

CABINET

MINUTES of the meeting held on Tuesday, 19 July 2016 commencing at 2.00 pm and finishing at 3.35 pm

Present:

Voting Members: Councillor Ian Hudspeth – in the Chair
Councillor Rodney Rose
Councillor Mrs Judith Heathcoat
Councillor Melinda Tilley
Councillor Lorraine Lindsay-Gale
Councillor David Nimmo Smith
Councillor Lawrie Stratford
Councillor Hilary Hibbert-Biles

Other Members in Attendance: Councillor Liz Brighthouse (Agenda Item 14)
Councillor John Christie (Agenda Item 6)
Councillor Jean Fooks (Agenda item 11)
Councillor Nick Hards (Agenda Items 7, 8 & 9)
Councillor John Howson (Agenda Item 12)
Councillor Gill Sanders (Agenda Item 10, 11 & 12)
Councillor Richard Webber (Agenda Item 6)

Officers:

Whole of meeting	Peter Clark (County Director); Sue Whitehead (Corporate Services)
Part of meeting	
Agenda Item	Name
7,	Lewis Gosling (Corporate Finance)
8 & 9	Lorna Baxter, Chief Finance Officer
10	Roy Leach; Vikki Gledhill, Business Development Manager, CEF
11	Jim Leivers, Director for Children's Services; Delia Mann, Area Social Care Manager, CEF
12	Jim Leivers, Director for Children's Services
13	Mark Kemp, Deputy Director, Commercial

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.

56/16 APOLOGIES FOR ABSENCE

(Agenda Item. 1)

Apologies were received from Councillor Carter.

57/16 MINUTES

(Agenda Item. 3)

The Minutes of the meeting held on 28 June 2016 were approved and signed as a correct record subject to the corrections to the names of Councillors Hards and Howson in the preamble to Minute 54/16.

58/16 QUESTIONS FROM COUNTY COUNCILLORS

(Agenda Item. 4)

Councillor Howson had given notice of the following question to Councillor Tilley:

“Will the Cabinet Member for CEF please list by school the lump sum amount lost by each affected school due to the removal of the small school grant associated with the provision of Free Infant School Meals for 2016-17. The lump sum grant was paid to schools with below a certain number of pupils in order to help with the cost of providing the meals.”

Councillor Tilley replied:

“The introduction of universal infant free school meals (UIFSM) was accompanied by some ‘one off’ additional transitional funding to assist small schools (150 or fewer pupils at January 2015) with the start of the new requirement. Each eligible school received £2,300 for the financial year 2015/16. A list of all those schools may be found attached as an appendix.

The total amount paid to the Local Authority and passed to maintained schools totalled £177,100. A further £36,800 was paid directly by the Education Funding Agency to non-maintained eligible schools, 14 of which are Academies, one of which is an independent special school and one a Free School. A list of all those schools is attached as an appendix.”

Supplementary: Asked whether Councillor Tilley had any concerns about the viability of some of our smaller rural primary schools with the removal of this grant funding Councillor Tilley replied that she had no concerns at the moment.

Councillor Webber had given notice of the following question to Councillor Hudspeth:

“I would like to ask the Leader a question on the way the council approaches and elects Chairmen and Deputy Chairmen to Scrutiny Committees at their meeting on 19th July.”

Councillor Hudspeth replied:

“At the first meeting of each new year the committees elect their own chairman.”

Supplementary: Councillor Webber asked whether the Leader agreed with his concern that in order to assure the public that the scrutiny function was robust and fit for purpose it was important to ensure that the most competent people filled those roles. Councillor Hudspeth emphasised that the choice was made through a democratic process and that if he were to suggest alternative approaches then he could be accused of reducing the independence of scrutiny.

59/16 PETITIONS AND PUBLIC ADDRESS

(Agenda Item. 5)

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

Item 6 – Councillor John Christie, Shadow Cabinet Member for Local Government, Business, ICT and Customer Services;
Councillor Richard Webber, Leader of the Liberal Democrat Group

Item 7– Councillor Nick Hards, Shadow Cabinet Member for Finance

Item 8 - Councillor Nick Hards, Shadow Cabinet Member for Finance

Item 9 - Councillor Nick Hards, Shadow Cabinet Member for Finance

Item 10 - Councillor Gill Sanders, Shadow Cabinet Member for Children, Education & Families

Item 11 - Ms Vanessa Porter, Hook Norton Refugee Action;
Councillor Jean Fooks;
Councillor Gill Sanders, Shadow Cabinet Member for Children, Education & Families

Item 12 - Councillor Howson; Councillor Gill Sanders, Shadow Cabinet Member for Children, Education & Families

Item 13 - Steve Curran, Shadow Cabinet Member for Environment (did not speak)

Item 14 - Councillor Liz Brighthouse, Chair of Performance Scrutiny Committee

60/16 INTERIM REPORT OF GRANT THORNTON'S INDEPENDENT REVIEW OF LOCAL GOVERNMENT STRUCTURES IN OXFORDSHIRE

(Agenda Item. 6)

The Leader reminded Cabinet that local government experts Grant Thornton were commissioned to conduct an independent study of the options for local government restructuring. That work was ongoing and was due to be completed by the end of the month. He stated that the covering paper

explained the background, and that Cabinet Members would all be aware of the lively debate surrounding options for unitary local government.

The Leader noted that Cabinet was due to consider an interim report by Grant Thornton, which was always going to be published as a late paper. However, it had been decided not to publish the interim report at this time. He read a brief statement that had been agreed by all the councils, which he hoped was self-explanatory:

With a new Prime Minister and new Secretary of State now in place and a number of pressing economic and policy issues to work through at national level, we recognise that it is sensible to take the time to understand how the government intends to take forward devolution and local government reorganisation in Oxfordshire and other areas before presenting further proposals for reforming public services and changes to council structures in the county.

Following discussions with civil servants last week all the Oxfordshire councils have agreed to work together to discuss areas of common ground, assess potential options and establish whether we can agree a way forward building on the work we have both done to date. We have agreed to postpone publication of both the Grant Thornton and PWC studies, and pause plans for consultation until these plans have been jointly developed.

Our aim has always been to seek investment in housing and transport infrastructure; to improve skills training and develop the local economy. This investment is needed if we are to reach our potential, and therefore agreeing a way forward with government is a high priority for all of us.

The Leader continued that it made sense for us to get together with all the councils in Oxfordshire to look for common ground before we publish our reports. The government has told us that it does not favour one option over another. It has simply said that it will not choose between different options and wants a proposal with broad support among the key partners. He added that he was not going to say anything more at this stage because it was important that we don't do anything that could undermine that commitment to work together. Although not publishing the Grant Thornton report today, the recommendations to Cabinet contained in the paper are still valid. They do need to be understood in the context of joint working. He moved the recommendations amended in the light of the statement.

Councillor Christie, Shadow Cabinet Member for Local Government, Business, ICT & Customer Services, recognised that the pause was on the advice of DCLG and that it was in the best interests of Oxfordshire residents to try and work out a solution. However there was an expectation that the reports would still be published. He added that the current system was not working and what was needed was a more effective and efficient single strategic body with locally devolved decision making. This was a clear principle and the Labour Group believed that a Unitary body for Oxfordshire

would best deliver this. He spoke against the idea of a combined authority arrangement which would reintroduce a two/three tier process. He added that in his experience smaller unitary councils were inefficient.

Councillor Webber, Leader of the Liberal Democrat Group, supported the comments from Councillor Christie but added that to maintain integrity it was important to wait for the evidence. He referred to the financial constraints local government was under and felt that the big annual savings needed could only come from significant change and fewer councils. Whatever structure was agreed savings would still need to be made. The pause should not be for too long and he hoped that efforts were being made to ensure that DCLG were aware that this mattered.

RESOLVED: in the light of the Leader's statement to ask officers to:

- (a) draw up proposals for the optimum future structure of local government in Oxfordshire taking account of the full findings of the Grant Thornton study once received
- (b) consult with county council members, residents of Oxfordshire and other key stakeholders to help shape the proposals; and
- (c) thereafter prepare a bid to be reviewed by Cabinet later in 2016 in advance of submission to central government.

61/16 TREASURY MANAGEMENT 2015/16 OUTTURN

(Agenda Item. 7)

Cabinet considered a report that set out the Treasury Management activity undertaken in the financial year 2015/16 in compliance with the CIPFA Code of Practice. The report included Debt and Investment activity, Prudential Indicator Outturn, Investment Strategy, and interest receivable and payable for the financial year.

Councillor Hards, Shadow Cabinet Member for Finance, congratulated the Treasury Management Team for doing a very good job and achieving an excellent result. However he sounded a note of caution. Following the referendum decision there had been very short term fluctuations in the markets which although it was right to ignore still needed to be kept under review. He highlighted in particular that some property funds had been frozen and it would not have been possible to access invested funds if they were needed at short notice. He added that he had queried this and been assured that it was not money that was needed most quickly that was invested in these types of funds. He commented that the benchmarking referred to was about a backward look and he asked that officers and the Cabinet Member be aware of this and the need also to anticipate future events. He went on to make detailed comments relating to LOBO, PWLB and other local authority loans.

Councillor Stratford, Cabinet Member for Finance responded to the comments made and added his congratulations to the Treasury Management Team. He stated that the report was to the end of March 2016 and he was

sure that there would be tensions and issues ahead but that the Team had achieved a remarkable result and were very alert to future challenges.

RESOLVED: to note the report and to **RECOMMEND** Council to note the Council's Treasury Management Activity in 2015/16.

62/16 2016/17 FINANCIAL MONITORING & BUSINESS STRATEGY DELIVERY REPORT - MAY 2016

(Agenda Item. 8)

Cabinet had before them the first financial monitoring report for 2016/17 that focused on the delivery of the Directorate Business Strategies that were agreed as part of the Service and Resource Planning Process for 2016/17 – 2019/20. Parts 1 and 2 included projections for revenue, reserves and balances as at the end of May 2016. Capital Programme monitoring and update was included at Part 3.

Councillor Hards, Shadow Cabinet Member for Finance, highlighted a number of areas of concern. In relation to Children, Education & Families although the position on home to school transport for mainstream education was now satisfactory, SEN transport was still a problem. He asked that on mainstream transport with the changes to the bus services following the withdrawal of bus subsidies that care was taken that suitable public bus services were available if that was the agreed method of travel. With SEN transport the biggest difficulty was that children needed to travel large distances as local provision was not available and Councillor Hards asked for an update on special school provision. Councillor Hards also highlighted the position with regards to asylum seekers and sought assurances that the County Council would be able to afford whatever it was decided we should do. He welcomed a conversation outside the meeting about any strategy to deal with the difficulty highlighted in paragraph 17 where the expected National Schools Funding Formula is likely to ring-fence the various DSG funding blocks making it increasingly difficult to manage such overspends within DSG going forward. He made further comments in relation to the use of agency placements for fostering and older people and public health.

Councillor Tilley, Cabinet Member for Children, Education & Families responded to the comments made and advised that the need for special school places was a known need and discussions were taking place. Independent foster carers were used as little as possible. Councillor Heathcoat Cabinet Member for Adult Social Care commented that detailed discussions were taking place.

Councillor Stratford, Cabinet Member for Finance, introduced the contents of the report. He shared Councillor Hards concerns around issues around asylum seekers. He supported the government approach but it was important to understand what funding was needed and how it would be managed. He acknowledged that it continued to be a struggle to finance the needs of the growing older population. He shared concerns about funding for public health. He moved the recommendations.

RESOLVED: to:

- (a) note the report;
- (b) approve the virement requests set out in Annex 2a;
- (c) approve the virement requests set out in Annex 2f;
- (d) approve the foster care loan write-off as set out in paragraph 41;
- (e) note the Treasury Management lending list at Annex 3;
- (f) approve the updated Capital Programme at Annex 8 and the associated changes to the programme in Annex 7c;
- (g) approve the increase of £2.2m in the budget for the Great Western Park Primary School in Didcot;
- (h) approve the contractual commitment for construction of the Access to Headington Project, with a total budget of £11.2m; and
- (i) approve the contractual commitment for construction of the Harwell Link Road Project, with a total increased budget of £11.6m.

63/16 REVISED MEDIUM TERM FINANCIAL PLAN 2017/18 - 2019/20

(Agenda Item. 9)

The Medium Term Financial Plan (MTFP) agreed by Council in February 2016 included a requirement for further savings for which proposals had not been identified of £10.4m in 2017/18 and £6.2m in 2018/19. A surplus position of £1.3m was included for 2019/20. Over the medium term to 2019/20 a total of £15.3m additional savings are required.

Given the need to make significant additional savings only became apparent following the publication of the Draft Local Government Finance Settlement late in December 2015 due to a change in the distribution of Revenue Support Grant, it would not have been prudent to propose further significant savings without proper financial planning and consultation. Therefore, recommendations for meeting the £15.3m further savings were proposed to be brought forward as part of a revised MTFP for 2017/18 – 2019/20 to Cabinet and then Council for approval before the autumn of 2016. Cabinet had before them the report setting out the proposed recommendations for meeting these further savings.

Councillor Hards, Shadow Cabinet Member for Finance sought assurance that everything possible would be done to ensure that Government were aware of the difficulties caused by the late settlement in February 2016 and to urge them not to repeat it. With regard to the use of digital access he urged the council to remember the problems of people for whom it was difficult or not possible to access services digitally. This was not an older people issue as he was aware of many older people using the internet. Councillor Hards welcomed the good work so far on the strategic property review but highlighted the need to do better. He sought an update on the income generation pump priming.

Councillor Stratford, Cabinet Member for Finance in moving the recommendations stated that he feared that the timing of the settlement would be the same or worse for the budget setting in February 2017. He

welcomed the 4 year settlement referred to at paragraph 8 for bringing some certainty but it would depend on what was meant by the caveats. He took on board the point made by Councillor Hards that some would find digital access challenging. He commented that more work was required in relation to the income generation pump priming although the other was moving forward.

Lorna Baxter, Chief Finance Officer noted that the Efficiency Plan would be amended to reflect the statement made at Minute 60/16 above.

RESOLVED: to **RECOMMEND** Council to approve:

- (a) the revised Medium Term Financial Plan for 2017/18 to 2019/20; and
- (b) the four year Efficiency Plan for 2016/17 to 2019/20 including the Flexible Use of Capital Receipts strategy for 2016/17 for onward submission to the Department for Communities and Local Government.

64/16 BUSINESS CASE FOR THE FUTURE OF HILL END - OXFORDSHIRE COUNTY COUNCIL AND OXFORD UNIVERSITY

(Agenda Item. 10)

Cabinet considered a report seeking confirmation that Oxfordshire County Council, in conjunction with Oxford University, would support proposals for new governance and management arrangements at Hill End.

Councillor Gill Sanders, Shadow Cabinet Member for Children, Education & Families, spoke in support of the proposals, referring to the huge support from the public for the facilities to continue. It was the only opportunity for some youngsters to enjoy outdoor activities. Councillor Sanders suggested that officers explore a link with Science Oxford and that it would be good if the University could take an active interest.

The Leader informed Cabinet of an email from Councillor Godden in support of the proposals. He thanked Vikki Gledhill and her team for all their efforts.

RESOLVED: to:

- (a) approve the business case for the proposal to establish a new charitable entity;
- (b) provide a mandate to work jointly with Oxford University to implement and progress the establishment of a new charitable company/entity for the governance and management of the Hill End; and
- (c) confirm that the council will support one-off set-up and transition costs and provide project management input which will be resourced from Hill End's ring-fenced business reserve.

65/16 UNACCOMPANIED ASYLUM SEEKING AND REFUGEE CHILDREN - TRANSFER SCHEME

(Agenda Item. 11)

The crisis in Syria and events in the Middle East, North Africa and beyond had seen an unprecedented number of migrants and asylum seekers arriving in Europe.

The Home Office and other central Government Departments had recently sought agreement with local authorities and others to agree a voluntary approach to sharing UASC more equally across the UK. If a voluntary approach failed, Government had under recent legislation and regulations given itself powers to force councils to accept UASC.

The Government is committed to a transfer scheme operating from 1 July 2016. South East county and unitary councils – along with councils in other parts of the country – were being asked to indicate how many UASC they could accept. No authority will be expected to take more than 0.07% of their existing child population.

There had for some time been increasing concern from local authorities that the government grant allocation fall far short of the actual cost of accommodating these children

Cabinet considered a report seeking a decision as to whether or not Oxfordshire County Council will commit to the new Government scheme.

Ms Vanessa Porter, Hook Norton Refugee Action thanked the County Council for the leading role that it had taken in the transitioning work from Kent. She explained the background and scope of her Group and offered the support of the Group and the network of volunteers it provided to assist the ongoing work.

Councillor Hudspeth, Councillor Tilley and other Cabinet Members welcomed the generous offer of support.

Councillor Fooks, commented that the help would be needed and paid tribute to the work already being done by the council. She added that the necessary resources were needed and felt that government were failing to recognise the cost and were not fully funding the work. Whilst it was right to spread the burden across the country the additional numbers would be a considerable pressure. She noted that 13 children were already placed out of County.

Councillor Gill Sanders, Shadow Cabinet Member for Children, Education and Families welcomed the acknowledgement of the duty to look after unaccompanied asylum seekers. Oxfordshire had a good record and she knew that the City will accept their responsibilities. As a member of the Fostering Panel she was aware that people were willing to take on asylum seekers but that more people were needed to come forward as foster carers.

Councillor Heathcoat urged all councillors to promote the need for foster carers in their own areas.

Councillor Tilley proposed an amendment of the recommendation to accept the implementation of the government proposal.

RESOLVED: to implement the Government proposal regarding the redistribution of UASC and recommended an approach as set out in the report.

66/16 DRAFT ACTION PLAN IN RESPONSE TO JOINT TARGETED AREA INSPECTION (JTAI)

(Agenda Item. 12)

In early March Ofsted, The Care Quality Commission, HMI Constabulary and HMI Probation undertook a joint inspection of the multi-agency response to child sexual exploitation, children missing from home, care or education and the front door to children's social care. This resulted in the publication of a detailed letter outlining the findings of the effectiveness of partnership working and the working of individual agencies in Oxfordshire.

The Director of Children's Services is required to submit a written statement of action to Ofsted by 15 August 2016, which will be accompanied by the detailed action plan that addresses the areas for improvement identified by the JTAI. Cabinet received for approval the written statement of action and action plan.

Councillor Howson referred to the current direction of travel of education with schools becoming ever more independent. He sought assurance that given there was no indication of sign up from individual schools to taking the action plan forward and with the lack of a strategic post that the plan could be delivered. Ongoing training was important but so was training for new entrants which was becoming school based. From the corporate parenting panel he highlighted that there was no information at all from schools on missing episodes. He also expressed concern at the time taken to admit vulnerable children to school.

Councillor Gill Sanders, Shadow Cabinet Member for Children, Education & Families welcomed the key strengths identified in the Inspection. With regard to the MASH the County Council had become a victim of its own success. There was a major problem caused by raised awareness of child safeguarding and the huge increase in referrals. She noted that no further action resulted in 75% of the cases and these unnecessary referrals created difficulty when resources could not be increased in order to keep pace. She added that her Group supported the action plan but would want to see further training for schools, police and other groups on the appropriate level of concern for a referral.

Jim Leivers, Director for Children's Services, gave an assurance that as Director he had signed up to the plan on behalf of the local authority including schools, who had been consulted extensively. The same was true for other organisations with the Chief Constable owning the plan for the police. He stressed that this had been a joint inspection by a team from a number of organisations around issues around child sexual exploitation. There had been a narrative outcome and before Cabinet was the proposed response to that narrative. It was not and never intended to be a comprehensive review. The performance on the MASH had been discussed on a number of occasions and he recognised that the inundation of referrals was one of the challenges. Changes were laid out in the appendices but he stressed that this was not a report about the MASH.

RESOLVED: to approve in principle the attached Written Statement of Action and Action Plan as set out at annexes 1&2 of the report prior to submission to Ofsted by 15th August 2016.

67/16 SHORTFORM SECTION 278 HIGHWAYS ACT 1980

(Agenda Item. 13)

Cabinet considered a report on the proposed approach for enabling small scale infrastructure to be built on the highway, associated with schemes supported by Town and Parish Councils and in certain circumstances where these small scale works are required by developers.

In moving the recommendations Councillor Nimmo Smith, Cabinet Member for Environment, noted that this was the last Cabinet meeting which Mark Kemp, Deputy Director, Commercial would attend before leaving for a new role with another authority. Cabinet joined with Councillor Nimmo Smith in giving thanks to Mark Kemp for all his work and wishing him well in his new job.

RESOLVED: to:

- (a) approve the proposed approach and relevant short form conditions for Town and Parish Councils and developers; and
- (b) approve the revised standard conditions.

68/16 BUSINESS MANAGEMENT & MONITORING REPORT FOR QUARTER 4 - 2015/16

(Agenda Item. 14)

Cabinet considered details of performance for quarter four (2015-16). The report is required so that the Cabinet can monitor the performance of the Council in key service areas and be assured that progress is being made to improve areas where performance is below the expected level.

Councillor Brighthouse, Chairman of Performance Scrutiny Committee advised that as the meeting of the Committee due to be held on 23 June (the Referendum date) had been cancelled the report had been considered by an informal sub group made up of the three Group leads on the Committee. A note was available should it be required.

She outlined several issues the group had considered including safeguarding, delayed transfer of care and reablement. She noted that an earlier committee meeting had considered the targeted inspection and had asked questions of Thames Valley Police in relation to the referrals and the impact of their approach to domestic violence prosecutions on the numbers of referrals. No response had yet been received.

In response to a question from Councillor Brighthouse, Lorna Baxter, Chief Finance Officer explained the reason behind and the operation of the reserve for the County Council election.

Councillor Heathcoat, Cabinet Member for Adult Social Care informed the meeting that a lot of superb work was going on around delayed transfers of care. A target had been set of getting the figure down to 20 by the end of March 2017. At the end of June 2016 the number of social care delayed transfers of care had fallen to 12. She added that she shared concerns over reablement but that there was going to be a tender process and she expected that the service would improve.

Councillor Rose moved the recommendation:

RESOLVED: to note the performance reported in the dashboards.

69/16 DELEGATED POWERS - JULY 2016

(Agenda Item. 15)

RESOLVED: to note the following quarterly report of any 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).

<i>Date</i>	<i>Subject</i>	<i>Decision</i>	<i>Reasons for Urgency</i>
2 June 2016	Exemption from Contract Procedure Rules- 130 West Street, Henley-on-Thames	To approve an exemption from tendering with the Council's Contract Procedure Rules to allow the Council to lease the property at 130 West Street, Henley-on-	To allow the Council to take advantage of the opportunity provided to achieve economies of scale and to resolve logistical issues relating to 130.

<p>.....</p>		<p>Thames for use as a 2 bedroom supported living service for learning disability tenants with Acre Housing as the housing provider.</p>	
<p>16 June 2016</p>	<p>Exemption from Contract Procedure Rules – Real Time Passenger Information – Display Estate</p>	<p>To approve an exemption from tendering with the Council’s Contract Procedure Rules to allow the Council to award an interim six month contract for real time passenger information – display estate to Cloud Amber Ltd. at a cost of £98,550.</p>	<p>To ensure the provision of services over the period of the contract to allow a full procurement process to take place.</p>

70/16 FORWARD PLAN AND FUTURE BUSINESS

(Agenda Item. 16)

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

2016