

## CABINET

**MINUTES** of the meeting held on Tuesday, 19 December 2017 commencing at 2.00 pm and finishing at 2.46 pm

**Present:**

**Voting Members:** Councillor Ian Hudspeth – in the Chair  
Councillor Mrs Judith Heathcoat  
Councillor Lawrie Stratford  
Councillor Yvonne Constance OBE  
Councillor David Bartholomew  
Councillor Hilary Hibbert-Biles  
Councillor Mark Gray

**Other Members in Attendance:** Councillor Liz Brighthouse (Agenda Item 7)  
Councillor Helen Evans (Agenda Items 6 & 7)  
Councillor John Sanders (Agenda Items 8 & 9)

**Officers:**

|                  |   |
|------------------|---|
| Whole of meeting | Nick Graham (Director of Law & Governance); Sue Whitehead (Resources Directorate) |
| Part of meeting  |   |
| Item             | Name  |
| 6 & 7            | Lorna Baxter, Director of Finance   |
| 8 & 9            | Peter Day, Minerals & Waste Policy Team Leader                                    |

*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.*

### **93/17 APOLOGIES FOR ABSENCE**

(Agenda Item. 1)

Apologies were received from Councillor Steve Harrod and Councillor Lorraine Lindsay-Gale.

### **94/17 MINUTES**

(Agenda Item. 3)

The Minutes of the meeting held on 28 November 2017 were approved and signed subject to the following amendment:

**Minute 88/17** – Penultimate paragraph of the preamble amended to read:

‘Councillor David Bartholomew, Cabinet Member for Finance, replied to the comments made and expressed his satisfaction that performance against budget was good. He hoped that would continue and although it was right to ask questions we were over performing and this cautious approach would continue. The risk around Brexit was being considered and would be reported to the Audit & Governance Committee. On ethical investment there was no specific policy. The primary objective was the security of investments that led to investment being with banks, building societies and some external funds.’

## **95/17 QUESTIONS FROM COUNTY COUNCILLORS**

(Agenda Item. 4)

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

‘The Oxford Transport Strategy LTP4 proposes on Page 23 ‘a crossing of the A40 east of Headington roundabout (linking Barton and Risinghurst)’. This commitment recognises the danger for pedestrians having to dodge traffic to cross 2 dual carriageways of the A40 at the bottom of Collinwood Road. There is a primary school in Barton, a post office and a pub in Risinghurst and thriving faith groups in both communities. Good reasons for why people cross this road. Can you let me know when the commitment to install this crossing will be fulfilled?’

Councillor Constance replied:

This scheme remains an aspiration but is currently unfunded. We will seek to secure funding from future planning applications in the area, or other sources if appropriate. Whilst it is recognised that this scheme would fulfil an important local function, it would not deliver wider strategic benefits or help to deliver significant economic or housing growth, which unfortunately limits our ability to secure funding for the scheme, since most of our funding for transport schemes currently comes from competitive growth-related government funds.

Supplementary: In response to a further question Councillor Constance expressed surprise that there had been no Section 106 money associated with the existing development and on hearing that it was judged to be too far away gave a commitment to to pursue Section 106 funding for future development. In the meantime Councillor Constance undertook to discuss the matter with officers to see what if anything could be done to make it safer.

Councillor Howson had given notice of the following question to Councillor Hibbert-Biles:

‘The viability and longevity of the Oxfordshire Strategic Schools Partnership Board (OSSPB) will depend on the financial model that can be ensured for

the future. The Board initially secured funding through the generous support of the OCC and Schools Forum.’ How much funding was provided by Oxfordshire County Council for 2017-18 and will that funding continue into 2018-19?

Councillor Hibbert-Biles replied:

“The SSPB received £250,610 on the 16<sup>th</sup> of March 2016 under the proviso of a one off sum. As the board is not a legal entity the money was actually transferred to the Vale Academy Trust under a funding agreement. Our understanding is that the SSPB has sufficient funding remaining to extend the agreement for up to 2 more years.

OCC will continue to provide a clerk for both the SSPB board and its operational boards through core funding.

There is no plan to provide the SSPB with any further funding from the council’s core budget. Additional monies for strategic school improvement must be applied for by bidding for the strategic school improvement fund held by central government.

SSPB will need to identify suitable legal entity organisations to bid for money for strategic school improvement on their behalf”

## **96/17 PETITIONS AND PUBLIC ADDRESS**

(Agenda Item. 5)

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

| Item  | Speaker   |
|---|---|
| 6. Financial Monitoring                     | Councillor Helen Evans, Shadow Cabinet Member for Finance   |
| 7. Service & Resource Planning              | Councillor Helen Evans, Shadow Cabinet Member for Finance<br>Councillor Liz Brighthouse, Chairman of Performance Scrutiny Committee |
| 8. Minerals & Waste Development Scheme 2018 | Councillor John Sanders, Shadow Cabinet Member for Environment  |
| 9. Local Aggregate Assessment               | Councillor John Sanders, Shadow Cabinet Member for Environment  |

**97/17 2017/18 FINANCIAL MONITORING & BUSINESS STRATEGY DELIVERY REPORT - OCTOBER 2017**

(Agenda Item. 6)

Cabinet considered the third financial monitoring report for 2017/18 that focused on the delivery of the 2017/18 budget based on projections at the end of October 2017. Parts 1 and 2 include projections for revenue, reserves and balances. Capital Programme monitoring and update was included at Part 3.

Councillor Helen Evans, Shadow Cabinet Member for Finance, expressed concern at the increase in the projected overspend and in particular at the increased overspend in CEF. She sought assurances that there would not be further increases. There was a need to look after the most vulnerable but there was also a need to be able to have confidence in the forecast and also confidence that the increase was due to increased demand and not to problems with the system/processes. She queried how the out of county SEND placements could be reduced and commented on the underspend in public health. Councillor Evans welcomed the look ahead at capital spend but noted that it was difficult to see the reasons for variations. She asked that consideration be given to including further commentary on variations in future reports.

Councillor Bartholomew responded to the points made and agreed that the CEF overspend was a matter of concern but it was necessary to meet statutory requirement and to do everything possible to protect vulnerable children. He added that he was able to say with confidence that there was rising demand. He clarified that the underspend in public health was not related to the ring fenced element.

Councillor Bartholomew moved the recommendations.

**RESOLVED:** to:

- (a) note the report;
- (b) approve the virement requests set out in Annex 2a;
- (c) note the Virements set out in Annex 2b;
- (d) approve the bad debt write offs set out in paragraphs 37 to 40;
- (e) note the Treasury Management lending list at Annex 3;
- (f) approve the updated Capital Programme at Annex 7 and the associated changes to the programme in Annex 6c;
- (g) approve the contractual commitment for construction of the new Secondary School in South West Bicester, with a total budget of £16.0m;

- (h) delegate to the Director of Finance and Strategic Director for Communities in consultation with the Leader of the Council to approve the stage 2 Full Business Case and the award of the construction contract for the new Secondary School in South West Bicester;
- (i) approve the total project budget of £15.8m, including the release of £4.2m towards the delivery of the slip road at A34/A4183 junction at Lodge Hill; and
- (j) approve an increase in the capital programme to reflect the budget for the master site plans for Drayton and Deddington Depots to £4.5m and delegate authority to the Director of Finance on the funding option to support the capital investment.

## **98/17 SERVICE & RESOURCE PLANNING REPORT - 2018/19 - DECEMBER 2017**

(Agenda Item. 7)

Cabinet considered the second in the series on the Service & Resource Planning process for 2018/19 which will culminate in Council setting a budget for 2018/19 and a medium term financial plan to 2021/22 in February 2018.

The report set out the:

- new financial strategy principles;
- new improvements and investments plus pressures and savings for 2018/19 and the medium term;
- key announcements of the Autumn Budget announced on 22 November 2017;
- review of charges for 2018/19; and
- capital programme portfolios for 2018/19 to 2027/28.

In addition Cabinet had before them an addenda setting out a change to Section 14 of Annex 2b – Resources – Registration Service – Review of Charges 2018/19.

Councillor Evans, Shadow Cabinet Member for Finance, referred to the continuing difficult financial situation the Council was in and noted that balancing the budget was contingent on reducing the numbers needing the County Council's help. She queried how realistic this was when the new financial year was only 3 months away. There were plans in place to reduce demand but these will take time to take effect. She was concerned that the Council could find itself in the same position next year but with less reserves having had to use them in 2018/19. Councillor Evans also referred to the changes in adult social care and the impact on users. In another year of financial savings the risks were higher and reserves lower.

Councillor Brighouse, Chairman of Performance Scrutiny Committee thanked Cabinet Members and officers for their attendance at the meeting on 14 December which had been a very useful session. The Committee had considered the budget in detail and she highlighted a number of issues raised by it:

- The Committee had queried whether a greater sum could come from the Transformation Programme. The Committee would be discussing this with PwC.
- There was concern at the use of reserves.
- Inflation increases were also a cause for concern.
- Income generation was seen as a key issue by one member.
- Issues around the forward plan in relation to forward funding
- The potential impact of the move to a unitary authority has not been factored in.

In terms of specific services concerns had been raised in respect of children, education and families and adult social care. Of particular concern was the position with regard to home to school transport and special educational need and disability (SEND) issues. On SEND the Committee had recently received a report highlighting some of the issues and she queried whether it was an issue that the County Council needed to be looking to central government for funding.

Councillor Brighouse expressed concern at the reliance on the market in the provision of services to the most vulnerable in society and commented that the Council needed a stake in the provision of these services. With regard to keeping children out of care there was concern expressed about the risks of children being taken into care and that there was a need for tangible support for schools who were at the front line. Finally consideration should be given to the way the Council reacts in terms of its own assets including the workforce, buildings and land.

In response to questions Councillor Brighouse explained that the help needed by schools was to answer their concerns that schools lacked the expertise to judge what help a child needed and whether children's services intervention was necessary. Councillor Brighouse commented the big issues for the Committee were around changes to adult social care. The impact of changes to the ASC Contributions Policy was of concern, particularly the postcode lottery of the full cost recovery proposals and the scale of impact of DRE changes on most vulnerable). The Committee intended to review this regularly

Councillor Bartholomew responded to the comments made, thanking Councillor Brighouse and Performance Scrutiny Committee for carrying out a thorough review. With regard to the funding of children's services he agreed that the confidence level that the funding was right was not as high as he would like it to be. Discussions were on going and he expected that the funding for children's services would increase. The Transformation Programme was in progress and although it could result in more than £15m

he preferred to leave it at its current level for the moment. On adult social care there was no postcode lottery with the charges being just a reflection of the costs in the area in which a person lived.

Councillor Bartholomew introduced the report and addenda and in moving the recommendations highlighted the bullet points on page 61 of the agenda pack.

**RESOLVED:** to take the issues set out in the report and addenda into consideration in forming their proposed budget for 2018/19, Medium Term Financial Plan to 2021/22 and Capital Programme to 2027/28.

## **99/17 OXFORDSHIRE MINERALS AND WASTE DEVELOPMENT SCHEME 2017**

(Agenda Item. 8)

The County Council must prepare and maintain a Minerals and Waste Development Scheme, setting out the programme for production of the Minerals and Waste Local Plan. The original Oxfordshire Minerals and Waste Development Scheme came into effect in May 2005 and a number of revisions have been made since then, most recently in February 2016. Part 1 of the Plan, the Core Strategy was adopted in September 2017 but the prolonged examination of that plan has delayed commencement of work on Part 2 of the Plan - the Site Allocations. The timetable for preparation of the Site Allocations plan in the most recent revision of the Development Scheme is therefore now out of date. Cabinet considered a report seeking approval of the revised Development Scheme.

Councillor John Sanders, Shadow Cabinet Member for Environment referred to the delays in the development of the Plan and that it was good that Part 1 was now adopted. The delay in producing Part 2 was understandable given the earlier delays with Part 1. He noted the proposed timetable included an additional 4 months to the current timings and hoped that this was now a sound estimate. The report at pages 193-194 detailed milestones and he would wish to see reports to the Minerals & Waste Cabinet Advisory Group (CAG) in order to track progress.

Councillor Constance in moving the recommendations thanked Peter Day for his efforts and welcomed the suggestion from Councillor Sanders for regular reports to the Minerals & Waste CAG. Peter Day added that he was happy to bring reports to the CAG at each key stage of the process. In respect of the timetable they would hope to prune it back but it was the best estimate of a realistic timescale based on experience.

**RESOLVED:** (by 6 votes for to 1 against) to:

- (a) approve the Oxfordshire Minerals and Waste Development Scheme (Eighth Revision) 2017 at Annex 1, subject to final detailed amendment and editing, to have effect from 8 January 2018;

- (b) authorise the Director for Planning & Place to:
  - (i) 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;
  - (ii) take the necessary steps to bring the revised Scheme into effect from 8 January 2018 and publish the revised Scheme, in accordance with Sections 15 and 16 of the Planning and Compulsory Purchase Act 2004 (as amended).

## **100/17 OXFORDSHIRE LOCAL AGGREGATE ASSESSMENT 2017**

(Agenda Item. 9)

Government planning policy in the National Planning Policy Framework (NPPF) requires the County Council to prepare an annual Local Aggregate Assessment (LAA). The LAA establishes the amount of provision for mineral working that should be made in the Minerals and Waste Local Plan and it can also be a material consideration in the determination of planning applications for mineral working. The current LAA 2014 was approved by the Cabinet in November 2014. Updated information on sales and reserves of aggregates in Oxfordshire, for 2014, 2015 and 2016, is now available. Following the adoption of the Core Strategy, Cabinet considered a report seeking approval of a revised LAA, taking into account this more up to date information.

Councillor John Sanders agreed with the conclusions set out at paragraph 6.6 of the draft LAA document and looked forward to the next review as this was an issue that needed to be monitored.

**RESOLVED:** to

- (a) approve the Oxfordshire Local Aggregate Assessment 2017 at Annex 1 for use as the basis for provision for mineral working in the Oxfordshire Minerals and Waste Local Plan and for calculating the Oxfordshire landbank;
- (b) authorise the Director for Planning and Place in consultation with the Cabinet Member for Environment to make any necessary minor corrections and amendments and publish the Oxfordshire Local Aggregate Assessment 2017 on the Council website.

## **101/17 FORWARD PLAN AND FUTURE BUSINESS**

(Agenda Item. 10)

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 ..... 2018