

CABINET

MINUTES of the meeting held on Tuesday, 15 November 2022 commencing at 2.00 pm and finishing at 3.05 pm

Present:

Voting Members: Councillor Liz Leffman – in the Chair
Councillor Liz Brighthouse OBE (Deputy Chair)
Councillor Glynis Phillips
Councillor Dr Pete Sudbury
Councillor Tim Bearder
Councillor Calum Miller
Councillor Jenny Hannaby
Councillor Mark Lygo
Councillor Andrew Gant

Other Members in Attendance:

Councillors David Bartholomew, Donna Ford, John Howson, Kieron Mallon, Nigel Simpson, Liam Walker

Officers:

Whole of meeting Stephen Chandler, Interim Chief Executive; Lorna Baxter, Director of Finance; Anita Bradley, Director of Law & Governance; Colm Ó Caomhánaigh, Committee Officer.

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.

140/22 APOLOGIES FOR ABSENCE

(Agenda Item. 1)

Apologies were received from Councillor Duncan Enright.

141/22 DECLARATIONS OF INTEREST

(Agenda Item. 2)

There were no declarations of interest.

142/22 MINUTES

(Agenda Item. 3)

The minutes of the meeting held on 18 October 2022 were approved and signed as an accurate record.

143/22 QUESTIONS FROM COUNTY COUNCILLORS

(Agenda Item. 4)

See Annex

144/22 PETITIONS AND PUBLIC ADDRESS

(Agenda Item. 5)

Petition on Traffic Filters and the Botley Road Area: Paul Lenz

8 Climate and Natural Environment Policy Statement
Cllr John Howson

9 Property Strategy
Cllr David Bartholomew

Petition

Paul Lenz stated that he believed most residents in West Oxford supported the goals of the traffic filters but had grave concerns about making the Botley Road the only access to the Westgate Centre, the railway station and Oxpens. This residents believed will be detrimental to some of the stated goals, such as improving bus times in West Oxford. The petition had been signed by 1856 people.

Councillor Andrew Gant, Cabinet Member for Highway Management, thanked Mr Lenz for organising the petition and bringing it to Cabinet. He responded that he could not prejudge the decision to be taken by Cabinet at the meeting on 29 November 2022 but he could say that the recommendation was expected to be for an Experimental Traffic Regulations Order. If Cabinet agrees to that, there will be monitoring of the effects and changes can be made later if it is not found to achieve the goals.

145/22 BUSINESS MANAGEMENT & MONITORING REPORT - AUGUST/SEPTEMBER 2022

(Agenda Item. 6)

Cabinet considered a report presenting the September 2022 performance, risk and finance position for the council.

Councillor Calum Miller, Cabinet Member for Finance, summarised the report. The remaining red indicators could be mostly grouped as relating to two particular areas: children's services and financial management. The Council faced considerable headwinds which were reflected in the red indicators in the report: notably the ability to make savings and to handle outturn variations in the dedicated schools grant

Councillor Miller drew attention to the expected £6.6m deterioration in the financial position – a large part was driven by the considerable financial pressures facing children's services. He noted that the Leader had written to the Chancellor of the Exchequer on the significant financial challenges facing

the Council and that other councils have indicated that they were on the brink of bankruptcy.

Councillor Liz Brighthouse, Cabinet Member for Children, Education & Young People's Services noted that the issue of the deficit in the High Needs Block had been around since 2014. Consultants were looking at a project called "Delivering Better Value" but other similar projects around the country were finding it difficult to achieve their goals. She hoped that the government would soon realise that it needed to address the deficit of £3.4bn across the country in relation to Special Educational Needs and Disability.

Councillor Brighthouse added that all services across the system were also stretched for resources. However, it has been possible to bring down the numbers of children being taken into care and provide more support to families when they need it.

Councillor Glynis Phillips, Cabinet Member for Corporate Services, addressed the rate of abandoned calls to the Council. This had increased to 24% where the target was 10%. She apologised to those who had not been able to obtain an answer. Staff turnover, and in particular the loss of very experienced staff, had contributed to the problem. However, they were recruiting as quickly as possible and there was already improvement in the October statistics.

Councillor Pete Sudbury, Cabinet Member for Climate Change Delivery & Environment, commented on three red indicators under his portfolio:

- The difficulties in the number of electric vehicle recharging points related to technical problems at a Park & Charge site.
- Retrofitting in low income households was running behind target because the Council received the money for it late.
- The drop in garden waste for composting this dry summer has contributed to the reduction in recycling. It might be worth reconsidering what is measured as this gives a misleading impression.

The recommendations were moved by Councillor Miller, seconded by Councillor Sudbury and agreed.

RESOLVED to:

- a) note the report and annexes**
- b) agree the virements in Annex B-2a and the supplementary estimate request in Annex B-2c.**
- c) write off a debt of £0.3m for advance payments and the cost of arranging alternative provision in relation to a home care provider that went into administration in early 2017.**

146/22 TREASURY MANAGEMENT MID TERM REVIEW (2022/23)

(Agenda Item. 7)

Cabinet received a report covering the treasury management activity for the first half of 2022/23 in compliance with the CIPFA Code of Practice on Treasury Management 2021.

Councillor Calum Miller, Cabinet Member for Finance, introduced the report. He noted how turbulent the recent months had been in the world of finance. However, the Council was holding more cash than expected and higher interest rates led to interest receivable being £1.4m higher than expected.

Councillor Miller had held discussions with officers about possible restructuring of the Council's debt but the Treasury's charge on restructuring made it a rather high hurdle. Together with the fact that it is not anticipated that the Council will need to borrow more in this financial year, it is not proposed at this time to restructure.

Councillor Miller highlighted a new commentary in paragraphs 37 and 38 which outlined the real costs of the deficit in the High Needs Block amounting to £0.5m in lost interest this year rising to £2.7m annual loss by 2025/26.

Finally, he noted that the Treasury Management activity was predicted to contribute a £1.6m improvement over what was initially forecast. He was grateful to officers for managing the finances so well during a difficult period.

Councillor Miller moved the recommendations which were seconded by Councillor Sudbury and agreed.

RESOLVED to

note the report, and to RECOMMEND Council to note the Council's treasury management activity the first half of 2022/23.

147/22 CLIMATE AND NATURAL ENVIRONMENT POLICY STATEMENT

(Agenda Item. 8)

Cabinet had before it a report on the new Climate and Natural Environment Policy Statement which supports and strengthens the ambition of the Council's Corporate Plan to include a policy focus on environmental resilience and nature recovery.

Before considering the report, the Chair had agreed to a request to speak.

Councillor John Howson welcomed the statement and accompanying recommendations but believed that the role of the school sector was underplayed in the policy. Maintained schools received a mention in the objectives but he asked for academies and private schools to be brought into the fold as key stakeholders. There was also the question of school transport and the buses and taxis that the Council uses to bring children to school.

Nick Mottram, Environment & Heritage Manager, introduced the report. It was built on the Oxford-Cambridge Arc Environmental Principles. Officers had sought to expand those to include, for example, climate adaptation where appropriate.

It brought together a well-developed Oxfordshire Climate Action Plan with previously less-well-developed natural environment aspirations. The ambitions of the Policy Statement were to be delivered through more detailed strategies and plans some of which exist and some of which were to be developed, and through partnership working. The list of services, organisations and partners was indicative and many other partners were likely to be involved, such as the school sector identified by Councillor Howson. The detailed wording of the principles would be reviewed in response to feedback from Council services, partners and future changes in legislation and guidance, and progress monitored. However, he noted that there was nothing in the recommendations to cover updates to the Policy Statement and asked Cabinet to consider adding such a clause.

Councillor Pete Sudbury, Cabinet Member for Climate Change Delivery & Environment, thanked officers for their work on the Policy Statement. He noted that the Policy Statement was bringing forward the date for decarbonisation in Oxfordshire to the early 2040s instead of 2050. It was also setting targets on decarbonisation for suppliers. It addressed how Oxfordshire would be affected by various different global warming scenarios.

Councillor Sudbury added that there was a commitment to the circular economy and the need for Oxfordshire to become much more sustainable. One area that he could see needed to be added was resilience to adverse weather. He supported the proposal to add a clause relating to updates to the Policy Statement.

Other Cabinet Members welcomed the Policy Statement and made the following points:

- The reference to the precautionary principle was crucial as it can be very difficult to predict the impact of changes.
- Cabinet should be updated on progress in a year's time to ensure that the Policy Statement was put into action.
- The reference in recommendation b) to the Future Oxfordshire Partnership should be replaced by Oxford Cambridge Arc.

The Chair proposed an amendment to allow changes to the Policy Statement to be agreed by the Corporate Director Environment & Place.

The recommendations as amended were proposed by Councillor Sudbury and seconded by Councillor Hannaby.

RESOLVED to

- a) **Agree this Climate and Natural Environment Policy Statement to ensure environmental considerations are placed at the heart of policy and decision-making across the County Council.**
- b) **Re-affirm commitment to the shared environment principles of the ~~Future Oxfordshire Partnership~~ Oxford-Cambridge Arc, set out in Appendix 1.**
- c) **Lead positive change through a new County-wide strategic framework, detailed in Appendix 2, to ensure the principles for climate action, environmental resilience and nature recovery are embedded in the breadth of County Council partnership activity across Oxfordshire.**
- d) **delegate authority to make amendments to the Policy to the Corporate Director Environment & Place.**

148/22 PROPERTY STRATEGY

(Agenda Item. 9)

Cabinet discussed a paper presenting a property strategy for Oxfordshire County Council, setting out the long-term strategic framework for the development and delivery of economic, social and environmental objectives that relate to the Council's property and assets portfolios.

Before considering the report, the Chair had agreed to a request to speak.

Councillor David Bartholomew, Shadow Cabinet Member for Finance, stated that he would support the recommendations with some reservations. There had been a succession of directors, consultants and cabinet members with responsibility over the last ten years and then the local elections changed the administration and the pandemic impacted on the use of property.

Councillor Bartholomew believed this document was among the best produced in his experience. However, he criticised the lack of reference to One Public Estate which encourages cooperation among public bodies in the use of property. The important thing was that the strategy should be brought into an Action Plan that would have cross-party support given the long term nature of the strategy.

Councillor Calum Miller, Cabinet Member for Finance, thanked Councillor Bartholomew for his comments and confirmed that the proposed Cabinet Advisory Group would include all political parties in the Council. He also thanked the Place Overview & Scrutiny Committee for its comments on the strategy and looked forward to on-going dialogue in the future.

The Council had a number of empty properties and it was necessary to get moving on either finding uses for those or disposing of them. There were also significant challenges in decarbonisation and financial efficiency. The immediate priorities were listed in paragraph 10 of the report. Officers had

already taken an opportunity to give up one lease that would free up around £600,000.

Councillor Miller added that the Council was committed to the One Public Estate programme. The administration wanted to create community hubs to ensure that people could access services locally. However, there would be times when the Council may need to move on its own.

Councillor Jenny Hannaby welcomed the proposal to move on vacant properties, which had been a frustrating issue for local Members. She asked that Members and residents be consulted on any proposals in their area.

The recommendations were proposed by Councillor Miller, seconded by Councillor Lygo and agreed.

RESOLVED to:

- a) **Adopt the strategy as set out at annex 1.**
- b) **Request that the Director of Property establishes a cross party Cabinet Advisory Group to oversee the development of the options and business cases for the city centre accommodation review, part of the operational assets portfolio (annex 2).**
- c) **Request officers provide regular updates with regards to the implementation of the strategy against a suite of key performance indicators.**
- d) **Note the feedback provided by the Performance and Corporate Services Overview and Scrutiny Committee.**
- e) **Delegate authority to the Corporate Director for Customers, Organisational Development and Resources, in consultation with the Cabinet Member for Finance and Property to make minor amendments to the strategy in response to feedback from the cross party Cabinet Advisory Group (recommendation b).**

149/22 APPOINTMENTS

(Agenda Item. 10)

Cabinet was asked to confirm the appointment of a partner governor to Oxford Health NHS Foundation Trust.

The Leader proposed that this item be deferred so that it could be considered alongside a similar appointment to Oxford University Hospitals NHS Foundation Trust.

It was agreed to defer to the Cabinet meeting on 29 November 2022.

150/22 FOR INFORMATION: CABINET RESPONSE TO SCRUTINY REPORT - CITIZENS' JURY

(Agenda Item. 11)

The Cabinet's positive response to the People Overview & Scrutiny Committee report on the Citizens' Jury was noted.

151/22 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.

.....in the Chair

Date of signing

ITEM 4 – QUESTIONS FROM COUNTY COUNCILLORS

Questions	Cabinet Member
<p>1. COUNCILLOR CHARLIE HICKS</p> <p>Can the Cabinet Member confirm if the forecast HIF2 costs have been recalculated based on the latest inflationary figures, whether it is considered fully funded, and whether the CPOs for it have been dropped? And connectedly, can the Cabinet Member confirm whether or not the forecast HIF1 costs have been recalculated based on the latest inflationary pressures and whether the Director of Finance still has confidence that the project is fully funded, and therefore whether the basis for the CPOs for this project is still lawful?</p>	<p>COUNCILLOR DUNCAN ENRIGHT, CABINET MEMBER FOR TRAVEL & DEVELOPMENT STRATEGY</p> <p>The HIF2 costs are regularly recalculated to include the latest inflationary cost estimates. Should this result in a need to withdraw the current Compulsory Purchase Order – and Side Road Order - this will follow the statutory process for informing stakeholders but OCC’s commitment to improve the transport options along the A40 corridor remains.</p> <p>The same would apply to HIF1 and any other schemes with CPOs.</p>
<p>2. COUNCILLOR MICHAEL O’CONNOR</p> <p>Could the Cabinet member please let me know whether there has been a change in parking policy or personnel in the Park Town area, and</p>	<p>COUNCILLOR ANDREW GANT, CABINET MEMBER FOR HIGHWAY MANAGEMENT</p> <p>We are aware of complaints received from some local residents in the Park Town Area about enforcement of ‘no waiting at any time’ restrictions (double yellow lines) for vehicles parked off the carriageway.</p>

Questions	Cabinet Member
<p>clarify whether the land adjacent to the highway is owned by the County? By this, I mean land such as that where the highway meets the smaller lanes which run behind the houses. I have received complaints from a number of long-term residents about a recent spate of parking tickets, which have been met with confusing responses from County officers. Could he also please undertake to carry out a dialogue with residents, who have been taken aback by the changes, which have come out of the blue, and who are being penalised in a way that does not benefit anybody?</p>	<p>For reference, double yellow lines are painted adjacent to the edge of the carriageway, but the enforceable area applies from centre of the road to the back of the highway boundary. This often includes footways and verges adjacent to the carriageway and vehicles parking behind the lines maybe issued with a penalty charge notice for being in contravention of the restrictions.</p> <p>In responses sent to residents, we have confirmed the extent of the highway boundary and that a valid traffic regulation order is in place for the no waiting restrictions.</p> <p>It is not uncommon for our enforcement teams to take action in response to complaints received, but in terms of a change of policy, I can confirm that our parking policies have been in place for a number of years and have not recently changed. Details can be found on our website: https://www.oxfordshire.gov.uk/sites/default/files/file/roads-and-transport-parking/parking-policy.pdf</p> <p>I would draw particular attention to our enforcement procedures section (appendix 13) which states that; 'Do not assume that by parking behind yellow lines you are not parking in contravention of a traffic regulation order. Areas where you think you may be legally allowed to park will in fact be part of the highway and will be enforced as such.'</p> <p>Any motorists who feels a PCN has been wrongly issued has the right to make an appeal and any challenges will be carefully considered in line with our normal procedures. Our enforcement teams are always open to</p>

Questions	Cabinet Member
	dialogue with residents and businesses and we recommend that enquiries are directed to our parking inbox; parking@oxfordshire.gov.uk
<p>3. COUNCILLOR MICHAEL O'CONNOR</p> <p>Could the Cabinet member please let me know whether residents are entitled to blue badges if they have acute immune deficiencies and if not, why not? I ask because I understand that County Councils such as Cambridgeshire County Council provide blue badges to those with such conditions, who are often unable to mix with large groups, provided they have a medical recommendation.</p>	<p>COUNCILLOR ANDREW GANT, CABINET MEMBER FOR HIGHWAY MANAGEMENT</p> <p>All residents are entitled to apply for a blue badge, however the guidance set by the Department for transport indicates that to be eligible for a blue badge, an individual should have a permanent and substantial condition that causes them considerable difficulty when undertaking a journey meaning.</p> <p>All local authorities follow the same guidance set by the Department for transport and do not issue on condition alone however, assess eligibility of applicants based on the affect the condition has on an individual, which may including one of the following factor/s:</p> <ul style="list-style-type: none"> • They are unable to walk • Experience very considerable difficulty whilst walking which may include very considerable psychological distress • They are at risk of serious harm when walking, or pose when walking a risk of serious harm to any other person. <p>Applicants with a diagnosis of Acute immune deficiency can apply under the non-visible criterion if they are at risk of serious harm when walking (likely to catch diseases by being in close proximity to others).</p> <p>Evidence is required to support all blue badge applications and I would</p>

Questions	Cabinet Member
	<p>encourage individuals applying under the non-visible criterion to find a Consultant or Expert who is known to them and specialises in their condition to complete our expert assessment form on our website. Expert assessment form Oxfordshire County Council A PDF version is also available to print directly from our website. Alternatively, an applicant can provide a letter/s from a Consultant or Expert stating their condition and the affect/s it is having on them.</p> <p>Below is a list of Experts we can accept information from (this list is not exhaustive):</p> <ul style="list-style-type: none"> • Clinical Psychologist • Educational Psychologist • Gastroenterologist • Neurologist • Occupational Therapist • Physiotherapist • Psychiatrist • Rheumatologist • Special educational needs co-ordinator • Social Worker
<p>4. COUNCILLOR JOHN HOWSON</p> <p>Have any Members of Council failed to attend a meeting of Full Council since May 2022 and not sent apologies and, if so, how many occurrences of this has there been?</p>	<p>COUNCILLOR LIZ LEFFMAN, LEADER OF THE COUNCIL</p> <p>Records show that Members who have not attended meetings of Full Council in this period have either sent apologies in advance or their apologies have been reported by the relevant Group Leaders at each meeting.</p>

Questions	Cabinet Member
<p>Supplementary As you know, some councils publish annual statements, similar to those in other areas of public life, detailing attendance records at meetings. I wonder what your view is of such arrangements and if they have any place in assisting in increased transparency in the work of this Council.</p>	<p>Response I think you have raised a very good question and indeed I know that some of the councils in Oxfordshire do that and I think it's something we probably ought to investigate. If you are elected as a councillor there is a responsibility to attend meetings and we need to know that councillors are doing that. So I am happy to take that away and discuss it with officers.</p>
<p>5. COUNCILLOR SUSANNA PRESSEL</p> <p>While supporting the traffic filter scheme, I am very concerned that it proposes to give 100 permits a year to everyone who lives in Botley, North Hinksey and Cumnor, although they are outside the City. This adds an extra 18,000 people! It would encourage people to drive past Seacourt park and ride car park. It would greatly increase congestion and pollution in Botley Road. It is totally against our policies. Please can the Cabinet Member explain the reasoning behind this ludicrous proposal?</p>	<p>COUNCILLOR ANDREW GANT, CABINET MEMBER FOR HIGHWAY MANAGEMENT</p> <p>The key point of the trial traffic filters is that they would allow us to monitor the effect of the filters, including changes in ring road traffic and on roads leading to it such as Botley Road. If the trial of the traffic filters goes ahead, the results of the monitoring including traffic levels across the city will be reported to a subsequent meeting of the County Council Cabinet to inform a decision about whether to make the scheme permanent.</p> <p>Having said that, we understand your concerns and officers are recommending a change to the scheme that allows a limited number of people living outside of the permit area to be able to apply for a limited number of day passes to drive through the filters. You can read about this in the Place Overview & Scrutiny Committee agenda (item 7 here). If this is approved and taken forward, this will help to take pressure off the</p>

Questions	Cabinet Member
<p>Supplementary This question of the extent of the boundary for the passes is not just vitally important for people in my division, it's also a matter of principle. On no account should we be encouraging people to drive past a Park and Ride car park. Botley, North Hinksey and Cumnor are beautiful fifteen-minute neighbourhoods outside the city like Kidlington and Kennington. So my question is: please will you decide to redraw the boundary of the day pass area to exclude Botley, North Hinksey and Cumnor.</p>	<p>Botley Road as people from the south and east can approach from Abingdon Road and people from the north and east can approach from St Giles. We expect this change to the scheme to increase the benefits for Botley Road.</p> <p>The 100 day passes for residents living in Oxford and its immediate surrounds is a change to the proposals that we shared with the public and stakeholders in February this year. It is in response to concerns that were expressed about the impact that the filters would have on people's day to day journeys. The boundary of the day pass area was drawn in such a way as to include the people who were considered to be most affected by the traffic filters.</p> <p>Response The recommendations that will form part of the report have evolved, as the councillor will know, and the proposal to include residents' permits and the geographical area in which they are given is in response to concerns that have been expressed and the professional judgement of officers. It is coming to a Cabinet report so I cannot, of course, prejudge what the Cabinet report might finally say or, indeed what Cabinet might say about it, and it certainly is not my decision to give a direct yes or no answer to the question that the councillor has asked. But I hope she will come along to that Cabinet meeting and make that point then.</p>