

## CABINET

**MINUTES** of the meeting held on Tuesday, 23 April 2019 commencing at 2.00 pm and finishing at 2.27 pm

**Present:**

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

**Other Members in Attendance:** Councillor Liz Brighthouse (Agenda Item 7)  
Councillor John Sanders (Agenda Item 8)

**Officers:**

Whole of meeting Lorna Baxter, Director of Finance, Nick Graham, Director of Law & Governance

Part of meeting  
Item

7 Name  
Claire Taylor, Assistant Chief Executive Interim  
8 Sue Halliwell, Director of Planning and Place; Lynette Hughes (Communities)

*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.*

### **30/19 APOLOGIES FOR ABSENCE**

(Agenda Item. 1)

An apology was received from Councillor Reeves.

### **31/19 MINUTES**

(Agenda Item. 3)

The Minutes of the meeting held on 19 March 2019 were approved and signed as a correct record subject to the following amendments:

#### **Minute 27/19**

Page 10 – first bullet point – add Councillor Bartholomew at the start of the sentence.

second bullet point – amend first sentence to read: Explored the extent of housing growth and concerns raised with them by the public, through parish meetings and specifically by the CPRE to Councillor Bartholomew that the scale of housing would undermine the rural nature of some areas and put a strain on services.

### **32/19 QUESTIONS FROM COUNTY COUNCILLORS**

(Agenda Item. 4)

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

“How many maintained schools in Oxfordshire have either solar or photo-voltaic panels on their roofs or elsewhere on school grounds?”

In the absence of Councillor Reeves Councillor Lindsay-Gale replied:

‘The Council does not hold a database with this information, as schools would need to register for the FIT (Feed In Tariff) themselves, information on the installation and/or registration is not readily available.

On request at such short notice we have been able to ascertain that 30 of our maintained schools have either solar or photo-voltaic panels on their roofs or elsewhere on school grounds.’

Supplementary: Councillor Howson asked whether the Council could encourage maintained schools to introduce energy schemes and whether the Cabinet Member could engage with the Diocese of Oxford and the Arch Diocese of Birmingham to encourage them to consider such schemes for their schools. In the absence of Councillor Reeves, Councillor Lorraine Lindsay-Gale, Cabinet Member for Education & Cultural Services replied that yes, she was happy to follow this up.

Councillor Price had given notice of the following question to Councillor Heathcoat

“Could the Deputy Leader outline why the most recent Community Risk Management Plan did not include explicit reference to the planned piloting of Initial Limited Response (Crew of Three), therefore missing the opportunity

for the widest possible engagement with residents, interested partners and elected members who would have a valuable contribution to make to the debate?”

Councillor Heathcoat replied:

Thank you for your question. The Fire and Rescue Service identified in the **2017-8** Community Risk Action Plan that: -

Project 2 “Would review and implement changes to key stations and provide area based strategic cover”.

As a result of this review an operational project was established to pilot an initial limited response. The review took the form of: -

- All Whole-time watches have been visited to discuss the pilot. All On Call Stations were invited to locality meetings
- Attendance by OFRS at public meetings with town and parish locations
- FBU invited to Charlbury Fire Station to discuss changes in procedure with the operational staff
- FBU provided with all operational procedures and the relevant risk assessments for the pilot
- FBU representative attended the visit to Kent FRS to see how this had been implemented in another FRS.

Following the closing of the consultation amendments were made.

Supplementary: Councillor Price commented that it would have been good to see the details included in the current CRMP. Councillor Price asked if the consultation documents could be made available and why the local member for Charlbury had not been consulted. Councillor Heathcoat replied that the CRMP was a strategic document and the project had been included in the 2017/18 Action Plan. It had been fully consulted on and Councillor Heathcoat could provide more detail direct to Councillor Price.

Councillor Bearder had given notice of the following question to Councillor Hudspeth

“Following our resolution at the last full council for yourself and the Cabinet Member for Transport to write to the Minister for Housing, Communities and Local Government – demanding that a fuller consultation is carried out asking local residents if they want an Expressway and associated construction before any route is considered, could you please update council as to where we are with this? Whether the letter has been sent or a reply received and what time scale we can expect on the actions of this motion. Could you please also supply copies of any correspondence sent or received from either party thus far.”

Councillor John Sanders had given notice of the following question to Councillor Hudspeth

“Has the Leader or the Cabinet Member for Environment yet written to the Government asking it to conduct a consultation among Oxfordshire's residents asking them whether they want an Expressway and if not, when?”

Councillor Hudspeth replied to both:

“Yes, the letter has been sent (copy attached), no we have not received a reply and cannot say when the reply will be sent.

It is my standard practice to send copies of any reply to all councillors.”

Supplementary: Asked by Councillor John Sanders whether the decision on the route being pushed back to Autumn and the likely route was an indication of the Government attempting to lessen the impact on conservative held Divisions, Councillor Hudspeth replied that throughout there had been no political nuance in the Council response.

### **33/19 PETITIONS AND PUBLIC ADDRESS**

(Agenda Item. 5)

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

Item	Speaker
Item 7 – Review of S113 Agreement- Update from the Oxfordshire County and Cherwell District Councils Partnership Working Group	Councillor Liz Brighthouse, Opposition Leader
Item 8 – Affinity Water: Water Resource management Plan Consultation to April 2019 Relating to Proposed Reservoir in Oxfordshire	Councillor John Sanders, Shadow Cabinet Member for Environment

### **34/19 OVO ENERGY WOMEN'S TOUR**

(Agenda Item. 6)

The OVO Energy Women's Tour have approached Oxfordshire to act as hosts for Britain's prestigious cycle race over the next three years. Following a leaders' meeting on 4 March all council's across Oxfordshire have agreed, in principle, to host the event for years 2019, 2020 and 2021.

Cabinet considered a report seeking support to Oxfordshire being a host venue for the next three years.

Councillor Yvonne Constance moved the recommendations. Cabinet in warmly welcoming the proposals highlighted the need to ensure that villages affected by the race were fully informed. Councillor Bartholomew, as Cabinet Member for Finance whilst fully supportive of the event had concerns about entering into a three-year contract where the overall costs were unknown. He asked for a clarification of cost at the earliest opportunity.

**RESOLVED:** to:

- (a) support Oxfordshire being a host venue for the OVO Energy Women's cycle tour in 2019, 2020 and 2021.
- (b) agree the principle of an equal share of costs between the county, the four districts and the city council.
- (c) allocate a budget of £30,000 to pay the county council's share of the costs in 2019.
- (d) recommend the council agree to fund the council's share of the hosting fee for years two and three through the annual budget setting process (2020 and 2021).
- (e) agree that sponsorship, regardless of which partner attracts it, will be used to reduce the hosting costs on an equal basis.

**35/19 REVIEW OF S113 AGREEMENT - UPDATE FROM THE OXFORDSHIRE COUNTY AND CHERWELL DISTRICT COUNCILS PARTNERSHIP WORKING GROUP**

(Agenda Item. 7)

Cabinet had before them an update on the progress of the joint working partnership between Cherwell District and Oxfordshire County Councils.

Councillor Liz Brighouse, Opposition Leader commented that this piece of work had not been going very long but was having an enormous impact on Oxfordshire and its residents. The work showed local government at its best with two councils coming together to grow and develop. The last meeting of the Partnership Working Group had been exciting with real examples of how things could be different. Councillor Brighouse stated that her Group wanted to work hard with Cabinet and others to see something special not only for Oxfordshire, but more widely given the challenges faced by local government.

Councillor Ian Hudspeth agreed that exciting joint working was taking place referring to the work between housing and adult social care. It was vital that the focus be on the best outcomes for residents.

Councillor Ian Corkin, Cabinet Member for Cherwell partnership introduced the contents of the report and moved the recommendations.

During discussion Cabinet commended the work taking place which was exciting and unique. The regular updates following the Partnership Working Groups were welcomed. Councillor Corkin added that following the review he intended that the work would move into the mainstream governance arrangements and monitoring would sit with the usual scrutiny arrangements. He was happy to consider the provision of an annual report.

**RESOLVED:** to:

- (a) note the report attached at appendix 1.
- (b) endorse the recommendations in the report (appendix 1) and agree (subject to agreement by Cherwell District Council Executive) to establish a project team to develop the next phase of partnership working.

**36/19 AFFINITY WATER: WATER RESOURCE MANAGEMENT PLAN CONSULTATION TO APRIL 2019 RELATING TO PROPOSED RESERVOIR IN OXFORDSHIRE**

(Agenda Item. 8)

Affinity Water is currently consulting on its Revised Draft Water Resources Management Plan (WRMP) 2019 which looks ahead to 2080. The consultation documents outline the preferred demand management and water supply options for Affinity Water in the context of the wider South East region. Cabinet considered a report that set out how the Affinity Water consultation related to consultations by Thames Water in 2018 and advised on progress since then. Concerns raised with Thames Water in respect of the reservoir proposal are repeated in the attached draft response to Affinity Water.

Councillor John Sander, Shadow Cabinet Member for Environment stated that the Labour Group were opposed to the South East Strategic Reservoir as proposed. An enquiry was essential given the disputed date in the plan and forecast. Steps to reduce usage and leakage should be brought forward much sooner. Councillor Sanders shared concerns set out in the report over the impact on A34 traffic, on the A415 and on the Growth project. Councillor Sanders added that there had been no consideration on the impact on the minerals and waste local plan as there would be an impact on forecasts. Finally, Councillor Sanders stated he was unable to support recommendation 2 as the final approval should come from Cabinet at a public meeting.

Responding to the points raised Councillor Yvonne Constance, Cabinet Member for Environment, explained that the response was before the cabinet in draft form for approval in broad terms. Asked if he had any additional points he wished to see raised in the response Councillor Sanders did not.

Councillor Constance introduced the contents of the report and referring to paragraphs 17 and 26 proposed that the final response be amended to make

it clear that the County Council expects the Affinity Water proposal to go to public enquiry as well as the Thames Water Revised Draft Water Resource Management Plan.

Following discussion Councillor Constance moved the recommendations subject to the amendment above.

**RESOLVED:** to:

- (a) consider the issues and the draft response in Annex 1 and provide comments as appropriate; and
- (b) agree that the final response to the consultation be signed off by the Director of Planning and Place in consultation with the Cabinet Member for the Environment with paragraphs 17 and 26 amended to make it clear that the County Council expects the Affinity Water proposal to go to public enquiry as well as the Thames Water Revised Draft Water Resource Management Plan.

### **37/19 COMPULSORY PURCHASE POWERS FOR ACQUISITION OF LAND REQUIRED FOR DELIVERY OF SCHEMES**

(Agenda Item. 9)

To progress with the delivery of proposed major transport infrastructure schemes, the use of Compulsory Purchase Powers may have to be used for the acquisition of land required for the construction, maintenance and operation of new transport infrastructure.

Cabinet considered a report seeking approval to delegate to the Strategic Director of Communities, in consultation with the Cabinet Member for Environment with the responsibility for Highways and the Leader of the Council to exercise Compulsory Purchase Powers for the purchase of land required for schemes detailed in the report, if the land cannot be purchased through negotiation with landowners. Cabinet noted the minor changes to delegations and amended recommendations set out in full in the addenda.

Cabinet noted that the first four schemes listed were related to the successful 218m HIF bid.

**RESOLVED:** to:

- (a) approve delegation of the exercising of Compulsory Purchase Powers to the Strategic Director of Communities, in consultation with the Cabinet Member for Environment with the responsibility for Highways and the Leader of the Council, for the purchase of land required for the delivery of the major infrastructure schemes outlined in paragraph 10 of this report, in the event that the land cannot be acquired by negotiation; and
- (b) note that should the whole or any part of lands required are not acquired by negotiation, the making of a Compulsory Purchase Order

under provisions contained in Part XII of the Highways Act 1980 for the acquisition of the land, will be progressed. This could include providing the necessary attendance, expert witness provision, etc. at a Public Enquiry if required.

### 38/19 DELEGATED POWERS - APRIL 2019

(Agenda Item. 10)

**RESOLVED:** To note the following 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.

<i>Date</i>	<i>Subject</i>	<i>Decision</i>	<i>Reasons for Exemption</i>
29 January 2019	Request for exemption from Contract Procedure Rule ("CPR") 20 in respect of a Contract Extension for the Independent Financial Adviser	Approved an exemption from the tendering requirements under OCC's Contract Procedure Rules in respect of the award of 2-year extension to the current arrangements for the provision of Independent Financial Advice to the Pension Fund Committee.	To provide continuity of service and effective delivery of support during the development of the Brunel Pension Partnership.
21 February 2019	Request for exemption from tendering under Contract Procedure Rule ("CPR") 20 in respect of a Contract for school improvement services at Northfield School	Approved an exemption from the tendering requirements under OCC's Contract Procedure Rules in respect of a contract for the provision of school improvement support services at Northfield School by Gallery Trust at a cost of £281,470,	Given the history to date of the Trust's support for the school, and the quality of the support publicly validated by Ofsted, the Gallery Trust are best placed to provide the much-needed continued support to the school.
18 March 2019	Request for exemption from tendering under Contract Procedure Rule	Approved an exemption from the tendering requirements under	The provider is delivering a successful service and is best placed to



	<p>("CPR") 20 in respect of a Contract for Eight Additional Beds for Unaccompanied Asylum-Seeking Children (UASC)</p>	<p>OCC's Contract Procedure Rules in respect of a contract for the provision of a delivery of 8 (additional) beds for UASC for a term of 12 months at a cost of £218,234.</p>	<p>meet the additional requirements quickly and in the best interests of UASC whilst allowing the Council to bring this contract in line with the other supported housing contracts so that they can all be recommissioned at the same time by 1 April 2020, to ensure that there is the best chance of fulfilling future services across all areas of the county</p>
<p>21 March 2019</p>	<p>Request for exemption from tendering under Contract Procedure Rule ("CPR") 20 in respect of the award of Children's Disability Contracts for Short Breaks and Childcare Services</p>	<p>Approved an exemption from the tendering requirements under OCC's Contract Procedure Rules in respect of the award of children's disability contracts to The Gallery Trust through Bardwell School for short breaks and childcare services at a cost of £570,448, including an optional 2-year extension.</p>	<p>Bardwell School has been delivering these services as a maintained school under a service level agreement. It is due to convert to an academy and will become a separate legal entity requiring a contract. The exemption will provide continuity of service and bring this contract in line with the other short breaks and childcare contracts so that they can all be recommissioned at the same time in March 2024 (if the 2-year extension is invoked), to ensure that there is the best chance of fulfilling future services across all areas of the county.</p>

**39/19 FORWARD PLAN AND FUTURE BUSINESS**

(Agenda Item. 11)

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 ..... 2019

## Annex

Date: 18 April 2019

The Rt Hon James Brokenshire MP  
Minister of State for Housing, Communities &  
Local Government  
2 Marsham Street  
London SW1P 4DF

Leader's Office  
County Hall  
New Road  
Oxford OX1 1ND

Councillor Ian Hudspeth  
Leader of the Council

Dear Mr Brokenshire

### **Motion at Oxfordshire County Council – 2<sup>nd</sup> April**

We are writing to you following a motion resolved at Full Council on 2<sup>nd</sup> April as follows:

“Most people accept that building more roads creates more traffic. Council instructs that the Leader and Cabinet Member for Environment jointly write to the Minister for Housing, Communities and Local Government – demanding that a fuller consultation is carried out asking local residents if they want an Expressway and associated construction before any route is considered.

The Leader and Cabinet Member should also ask the Minister whether the million extra houses outlined in the National Infrastructure Commission's vision for housing along the route of the arc are in addition to, or included in, the 100,000 houses planned for by the Oxfordshire authorities outlined in the growth deal”

We look forward to hearing from you.

Yours sincerely



Cllr Ian Hudspeth  
Direct Line: 01865 815283  
Environment  
Mobile: 07956 270318  
Email: [ian.hudspeth@oxfordshire.gov.uk](mailto:ian.hudspeth@oxfordshire.gov.uk)



Cllr Yvonne Constance  
Cabinet Member for  
Mobile: 07976 934884  
Email: [Yvonne.constance@oxfordshire.gov.uk](mailto:Yvonne.constance@oxfordshire.gov.uk)

[www.oxfordshire.gov.uk](http://www.oxfordshire.gov.uk)