

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Amendments to Parking Restrictions in Frenchay Road, Oxford that first appeared in the forward Plan in September 2016, withdrawn in March 2018 leaving residents to wait until after 2021 for any consultation on a possible CPZ (Controlled Parking Zone) before they can expect any relief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.

	<p>of the award of a housing nominations agreement for service users with learning disabilities with complex needs</p>	<p>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.</p>	
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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