

CABINET

MINUTES of the meeting held on Tuesday, 20 September 2016 commencing at 2.00 pm and finishing at 4.23 pm

Present:

Voting Members: Councillor Ian Hudspeth – in the Chair
Councillor Rodney Rose
Councillor Mrs Judith Heathcoat
Councillor Nick Carter
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 6)
Councillor John Christie (Agenda Item 6)
Councillor Nick Hards (Agenda Item 7)
Councillor John Howson (Agenda Item 6)
Councillor Glynis Phillips (Agenda Item 10)
Councillor Laura Price (Agenda Item 11)
Councillor Gill Sanders (Agenda Item 8)

By Invitation: Nigel Tipple, Chief Executive, LEP

Officers:

Whole of meeting Peter Clark (County Director); Sue Whitehead (Corporate Services)

Part of meeting

Item	Name
7&8	Lorna Baxter, Chief Finance Officer
9	Bev Hindle, Acting Director of Environment & Economy; Robin Rogers (Environment & Economy)
10	Kate Terroni, Deputy Director, Joint Commissioning

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.

71/16 MINUTES

(Agenda Item. 3)

The Minutes of the meeting held on 19 July 2016 were approved and signed as a correct record.

72/16 QUESTIONS FROM COUNTY COUNCILLORS

(Agenda Item. 4)

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

“Will the Cabinet Member join with me in welcoming the government’s –U- turn in abandoning plans to scrap the role of parent governor. These volunteers play a vital role in the life of many schools and we should be encouraging more of them not replacing them with faceless unelected governors of Multi-Academy Trusts often located miles from the school.”

Councillor Tilley replied:

“I wholeheartedly agree with Councillor Howson, such good news.”

Supplementary: Further Councillor Tilley agreed with Councillor Howson that it was not a good idea that Trustees of Multi-Academy Trusts receive salaries.

73/16 PETITIONS AND PUBLIC ADDRESS

(Agenda Item. 5)

The following requests to address the meeting had been agreed:

- Item 6 – Councillor John Howson, local councillor for St Margaret’s;
Councillor John Christie, Shadow Cabinet Member for Local Government,
Business, ICT & Customer Services
- Councillor Liz Brighthouse, Chairman of Performance Scrutiny Committee
- Item 7 – Councillor Nick Hards, Shadow Cabinet Member for Finance
- Item 8 – Councillor Gill Sanders, Shadow Cabinet Member for Children,
Education & Families
- Item 9 – Dr Pam Roberts, Need Not Greed
- Item 10 – Councillor Glynis Phillips, Shadow Cabinet Member for Adult
Social Care
- Item 11 – Councillor Laura Price, Opposition Deputy Leader

74/16 REPORTS INTO FUTURE OF LOCAL GOVERNMENT IN OXFORDSHIRE

(Agenda Item. 6)

In early May Oxfordshire County Council appointed Grant Thornton UK LLP to consider how local government could be reorganised to reduce costs, improve service outcomes, support economic growth, enhance local engagement and empowerment, and provide strong and accountable leadership.

This followed the appointment of PwC to conduct a review commissioned by Oxford City Council on behalf of Oxfordshire's Districts into proposals launched by District Leaders in February to restructure local government in Oxfordshire.

Cabinet considered a report on the outcome of the two reports. Cabinet also had before it a supplementary report that included the outcomes of consideration of the two reports by the Performance Scrutiny Committee on 13 September 2016.

Councillor John Howson, local council for St Margaret's, referred to the earlier report by Ernst & Young that had identified savings and he commented that had action been taken then, then savings could have been made sooner. He reflected on the 2016/17 budget process and the context of the two current reports. He believed that efforts should be made to make progress as speedily as possible. There was support from town and parish councils for a unitary council with greater local democracy. Oxford City needed the greatest political freedom possible.

Councillor John Christie, Shadow Cabinet Member for Local Government, Business, ICT & Customer Services strongly supported the recommendations contained in the supplementary report. The Labour Group welcomed the publication of the two reports. He commented that both reports argued that the status quo would not deliver the best services and that change was needed. He noted that a single unitary delivered the biggest savings and that any other solution would continue the confusing two tier system and weak decision making. He welcomed the robust delegation to localities. He expressed displeasure at the District Council press release attacking the County Council's budget management. In calling on all councils to work together he called on district councils to work with the County Council in putting residents first.

Councillor Liz Brighouse, Chairman, Performance Scrutiny Committee, commended the way in which the process was being managed with stakeholder engagement and an opportunity for scrutiny before Cabinet consideration. She detailed the process followed at Performance Scrutiny Committee where all councillors had been invited and had had the opportunity to put a question or speak at the meeting. She noted that PwC had not attended but their report was available. There had been concern during the Performance Scrutiny Committee that even as the meeting went on the District Councils had released a press release. The Committee had considered the reports at length and the conclusions and recommendation were in the papers before Cabinet today. She hoped that there would be serious consideration of the services for the people of Oxfordshire and that this would be at the heart of any decision. She noted that with the Ernst & Young report there were three reports from three of the most renowned companies in the local government field all saying the same thing and it would be foolish to ignore that message.

Peter Clark, County Director, presented the reports setting out the background and context to the reports and updating Cabinet on the current position locally and nationally. He also referred to Option 6 as set out in the Grant Thornton report.

Councillor Hudspeth, Leader of the Council, commented that it was right that Cabinet consider the two consultant's reports and that both reports agreed that the status quo was not an option. He highlighted Option 6 which did devolve power to the appropriate level. He stated that it was naïve to think that it was possible to go back to the devolution deal, asking central government for additional funding when it was obvious that savings could be delivered locally by a unitary council. The reports made clear in what areas there was scope for closer working. He had made it very clear that he was happy to talk to all parties about this, including tax payers and service users.

All Cabinet Members supported the recommendations highlighting the benefits of a unitary council for the services in their respective areas of responsibility. Several Cabinet Members commented on the local elements of their services. Concerns were expressed if strategic services were broken up amongst a number of unitary councils.

Councillor Carter, Cabinet Member for Local Government, Business, ICT & Customer Services added that he had attended most of the road show presentations to town and parish councils and although the issue of remoteness had been raised, geographical remoteness had not figured strongly. What seemed to matter was the local relevance of a service. He felt that there was no clear understanding of what 3 or 4 unitary councils might mean and that they were only units, abdicating responsibility for some services.

Councillor Brighthouse having listened to the discussion added that it was important to remember that County Councillors were at the grassroots representing people across the County. Local County Councillors had responsibility for the most disadvantaged people in Oxfordshire. She was annoyed that outside the County Council there seemed to be no understanding of what county councillors did in their communities. She expressed concern that a combined authority would hand decisions on the most sensitive of services to a quango of a few people. She felt that it would be useful if the benefits outlined by Cabinet Members in relation to their services could be put on the web site.

In response to a question from Councillor Hudspeth, Peter Clark outlined how a combined authority worked in theory but noted that it was unclear at this stage how it would work in practice.

Councillor Hudspeth moved the recommendations on the addenda.

RESOLVED: to:

- (a) consider the evidence set out in the PwC and GT reports, and the opportunity both reports present to save £100m over five years by moving to a single unitary for Oxfordshire, and the need for local structures within that; and
- (b) having regard to the recommendations of Performance Scrutiny, ask officers to work with stakeholders, including the public, to develop proposals for a single Oxfordshire unitary council, and in particular further explore the proposal set out in the Grant Thornton report known as option 6, whereby local areas within the county could make decisions for their own area, within an overall budget and policy framework set at the strategic level.

75/16 SERVICE & RESOURCE PLANNING REPORT - 2017/18 - SEPTEMBER 2016

(Agenda Item. 7)

Cabinet considered the first in the series on the Service & Resource Planning process for 2017/18 which will culminate in Council setting a budget for 2017/18 in February 2017. This initial report set the context and the starting point for the process including:

- the assumptions on which the existing Medium Term Financial Plan (MTFP) is based,
- known and potential financial issues for 2017/18 and beyond which impact on the existing MTFP, and
- a proposed process for Service & Resource Planning for 2017/18 including a timetable of events.

Councillor Nick Hards, Shadow Cabinet Member for Finance, referred to the summary at the beginning of the report highlighting the savings that had been identified but remained to be delivered and those savings yet to be determined. He hoped that if government were to introduce further savings that this information would be flagged up in the Autumn Statement, avoiding the problems, not of the Council's making, that there had been in the current financial year budget process. He looked forward to hearing of the proposals from the Director of Transformation and highlighted areas that continued to be a challenge.

Cabinet members responded to the points raised.

RESOLVED: to:

- (a) note the report;
- (b) approve the Service and Resource Planning process for 2017/18; and
- (c) approve a four year period for the Medium Term Financial Plan and Capital Programme to 2020/21.

76/16 TRANSITION FUND FOR COMMUNITY INITIATIVES FOR OPEN ACCESS CHILDREN'S SERVICES

(Agenda Item. 8)

In February 2016 the council agreed to set aside £1m for creating a 'one off' fund to provide pump priming to support Children's Centres. It was agreed that a cross party group of county councillors would consider maximum benefit of this fund and bring proposals back to Cabinet for decision. Cabinet considered a report setting out the outcomes of the working group including proposed guidance notes and grant application form.

Councillor Gill Sanders, Shadow Cabinet Member for Children, Education & Families commented that whilst the Labour Group welcomed the additional £1m it was important to ensure that it was spent on services for the most vulnerable and children most in need. In supporting the recommendations she stressed that the project board must include people with experience of children's centres and early intervention. It was important that Cabinet be kept informed and she suggested that a future report include information on town and parish councils who have assisted. She referred to the tight deadlines for receipt of applications.

Councillor Lawrie Stratford in moving the recommendations indicated that he took on board the concerns and commented that the meeting at the Kassam Stadium had been well attended and had provided an opportunity for learning and exchange of information. The intention was to keep local people informed of successful projects and some money would be kept back for a second round of applications. Councillor Hudspeth added that the final decisions on the bids would be taken by Cabinet.

RESOLVED: to approve the Grant Guidance and Grant Application as set out in Annexes 2 and 3.

77/16 PROPOSED DRAFT STRATEGIC ECONOMIC PLAN REFRESH

(Agenda Item. 9)

In 2013, central government required Local Enterprise Partnerships to develop multi-year Strategic Economic Plans (SEP) and Oxfordshire's Local Enterprise Partnership, OxLEP, published its SEP Driving Economic Growth Through Innovation in March 2014.

In order to reflect progress in delivering the objectives of the original SEP and the development of associated detailed plans, address changes in the purpose of the plan and align better with changing economic circumstances, OxLEP have undertaken a SEP "refresh".

Cabinet had before them a report that introduced the refreshed SEP for comment and invited Cabinet to endorse the document ahead of final agreement by OxLEP. Nigel Tipple, Chief Executive of OxLEP attended to present the contents of the draft SEP.

Dr Pam Roberts, Need Not Greed Oxen, stated that Oxfordshire Local Authorities should take full responsibility for the overall growth figures in the revised SEP 2016. Need not Greed were deeply concerned at the 'pass-the-parcel' game being played by OxLEP and the District and County Councils, with each blaming the other for the targets set for employment and housing.

They believed the Plan set very damaging and unrealistic growth targets which would radically change Oxfordshire's communities and environment. Dr Roberts highlighted figures on jobs, housing and population growth and called on the Cabinet to speak out against OxLEP's Strategic Economic Plan. Need not Greed Oxon wanted to see an alternative approach to growth in the county with a review taking into account Brexit, social and environmental constraints, a re-consideration of priorities for action and with genuine public consultation.

Following a presentation by Nigel Tipple setting out the background to the need for a refresh of the Plan and highlighting the main elements of the plan, Cabinet supported the refreshed SEP. However they recognised that the challenge was to create appropriate jobs and they hoped to see more done to support apprenticeships. Cabinet recognised that there had been a great deal of inward investment from the original plan with projects being completed on the ground. Councillor Nimmo Smith, Cabinet Member for Environment in moving the recommendation emphasised that rural areas were part of the LEP and highlighted the numerous small businesses supporting Science Vale.

RESOLVED: to endorse the revised SEP as set out in Appendix 1 to the report.

78/16 REPORT ON THE IMPACT OF NATIONAL LIVING WAGE ON ADULT SOCIAL CARE'S CONTRACTED SERVICES

(Agenda Item. 10)

The National Living Wage came into force in April 2016 and is over and above the National Minimum Wage which remains in place for those workers between the ages of 18 and 25 years of age.

In November 2015 the Chancellor of the Exchequer announced the outcome of the Spending Review which included provision for increased income generation through an additional council tax precept for the purpose of supporting adult social care costs including the National Living Wage. The Department for Communities and Local Government subsequently noted that this was also in recognition of demographic changes which are leading to growing demand for adult social care, which is increasing pressure on council budgets.

In February 2016 the county council approved an additional 2.0% council tax precept for 2016/17 to support the costs of adult social care in Oxfordshire, including the impact of the implementation of the National Living Wage from

1 April 2016. In addition a further £0.600m was agreed to be added to the budget to support the impact of the National Living Wage on the cost of sleep-in care.

Some of the Adult Social Care Precept has already been used to reflect the direct impact of the National Living Wage and other agreed cost pressures on providers in 2016/17. The impact of the National Living Wage is not known either nationally or locally. In view of this the council asked officers to undertake further work in this area to establish its impact.

Cabinet considered a report that sought approval to recommendations about how the remaining funding should be used within Adult Social Care and that noted the availability of the £0.600m funding to support sleep - in care.

Councillor Glynis Phillips, Shadow Cabinet Member for Adult Social Care commented that there was a lot in the report that she was able to support, including the overall intention to increase staff payments and the £0.6m for sleeper services. However she raised some concerns over the detail and commented that the Labour Group would have liked to have seen more money held back for day care services to provide greater flexibility. She expressed concern that the voice of the workforce was being lost and hoped that future consultations could involve trades unions.

Councillor Heathcoat responded to the points made, noting that the County Council did not have a significant workforce in this so Unison had not been contacted. Councillor Heathcoat highlighted the ongoing pressures in adult social care, the additional funding being made available and referred to the current review of day care services.

Councillor Heathcoat introduced the contents of the report which set out the processes that had been undertaken, the options considered and included recommendations. Councillor Heathcoat referred to a letter sent to all Cabinet Members from the owner of a nursing home that raised a number of points and gave an assurance that this letter would be responded to in the usual way. In moving the recommendations Councillor Heathcoat proposed an additional recommendation to reflect that further work would be ongoing to implement the recommendations and authorising the Director of Adult Social Services in consultation with the Cabinet Member for Adult Social Care to agree the implementation.

RESOLVED: Considering the evidence received in conjunction with the pressures already apparent in 2016/17 to:

- (a) agree that the assumed hourly rate for home support workers funded through the council's home support model should be increased from £7.20 per hour to the Skills for Care rate for Oxfordshire of £8.59 per hour. £1.062m of the Adult Social Care Precept should be added the council's contribution to the Older People's Pooled Budget to fund the cost of additional payments to home support providers resulting from the increase to the hourly rate.

- (b) agree that £0.964m of the Adult Social Care Precept should be held as a contingency to support specific in-year pressures raised by providers between October and March 2017. The expectation is that this will be relevant in a limited number of cases where a provider has a longstanding contract and have not otherwise received an increase in their payment rates for a number of years. Any allocation will need to be evidenced through open-book accounting and agreed on an exceptional basis. Any balance remaining at year end will be used to support further pressures in adult social care evident by 31 March 2017.
- (c) agree that £3.000m of the Adult Social Care Precept should be used to increase the council's contribution to the Older People's Pooled Budget on a permanent basis to support on-going demand and expenditure pressures evident in 2016/17.
- (d) note that the £0.600m budget available to support the cost of sleep-in support for service users will be ring fenced for such purposes, in line with the original budget approval to be used mainly in the area of Learning Disability providers. Funding will be allocated subject to evidence of actual changes to wages and the outcome will be reported through the Financial Monitoring Report.
- (e) note that work on the further implementation of these recommendations will be on going and to authorise the Director of Adult Social Services, in consultation with the Cabinet Member for Adult Social Care to agree the implementation.

79/16 STAFFING REPORT - QUARTER 1 - 2016

(Agenda Item. 11)

Cabinet received a report that gave an update on staffing numbers and related activity during the period 1 April 2016 to 30 June 2016. It gave details of the actual staffing numbers at 31 March 2016 in terms of Full Time Equivalents. In addition, the report provided information on the cost of posts being covered by agency staff.

Councillor Laura Price, Opposition Deputy Leader connected the story of our staffing as set out in the report with the debate on the future of local government in Oxfordshire. The Council had lost staff in areas under pressure. Councillor Price believed in a single unitary authority but there was a need to keep a firm eye on the knowledge and experience of our workforce. Councillor Rose, Deputy Leader, responding to a question from Councillor Price confirmed that more detailed information on agency staff was available through the IBC system.

RESOLVED: to note the report.

80/16 APPOINTMENTS 2016/17

(Agenda Item. 12)

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Cabinet considered member appointments to a variety of bodies which in different ways support the discharge of the Council’s Executive functions.

RESOLVED: to agree the appointments as set out in the Annex to this report, together with the following additional appointments:

Thames Valley Fire Control Joint Committee – Councillors Heathcoat and Rose

81/16 FORWARD PLAN AND FUTURE BUSINESS

(Agenda Item. 13)

The Cabinet considered a list of items for the immediately forthcoming meetings of the Cabinet together with changes and additions notified at the meeting.

RESOLVED: to note the items currently identified for forthcoming meetings, together with the following additional change:

Electrification Programme Update - Steventon Proposals including Compulsory Purchase Order

Item moved from October to November Cabinet.

..... in the Chair

Date of signing

2016