

## CABINET

**MINUTES** of the meeting held on Tuesday, 15 March 2016 commencing at 2.00 pm and finishing at 3.03 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  
Councillor Hilary Hibbert-Biles

**Other Members in Attendance:** Councillor John Christie (Agenda Item 7)  
Councillor Jean Fooks (Agenda Item 8)  
Councillor Laura Price (Agenda Item 6)  
Councillor Anne Purse (Agenda Item 8)

**Officers:**

Whole of meeting	Peter Clark (Head of Paid Service); Sue Whitehead (Corporate Services)
Part of meeting	
Item	Name
6	John Jackson, Director of Adult Social Services
7	Simon Furlong, Assistant Chief Fire Officer
8	Mark Kemp, Deputy Director – Commercial; Alexandra bailey (Environment & Economy)

*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.*

### **22/16 MINUTES**

(Agenda Item. 3)

The Minutes of the meeting held on 23 February 2016 were approved as a correct record and signed.

### **23/16 QUESTIONS FROM COUNTY COUNCILLORS**

(Agenda Item. 4)

Councillor Hards had given notice of the following question to Councillor Tilley

“The Family and Childcare Trust has recently reported that more than 41,000 three-year-olds are being denied the free childcare to which they are entitled, because more and more of local authorities are struggling to provide funded places. Please would the Cabinet Member for Children Education and Families tell us whether sufficient places are available across Oxfordshire and, if not, what is the geographical distribution of the areas of shortage? “

Councillor Tilley replied:

“Local Authorities have a statutory duty to secure sufficient early years provision so that families can access their funded early education entitlement. Some children are eligible to access a funded place from the term after their second birthday. All children are entitled to a funded early education place from the term after their third birthday. This means that numbers each term will fluctuate.

Across the county over the last three terms the sufficiency for three and four year olds has been:

Term	Three and four year old population	Published places available in schools	Actual places taken up in private and voluntary sector	Sufficiency of places
Spring 2015	11071	4712	7964	114%
Summer 2015	13155	4712	9515	108%
Autumn 2015	8254	4712	6113	131%

There are some wards in the county which suffer shortfalls. This could be due to provider closures, quality issues or movements of children across the county. These changes are monitored and capacity building takes place where shortfalls are likely to be ongoing.”

Places needed have been calculated from the projected population data for 2015. This is an update, produced in May 2015 to the January 2014 ward forecasts, obtained from housing led population forecasts available at <http://insight.oxfordshire.gov.uk/cms/population-0>.

In order to reflect when children become eligible for places (the term after a child turns 3) a calculation has been made from the projected population figures to arrive at an estimate of the number of eligible children each term. In the absence of other readily available data the calculation has assumed that monthly birth rates are consistent across the year.

Councillor Hards had given notice of the following question to Councillor Nimmo Smith

"Would the Cabinet Member please confirm when the temporary patching work on the A4130 Northern Perimeter Road Didcot at Hopkins Bridge will be completed and explain what steps are being taken to find a permanent solution to the problem which I understand has arisen because of unexplained movement in the bridge abutment?"

Councillor Nimmo Smith replied:

"The patching is required as the fill behind the piled abutment bank-seat appears to be settling due to slope stability and/or scour issues. It is programmed to be complete by the end of March but clearly programmes at this time of year are weather dependent.

The nature of this sort of failure means that movement is likely to be relatively gradual. The temporary patching will take out the worst of the unevenness and some uneven road signs will be out on site to warning drivers of the deformation. We will continue to monitor the site and consider and prioritise any permanent solution based on that information and as part of our ongoing asset management strategy."

Councillor Tanner had given notice of the following question to Councillor Nimmo Smith

"Many residents in my division feel that NSL are no longer bothering to issue penalty charge notices to people who park on double yellow lines or park incorrectly in the Grandpont controlled parking zone. Could you tell me how many PCNs have been issued in my Isis division in the last year and how that number compares with the previous year?"

Councillor Nimmo Smith replied:

"Please find below the information requested for the last 2 years for visits to South Oxford Controlled Parking Zone and an average over the period.

It should also be noted that unless a complaint is received we do not enter the zone after 17.00 hrs to 09.00 hrs and at weekends due to an agreement made when we first set up Decriminalised parking (now known as Civil Enforcement). If we receive a complaint we will issue a ticket to any vehicle parked not in compliance with the regulations.

VDA = vehicle driven away

PCN = Penalty charge Notice

1 April 2014 to 31 March 2015:

Visits	7873
Vehicles logged	3264
PCN's issued	664
VDA's	269

1 April 2015 to 10 March 16:

Visits	7611
Vehicles logged	3078
PCN's issued	475
VDA's	233

These figures are 3 weeks short compared to the previous year if you add the average over the 49 weeks they are as follows.

Visits	8076
Vehicles logged	3266
PCN's issued	504
VDA's	247"

Supplementary: Replying to a question as to whether the response meant that people could park with impunity between the hours of 5.00 pm and 9.00 am Councillor Nimmo Smith commented that they would be parking illegally between those times.

## **24/16 PETITIONS AND PUBLIC ADDRESS**

(Agenda Item. 5)

Item 6 – Councillor Brighthouse, Opposition Leader

Mark Taylor (Proprietor, Banbury Heights and Julie Richardson (Nursing Home)

Item 7 – Councillor John Christie, Opposition Deputy Leader

Item 8 – Councillor Jean Fooks, local councillor for Wolvercote & Summertown

Councillor Anne Purse, local councillor for Wheatley.

## **25/16 CARE HOME FEES 2016**

(Agenda Item. 6)

The services that care homes provide within Oxfordshire play an important role in helping to meet the needs of vulnerable adults. Oxfordshire County Council makes a significant investment in care home services on an annual basis and it is the largest single purchaser within the County.

Cabinet considered a report that described the process the Council had undertaken to review the amount it pays for care homes and gave agreement to the Target Banding Rates to be applied for 2016-17.

Mark Taylor (Proprietor, Banbury Heights and Julie Richardson Nursing Home) spoke against the proposals highlighting the funding gap that existed in respect of wages that made up 70% of costs. He expressed the view that the ADASS model used was not sufficient and a costing model was needed.

He added that providers in Oxfordshire did not believe that the current model represented actual costs. He outlined issues with the current model and highlighted the requirement to set to assessed need.

In response to questions Mr Taylor indicated that he was a member of OCA but was speaking for himself. Mr Taylor was asked to comment on the fact that the Oxfordshire rate compared favourably with elsewhere, being the 13<sup>th</sup> highest. He replied that this figure was based on average provision and included block contracts. Spots fees however compared unfavourably with elsewhere.

Councillor Brighthouse, Opposition Leader, urged greater transparency over actual costs and highlighted that there was an issue around the different sizes and operating models of care homes. She referred to the issue of incontinence payments also raised by Mr Taylor and sought further information on that. She noted that consideration needed to be given to how we contract for the beds and how to achieve less spot purchasing. Councillor Heathcoat, Cabinet member for Adult Social Care refuted that there was not transparency in the papers. She had previously\* met with Mr Taylor and providers and a summary of the consultations was provided.

Councillor Heathcoat introduced the contents of the report and publically acknowledged the role of care homes in adult social care provision. The Council was aware of its duty to be aware of sustainability and suitability; our duty to meet assessed need and our duty of providing choice. In proposing the recommendations Councillor Heathcoat noted that the report contained an incorrect figure for the current Nursing Specialist rate 2015/16 and the proposed Nursing Specialist rate for 2016/217. The correct figures and the resultant amended recommendation was set out in the addenda before members.

John Jackson, Director of Adult Social Services responded to the detailed points raised by Mr Taylor and in particular stressed that there had never been any suggestion of a legal challenge to the proposals.

During discussion Councillor Carter commended the extra care housing available in Thame but recognised the need for more such housing. Councillor Heathcoat referred to the reliance on planning applications at District Council level and problems raised by developers around economic viability and site appropriateness.

**RESOLVED:** for 2016/17 to revise our Target Banding Rates from April 2016 and

- (a) increase the Target Banding rate for the Residential-Extensive Specialist Category to £493 per week for new placements.
- (b) increase all existing weekly Residential payment rates that are currently paid below £493 per week to £493 per week
- (c) increase the Nursing-Extensive Target Banding Rate to £605 per week

- (d) increase all existing weekly Nursing Extensive that are currently below £605 per week to £605 per week
- (e) increase the Nursing-Specialist Target Banding Rate to £680 per week
- (f) increase all existing weekly Nursing Extensive and Substantial rates that are currently below £680 per week to £680 per week
- (g) increase the above rates to reflect the increase in Funded Nursing Care once this is announced later in April 2016.
- (h) increase all other existing Care Home placements to reflect the increase in Funded Nursing care once this is announced later in April 2016
- (i) continue to use these rates as a guide to secure a care home placement at a funding level as close to the Target Banding Rate as possible.
- (j) the above to apply from April 2016 and for care home placements in Oxfordshire.
- (k) the Council undertakes a review to understand the impact of National Living Wage.

\* Minute amended, at the meeting of Cabinet on 19 April 2016, by the addition of the word 'previously'.

**26/16 OXFORDSHIRE FIRE & RESCUE - 365 ALIVE VISION - 2016-2022 - MARCH 2016**

(Agenda Item. 7)

Cabinet considered a report on the progress made in the initial 365ALIVE Vision and that sought approval to set a new vision for the next 6 years allowing OFRS to align its vision with the longer term Integrated Risk Management Cycle.

Councillor Christie, Opposition Deputy Leader congratulated officers on the completion of the original target and their achievements. He endorsed the future actions and thanked the OFRS for their work at the recent incident at Didcot and during the floods.

Councillor Rose in introducing the contents of the report commented on the value of good stretching targets. It was a good example of why OFRS should remain embedded in the County Council.

Simon Furlong, Assistant Chief Fire Officer referred to two corrections to the figures on page 53 of the agenda pack. The target for saving society and the taxpayers money should read £1,000,000 and the target for making people safer was 840,000.

Cabinet commended the report and the work of OFRS.

**RESOLVED:** to:

- (a) note the completion and success of the current Vision from 2006 – 2016;
- (b) adopt the renewed 365alive vision with outcome based targets measures linked to a new six-year cycle (2016 to 2022) in order to align it with the Service's new Strategic Community Risk Management Plan); and
- (c) require the Chief Fire Officer to regularly report on the performance of the service against the vision outcomes.

## **27/16 PROPOSALS ON THE FUTURE OF SUBSIDISED BUS SERVICES**

(Agenda Item. 8)

Cabinet considered a report that referred to bus usage data and that sought approval to seek comments from members of the public in relation to that data.

Councillor Jean Fooks, local councillor for Wolvercote & Summertown commented that it was a good idea to have full data although she noted that officers considered it would make no difference. She added that it was not only in rural areas that were in difficulty and highlighted that the loss of service from Cutteslowe to Summertown/Woodcote was causing extreme concern. The amount of money saved was small compared to the huge impact it would have on people.

Councillor Anne Purse, local councillor for Wheatley whist understanding the need for the information to be published felt that the situation was regrettable and would be another reason for people to feel that it was not a fair consultation. When looking at the future she hoped that consideration could be given to areas that did not have clear population centres that had made it difficult historically for Parish Councils to put funding in. She gave as an example Forest Hill.

Councillor Hudspeth responding to comments stressed that all consultations were taken seriously. However given the savings to be made there had been difficult decisions that had had to be taken. Councillor Hudspeth acknowledged the point made about split villages that was well made and had been noted.

Councillor Nimmo Smith moved the recommendations.

Responding to a question on the purpose behind the publication of the additional data, Nick Graham, Chief Legal Officer advised that it was important to have transparency and that it was therefore important that members of the public had the opportunity to look at the information.

**RESOLVED:** to:

- (a) note the availability of the usage data attached as Annex 3;
- (b) note the limits of the data and that it does not impact upon the methodology or the decision made by Cabinet;

.....

- (c) agree to publish the usage data and seek comments from members of the public from 16 March 2016 to 14 April 2016; and
- (d) receive a further report in May to review the responses from the public on the usage data.

**28/16 FORWARD PLAN AND FUTURE BUSINESS**

(Agenda Item. 9)

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

2016