxfordshire.gov.uk/contributions. A final decision on any policy changes is expected to be made in May 2018.

If the policy changes affect your assessed contribution, we will write to you to explain how it will change. These changes would not affect you until **September 2018** at the earliest. You will also be able to request a financial reassessment if you disagree with your level of contribution.

What will happen if I'm not able to pay more towards the cost of my care?

If there are factors that mean you cannot pay a greater contribution, for example because of social, psychological or health issues, we will work with you to consider these further.

We would make sure that no person's finances fall below the nationally guaranteed minimum income level needed to live on and meet their care needs.

Why would these changes apply to everyone instead of just new people?

We want to ensure the policy is applied fairly and consistently, so we are proposing that any policy changes should apply to people who already receive care and support, as well as people who will in the future.

How will you safeguard the people who are most vulnerable?

We would work with people who are affected to understand how the changes would impact them. If appropriate we would work with a person's Social Worker to understand their full circumstances and where necessary, involve an independent advocate to speak on their behalf.

When would these changes happen?

Any changes to the policy would be introduced at the same time. However, after a decision is made about the proposals, the changes would not take effect until September 2018 at the earliest. This would provide sufficient time for us to contact people about how their contributions may change, respond to requests for financial reassessments, and enable people to prepare for any potential impact on their finances.

Specific queries relating to the questionnaire

Question 1. Disability Related Expenditure. (See also the attached example calculation on page 3)

What do you mean by Disability Related Expenditure?

People may have to spend money on items and services that help them manage or cope with their disability, impairment or long-term health condition. These costs are called Disability Related Expenditure. They may include additional gas/electricity costs, cleaning, gardening, laundry, incontinence pads, window cleaning and washing powders.

What disability benefits would be considered when calculating Disability Related Expenditure?

The care element of a disability benefit will be used to calculate your Disability Related Expenditure. This includes Attendance Allowance, Disability Living Allowance, and Personal Income Payments. Payments for the mobility element of a disability benefit would not be included.

Question 2. Arrangement fees

How have you calculated the arrangement fees?

The fees cover our costs in arranging your care, including the cost of negotiating and/or managing the contract with your care provider. We calculated this by estimating the amount of officer time involved in setting up and arranging care, as well as the time spent monitoring the quality and safety of services.

Question 5. Full cost recovery for home care

What would happen if there are only a small number of care providers in an area?

If there are a small number of care providers in an area, this could have an effect on the cost of the care available to you through the council. If you have eligible care and support needs, you can choose to receive a direct payment. This would allow you to organise your own care services, giving you more choice, flexibility and control over how your needs are met.

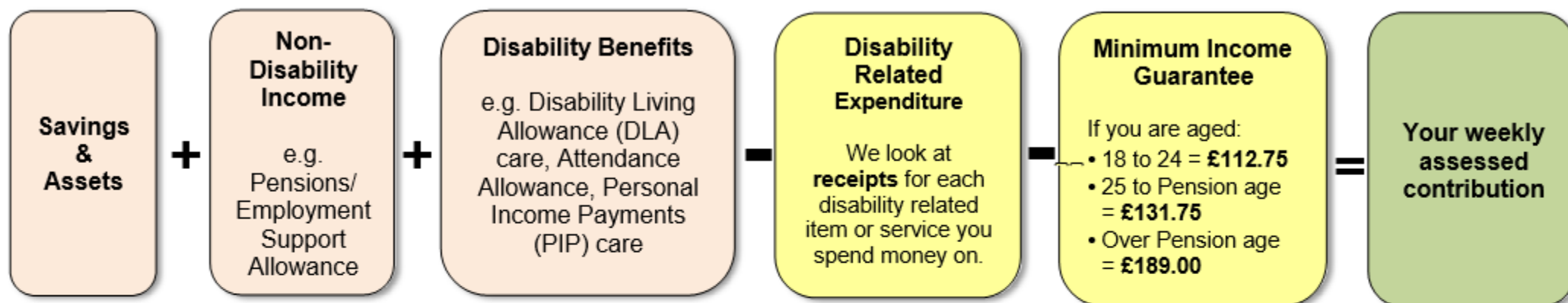
How does the council negotiate the hourly rates it pays care providers?

Based on what we already know about the rates of pay in Oxfordshire and the day-to-day costs of care delivery, we estimate an average minimum hourly rate for care that we will fund. This means we can ensure the price quoted by a care provider is sustainable and appropriate for the county.

We have a legal duty to ensure there is enough care available to meet the eligible needs of all people within Oxfordshire now and in the future.

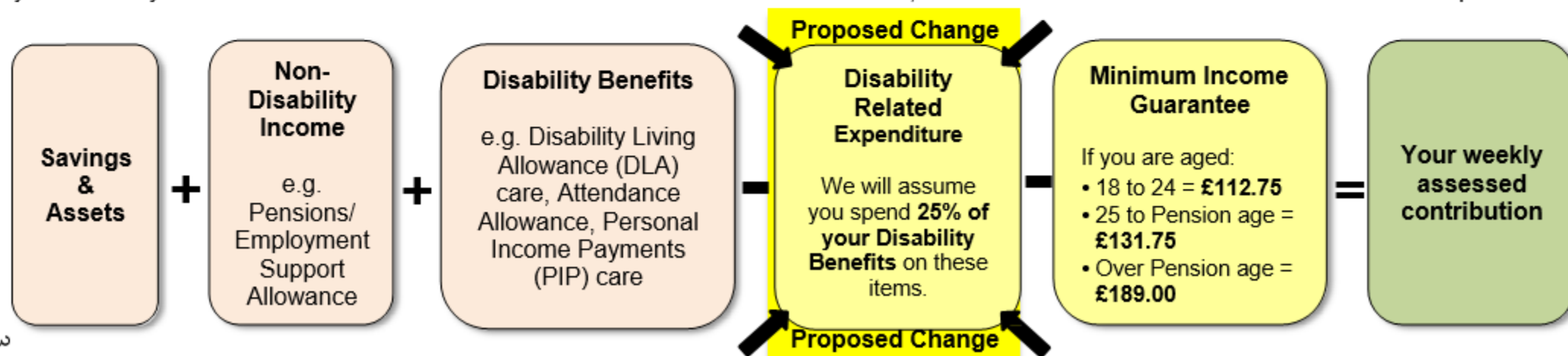
Disability Related Expenditure - Current Financial Assessment Calculation

We currently assess your income and savings. We then take away the amount you spend on disability related items or services (e.g. creams, gardening, window cleaning) and your Minimum Income Guarantee which is set by the Government (figures are weekly amounts from March 2018 and subject to change). What is left is how much you can afford to contribute towards your care.



Disability Related Expenditure - Proposed Financial Assessment Calculation

The proposed changes mean the assessment is the same as above **except** - instead of looking at each disability related item, we deduct 25% of your disability benefit from the assessment. We think this allows us to have a **fairer, less invasive** and **more consistent** assessment process.



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Division(s): All

CABINET – 22 MAY 2018

EQUALITY POLICY AND STRATEGY 2018 - 2022

Report by the Assistant Chief Executive

Introduction

1. The Equality Policy 2018-2022 sets out how the Council is approaching its responsibilities for ensuring that the principles of equality, diversity, fairness and inclusion are applied to our own workforce and the services we commission and deliver to residents. It demonstrates how the Council is meeting the requirements placed on public bodies under the Equality Act 2010, including setting eight objectives for the next four years. The objectives will be achieved through an annual action plan that will be monitored quarterly as part of the Council's performance monitoring arrangements.

Requirements of the Equality Act 2010

2. The Equality Act 2010 places a duty on public bodies to give due regard to the need to:
 - (a) Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
 - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not
 - (c) Foster good relations between people who share a protected characteristic, and those who do not
3. The Act identifies nine protected characteristics:
 - Age
 - Disability
 - Gender reassignment
 - Marriage and civil partnership (but only in respect of eliminating unlawful discrimination)
 - Pregnancy and maternity
 - Race – this includes ethnic or national origins, colour or nationality
 - Religion or belief – this includes lack of belief
 - Sex
 - Sexual orientation
4. The Duty places three specific responsibilities on the Council. Firstly the Council must consider how the decisions it makes and services it delivers affect people who share different protected characteristics, Oxfordshire County Council achieves this by assessing potential impacts through a Service and Community Impact Assessment (SCIA) that is proportionate to the significance of the change. Secondly the Council must annually publish information to

demonstrate compliance with the general equality duty including information relating to people with protected characteristics, Oxfordshire County Council achieves this by annually publishing an equalities data briefing and including information in the Joint Strategic Needs Assessment. Finally, the Council must publish an equality policy and specific measurable equality objectives at least every four years, this strategy represents this requirement.

Equality Policy and Strategy 2018 - 2022

5. A detailed report has been produced that evidences how the Council is currently performing, the objectives that have been developed and the equalities profile of our communities. The Council undertook a self-assessment using the Local Government Association Equality Framework. Performance could be assessed as 'Developing', 'Achieving' or 'Excellent'.
6. The assessment against the five performance areas was as follows:
 - (a) Leadership, partnership and organisational commitment – Achieving
 - (b) Knowing your communities – Achieving
 - (c) Involving your communities – Achieving
 - (d) Responsive services and customer care – Developing
 - (e) A skilled and committed workforce – Achieving
7. Through the self-assessment and public consultation, the Council has identified areas where we are currently performing well, including areas of excellent practice. We have also identified areas where the Council needs to make improvements and these have been developed into eight objectives:

Objective 1: It is important that we know who are customers are and so we will ask you to tell us more about you when you contact our customer service centre and/or our complaints team

Objective 2: We want to know what people think about the services we provide, so we will ask for feedback on our services to make sure we can take your views into account in future and our services meet everyone's needs

Objective 3: We will improve access to our public website and other digital services we provide to make sure all residents are able to access the information they need as easily as possible

Objective 4: We will improve the quality of the data we collect about our residents and service users to make sure it is as current as possible. This will help us to respond better to the differing needs of our communities when planning and designing services

Objective 5: We want to make sure that our public buildings are accessible to all our residents and staff. We will review access to buildings we maintain to ensure that they are as accessible as possible

Objective 6: Some of our services are provided by other agencies or organisations. We will make sure they know about our commitment to the equality duty, the protected characteristics and their role in helping us meet our objectives

Objective 7: We will improve the diversity of our workforce so it better reflects the diversity of our communities

Objective 8: We will improve how we support our employees with disabilities so they can be fully involved in the workplace, access career development opportunities and be successful at work.

8. Each objective has actions associated with them that will be monitored quarterly and refreshed annually. The full Policy is attached as Annexe 1 to this report.

Consultation

9. The Council undertook a six week public consultation exercise between 29 January – 11 March 2018. The Council used a range of methods to gather people's feedback including:
 - An online and hardcopy survey that received 20 responses
 - Letters to over 80 organisations and people in Oxfordshire including an offer to meet with interested parties
 - Adverts in Talking Health and the Patient Involvement newsletters to advertise the consultation
 - Information in 43 public libraries
 - A focus group meeting with My Life My Choice
10. Generally, respondents thought the objectives were admirable. Feedback from our consultation told us that the demographic make-up of our workforce; collecting better feedback; ensuring that our commissioned services know about the equalities duty and ensuring our buildings are as physically accessible as possible were all particularly important to people in Oxfordshire.
11. The most notable change that the Council made as a result of the public consultation was the amalgamation of our workforce objectives in relation to gender, Black and Minority Ethnic (BAME) representation and employees under the age of 25 into a single objective. This decision will allow us to take a holistic approach to identifying the barriers that exist for people in applying to work for the Council. The Council will still ensure that it considers individual protected characteristics as part of this objective and will actively seek to understand intersectionality so that we can address any barriers.
12. Respondents also suggested that we needed to make our objectives SMART (Specific, Measurable, Achievable, Relevant, Time Specific) so we modified our objectives to achieve this. A detailed summary of the consultation feedback can be found in Annexe 2 of this report.

13. In addition to the public consultation, the Performance Scrutiny Committee considered the draft strategy at their meeting on 4 January 2018. The Committee noted that the policy should aim to ensure diversity through all levels of the workforce.

Action Plan 2018-19

14. The overarching theme for this year's action plan is in relation to evidence gathering, particularly in relation to making our workforce more reflective of our community. The Council has identified where gaps exist in our workforce representation and will now work towards understanding the barriers that exist to put targeted work in place to address them.
15. The Council will also work towards gathering more evidence about its customers to ensure that the new digital systems that are put in place as part of the Fit for the Future programme do not create unnecessary barriers for those with protected characteristics.
16. The Council will also be reviewing the physical accessibility of our buildings as this was highlighted as an issue of concern through the public consultation exercise. The action plan for 2018-19 can be found on page 16 of Annexe 1.

Monitoring and Governance

17. The Cabinet Member for Local Communities will have overall responsibility for ensuring that we achieve our equalities objectives. Feedback from the public consultation made it clear that monitoring and governance arrangements were important to include in the new Policy. The action plan has identified lead senior council officers who will take on responsibility for the actions. Quarterly monitoring information will be provided and this will be tied to the overall Performance Monitoring Framework. A working group drawn from across the Council will set the objectives for the subsequent three years of the strategy.
18. The Performance Scrutiny Committee will consider the strategy at their meeting on 5 July 2018 to inform discussions that the Committee will have in relation to the Council workforce and the diversity of the Oxfordshire Fire and Rescue Service workforce.

Financial and Staff Implications

19. There are no financial implications arising directly from this report. However there may be financial implications arising from the delivery of some of the actions against the objectives in the Equality Policy 2018-2022. These will be met from within existing budgets.
20. Objectives within the Equality Policy 2018-2022 will mean that the Council will work towards creating a workforce that is reflective of the wider Oxfordshire community.

Equalities Implications

21. The Equality Policy 2018-2022 is intended to have a positive impact on all groups that share protected characteristics as defined in the Act. A full Service and Community Impact Assessment (SCIA) that details how the implications have been considered is attached at Annexe 3 of this report.

Risk Management

22. The Equalities Policy encourages all decisions makers to consider the effects of their decisions on those who may be more vulnerable in our communities and in particular those with protected characteristics. This helps the Council to mitigate against the risk of inequality of opportunity. A Service and Community Impact Assessment (SCIA) has been prepared for the Equalities Policy and all decisions undertaken by the Council will undertake an equalities assessment that is appropriate and proportional to the decision being taken.
23. The Equality Act 2010 places a statutory duty on the Council to produce an Equalities Policy at least once every four years, by producing and agreeing this Policy we are contributing towards the requirements under the Public Sector Equality Duty.

RECOMMENDATION

24. **The Cabinet is RECOMMENDED to approve the Equality Policy and Strategy 2018 – 2022.**

MAGGIE SCOTT

Assistant Chief Executive

Background papers: None

Contact Officers: Ben Threadgold, Policy and Performance Manager and Lauren Rushen

May 2018

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Equality Policy and Strategy 2018 - 2022

Oxfordshire County Council Equality Policy

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1. Executive Summary

The Council's vision is to have thriving communities for everyone in Oxfordshire. We celebrate the diversity of our County and we are committed to the principles of equality, diversity, fairness and inclusion. These principles apply to both our own workforce and to the services we commission and deliver for residents.

We undertook a self-assessment using the Local Government Association Equality Framework to understand the areas where we need to develop our approach to equalities. This self-assessment, along with public consultation has been developed into the eight objectives in the Equality Policy and Strategy 2018-2022:

1. It is important that we know who are customers are and so we will ask you to tell us more about you when you contact our customer service centre and/or our complaints team
2. We want to know what people think about the services we provide, so we will ask for feedback on our services to make sure we can take your views into account in future and our services meet everyone's needs
3. We will improve access to our public website and other digital services we provide to make sure all residents are able to access the information they need as easily as possible
4. We will improve the quality of the data we collect about our residents and service users to make sure it is as current as possible. This will help us to respond better to the differing needs of our communities when planning and designing services.
5. We want to make sure that our public buildings are accessible to all our residents and staff. We will review access to buildings we maintain to ensure that they are as accessible as possible
6. Some of our services are provided by other agencies or organisations. We will make sure they know about our commitment to the equality duty, the protected characteristics and their role in helping us meet our objectives.
7. We will improve the diversity of our workforce so it better reflects the diversity of our communities.
8. We will improve how we support our employees with disabilities so they can be fully involved in the workplace, access career development opportunities and be successful at work.

We have agreed an action plan to help us achieve these objectives. The plan is monitored quarterly by the Council's Leadership Team and Cabinet and there will be an annual report of progress made and new actions to be included.

2. Introduction

Our overarching vision is to have thriving communities for everyone in Oxfordshire. We want to achieve this by listening to our communities to identify local needs and by working with our communities to agree the best way forward. Our prospectus sets out our goals, vision and future plans which will be delivered through our corporate plan. Through our Equalities Policy we will ensure that we include the principles of equality, diversity, fairness and inclusion in our decision making. These principles apply to our own workforce and to the services we commission and deliver to local residents. Through this document, we will set out how we apply these principles through under the Equality Act 2010 and our obligations under the Public Sector Equality Duty; how we have used the Local Government Association's Equality Framework self-assessment and relevant data to develop our equalities objectives; our annual action plan and finally our monitoring and governance arrangements.

The Equality Act 2010 defines discrimination as the less favourable treatment of a person, because of protected characteristic, as compared to others who do not share that characteristic. The legislation also applies in cases where there is a belief that the person who is disadvantaged has a particular protected characteristic, whether that was a mistaken belief or not.

3. What is the Public Sector Equality Duty?

The broad purpose of the Public Sector Equality Duty is to integrate consideration of equality and good relations into our daily business, and in particular to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- Advance equality of opportunity between people who share a protected characteristic and those who do not;
- Foster good relations between people who share a protected characteristic, and those who do not.

The Act identifies nine protected characteristics which are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership (but only in respect of eliminating unlawful discrimination)
- Pregnancy and maternity
- Race – this includes ethnic or national origins, colour or nationality
- Religion and/or belief – this includes lack of belief
- Sex
- Sexual orientation

At Oxfordshire County Council, we decided that we wanted to focus on areas of disadvantage as well as the nine protected characteristics. In doing that, we have

also taken into consideration the International Holocaust Recognition Alliance's¹ definition of antisemitism and the Race Disparity Audit published in October 2017². We may choose to review and amend these additional characteristics at any time to reflect changing circumstances.

3.1 How are we meeting our responsibilities under the Public Sector Equality Duty?

All of our work is completed within the context of the Duty: tackling discrimination; advancing opportunity and fostering good relations. There are also 3 specific responsibilities that we must do to meet under Duty:

What is the responsibility?	How does Oxfordshire County Council meet the duty?
Consider how the decisions we make and services we deliver affect people who share different protected characteristics and publish information that demonstrates how we have achieved this.	The process we use to assess potential impacts is called a Service and Community Impact Assessment (SCIA). All functions undergo an initial SCIA that is proportionate to the significance of the change and potential impact. The largest SCIA takes place during the annual budget-setting process. SCIA's will be available to Councillors when considering any public function. Information can be found on the Oxfordshire Insight pages here and completed SCIA's are published on our public website at: www.oxfordshire.gov.uk/cms/public-site/equality-and-cohesion . They are also available in alternative formats on request.
Annually publish information to demonstrate compliance with the general equality duty. This should include information relating to people with protected characteristics who are employees and/or those affected by policies and practices	Oxfordshire Insights publishes a ' Data Briefing – Focus on equalities ' annually which provides a profile of Oxfordshire's residents based on the protected characteristics. More detailed information relating to our service users can be found in our Joint Strategic Needs Assessment (JSNA) and published on our website: http://insight.oxfordshire.gov.uk/cms/ which is also updated annually.
Prepare and publish an equality policy,	This document satisfies this

¹ "Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities."

² Race and Disparity Audit: <https://www.gov.uk/government/publications/race-disparity-audit> (accessed April 2017)

and specific, measurable equality objectives at least once every four years.	requirement.
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4. Self-Assessment of our current approach

We used the Local Government Association Equality Framework self-assessment tool to assess how we are currently performance against five performance areas. We consulted a range of staff across the organization where performance could be graded either as 'Developing', 'Achieving' or 'Excellent.'

The 5 performance areas and our assessment against them are:

Leadership, partnership and organisational commitment	Achieving
Knowing your communities	Achieving
Involving your communities	Achieving
Responsive services and customer care	Developing
A skilled and committed workforce	Achieving

The evidence gathered as part of the self-assessment has shown where we are performing well, including pockets of excellent practice. This shows that we are meeting the letter and spirit of the duties, even in situations where service change has been driven by funding pressures. We have also identified areas where we need to better meet our commitment to making Oxfordshire a fair and equal place in which to live and work.

Over the following pages, we will explain what evidence we have found through the self-assessment and the where we will be working to make improvements through our equality objectives over the next four years.

4.1 Leadership, Partnerships and Organisational commitment

Our leaders demonstrate good knowledge and understanding of our local communities. There is a strong commitment from our senior officers to embedding the principles of equality, diversity and inclusion in all our business.

Our cabinet member for Local Communities holds Equalities as part of his portfolio, and has responsibility for ensuring that we deliver our ambitions in this area.

The Council vision is to achieve thriving communities for everyone in Oxfordshire, with a particular emphasis on improving outcomes for young people, older people,

those with disabilities and others who are vulnerable and need additional support. We also actively promote equality issues such as Transgender Remembrance Day, Holocaust Memorial Day and rainbow flag flying for LGBT awareness across the Council.

This commitment also runs through our close working with partners across the public and voluntary sector, including formal arrangement such as the Health and Wellbeing Board, Safer Communities Partnership and Stronger Communities Partnership. It is also reflected in close working relationships with local organisations in supporting individuals and communities, and in providing services directly on behalf of the council.

4.2 Knowing Your Communities

How are we currently performing? Our self-assessment highlight that whilst we collect a significant amount of data about our communities, including equality information to inform the Joint Strategic Needs Assessment and strategic plans such as the Joint Health and Wellbeing Strategy there are still areas for improvement.

What are we going to do differently? We are going to change the ways we gather data about our customers. We have identified that we do not currently collect equality monitoring data of inbound inquiries to the complaints team or to the Customer Services Centre. We also do not collect data on sexual orientation or gender reassignment, partly because the wider data required to use these as a benchmark is not currently available.

Objective 1: It is important that we know who our customers are and so we will ask you to tell us more about you when you contact our customer service centre and/or our complaints team.

Why are we going to make this change? Better data about our customers, including those with protected characteristics will help us to make better use of it in planning, commissioning, and delivering services to our customers. We are working to address our approach to business intelligence to ensure effective and efficient delivery of council functions. Through our Fit for the Future programme, we will also develop smarter ways of gathering data about our customers so that they only need to tell us this information once.

What are we going to do differently? We have identified that we predominantly analyse information relating to protected characteristics in a linear fashion, as this is the format in which data are predominantly available. It is important to acknowledge that there will be many intersections within or between protected characteristics.

Why are we going to make this change? It is important that we understand the distinctive characteristics of our communities in a wholistic way. For example, in benchmarking staffing information regarding ethnic diversity, we need to understand that there are significant differences in the ethnic make-up of Oxfordshire with

respect to different areas of the county and different age groups. This will mean that the services we deliver will take into account these variations and will be better at meeting everyone's needs.

Objective 2: We want to know what people think about the services we provide, so we will ask for feedback on our services to make sure we can take your views into account in future and our services meet everyone's needs.

4.3 Involving your communities

How are we currently performing? Our self-assessment identified that this is an area where we are performing well and continuing to develop new ways of working. The Council has a long track record of engagement with residents and we are moving towards a co-production model. We understand co-production as designing, buying and reviewing services with people. We use people's strengths and expertise to help commissioners to better understand the needs and priorities of local people. This has helped us to create innovative solutions that work for people of Oxfordshire.

What are we going to do differently? There are excellent examples of co-production within adult social care and we are now working to extend this approach across the Council.

Case Example 1: Contract Monitoring - Quality Checkers

OCC need a range of learning disability services monitored (e.g. supported living, respite, day services, and in-patient services). The Adult Social Care Quality and Contracts team has been running a Quality Checkers service since 2016 in conjunction with My Life My Choice, a user-led Oxfordshire based self-advocacy organisation.

Quality Checkers are people with learning disabilities who have experience of using the learning disability services. Together with a supporting family expert by experience, they monitor each service through agreed criteria and complete a monitoring feedback form. The Quality and Contracts Team use this information to inform their quality monitoring reviews and frequently quote from the Quality Checkers reports.

This means that the service user voice is clearly embedded in OCC's Quality Monitoring systems.

4.4 Responsive Services and Customer Care

How are we currently performing? We have graded this as a ‘developing’ area in our self-assessment. Whilst there are areas of good practice, we will make this an area of particular area focus over the course of this policy. We have developed three objectives to address this aspect of our policy:

1. Digital services and data quality
2. Accessibility
3. Services provided by other agencies

Digital services and data quality:

What are we going to do differently? We are currently redesigning our public website and seeking to introduce a range of other digital services. The Joint Strategic Needs Assessment (JSNA) has highlighted that we have an ageing population and that 1 in 7 residents have some element of their daily lives limited by a disability. We recognise that these groups may not have the same levels of digital proficiency or preference as many in the younger age range. We need to ensure that this is considered as part of redesigning these services.

Why are we making this change? Our Fit for the Future programme is about using digital technology and data differently to create a better, smoother journey for customers so that they can access the information they need whenever they need it. As part of this process, it is important that we consider the needs of all of our customers particularly those who are more vulnerable and those with protected characteristics. We are committed to improving the data we provide but it is equally important that we analyse the information we collect effectively to shape the services we deliver to our residents.

Objective 3: We will improve access to our public website and other digital services we provide to make sure all residents are able to access the information they need as easily as possible.

Objective 4: We will improve the quality of the data we collect about our residents and service users and make sure it is as current as possible. This will help us to respond better to the differing needs of our communities when planning and designing services.

Accessibility:

What are we going to do differently? In addition to improving our online accessibility, we also need to review the physical accessibility of our buildings and transport routes to ensure that they are as accessible as possible. Protected characteristics include those which make accessing buildings more challenging. We will also take accessibility into account as part of Highways Design.

Why are we making this change? We are reviewing the public buildings that we own and maintain to ensure that we are using them as efficiently and effectively as possible. It is important that this review also focuses on the physical accessibility of our buildings to make them as accessible as possible for our customers.

Objective 5: We want to make sure that our public buildings are accessible to all our residents and staff. We will review access to buildings we maintain to ensure that they are as accessible as possible.

Services provided by other agencies:

What are we going to do differently? As well as the services we provide directly, our commitment to equality, diversity and inclusion extends to services delivered on our behalf. This includes contracts, commissioned services and through services linked closely to the council such as schools. We are also committed to applying these high standards when working with our partners whether they are public, private or voluntary sector organisations.

Why are we making this change? We recognise that we need to do more to ensure that our commissioned and contracted services are aware of our equality objectives and that they contribute to achieving them.

Objective 6: Some of our services are provided by other agencies or organisations. We will make sure they know about our commitment to the equality duty, the protected characteristics and their role in helping us meet our objectives.

Whilst this is an area of significant focus in the policy, the self-assessment highlighted many examples where council services have been designed to ensure they are local, accessible and responsive to differing needs:

Case Example 2: Home Library Service

Our home library service launched in 2015 offers a service to people who are unable to visit the library themselves through frailty, infirmity or a disability and would have no other means of getting access to reading materials. Over 600 customers across the county receive the service and are supported by 185 volunteers. The library service alone has over 800 volunteers in total, who last year contributed over 30,000 hours of volunteering to the service.

Case Example 3: Highways Design

The Council residential road design guidance provides design parameters such as footway widths. It also signposts designers to documents such as 'Inclusive Mobility'. The team ensures that such factors have been considered as they audit designs, demonstrating how the highways design processes consider equality impact of highway infrastructure. Staff have attended an immersive disabilities awareness course where staff share experiences with service users as they make their way through construction sites within Oxford. This included using a wheelchair to ensure better appreciation of needs during highways design.

4.5 A skilled and committed workforce

How are we currently performing? A workforce which more closely resembles the community it serves is more likely to be one which engages intelligently with the needs of that community. Our Equality in Employment Report is updated annually and can be found [here](#). The report provides a detailed analysis of the make-up of our workforce. A summary of the findings is included at Annex 2. In our self-assessment, we considered how we are committed to the principles of fairness, diversity and inclusion in our workforce. It is important that this commitment applies not only to the advice and training we give our staff in these areas but also and perhaps more fundamentally, in the make-up of our workforce. To demonstrate this, we have developed two objectives in relation to our workforce:

1. Improving the diversity of our workforce so it reflects our community
2. Improving our support to employees with disabilities

Improving the diversity of our workforce so it reflects our community:

What are we going to do differently? We want to work hard to make sure that our workforce is reflective of our diverse communities. We recognise that all underrepresented groups need to be considered in this regard.

Protected Characteristic	Oxfordshire	Oxfordshire County Council Workforce	Areas for development
Gender	We know that women are in the slight majority in our county (50.7% in 2014)	There is a higher proportion of females working across all services in the People directorate, especially in Children's Services and Public Health.	Women are underrepresented in the infrastructure and highways function and the Fire and Rescue Service (see case study 7 below)
Black, Asian and	Black, Asian and	7.18% of our	BAME groups are

Minority Ethnic Groups (BAME)	Minority Ethnic (BAME) groups have doubled between the 2001 and 2011 Census, though this composition varies across age groups. The BAME communities in Oxfordshire account for 9.2% of the working age population.	workforce have declared that they are from a BAME group. Although this has increased, we need to do more to ensure our workforce better represents the community.	particularly underrepresented in the Fire and Rescue Service and Law, Governance and Policy. The issues are priorities in the workforce strategy.
Age	2011 Census showed that 13.78% of our population were aged 16 – 24.	Our workforce population of 16 – 24-year olds is 3.93%, down from 4.25% in March 2015. Although this age bracket includes those in full time education or further education, we acknowledge that we need to do more to ensure this age group is represented in our workforce.	Our Apprenticeship scheme is designed to encourage younger people with the relevant career ambitions and aptitudes to consider starting a career with the Council. The scheme means that they gain both employment and a vocational qualification. Most of our apprenticeship vacancies are only open to those under 25.

Objective 7: We will improve the diversity of our workforce so it better reflects the diversity of our communities.

The self-assessment identified the following good practice initiatives to improve the diversity of our workforce, and to ensure it better reflects the local community:

Case Example 4: Fire and Rescue Service Selection Days

Oxfordshire Fire and Rescue Service run a recruitment and selection event every quarter to recruit staff for the on-call duty system. This requires individuals to undertake a number of tests to ensure they have the required level of fitness and strength to undertake the role and that they have the aptitude required for working at height/working in a confined space. Earlier this year OFRS carried out a review of this recruitment and selection event, updating webpages with clearer explanations of the disciplines. There is more information given about expectations. There is increased support during the event, to make the day more open and friendly. The number of tests were reduced resulting in a shorter day, which is better for the welfare of those attending. Feedback from individuals who have attended the more recent events is very positive, including feedback from the under-represented groups OFRS are working to attract and recruit. Comments were made about how much more open, friendly and supportive they had found the day.

Case example 5: Stonewall Diversity Champion

Over the summer of 2017, we signed up as a Stonewall Diversity Champion. Stonewall are Europe's largest lesbian, gay, bi and trans (LGBT) charity. They know that people perform better when they can be themselves and that's why they have created Diversity Champions, the leading employers' programme for ensuring all LGBT+ staff are accepted without exception in the workplace. We want to ensure all our staff can be themselves at work without fear of intimidation, bullying or harassment. We have engaged Stonewall to review some of our policies, such as Equality and Diversity in the Workplace, Dignity at work, Maternity, Adoption and Paternity, to ensure we are being LGBT+ inclusive and using gender neutral language.

Case Example 6: Oxfordshire Employment Service

Our Employment Service supports equality by directly supporting adults for whom health or disability is a barrier to employment. This involves providing specific casework support, led by a skilled and qualified team. Over the last 6 years the service has worked with over 600 people. In the last year, over 60 people have found sustainable employment. Of those we support to find employment, the rate of sustainment for past 1 year is just below 70%. The service directly employs, within County Print Finishers, 24 people who have a disability. Oxfordshire Employment Service has achieved Leader status within Disability Confident.

Improving our support to employees with disabilities:

What are we going to do differently? We already know that in the Census 2011, 13.6% of our population felt they were limited in their daily activities because of a long-standing health problem or disability. Rates of disability vary significantly by age, with the percentage increasing with age. While some will have disabilities which are of such significance that it is not realistic for them to undertake paid employment, data collected about our workforce shows a significant gap with only 3% declaring themselves to have a disability. Further, that disabled staff are disproportionately low paid. The staff survey conducted in 2016 received a 45% response rate and through this anonymous channel, 9.13% of staff declared that they had a disability or long-term health problem.

Why are we making this change? We recognise that there is currently a discrepancy between the number of staff who openly declare that they have a disability or long-term health problem. Further work needs to be done to encourage staff to declare their disabilities, so support can be provided if required.

Case Example 7: Disability Confident Employer

The Council is a Disability Confident Employer. We are committed to supporting and developing all staff and appointing the best person to do the job based on their skills and abilities. If a disabled person meets the essential selection criteria for a job, they will be guaranteed an interview. We are also committed to making reasonable adjustments to make sure disabled employees can develop and use their abilities and make every effort when employees become disabled to support them to stay in employment. The 2017 data shows that the percentage of staff declaring a disability has increased. In 2016-17 20% of disabled job applicants were appointed.

Objective 8: We will improve how we support our employees with disabilities so they can be fully involved in the workplace, access career development opportunities and be successful at work.

5. Action Plan 2018-19

To achieve our objectives we will take the following key actions. We will monitor progress closely and update annually to reflect this, plus take on board any emerging or developing areas of focus:

	Objective	Senior Officer Lead Officer responsible	Actions	Deadline/Measure of success
1	It is important that we know who our customers are and so we will ask you to tell us more about you when you contact our customer service centre and/or our complaints team.	Deputy Director of Customer Experience Complaints Information Manager	<p>The complaints already collect data on their customers so they will update their team recording system to ensure any complaints about equality issues can be identified and analysed.</p> <p>Capability for customers to create a user account is planned under the Council's transformation programme Fit for the Future</p> <p>We will ensure our equality principles are built into the redesign of the Council's operating model and are considered as part of the implementation of that model.</p> <p>We will complete Equity Audits on our services to ensure equality of access to our services.</p>	<p>Update to recording system complete by August 2018.</p> <p>September 2018</p> <p>July 2018 – March 2020</p> <p>March 2019</p>
2	We want to know what people think about the services we provide, so we will ask for feedback on our services to make sure we can take	Deputy Director of Customer Experience	All new website features will be usability tested meaning real users will try the functionality before it's released to ensure it's simple to use.	June 2018

	your views into account in future and our services meet everyone's needs.	Digital Services Manager Complaints Information Manager	<p>To ensure the complaints team can gather better feedback on their service the team will:</p> <ul style="list-style-type: none"> • refresh their policy and training for having difficult conversations with complainants. • Begin developing a strategy for collecting appropriate and reliable feedback from complainants. • Commit to offering translation services to people making a complaint who struggle with the English language. <p>Capability to gather feedback from customers across all channels of access is planned under the Council's transformation programme Fit for the Future</p>	<p>Policy and training plan updated by end 2018</p> <p>Strategy in place by November 2018</p> <p>Offer made as standard by August 2018</p> <p>September 2018</p>
3	We will improve access to our public website and other digital services we provide to make sure all residents are able to access the information they need as easily as possible.	Deputy Director of Customer Experience Digital Services Manager	<p>We will redesign our website to meet minimum (AA WAI) Accessibility guidelines.</p> <p>We will design a fully responsive web design that works consistently on all devices.</p> <p>We will introduce assisted access to our public website in libraries, and via the customer service centre (we'll do it for the</p>	<p>June 2018</p> <p>June 2018</p> <p>All county libraries will have this function by the end of August 2018</p>

			<p>citizen if they can't)</p> <p>We will to continue to offer digital helpers in libraries (https://www.oxfordshire.gov.uk/cms/content/volunteer-be-digital-helper)</p>	All county libraries to offer this service by August 2018
4	We want to make sure that our public buildings are accessible to all our residents and staff and so we will carry out a review to check this.	<p>Director of Property and Investment</p> <p>Asset and Investment Team Manager</p> <p>Corporate Facilities Property Business Manager</p>	<p>We will conduct a full 'Access to Buildings' audit</p> <p>For example in the Westgate Library attached to the newly completed Westgate shopping centre we are reviewing the access strategy and are looking to take out the 2 lifts in the entrance lobby and replace them with 2 new bigger DDA compliant lifts that will categorised as fire lifts. This means that mobility scooters will be able to access all levels of the building by using the lifts and also be evacuated safely should a fire alarm be activated.</p>	<p>End of November 2018</p> <p>Planning, governance & design by end of October 2018</p>
5	We will improve the quality of the data we collect about our residents and service users and make sure it is as current as possible. This will help us to respond better to the differing needs of our communities when planning and designing services.	<p>Assistant Chief Executive</p> <p>ICT Information Services Manager</p>	<p>We will review and update our Council Data Quality Policy 2014 - 2018.</p> <p>We will continue work on our Information and Master Data Management strategy which sets out how to manage the information we hold efficiently and effectively.</p>	<p>Refresh by end of August 2018</p> <p>First draft of the strategy completed by May 2018 First phase of implementation of the strategy complete by end of 2018.</p>

			We will ensure that only relevant data is transferred onto the new ICT system for children's services, and that the system is used efficiently to ensure data remains current.	Transfer of data to LAS by end of 2018.
6	Some of our services are provided by other agencies or organisations. We will make sure they know about our commitment to the equality duty, the protected characteristics and their role in helping us meet our objectives.	Director of Law and Governance Legal/Procurement	We will review our contracts to ensure that the Public Sector Equality Duty is included in the contract schedules for all commissioned services. We will consider including equality duty as part of our contract monitoring processes.	March 2019
7	We will improve the diversity of our workforce so it better reflects the diversity of our communities.	Director of Human Resources County HR Manager Group Manager Development, Oxfordshire Fire and Rescue Service	Develop a detailed communications strategy for Equality, Diversity & Inclusion. Directorates to develop their own action plans, supported by the HR Business Partner, to improve the diversity of their service areas We will work to increase representation of women in the Fire and Rescue Service by: <ul style="list-style-type: none"> • continuing our targeted media campaigns for female groups • Holding a second positive action recruitment day • Raising awareness amongst women about a career in the fire service. • Continuing our work around identifying barriers for recruitment. • Attend the national networking forum 	Strategy agreed and launched in May 2018 Action plans developed by the end of July 2018 March 2019 November 2018 March 2019 March 2019 – successful if increase in numbers of applications from women continues.



			<p>for operational female firefighters: 'Women in the FRS'.</p> <p>We will publish our Gender Pay Gap report by 31st March 2018 and annually thereafter. Further actions may be developed from this.</p> <p>We will work towards understanding how to increase numbers of BAME staff in the workforce by identifying any barriers for BAME staff in the recruitment process.</p> <p>We will review our training and guidance to increase awareness among managers of 'unconscious bias' in recruitment.</p> <p>We will work towards understanding what younger people look for in employment and use this information to identify ways we can attract and retain younger workers.</p> <p>We will engage with local groups and organisations to build a positive reputation for the Council among younger people.</p> <p>We will explore different advertising options, particularly use of social media, to attract younger people to apply for jobs.</p> <p>We will work towards a submission for the</p>	<p>March 2018 - 19</p> <p>By end September 2018</p> <p>By end May 2018</p> <p>End of November 2018</p> <p>To begin September 2018</p> <p>From June 2018</p> <p>September 2018</p>
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			Stonewall Workplace Equality in September 2018	
8	We will improve how we support our employees with disabilities so they can be fully involved in the workplace, access career development opportunities and be successful at work	Director of Human Resources County HR Manager	<p>We will conduct a review of OCC policies, practices and support with regard to mental health in order to make recommendations for improvements</p> <p>We will raise awareness among managers to recognise invisible as well as physical disabilities and how reasonable adjustments can be made to better support our staff.</p> <p>We will raise awareness among all staff on mental health and promote the half day course on this issue.</p> <p>We will encourage staff to declare if they have a disability and make clear we are asking for this information to improve any support that can be offered.</p>	<p>By end of 2018</p> <p>Begin by end of March 2018</p> <p>Begin by end June 2018</p> <p>By end June 2018</p>

6. Monitoring and Governance

Our evidence gathering has highlighted a need for more robust governance and monitoring of our objectives. This is in order to further ensure that equality, inclusion and diversity is embedded within service planning and delivery across all our workstreams. Our equality objectives should be incorporated into service-level plans to ensure our equality principles are understood and acted upon at all levels within the organisation.

The Cabinet Member for Local Communities will have overall responsibility for ensuring that we are compliant with the Public Sector Equality Duty, that we achieve our equality objectives, and that they are reviewed and updated to reflect any changing or emerging priorities.

Each equality objective will be owned by a senior officer, who will oversee the implementation of agreed actions to achieve it. Responsible officers have been named in the action plan and will monitor the action plan as a whole. That group will produce quarterly updates for the County Leadership Team, Performance Scrutiny Committee and Cabinet referencing performance against our proposed actions. An annual report will demonstrate how we are complying with the Public Sector Equality Duty. A working group will be drawn together from across the Council to review the annual monitoring report and develop actions for the next year.

The annual report and revised action plan will be raised to the Council Leadership Team and Cabinet, as part of the Council's performance monitoring and risk management arrangements.

We will continue to publish information about our communities, our performance, the outcomes of SCIA's, new policies, and proposals for changes in service delivery.

We will continue to consult both formally and informally with key stakeholders and the public to inform our service planning and decision-making, including our approach to coproduction.

7. Further Information

Contact details:

Policy team, 2nd Floor, County Hall, New Road, Oxford OX1 1ND

Annex 1 – Summary of data from the Joint Strategic Needs Assessment on our residents

As of mid-2015, the estimated total population of Oxfordshire was 677,900. Over the ten-year period, 2005 and 2015, there was an overall growth in the population of Oxfordshire of +8%, similar to the increase across England (8.3%). The five-year age band with the greatest increase over this period was the newly retired age group 65 to 69 +38%. There was a decline in the population aged 35 to 44.

Oxfordshire County Council population forecasts, based on expected housing growth, predict an increase in the number of Oxfordshire residents of +27% between 2015 and 2030, taking the total population of the county from 677,900 to 864,200. This is more than double the growth of the previous 15 year period (2000 to 2015).

Oxfordshire Insight published a Data Briefing - Focus on Equalities in October 2015 which provides a profile of Oxfordshire's residents based on the protected characteristics set out in the Equality Act 2010. More recent data on the population groups and those with protected characteristics can be found in Chapter 3 of the Joint Strategic Needs Assessment 2017. The JSNA is updated annually and gives the most up to date profile of our communities.

Below is a short summary of information from the Equalities Briefing and JSNA at the time of writing.

- We are an ageing population

Oxfordshire's population aged between the 2001 and 2011 censuses, due to older age groups experiencing greater growth than younger groups. The 65-and-over population grew by 18%, while the number of people aged 85 and over rose by 30%. The number of people in their 30s in the County fell by 12%. The number of children aged 4 and under grew by 13%.

Between 2015 and 2030, the number of people aged 85 and over is expected to increase by 92% in Oxfordshire overall and more than double in South Oxfordshire and Vale of White Horse.

- Women remain slightly in the majority across the county (50.7%).
- The ethnic composition of Oxfordshire changed between the 2001 and 2011 censuses.

All of the county's Black, Asian or Minority Ethnic (BAME) communities have grown, and now account for 9.2% of the population, just under double the 2001 figure of 4.9%. There is considerable variation in ethnic composition across the county.

According to the 2011 Census, just over 9% of households in Oxford do not have any one member who speaks English as a main language. This is over double the figure for the county as a whole.

- At the time of the 2011 Census, nearly one in seven people in the county said they were limited in their daily activities because of a disability or a long-standing health problem.

Census data shows younger age groups of people with a disability in Oxfordshire similar to or below the regional and national averages.

Rates of disability vary significantly by age and district. Younger age groups have similar or below regional and national averages, however higher rates are found in the older age groups. Wards in Oxfordshire with higher rates of disability overall are those with a higher proportion of older residents.

- Local data on sexual orientation and gender reassignment remains unavailable.

The 2011 Census did not include a question on sexual orientation and it is difficult to obtain reliable data on the number of people identifying their gender as different from the one assigned to them at birth.

- In mid-2015 one third of the population of Oxfordshire lived in areas defined as rural. 42% of the population aged over 65 years old lived in rural Oxfordshire.
- Oxfordshire has relatively low levels of deprivation overall however there is considerable variation across the county. Overall, less than 4% of Oxfordshire's population live in areas that are among the most deprived in England, however there are 2 areas within the most deprived 10% in England (in Oxford City) and a further 13 areas within the most deprived 10-20% (8 in Oxford City, 4 in Banbury and 1 in Abingdon)

Annex 2 – summary of data from our Equality in Employment Report 2017

- Ethnicity

Overall, based on those who have declared their ethnicity, the reported levels for BAME groups are at 7.18% for March 2017 which is an increase from 6.27% in March 2016. The Census 2011 showed that the county's BAME communities account for 9.2% of the working age population so the representation of this group within the council's workforce is not quite proportionate to their representation in the county. This is particularly the case for Asian or Asian British staff who make up 2.34% of the council's workforce which is an increase from 2016, but lower than their representation in the Oxfordshire community.

- Disability

The percentage of council staff declaring a disability has been gradually increasing over the last few years. The 2017 data shows that 3.20% of council staff have declared a disability which is an increase from 2.79% in 2016.

- Sex

The 2011 census showed that for the county as a whole, 49.91% of the local population of working age are female. There continues to be a much higher proportion of female workers in the County Council which has stayed relatively static with 69.14% of staff being female as at 31st March 2017. The percentage of females has reduced by 3.46% over the last 5 years. There is a much lower percentage of females working in the Communities directorate at 35.33%, with the lowest percentage in Oxfordshire Fire and Rescue service with 3.38% of whole time uniformed staff being female. The People Directorate are better represented which may be due to the nature of the work involved.

- Age

There have been no major changes in the age profile of the council in March 2017 compared to the previous year. The highest percentage of the workforce continues to be the age group 45-54 at 30.25%, followed by those aged 35-44 (23.43%) and then 55-64 (21.87%), all categories of which are higher than their representation in the population of Oxfordshire. The youngest age group 16-24 has decreased slightly over the last three years from 4.25% in 2015 to 3.93% in 2016 and continues to be under-represented in the workforce.

- Religion

Overall, numbers of staff declaring their religion have increased from 30.76% to 40.34%. Of those who have declared their religion the majority are Christian with numbers decreasing slightly from 56.55% in 2016 to 54.12% in 2017. Overall there have only been minor changes to the percentage of staff in each religious group. There has been a small decrease in the percentage of Jewish and Hindu staff. There

has been an increase of 2.78% in people with no religion and also a small increase to the percentage of Muslim and Buddhist staff.

- Sexual orientation

Currently we do not ask applicants for their sexual orientation during recruitment and this data is unavailable for staff to update. Therefore, we are unable to report on current figures. This information was not collected during the Census 2011.

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Division(s): All

CABINET – 22 MAY 2018

STAFFING REPORT – QUARTER 4 2017/18

Report by Director of Human Resources

Introduction

1. This report provides an update on staffing numbers and related activity for the period 1st January – 31st March 2018. Progress has been tracked throughout the year on the movement of staffing numbers from those reported at 31 March 2017 as we continue to deliver our required budget savings. We also continue to track staffing levels since 1 April 2010 to reflect the impact on staffing numbers via delivery of our Business Strategy and Transformation programme.

Current numbers

2. The staffing number (FTE) as at 31 March 2018 was 3625.2 employed in post. These figures exclude the school bloc. We continue to monitor the balance between full time and part time workers to ensure that the best interests of the Council and the taxpayer are served. The numbers as at 31 March 2018 were as follows - Full time 2584 and Part time 1880. This equates to a total of 4464 employees; 3625.2 FTE employed in post. This increase on Q3 is due, in the main, by the transfer in of the cleaning and catering staff as a result of the demise of Carillion.
3. The changes in staffing numbers since 31 March 2017 are shown in the table below. A breakdown of movements by directorates is provided at Appendix 1.

	FTE Employed	Quarterly Change (FTE)
Q4 (31 March 2017)	3404.86	-15.26
Q1 (30 June 2017)	3367.20	-37.66
Q2 (30 Sept 2017)	3356.80	-10.40
Q3 (31 Dec 2017)	3439.60	82.80
Q4 (31 March 2018)	3625.20	185.6

Quarter 4 Update

4. We remain committed to redeploying displaced staff wherever possible. This is getting more difficult and is reflected by only one employee being redeployed this quarter.

5. Approval to recruit will, from 1st April be devolved to Service Managers with exceptions agreed by Directorate Leadership Teams as required, for example, where organisational change is planned. This will ensure that checks continue to be in place prior to any recruitment, but also give managers more flexibility to determine the types of roles best suited to their service needs while maintaining an accurate establishment and budget.
6. We recognise that operational services are critical and cannot be left without any cover. Prudent use of agency staff is therefore deployed to ensure continuity of service. In common with all employers, the council deploys agency staff as cover for instances of maternity leave, illness and short-term gaps in recruitment where a permanent replacement is not due to arrive until sometime after an employee has left.
7. The cost of agency and consultancy staff this quarter is reported as £3,035,339. This is a significant increase on Q3; however the figure does include all the final accrual costs for the 2017/18 year end plus the December spend for Comensura which would have been missing from Q3 - a detailed breakdown of Agency spend is shown at Appendix 2. There has been an annual reduction of approx £1.6m in agency spend compared to 2016/17. The council's new arrangements for the supply of agency workers and interims that went live on 7 December is already starting to provide a more accurate and detailed account of agency use and expenditure. New data sets will improve monitoring and control in this area and we will refresh the agency trend reporting from the new financial year.
8. We will continue to track progress on staff number movements during the year ahead. Since 31 March 2010 the Council has seen a reduction of 1658.8 FTE, an overall reduction of 31.39%. This quarter has seen a considerable increase in staffing levels however. There has been an increase of 323 members of staff this quarter, 185.6 FTE - due mainly to a transfer in of approximately 150 FTE catering, cleaning and maintenance staff (from Carillion) and the conclusion of a lengthy recruitment campaign for admin support staff for the People Directorate which reduces their future reliance upon agency and casual staff.

Accountability

9. Staffing numbers continue to be monitored rigorously, although the change of accountability enables Service Managers to manage their staffing budget in a way that best meets the needs of their service area.

RECOMMENDATION

10. **The Cabinet is RECOMMENDED to note the report.**

STEVE MUNN

Director of Human Resources

Contact Officer: Sarah Currell, HR Manager (Business Systems),
Tel: 07867 467793.

30 April 2018

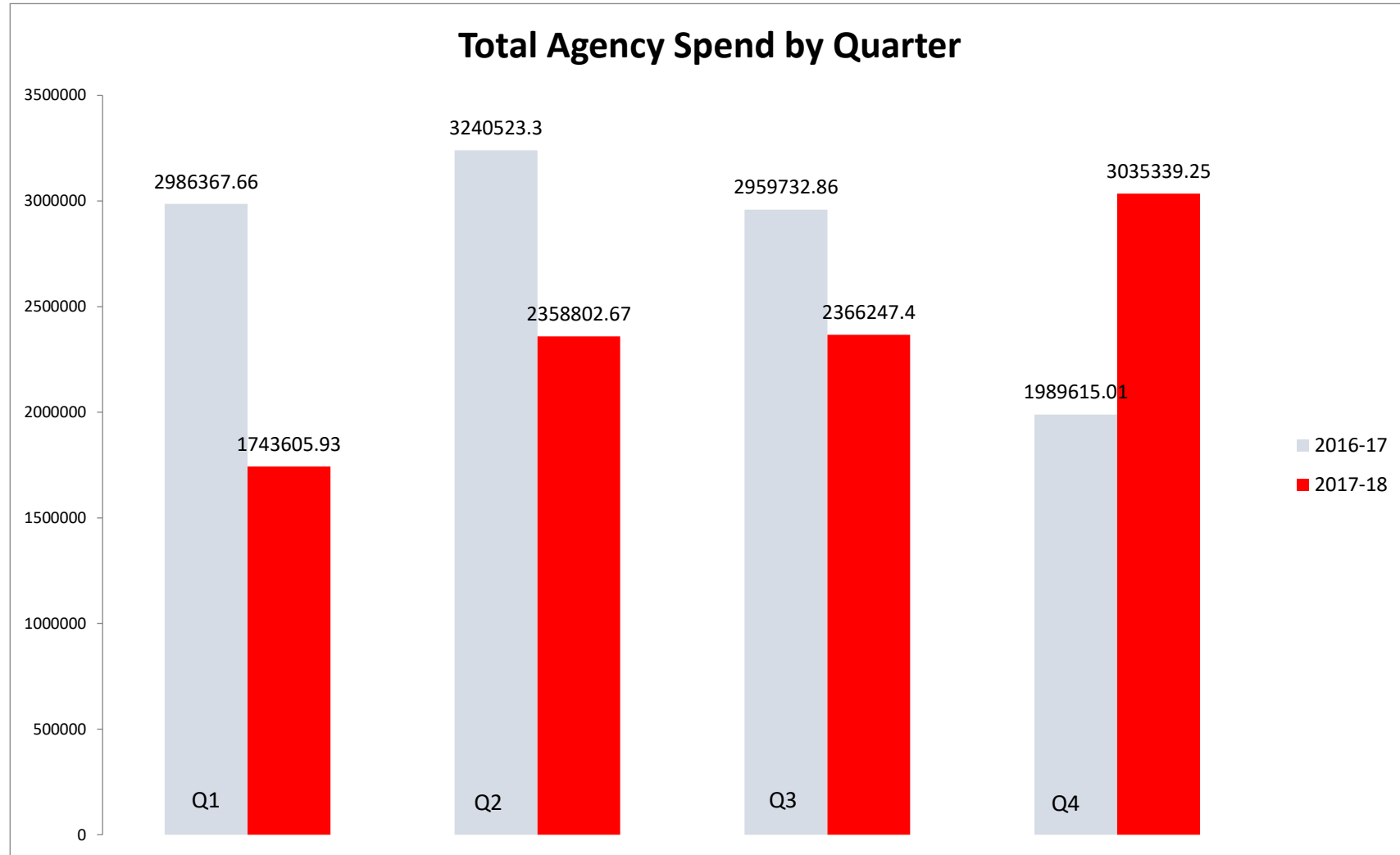
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STAFFING REPORT 31 MARCH 2018 - DIRECTORATE TOTALS

DIRECTORATE	FTE Employed at 31 March 2018	FTE Employed at 31 March 2017	Changes in FTE Employed since 1 April 2017	Cost of Agency Staff £ Q4
PEOPLE	1863.4	1761.5	101.90	1,742,979
Childrens	1155.7	1090.2	65.50	
Adults	684.6	647.2	37.40	
Public health	23.08	24.1	-1.02	
COMMUNITIES**	986.2	704.6	281.60	887,076
Communities exc FRS	657.8	376.5	281.30	
FRS and Community Safety	328.4	328.1	0.30	
RESOURCES*	776.77	916.7	-139.93	405,285
TOTAL	3625.20	3382.80	242.40	3,035,340

Please note: Where employees are absent eg on maternity leave or long term sick and have been temporarily replaced, both the absent employee and the temporary employee will have been counted.

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Division(s): N/A

CABINET – 22 MAY 2018

FORWARD PLAN AND FUTURE BUSINESS

Items identified from the Forward Plan for Forthcoming Decision

Topic/Decision

Portfolio/Ref

Cabinet, 19 June 2018

- **Appointments 2018/19** Cabinet, Leader
 To consider member appointments to a variety of bodies which 2018/002
 in different ways support the discharge of the Council's
 Executive functions.
- **Minerals and Waste Local Plan: Site Allocations - Issues and Options Consultation** Cabinet, Environment
 To seek approval of the Minerals and Waste Site Allocations 2018/015
 Plan – Issues and Options for consultation.
- **Provisional 2017/18 Revenue and Capital Outturn** Cabinet, Finance
 To consider the 2017/18 provisional outturn report and agree the 2018/001
 treatment of any budget under or overspends.
- **Change to Policy on 25 Hour Early Years Funded Places** Cabinet, Public Health & Education
 To seek approval to cease funding 25 hour early years places at 2018/024
 the end of the Spring term 2019. This is a change to the policy
 agreed by Cabinet on 17 July 2007 on full time admission of
 reception aged four year olds.
- **Home to School Transport Policy** Cabinet, Public Health & Education
 To determine the Home to School Transport Policy for 2018/050
 Oxfordshire.

Cabinet Member for Environment, 7 June 2018

- **Oxford: Controlled Parking Zones - Future Programme** Cabinet Member for Environment,
 To seek approval for a future joint City and County Council 2018/051
 programme of controlled parking zones for Oxford.
- **A417 Wantage to Lockinge: Proposed Speed Limit** Cabinet Member for Environment,
 To seek approval of the proposals. 2017/055

- | | |
|--|---|
| <ul style="list-style-type: none"> ▪ Application of Highway Policy Review - Phase 1
To seek approval of the proposed changes to procedures. | <p>Cabinet Member
for Environment,
2018/036</p> |
| <ul style="list-style-type: none"> ▪ Witney and Curbridge: A40, B4047 and Downs Road - Proposed Speed Limits and Weight Restriction
To seek approval of the proposals. | <p>Cabinet Member
for Environment,
2018/046</p> |
| <ul style="list-style-type: none"> ▪ Abingdon: Faringdon Road - Proposed Zebra Crossing
To seek approval of the proposals. | <p>Cabinet Member
for Environment,
2018/055</p> |
| <ul style="list-style-type: none"> ▪ Aston: B4449 Cote Road - Proposed Extension of 30mph Speed Limit
To seek approval of the proposals. | <p>Cabinet Member
for Environment,
2018/056</p> |
| <ul style="list-style-type: none"> ▪ Horspath: Oxford Road - Proposed 40mph Speed Limit and Waiting Restrictions
To seek approval of the proposals. | <p>Cabinet Member
for Environment,
2018/057</p> |
| <ul style="list-style-type: none"> ▪ Kingham: B4450 West of Bledington - Proposed 30mph Speed Limit and Traffic Calming Build-Out
To seek approval of the proposals. | <p>Cabinet Member
for Environment,
2018/058</p> |
| <ul style="list-style-type: none"> ▪ North Leigh: New Yatt Road - Proposed Speed Cushions
To seek approval of the proposals. | <p>Cabinet Member
for Environment,
2018/059</p> |
| <ul style="list-style-type: none"> ▪ Shipton-under-Wychwood: A361 - Proposed 30mph Speed Limit
To seek approval of the proposals. | <p>Cabinet Member
for Environment,
2018/060</p> |
| <ul style="list-style-type: none"> ▪ Wantage: Newbury Street - Proposed Waiting Restrictions
To seek approval of the proposals. | <p>Cabinet Member
for Environment,
2018/061</p> |

Cabinet Member for Public Health & Education, 13 June 2018

- | | |
|--|---|
| <ul style="list-style-type: none"> ▪ Extension of Age Range at Kingham Primary School, Chipping Norton
To seek approval of the extension of age range at Kingham Primary School from 4-11 to 2-11 year olds. | <p>Cabinet Member
for Public Health &
Education,
2018/027</p> |
| <ul style="list-style-type: none"> ▪ Education Specification for a New Primary School in NE Wantage (Kingsgrove)
To seek approval of the proposed education specification for the new school at NE Wantage (Kingsgrove). | <p>Cabinet Member
for Public Health &
Education,
2018/070</p> |