

CABINET

MINUTES of the meeting held on Tuesday, 17 July 2018 commencing at 2.00 pm and finishing at 4.08 pm.

Present:

Voting Members: Councillor Ian Hudspeth – in the Chair
Councillor Mrs Judith Heathcoat
Councillor Lawrie Stratford
Councillor Steve Harrod
Councillor Lorraine Lindsay-Gale
Councillor Yvonne Constance OBE
Councillor David Bartholomew
Councillor Mark Gray

Other Members in Attendance: Councillor John Howson (Agenda Item 4)
Councillor Glynis Phillips (Agenda Items 4, 7 & 8)
Councillor Emma Turnbull (Agenda Item 6)
Councillor Liz Brighthouse (Agenda Items 6, 8, 9 & 10)
Councillor Liz Leffman (Agenda Item 9)
Councillor Sobia Afridi (Agenda Item 11)
Councillor Mark Lygo (Agenda Item 12)

Officers:

Whole of meeting

Part of meeting

Item	Name
6	Lucy Butler, Director for Children's Services
7	Katy Jurczynszyn, Strategic Finance Manager (Finance & Monitoring)
8	Katy Jurczynszyn, Strategic Finance Manager (Finance & Monitoring)
10	Lorna Baxter, Director of Finance
11	Benedict Leigh, Deputy Director, Commissioning
12	Alexandra Bailey,

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.

67/18 APOLOGIES FOR ABSENCE

(Agenda Item. 1)

Apologies were received from Councillor Hilary Hibbert-Biles.

68/18 DECLARATIONS OF INTEREST

(Agenda Item. 2)

Councillor Lindsay-Gale declared an interest on Item 12, Cogges Manor Farm as a Trustee of Cogges Museum.

69/18 MINUTES

(Agenda Item. 3)

The Minutes of the meeting held on 19 June 2018 were approved and signed as a correct record.

70/18 QUESTIONS FROM COUNTY COUNCILLORS

(Agenda Item. 4)

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

“So far in the current financial year how much has been levied by way of fines on utility companies and will you provide the information by company and county division please.”

Councillor Constance replied:

“We have received approximately £150k in “fines” since 1 April 2018, £60k of which coming from one site on the Oxford Ring Road. We do not record income down to specific divisions.”

Supplementary: In response to a suggestion that the figure be broken down by utilities and placed in the public domain, Councillor Constance replied that she would consider it and discuss with officers.

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

'On 18 July 2017 Council supported a motion which 'asks the Cabinet to work with Political Group Leaders to come forward with a plan to replace the Cabinet with a committee structure or alternative governance and committee models which could further strengthen the work of the council'

Would the Cabinet member provide an update on this work and the date when the plan will come forward?'

Councillor Hudspeth replied:

“There is a cross party working group led by Cllr Heathcoat which has made several visits to authorities with different governance models to ensure that all possible options are investigated.

The cross party working group will report back to cabinet once or if they have any recommendations for cabinet to consider.”

Supplementary: Councillor Phillips pressed the Leader to provide a date when it would come back to Cabinet. Councillor Hudspeth indicated that work was ongoing with the cross party working group including a number of visits and he could not provide a date at this time. Councillor Phillips noted that the next meeting of the group had been cancelled and asked that he press for a result.

71/18 PETITIONS AND PUBLIC ADDRESS

(Agenda Item. 5)

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

Item	Speaker
6. Home to School Transport and Travel Policy – Follow up to call in and Motion from Council	Councillor Emma Turnbull, Shadow Cabinet Member, Public Health & Education Councillor Liz Brighouse, Chairman of Performance Scrutiny Committee and Leader of the Opposition
7. Financial Monitoring and Medium Term Financial Plan Delivery – May 2018	Councillor Glynis Phillips, Shadow Cabinet Member, Finance
8. Capital Programme Monitoring Report May 2018	Mr Hugh Jones Councillor Glynis Phillips, Shadow Cabinet Member, Finance
9. Performance Scrutiny Household Recycling Deep Dive Recommendations	Councillor Liz Brighouse, Chairman of Performance Scrutiny Committee Councillor Liz Leffman, Led the Deep Dive work
10. Engagement of External Advisory Services	Councillor Liz Brighouse, Leader of the Opposition

11. Innovation Funding	Councillor Sobia Afridi, Shadow Cabinet Member, Adult Social Care
12. Cogges Manor Farm	Jill Niner, A Trustee of Cogges Museum Councillor Mark Lygo, Shadow Cabinet Member, Property & Cultural Services (5 mins)

72/18 FOLLOW-UP TO CALL IN - HOME TO SCHOOL TRANSPORT AND TRAVEL POLICY

(Agenda Item. 6)

At their meeting on 5 July 2018, the Performance Scrutiny Committee considered the decision of Cabinet made on 19 June 2018 following proper notice of a call in. The Committee referred the decision back to Cabinet for it to consider in the light of material concerns.

Councillor Emma Turnbull, Shadow Cabinet Member, Public Health & Education, referred to the recent debate of the Council motion with 51 councillors voting against the proposals following a well informed and insightful debate. Councillor Turnbull stated that the policy had been rushed through and the eligibility criteria unclear. The Strategy was misguided and misjudged and should be part of the wider review. The alternative funding had been shown not to be realistic as it was already being fully used and would affect parent's child benefit. Councillor Turnbull drew attention to problems with the criteria and suggested that consultation had been lacking. The suggestions from Special School Heads had not been reflected in report. Given the voting at Council and the decision at the Performance Scrutiny Committee there was no mandate for this policy. Asked if it was fair that parents, in the circumstances where they were affluent, should contribute Councillor Turnbull replied that no they should not.

Councillor Brighouse, spoke both as the Chairman of the Performance Scrutiny Committee and as the person who had moved the motion at Council. Councillor Brighouse stated that the call in was particularly around post 16 SEND transport and the motion to Council had been about the whole budget for SEND. Councillor Brighouse further outlined the concerns of the Performance Scrutiny Committee around the lack of information in the original report and the lack of reasoning by Cabinet. The Scrutiny Committee discussed at length the impact of the use of the bursary scheme but remained unclear how many children would be affected, how many would be able to get a bursary and the impact on savings. The Committee found insufficient information on costings and the business case.

Responding to a comments Lucy Butler stated that the charge being suggested was for post 16 SEND transport only and it would be means tested so that if parents could not afford it they would not be charged.

On the suggestion of Councillor Hudspeth, Leader of the Council, Cabinet:

RESOLVED: that:

1. The decision on transport for Special Educational Needs as originally set out at Minute 68/18, resolution 1(a) and (b) be deferred until late Autumn school term to allow discussion;
2. To agree the following proposals for all students:
 - (a) agree the ending of the current arrangements giving subsidised travel to Post 16 students to Henley College and to implement this change from September 2018;
 - (b) agree that from September 2018 free travel should be provided for those students who have been placed at an alternative education provider if the places have been paid for by Oxfordshire County Council and the distance from home to the placement is over the statutory walking distance or the route is unsafe to walk even if accompanied, as necessary, by a responsible adult;
 - (c) confirm the increased charges for the Spare Seat Scheme for 2018/19 and 2019/20 and agree an increase in the charges for the Spare Seat Scheme of 2% in 2020/21, 2% in 2021/2022 and a further 2% in 2022/23;
 - (d) agree to the continuation of free travel for children of secondary school age who live at RAF Benson to Icknield Community College and to agree to annually review this arrangement;
 - (e) introduce the new Home to School Travel and Transport Policy for those aged 5 to 16 from September 2019.
3. A Cabinet Advisory Group be set up to consider the issues raised.

73/18 FINANCIAL MONITORING AND MEDIUM TERM FINANCIAL PLAN DELIVERY REPORT - MAY 2018

(Agenda Item. 7)

Cabinet considered a report that set out the forecast position of the revenue budgets as at the end of May 2018. The report also included an update on the Medium Term Financial Plan savings, reserves and balances.

Councillor Phillips, Shadow Cabinet Member for Finance, stated that whilst all appeared well, use had been made of unallocated contingency and she

highlighted a number of high risk areas including lack of government funding for unaccompanied young asylum seekers, the Direct Support Grant, care packages and intermediate care beds. Councillor Phillips also drew attention to the continuing uncertainty around Carillion and concerns over the effectiveness of the Fit for the Future programme. Overall, she highlighted the lack of investment and the ongoing effect on service users.

Councillor Bartholomew, Cabinet Member for Finance responded to the points made commenting that it was difficult to reconcile comments on lack of investment and overspends. On risks the Council was demand led and that meant there would always be uncertainties. The risks were managed very closely. On asylum seekers the figures portrayed clearly the deficit in funding from the government and this flagged up the problem. Councillor Hudspeth, Leader of the Council, added that he had lobbied government on this issue several times.

Councillor Bartholomew introduced the contents of the report and moved the recommendations.

During discussion Cabinet commented that it was early in the year and that the early awareness of risk was appropriate.

RESOLVED: to:

- (a) note the report
- (b) approve the virements as set out in Annex 2a;
- (c) note the virements set out in Annex 2b;
- (d) note the use of the £7.5m iBCF ringfenced grant funding in 2018/19 as set out in paragraph 15;
- (e) approve the transfer of the Troubled Families Payment by Results Grant Funding into the Government Initiatives Reserve for use by Children's Services as set out in paragraph 19;
- (f) approve the transfer of £3.9m from the Budget Priorities Reserve to the Transformation Reserve as set out in paragraph 20;
- (g) approve the bad debt write-offs as set out in paragraph 27;
- (h) approve the fees and charges as set out in paragraph 33 and Annex 6.

74/18 CAPITAL PROGRAMME MONITORING REPORT - MAY 2018

(Agenda Item. 8)

Cabinet had before them the first separate capital programme update and monitoring report. The report focused on the delivery of the 2018/19 capital programme based on projections at the end of May 2018 and new inclusions within the overall ten-year capital programme.

Mr Michael Hugh Jones, spoke against the cost and value for money of the work to Maltfield House. Councillor Bartholomew thanked Mr Hugh Jones for his comments and replied that the costing of all building projects went through close scrutiny.

Councillor Phillips, Shadow Cabinet Member for Finance, commented on the details of the report including the expression of concern over the Collingwood crossing at Risinghurst. She supported the reprovisioning of Maltfield House and was only concerned at the lack of urgency. Councillor Phillips queried the figures in paragraphs 22 and 23. She welcomed sight of the business case referred to at paragraph 37 and welcomed the use of LED lighting. It would however be useful to know costs against pay back. Councillor Phillips referred to the ongoing impact of the Carillion issue.

Councillor Bartholomew, Cabinet Member for Finance, responded to the points raised. Councillor Constance, Cabinet Member for Environment added that the pay-back period for the street lighting was about 13 years in total and it would be a self-funded project. Councillor Lindsay-Gale, Cabinet Member for Property and Cultural Services accepted the comments on Carillion and noted that a paper was going to the Audit & Governance Committee on 25 July.

Councillor Bartholomew, moved the recommendations, introducing the contents of the report, referring to the increases and variations and highlighting individual schemes.

Responding to comments Owen Jenkins undertook to produce an information sheet explaining highway maintenance terms.

RESOLVED: to:

- (a) note the report;
- (b) approve the updated Capital Programme at Annex 2 and the associated changes to the programme in Annex 1c;
- (c) approve the basic need programme up to September 2019 set out in Annex 3;
- (d) approve the School Structural Maintenance Programme for 2018/19 set out in Annex 4;
- (e) approve the inclusion of the budget requirement of £1.550m for the developer led new primary school for Crab Hill, Wantage;
- (f) approve the inclusion of the budget requirement of £1.300m for the developer led new primary school for North Curbridge, West Witney;
- (g) approve the inclusion of the budget requirement of £1.630m for the developer led new primary school for Graven Hill, Bicester;
- (h) approve the commencement of the re-provision of Maltfield House with a £3m budget provision;

- (i) approve the stage 0 budget requirement of £1.240m towards the Children Services Phase 2 electronic social care record system;
- (j) approve the revised two-year Highways Structural Maintenance Programme set out in Annex 5;
- (k) approve the additional £10m Highways Structural Maintenance Programme for 2018/19 as set out in Annex 6;
- (l) approve that a business case is produced to support the significant borrowing investment in the Council's assets;
- (m) approve the inclusion of £40.8m for the investment in the Street Lighting estate;
- (n) approve the inclusion of the Botley Road Corridor scheme with a budget provision of £9.1m as part of the Growth Deal Infrastructure Programme;
- (o) approve the inclusion of the budget requirements of £0.5m each towards the Housing Infrastructure Fund bid projects for Didcot Garden Town and A40; and
- (p) approve the inclusion of the budget requirement of £1.6m towards improvements to facilities at Didcot Library.

75/18 PERFORMANCE SCRUTINY HOUSEHOLD RECYCLING DEEP DIVE RECOMMENDATIONS

(Agenda Item. 9)

The Performance Scrutiny Committee had led a deep dive into Oxfordshire's falling household recycling rates and deteriorating performance outlook to understand the underlying reasons for this and to commend remedial action.

Cabinet considered and responded to a report detailing the recommendations arising from the deep dive which were considered and endorsed by the Performance Scrutiny Committee on 24 May 2018.

Councillor Brighthouse, Chairman of Performance Scrutiny Committee, explained that the review was a result of discussions at the Committee into the need to understand better the downturn in performance. Responding to a question from Councillor Heathcoat Councillor Brighthouse stated that they had not been a cross party working group and any member of the Committee could have taken part. All the recommendations had come back to the main Committee. The report was excellent and had been discussed at length by the Committee.

Councillor Leffman presented the recommendations, thanking Rachel Burns for her work. She stressed that by doing more there were savings of £3m to be made and commented that there were things that could be done at very little cost. Good practice could be shared and more could be done to support District Councils. She welcomed the recent Council motion on single use plastics and commended the report to Cabinet

Councillor Constance, Cabinet Member for Environment, responded by commenting on the work of the Oxfordshire Environmental Partnership and explaining the context behind the current performance figures.

Councillor Leffman responded to a question on the usefulness of recycling targets compared to efforts to reduce single use items explaining that targets were a useful thing to do.

Looking at each of the recommendations in turn Councillor Constance commented as follows:

- (a) Councillor Constance could not agree this recommendation as the Oxfordshire Environment Partnership had succeeded the Oxfordshire Waste Partnership and they had agreed the target of 65% by 2025. Councillor Bartholomew added that if we were successful in reducing the use of single use items in the future recycling rates could fall. He could not support what seemed to be an arbitrary figure.
- (b) Councillor Constance agreed the recommendation.
- (c) Recommendation supported.
- (d) Recommendation supported.
- (e) Recommendation supported.
- (f) These materials were already part of the 65% target.
- (g) The Oxfordshire Environment partnership had already done this.
- (h) Cabinet noted that this was not within their powers.

RESOLVED: to:

- (a) consider and note the recommendations of the Performance Scrutiny Committee for the Council; and
- (b) ask the Director for Planning and Place, in consultation with the Cabinet Member for Environment to prepare a response for the next meeting of the Performance Scrutiny Committee based on the comments made.

76/18 ENGAGEMENT OF EXTERNAL ADVISORY SERVICES

(Agenda Item. 10)

Cabinet considered a report seeking the agreement of Cabinet to the principle of engaging an external provider to deliver expert advisory services to the Council over the next three years on the Fit for the Future programme and other associated strategic change initiatives. The report also set out the proposed procurement approach.

Councillor Brighouse, Opposition Leader, stated that she had been reassured around the work of PWC and the opportunity of finding different ways of working, with great hopes for the work on the Fit for the Future programme. She had been excited by the engagement in the process by so many County Council staff and had been surprised by this report looking at further external support. Councillor Brighouse hoped that Cabinet would not

agree to the recommendations and would instead empower the Council's own officers. If additional support was needed for transition then people should be employed to do it.

Councillor Heathcoat, Deputy Leader, indicated that the original plans had recognised the need for external support. Councillor Brighthouse replied that it had been obscure and the Labour Group could not support any further money going to consultants.

Responding to the point made in the report that the officer view was that there was not capacity to do the required work, Councillor Brighthouse stated that officers were already involved and had the capability. They needed to be empowered and if required further staff employed. There should be consideration of beefing up a Directorate role.

During discussion Cabinet noted that it was officers saying they needed support. Savings previously identified to be made through transformation of services had not been delivered.

Councillor Hudspeth, Leader of the Council, highlighted the outcomes of the process delivering choice and the ability to invest in front line services. Council officers had done a terrific job to deliver their day job alongside this work but needed support. Councillor Hudspeth commented that it was a phased programme and indicated the opportunity for a Cabinet Advisory Group or other working group to look at each phase.

Lorna Baxter, Director of Finance, explained the nature of the framework agreement being proposed and that it represented very good value for money.

Cabinet supported the proposal with Members recognising that it allowed access to consulting services as needed to support transformation without signing up to a huge contract.

Responding to concerns from Councillor Bartholomew, Cabinet Member for Finance, Lorna Baxter stated that they would be seeking views on how best to ensure value for money and appropriate monitoring. On possible conflicts of interest for PWC on Carillion, Lorna indicated that she was assured that chinese walls were in place not just with regards to Carillion work but also work for other authorities.

RESOLVED: to approve entering into an access agreement to the Islington procurement framework as set out in paragraph 15 for the provision of engaging expert advisory services to support and accelerate cross council transformation.

77/18 INNOVATION FUNDING

(Agenda Item. 11)

The Innovation Fund for Daytime support 2018-19 was open to applications from all community and voluntary organisations to deliver new innovative projects for daytime support in Oxfordshire.

As per the agreed cross-party decision-making process, the cross-party panel reviewed the applications and assessed them against grant criteria.

Cabinet considered a report setting out the final cross-party panel recommendations.

Councillor Afridi whilst speaking in support of the recommendations commented on the need to ensure a rigorous process and queried how to ensure projects carried on when the funding ran out.

Councillor Stratford, Cabinet Member for Adult Social Care, introduced the contents of the report and moved the recommendations. He noted that some groups were using the funding to apply for match funding. Benedict Leigh added this was one of two funds and it focussed on innovation.

RESOLVED: to:

- (a) congratulate the voluntary sector for its continued commitment and dedication to innovation and provision of new opportunities to people using services in Oxfordshire;
- (b) consider and agree the criteria for the Innovation Fund 2018-19 - in line with the agreed process and scope for the same as decided by Cabinet in January 2017 as part of the overall changes to daytime support;
- (c) review and agree the cross-party evaluation panel's recommendations for Innovation Fund grant awards as set out under 17 above; and
- (d) approve utilisation of the remaining amount as set out under 18 above for a second round of applications to the Innovation Fund 2018-19.

78/18 COGGES MANOR FARM

(Agenda Item. 12)

Having declared an interest Councillor Lindsay-Gale left the room and took no part in the voting on this item.

Cogges Heritage Trust (the Trust) have provisionally been awarded circa £1m of Heritage Lottery Funding (HLF) to undertake work / improvements to the Cogges Manor Farm buildings which are owned by the County Council and leased to the Trust. Cogges Manor Farm is a Scheduled Ancient Monument, consisting of a 13th century manor house and 17th century farm

buildings which are Grade 2 Listed. The Council retains responsibility for structural repairs.

The current lease terms do not align with HLF policy and consequently the HLF have asked the Council to vary the lease terms, including the removal of break clauses, which would put the Council at risk in terms of ongoing repairing liability.

The HLF requirement to make changes to the lease has brought an opportunity to reconsider the future of Cogges Farm and negotiate other changes. An alternative proposal has been put to the Trust, the principles of which were outlined in a Memorandum of Understanding between the parties and this was submitted by the Trust to the HLF Board on 26 June 2018. Cabinet considered a report seeking approval which is required to enable the Council to proceed if agreement on terms can be reached.

Judy Niner, Chairman of Cogges Museum, spoke in support of the proposed approach thanking the County Council for the support shown to the Museum over the years, highlighting its current success and the hopes for the future.

Councillor Mark Lygo, endorsed the recommendations thanking all the Trustees of Cogges, Alexandra Bailey and her team for all their work.

During discussion Councillor Hudspeth highlighted paragraph 22 and suggested an additional recommendation (recommendation (f)) to reflect the point set out there. Alexandra Bailey responding to a question, confirmed that paragraph 22 and recommendation (f) gave the option to buy it back but the County Council did not have to exercise that option thus reducing the risk in the event of an unforeseen event.

RESOLVED: to:

- (a) to declare the property surplus to requirements;
- (b) to approve the principle of transferring Cogges Manor Farm to the Cogges Heritage Trust, as a named purchaser, for £1 (one pound) on terms that accord with the Council's statutory obligations or if terms cannot be agreed, to grant a new lease upon terms that satisfy the Council's and HLF requirements;
- (c) subject to the transfer of Cogges Manor Farm, as noted in 2 above, to approve the transfer of £1m to Cogges Heritage Trust in full and final settlement of all the Council's liabilities and obligations under the lease;
- (d) approve the £0.6m increase to the capital programme budget to make £1m available to Cogges Heritage Trust in full and final settlement of all the Council's liabilities and obligations under the lease, funded from the Capital Programme Contingency;

- (e) delegate authority to the Director of Capital and Investment Delivery and Director of Law and Governance to agree appropriate terms; and
- (f) to note that the Council has the ability to buy back the property for £1 (one pound) in the event that the Buyer wishes to dispose of a significant interest in the property or the property ceases to be open to the members of the public in accordance with the user restriction.

79/18 DELEGATED POWERS - JULY 2018

(Agenda Item. 13)

RESOLVED: to note on a quarterly basis the executive decisions taken under the specific powers and functions delegated under the terms of Part 7.2 (Scheme of Delegation to Officers) of the Council's Constitution – Paragraph 6.3(c)(i). It is not for scrutiny call-in.

80/18 FORWARD PLAN AND FUTURE BUSINESS

(Agenda Item. 14)

The Cabinet considered a list of items for the immediately forthcoming meetings of the Cabinet together with changes and additions set out in the schedule of addenda.

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

..... in the Chair

Date of signing