

## CABINET

**MINUTES** of the meeting held on Tuesday, 15 September 2020 commencing at 2.00 pm and finishing at 3.29 pm

**Present:**

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

**Other Members in Attendance:** Councillor Liz Brighthouse  
Councillor Glynis Phillips  
Councillor John Sanders

**Officers:**

Whole of meeting Yvonne Rees (Chief Executive); Lorna Baxter, Director of Finance; Steve Jordan, Corporate Director of Commercial Development, Asset and Investment and Monitoring Officer; Sukdave Ghuman, Head of Legal Services and Deputy Monitoring Officer

Part of Meeting Item	Name
6	Patrick Lingwood (Communities)
8	Kevin Gordon, Corporate Director Children's Services; Hayley Good (CEF)
9	Louise Tustian Customer Services and Organisational Development
11	Karen Edwards, Director of HR

*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.*

**74/20 MINUTES**

(Agenda Item. 3)

The Minutes of the meeting held on 16 July 2020 were approved and signed as a correct record.

**75/20 QUESTIONS FROM COUNTY COUNCILLORS**

(Agenda Item. 4)

Councillor John Howson had given written notice of the following question to Councillor Constance, Cabinet member for Environment:

‘With the reduced flow of traffic entering the City of Oxford from the west, would you consider diverting traffic from Frideswide’s Square along Park End Street and New Road to Worcester Street. Hythe Bridge Street, with its narrow pavements where social distancing is impossible, could then become a pedestrian route from Frideswide’s Square to the junction with Worcester Street with the only vehicle access to local properties. This change would make a secure cycling and walking route into the city centre. A temporary arrangement, as with the recent experiment in George Street, would test the benefit of this arrangement to both pedestrians and cyclists.’

Councillor Constance replied:

‘We recognise that footways are narrow and pedestrian flow is heavy along Hythe Bridge Street, but we do not believe that diverting traffic in this way would be a suitable solution at present. Traffic levels appear to be only slightly less than pre Covid-19 and this diversion would need the recent changes to the George Street/Worcester Street/Hythe Bridge Street junction to be removed. The significant benefits for pedestrians and cyclists that have been achieved as a result of this junction improvement would be lost and the additional general traffic using Worcester Street south would have a negative impact on buses and their passengers.’

Supplementary question: Councillor Howson asked whether in view of the narrow footways and high pedestrian flow along Hythe Bridge Street there were any solutions that the cabinet member could offer to assist with social distancing particularly between Upper Fisher Row and the junction with George Street. Councillor Constance replied that there were no current proposals but that officers would consider Councillor Howson’s question and if there were any solutions that presented themselves Councillor Howson would be kept informed.

Councillor John Sanders had given written notice of the following question to Councillor Constance, Cabinet Member for Environment:

‘Will the cabinet member explain how it has come to pass that after a decade and more of fudge, error and delay this Council still does not have a valid Minerals and Waste Local Plan, that is now to be postponed again by at least two years to 2023?’

Councillor Constance replied:

'The Council does have an adopted Minerals and Waste Local Plan: Part 1 Core Strategy. This was adopted by Full Council in 2017 and sets out the vision, objectives, spatial planning strategy and policies for meeting development requirements for the supply of minerals and the management of waste in Oxfordshire over the period to 2031. The Core Strategy provides the Policy on which the determination of all minerals and waste development management decisions are made. The Core Strategy also provides a policy framework for identifying sites for new minerals and waste developments in Part 2 of the plan - the Site Allocations Plan.

"We are now working on preparing the Minerals and Waste Local Plan: Part 2 Site Allocations Plan (Sites Plan). The Sites Plan, upon adoption, will identify the mineral extraction and waste management sites needed to deliver the policies within the Core Strategy up to 2031. The Sites Plan will sit alongside Part 1 and will not replace it. Together they will form the Minerals and Waste Local Plan for Oxfordshire.

Work commenced on the Sites Plan following adoption of the Core Strategy, and the first consultation on the Part 2 work took place in 2018, then a further consultation on Preferred Site Options took place earlier this year. There were several unexpected material considerations that emerged through this recent public consultation which challenged the robustness of the evidence base underpinning the selection of preferred site options. For example, one of them included evidence which suggests significantly less sand and gravel at one of the preferred sites, the Nuneham Courtenay site than was estimated in the nomination by the operator.

As a result, we are working on a revised timeline for the preparation of the MWLP Part 2 which will take account of the need to extend public consultation on the preferred options stage. A report will come back to Cabinet setting out the reasons for the delay and a revised timeline, but I hope you'll agree it is important to undertake this additional work now in order to ensure our Plan is found sound at Examination.'

Supplementary question: Councillor Sanders commented that the Minerals and Waste Plan had been in preparation since September 2005 with many iterations, resulting in so many delays to Part 2 of the Core Strategy that even Part 1 was becoming obsolete and would need to be revised. He asked whether after farming much of the work out to 2 consultancies that subsequently failed us the Cabinet Member accepted that it would have been better to concentrate on growing and training our own staff and admit that with only half of 2010 staffing levels this Council is failing its citizens.

Councillor Constance refuted the charge that the Council was failing its citizens and stated that although Councillor Sanders was right to note the delay it was with the intention to move with greater certainty towards a Minerals and Waste Plan that will be found sound. The approval of the Strategy stands, and the issue is the selection of sites. We have found in the

full consultation on the first selection of sites significant problems we wish to address. This does mean that we feel obliged to review the selection of sites in the light of that consultation and this was supported at the Minerals & Waste Working Group as necessary to review sites for which there are alternatives. This would cause a delay on final site selection to March 2023, but it is better that we make progress to what we feel is a sound Strategy rather than one we feel will be resisted or rejected at Inspection.

## **76/20 PETITIONS AND PUBLIC ADDRESS**

(Agenda Item. 5)

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

Item	Speaker
Item 6 – Bicester LCWIP	Councillor John Sanders, Shadow Cabinet Member for Environment
Item 8– SEND High Needs Funding	John Riches, Chair of Oxfordshire Association of Special School Headteachers (OASSH)  Councillor Emma Turnbull, Shadow Cabinet Member for Education
Item 9 - Business Management & Monitoring Report	Councillor Liz Brighthouse, Chairman of Performance Scrutiny Committee  Councillor Glynis Phillips, Shadow Cabinet Member Finance
Item 10 - Capital Programme Monitoring	Councillor Glynis Phillips, Shadow Cabinet Member Finance
Item 11 – Workforce Report & Staffing Data	Councillor Laura Price, Opposition Deputy Leader (gave apologies and did not speak)

## **77/20 BICESTER LOCAL CYCLING & WALKING INFRASTRUCTURE PLAN (LCWIP)**

(Agenda Item. 6)

Cabinet had before them a report seeking approval of The Bicester Local Cycling and Walking Infrastructure Plan (LCWIP), a detailed 15-year plan that sets out how to improve cycling and walking in Bicester. There was

Councillor John Sanders, Shadow Cabinet Member for Environment expressed disappointment not to see 2031 predictions for Cat D. He noted that even with best case scenarios it was expected that there would be more car traffic 2031 than today. He queried the lack of a milestone project plan to

enable councillors to monitor progress. He felt that the new developments had not been built as fully low traffic neighbourhoods and may need some modifications.

Councillor Sanders also queried whether adequate resources were in place.

Councillor Yvonne Constance, Cabinet Member for Environment thanked Councillor Sanders for the points raised noting that a timetable was not possible as it would be necessary to bid for Governments funding. She added that officers would look at the issue raised about the data on which the developments in Bicester are based and respond directly.

Councillor Constance introduced the report and moved the recommendations. Chair, Oxford Cycle Network had written urging us to recognise the value of this plan for cycling. Councillor Constance added that Robin Tucker.

Patrick Lingwood, Active Travel Hub Lead, detailed the contents of the report setting out the context to the proposals that was aimed at managing the future growth of Bicester.

Councillor Stratford, Cabinet Member for Adult Social Care and Public Health welcomed the concept of improved walking and cycling routes primarily for people's health and wellbeing and supported the recommendations. However, he highlighted several areas where he felt that further work would be helpful. Paragraph 9 of the report referred to the need for robust transport solutions and he felt that for Bicester this required more than a cycling and walking plan. He queried the assumption in paragraph 10 that many, if not most of short trips within Bicester could be made on foot or by cycle. Councillor Stratford felt that there was little evidence for this, and he highlighted the needs of the elderly or disable who may need their cars in order to get around. He highlighted the funding gap and the difficulties of securing S106 monies; the problems in making an old town suitable for modern transport needs and the difficulty of predicting the needs of people who were expected as the population grew but who were not yet able to be consulted.

Councillor Corkin, Cabinet Member for Council Business & Partnerships welcomed the proposals thanking officers for a comprehensive piece of work. He welcomed the focus on his local area and saw the breadth and depth of ambition expressed as a marker for the future. He particularly welcomed the connectivity to the rural area around Bicester that looked to Bicester as their market town. This would be important not just for the residents but for the economy of Bicester. He added that as a wider sustainability point only three of the parishes in his Division had access to a scheduled bus service. Going forward creative thinking would be needed about what sort of on demand options would be available to give sustainable choices to all of his residents.

**RESOLVED:** to approve the Bicester Local Cycling & Walking Infrastructure Plan (LCWIP), including the Bicester cycle network plans.

**78/20 ASSUMPTION OF POWERS IN RELATION TO THE CONTROL AND PREVENTION OF CORONAVIRUS - OXFORDSHIRE COUNTY COUNCIL RESPONSIBILITIES UNDER THE HEALTH PROTECTION (CORONAVIRUS, RESTRICTION) (ENGLAND) (NO.3) REGULATIONS 2020**

(Agenda Item. 7)

In July 2020 the government introduced new powers for local authorities to support local outbreak management.

Cabinet considered a report recommending that Oxfordshire County Council assumes responsibilities under The Health Protection (Coronavirus, Restriction) (England) (No.3) Regulations 2020 in order to ensure that any serious and imminent threat to public health in Oxfordshire was necessarily and proportionately addressed.

Councillor Judith Heathcoat, Deputy Leader of the Council, in moving the recommendations highlighted that this was a joint responsibility between herself and Councillor Stratford as Cabinet Member for Adult Social Care and Public Health. Councillor Heathcoat introduced the contents of the report. A Health Protection Board had been set up to oversee the development and delivery of the Oxfordshire Covid 19 Local Outbreak Control Plan commenting that it was an exemplar of good local collaboration and would ensure a co-ordinated response that was so important to Oxfordshire communities.

Councillor Stratford stressed that the proposals were essential. He welcomed the overarching role for the County Council but working with local District Council and parishes with the local knowledge and approach an important factor in a successful approach to any local outbreak.

During discussion Cabinet welcomed the recommendations and the joint approach being taken. Councillor Corkin, Cabinet Member for Council Business & Partnerships commented that using local knowledge at all levels would be important in a bid to bring the most and appropriate effective but lightest of touches to avoid heavy local restrictions.

**RESOLVED:** to:

- (a) assume responsibilities granted under The Health Protection (Coronavirus, Restriction) (England) (No.3) Regulations 2020 giving local authorities powers relating to the control and prevention of coronavirus and;
- (b) delegate powers to the City and District Councils in accordance with the above regulations.

**79/20 SEND HIGH NEEDS FUNDING**

(Agenda Item. 8)

Cabinet considered a report that set out the background to how SEND (High Needs) top-up funding currently operates for Early Years settings and mainstream Primary and Secondary schools in Oxfordshire and how, with Cabinet's approval, a transfer of unallocated Dedicated School Grant funds agreed by School Forum will help support an increase in top-up funding to better meet the needs of children in these schools and settings. This will be a one-year top-up increase and will not be available in subsequent years.

Cabinet also had before them the comments from the Education Scrutiny Committee held on 9 September 2020.

John Riches, Chair Oxfordshire Association of Special School Headteachers spoke to try and ensure that any decisions made by Cabinet do not bias future decisions on special school funding. i.e. that the one-off increases for mainstream schools are approved based on moving funds from the Early Years and Schools Block of the Designated Schools Grant to the High Needs Block, then budget restrictions are cited in relation to any increase in special school top-up funding. This principle is important in relation to point 17. of the report presented 'There are no Equalities Implications in this report'.

Mr Riches detailed efforts made by Special School Head Teachers to raise the Insufficiency of Special School Funding and detailed the context, impacts and continuing urgent need for an increase in funding levels. Mr Riches urged Cabinet members to ensure that any decision made today did not bias any future decision on special school funding and to also be aware that in the near future there will be a request for a significant increase in per pupil funding for special schools and academies in Oxfordshire.

Councillor Emma Turnbull, Shadow Cabinet Member for Education, highlighted the increase in pupils being placed in specialist provision and the increased expenses associated with that. The rigidity of the High Needs Block was a difficulty in this context of rising need and budgetary pressures, and she stated there was a need for new powers as a strategic commissioner of SEND support. Short term transfers to maintained schools was not a sustainable solution. She urged pressing for those powers as well as the necessary short-term financial support from central government.

Councillor Turnbull stated that as well as the national position the report identified the need for a strategic review of SEND funding in Oxfordshire. Although expressing disappointment that this was not the strategic document, she asked that during the process officers engage maintained and special schools and parents, carers and young people themselves and encourage health partners to contribute their fair share. It was important to focus on the long term aims of promoting inclusion, supporting the vital work on quality and timeliness of EHCPs and expanding SEND provision around the County.

Councillor Lorraine Lindsay-Gale, Cabinet Member for Education and Cultural Services thanked both speakers for their contributions. Sadly, she agreed that it was a national problem with the sector being underfunded. She gave a reassurance that the strategic paper was on its way.

Councillor Lindsay-Gale introduced the report and moved the recommendations.

**RESOLVED:** to:

- (a) Note a one-off increase in top-up funding for Early Years settings for 2020/21 funded through the High Needs Block (HNB) of the Dedicated Schools Grant (DSG). The increase will only be available in the year 2020-2021 and top-up funding is then likely to revert to previous levels;
- (b) Note a one-off increase in top-up funding for mainstream Primary schools for 2020/21 funded through the High Needs Block of the Dedicated Schools Grant. The increase will only be available in the year 2020-2021 and top-up funding is then likely to revert to previous levels;
- (c) Approve a one-off increase in top-up funding for mainstream Secondary schools for 2020/21 funded through the High Needs Block of the Dedicated Schools Grant in those cases where the formulaic approach is insufficient for schools to meet the needs of the child. This is a change to the current funding formula. This decision would not reduce the amount of top-up funding a Secondary school currently receives. The increase will only be available in the year 2020-2021 and top-up funding is then likely to revert to previous levels.

## **80/20 BUSINESS MANAGEMENT & MONITORING REPORT - JULY 2020**

(Agenda Item. 9)

Cabinet considered a report setting out Oxfordshire County Council's (OCC's) progress towards Corporate Plan priorities for 2020/21 for the period of July 2020.

Councillor Brighouse, Chairman of Performance Scrutiny Committee stated that the Committee had raised one matter not included in the report in relation to the costs of home to school transport additional funding due to covid. They have asked for further information. The Committee also asked for further information on the cost of support for people to stay in their own homes. On the report there was discussion around trees, recycling and road maintenance. The Committee had also suggested that accessibility of the report be reviewed.

Councillor Glynis Phillips, Shadow Cabinet Member for Finance, noted that the reported position was a testimony to County Council staff who continued



to provide services during this difficult time. Councillor Phillips highlighted Indicator 26 about the level of disruption to journeys but which included the delivery of the system for trees surveyed. There was a need for a systematic tree planting programme to support our targets on climate action and she urged the inclusion of a new separate target in 2021/22. Councillor Phillips commented that her main concern was the covid emergency fund. She queried where this money had come from and wondered if it had been highlighted at the recent Council meeting the budget revision would have been agreed. She asked how the decision was made to have an £18.3m Contingency Fund and requested that at the least the £175,000 reduction to the youth fund be reversed.

Councillor Bartholomew responded that there was a misunderstanding on the way Covid Emergency Funds had been identified and he would cover this during his introduction to the finance element of the report.

Councillor Gray, Cabinet member for Local Communities, added that the initial work could be done with the remaining funding as a different way to deliver had been identified.

Cllr Heathcoat, Deputy Leader of the Council introducing the business and risk elements of the report highlighting the position with regard to key outcomes and priorities linked to the corporate plan. In particular she highlighted that some service performances had been disrupted by covid with the need to suspend or vary normal operations. Referring to looked after children Councillor Heathcoat noted that nationally the numbers of LAC continued to rise but that in Oxfordshire there had been a reduction and that this was expected to continue with the implementation of the family safeguarding Plus Model. Within her own portfolio Councillor Heathcoat drew attention to the Fire Service that continued to exceed its targets for rapid response to blue light incidents and drew attention to their other activities. Trading standards had carried out virtual scams talks.

Councillor Bartholomew introduced the finance elements of the report. In relation to covid 19 costs and lost income the directorate budgets reflected the position to the end of July. As the year progresses and costs and lost incomes increase further virements will be made to reflect this increase. In the meantime, the funding would be held in the corporate covid contingency. If the current forecast remained unchanged the contingency will be at zero by the end of the 2020/21 financial year. Councillor Bartholomew added that the forecast could change, and the situation would be kept under review. Any remaining contingency balance remaining at the end of the financial year would be transferred to reserves for future years. If there was insufficient funding this would be met from general balances.

**RESOLVED:** to:

- (a) note the July business management and monitoring report; and
- (b) to approve the virements set out in Annex C – 2b and note the virements in Annex C- 2C.

**81/20 CAPITAL PROGRAMME MONITORING REPORT - JUNE 2020**

(Agenda Item. 10)

Cabinet had before them a report that set out the latest monitoring position for 2020/21 capital programme based on activity to the end of July 2020 and that provided an update on the latest ten-year capital programme to 2029/30.

Councillor Glynis Phillips, Shadow Cabinet Member for Finance referred to paragraph 25 that referred to the Tranche 1 funding. It referred to the £100k of capital spend this year that left the remaining £200k remaining for revenue Councillor Phillips commented that she had thought all had to be spent by end of August this year. She sought information on how the £100k will be spent.

Referring to the risk register red rag rating for the capital infrastructure programme Councillor Phillips highlighted risks around the Housing Infrastructure Fund (HIF) programme. In addition to the financial risk she observed that there was the reputational risk with government with loss of future funding. She stated that it would be good to hear your level of confidence to meet our commitments and avoid the risks outlined.

Responding to the points made Councillor Constance, Cabinet Member for Environment explained the position with regard to Tranche 1 funding and confirmed that the Department spend had been delivered in projects outside Oxford. Councillor Constance stated that Councillor Phillips had correctly identified the risks relating to the infrastructure delivery programme. This had been addressed and she was confident that it was back on track.

Councillor Bartholomew, Cabinet Member for Finance introduced the contents of the report and moved the recommendations.

**RESOLVED:** to approve the updated Capital Programme at Annex 2.

**82/20 WORKFORCE REPORT AND STAFFING DATA - QUARTER 1 - APRIL - JUNE 2020**

(Agenda Item. 11)

Cabinet considered a report that provided a summary of HR activity and a snapshot of the workforce profile including headcount and full time equivalent (fte) comparison, ethnicity, age, apprenticeships, sickness, turnover and agency spend for the quarter ending 30 June 2020.

Councillor Heathcoat, Deputy Leader of the Council introduced the contents of the report. The Quarter was the most challenging ever and staff have ensured a professional and quality delivery of services. Little impact on provision and have adapted to new ways of working. She commented that the first quarter report was more detailed than normal due to the wealth of information included. Councillor Heathcoat outlined the additional support being provided by HR during this challenging time.

Cabinet echoed the tribute to staff who had adapted quickly and continued to deliver services.

**RESOLVED:** to note the report.

**83/20 FORWARD PLAN AND FUTURE BUSINESS**

(Agenda Item. 13)

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 .....