

# CABINET

**MINUTES** of the meeting held on Tuesday, 23 January 2018 commencing at 2.00 pm and finishing at 3.53 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 Yvonne Constance OBE  
Councillor David Bartholomew  
Councillor Hilary Hibbert-Biles

**Other Members in Attendance:** Councillor Jamila Begum Azad (Agenda Item 8)  
Councillor Liz Brighouse (Agenda Items 6 and 10)  
Councillor Helen Evans (Agenda Item 6)  
Councillor Glynis Phillips (Agenda Item 9)  
Councillor John Sanders (Agenda Item 11)

**Officers:**

Whole of meeting	Peter Clark (Chief Executive); Sue Whitehead (Resources Directorate)
Part of meeting	
Item	Name
6	Lorna Baxter, Director of Finance
7	Ben Threadgold, Policy & Performance Manager
8	Sarah Jelley, Policy & Performance Officer
9	Benedict Leigh, Deputy Director Joint Commissioning
11	Nick Graham, Director of Law & Governance and Monitoring Officer
14	Alexandra Bailey, Director of Property & Investment

*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.*

**1/18 APOLOGIES FOR ABSENCE**

(Agenda Item. 1)

Apologies were received from Councillor Mark Gray.

**2/18 MINUTES**

(Agenda Item. 3)

The Minutes of the meeting held on 19 December 2017 were approved and signed as a correct record.

### **3/18 QUESTIONS FROM COUNTY COUNCILLORS**

(Agenda Item. 4)

Questions from County Councillors together with responses are set out in the attached annex.

### **4/18 PETITIONS AND PUBLIC ADDRESS**

(Agenda Item. 5)

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

<b>Item</b>	<b>Speaker</b>
6. Service & Resource Planning Report 2018/19 – 2021/22	Councillor Liz Brighthouse Councillor Helen Evans
7. Corporate Plan	Councillor Laura Price – did not attend
8. Transition Fund for Open Access Children's Services	Councillor Jamila Azad
9. Daytime Support Grants	Councillor Glynis Phillips
10. Business Management & Monitoring Report for Quarter 2	Councillor Laura Price – did not attend Councillor Liz Brighthouse
11. Delegated Powers – January 2018	Councillor John Sanders

### **5/18 SERVICE & RESOURCE PLANNING REPORT - 2018/19 - JANUARY 2018**

(Agenda Item. 6)

Cabinet considered the final report in the series on the service & resource planning process for 2018/19 to 2021/22, providing councillors with information on budget issues for 2018/19 and the medium term. The report set out the draft council tax precept for 2018/19, the revenue budget for 2018/19, the Medium Term Financial Plan (MTFP) to 2021/22, the Capital Programme to 2027/28 as well as supporting strategies. Cabinet noted that information outstanding at the time of the Cabinet meeting would be reported to Council when it considers the budget on 13 February 2018.

The service & resource planning report to Council in February will be set out in four sections:

- Section 1 – Leader of the Council’s overview
- Section 2 – Corporate Plan
- Section 3 – Chief Finance Officer’s statement on the budget
- Section 4 – Budget Strategy and Capital Programme

This report considered by Cabinet formed the basis of Section 4 to that Council report and the annexes were numbered on that basis. In addition, the report also set out for approval the review of charges which were included in the report to Cabinet in December 2017.

Councillor Liz Brighouse, Chairman of Performance Scrutiny Committee noted that the papers before Cabinet were different to those considered by the Committee. Whilst recognising that this was part of the government process and timescales it had resulted in partial information being available for scrutiny which was unfair to both the Performance Scrutiny Committee and Cabinet. Councillor Brighouse referred to the annex setting out the views of the Committee at its meetings on 12 December 2017 and 4 January 2018 highlighting a number of issues. She welcomed the additional funding for Children’s Services. Responding to the comments made by Councillor Brighouse, Councillor David Bartholomew, Cabinet Member for Finance stated that all shared her frustrations at the timing of governments announcements. He thanked her and the Committee for its comments.

Councillor Helen Evans, Shadow Cabinet Member for Finance, welcomed the extra funding for children in care but remained concerned that the savings target was unrealistic in the face of rising demand. Councillor Evans expressed disappointment at increased adult care contributions with the scrapping of the flat rate fee and expressed the view that funding should be coming from central government. Councillor Evans was pleased to see that the Council would be getting a higher return on investment. She queried the Cabinet Priority Reserve which allocated £1m for undefined priorities and noted that the papers had been prepared prior to the cessation of Carillion so did not account for any associated impacts.

Councillor Bartholomew responded to the points made, disagreeing to the point made in relation to the increased adult care contributions and noting that cabinet priorities would be announced before the budget was set and would be in the public domain.

Councillor Bartholomew introduced the contents of the report and moved the recommendations.

**RESOLVED:** to approve:

- (a) The Review of Charges for 2018/19;
- (b) The Financial Strategy;

- (c) The Earmarked Reserves and General Balances Policy Statement 2018/19 including the creation of the Budget Prioritisation Reserve.

Cabinet is RECOMMENDED to RECOMMEND Council to approve:

- (a) in respect of revenue:
  - (1) a budget for 2018/19 and a medium term plan to 2021/22, based on the proposals set out in Section 4.2;
  - (2) a council tax requirement (precept) for 2018/19;
  - (3) a council tax for band D equivalent properties;
  - (4) virement arrangements to operate within the approved budget;
- (b) in respect of treasury management:
  - (1) the Treasury Management Strategy Statement and Annual Investment Strategy for 2018/19;
  - (2) to continue to delegate the authority to withdraw or advance additional funds to/from external fund managers to the Treasury Management Strategy Team;
  - (3) that any further changes required to the 2018/19 strategy be delegated to the Director of Finance in consultation with the Leader of the Council and the Cabinet Member for Finance;
  - (4) the Prudential Indicators as set out in Appendix A of Section 4.8;
  - (5) Minimum Revenue Provision Methodology Statement as set out in Appendix B of Section 4.8;
  - (6) The Specified Investment and Non Specified Investment instruments as set out in Appendix C and D of Section 4.8;
  - (7) The Treasury Management Policy Statement as set out in Appendix E of Section 4.8;
- (c) In respect of capital:
  - (1) The Capital Strategy for 2018/19 -2027/28
  - (2) A Capital Programme for 2017/18 to 2027/28 as set out in Section 4.10.1 including:
    - (i) the new capital proposals as set out in Section 4.10.2 (Appendix 3);
    - (ii) the Highways Structural Maintenance Programme 2018/19 and 2019/20 as set out in Section 4.10.3;
- (d) to delegate authority to the Leader of the Council, following consultation with the Director of Finance and the Cabinet Member for Finance, to make appropriate changes to the proposed budget.

## **6/18 CORPORATE PLAN**

(Agenda Item. 7)

Cabinet considered a draft Corporate Plan setting out the County Council's overarching strategy for the period 2018-2021.

Councillor Judith Heathcoat, Deputy Leader of the Council, in moving the recommendations explained that the document was intentionally aspirational

and built on the Prospectus published earlier. It was intended to be comprehensive and with an internal focus. It had been shaped by a cross party action group and informed by the comments of Performance Scrutiny Committee and the views of residents. Ben Threadgold, Policy & Performance Manager, stressed that the Plan before Cabinet was not the finished article as it would receive a final edit and proof read and measures would be added. The Corporate Plan would be a live document with changes made as needed.

Cabinet commented on the Plan, in particular welcoming the support for parish councils, and commending also the short public facing Prospectus published earlier. It was suggested that in addition to this Prospectus a mini version be prepared to go out with the council tax information. It was suggested that as the Corporate Plan was to be a live document it would be helpful to see version references.

**RESOLVED:** to:

- (a) note the Draft Corporate Plan;
- (b) **RECOMMEND** that the Draft Corporate Plan (subject to amendments in line with (c) below) be agreed by Council; and
- (c) delegate authority for final additions and changes to be agreed by the Leader and the Chief Executive on behalf of Cabinet.

## **7/18 TRANSITION FUND FOR COMMUNITY INITIATIVES FOR OPEN ACCESS CHILDREN'S SERVICES - ROUND 5**

(Agenda Item. 8)

In February 2016, the Council agreed to set aside £1m for creating a 'one off' fund to provide pump priming to support the provision of open access children's services.

In September 2017 Cabinet agreed the proposed use of the underspend of £232,674 for further rounds of grant funding with a cross party group of councillors bringing proposals back to Cabinet for decision.

Following consideration by the working group of the applications under the fifth round of bids against the criteria outlined in the guidance notes Cabinet had before them a report setting out their recommendations.

Councillor Jamila Begum Azad, Shadow Cabinet Member for Children & Family Services referred to the history behind the transition fund and highlighted the importance of early intervention for children's outcomes. Councillor Begum Azed commented on the difficulties faced by groups in setting up stay and play facilities, with some struggling for match funding. She asked that the approach be flexible and that assessment was carried out against previous provision.

Councillor Hudspeth, Leader of the Council, moved the recommendations.

**RESOLVED:** to:

- (a) approve for funding the following bids:
  - (i) Happy Hub Cholsey
  - (ii) Sutton Courtney Stay and Play Group
  - (iii) Thomas Gifford Trust
- (b) ask that further work is conducted to develop more robust business plans and reapply for funding under the next round of applications:
  - (iv) Banbury & District Community Bus Project
- (c) decline for funding the following bid:
  - (v) Oxford Baby Café Group

**8/18 DAYTIME SUPPORT GRANTS - JANUARY 2018**

(Agenda Item. 9)

There are grant funds available to support the continuation and development of community and voluntary sector daytime support opportunities in Oxfordshire. Cabinet had before it a report relating to the Sustainability and Transition Grant Fund for 2018/19, to support community and voluntary sector daytime support services.

Following consideration of the applications by the cross-party panel against the grant criteria as set out in the guidance Cabinet considered a report setting out their recommendations.

Councillor Glynis Phillips, Shadow Cabinet Member for Adult Social Care, referred to the recommended funding for Age UK services and queried this when they were closing centres. Councillor Stratford explained that the two were not connected and that Age UK was making closures because of the lack of take up of services and that they were concerned to meet need in the best way that they could. He had no qualms in supporting the recommendation of the working group.

Councillor Stratford in moving the recommendations highlighted the huge voluntary sector that worked well and fulfilled need. If people came up with sustainable and innovative ways of meeting need the Council wanted to be supportive. Benedict Leigh, Deputy Director, Joint Commissioning paid tribute to the voluntary sector that was so dedicated, innovative and dynamic in looking to provide for need.

**RESOLVED:** to:

- (a) Congratulate the voluntary sector for its dedication and commitment to continuing to provide much valued services, and managing this transition process;
- (b) approve for funding the bids listed under paragraph 27 (a) of the report;
- (c) approve for funding the bids listed under paragraph 27 (b) of the report, subject to conditions as set out in the cross-party panel recommendations (Annex 2);
- (d) approve for funding the bids listed under paragraph 27 (c) of the report, recognising the split between the sustainability and transition elements, with the transition elements awarded for specified to increase sustainability and innovation;
- (e) approve the recommended funding amount for the bids listed under paragraph 27 (d) of the report;
- (f) approve the recommended funding amount for the bids listed under paragraph 27 (e) of the report, recognising the split between the sustainability and transition elements, with the transition elements awarded for specified initiatives to increase sustainability and innovation; and
- (g) approve transferring the remaining amount, as set out under paragraph 26 (f) of the report, to the Innovation Fund 2018-19.

**9/18 BUSINESS MANAGEMENT & MONITORING REPORT FOR QUARTER 2 - 2017/18 - JANUARY 2018**

(Agenda Item. 10)

Cabinet considered a report that gave details of performance for quarter two 2017-18. The report is required so that the Cabinet can monitor the performance of the Council in key service areas and be assured that progress is being made to improve areas where performance is below the expected level.

Councillor Liz Brighthouse, Chairman of Performance Scrutiny Committee, drew attention to the following issues raised by members of the Committee when they had considered the information at their meeting on 4 January 2018:

- The Committee would be looking into issues around gully cleaning.
- The Committee had sought clarification around the information provided around opiate use. It was not clear from the report that the high figure was good news as it indicated those people who had been clean for six months.
- The level of the school reserve was questioned given the reducing number of Council maintained schools.

- The Committee would be undertaking a deep dive review of school recycling.
- Councillor Carter would be following up on concerns the Committee had around unseen young carers.

Councillor Brighthouse commented that she thought the work of the Committee was valuable as it allowed wider engagement with councillors.

Councillor Judith Heathcoat, Deputy Leader of the Council, introduced the contents of the report and drew attention to paragraph 8 of the report setting out activity to improve business management. She commented that all areas of concern highlighted by the report were being worked on and that generally dashboards showed movement in the right direction.

During discussion Cabinet:

- highlighted the need for a greater clarity on what could be recycled, noted that there was currently a consultation on recycling and welcomed views. A Cabinet Member added that he would like to see all districts operating the same scheme.
- queried whether given the large number of gulleys across the County high risk areas were being targeted and whether work was being done with district council colleagues who cleared detritus from the roads.

**RESOLVED:** to:

- (a) note the performance set out in this report; and
- (b) note the ongoing work to improve business management and performance reporting.

## **10/18 DELEGATED POWERS - JANUARY 2018**

(Agenda Item. 11)

Cabinet noted the following schedule reporting on a quarterly basis executive decisions taken under the specific powers and functions delegated under the terms of Part 7.2 of the Council's Constitution.

Councillor John Sanders, Shadow Cabinet Member for Environment, expressed concern over the process that resulted in the decisions that were being noted in the schedule. He commented that the contract procedure rules ensured value for money and were waived in exceptional circumstances or where only one supplier was available. Whilst not querying the four decisions in the schedule he questioned whether the exception process and reporting was sufficient to ensure transparency. In particular he queried whether the report considered by the Chief Executive when taking such decisions had sufficient information for him to be assured that exceptional circumstances pertained or that there were in fact no other available suppliers. Councillor Sanders asked Cabinet to ask the Audit &



Governance Committee to consider the current rules with a view to providing greater transparency.

Councillor Hudspeth, Leader of the Council, commented that it was for Audit & Governance Committee to decide whether they wished to look at the process. For his part he was clear that a process was needed to allow the Council to conduct its business and that the Monitoring Officer and Chief Executive involvement provided assurance so far as he was concerned. Nick Graham, Monitoring Officer, explained that the process included the schedule to Cabinet that set out the nature of the exemption and the reason for it. Peter Clark, Chief Executive added that the purpose of the schedule was to provide transparency. Any concerns could be raised with the Chairman of the Audit & Governance Committee. He added that there was currently a governance review underway and that it was possible to raise concerns there.

Not for call in.

<i>Date</i>	<i>Subject</i>	<i>Decision</i>	<i>Reasons for Urgency</i>
5 September 2017	Request for Exemption from tendering requirements under the Contract Procedure Rules - Provision of consultancy services from the Social Care Institute for Excellence (SCIE).	Approved an exemption from the tendering requirements under OCC's Contract Procedure Rules for the provision of consultancy services from the Social Care Institute for Excellence (SCIE) at a cost of £98,880 plus expenses, contingency and VAT.	To ensure the work is completed to the necessary timescales.
7 November 2017	Request for Exemption from tendering requirements under the Contract Procedure Rules - Provision of Learning Disability Respite Services	Approved an exemption from the tendering requirements under OCC's Contract Procedure Rules for the extension of contracts for the provision of learning disability respite services from Brandon Trust, Camden and Dimensions at an additional cost of £11,437.	In order to keep the contracts co-terminus whilst addressing the points below, to retain the opportunity to tender for a single provider to start in September 2018.

21 Decem ber 2017	Request for exemption from tendering under Contract Procedure Rule (CPR) 20 in respect of the award of a housing nominations agreement for service users with learning disabilities with complex needs	Approved an exemption from the tendering requirements under OCC's Contract Procedure Rules for award of a housing nominations agreement with Fairhome Group for service users with learning disabilities with complex needs at a cost of £384,384 (over a 4 year period).	The completed legal agreements give the Property developers Fairhome comfort to proceed with the property purchasers.
21 Decem ber 2017	Request for Exemption from tendering requirements under the Contract Procedure Rules - Provision of Consultancy Services by iMPower	Approved an exemption from the tendering requirements under OCC's Contract Procedure Rules for the provision of consultancy services by iMPower in respect of a system to identify the needs of our looked after children, prior to and at the point that they came into care at a cost of £230,000.	In order to put a system in place as soon as possible.

## 11/18 FORWARD PLAN AND FUTURE BUSINESS

(Agenda Item. 12)

The Cabinet considered a list of items for the immediately forthcoming meetings of the Cabinet.

**RESOLVED:** to note the items currently identified for forthcoming meetings.

## 12/18 EXEMPT ITEM

(Agenda Item. 13)

**RESOLVED:** that the public be excluded for the duration of item 14 since it is likely that if they were present during that item there would be disclosure of exempt information as defined in Part I of Schedule 12A to the

Local Government Act 1972 (as amended) and specified below in relation to that item and since it is considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

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**PROCEEDINGS FOLLOWING THE WITHDRAWAL OF THE PRESS AND PUBLIC**

**13/18 URGENT BUSINESS - IMPLICATIONS OF CARILLION LIQUIDATION ON OCC AND OUTLINE RESPONSE PLAN**

(Agenda Item. 14)

The Council Leader and the Council Chairman have agreed to the addition of this item on the agenda in order to facilitate an update to Cabinet on this issue.

It was noted that the Chairman had extended an invitation to all councillors to attend for this item.

*The public should be excluded during this item because its discussion in public would be likely to lead to the disclosure to members of the public present of information in the following prescribed categories:*

3. Information relating to the financial or business affairs of any particular person (including the authority holding that information)

*and since it is considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, in that such disclosure would infringe the rights of the individual to privacy contrary to the general law and the duty of the authority to respect human rights.*

Alexandra Bailey, Director of Property and Investment provided an update following the announcement on 15 January that Carillion PLC had gone into liquidation, set in the context of County Council contract negotiations with Carillion LGC. Cabinet were advised of the actions taken to mitigate the impact on schools and council services and the project underway to address the implications to the Council. Alexandra Bailey and Bev Hindle, Strategic Director for Communities responded to individual questions from Cabinet and councillors present. Cabinet thanked Alexandra Bailey and her team for their immense work.

in the Chair

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Date of signing

2018

