

PERFORMANCE SCRUTINY COMMITTEE

MINUTES of the meeting held on Friday, 16 July 2021 commencing at 1.00 pm and finishing at 4.00 pm

Present:

Voting Members: Councillor Eddie Reeves – in the Chair

Councillor Michael O'Connor (Deputy Chair)
Councillor Juliette Ash
Councillor Brad Baines
Councillor Dan Levy
Councillor Kieron Mallon
Councillor Ian Middleton
Councillor Ian Corkin (In place of Councillor Liam Walker)
Councillor Robin Bennett (In place of Councillor Andrew Gant)
Councillor Andy Graham (In place of Councillor Sally Povolotsky)

Other Members in Attendance: Councillors Liz Brighthouse, Duncan Enright, Jenny Hannaby, Liz Leffman, Mark Lygo, Calum Miller, Pete Sudbury

Officers: Yvonne Rees, Chief Executive; Anita Bradley, Director for Law & Governance; Stephen Chandler, Corporate Director for Adult and Housing Services; Bill Cotton, Corporate Director Environment & Place; Kevin Gordon, Corporate Director for Children's Services; Steve Jorden, Corporate Director Commercial Development, Assets and Investment; Ian Dyson, Assistant Director for Finance; Colm Ó Caomhánaigh, Committee Officer

Part of meeting

Agenda Item	Officer Attending
7	Eric Owens, Assistant Director Growth and Place

The Scrutiny 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 agreed as set out below. Copies of the agenda, reports and additional documents are attached to the signed Minutes.

29/21 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS (Agenda No. 1)

Apologies had been received from:
Councillor Andrew Gant (substituted by Councillor Robin Bennett)

Councillor Sally Povolotsky (substituted by Councillor Andy Graham)
Councillor Liam Walker (substituted by Councillor Ian Corkin)

30/21 DECLARATIONS OF INTEREST - GUIDANCE NOTE ON BACK PAGE OF THE AGENDA
(Agenda No. 2)

With regard to item 6, SEND Top-up Funding for Schools, Councillors Juliette Ash and Robin Bennett declared that they were school governors.

With regard to Item 7, Department of Transport Tranche 3 Active Travel Bid, Councillor Dan Levy was Cycling Champion at West Oxfordshire District Council.

31/21 MINUTES
(Agenda No. 3)

The minutes of the meeting held on 3 June 2021 were approved.

32/21 A FAIR DEAL FOR OXFORDSHIRE - SHAPING OUR IMMEDIATE AND LONGER-TERM PRIORITIES
(Agenda No. 5)

The Committee had before it a report setting out the policy objectives and areas of priority for the new Council administration. The Committee had been invited to present their comments to the Cabinet meeting on 20 July 2021.

Councillor Liz Leffman, Leader of the Council, introduced the item. The nine objectives laid out had been agreed between the three parties that made up the new administration. It was a pre-cursor to a new Corporate Plan and outlined the principles by which the Council will be judged.

Councillor Dan Levy welcomed the list of priorities. He believed that the administration will be judged on the delivery of its policies. He suggested an alternative strap-line "A greener, fairer county" to replace "A great place to live, learn, work or visit."

Councillor Ian Corkin welcomed the new administration setting out its stall, the consequences of which would play out over the four-year term. In the wake of the pandemic, Public Health and preventive measures will become more important. There was nothing in the document on the Integrated Care System which was going to be increasingly important going forward. Digital infrastructure was an essential enabler and the Council needed to show leadership in this.

Councillor Corkin added that the real challenge was to prioritise, given limited time and resources. Environmental concerns were prominent throughout the objectives and it was right that the Council should show leadership but its ability to affect these concerns was relatively small. He noted that there was no reference to Looked After Children for whom councillors were Corporate Parents.

Councillor Kieron Mallon expressed concerns that:

- green issues were going to be prioritised over business interests;
- some green travel plans had not worked elsewhere because they did not address the real needs of people;
- there was still a need for better roads and parking;
- it was easy to provide public transport on arterial routes but many people did not live near these and there were no buses at all in rural areas.
- active travel proposals were too skewed towards cycling over walking.

Addressing issues of equality, Councillor Mallon added that increasing use of digital can exclude, particularly those with visual or hearing impairment. He believed that young males from disadvantaged backgrounds were often forgotten when it came to equality concerns, despite the fact that data indicates they have among the lowest educational attainment.

Councillor Mallon added that Members could not shift responsibility for decisions onto stakeholders or pressure groups. Many people did not have the time to engage with consultations. Elected representatives at all levels had a good understanding of their local areas.

The Chair commented that it was one thing to identify what to prioritise but, with limited resources, something else therefore had to be de-prioritised. The document did not say what would be trimmed back. If it was intended to increase Council funding, he asked if that would be achieved by increasing tax over inflation or building more houses. He added a suggestion to allocate budgets to localities.

Councillor Andy Graham noted that they currently had to work within the existing budgetary situation but asked if there was an intention to increase the Council's income. He also urged that the consultation should ensure meaningful engagement with young people.

Councillor Brad Baines welcomed the ambitions in the document and made the following observations:

- there was no mention of poverty.
- how would inequality be monitored and problems flagged?
- public engagement should go further, such as calling a citizens' assembly and giving access to the data informing decisions.
- he called for voluntary adoption of Clause 1 of the Equality Act which he said had never been brought into force.

Councillor Michael O'Connor welcomed the focus on inequality, children and climate change as well as the emphasis on democracy. He asked what opportunity there would be for non-Cabinet Members to input from this point on and supported the citizens' assembly idea.

Councillor Robin Bennett warned of consultation fatigue. He would like to see more co-working and co-production. He asked what measurements and baselines would be used to monitor progress and if the corporate plan priorities would drive the budget and not just reflect it.

Councillor Ian Middleton stated that it was more accurate to say that all the priorities were informed by climate change rather than it being prioritised above other areas. He believed that businesses wanted climate change tackled. Business as usual was uneconomic. With regard to funding, he noted that there was an underspend by the Council of £5.9m last year.

In response to the Committee's comments, Cabinet Members responded as follows:

Councillor Leffman accepted the points on Public Health, digital infrastructure and exclusion as well as Corporate Parenting and would take those away. She recalled that the Peer Review had also suggested locality budgets and agreed to look at that.

Councillor Calum Miller, Cabinet Member for Finance, reiterated that no virements were proposed to finance the objectives. The budgetary situation was tight and he did not expect anything from central government. They were exploring local options. The previous administration had already increased council tax and the situation with social care was becoming more stable.

Councillor Duncan Enright, Cabinet Member for Travel and Development Strategy, added that some good points had been made in regard to transport. The Council needed to use its purchasing power to support a change in culture. He would work closely with the city and district councils as well as business to create an environment in which they can thrive.

Councillor Liz Brighouse, Deputy Leader and Cabinet Member for Children, Education and Young People's Services, responded that by bringing children's social care and education into the one portfolio the new administration had shown its commitment to helping children achieve their full potential. Some of the lowest attainment levels in the country were found in the city and she intended to tackle such inequalities.

Councillor Pete Sudbury, Cabinet Member for Climate Change Delivery and Environment, noted that Oxfordshire had to recognise that three Earths would be needed if the whole world used resources at the rate that we do. He was committed to a citizens' assembly on climate change and perhaps it could be asked other questions.

Councillor Jenny Hannaby, Cabinet Member for Adult Social Care, asked for help from all to lobby for more funding for adult social care as this was one of the most under-funded areas. Demand was increasing but new ways of helping people to live more independently at home would make more effective use of the resources available.

Councillor Leffman assured Members that there would be opportunity for all councillors to contribute at every stage. She also wanted to involve Parish and Town Councils.

It was agreed that the comments for Cabinet would be compiled for the Chair and Deputy Chair, and circulated to Members of the Committee if time permitted. Any further comments should be emailed to the Secretary.

RESOLVED: to consider the Cabinet report attached as Appendix 1 with its associated Annex attached as Appendix 2 and present their findings to the Cabinet meeting on 20 July 2021.

33/21 SEND TOP-UP FUNDING FOR SCHOOLS

(Agenda No. 6)

The Committee had before it a report for the Cabinet meeting on 20 July 2021 with a proposal for SEND (Special Educational Needs and Disability) top-up funding for schools and they had been invited to pass on comments to the Cabinet meeting.

Councillor Liz Brighthouse, Cabinet Member for Children, Education and Young People's Services, introduced the report. She stated that the Council had an overriding need to support our most disadvantaged children. These funds were needed to ensure that schools were able to provide for vulnerable children in the classrooms. She invited questions on the proposal.

Kevin Gordon, Corporate Director for Children's Services, added that these funds came directly from the Government and the Cabinet was required to make a decision on their allocation alongside the Schools' Forum. This was not the final answer. A systematic way was needed to deal with this going forward, having consulted with schools and parents. However, this was one way of strengthening support for children with SEND in mainstream schools which was in line with the direction of policy.

Councillor Brighthouse and Kevin Gordon responded to Members' questions as follows:

- It was up to the schools to decide how they used the money to support vulnerable children, keep them in school and avoid exclusions.
- These funds were proposed on top of what schools already get for SEND.
- It was true to say that some schools had higher numbers of children with SEND – sometimes this was because the school had a good reputation for supporting such students.
- The deficit for the High Needs Block was growing. The Government had promised a review but their decision was still awaited. The Local Government Association had lobbied central government and the Cabinet Member would welcome a letter being sent from this Committee.
- The increase in mental health needs was being seen across the country.
- The Council was developing a more child-centred and tailored approach. When funding was scarce a more targeted system was needed.
- The ambition was to have local schools where children felt comfortable, engaged and could be creative and where teachers felt they had the support they need.
- The deficit for 2021/22 was expected to be £11.7m. Five local authorities had received a 'bail-out' from central government but it was not clear what the criteria for these were. The Council had received indications that it would be dealt with.
- A consultation on whole-system reform was due to start in September 2021 to be implemented in September 2022.
- In terms of making more specialist school provision within the county, the landscape was complicated. A new school would have to be an academy but this

did not necessarily have to be about new schools. It could include developing specialist bases in existing schools - perhaps repurposing existing spaces.

- There was an issue around how teachers in some schools were supported – in the classroom and with training. Teachers in specialist schools could be a resource for others.

Members also made the following suggestions and comments:

- The pressure on schools had increased following cuts to other services for children with SEN.
- Training for teaching staff was a key support. We needed to recognise that fatigue can be a significant factor.
- There was a need for a more sustainable solution, creating more capacity for special needs education within the county.
- We needed to examine if the increase in numbers of children with SEN reflected an actual increase in need or if we were getting better at identifying these needs and if the criteria should be re-evaluated.
- Some schools had a much higher proportion of children with SEN. It was suggested that the funding allocations should take account of that.
- When it comes to looking at reform, schools and teachers were key stakeholders that needed to be central to any consultation.

It was agreed to pass the Committee's comments to the following week's Cabinet meeting.

RESOLVED: to consider the Cabinet report attached as Appendix 1 and present their findings to the Cabinet meeting on 20 July 2021.

34/21 DEPARTMENT OF TRANSPORT TRANCHE 3 ACTIVE TRAVEL BID
(Agenda No. 7)

The Committee was to consider a report for Cabinet that outlined the approach to the Council's bid for Tranche 3 of Active Travel funding from Government.

Eric Owens, Assistant Director for Growth and Place, introduced the report. He gave apologies from Councillor Tim Bearder, Cabinet Member for Highway Management, who had a prior engagement.

Eric Owens highlighted that the three main components were outlined at the top of Addendum Page 20. The funds could potentially be over the £3m received for Tranche 2. However, the deadline for bids was short. Officers were considering suggestions received during the Tranche 2 process as well as proposals in the Local Cycling and Walking Infrastructure Plans (LCWIPs). It was intended to consult with stakeholders before submitting the bid.

Eric Owens and Councillor Duncan Enright, Cabinet Member for Travel and Development Strategy, responded to Members' points as follows:

- More LCWIPs were needed but Tranche 3 funds could not be used to develop them. The Council was also bidding for capacity funding to work on these.

- With the short deadlines on these bids, the previous administration struggled to manage the consultation with stakeholders. It was accepted this time that consultation needed to include wider areas that were affected including across county boundaries.
- Consultation with councillors should include county, city, district, town and parish councillors who all know their patch well.
- Tackling areas with high levels of deprivation was included in the list of criteria.
- Schemes were being considered across the county but the condition of delivery by March 2023 was challenging.
- This scheme included funding for feasibility studies so that wider options could be considered in future funding rounds.
- It was expected that the list of schemes for consideration would be circulated in the week following this meeting.
- Officers will assess the proposals to ensure that they fit in with the overall strategy and comply with the guidance in LTN1/20.
- The street design guide will also have to comply with LTN1/20. All of these guides allow for exceptions for local contexts
- The Council engages advice from consultants in regard to the cost estimates and deliverability of bids.
- The Council will have to bear maintenance costs of these schemes into the future.
- The guidance for Mini-Hollands suggested that they would be suitable across the county.

Members made the following suggestions and comments on the Cabinet proposal:

- They urged that the bid be for substantially more than last year’s allocation of £3m.
- There were concerns expressed that cycling was getting a lot more attention than walking. Designs should ensure that the two are not in conflict.
- Designs for cycling were generally good – the exception being where they met roads and this was where it is most important to get it right.
- The bid must comply with the instructions in the government's paper to bidders, including compliance with LTN1/20.
- There was too much focus on Oxford City and the larger towns. The other areas needed facilities too.

RESOLVED: to consider the Cabinet report attached as Appendix 1 with its associated Annex attached as Appendix 2 and present their findings to the Cabinet meeting on 20 July 2021.

..... in the Chair

Date of signing 20