

# CABINET

**MINUTES** of the meeting held on Tuesday, 19 September 2017 commencing at 2.00 pm and finishing at 4.32 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 David Bartholomew  
Councillor Hilary Hibbert-Biles  
Councillor Mark Gray

**Other Members in Attendance:**

Councillor Jamila Begum Azad (Agenda Item 6)  
Councillor Liz Brighthouse (Agenda Items 6 & 8)  
Councillor Helen Evans (Agenda Items 6 & 7)  
Councillor Neville Harris (Agenda Item 8)  
Councillor Laura Price (Agenda Item 9)  
Councillor John Sanders (Agenda Item 6)

**Officers:**

Whole of meeting Peter Clark (Chief Executive); Sue Whitehead (Resources Directorate)

Part of meeting Item	Name
6	Maggie Scott, Assistant Chief Executive; Lucy Butler, Director for Children's Services; Sarah Jelley (Resources Directorate)
7	Lorna Baxter, Director of Finance
8	Bev Hindle, Strategic Director for Communities; Sue Halliwell, Director for People & Place
9	Steve Munn, Director of Human Resources

*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.*

**62/17 APOLOGIES FOR ABSENCE**

(Agenda Item. 1)

Apologies were submitted by Councillor Yvonne Constance.

**63/17 MINUTES**

(Agenda Item. 3)

The Minutes of the meeting held on 18 July 2017 were approved and signed subject to the correction of the word “underspend” in the first sentence of the third paragraph of the preamble to minute 52/17 to read “overspend”.

**64/17 QUESTIONS FROM COUNTY COUNCILLORS**

(Agenda Item. 4)

Councillor Howson had given notice of the following question to Councillor Hibbert-Biles:

‘Eighteen months ago, St Gregory the Great School was placed in financial special measures by the ESFA; recently it received a challenging Ofsted report about aspects of the work of the school; there have also been concerns about both attendance and exclusions.

What steps have the authority, the Regional Schools Commissioner and the diocese taken to ensure the children forced to attend the school because of a shortage of secondary school places in the city will receive a high quality education that ensures they can achieve their potential?’

Councillor Hibbert-Biles replied:

"As Cllr Howson knows, due to our very effective pupil place planning processes, we don't have a shortage of secondary school places in Oxford City, or anywhere else in the county for that matter. It is, however, the case that there aren't enough spare places in other schools to accommodate every pupil currently attending St. Gregory the Great.

I and Lucy Butler, Director of Children's Services, have met with the head teacher and a representative of the Archdiocese of Birmingham. Our safeguarding team has put a lot of effort into helping the school's leadership address a number of pressing safeguarding issues - a return visit has been arranged for October to make sure that improvements are fully embedded.

As Cllr Howson is aware, the Regional Schools Commissioner and the diocese have responsibilities given St Gregory the Great School is an Academy”

Councillor Phillips had given notice of the following question to Councillor Hibbert-Biles:

‘The Royal College of Nursing is asking the government to provide funds for local authorities to fully fund school nursing services. Can you provide an

update of the current staffing position of school nurses in Oxfordshire and the progress being made for primary schools to have access to school nurses?’

Councillor Hibbert-Biles replied:

“Oxfordshire County Council supports the Royal College of Nursing in their call to Government to provide resources to local authorities for school health nursing for all children.

We are aware that other local authorities have reduced their school health nurse provision in the last few years however the Council has prioritised the public health of younger people by increasing public health nursing support in schools and colleges of further education.

Oxfordshire’s School Health Nurse service provides a team of school nurses for primary schools and has school health nurses based in secondary schools and nurse’s based in colleges of further education.

In line with other front line services there are difficulties with recruiting skilled professionals to work in Oxfordshire however there are currently only 3 vacancies in the service which are all being advertised to fill the posts.”

Supplementary: Responding to a further question Councillor Hibbert-Biles stated that it was not possible for there to be a school health nurse in every primary school and undertook to provide information to all councillors on the numbers of visits by school health nurses to schools.

Councillor Phillips had given notice of the following question to Councillor Hibbert-Biles:

‘There is increasing evidence of 6th form pupils being expelled from schools because they have failed to achieve top grades in AS and equivalent internal examinations. Can you give assurances that this practise is not taking place in 6th forms in Oxfordshire?’

Councillor Hibbert-Biles replied:

"Unfortunately no, I cannot give Cllr Phillips the assurance she is seeking. With the exception of two sixth forms which between them have about 150 students, the remainder, around 6,000, attend academies. Although the council is notified of formal permanent exclusions and schools are required to advise us when pupils join or leave, they are not obliged to provide us with the reasons and wouldn't I am sure, identify those departures which are due to unlawful exclusions such as appear to have been happening from the high profile Kent grammar school."

Supplementary: In response to a further question Councillor Hibbert-Biles stated that she was not aware of any anecdotal evidence that such exclusions were happening in Oxfordshire.

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

“It is now several weeks since the County Council received the draft feasibility study on options for a possible zero emission zone and/or more clean air zones. Why are we STILL waiting for the launch of the public consultation?

Air quality is a matter of huge public concern. The Cabinet MUST address it urgently, instead of wasting time and further endangering our health.”

In the absence of Councillor Constance, Councillor Hudspeth, leader of the Council replied:

“As you will be aware the County Council alongside Oxford City Council jointly commissioned a feasibility study which considers the implementation of a Zero Emission Zone (ZEZ) for Oxford to 2035.

This is in hand and the requisite briefings to Councillors have been scheduled with a wider locality briefing planned for early October.

Once the briefings have been completed we will be sending out a press release and then commencing a public consultation (currently expected mid-end of October).

## **65/17 PETITIONS AND PUBLIC ADDRESS**

(Agenda Item. 5)

The Chairman had agreed the following requests to address Cabinet had been agreed by the Chairman:

Item 6 – Transition Fund for Open Access Children’s Centres –

Mr Aquib Hafeez

Mr Misbah Hafeez

Councillor Linda Smith, Oxford City Council

Jane Gallagher

Mr Chris Sewell

Mr Alexander Massey Member of the local Stakeholder Steering Group for the bid.

Dr Hilary Walker

Rev Elizabeth Allison-Glenny

Mr Terry Tran-Nguyen

Nick Lunch

Ms Lesley Williams

Ms Candida March - Member of Stakeholder Steering Group for Aspire's bid for Florence Park Children's Centre

Mr Paul Roberts, Aspire

Councillor Jamila Begum Azad, local councillor for St Clements & Cowley Marsh

Councillor John Sanders, local councillor for Cowley

Councillor Helen Evans, local councillor for Iffley Fields and St Mary’s

Councillor Liz Brighthouse, Opposition Leader

Item 7 – Service & Resource Planning Report 2018/19 - Councillor Helen Evans, Shadow Cabinet Member for Finance

Item 8 - Submission of Expression of Interest to the Housing Infrastructure Fund -

Councillor Jane Murphy, Deputy Leader, SODC

Councillor Neville Harris, local councillor for Didcot Ladygrove

Councillor Liz Brighthouse, Opposition Leader

Item 9 – Staffing Report Councillor Laura Price, Opposition Deputy Leader

**66/17 TRANSITION FUND FOR OPEN ACCESS CHILDREN'S CENTRES - SEPTEMBER 2017**

(Agenda Item. 6)

Cabinet considered a report that related to the undetermined decisions from the 18th July Cabinet about the Florence Park site. The report also detailed the expenditure against the 'one off' £1m fund to provide pump priming to support community-led solutions for delivering open-access services for children and families agreed by Council in February 2017 and sought approval to the proposed approach to managing and allocating the remaining budget.

Mr Aquib Hafeez, Aflah Nursery, spoke in support of the proposal from the Nursery. He commented that although he was unable to guarantee 40 new nursery places at this time it would be possible should the asset transfer go ahead. The Nursery was keen to pursue working with Aspire and stated that it was not they that were unable to work alongside one another. He added that they were a well established and steadily growing nursery and that Florence Park was an ideal solution for them to continue to grow with little upheaval for the current children. They had not been found outstanding by Ofsted due to the lack of space.

Ms Misbah Rishi Hafeez, Aflah Nursery, stated that as a teacher who had taught all groups she was very aware that teaching was only part of it. She expressed how shaken she had been by attitudes expressed to Cabinet at its meeting in July that did not express community spirit. She had felt that there had been a lack of basic respect in remarks that she had found unacceptable. She felt that there had been false assumptions and stressed that whilst they were a private organisation they were seeking to fulfil the needs of the local community. She thanked the Cabinet member for his efforts throughout the lengthy process.

Cabinet expressed dismay to hear of animosity and aggression towards those involved in the nursery bid and made it clear that they were appreciative of both bids. In response Ms Rishi Hafeez stated that Cabinet had dealt with it to the best of their ability at that point and that the Nursery would respect the decision of Cabinet today.

Councillor Linda Smith, Board Member for Leisure, Parks and Sport, Oxford City Council, supported the bid from Aspire. She commented that this in no way was a reflection on the high quality nursery provision from Aflah but rather that Aspire provided the best opportunity to recreate the broad range of services formerly provided by the regrettably closed Children's Centre. The City Council had agreed to provide £15,000 one-off matched contribution towards the project. Councillor Smith, referring to the café, added that the City Council would not allow the café contract to be a barrier to the scheme.

Jane Gallagher, speaking as a Florence Park area resident and qualified teacher supported the Aspire bid. She highlighted that it was a public building in a public park and was no place for a private business. She wished Aflah well. In response to a query from Councillor Gray as to her views on the existing café which was also a private concern Ms Gallagher replied that it was there to serve the whole community.

Mr Chris Sewell, spoke as a professional involved in building the new centre which had replaced the old Family Centre that had previously been based in the Park. He supported the Aspire bid as it came closest to the original vision for the centre. There was an open access model serving the needs of the local community; making the most of a design that provided a mixture of facilities and given its location in a public park giving access for all to urban spaces.

Mr Alexander Massey Member of the local Stakeholder Steering Group for the bid, highlighted the way in which the community had come together to self-organise and outlined the detailed work undertaken by the Steering Group. He felt that the bid was bold, exciting and practical.

Dr Hilary Walker, a local resident speaking with relevant career experience stated that the evidence was that families benefitted from open access, universal services. Drop in facilities, stay and play in a café setting enhances the experience and was there for all families.

Rev Elizabeth Allison-Glenny, highlighted the importance of open access which ever proposal was successful. As a local mum she had found the former services a vital intervention at the right time. The drop in facility had provided a community and reduced feelings of social isolation.

Mr Terry Tran-Nguyen, stated that he and his partner were local residents and proud parents. His parents as refugees had found the support of local groups invaluable and at 70 were still involved through the links they had made. He supported the Aspire bid to provide community services. The bid resonated with his values and he was willing to volunteer time and skills.

Nick Lunch, highlighted the need for a physical space and that the Aspire bid gave a community hub by the community for the community. Local people were experts on what affects them and the centre would allow links across

the generational divide. It had created new volunteers and provided an alternative model at a time when these were needed.

Ms Lesley Williams, a local resident of Church Cowley spoke in support of the Aspire bid, highlighting the benefits of intergenerational learning and the links between the nursery, productive café and garden.

Ms Candida March, Member of Stakeholder Steering Group for Aspire's bid for Florence Park Children's Centre, was considerably upset to hear how those concerned with the Aflah Nursery had felt following the July meeting of Cabinet. Although not in support of that proposal Ms March wanted to stress that she recognised the value. She wanted to find a way forward to ensure there were no divisions and to work with local community champions to ensure diversity.

Mr Paul Roberts, CEO of Aspire, Oxford, referred to the operating history of Aspire over 16 years. He reiterated the organisation's commitment to the project. It was for a community owned, community led facility which would be genuinely open access. He referred to the revised and enhanced application and expressed confidence that funders would want to be involved. He accepted that it was a bold project, not without risk but that it was a community led solution. Responding to concerns about the funding Mr Roberts referred to the Business Plan which set out funding over the first few years and a project outline going forward. Asked how many nursery places could be provided Mr Roberts stated that 24 entirely additional places could be created from April 2018. He doubted that the 40 places as set out in the sufficiency report was the number required.

Councillor Jamila Begum Azad, local councillor for St Clements & Cowley Marsh, commented that she had not been involved in the various meetings held and expressed the wish to see a joint solution. She hoped that the groups could come together as it was an amazing building which it was sad to see shut down. Asked to comment that the evidence was that the two groups could not work together Councillor Begum Azad replied that Aflah Nursery did not want the whole building, just half of it.

Councillor John Sanders, local councillor for Cowley, highlighted the community support for the Aspire bid, including the 1600 signature petition submitted to the July meeting. A compromise had been explored and was not possible. It was a difficult situation as Aflah Nursery premises were unsuitable and Aspire had none. He supported Aspire being successful in their bid for Florence Park with Aflah Nursery remaining where they were with work to find alternative premises.

Councillor Helen Evans, local councillor for Iffley Fields and St Mary's in supporting Aspire reflected on the process to date, which had been a tough process for the community. Everyone cared and as a County Council there was a need to reflect to avoid a similar position in future with a community

under huge pressure. She felt that the Aspire bid was a model for a good community bid with the opportunity to do something really special.

Councillor Liz Brighthouse, Opposition Leader, commented that the difficult decision before Cabinet was due to attempting to deal with two matters at once. Firstly the dispersal of the open access transition fund to close gaps in provision when Children's Centres closed. Secondly to address the government policy on nursery places for 2 and 3 year olds. She welcomed the gap analysis work carried out by officers. She asked Cabinet to go back to first principles and to look at asset transfer to see what can be done for those nursery places. Councillor Brighthouse hoped they would be able to come to a wise decision and would also reflect on the future.

Maggie Scott, Assistant Chief Executive, outlined the contents of the report and the decisions needed on the two issues set out in the report. She detailed the further work that had been carried out following the July Cabinet meeting.

She commented that neither bid fully fit the requirements but that with conditions either bid could be made to work. The report set out options that the Cabinet was being asked to decide upon.

During discussion Cabinet:

1. Considered the options set out in the paper and explored how the figures for additional nursery places had been reached.
2. Discounted Option 3 recognising that there was a need for the additional places and that this needed to be addressed.
3. Sought assurances that given that neither bid fully met the criteria that the successful bid was not being set up to fail. Sarah Jelley explained the lease negotiations that would take place. This had been done with a number of groups and would aim to give either group the best possible chance to continue. Provision would be monitored and any problems would be reported to members.
4. Noted that the two groups had been unable to find a way to work together.
5. Highlighted the community support behind the Aspire bid and recognised the importance of such support.
6. Commended the value of the work of Aflah Nursery.

In moving Option 2 (the Aspire bid) Councillor Harrod proposed an amendment to the recommendation to provide active and positive support to assist Aflah Nursery finding alternative premises.

In considering the underspend Councillor Bartholomew proposed that Aflah Nursery be invited to reformat their proposal as appropriate to re-apply under the new scheme for transition funding should they so wish.



**RESOLVED:**

- (a) Regarding the future use of the Florence Park site to support the proposal for asset transfer and transition fund grant for Aspire. Cabinet further agreed to provide active and positive support to assist Aflah Nursery finding alternative premises; and
- (b) To approve the proposed use of the transition fund underspend and to invite Aflah Nursery to reformat their proposal as appropriate to re-apply under the new scheme for transition funding should they so wish.

**67/17 SERVICE & RESOURCE PLANNING REPORT - 2018/19 - SEPTEMBER 2017**

(Agenda Item. 7)

Cabinet had before them the first in a series on the Service & Resource Planning process for the forthcoming year which will culminate in Council setting a budget for 2018/19 and a medium term plan and capital programme to 2021/22 in February 2018. The initial report set the context and the starting point for the process, and sought approval to the proposed process, including the timetable.

Councillor Helen Evans, Shadow Cabinet Member for Finance stated that the paper highlighted the challenges faced by the County Council and referred particularly to the projected overspend despite extra funding being put in place. Children's Services were at breaking point with it being a national problem with increases in safeguarding. She also referred to the pay cap and the possibility of it being exceeded. She queried how realistic it was to plan for reduced demand and the delivery of savings and what reassurance Cabinet could give that it was able to meet the challenges as local government is expected to do more with less.

Councillor Bartholomew, Cabinet Member for Finance, recognised that there was a problem to be faced in both the short and longer term. However he stressed that the Council would always safeguard those that needed safeguarding. The announcements on the pay cap were quite recent and he was wary of what might happen. However once the scale of any problem was known the Council would deal with it within their constraints.

Councillor Bartholomew introduced the report and moved the recommendations.

**RESOLVED:** to:

- (a) note the report;
- (b) approve the Service and Resource Planning process for 2018/19; and
- (c) approve a four year period for the Medium Term Financial Plan and Capital Programme to 2021/22.

## **68/17 SUBMISSION OF EXPRESSION OF INTEREST TO THE HOUSING INFRASTRUCTURE FUND**

(Agenda Item. 8)

Cabinet considered a report that sought approval to make bids to the Housing Infrastructure Fund (HIF), an investment programme announced in July 2017 by the Department for Communities and Local Government and administered through the Homes and Communities Agency.

The County Council is required to develop candidate schemes and packages of schemes and make Expression of Interests for viable programmes by 28 September.

The report set out the requirements of HIF and the process of application and assessment.

Councillor Jane Murphy, Deputy Leader, South Oxfordshire District Council highlighted the very strong case for investment of the Didcot Garden Town project. There were ambitious plans in place for Didcot and a successful HIF bid would make a sizable contribution to those plans. The current delivery plan was at an advanced stage and she was pleased that officers had scored the scheme highly in the current report. With regard to governance she supported the County Council being the accountable body for any HIF funding. Councillor Murphy made it clear that neither South Oxfordshire nor Vale of White Horse were suggesting that the Garden Town Delivery Board should be fund holding or have decision making powers over infrastructure investment. Councillor Murphy was pleased to confirm that SODV supported the principle of a Growth Deal for Oxfordshire and would continue to work with others to secure a positive growth package for the County. In summary Councillor Murphy restated that the Didcot Garden Town was a strong proposal and that it was in the best interests of Oxfordshire for it to be included in the HIF process. However SODC recognised that the final decision on prioritisation rested with the County Council Cabinet and they would support whichever scheme or schemes are put forward. Responding to questions Councillor Murphy confirmed that they were happy to support whichever bids came out strongest but that it was their belief that the Didcot Garden Town proposal would come out strongest

Councillor Neville Harris, local councillor for Didcot Ladygrove, referred to recommendation (d) in the report which he saw as a sign of the further demise of local representation and local councillor engagement under a Cabinet system. He queried where the local councillor engagement was and how his local knowledge would be utilised. He referred to the lack of public engagement with no public exhibition or public meetings being held. He asked that cabinet should look at recommendation (d) and build in some local member engagement. Councillor Hudspeth indicated that he would expect full member engagement as the proposals progressed.

Councillor Liz Brighouse, Opposition Leader, thanked officers who had worked on bringing the proposals forward to respond to the very late bid process from central government. Responding Councillor Hudspeth associated himself with the thanks to officers and replying to a request from Councillor Brighouse, undertook to keep Political Group Leaders informed of discussions as matters progressed.

Bev Hindle, Strategic Director for Communities, took Cabinet through the detail of the report. Responding to questions Bev Hindle explained the revenue risk and the need for further conversation as to how this would be handled. Asked about the weighted scores in the report Bev Hindle stated that the comments from Councillor Murphy had been most helpful. It would be important to get written approvals from other partners.

The Cabinet RESOLVED to:

- (a) Agree to the submission of an Expression of Interest to the Housing Infrastructure Fund
- (b) Agree to the process set out above for the assessment of viability of schemes and for their subsequent prioritisation
- (c) Note the current candidate scheme packages and current draft assessments
- (d) Delegate to the Strategic Director for Communities, in consultation with the Leader of the Council and the Cabinet Member for Environment, and taking into account the view of the Growth Board, the final viability and prioritisation assessment and the detail of the bid submission including the detail of projects to be included within each scheme. This should be based upon further thorough evaluation of the robustness of governance arrangements and levels of assurance on deliverability.

## **69/17 STAFFING REPORT - QUARTER 1 - 2017**

(Agenda Item. 9)

Cabinet considered a report that provided an update on staffing numbers and related activity for the period 1 April 2017 to 30 June 2017.

Councillor Laura Price, Opposition Deputy Leader, looked forward to the new format and welcomed the reduction in the use of agency staff. She commented that she would like to see details of the contract for the supply of our agency requirements from a single supplier. Overall there was a risk associated with the massive reduction in staff and she felt that the Council would have to work hard to keep the depth of staff required.

Councillor Heathcoat highlighted the change to the format that would allow Cabinet to follow the trend on staffing over time. In moving the recommendation Councillor Heathcoat referred to the reduction in staff numbers from 2010. There was a continuing need to monitor the balance between full time and part time workers and the use of agency staff. She explained that there were legitimate operational reasons for the use of

agency staff including cover for maternity leave or sickness or to cover a short term gap as a result of the recruitment process.

**RESOLVED:** to note the report.

**70/17 FORWARD PLAN AND FUTURE BUSINESS**

(Agenda Item. 10)

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 ..... 2017