

CABINET

MINUTES of the meeting held on Tuesday, 20 June 2023 commencing at 2.00 pm and finishing at 3.50pm

Present:

Voting Members: Councillor Liz Brighthouse OBE (Deputy Chair) - in the Chair
Councillor Glynis Phillips
Councillor Dr Pete Sudbury
Councillor Tim Bearder
Councillor Duncan Enright
Councillor Calum Miller
Councillor Jenny Hannaby
Councillor Michael O'Connor
Councillor Andrew Gant

Other Members in Attendance:

Councillors David Bartholomew, Donna Ford, John Howson, Ian Middleton and Kieron Mallon

Officers:

Whole of meeting Stephen Chandler, Executive Director (People, Transformation and Performance, Lorna Baxter (Director of Finance), Anita Bradley (Director of Law & Governance and Monitoring Officer), Ansaf Azhar (Corporate Director Public Health & Community Safety), Bill Cotton (Corporate Director Environment & Place) Anne Coyle (Interim Corporate Director of Children's Services), Karen Fuller (Interim Corporate Director Adult Social Care), Chris Reynolds (Committee Officer)

The Cabinet 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.

72/23 APOLOGIES FOR ABSENCE

(Agenda Item. 1)

Apologies for absence were received from the Chair, Cllr Liz Leffman, and Martin Reeves, Chief Executive.

73/23 DECLARATIONS OF INTEREST

(Agenda Item. 2)

Cllr Duncan Enright declared a pecuniary interest in Item 8 - Capital Programme Update, did not participate in the debate and did not vote thereon.

74/23 MINUTES

(Agenda Item. 3)

The minutes of the meeting held on 23rd May 2023 were approved and signed as a correct record by the Deputy Chair.

75/23 QUESTIONS FROM COUNTY COUNCILLORS

(Agenda Item. 4)

See annex.

In relation to the supplementary question from Councillor Middleton to Councillor Miller, Councillor Middleton confirmed to the Monitoring Officer that he had referred to the “transparency” of Oxford United Football Club’s licence status.

76/23 PETITIONS AND PUBLIC ADDRESS

(Agenda Item. 5)

10 SEND Sufficiency and Local Government Ombudsman’s Findings Report

A member of the public
Cllr John Howson

77/23 BUSINESS MANAGEMENT & MONITORING REPORT - ANNUAL REPORT AND PROVISIONAL REVENUE OUTTURN 2022/23

(Agenda Item. 6)

Cabinet had before it the Council’s annual performance report and provisional year-end financial position for 2022/23.

Councillor Calum Miller, Cabinet Member for Finance, introduced the report. He referred to the considerable achievements by the Council during the year which had contributed to its strategic objectives.

The report captured the Council’s response to the cost of living crisis and migration support, the impact on services delivered and described how the Council coordinated and supported the delivery of services. It highlighted that 71% of the Council’s performance indicators were above target or very close to it.

The financial position for 2022/23 reflected the impact of increases in the level of demand for children’s social care and a lack of suitable care placements available in the system as well as inflationary pressures across

the council's services. Action had been taking to manage and mitigate this in 2022/23 and the on-going impact in 2023/24 and over the medium term was considered through the Budget & Business Planning Process for 2023/24.

During discussion members referred to the considerable progress in provision of adult social care services, which included investing to save, a decrease in waiting lists, and investment in residential care.

Councillor Miller moved, and Councillor Enright seconded the recommendations and they were approved.

RESOLVED to:-

- a) **note the annual Performance Report for 2022/23.**
- b) **note the summary of the provisional year - end financial position for 2022/23 along with the year-end position on general balances and earmarked reserves as explained in Annex B.**
- c) **note the virements set out in Annex B-2.**
- d) **agree that the £1.0m surplus on the On-Street Parking Account at the end of the 2022/23 financial year, that has not yet been applied to fund eligible expenditure in accordance with Section 55(4) of the Road Traffic Regulation Act 1984, can be carried forward to the 2023/24 financial year as set out in Annex B-3c.**
- e) **approve the creation of a new reserve to hold £0.5m income relating to the Zero Emissions Zone in Oxford for future use.**

78/23 PROVISIONAL CAPITAL OUTTURN 2022/23

(Agenda Item. 7)

Cabinet received a report on performance relating to the Capital Programme for 2022/23.

Councillor Calum Miller, Cabinet Member for Finance, presented the report.

The ten-year Capital Programme set out the agreed capital investment to deliver the priorities identified in the council's Capital and Investment Strategy. The report set out the performance against the programme shown in the latest monitoring report for 2022/23 and also compared back to the capital programme agreed by Council in February 2022. The figures reflected those to be included in the Council's Statement of Accounts for 2022/23.

The capital programme was updated throughout the year to reflect the latest delivery profiles and cost estimates for each programme. The last update was in January 2023 and this was agreed by Cabinet in March 2023.

Expected spend for the year totalled £184.0m. Actual capital programme expenditure was £172.2m in 2022/23. The variation between the latest programme and the actual expenditure was -£11.8m (-6%). This spend was now expected to take place in 2023/24.

The capital programme expenditure of £172.2m was funded by £99.1m of capital grants and other external contributions, £28.8m of developer contributions and Community Infrastructure Levy, £2.6m of revenue contributions, and £41.7m of prudential borrowing.

The availability of workforce and materials and inflationary increases in contract prices were continuing to increase the risk to the deliverability and cost of capital schemes. The combined impact of these factors has affected delivery in 2022/23 and is expected to continue in 2023/24 and future years.

During discussion, members referred to the Council's priorities for the development of a sustainable transport infrastructure within the Capital programme to benefit those areas of the County which were not well served by transport networks currently.

Councillor Miller moved and Councillor Sudbury seconded the recommendations and they were approved.

RESOLVED to note the performance against the capital programme for 2022/23 as set out in the report.

79/23 CAPITAL PROGRAMME APPROVALS - JUNE 2023

(Agenda Item. 8)

Cabinet had before it a report Cabinet had before it a report setting out change requests requiring Cabinet approval that would be incorporated into the agreed programme and included in the next update to the Capital Programme in July 2023.

Councillor Calum Miller, Cabinet Member for Finance, introduced the report, and explained the reasons for the additions to the Capital Programme.

Councillor Miller moved and Councillor Phillips seconded the recommendations, and they were approved.

RESOLVED to:-

- a) approve the addition of the expansion of Wood Green School, Witney (£4.3m) to the capital programme.**
- b) approve the addition of £2.6m to the capital programme to support the council's Tree Policy.**

80/23 WORKFORCE REPORT AND STAFFING DATA - QUARTER 4 - JANUARY-MARCH 2023

(Agenda Item. 9)

Cabinet had before it a report on the workforce profile for quarter 4 of 2022/23 (January – March 2023) and an update on the progress of some of the key workforce priorities.

Councillor Glynis Phillips, Cabinet Member for Corporate Services, introduced the report.

The report referred to an increase in the directly employed headcount in the current financial year which would be subject to further scrutiny, a reduction in staff turnover, an increase in the number of apprenticeships and an increase in agency worker costs which was being addressed through organisational reviews and recruitment campaigns.

Councillor Phillips referred in particular, to the need for all Directorates to prioritise reducing spend on agency staff and focus on recruitment of permanent staff, the age profile of the workforce and the measures being taken to reduce sickness absence.

Councillor Phillips moved and Councillor Hannaby seconded the recommendations and they were approved.

RESOLVED to note the report.

81/23 SEND SUFFICIENCY AND LOCAL GOVERNMENT & SOCIAL CARE OMBUDSMAN FINDINGS REPORT

(Agenda Item. 10)

Cabinet had before it a report detailing proposals for an updated SEN sufficiency strategy and learning from a recent decision by the Local Government and Social Care Ombudsman. The Council's Special Education Needs service, during 2021 and 2022, was delayed in its handling of the production of a child's education, health and care plan. Additionally, during that period the child was not provided with education between April 2022 and December 2022. The service, following the intervention by the Local Government and Social Care Ombudsman, addressed the handling of the request for the child's school place and had identified points of learning and service improvement opportunities which were identified in the report.

A member of the public addressed the Cabinet and expressed concerns about the accuracy of the facts given in the report and the handling of her child's case by the Council. She referred to the periods of time that her child had received formal education in mainstream schools, the delays in development of the education and care plan and the complaints process. The parent also explained the various medical conditions affecting her child and her educational needs to prepare her for her future life.

The Deputy Leader thanked the member of the public for her address, apologised, on behalf of the Council, for the problems she had encountered concerning her child's case and assured her that the Corporate Director of Children's Services would be contacting her to respond to the concerns expressed in the meeting.

Councillor John Howson then addressed the Cabinet. He referred to the previous history of cases where children had not been provided with education in the County and expressed disappointment that the Council had again been subject to an investigation the Ombudsman. Cllr Howson commented on the difficulties with monitoring and responsibility for educational provision since the introduction of academies and sought assurance that the discrepancy between the figures for the performance indicator on time limits for Education and Health Care Plans shown on paragraph 10 of the report and in the Citizens Portal would be corrected.

The Deputy Leader concurred with Cllr Howson's remarks and reiterated the need for the Council to ensure that children were provided with safety and security within the school environment. She said that the updated SEN sufficiency strategy would help to support children with special educational needs.

The Executive Director (People, Transformation and Performance) introduced the report. He began by reiterating the apologies to the parent expressed by the Deputy Leader. He then explained the measures taken by the Council to respond to the Ombudsman's report. The People Overview and Scrutiny Committee had set up a sub-committee to scrutinise the SEND service and the Council was confident that it would have the expertise to address the challenges for the SEND service going forward.

The Head of Access to Learning presented the report and recommendations on the revised SEND sufficiency strategy.

During discussion members referred to the importance of EHCPs, the need to ensure children were able to thrive within their communities, and to provide support to the schools in providing for the needs of all children.

Cabinet welcomed the measures taken in response to the LGSCO report.

Councillor Brighouse moved and Councillor Sudbury seconded the recommendations and they were approved.

RESOLVED to note the contents of the report setting out the updated SEN sufficiency strategy and the learning from the recent Local Government and Social Care Ombudsman decision reference 22 000 090

82/23 POLICY ON SUPPLY CHAIN EMISSIONS

(Agenda Item. 11)

Cabinet had before it a report recommending adoption of a policy to create robust and prioritised approach to addressing supply chain emissions.

Supply chain emissions (sometimes described as 'Scope 3' emissions) made up around 90% of Oxfordshire County Council's (OCC) overall emissions. The Council was already working with some of its contractors to reduce carbon emissions, both through the social value policy and direct engagement with some contracts. The reporting of contractor emissions however was currently very limited.

The Director of Finance introduced the report.

Councillor Pete Sudbury, Cabinet Member for Climate Change Delivery Environment, referred to the Council's environmental strategy priorities and said he was pleased that these were being extended to many areas of the Council's services.

Councillor Sudbury moved and Councillor Miller seconded the recommendations and they were approved.

RESOLVED to approve the proposed policy position for the Council on supply chain (Scope 3) emissions as set out in Annex 1 to the report.

83/23 LANE RENTAL SCHEME FOR OXFORDSHIRE

(Agenda Item. 12)

Cabinet had before it a report giving proposals for a lane rental scheme in Oxfordshire.

Councillor Andrew Gant, Cabinet Member for Highway Management, introduced the report.

The Council, as the Traffic Authority, had been running a successful Permit Scheme for road and street works since 2020. As a result, a further opportunity was now available to apply to the Department for Transport (DfT) for an Order to allow for the introduction of Lane Rental in Oxfordshire.

The Lane Rental Scheme (LRS) allowed for additional charges to apply to works on our busiest roads at the busiest times. This encouraged those working on the highway to avoid peak times (to avoid the charges) or pay the charges (completing the works in shortest possible timeframe), the maximum for which is £2,500 a day.

Fees arising from Lane Rental must be invested in works operations to reduce impacts, improving the highway network, and compensating society for disruptive works. In accordance with the Department for Transport guidance, it was proposed to set up joint working arrangements between the highway authority and works promoters to manage the allocation of funding arising from Lane Rental.

The introduction of Lane Rental was identified as a key ambition of the Network Management Plan 2023-2028, adopted by Cabinet in February 2023.

During discussion, members welcomed the introduction of the scheme which would help to enforce the timeliness of work by contractors.

Councillor Gant moved and Councillor Bearder seconded the recommendations and they were approved.

RESOLVED to:-

- a) **approve the submission of an application to the Department of Transport for Lane Rental in Oxfordshire.**
- b) **delegate decision making on the timing and specific content of the Scheme and application to the Corporate Director of Environment and Place in consultation with the Cabinet Member for Highway Management.**

84/23 FORWARD PLAN AND FUTURE BUSINESS

(Agenda Item. 13)

The Cabinet considered a list of items (CA) 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