

## CABINET

**MINUTES** of the meeting held on Tuesday, 13 May 2014 commencing at 2.00 pm and finishing at 3.01 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 Arash Fatemian  
Councillor Louise Chapman  
Councillor Hilary Hibbert-Biles

**Other Members in Attendance:** Councillor John Sanders (Agenda Item 6)  
Councillor John Howson (Agenda Item 6)  
Councillor Nick Hards (Agenda Item 6)  
Councillor Susanna Pressel (Agenda Item 6)  
Councillor Val Smith (Agenda Item 7)  
Councillor Glynis Phillips (Agenda Item 8)  
Councillor John Christie (Agenda Item 9)

**Officers:**

Whole of meeting	Joanna Simons, Chief Executive; Sue Whitehead (Chief Executive's Office)
Part of meeting	
Item	Name
6	Mark Kemp, Deputy Director, Commercial
7	Peter Clark, County Solicitor & Monitoring Officer; Jim Leivers, Director for Children's Services
8	Maggie Scott, Head of Policy

*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.*

### **42/14 APOLOGIES FOR ABSENCE**

(Agenda Item. 1)

Apologies were received on behalf of Councillor Nimmo Smith

## **43/14 PETITIONS AND PUBLIC ADDRESS**

(Agenda Item. 5)

The following requests to address the meeting had been agreed

Item 6 – Councillor John Sanders, Shadow Cabinet Member for Environment,  
Councillor John Howson, local councillor  
Councillor Nick Hards, local councillor  
Councillor Susanna Pressel, local councillor

Item 7 – Councillor Val Smith, Deputy Chairman of the Cabinet Advisory Group

Item 8 – Councillor Glynis Phillips, Shadow Cabinet Member for Public health & the Voluntary Sector

Item 9 – Councillor John Christie, Opposition Deputy Leader

## **44/14 MINUTES**

(Agenda Item. 3)

The Minutes of the meeting held on 15 April 2014 were approved and signed.

## **45/14 QUESTIONS FROM COUNTY COUNCILLORS**

(Agenda Item. 4)

Councillor Howson had given notice of the following question to Councillor Louise Chapman

“Can you explain what extra work is required on the enforcement policy for weight restriction enforcement in Oxfordshire that means the policy has once again been delayed, and is not now listed to go to Cabinet before the 14th July?”

Councillor Chapman replied:

“Many roads in the County are covered by Traffic Regulation Orders restricting Heavy Goods Vehicle traffic. These orders can be introduced to protect weak road infrastructure or for traffic management reasons. On occasion, weight restrictions are also introduced to support temporary traffic management plans, for example during major roadworks. The County Council’s Trading Standards Service enforces these Orders. Most Orders are enforced by way of Trading Standards staff undertaking proactive monitoring at the location concerned. In some areas the local community undertake the monitoring and pass evidence to the Trading Standards Service for enforcement. In one location cameras are used to detect contraventions of the Order.

Work is being undertaken to prepare a policy framework applying to the enforcement of these weight restriction orders. The policy will be used to determine how enforcement resources are allocated to enforce the weight restrictions and how detected contraventions of the orders will be responded to. The policy will not affect decisions regarding the introduction or review of the Traffic Regulation Orders themselves or future transport policy.

In preparing the enforcement policy it is important that all relevant factors are taken into consideration and that the resultant policy is fit for purpose now and in the foreseeable future. The policy needs to reflect the different demands placed on the resources available for enforcement of the orders and ensure that these resources are utilised in the most effective manner. The policy also needs to take account of current and future transport policy and plans and the views of local communities particularly affected by heavy goods vehicle traffic.

At present, work is being undertaken on a new Local Transport Plan for Oxfordshire. As part of this Plan it is likely that the County Council will be developing a freight strategy and an enforcement policy for weight restriction orders will be closely linked to any such freight strategy. In addition, there are on-going discussions about the effectiveness of enforcement of some of the existing weight restriction orders in several local communities. These discussions have prompted research into alternative approaches to the enforcement of the orders in some areas. As a result, the development of the proposed enforcement policy has been delayed to ensure that it properly reflects any likely changes in the wider environment for the Trading Standards Service's work in this area."

Supplementary: Responding to a question on when the policy was likely to be ready Councillor Chapman replied that they were looking to finalise it at the earliest opportunity.

Councillor Howson had given notice of the following question to Councillor David Nimmo Smith

"What action is being taken following the petition he received regarding the cycle path at the junction of Kings Cross and Lonsdale roads?"

The answer supplied by Councillor Nimmo Smith was as follows:

"Since the petition was presented at my decisions meeting in November I know officers have been looking at options for an engineering solution to the issues raised but have so far not been able to reach a conclusion which would improve safety for cyclists and pedestrians but still allow reasonable manoeuvrability for motor vehicles. I have asked the officers to redouble their efforts and to involve you and the petitioner in the discussions"

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

“Will the Cabinet Member list the schools eligible for the additional small school grant of at least £3,000 for capital works associated with the introduction of free meals for pupils age 5-7 this September?”

Councillor Tilley replied

"The small schools grant will be made available to all schools with a role of up to 150 (on the basis of the January 2014 census). I shall send a list of those schools to you and all other Councillors (attached as Annex A to these minutes). The grant is available for schools to use in any way they wish in support of the implementation of the initiative which might include a contribution to necessary capital expenditure."

Councillor Pressel had given notice of the following questions to Councillor Rodney Rose

1. “Agenda Item 6 - I'm pleased to see this at last - but what a pity it took two years to write! It was even originally due to come to Cabinet last July!”

Councillor Rose replied:

“A common thread that runs through all these questions is the lack of recognition of the “Gordon Brown Legacy”, and its resultant effect on the size of the team engaged in flood issues – people who are dealing with extreme flooding do not have time to also work on office-based tasks. Changes in Government aspirations have also had their effect. Whilst officers intended to bring this document to Cabinet last July, this was deferred as details of new legislation which was due for implementation in April 2014 had not been made available as had been hoped. A decision was therefore taken to defer the plan to ensure that the new legislation was adequately addressed and that it could be aligned with other developing strategies such as the Highway Asset Management Plan and emerging national best practice. It was hoped thereafter to bring it to Cabinet again at the beginning of this year, however as you will be aware, the County had another significant flooding event and it was considered that it was important to draw any further learning from those events and the subsequent Flooding Summit to ensure that the strategy remained relevant. Whilst, there has been a delay in producing the document to Cabinet it is not considered that this could have prevented any flooding as many of the most influential provisions within the strategy have already been adopted into operational practice including effective cross agency communications and working.”

2. “I hope you will not just be consulting town and parish councils (of which there are none in my division) but also community and residents' associations.”

Councillor Rose replied:

“The consultation will be open to everyone via the internet, we normally send a copy to Town and Parish Councils as well, but we will get a list of community and residents associations from the City Council and include them in it as well.”

3. “Please can you tell me what work you have done with riparian owners in my division (paragraph 10);”

Councillor Rose replied;

“Any consultations with riparian owners in the City has been carried out by the City Council as The Land Drainage Authority or by The Environment Agency. Having put in place all that we can do at this time to further the chances of providing the Western Conveyance Channel, I and available staff will now be looking at creating workshops to help and inform ALL riparian owners across the County.”

4. “Also in paragraph 10 please can you tell me why there has been a long delay in filling the post of the officer who helps with local resilience plans, and who uses those plans, if anyone, after they have been written?”

Councillor Rose replied:

“We interviewed in November for two posts; one candidate started in January but unfortunately, the other successful candidate chose to take up another post instead, which meant we had to repeat the recruitment process. We restarted the recruitment in February, once our commitment to flood response reduced, and interviewed in March and are expecting the successful candidate to start in June.

However, whilst the officer who used to lead on certain response plans moved on from the organisation, that doesn’t mean that her duties have not been covered, as the remaining team is flexible and multi-skilled to ensure there is no single point of failure for exactly these occasions. I am also looking at staffing numbers for when OCC become the Approving Body for SUDS [Sustainable Drainage] when the legislation comes out in October. [Miss reported in the Press as a District function].”

Councillor Glynis Phillips had given notice of the following question to Councillor Nimmo Smith

“Local residents in Barton and Risinghurst have for many years identified the need for a pedestrian crossing across 2 stretches of the A40 dual carriageway which is used by the local residents to access essential amenities such as schools, the Post Office, local shops and leisure facilities.

On 21 November 2013 you requested officers to conduct a survey of traffic management in the area as soon as possible. I am sure that you did not think that 'as soon as possible' would be interpreted as happening over 6 months later.

When will the survey take place and can you advise on its terms of reference?"

The answer supplied by Councillor Nimmo Smith was as follows:

"The A40 is part of the county's strategic road network and as such the knock on implications of delays for all users need to be carefully considered as demonstrated by the Barton Development Public Inquiry. A survey of pedestrians crossing the road at grade, rather than using the underpass near the roundabout, has shown approximately 200 crossing movements during a 12 hour period. The logical solutions are either a reconfiguration of the signals arrangement between Collingwood Road and the roundabout or a pedestrian bridge. Both options require significant finance and whilst officers continue to look for opportunities to gain funding no obvious funding streams are available at this time."

Supplementary: Councillor Phillips expressed disappointment that the traffic survey had been reduced to looking at numbers of pedestrians crossing. She felt that a further logical solution would be a pedestrian crossing. Referring to the funding required she queried whether section 106 funding could be used. Councillor Hudspeth responding noted her concern over the survey. He commented that the A40 was a major trunk road and that therefore a pedestrian crossing would not be as simple as putting in a zebra crossing. He would investigate but doubted that there was any section 106 money available.

Councillor Glynis Phillips had given notice of the following question to Councillor Nimmo Smith:

"The residents of Headington and all users of the London Road have been waiting patiently for news of when the substantial resurfacing work will begin. Residents and all users understand that this will be a major undertaking and are bracing themselves for months of delays and diversions. However we have yet to receive any definite start date. Can you advise when this work will begin and when letters will be sent to residents setting out the timetable for the work programme?"

The answer supplied by Councillor Nimmo Smith was as follows:

"The Improvement Scheme at Green Road roundabout and London Road is scheduled to commence in July 2014.

Maintenance work is also planned and was to be coordinated with the improvement works. However, additional DfT funding has recently been received and this provides the opportunity to widen the scope of the original scheme – the implications are currently being considered. The

works would then cease in early December and recommence in January for completion during April. Further design and consultation will also be necessary before these timescales can be confirmed.”

Supplement: Councillor Phillips expressed disappointment that the scheme had slipped and requested detailed information on the opportunity to widen the scope of the original scheme. Councillor Hudspeth replied that the current timetable allowed works to be undertaken together giving a saving on traffic management. The further details on the scope would be sent to Councillor Phillips.

Councillor Nick Hards had given notice of the following question to Councillor Nimmo Smith

“On Saturday afternoon the ditch alongside the north side of the A4130 east of Hadden Hill golf course was overflowing onto the road on Saturday following over 25mm of rain on Friday 25th April. I understand from Gordon Hunt, the county’s Drainage Engineer, that there have been drainage problems from the golf course for some time. This water is affecting the very busy main road between Didcot and Wallingford. What practical steps is the County Council taking to ensure that water doesn’t end up running down this road in these circumstances.”

The answer supplied by Councillor Nimmo Smith was as follows:

“From Cllrs Hards comment I am not sure if the drainage flows discharging onto the A4130 East of the golf course are flowing back towards Didcot or towards Wallingford, but depending on the area of the golf course discharging into the existing ditch it may well have over whelmed the capacity of the ditch. If the ditches require maintenance, we would normally ask SODC as the Land Drainage Authority to approach the riparian land owner on this matter. Gordon Hunt would be happy to meet Cllr Hards on site for him to show where the ditches overflowed so we can look into this problem.”

“Supplementary: Councillor Hards confirmed that he would speak to the officer and queried whether there was anything that the Council could do given that the situation had existed for some time despite negotiation with the land owner. Councillor Hudspeth responding referred to the additional funding made available for flooding measures and commented that the solution might rest there.

## **46/14 DRAFT LOCAL FLOOD RISK MANAGEMENT STRATEGY**

(Agenda Item. 6)

Following the nationwide flooding events of 2007, the Pitt Review recommended that a single authority should be responsible for managing flood risk in local areas. This was endorsed by subsequent legislation, the Flood and Water Management Act 2010, under which Oxfordshire County Council became the Lead Local Flood Authority for the County. As part of its

role as the Lead Flood Authority the council is required to produce, publish and maintain a Local Flood Risk Management Strategy. The purpose of the strategy is to state how the county council, in conjunction with other flood and water management authorities intend to work together effectively in order to manage areas identified as being at risk of flooding within the county.

Councillor John Sanders, Shadow Cabinet Member for Environment, queried what guarantees of co-operation there were for Thames Water and what would be the consequences if there was no co-operation. Councillor Rose explained that the County Council had no powers over Thames Water. However there was much greater dialogue now and an interest in moving forward. Councillor John Sanders went on to stress the importance of communication in order to maintain the confidence of residents. He noted that there was no distinct reference to the Western Conveyance or wider investment and stated that residents downstream of Oxford would need reassurance that they would be okay. Councillor Rose replied that in terms of modelling that was done by the Environment Agency and the County took advice from them. He believed that in terms of communications the County Council was doing all it could and everybody was being kept informed.

Councillor Howson, speaking as local councillor for St Margaret's referred to a specific problem related to the Oxford Canal which formed an impervious clay barrier from housing on one side and Port Meadow. At the time of building a series of siphons had taken drainage water under the canal. In recent times with increased development the siphons had not been able to cope leading to occasional flooding. Estate management had had to obtain a licence to pump the excess water into the canal. Without that there would be regular flooding. He asked that small schemes to resolve local issues be considered alongside the larger schemes. Councillor Rose replied that they were looking at all measures all over the County and would be looking at local problems where ever they occurred.

Councillor Hards, local councillor for Didcot West, welcomed the strategy and suggested that in relation to page 6 in relation to the geology mention should be made of the layer of clay (with flints) that lies on top of the bedrock. This causes problems with ground water. Great Western Park was a large development and would require a major piece of sewage infrastructure under the railway. In the meantime the first houses have been attached to the pumping station which was already known to be inadequate. He referred to the problems for residents this created and asked if anything could be done. Councillor Rose noted that this was largely the responsibility of other agencies.

Councillor Pressel, local councillor for Jericho & Osney, thanked Councillor Rose for his responses to her questions at Minute 45/14. She felt that the last sentence of the response to question 1 was complacent and although the response had been good it could be better such as the collaboration with Thames Water. She commented that it was a pity neither the Leader nor the Deputy Leader had been ~~unable~~\* to attend a local meeting with Thames



Water. Referring to the response to the question on consultation she commented that often the City was left to get on with it. Oxford City had very few parishes and the County Council had to look at other ways to contact local residents. Councillor Pressel commented on the Sustainable Drainage (SUDS) and Councillor Rose advised that from October the County Council would become the lead authority. The consultation on the draft Local Flood Risk Management Strategy would be open to all.

Councillor Rose introduced the report and moved the recommendations.

During discussion the Fire & Rescue Service were congratulated for their excellent response during the recent flooding. The Leader noted that at the Council's CHOICE Awards he had presented a special award to Gary Mattingley from the Fire and Rescue Service for his part in keeping Oxford's Botley Road open.

Cabinet welcomed the draft Strategy and stressed that whether for city or village the aim was to do what the County Council could to manage flood risk. The Leader stated that the Strategy was about community resilience. It was not a dry document and had to recognise the work of everyone: lots of small schemes could prevent major catastrophes.

Cabinet discussed how to ensure that all partners and particularly Thames Water were engaged.

**RESOLVED:** to approve the Draft Local Flood Risk Management Strategy for public consultation.

\* Corrected at the meeting on 17 June 2014.

#### **47/14 RECOMMENDATIONS OF THE CABINET ADVISORY GROUP (CAG) ON THE STRATEGIC ASSURANCE FRAMEWORK FOR SAFEGUARDING CHILDREN & YOUNG PEOPLE**

(Agenda Item. 7)

Cabinet considered a report that provided some background into the work of the Safeguarding Assurance Cabinet Advisory Group and made some recommendations to Cabinet to strengthen the current assurance arrangements.

Councillor Tilley in introducing the item commented that the recommendations were here for endorsement but were not part of any statutory plan. The Group would have one more meeting. She stressed that this was a living document.

Councillor Val Smith, Deputy Chairman of the Safeguarding Assurance Cabinet Advisory Group in introducing the contents of the report emphasised that the Group knew the difference between corporate parenting and safeguarding but felt that the Corporate Parenting Panel can be a mechanism for safeguarding. She commended that both the CAG and the

Corporate Parenting Panel work in a non-party political way. The Groups concern was for the safety of young people. She detailed the recommendations contained in the report and highlighted the importance of greater information and communication to councillors including twice yearly briefings for all councillors. All councillors needed to be aware of the issue.

Peter Clark, County Solicitor & Monitoring Officer, highlighted the 14 recommendations in the report and stated that the key focus of the CAG had been to find an answer to the question: how are members assured children are safe? The CAG also looked at the effectiveness of partnership working. There had been a focus on the Corporate Parenting Panel and that was right in order to be clear about the County Council's role and responsibilities for the care and safety of children. They had listened to the voice of the children and the report itself was the product of a lot of collaborative working. Councillor Tilley in supporting the recommendations added that children from the Children in Care Council came to every Corporate Parenting Panel. There had been a whole day meeting at Hill End where views had been listened to.

The Leader welcomed work to ensure all boards were in synch and not duplicating effort. He was pleased to hear that it was children that matter and that they were the focus.

In response to a query from Councillor Carter, Jim Leivers, Director for Children's Services confirmed that a further report would be submitted to Cabinet on the recommendations in the report including the one relating to annual locality specific items on children's safeguarding and corporate parenting at locality meetings.

**RESOLVED:** to agree the recommendations of the Safeguarding Assurance Cabinet Advisory Group to allow officers to develop a delivery plan with clear timescales and ownership for implementation.

## **48/14 EQUALITY POLICY 2012-17: ANNUAL UPDATE FOR 2013/14 AND ACTION PLAN FOR 2014/15**

(Agenda Item. 8)

Cabinet considered the second annual update following the launch in 2012 of the Council's Equality Policy. Cabinet also considered a refresh of the actions against which the County was measuring progress, to ensure that they reflect the work of all service areas and the priorities of the council, as set out in the latest Corporate Plan and directorate Business Strategies. Cabinet also received some key data about the Oxfordshire population, taken from the 2011 Census and categorised by protected characteristics. The report also provided information about some of the data collated about service users and potential service users.

Councillor Phillips, Shadow Cabinet Member for Public Health & the Voluntary Sector, referred to the Service and Community Impact

Assessments and suggested that they should be an integral part of the documentation that informs the decision making process. They had been a useful part of the budget process. It would also be useful to include Health Equity Audits. This would make the work of the Public Health directorate more visible.

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Councillor Heathcoat, stated that information is available on the Council's website and disagreed with the suggestion from Councillor Phillips feeling that it would overload the process with paper. She felt that decision making was already transparent. Councillor Phillips suggested that at the least there could be a reference in each report.

Councillor Chapman in moving the recommendation stated that the vision of the policy was very well embedded in the Council with supporting policies in place. Cabinet Members welcomed the updated policy and refreshed actions.

**RESOLVED:** to agree to the new Equality Policy Action Plan for 2014/15 (Annex 1)

**49/14 STAFFING REPORT - QUARTER 4 - 2013**

(Agenda Item. 9)

Cabinet considered the quarterly staffing report that provided details of key people numbers and analysis of main changes since the previous report.

Councillor John Christie welcomed the vacancy freeze to assist with redeployment opportunities.

**RESOLVED:** to:

- (a) note the report; and
- (b) confirm that the staffing report meets the requirements in reporting and managing staffing numbers.

**50/14 FORWARD PLAN AND FUTURE BUSINESS**

(Agenda Item. 10)

The Cabinet considered a list of items for the immediately forthcoming meetings of the Cabinet.

**RESOLVED:** to note the items currently identified for forthcoming meetings.

..... in the Chair

Date of signing 2014

**51/14 FIELD\_TITLE**  
(Agenda Item. FIELD\_AGENDA\_NUMBER)

FIELD\_SUMMARY