

CABINET

MINUTES of the meeting held on Tuesday, 22 January 2019 commencing at 2.00 pm and finishing at 3.50 pm

Present:

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

Other Members in Attendance: Councillor Liz Brighthouse (Agenda Item 6)
Councillor Glynis Phillips (Agenda Item 6)
Councillor Laura Price (Agenda Items 7 and 9)
Councillor John Sanders (Agenda Item 8)
Councillor Richard Webber (Agenda Item 9)

Officers:

Whole of meeting Yvonne Rees, Chief Executive; Lorna Baxter, Director of Finance; Nick Graham, Strategic Director of Resources Interim; Sue Whitehead (Resources Directorate)

Part of meeting
Item Name
7 and 10 Ben Threadgold, Policy & Performance Service Manager
8 Bev Hindle, Strategic Director for Communities; Peter Day, Minerals Principal 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.

1/19 **MINUTES** (Agenda Item. 3)

The Minutes of the meeting held on 18 December 2019 were approved and signed as a correct record.

2/19 QUESTIONS FROM COUNTY COUNCILLORS

(Agenda Item. 4)

Councillor Howson had given notice of the following question to Councillor Lindsay-Gale

'With the introduction of the new 16-18 railcard, announced by the Secretary of State for Transport, how much would a monthly pass to travel to college in Oxford be for a 17 year old, either by train from Radley Station to Oxford Station using the new railcard or by bus from anywhere in central Abingdon to central Oxford?'

Councillor Lindsay-Gale replied:

'I researched the question below to find that the new railcard announced by Secretary of State isn't effective until September and the benefits of it are not going to be announced until August 2019. With this in mind, I can't make the calculations that are requested by Cllr Howson as no train websites are set up for this as of yet.

However, I have made the calculations using what is existing currently. A Railcard for 16-25 year old costs £30 annually. Using this Radley to Oxford would be £6.50 return daily. Having a monthly card would be £69.20.

Bus travel from Abingdon to Oxford with a key card aged 18 and under would cost £42.75 monthly.'

Supplementary: Responding to a further question Councillor Lindsay-Gale undertook to speak with Councillor Howson about the possibility of writing jointly to the Secretary of State to point out the dependence on bus services for children travelling to school in rural areas and seeking a similar scheme for buses to the 16-18 railcard scheme.

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

'Further to the motion on East to West Rail passed at the last Full Council meeting could the Cabinet Member for Transport explain how she intends to monitor the progress of the project and in particular can she tell us when she meets with those responsible for the project, at what time intervals and who does she meet with?'

Councillor Constance replied:

As Cabinet Member for the Environment I am our Council's nominated representative on the East West Rail Consortium Board, which oversees the progress of the project on behalf of all the partner authorities. The Department for Transport, Network Rail and the East West Rail Company are all represented on this forum. The Board meets quarterly, with the next meeting in March, John Disley also attends as the Oxfordshire Lead Officer.

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

‘In the absence of a firm route for the Oxford to Cambridge Expressway, can she explain how the Council will manage the transition from LTP4 to LTP5 given the range of possible knock on effects of the Expressway?’

Councillor Constance replied:

‘We do not yet have a confirmed project plan and timescale for LTP Update, but it clearly needs to reflect the latest position on the Expressway and other strategic work programmes, including for example East West Rail, our Housing Infrastructure Fund Bids and the Oxfordshire 2050, the county’s Joint Statutory Spatial Plan.’

3/19 PETITIONS AND PUBLIC ADDRESS

(Agenda Item. 5)

The Leader had agreed the following requests to speak:

Item	Speaker
Item 6 – Service & Resource Planning Report 2019/20	Councillor Liz Brighthouse, Chair of Performance Scrutiny; Councillor Glynis Phillips, Shadow Cabinet Member for Finance; Dr Judith Wardle, Local Resident; Mr Dan Knowles, Oxfordshire Mind CEO; Mr Stuart Bell CBE, Chief Executive of Oxford Health NHS Foundation Trust Service User of Oxfordshire Mind (did not speak); Mr Joe Wilson, Teaching Assistant St. Ebbes Primary School regarding support workers.
Item 7 – Corporate Plan 2019-22	Councillor Laura Price, Opposition Deputy Leader
Item 8 – Revision of Oxfordshire Minerals and Waste Development Scheme	Councillor John Sanders, Shadow Cabinet Member for Environment
Item 9 – Governance Review	Councillor Laura Price, Opposition Deputy Leader

4/19 SERVICE & RESOURCE PLANNING REPORT 2019/20 - JANUARY 2019

(Agenda Item. 6)

Cabinet considered the final report in the series on the service & resource planning process for 2019/20 to 2022/23, providing councillors with information on budget issues for 2019/20 and the medium term. The report set out the draft council tax precept for 2019/20, the revenue budget for 2019/20, the Medium Term Financial Plan (MTFP) to 2022/23, the Capital Programme to 2028/29 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 12 February 2019.

Cabinet's budget proposals took into consideration the latest information on the council's financial position outlined in the report; comments from the Performance Scrutiny Committee meeting on 13 December 2018 and 10 January 2019 as well as comments of the Transformation Sub-Committee held on 17 January 2019; and comments from the public consultation on the budget. As final notification of some funding streams is awaited, some further changes may be made to the budget proposals ahead of full Council on 12 February 2019.

Councillor Brighthouse, Chairman of Performance Scrutiny Committee and Joint Audit & Governance and Performance Scrutiny (Transformation) Sub-Committee referred to the comments from those meetings included in the papers before Cabinet. She commented that members had spent over 8 hours over three meetings in scrutinising the budget proposals. Members had done a magnificent job as seen by the changes in the papers today. Councillor Brighthouse highlighted issues that would be a continuing focus for scrutiny including the need to understand third party spend and the changed public service and local democracy landscape. No-one could consider the savings that were necessary to be a good thing, so it was important to ensure that we as a Council understood that we are getting value for money for our most vulnerable people and that the public are able to understand how services are being provided. On transformation a real concern had been about keeping staff during the change process.

Councillor Bartholomew, Cabinet Member for Finance responded to Councillor Brighthouse thanking her for her diligence. The issue of third party spend was one that would be looked at. He noted that the proposals relating to mental health had been proposals and that following comments they had been amended. He agreed that everyone was concerned for the vulnerable and disadvantaged and that the transformation programme was not just about savings but was about doing things better to help those people. Councillor Reeves, Cabinet Member for Transformation added that staff were front and centre of the transformation programme and the aim was to have better motivated, better franchised staff.

Dr Judith Wardle, Carers Voice, spoke against the proposals affecting carers and care packages for the elderly living at home. Dr Wardle asked Cabinet to

consider whether they were meeting the requirements of the Care Act Guidance 2018, stressing the obligation for a person-centred approach. Dr Wardle questioned the Community Impact Assessment that did not mention family carers, many of whom had gone through reassessment last year and were themselves often elderly. The proposals could lead to more people being dependent on the care system and so not effective in making the savings. Dr Wardle expressed concern at the information excluded due to commercial sensitivity which she had not seen in budget proposals before.

Mr Dan Knowles, Oxfordshire Mind CEO and Mr Stuart Bell CBE, Chief Executive of Oxford Health NHS Foundation Trust were speaking on behalf of the Oxfordshire Mental Health Partnership. Mr Knowles thanked Cabinet for listening and amending the proposals for mental health referring to the really good work that was underway. However, Mr Knowles whilst welcoming the deferral of the £600k reduction expressed concern at the impact it would have when implemented. Mr Bell highlighted the role of social workers within multi-disciplinary teams and noted that with the £600k social workers could care for 400 people with mental health issues. They urged Cabinet to reconsider the proposal whilst welcoming the year to engage positively.

Responding to a question on the funding granted to CAMHS Mr Bell emphasised that the £5.4m of additional funding was about increasing access to the service from a very low base of 25% to 30%. He noted that Oxfordshire was making good progress and that access was better than elsewhere but still left 70% without access.

Councillor Stratford, Cabinet Member for Adult Social Care responded to the comments made acknowledging that any changes to mental health funding was likely to be sensitive. That was the reason for the consultation and he had been pleased to receive a robust response. Cabinet had listened, but it would still be difficult. He looked forward to the future discussions and recognised the work of the voluntary sector.

Mr Joe Wilson, Teaching Assistant St. Ebbes Primary School referred to the situation faced by those in poverty or destitute including the working poor. This included those in support role at schools. They were locked into a cycle and he commented that austerity was not working. He urged councillors to join the National Education Union network, and for Cabinet to set a living wage and to refuse to set a budget that harms the poorest. Councillor Lindsay-Gale, Cabinet Member for Education and Cultural Services responded that she had sympathy and that the Council was lobbying hard to get more funding for Oxfordshire schools. She worked closely with the Schools Forum to ensure the best outcome for people working in our schools.

Councillor Glynis Phillips, Shadow Cabinet Member for Finance, commented that the budget demonstrated that austerity was not over. She highlighted the cut to the Public Health Grant. Referring to the investing to save agenda in relation to LED street lighting she queried what strategies there were for other areas. Councillor Phillips, referred to uncertainties caused by still

awaiting government information, uncertainty over Brexit and uncertainty in the medium term due to the government spending review. Councillor Phillips welcomed the review of charges but made a number of detailed comments including in relation to street parking charges and the need to monitor the effect on take up of lessons of the increase in charges for the music service. Referring to the proposals for mental health, Councillor Phillips welcomed the response to comments made by Performance Scrutiny Committee and during public consultation but remained concerned at the planned cuts for 2020/21. She welcomed the new Transformation Sub-Committee that would add rigour to the transformation programme. Councillor Phillips noted the issues facing CEF in terms of delivering savings and emphasised that the needs of children were vital, and that assessment and reassessment should not be driven by costs. Finally, Councillor Phillips thanked the Finance Team for the work involved in delivering a balanced budget.

Councillor Bartholomew responding to the points raised, commented that he shared Councillor Phillip's sentiments on late notification from government and would continue to encourage government to be quicker. The position for 2020/21 was high on the agenda and he was concerned to address it as soon as possible. Councillor Bartholomew agreed that the Transformation Sub-Committee was an important part of the process of transformation. A number of proposals were being looked at in relation to charges to manage congestion and the overriding principles would be that any changes must be combined with benefits. Councillor Bartholomew commented that he was very much a believer in the benefits of music as a transformative process and would like to look at that further. Councillor Lindsay-Gale, Cabinet Member for Education and Cultural Services added that there was already a scheme in place where by children on free school meals could access the service for free.

Cabinet Members responded to other points made.

Councillor Bartholomew, introduced the contents of the report and moved the recommendations. Lorna Baxter, Director for Finance, highlighted the additional funding for Adult's and Children's Social Care in 2019/20 and future NHS funding for mental health. In relation to the status on savings it was not expected that all would be achieved, and this was included in the contingencies referred to at paragraph 60 of the report.

During discussion Cabinet:

- Thanked the Finance Team for the tremendous job they were doing, noting that the Council was legally obliged to have a balanced budget. They commented on the lengthy iterative process of setting a budget that was refined as clearer government figures became available.
- Councillor Reeves particularly thanked finance officer for working with those involved in transformation to ensure robust governance processes that were essential to the programme's success.
- Highlighted the high levels of investment in Oxfordshire.

- Noted that the spending review was currently a block. They welcomed the short term funding they had received from government but longer term stability would be good.

RESOLVED: to approve:

- The Review of Charges for 2019/20
- The Financial Strategy for 2019/20
- The Earmarked Reserves and General Balances Policy Statement 2019/20.

to **RECOMMEND** Council to approve:

- in respect of revenue:
 - a budget for 2019/20 and a medium term plan to 2022/23, based on the proposals set out in Section 4.2;
 - a council tax requirement (precept) for 2019/20;
 - a 2019/20 council tax for band D equivalent properties;
 - virement arrangements to operate within the approved budget;
- in respect of capital:
 - the Capital & Investment Strategy for 2019/20 - 2028/29 including the Prudential Indicators and Minimum Revenue Provision Methodology Statement;
 - a Capital Programme for 2018/19 to 2028/29 as set out in Section 4.9.1 including:
 - (i) the new capital proposals as set out in Section 4.9.2;
 - (ii) the Highways Structural Maintenance Programme 2019/20 and 2020/21 as set out in Section 4.9.3;
- in respect of treasury management:
 - the Treasury Management Strategy Statement and Annual Investment Strategy for 2019/20 incorporated in the Capital & Investment Strategy in Section 4.9;
 - to continue to delegate the authority to withdraw or advance additional funds to/from external fund managers to the Treasury Management Strategy Team;
 - that any further changes required to the 2019/20 strategy be delegated to the Director of Finance in consultation with the Leader of the Council and the Cabinet Member for Finance;
 - the Treasury Management Prudential Indicators;
 - The Specified Investment and Non Specified Investment instruments as set out in Appendix A and B of Section 4.9;
- 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.

5/19 CORPORATE PLAN 2019-22

(Agenda Item. 7)

Cabinet had before them a report setting out the revised Corporate Plan 2018-2021 that had been reviewed and updated to ensure it continued to accurately reflect the Council's future direction, strategic priorities, and key outcomes and indicators by which progress can be measured and reported.

Councillor Heathcoat, Deputy Leader of the Council, introduced the contents of the report, commenting that it had been considered by the Performance Scrutiny Committee and she had been in attendance to hear their comments. In moving the recommendations Councillor Heathcoat stated that following a thorough review for 2018/19 the current review for 2019/20 was not extensive. The document highlighted key issues, the vision, priorities and future direction of travel. Ben Threadgold, Policy and Performance Service Manager advised that the foreword and financial section was still to be completed and the final version so far as possible would go to Council. Work was ongoing on detailed targets and these would come back to Cabinet as part of the monitoring report.

Cabinet was advised of a typo on page 38 of the Plan where it should refer to 21,000 houses having been built since 2011.

RESOLVED: to:

- (a) note the Draft Corporate Plan 2019- 2022;
- (b) **RECOMMEND** that the Draft Corporate Plan be agreed by Council;
- (c) Delegate authority for final additions and changes to be agreed by the Leader and the Chief Executive on behalf of Cabinet.

6/19 REVISION OF OXFORDSHIRE MINERALS AND WASTE DEVELOPMENT SCHEME

(Agenda Item. 8)

The County Council must prepare and maintain a Minerals and Waste Development Scheme, setting out the programme for production of the Oxfordshire Minerals and Waste Local Plan. The most recent revision of the Oxfordshire Minerals and Waste Development Scheme was approved in December 2017. Part 1 of the Plan, the Core Strategy was adopted in September 2017. Part 2, the Sites Plan, was commenced in September 2017 but consultation on issues and options was delayed and consequently the timetable for the Sites Plan in the December 2017 Development Scheme is now out of date and needs to be revised. In addition, changes in legislative requirements for Statements of Community Involvement (SCI) mean that the Oxfordshire SCI should be revised and a timetable needs to be set for this. A further revision of the Development Scheme is therefore now required.

Cabinet considered a report setting out the revised Oxfordshire Minerals and Waste Development Scheme (Ninth Revision) 2019.

Councillor John Sanders, Shadow Cabinet Member for Environment, referred to the previous delays and the current timetable, seeking assurances that the Secretary of State would accept the SCI and that the Council was committed to providing sufficient resources to ensure adoption in the current timeframe.

Councillor Constance, Cabinet Member for Environment stated that the commitment was there with consultants in place. Peter Day added that the Secretary of State was no longer involved in the SCI

RESOLVED: to:

- (a) approve the Oxfordshire Minerals and Waste Development Scheme (Ninth Revision) 2019 at Annex 1, subject to final detailed amendment and editing, to have effect from 5 February 2019;
- (b) authorise the Director for Planning & Place to:
 - (a) carry out any final detailed amendment and editing of the Oxfordshire Minerals and Waste Development Scheme that may be necessary, in consultation with the Cabinet Member for Environment;
 - (b) take the necessary steps to bring the revised Scheme into effect from 5 February 2019 and publish the revised Scheme, in accordance with Sections 15 and 16 of the Planning and Compulsory Purchase Act 2004 (as amended).

7/19 GOVERNANCE REVIEW

(Agenda Item. 9)

Following a Council motion to consider changing to a committee structure of governance, Cabinet set up a Governance Review Task Group to examine this as well as considering potential improvements to the current system. Cabinet had before them a report setting out the recommendations of the Task Group.

Councillor Laura Price, Opposition Deputy Leader, welcomed the proposals before Cabinet and indicated that Labour had brought the motion to Council and had supported the introduction of a committee system that they believed would bring about greater engagement and savings. However, everyone in the Task Group had agreed to consider options with an open mind. As a group they had visited other councils and been willing to listen and discuss various options. The recommendations were a positive move for Oxfordshire. The hybrid model would build on the positive aspects around the budget discussions and was part of transformation as it would embed that understanding of service. Councillor Price did not believe that a cross-party approach would undermine the opposition role as it would encourage informal debate.

Councillor Richard Webber spoke as Leader of the Liberal Democrat Group and member of the Task Group. He had unfortunately missed one meeting which had been the meeting that pulled together the recommendations. He was concerned that this had been done in haste. He was concerned that a hybrid model would lead to a great deal of work and please no-one. Councillor Webber expressed concern over whether the Group could be said to be genuinely independent when there were vested interests. Councillor Webber acknowledged the unhappiness with the current system and that the proposal is very much an improvement. He liked the flexibility being proposed. However, Councillor Webber felt that the recommendations were far from getting it right and more time was needed to get the new model right

Councillor Judith Heathcoat, Deputy Leader of the Council introduced the work of the Governance Review Task Group detailing the context for the Review and noting that members had committed a considerable amount of time to the work of the Group. The work had included surveys and workshops with all members and had been an open and transparent piece of work, resulting in a unanimous set of recommendations. Councillor Heathcoat thanked everyone involved in the Task Group. Councillor Heathcoat detailed the general agreement that Councillors should be more involved and engaged in the decision-making process and noted that although there were recommendations relating to structures it was clear that some aspects could be achieved through a change of culture rather than through structural change. She commended particularly the work and proposals around localities. Councillor Heathcoat also recognised that there was a greater role for councillors in developing policy for Cabinet to consider. Done correctly this would engage all councillors in the formulation of a common approach to problems. She believed that this was already beginning to be seen in the work of the Cabinet advisory Groups and the Cherwell partnership Working Group.

Councillor Heathcoat commented that since the report had been formulated the extent of the work on transformation had become clear. For this reason Councillor Heathcoat stated that she was reluctant to recommend the implementation of one of the main recommendations of the Task Group that concerned cabinet Committees. Although having no objection to Cabinet Committees Councillor Heathcoat felt that it was not the correct time to be embarking on significant constitutional change. She suggested that this proposal be reviewed at a future date when the Council had worked through a substantive part of the transformation programme.

Councillor Heathcoat proposed amended recommendations.

During discussion Cabinet supported the amended recommendations making the following points:

1. It was possible to change culture without the need to change structure. It was a long-term process and it was not suggested that what was suggested was the end.

2. There were examples of the change in culture evident in examples such as Councillor Brighthouse being Vice-Chairman of the Cherwell Partnership Working Group.
3. The disappointment of the Task Group members was understandable but it was for Cabinet to consider and decide on the recommendations before them. It was self-evident that a lot of good work had been undertaken by the Task Group and at least 3 of the 7 substantive recommendations were being recommended for acceptance.
4. There was concern at the ability of the Council to deliver further change alongside the substantial programmes already underway.
5. Councillor Webber's honest assessment was welcomed.
6. The role of, and work needed to support Cabinet Committees was questioned.

RESOLVED: to:

- (a) Request the Task Group to explore further the idea of establishing Area Committees with budgets addressing how they relate to City and District Councils;
- (b) And to give consideration to how we can better improve the work of locality groups;
- (c) Request the Chairmen of Scrutiny Committees to ensure that time is allowed in their work programmes to discuss policy development matters;
- (d) Request facilities management to draw up plans to reformat the rooms on the members' corridor to provide some shared members' facilities in place of political group rooms; and
- (e) Request that the Task Group come back to Cabinet on the implementation of these changes.

8/19 BUSINESS MANAGEMENT & MONITORING REPORT FOR QUARTER 2 - 2018/19 - JANUARY 2019

(Agenda Item. 10)

Cabinet considered a report that demonstrated the state of Oxfordshire County Council's progress towards Corporate Plan priorities at the end of Quarter 2 2018-19.

Councillor Heathcoat, Deputy Leader of the Council, in moving the recommendations stated that this was the second report using the new format. She noted that there had been some positive movement with items moving from amber to green: the numbers of children subject to protection plans, the level of energy used and developments secured through Section 106. Paragraph 6 set out where there had been a decline. Councillor Heathcoat added that for 2019/20 the Business Management & Monitoring Report would be joined with the quarterly staffing report to take on board the work in transformation. Ben Threadgold, Policy and Performance Service Manager added that the timeliness of these reports was also being looked at.

RESOLVED: to note the performance reported.

9/19 DELEGATED POWERS - JANUARY 2019

(Agenda Item. 11)

Cabinet noted a quarterly report on executive decisions taken under the specific powers and functions delegated under the terms of Part 7.2 (Scheme of Delegation to Officers) of the Council's Constitution – Paragraph 6.3(c)(i). It is not for scrutiny to call in.

<i>Date</i>	<i>Subject</i>	<i>Decision</i>	<i>Reasons for Exemption</i>
7 January 2019	Request for exemption from Contract Procedure Rule ("CPR") 20 in respect of a a Contract providing Care Services for People with a Learning Disability provided by MacIntyre Care	Approved an exemption from the tendering requirements under OCC's Contract Procedure Rules in respect of the award of a contract for provision of support services located in Witney for four people with a learning disability for a period of 104 weeks (plus a 26-week extension option) at an estimated value of £468,622.	To transfer services provided under indefinite term spot contracts to a block contract of finite duration and to ensure there is service continuity and provision for the four current tenants.

10/19 FORWARD PLAN AND FUTURE BUSINESS

(Agenda Item. 12)

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