

CABINET

MINUTES of the meeting held on Tuesday, 26 January 2016 commencing at 2.00 pm and finishing at 4.40 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 Items 6 & 10)
Councillor Steve Curran (Agenda Item 9)
Councillor Nick Hards (Agenda Items 6 & 11)
Councillor Charles Mathew (Agenda Item 6)
Councillor Laura Price (Agenda Item 8)
Councillor David Williams, local councillor 6)

Officers:

Whole of meeting	Nick Graham, Chief Legal Officer; Sue Whitehead (Corporate Services)
Part of meeting	
Item	Name
6	Lorna Baxter, Chief Finance Officer; Jim Leivers, Director for Children's Services; John Jackson, Director of Adult Social Care; Sue Scane, Director for Environment & Economy
7	John Jackson, Director of Adult Social care; Kate Terroni, Deputy Director, Joint Commissioning
8	Kate Terroni, Deputy Director, Joint Commissioning
9	Sue Scane, Director for Environment & Economy; Peter Day (Environment & Economy)
10	Maggie Scott, Chief Policy Officer

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.

1/16 APOLOGIES FOR ABSENCE

(Agenda Item. 1)

An apology was received from Councillor Nick Carter.

2/16 MINUTES

(Agenda Item. 3)

The Minutes of the meeting held on 15 December 2015 were approved and signed as a correct record.

3/16 QUESTIONS FROM COUNTY COUNCILLORS

(Agenda Item. 4)

Councillor John Tanner had given written notice of the following question to Councillor Lawrie Stratford:

'How does the cabinet suggest I explain to the voters in my division that Oxfordshire County Council wants to increase the County's share of their Council tax by 4% but that the public services delivered by the County Council will be much worse?'

Councillor Stratford replied:

The increase in council tax will contribute to the rising costs in adult social care including increase in demand and the impact of the introduction of the national living wage. If we were not able to increase council tax by as much, then the cuts to public services would have been much worse. We need to be able to ensure we continue to meet our obligations to provide services for the most vulnerable (by which we mean adults who need help with personal care such as washing and eating, and children at risk of abuse and neglect.) Balanced alongside that we also need to be very much aware of what residents can afford to pay. It should be remembered that Council Tax rises in recent years have been much lower than the four per cent proposed this year. Such matters always represent the striking of a balance and councils across England are currently seeking to strike that balance as they set their budget.

Supplementary: Responding to a further question Councillor Stratford commented that all Councils were in a tough place and agreed that there were particular challenges for County Councils. The County Council was doing its best to respond to the challenges and he was aware that it could have been much worse.

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

"Who is representing the County on the review of post-16 education taking place at the request of BiS and the DfE and what views will they be

expressing about post-16 education and its relation to 14-18 studio schools and UTCs in the County?”

Councillor Tilley replied:

“The lead representative for the County Council is Roy Leach, School Organisation & Planning Manager and he is supported by Adrian Lockwood and Richard Byard representing the OxLEP and Skills Board. With respect to the relationship with studio schools and University Technical Colleges, this will depend upon what future needs and current gaps in provision are identified through the detailed data analysis that the review will undertake.”

Supplementary: Councillor Tilley responding to a question from Councillor Howson seeking assurance that the needs of children post 16 where the Council had corporate parenting responsibilities were being represented stated that the Council will be expressing its views very strongly.

4/16 PETITIONS AND PUBLIC ADDRESS

(Agenda Item. 5)

The Chairman had agreed the following requests to speak:

Item 6 – Clare Ellis, Housing Related Support Service User who also submitted a petition in support of homeless support services

Audrey Irons

Charlie Payne

Mary Stiles

Josephine French

Mark Bhagwandin

Jill Huish

Jo Lovell

Reverend Andrew Bevan

Dr Ramzy

Councillor Charles Mathew, local councillor

Councillor David Williams, local councillor

Councillor Nick Hards, Shadow Cabinet Member for Finance

Councillor Liz Brighthouse, Chairman of Performance Scrutiny Committee

Item 7 - Mr John Grantham, Chipping Norton Action Group

Item 8 – Councillor Laura Price

Item 9 – Councillor Steve Curran

Item 10 – Councillor Liz Brighthouse

Item 11 – Councillor Nick Hards

5/16 SERVICE & RESOURCE PLANNING REPORT - 2016/17 - JANUARY 2016

(Agenda Item. 6)

Cabinet had before them the final report in the series on the Service & Resource Planning process for 2016/17 to 2019/20, providing councillors with information on budget issues for 2016/17 and the medium term. It set out the proposed 2016/17 Corporate Plan, budget, the draft 2016/17 – 2019/20 Medium Term Financial Plan (MTFP) and 2015/16 – 2019/20 Capital Programme. Information outstanding at the time of the Cabinet meeting will be reported to Council when it considers the budget on 16 February 2016.

Clare Ellis, spoke in support of homeless support services and illustrated their value by detailing her own experience as a service user.

Audrey Irons spoke in support of the homeless support services praising them for their person centred, individual support. She asked the Cabinet not to take a decision which would fail the rough sleepers in Oxfordshire.

Charlie Payne spoke against the budget proposals, particularly those relating to children's centres. She called on the Cabinet to resign rather than to accept that there was no choice but to make the proposed savings.

Mary Stiles, spoke against the proposals affecting children's centres and bus subsidies. She stated that the proposals were short sighted, would have a catastrophic effect and in the long run cost more.

Josephine French spoke in support of children's centres referring to evidence that stress in children had an effect on their long term development. She supported a universal service that protected against those long term social implications and protected against the generational cycle within families.

Mark Bhagwandin, commended the focus of the new Corporate Plan but was concerned that the vulnerable required funds set aside, in particular for the protection of children's centres. He commended the work of children's centres in improving people's confidence and social skills. He commented that closure would be a false economy as the services they provided would still be required.

Jill Huish spoke against the proposals for children's centres referring to her personal experience of the difference they made to people's lives. She supported the principle of universal services without which those in danger of domestic abuse would be invisible.

Jo Lovell spoke in support of children's centres highlighting their positive role in her life and drawing attention to the distress of stakeholders/users when they realised the extent of the cuts.

Reverend Andrew Bevan drew attention to the long term consequences of the proposed savings on the most vulnerable; particularly children aged 0-5 years affected by the children's centres proposals.

Dr Ramzy stressed three priorities for society: education, security and health. He spoke against the proposed savings that took from the less fortunate. He asked that the Council look at making greater use of reserves and also commented that he would be happy to pay additional council tax to preserve services.

Councillor Charles Mathew, local councillor highlighted the importance of income generation and urged Cabinet to look to increase commercial income from fees for services to those able to afford it. He also asked that further consideration be given to getting the best return on property assets and that congestion charging be introduced. Where we were currently unable through regulation to charge for services (such as waste recycling centres or concessionary fare cards) he asked that the Cabinet lobby for a change to the regulations.

Councillor David Williams, local councillor spoke against the proposed savings which would have a catastrophic impact on the citizens of Oxfordshire. He called on the Cabinet to make a stand by resigning and refusing to support a budget made necessary by central Government.

Councillor Nick Hards, local councillor and Shadow Cabinet Member for Finance referred to the very difficult position of all Shire Counties following the settlement on 17 December and expressed disappointment that Oxfordshire MPs were not doing more to challenge it. He referred to the summary of proposed budget changes and felt that although none there were acceptable that the changes to social care services were worse even than the proposals for children, education and families. He highlighted the need for intermediate care in the community and urged the Cabinet to use some of the County Council land to bring this about. He also suggested that it was possible to rationalise office use and that where the right deal was available then there might be a need to sell land. Finally he suggested that the review and rationalisation of senior management should be extended across the County Council.

Councillor Liz Brighouse, speaking as Chairman of Performance Scrutiny Committee commented that they had spent over 6 hours scrutinising the budget, going through the proposals and considering what it meant for the most vulnerable. At the time the Committee had thought that it had the worst case scenario and today she would be telling cabinet about the least acceptable cuts. She highlighted the areas that gave Committee Members most concern which were set out in the written note from the Committee. She also indicated that the Committee had considered whether to recommend Cabinet to consider an additional increase in Council Tax. However this had not been supported: it could not raise sufficient funds for all the services and even at 4% the increase would be difficult for some families.

Councillor Lawrie Stratford, Cabinet Member for Finance, in introducing the report responded to the comments made. He thanked Performance Scrutiny Committee for their measured comments, even though they had been overtaken by events. He noted that the settlement announced on 17 December could not have been anticipated as the formulae had changed without notice. The obligation on Cabinet and full council was to deliver a balanced budget that the Chief Finance Officer was able to support. Resignation by the Cabinet would not achieve anything except the likelihood that the decision would be taken by central government with no local input. He intended to continue to fight for the best possible outcome for the people of Oxfordshire. He detailed the papers before Cabinet and moved the recommendations.

Lorna Baxter, Chief Finance Officer highlighted section 4.12 which set out the Service and Community Impact Assessment for the totality of savings.

During discussion the Leader of the Council thank Lorna Baxter and her team for all their work so far and acknowledged that a great deal of work was still to be done. The papers for Council would be published before all the information was available. He thanked everyone who had taken part in the Talking Oxfordshire consultation and stressed that the Council had put forward in that consultation what was expected to be the worst case.

RESOLVED: to:

- (a) approve the Review of Charges as set out in Annex 1;
- (b) RECOMMEND Council to approve:
 - (a) the Corporate Plan;
 - (b) in respect of revenue:
 - (1) a budget for 2016/17 and a medium term plan to 2019/20, based on the proposals set out in Section 4.2;
 - (2) a council tax requirement (precept) for 2016/17;
 - (3) a council tax for band D equivalent properties;
 - (4) virement arrangements to operate within the approved budget;
 - (c) in respect of treasury management:
 - (1) the Treasury Management Strategy Statement and Annual Investment Strategy;
 - (2) to continue to delegate the authority to withdraw or advance additional funds to/from external fund managers to the Treasury Management Strategy Team;
 - (3) that any further changes required to the 2016/17 strategy be delegated to the Chief Finance Officer in consultation with the Leader of the Council and the Cabinet Member for Finance;
 - (4) the Prudential Indicators as set out in Appendix A of Section 4.5;

- (5) Minimum Revenue Provision Methodology Statement as set out in Appendix B of Section 4.5;
 - (6) the Specified Investment and Non Specified Investment instruments as set out in Appendix C and D of Section 4.5;
 - (7) the Treasury Management Policy Statement as set out in Appendix E of Section 4.5;
- (d) approve a Capital Programme for 2015/16 to 2019/20 as set out in Section 4.9 including:
- (1) the new capital proposals as set out in Section 4.9.1 (Appendix 3);
 - (2) the Highways Structural Maintenance Programme 2016/17 and 2017/18 as set out in Section 4.9.2;
- (e) to delegate authority to the Leader of the Council, following consultation with the Chief Finance Officer, to make appropriate changes to the proposed budget.

6/16 FUTURE PROVISION OF INTERMEDIATE CARE IN NORTH OXFORDSHIRE

(Agenda Item. 7)

Following public consultation between 5 October and 8 December 2015, Cabinet considered a report that set out the results of that consultation and recommended the way Intermediate Care services are provided in North Oxfordshire in the future. Intermediate Care is the support people need to avoid going into hospital or to help people get back home as quickly as possible.

John Grantham, Chipping Norton Action Group, referred to the services provided at Chipping Norton and the history and context around the beds there. He called for Chipping Norton to be included in the Review and that no decision be taken in the meantime. He added that the recent consultation had been poorly advertised and that local people overwhelmingly wanted the current provision to continue.

Councillor Heathcoat in moving the recommendations referred to the detailed paper before Cabinet. She outlined the consultation that had taken place and stated that the service in its current form was not sustainable. Given the pressures being faced there had to be equality of service provision across the County. She noted that 70% of the usage was from across the County. She emphasised that, despite local concerns, there was good evidence of a good quality of care being provided by the Orders of St John Care Trust. She queried the accuracy of the Hospital Action Group report and suggested that it was partial and written to elicit a particular response

Councillor Hilary Hibbert Biles in speaking against the proposals stated that she wanted to keep 14 beds for the Chipping Norton area. She would have liked to have seen the Clinical Commissioning Group taking some

responsibility and putting some funding forward. She defended the Hospital Action Group report.

RESOLVED: (by 7 votes for to 1 against) to agree to move to implementation of Model A: the Intermediate Care Unit in Chipping Norton continues and the full 14 bed service is provided by the Orders of St John Care Trust.

Councillor Hibbert Biles asked that she be recorded as having voted against the recommendation.

7/16 ADULT SOCIAL CARE: SHORT TERM COMMUNITY SERVICES
(Agenda Item. 8)

The Cabinet heard that the current system of short term support social care in Oxfordshire had evolved piecemeal with services created in response to perceived problems and without a proper strategic consideration of the pathway as a whole. There were currently seven different services in place, and so it was difficult for professionals or members of the public to understand the most appropriate route that people should follow through them to meet their specific needs.

The pathway redesign proposed in the report brought together the functions of the seven current services into two new services: the Urgent Response and Telecare Service; and the Hospital Discharge and Reablement Service.

The report described the alternative methods available for purchasing the services and made recommendations for the preferred options, after consideration of the risks and financial implications involved.

Councillor Laura Price, Shadow Cabinet Member for Adult Social Care welcomed the removal of duplication of services. However she had some concerns about dealing with a new provider and noted that the report was short on details. She would want to see information about how the geographical provision would work; on whether the lower cost was just about the removal of duplication or about a different service; what was the length of contract for continuity; how will the telephone response service impact on carer support; on the programme of review to ensure that it was robust and measuring the impact of changes from the outset; and how it fit with the wider discussions on health evolution. Councillor Price asked that existing health and Wellbeing Centres be involved.

Kate Terroni, Deputy Director for Joint Commissioning responded to the questions asked: there would be a single co-ordinated service provided on a locality basis to prevent zig-zagging across the County; the savings would be delivered through a reduction in duplication, through reduced handovers and less travel; The length of the contract was to be discussed but it was not a short term exercise; there would be no impact on carer support; the Health Overview and Scrutiny Committee would have oversight; and subject to the budget decisions on 16 February if Health and Wellbeing Centres were available they would want to use them.

Councillor Heathcoat moved the recommendations including a change to recommendation (c) to ensure that the final decision is taken in consultation with the Cabinet member and the Head of Paid Service.

RESOLVED: to approve:

- (a) the service model and procurement approach for the Urgent Response and Telecare Service;
- (b) the Continuity of Provider approach to deliver a combined Hospital Discharge & Reablement Service (including community reablement); and

- (c) the proposed gateways, including the option to change the approach to the procurement option if the provider fails to meet the gateway targets, delegating final approval of the gateways to the Director of Adult Social Services in consultation with the Cabinet Member for Adult Social Care and the Head of Paid Service.

8/16 OXFORDSHIRE MINERALS & WASTE DEVELOPMENT SCHEME

(Agenda Item. 9)

The County Council must prepare and maintain a Minerals and Waste Development Scheme, setting out the programme for production of the Minerals and Waste Plan. The original Oxfordshire Minerals and Waste Development Scheme came into effect in May 2005 and a number of revisions had been made since then, most recently in December 2014. The timetable for preparation of Part 1 of the Plan - the Core Strategy in the most recent revision was now out of date. In addition, a more specific timetable was needed for the preparation of Part 2 of the Plan - the Site Allocations Document. A further revision of the Development Scheme was therefore now required. Cabinet had before them a draft Scheme.

Steve Curran, Shadow Cabinet Member for Environment referred to paragraph 8 of the report commenting that the supplementary planning documents on a Minerals and Waste Development Code of Practice and on Restoration and After-use of Minerals and Waste Sites were important and the Scheme should say more than it does. He noted that on page 419 it referred to approval already having been given and that this gave the wrong impression. The Chairman stressed that it was only a draft document. Councillor Curran commented that he would prefer to see any necessary additional decisions taken by the Cabinet Member as it is important that decisions were seen as transparent. He made a number of detailed comments relating to delays, costs and funding requirements. He queried the use of consultants to facilitate stakeholder engagement. In response Councillor Nimmo Smith gave assurances that the decisions would be visible noting that the final report would come to full Council. He accepted that restoration was important but added that this was a procedural document. There would be opportunities for discussion throughout the process.

RESOLVED: to

- (a) approve the Oxfordshire Minerals and Waste Development Scheme (Seventh Revision) 2016 at Annex 1, subject to final detailed amendment and editing, to have effect from 4 February 2016;
- (b) authorise the Deputy Director Strategy & Infrastructure Planning to:
- (1) 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;

- (2) take the necessary steps to bring the revised Scheme into effect from 4 February 2016 and publish the revised Scheme, in accordance with Sections 15 and 16 of the Planning and Compulsory Purchase Act 2004 (as amended).

9/16 BUSINESS MANAGEMENT & MONITORING REPORT FOR QUARTER 2 - 2015/16

(Agenda Item. 10)

This paper provided details of performance for quarter two for the Cabinet to consider. 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 highlighted the financial performance and the difficulty in reducing budget line with decisions previously made. This was a threat to the County and its services. At the last Performance Scrutiny Committee they had focussed on Children's Social Care and safeguarding.

Councillor Rodney Rose moved the amended recommendation as set out in the addenda.

Councillor Hudspeth, Leader of the Council, referred to a number of areas where there were challenges in terms of performance. There was increased need at a time of resource constraints. The impact of further cuts would need to be carefully considered.

Individual Cabinet Members commented on particular figures in their portfolios.

RESOLVED: following discussion to note the performance reported in the dashboards.

10/16 COMPULSORY PURCHASE POWERS FOR ACQUISITION OF LAND REQUIRED FOR DELIVERY OF SCHEMES

(Agenda Item. 11)

The Council's Major Infrastructure Delivery Team is managing the delivery of a number of major highway improvement schemes. Some of these schemes require additional land to enable delivery of the proposed improvements which will reduce congestion, improve movement, access and safety and encourage use of sustainable transport.

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Cabinet considered a report that detailed various schemes which are at an early stage of development, but which are considered, subject to approvals, to require additional land. The report requests the delegation by Cabinet to the Director of Environment and Economy in consultation with the Executive Cabinet member to exercise Compulsory Purchase powers for the purchase of land for these schemes, in the event that the land required cannot be purchased by negotiation.

Councillor Hards, speaking as a local councillor supported the recommendations.

RESOLVED: to:

- (a) approve delegation of the exercising of Compulsory Purchase powers to the Director of Environment and Economy, in consultation with the Executive Cabinet Member for the purchase of land required for the delivery of the major infrastructure schemes outlined in paragraphs 7, 8 and 11 of this report, in the event that the land cannot be acquired by negotiation so as to keep to the programme of the schemes.
- (b) note that in so far as the whole or any part or parts of land required is not acquired by negotiation, the making of a Compulsory Purchase Order under provisions contained in Part XII of the Highways Act 1980 for the acquisition of the land, will be progressed. This could include providing the necessary attendance, expert witness provision etc at a Public Inquiry if required.

11/16 FORWARD PLAN AND FUTURE BUSINESS

(Agenda Item. 12)

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