

These notes indicate the decisions taken at this meeting and the officers responsible for taking the agreed action. For background documentation please refer to the agenda and supporting papers available on the Council's web site (www.oxfordshire.gov.uk.)

The decisions take effect at the time and date specified, unless before that time written notice is given in accordance with the Council's Scrutiny Procedure Rules requiring the decision to be called in for review by the relevant Scrutiny Committee.

If you have a query please contact Sue Whitehead (Tel: 07393 001213; E-Mail: sue.whitehead@oxfordshire.gov.uk)

CABINET - TUESDAY, 14 MARCH 2017

| <i>List published 14 March 2017 Decisions will (unless called in) become effective at 5.00pm on 21 March 2017</i> | | |
|--|---|-----------------|
| <i>RECOMMENDATIONS CONSIDERED</i> | <i>DECISIONS</i> | <i>ACTION</i> |
| 1. Apologies for Absence | Councillor Rose | HLG (A. Newman) |
| 2. Declarations of Interest | None. | HLG (A. Newman) |
| 3. Minutes To approve the minutes of the meeting held on 21 February 2017 (CA3) and to receive information arising from them. | Agreed and signed. | |
| 4. Questions from County Councillors | See attached annex. | |
| 5. Petitions and Public Address | <p>Petitions: from Councillor Susanna Pressel with two residents, Deborah Agulnik and Patricia Murphy regarding safety on the Botley Road;</p> <p>from Councillor John Tanner on behalf of Oxford City Council relating to Proposals for the Future Organisation of Local Government in Oxfordshire</p> <p>Speakers:</p> <p>Item 6 – Ian Green - A member of the Executive Committee of the Oxford Civic Society Dr Barbara Hammond MBE Councillor Fooks Councillor Neville Harris Councillor Pressel</p> | |

...Decisions... Decisions...

CABINET - TUESDAY, 14 MARCH 2017

| <i>List published 15 March 2017</i> | | |
|---|--|-------------------------------|
| <i>Decisions will (unless called in) become effective at 5.00pm on 22 March 2017</i> | | |
| <i>RECOMMENDATIONS CONSIDERED</i> | <i>DECISIONS</i> | <i>ACTION</i> |
| | Councillor Brighthouse | |
| <p>6. Draft Proposal for the Future Organisation of Local Government in Oxfordshire</p> <p><i>Cabinet Member: Leader</i> <i>Forward Plan Ref: 2016/156</i> <i>Contact: Robin Rogers, Strategy Manager</i> <i>Tel: 07789 923206</i></p> <p>The Cabinet is RECOMMENDED to:</p> <p>(a) Note and commend the approach taken by the Leaders of Vale, South Oxfordshire, and the County Council in putting the interests of residents, business and communities first in bringing forward these proposals.</p> <p>(b) Consider the proposals, in particular taking note that 70% of those responding to the representative household survey supported the proposal for a new single unitary council for Oxfordshire</p> <p>(c) Respond to the recent letter from the Secretary of State and submit the proposals for a new unitary council for Oxfordshire, subject to any minor amendments required</p> <p>(d) Delegate the power to make such amendments to the Chief Executive in consultation with the Leader of the County Council and with South Oxfordshire and Vale of White Horse District Councils</p> <p>(e) Ask officers to seek local support from key stakeholders and the wider public to promote the proposals to Government, and respond to any subsequent consultation undertaken by the Secretary of State</p> <p>(f) Agree that the further development of the Area Executive Board model, through the establishment of a Joint</p> | <p>Recommendations agreed subject to the addition to recommendation (h) shown in bold below:</p> <p>Authorise the Director of Law and Governance in consultation with the Leader and Chief Executive to agree the terms of reference of the Joint Committee, which will include making recommendations regarding the initial functions of the Implementation Executive, and to make this council's appointments to the Joint Committee.</p> | <p>C. Exec (M. Scott)</p> |

...Decisions... Decisions...

CABINET - TUESDAY, 14 MARCH 2017

| <i>List published 15 March 2017</i> | | |
|--|------------------|---------------|
| <i>Decisions will (unless called in) become effective at 5.00pm on 22 March 2017</i> | | |
| <i>RECOMMENDATIONS CONSIDERED</i> | <i>DECISIONS</i> | <i>ACTION</i> |
| <p>Committee, open to all Districts and City Councils across Oxfordshire and the County Council, should be formed as early as possible. This Joint Committee should work with the existing County Council advisory group, local communities, Town and Parish Councils, and key delivery partners to develop detailed proposals that articulate the role, powers, format, scale and responsibilities of the Area Executive Boards which will be submitted to the Implementation Executive for inclusion with the proposed constitution of the new council.</p> <p>(g) Ask officers to take steps to establish the City Convention to work with residents and local stakeholders to design the new model of governance in Oxford.</p> <p>(h) Authorise the Director of Law and Governance to agree the terms of reference of the Joint Committee, which will include making recommendations regarding the initial functions of the Implementation Executive, and to make this council's appointments to the Joint Committee.</p> <p>(i) In light of the above decisions, and the absence of unanimity among the current local authorities, confirm that the Cabinet does not support the proposals for a Mayor and Combined Authority as being the best structure for Oxfordshire.</p> | | |
| <p>7. Final OFRS Community Risk Management Plan 2017-22</p> <p><i>Cabinet Member: Deputy Leader</i> <i>Forward Plan Ref: 2016/114</i> <i>Contact: Richard Smith, Review Manager</i></p> | | |

...Decisions... Decisions...

CABINET - TUESDAY, 14 MARCH 2017

| <i>List published 15 March 2017</i> <i>Decisions will (unless called in) become effective at 5.00pm on 22 March 2017</i> | | |
|--|-------------------------|----------------|
| <i>RECOMMENDATIONS CONSIDERED</i> | <i>DECISIONS</i> | <i>ACTION</i> |
| <p>Tel: (01865) 855216</p> <p>Cabinet is RECOMMENDED to:</p> <p>Approve the CRMP 2017-22 strategic document and projects within the 2017-18 Action Plan.</p> | Recommendations agreed. | CFO (J. Green) |
| <p>8. Forward Plan and Future Business</p> <p><i>Cabinet Member: All</i> <i>Contact Officer: Sue Whitehead,</i> <i>Committee Services Manager (01865 810262)</i></p> <p>The Cabinet is RECOMMENDED to note the items currently identified for forthcoming meetings.</p> | Noted. | |

ITEM 4 – QUESTIONS FROM COUNTY COUNCILLORS

Question from Councillor Howson to Councillor Lindsay-Gale

The following question was omitted in error from the last meeting and forwarded for response to Councillor Lindsay-Gale. The question and response are set out below

“Since September, 2013 could you list the school building contracts for Oxfordshire’s schools (including academies and free schools where building work has been funded through Oxfordshire) that have not been completed on time and how long after the start of a term when the building was required was it before the project was completed?”

Answer

“Since September 2013 and up to September 2016 there have been 39 building contracts delivering additional pupil places that were required to be met at the start of an academic year.

In respect of these building contracts 19 delivered the new teaching spaces by the start of the academic year stated and 20 did not. In 14 of these cases the necessary teaching space was delivered through short term utilisation of existing space in advance of completion of the new teaching spaces, in 4 instances temporary hired facilities were provided on site. In 2 instances, the increase in pupil numbers to be met by the school was postponed to the following year.

Individual building contracts combine the need to deliver teaching space with other ancillary works. Completion of teaching space is the primary need and as a consequence it tends to occur in advance of contract completion.

Between 2013 and 2016 the range of difference between the availability of new teaching spaces and the start of the academic year were

19 projects completed before the start of term
 6 projects completed within 1 month of the start of term
 4 projects completed between 1 and 3 months of the start of term
 1 project completed between 3 and 6 months of the start of term
 4 projects completed between 6 and 12 months of the start of term
 5 projects completed more than 12 months after the start of term

Delay can occur during

1. design development - this can be due to changes in scope, establish an optimum solution, gaining statutory consents, value engineering the design within budget constraints as well as resource issues and inefficiencies
2. construction – this can be due to encountering unforeseen works, inaccurate programming, sub contractor’s entering into administration, resource issues and inefficiencies.”

Supplementary: Responding to a further question Councillor Lindsay-Gale agreed that the position was not satisfactory and that the County Council was working hard with Carillion to improve the situation. She hoped that in 6 months the picture would be more positive.

Questions received from the following Members:

1. From Councillor Tanner to Councillor Hudspeth

“The residents of my Oxford division are horrified at the prospect of their City Council being abolished and replaced by a single county-wide council. Will the cabinet reconsider its proposal for ‘One Oxfordshire’ and put the County Council’s efforts instead into co-operating with the districts to deliver improved services?”

Answer

“I’m sure Cllr Tanner will be delighted to hear that Cabinet has reconsidered the proposals in its ‘One Oxfordshire’ discussion document and by listening to feedback from the public and stakeholders, and by working with South Oxfordshire and Vale of White Horse District Councils, has produced a bid to government entitled ‘A New Council for a Better Oxfordshire’.

However, I am not surprised that the residents of Cllr Tanner’s division are horrified. The City Council, where he sits as a member of the City Executive Board, has lavishly funded an extensive campaign of misinformation disgracefully wasting taxpayers’ money on adverts and opinion polls designed to scare residents. Time and time again the City Council has described the proposals as a “takeover” of City Council services by a “remote unitary county council” when the fact is that the proposal is for an entirely new council that is neither “district” or “county”. The City also conveniently ignores the fact that 80% of local authority services within the City are already delivered by the County Council. What is being proposed is in fact a significant localisation of powers – albeit within a new model of governance.

Disgracefully, this misinformation has often been targeted at the most vulnerable, including suggesting with no evidence whatsoever that under a unitary council: “council housing could be sold off and provision for social housing would lose priority”. On the contrary, as Cllr Tanner well knows, not only does the legislation surrounding transfer of housing stock require a referendum amongst tenants which makes the question purely hypothetical in the absence of widespread support, the Better Oxfordshire bid specifically commits to keeping council housing in public ownership. The bid proposal also demonstrates how a single unitary authority will be in a much stronger position to deliver new homes of all types, in stark contrast to the poor performance of the City Council’s planning policies.

At the same time the City Council has refused to accept the open and on-going invitation to take a leadership role and to work together to refine and improve the proposals. The leader of the City Council continues to refuse an invitation to a weekly meeting of council leaders and thereby ensure that his concerns on behalf of residents are addressed – another point that might horrify the residents of Cllr Tanner’s division.

What we are setting out today is a positive and optimistic approach for ensuring the long-term sustainability of local public services and improving outcomes for residents for years to come.

During an extensive public and stakeholder engagement period, we have been able to understand the views of local people, partners and business and to build that understanding into the final proposal. Through our partnership with South Oxfordshire and Vale of White Horse District Councils, we have been able to improve the proposal further.

A major aspect of feedback through the engagement process was that Oxford needs a governance model that allows a sovereign decision making capacity to be established that is separate from the unitary council and that covers the community, environmental and civic issues that are best managed at the community level. The proposal therefore now recommends that Oxford City have an independent city council; a new council established under the terms of chapter four of the Local Government and Public Involvement in Health Act 2007. This new body would be designed to complement and enhance the strategic functions of the unitary council and to replace the overlap and conflict inherent to the current model.

This new vision: of a re-formed council for the City under a different legislative framework working in partnership with an entirely new unitary council working across the whole of the functional economic area, has the potential to bring about the partnership working and improvement that residents want and need.

We fully acknowledge that such a bold vision now needs fully articulating and the bid document proposes that a “city convention” is created to bring together residents, business, politicians, community groups, existing councils and parishes, public sector partners and Oxford institutions such as universities and hospitals. A broad range of stakeholders need to be at the heart of forming the new council so that it is built from the ground-up out of civic society rather than formed from political interests alone.

The PwC report commissioned by the City Council states that:

“Oxfordshire now has to make a choice. If it maintains the status quo, political and chief officer effort will increasingly be focused on the incessant challenge of managing and delivering core service provision across a diverse geography against the backdrop of budget reductions and rising demand. In doing so, local government will not be fulfilling its wider duty - the duty to ensure Oxfordshire retains and leverages its competitive advantage for the benefit of the people and places it serves and the universities and businesses that are located in and have chosen to invest in Oxford and Oxfordshire.”

Our conclusion is that, based on the work undertaken and the analysis carried out, now is the time for a decision to be made on a new settlement for the structure and form of government and governance in Oxfordshire. A new settlement that will create new structures for the administration and delivery of key public services across health and social care and children’s and adults services and also have responsibility for both economic and housing growth.”

We cannot escape these conclusions: the status quo is not a sustainable option.

Therefore, what Cllr Tanner must then answer to his residents is this: what is his viable alternative proposal to structural local government reform and why has it not been presented more than a year on from the original four-unitary announcement?

In its heart of hearts the City Council yearns for an independent city unitary for Oxford. However, their own analysis demonstrates irrefutably that this is simply financially unviable and moreover, unsafe for the most vulnerable residents.

Even if it were, what they have never answered is what would the boundaries of a city unitary be? How would they reach the minimum thresholds for unitaries, even at the 2006 levels? If the City thinks that its residents are not enthusiastic to be part of a unitary council for the whole of Oxfordshire, I think they will find that the residents of Abingdon are even less enthusiastic about being part of a city unitary. Of course, an expansion of the city boundaries would also see a

significant political shift. For all these reasons, despite the City having obtained extensive analysis pointing to unitary in some form as being the best option for residents, they have so far failed to bring forward their own proposal.

In fact the alternative now clung onto, to avoid facing up to change is for a Combined Authority, with retention of all existing council structures, the retention of six leaders, six cabinets and six sets of councillors and all of the related back office costs – but with the addition of an extra layer of government on top.

A combined authority with a mayor is likely to have an annual cost of £2m just to run itself. This doesn't of course incorporate the opportunity costs of missing out on recurring £20m savings and the far greater future potential for service improvement and transformation going forward.

Setting aside the fact that our understanding from government is that there are to be no more substantial devolution deals, I simply cannot believe that we would be in a credible position with government if we have rejected unitary proposals and the savings and investment they could generate out of hand – and then come begging for more money anyway.

Indeed nowhere else in the country is pursuing such a model- the Cambridge deal is of course shorthand for a Cambridgeshire and Peterborough deal – Peterborough is a separate unitary authority and so a combined authority there makes sense in a way that it does not in Oxford.

While Cllr Tanner seems to be asking us to maintain the status quo – and as the City Council's own report tells us that would be to fail in our duty to residents - our positive Better Oxfordshire proposal is to take the active choice and to do the right thing for Oxfordshire.”

Supplementary: In response to concerns raised with Councillor Tanner by residents the Leader stressed that it would be a new Council providing better services, with better accountability and reduced waste.

2. From Councillor Fooks to Councillor Nimmo Smith

“The County Council spends considerable time and effort in deciding appropriate speed limits across the county. For instance, on the A40 in my division the limit on Sunderland Avenue has been reduced from 40mph to 30 mph. Elsfield Way to the east of the Cutteslowe roundabout is now supposed to be 30mph increasing in steps to 40 and then 50mph. These limits are regularly and almost continually ignored. The signage could be improved but the fact is that drivers see no reason to observe the limits. There is no enforcement. The now frequent very large and heavy lorries cause noise and vibration, made worse by the deteriorating road surface on Sunderland Avenue. This nuisance is made much worse by the speed of the vehicles.

My constituents understandably feel angry that limits are not enforced – which is a police responsibility. County officers are looking to provide flashing VAS signs to remind drivers of the 30mph limit, which is much appreciated, but some formal enforcement is likely to be needed as well.

Would Cabinet agree to make a formal request to Thames Valley Police to carry out their duty to enforce speed limits, which have been set for a reason? Should the Police and Crime Commissioner be invited to meet with officers and councillors to discuss where such activity is most needed, with a reminder that it is a safety issue as well?

Would the cabinet member agree that without enforcement , the setting of speed limits does very little to achieve the desired impact on driver behaviour?

Supplementary: Councillor Nimmo Smith in response to Councillor Fooks questions about timing and a wish to be involved in meetings agreed that she be informed and involved as much as possible.

Answer

"I share your concerns and can confirm that officers have already alerted the Police to this fact, and would be happy to formalise this request on Cabinet's behalf. I would also be happy to facilitate discussions with the Police and Crime Commissioner on prioritise for limited resources within the Police and how the two organisations may work better together.

Enforcement is helpful but not essential in every situation. The monitoring of a large number of speed limit changes in the county indicates worthwhile improvements in safety being achieved, even in cases where there is a level of speeding after the reduction of the speed limit, also, as we know, it only takes a few vehicles to decide to adhere to the speed limit to achieve a wider general reduction in speed."

3. From Councillor Smith to Councillor Nimmo Smith

"Headington Action is a voluntary organisation with charitable status (Charity No. 1099173) whose sole aim is to benefit the community of Headington. The Headington Market was set up by the group in September 2007 and it uses the stall fees to fund community activities. The group would like to promote the market by displaying notices in carefully selected sites but has been advised that this is against county policy although it has been noted that the policy is not adhered to throughout Oxfordshire.

I note that the County's Corporate Plan states "The council is trying to create an environment where communities can take action on issues important to them" and that it wishes to "Facilitate and encourage communities to help themselves." Would the cabinet consider a policy for local Charity organisations to be allowed to display banners/notices similar to that used by Cheltenham Council?

This is a link to the Cheltenham policy:

https://www.cheltenham.gov.uk/info/6/business/325/displaying_advertisements/4 "

Answer

"Advertising on the highway, whatever the subject matter, is the responsibility of the respective District Council exercising its powers under the Town & Country Planning (Control of Advertisements) Regulations. In the present case that would be Oxford City Council.

Oxfordshire County Council as the Highway Authority would be informed and asked for a view as to the suitability of a location should an application be received by a District. We treat each application referred to us on its merits; we don't have an overall policy for advertising on the highway. The Headington group seem to have misunderstood that situation.

Banners across the highway are the responsibility of the Highway Authority; unfortunately there are no suitable sites within Oxford City boundary, though we do occasionally authorise them in other parts of the county."

Supplementary: Responding to a question about whether it would be better to have a County wide policy Councillor Nimmo Smith agreed that it would and Councillor Smith welcomed the opportunity to work with him to that purpose.