

CABINET

MINUTES of the meeting held on Tuesday, 16 December 2014 commencing at 2.00 pm and finishing at 4.35 pm

Present:

Voting Members: Councillor Ian Hudspeth – in the Chair
Councillor Rodney Rose
Councillor Mrs Judith Heathcoat
Councillor Nick Carter
Councillor Melinda Tilley
Councillor Lorraine Lindsay-Gale
Councillor David Nimmo Smith
Councillor Lawrie Stratford

Other Members in Attendance: Councillor Liz Brighthouse (Agenda Item 10)
Councillor Constance (Agenda Item 6)
Councillor Fawcett (Agenda Item 6)
Councillor Lovatt (Agenda Item 6)
Councillor Hards (Agenda Item 7 and 8)
Councillor Susanna Pressel (Agenda Item 9)
Councillor Gill Sanders (Agenda Item 10 and 11)

Officers:

Whole of meeting	Joanna Simons (Chief Executive); Sue Whitehead (Chief Executive's Office)
Part of meeting	
Item	
6	Name
7	Mark Kemp, Deputy Director, Commercial; David Tole (Environment & Economy), Anthony Kirkwood (Environment & Economy)
8	
9	Kathy Wilcox (Corporate Finance)
10	Lorna Baxter, Chief Finance Officer
11	Mark Kemp, Deputy Director, Commercial Jim Leivers, Director for Childrens Services Jim Leivers, Director for Childrens Services; Janet Johnson, Children with SEN Manager

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.

120/14 APOLOGIES FOR ABSENCE

(Agenda Item. 1)

Apologies were received from Councillor Hibbert Biles.

121/14 MINUTES

(Agenda Item. 3)

The Minutes of the meeting held on 25 November 2014 were agreed and signed.

122/14 QUESTIONS FROM COUNTY COUNCILLORS

(Agenda Item. 4)

Councillor Howson had given notice of the following questions to Councillor Tilley:

"1. In the Resource briefing last week pressures of over £1 million were identified in the Home to School budget for this year. Can the Cabinet Member identify where these pressures have arisen since the budget was agreed in February."

Councillor Tilley replied:

"The pressure in Home to School Transport was identified through the Financial Monitoring Reports towards the end of the 2013/14 financial year. At this time the budget setting process had been substantially completed and it was not clear whether this would be an on-going pressure or a one off. At the end of 2013/14 there was an overspend of £1.35m and there is expected to be an on-going pressure in the near future which has now been included as part of the budget proposals for 2015/16. There are plans in place to deal with the pressure and also to make savings over the coming years which should result in a reduction in the budget over the medium term.

Analysis of the home to school budget across financial years 2011/12 to 2013/14 found that expenditure has been steadily rising over this period. In total, expenditure rose by £1.9m (14%) between 11/12 and 13/14 (N.B some areas of expenditure were excluded from the analysis – circa £600K).

The majority of this (£1.4m) is attributable to increased spend on four-seater taxis, which rose by 42% over the three years. £760,497 of this increase is attributable to SEN transport, £346,342 to mainstream transport, £158,745 to Meadowbrook transport (pupil referral units), and the remainder to others. Spend on 5-seater wheel chair accessible vehicles also increased substantially over this period – by £296,466 (42%).

Oxford City saw the highest increase in spend, at £849K (28%). This reflects the high concentration of Special Schools in the city, many of which cater to students from all over the county, and a temporary lack of primary school places which meant students had to travel further distances to get to school.

As a result of these findings, efforts are now focused on reducing spend in the categories / areas identified above. A programme of route assessment and rationalisation has already begun and has delivered substantial savings in 14/15, particularly to mainstream transport. From January onwards, work will focus largely on SEN transport and reducing usage of taxis through a combination of initiatives, including independent travel training, personal budgets and merging of multiple taxi routes into lower cost minibus routes.”

“2. What has been the spend on taxis in the first six months of the current financial year compared with the same period last year on:

- a] taxi for SEN pupils
- b] taxis for pupils other than SEN pupils.”

Councillor Tilley replied:

“The below two tables show expenditure for SEN and mainstream students on vehicles which could be classed as ‘taxis’, compared between the first six months of 2014/15 and the same period in 2013/14.

SEN Expenditure

Vehicle type	2013/14 (Apr - Sep)	2014/15 (Apr - Sep)	£ change	% change
4-seater Taxi	£ 1,260,882	£ 1,309,807	£ 48,925	3.88%
7-seater Taxi	£ 156,425	£ 176,756	£ 20,330	13.00%
5-seater Wheelchair Accessible Vehicle	£ 390,545	£ 468,382	£ 77,836	19.93%
8-seater Wheelchair Accessible Vehicle	£ 273,586	£ 267,671	-£ 5,915	-2.16%
TOTAL	£ 2,081,439	£ 2,222,615	£ 141,177	6.78%

Mainstream Expenditure

Vehicle Type	2013/14(Apr - Sep)	2014/15 (Apr - Sep)	£ change	% change
4-seater Taxi	£ 338,930.01	£ 285,495.29	- £53,434.72	- 15.77%
7-seater Taxi	£ 54,308.44	£ 75,127.66	£ £20,819.22	38.34%
6-seater Minibus	£ 23,516.28	£ 19,308.54	-£ 4,207.74	- 17.89%
8-seater Minibus	£ 181,721.50	£ 146,272.51	- £35,448.99	- 19.51%

TOTAL	£ 598,476.23	£ 526,204.00	- £72,272.23	- 12.08%
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Supplementary: Councillor Howson asked whether the County Council was contacting the transport providers with a view to sharing the windfall gains they were benefitting from due to the fall in the price of crude oil and associated fuel costs. Councillor Tilley replied that we were tied into contracts. The Leader added that there would be conversations but queried if contract prices went up would we then expect to bear some of that. As contracts were renegotiated the current position would be considered. Councillor Howson commented that he was sure officers would look to see if similar conversations on either side had arisen in the past.

Councillor Smith had given notice of the following questions to Councillor Stratford:

"I note in the September list for County Council invoices paid with a value of £500 or more the following and I am concerned about these two payments shown on the public website:

Line 822, Conservative Group Association paid £812.16 to Oxfordshire Labour Councillors Line 1914, Publicity & Advertising paid £10,000 to Venturefest Oxford Limited.

Could the cabinet member explain why the Conservative Group Association has paid an invoice to Oxfordshire Labour Councillors through the County Council's finance system?

Does the cabinet member believe £10,000 paid to Venturefest Oxford Limited for advertising and publicity is good value for money for Oxfordshire tax payers?"

Councillor Stratford replied:

"Reply to question 1 re Line 822: Conservative Group Association paid £812.16 to Oxfordshire Labour Councillors :

The Council's payroll initially posts deductions from Councillor allowances relating to payments to the relevant party association to balance sheet code B7123. This is narrated "Conservative Group Association" but is actually used for deductions for all parties. The Council then pay the deductions to either the Conservative, Labour, or other group associations on behalf of each Councillor as appropriate. In this case the deductions paid over on behalf of councillors related to the Labour Group.

Reply to question 2 re: Line 1914: Publicity & Advertising paid £10,000 to Venturefest Oxford Limited

The £10,000 was paid from the Local Enterprise Partnership cost centre which is fully funded by the Local Enterprise Partnership Core Funding grant of £0.500m noted in Annex 3 to the Financial Monitoring Report. The Council is acting as the accountable body for the LEP so the grant income

and associated expenditure is included as part of the Council's accounts but has a net nil effect overall.”

That explains the WHAT, but as to "Is it good value" I have to presume those that made the decision within the LEP gave appropriate consideration before making the decision.

Supplementary: In response to further questions Councillor Stratford confirmed that officers were looking to see if the labelling could be amended. He would provide a written answer on the suggestion that in future councillors make payments through personal cheques directly rather than using the County Council finance system. With regard to the money to Venturefest Oxford Limited Cabinet considered that this had provided good value. In supporting local businesses it also supported employment for local people. The event had been a showcase for innovation and excellence.

123/14 PETITIONS AND PUBLIC ADDRESS

(Agenda Item. 5)

The following requests to address the meeting had been agreed:

Item 6 – Roger Bush, Anthea Taylor and Dr Jim Halliday
Andy Cattermole, Taylor Wimpey
Councillor Lovatt, Councillor Fawcett, Councillor Constance
Item 7 – Councillor Hards
Item 8 – Councillor Hards
Anthony Simpson, CAG project
Dan Betterton, CAG project
Item 9 – Councillor Susanna Pressel
Item 10 –Councillor Gill Sanders
Councillor Liz Brighthouse
Item 11 – Councillor Gill Sanders

Councillor Susanna Pressel, speaking as a local councillor welcomed the consultation response and the success of the Oxford and Abingdon Flood Alleviation Schemes. However she was disappointed at the number of typographical errors in the report. Referring to the consultation she queried how the Council had met with and reached out to areas where there were no parish councils. She expressed concern at the level of officer participation on the Oxford Area Flood Partnership and felt that the detail on riparian land ownership was unclear. The information on future arrangements around SUDs from government was unclear and she asked that the Council urge government to make progress.

Responding members expressed satisfaction at the level of consultation with Parish Councils and noted that all communities could apply for parish status.

Petition

Cllr. Samantha Bowring, Town Councillor for Ock Meadow Ward submitted a petition requesting Cabinet to keep the Marcham Road crossing at its current site, as the safest and most convenient crossing point for pedestrians.

124/14 FOLLOW UP TO THE CALL IN OF A DECISION BY THE CABINET MEMBER FOR ENVIRONMENT: PROPOSED PELICAN CROSSINGS - A415 MARCHAM ROAD AND OCK STREET, ABINGDON

(Agenda Item. 6)

At their meeting on 3 November 2014 the Performance Scrutiny Committee considered the decision of the Cabinet Member of Environment made on 9 October 2014 following proper notice of call in. The Committee agreed to refer the decision back to Cabinet for it to consider in the light of the following aspects of the decision:

- (a) That neither the Officers report nor the Cabinet Members decision appeared to be based on the Department for Transport Guidance into the assessment of pedestrian crossing sites and;
- (b) The Cabinet Member did not take due account of the impact of the changes on the wider local traffic network.

Cabinet had before them a report that asked Members to consider all previous papers for the proposal as well as the current report and specifically to respond to the challenges from Scrutiny Committee. Cabinet also had before them the petition submitted by Councillor. Samantha Bowring, Town Councillor for Ock Meadow Ward.

Roger Bush, speaking against the decision of the Cabinet Member for Environment made on 9 October 2014 explained the context of the decision within the planning framework and the current position with regard to planning applications. He commented that with the National Planning Policy Framework local control had been lost. He stated that he saw no sense in the decision on road safety or traffic grounds. He refuted that there would be no impact and believed that there would be adverse traffic consequences with lengthened queues. Mr Bush questioned the competence and integrity of officers, which statements were strongly refuted by Cabinet who noted that they were hard working, professional and experienced individuals.

Anthea Turner, queried the purpose of the changes when the Town Council and residents did not want them and in her view they were not designed to improve traffic. The County Council was afraid of being sued but it was clear that if the measures proved impossible to proceed then the development cannot continue. She expressed doubt over the modelling that had taken place and asserted that the changes would cause massive hold ups on Drayton Road.

Dr Jim Halliday, spoke against the proposals highlighting congestion and queues leading to air quality issues.

Andy Cattermole, Taylor Wimpey, spoke in support of the report from officers and asked that Cabinet follow its recommendations.

Councillor Constance, speaking as a a signatory to the call in expressed concern over increased congestion and argued that the Highways Authority had not exercised its powers to examine the wider congestion that she felt would be the result of the changes.

Councillor Neil Fawcett, speaking as a local councillor and as the originator of the call in stated that the views expressed reflected that the process followed was not trusted and was seen to be led by the planning decision rather than being arrived at objectively. He supported comments from Councillor Constance around congestion in the wider area. Referring to an assessment of safety he considered that the County Council had not done a proper assessment of the safest point taking into account the desire line of pedestrians. He added that a basic principle in the guidelines was that pedestrian safety was a prime factor.

Councillor Lovatt, speaking as a signatory of the call in, noted that as a member of the Vale of White Horse District Council and Deputy Chairman of the Planning Committee he would not be making any comment on the development. He was also Leader of Abingdon Town Council. He expressed surprise at the amount of analysis of air quality in the report, felt that it was insufficient to show the impact it would have and that it would lead to problems. He referred to strategic developments in the area that would be impacted by traffic problems in Abingdon.

Responding to a question from a cabinet member on why he expected the level of congestion to get worse Councillor Lovatt referred to the original objection from the Highways Authority and felt that nothing had changed.

Councillor Nimmo Smith introduced the contents of the report and supporting papers including the addenda. In moving the recommendations he highlighted the conclusions set out in paragraphs 27-30.

In response to a question from the Leader, Cabinet was advised that, whilst the call in raised two specific issues Cabinet was being asked to re-consider the proposals in full and not just on the two issues.

Mark Kemp, Deputy Director, Commercial and David Tole, Principal Engineer-Traffic & Safety Improvement set out the history of the matter. They commented that the Council had objected on traffic grounds to the planning application but had failed. The advice they had received was that unless something substantially different had come forward that the Planning Inspector's decision could not be challenged. They explained that the report set out in detail how the guidance had been used and noted that the guidance did not address the scenario of moving crossings. Desire lines

were heavily influenced in this scenario by the existing crossing. The report also set out how traffic congestion was addressed. Anthony Kirkwood, Assistant Principal Engineer, advised on the safety audit procedure that had been followed.

Mark Kemp and David Tole responded to detailed questions from Cabinet Members that included: confirming that the Police had been consulted as part of the consultation, accepting that there would be some increase in congestion at the junction but not a significant increase. Monitoring of schemes after implementation was normal and in line with guidance. Mark Kemp added that it was a difficult process and their consultation looked for substantive new information and had found nothing that had changed the position that had informed the Planning Inspector's decision.

During discussion Cabinet Members supported the recommendations commenting that the process had been meticulously followed, as evidenced in the detailed papers in front of them. They particularly highlighted paragraph 27 of the report.

RESOLVED: to:

- (a) approve implementation of proposals for two proposed Pelican crossings on A415 Marcham Road and Ock Street, Abingdon as advertised and
- (b) (if approved) ask officers to monitor closely the safety performance and traffic delays following the completion of the works.

125/14 2014/15 FINANCIAL MONITORING & BUSINESS STRATEGY DELIVERY REPORT - OCTOBER 2014

(Agenda Item. 7)

Cabinet considered a report that focussed on the delivery of the Directorate Business Strategies that were agreed as part of the Service and Resource Planning Process for 2014/15 – 2017/18. Parts 1 and 2 included projections for revenue, reserves and balances as at the end of October 2014. Capital Programme monitoring was included at Part 3.

Councillor Hards, Shadow Cabinet Member for Finance, noted the difficult position that faced Councillor Stratford and highlighted 3 areas in particular. Firstly the shortfall in the Environment & Economy parking income which meant that expected work would not now happen. Secondly he raised the whole area of adult social care. The Council could not afford to get this wrong. He drew particular attention to learning disabilities and the impact of personal budgets. Finally children's social care was a huge challenge. He queried whether by giving more help to parents who are struggling it would be possible to keep children out of care, which would be cheaper and better for the child.

Councillor Tilley, Cabinet Member for Children, Education & Families, gave an assurance that a lot of work was done to keep children with families.

Councillor Stratford, Cabinet Member for Finance, introduced the report, highlighted the continuing pressures on children's social care and learning disabilities and the actions being taken as a result. He noted that the figures did not include the money released at the full Council meeting on 9 December.

During discussion Cabinet recognised the efforts being made in adult social care to ensure that statutory and eligibility criteria were met. Councillor Hudspeth, Leader of the Council commented that it was about protecting vulnerable people. Cabinet noted that the additional pressures on adult social care had an impact on other aspects of the Council such as the increased numbers of calls to customer services.

RESOLVED: to:

- (a) note the report and annexes including the Treasury Management lending list at Annex 4 and changes set out in paragraphs 67 - 68;
- (b) recommend Council to approve the virement to reduce the in - year income and contribution to the Parking Account included in Annex 2a and paragraph 56;
- (c) approve the virement request relating to the Shared Lives budget set out in Annex 2a and paragraph 57;
- (d) approve the write off of rental income totalling £16,453 and £15,212 relating to a Section 106 agreement as set out in paragraphs 65 and 66.
- (e) approve the changes to the Capital Programme set out in Annex 7c;
- (f) approve the removal of the capital scheme at Bicester Market Square from the capital programme as set out in paragraph 96; and
- (g) approve the allocation of £1.250m S106 funding as a contribution towards the construction of the A40/Downs Road Junction by the West Witney developer (paragraph 97).

126/14 SERVICE & RESOURCE PLANNING REPORT 2015/16 - DECEMBER 2014

(Agenda Item. 8)

Cabinet considered the second report in a series on the Service & Resource Planning process for 2015/16, that provided councillors with information on budget issues for 2015/16 and the medium term. The report set out draft

budget proposals to meet emerging pressures; provided an update on government consultations and set out the review of charges.

Anthony Simpson, spoke in support of Community Action Groups CAGs, on behalf of the Sustainable Didcot CAG, as the co-founder of the Kidlington vs climate change CAG, and as someone who works for community energy social enterprise Low Carbon Hub (in partnership with both the county council, and the CAG team). He emphasised the role played by the modest but critical funding in getting projects such as his established.

Dan Betterton, Cultivate CAG project, spoke in support of the CAG funding stating that Groups such as his would have got started without it. It enabled them to lever funds from other sources. If the funding was to be removed then he asked that it be tapered to allow time and space to address the loss.

Councillor Hards, Shadow Cabinet Member for Finance, highlighted the use of contingency funding, and commented that the pressures on children, education & families and adult social care were not abating. He queried whether if there was good news on the level of Council tax increase allowed before a referendum was required, the Council would take advantage of it to reduce pressures. He raised a number of detailed queries including the position on the £8m funding for adult social care, how robust were the savings figures for vacancies and use of agency staff and who would monitor. He indicated that he would like more information on the cuts in CEF and to see the detailed figures underpinning it. He expressed some concern about the depletion of the reserve pots. He referred to the funding for roads but noted that it was not guaranteed and even if received would be insufficient. He noted the increase in council tax base which was a welcome effect of the building boom.

The Leader and Cabinet Member for Finance responded to the points made. The Leader suggested that if the referendum was raised then it might be possible to increase reserves. Councillor Stratford, Cabinet Member for Finance noted that the budget would be a challenge with hard decisions to be made.

During discussion Councillor Heathcoat commented that the £8m referred to by Councillor Hards was not new money. She had been very robust on the need for the money and would advise people once she had news.

Lorna Baxter, Chief Finance Officer, introduced the contents of the report and referred to the supplementary report following the Chancellor's Autumn statement.

RESOLVED: to:

- (a) note the report and addenda (produced following the announcement of the Chancellor's Autumn Statement);
- (b) consider the pressures and savings set out in Annex 1 in forming its budget proposals in January 2015; and

- (c) in relation to the review of charges:
- (1) note those charges prescribed by legislation;
 - (2) approve the charges where there is local discretion as set out in Annex 2.

127/14 CHILD SEXUAL EXPLOITATION UPDATE - OSCB REPORT AND REPORT ON CSE

(Agenda Item. 10)

Cabinet received a report on Actions in Response to Child Sexual Exploitation (CSE) in November 2012, following the successful prosecutions under Operation Bullfinch. That report set out key information about the nature of child sexual exploitation and progress in tackling the issue.

Work on CSE is led on a multi-agency partnership basis through the Oxfordshire Safeguarding Children Board Child and the Sexual Exploitation Sub-Group which provides leadership and challenge to ensure the CSE Strategy and Action Plan is being delivered.

Cabinet had before them a report to update members on progress on tackling CSE and to provide assurance on how we are responding to this issue. Also attached was the annual report of the Oxfordshire Safeguarding Children Board which sets out progress on the key areas of the action plan.

Councillor Brighthouse, Chairman of the Performance Scrutiny Committee commented that she read the report with interest and had also read the Jay Report. It brought home to her quite powerfully the role of Scrutiny in picking up issues of CSE. Referring to missing children she had a concern as to how to disaggregate those of real concern from the numbers of teenagers who go missing as part of the normal pattern of teenage rebellion. The focus had to be on SMART indicators picking up quickly where there was a need to drill down. As Chairman of the Performance Scrutiny Committee she emphasised that they were working on it and would welcome any ideas on good indicators.

The Leader responding to the comments made stated that the issues raised were everyone's concern, not just the Council but communities.

Councillor Gill Sanders, Cabinet Member for Children, Education & Families welcomed the report, drawing out the increased activity and the increase in social workers employed by the Council. She also highlighted the partnership working. She was concerned that if the Council did not get additional funding then the increased costs could have a severe impact on the Council's finances.

Councillor Tilley stated that in relation to missing children all returning children had a return interview. The whole system had changed as a result of lessons learnt.

Jim Leivers, Director for Children's Services introduced the contents of the report.

RESOLVED: to:

- (a) note and express satisfaction with the work that has been undertaken in relation to combatting CSE; and
- (b) support the recommendation for briefings to be provided for elected members to enable them to better recognise and respond to concerns about grooming and exploitation.

128/14 STRATEGY FOR SPECIAL EDUCATIONAL NEEDS INFRASTRUCTURE TO 2030

(Agenda Item. 11)

Cabinet considered a report setting out a proposed strategy to meet the rising demand for specialist provision for children and young people with special educational needs (SEN) and/or disabilities, aged 2 to 25 years, in the short term and until 2030.

Councillor Gill Sanders, Shadow Cabinet Member for Children, Education & Families noted that the number of children needing help had increased and that the aspirations and key risks were set out in the report. She was concerned that one key risk was insufficient funding and that once again the Council was facing a situation where lots of money was needed to support increased demand.

RESOLVED: to note and endorse the Council's proposed strategy for meeting the demand for specialist provision for children and young people with SEN and Disabilities, aged 2 to 25 years, in the short term and until 2030.

129/14 FLOOD RISK MANAGEMENT CONSULTATION RESPONSES

(Agenda Item. 9)

Cabinet considered a report presenting the outcomes of the consultation into the County Councils draft Local Flood Risk Management Strategy and proposed amendments arising from feedback received.

Councillor Rose, responded to the points raised by Councillor Pressel (minute 123/14 refers) noting that document was a work in progress and the final document would be have typographical errors corrected. In areas where there were no parish councils alternatives had been found. The officer representing the Council on the Oxford Area Flood Partnership was recognised as a national expert on urban drainage.

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RESOLVED: to:

- (a) note the feedback from the consultation contained in the consultation Annex 1 and the background document
- (b) approve the changes to the Strategy Action Plan identified in Annex 2; and
- (c) adopt the Local Flood Risk Management Strategy with revisions to the action plan.

130/14 FORWARD PLAN AND FUTURE BUSINESS

(Agenda Item. 12)

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

2015