

CABINET

MINUTES of the meeting held on Tuesday, 20 December 2022 commencing at 2.00 pm and finishing at 3.20 pm

Present:

Voting Members: Councillor Liz Leffman – in the Chair
Councillor Liz Brighouse OBE (Deputy Chair)
Councillor Glynis Phillips
Councillor Dr Pete Sudbury
Councillor Tim Bearder
Councillor Duncan Enright
Councillor Calum Miller
Councillor Jenny Hannaby
Councillor Mark Lygo
Councillor Andrew Gant

Other Members in

Attendance: Councillors Donna Ford, John Howson, Dan Levy, Ian Middleton and Eddie Reeves.

Officers:

Whole of meeting Stephen Chandler, Interim Chief Executive; Lorna Baxter, Director of Finance; Anita Bradley, Director of Law & Governance; Colm Ó Caomhánaigh, Committee 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.

160/22 APOLOGIES FOR ABSENCE

(Agenda Item. 1)

There were no apologies.

161/22 DECLARATIONS OF INTEREST

(Agenda Item. 2)

There were no declarations of interest.

162/22 MINUTES

(Agenda Item. 3)

The minutes of the meeting held on 15 November 2022 were approved and signed with one amendment:

Item 146/22, third paragraph, insert “held” after “Councillor Miller had”

The minutes of the meeting held on 29 November 2022 were approved and signed with one amendment:

Item 157/22, on Agenda Page 21, in recommendation (a), insert “as agreed by Cabinet” after “any scrutiny recommendations”.

Matters Arising:

Regarding the deferral of the decision on Appointments from the meeting on 29 November 2022, following further discussions on the matter, Cabinet agreed the recommendations that had been proposed at that meeting in the agenda and addenda.

RESOLVED to

- a) designate Oxford Health NHS Foundation Trust and Oxford University Hospitals NHS Foundation Trust as Strategic Outside Bodies;**
- b) appoint governors to both bodies as listed in the Annex.**

Annex: “Appoint Councillor Tim Bearder as governor to Oxford Health NHS Foundation Trust and governor to Oxford University Hospitals NHS Foundation Trust.”

163/22 QUESTIONS FROM COUNTY COUNCILLORS

(Agenda Item. 4)

See Annex.

164/22 PETITIONS AND PUBLIC ADDRESS

(Agenda Item. 5)

The following request to speak was agreed to by the Chair:

14 Oxfordshire Minerals and Waste Local Plan Process
Mandy Rigault

165/22 REPORTS FROM SCRUTINY COMMITTEES

(Agenda Item. 6)

Report of the Place Overview & Scrutiny Committee: Scrutiny of Lessons Learnt from LTP4

The report was summarised by Tom Hudson, Principal Scrutiny Officer. He apologised that, due to an error on his part, the Chair of the scrutiny committee, Councillor Kieron Mallon, was unable to attend. The main focus of discussions was on how to improve implementation of the plans. The scrutiny committee reiterated the recommendation that the plans have SMART targets (Specific, Measurable, Achievable, Relevant, Time-bound).

They also stressed the importance of taking on board the learning from the previous Local Transport Plan LTP4.

Councillor Duncan Enright welcomed the report. Cabinet will respond formally in due course.

Report of the Performance & Corporate Services Overview & Scrutiny Committee on the Consultation Budget Proposals

Councillor Eddie Reeves, Chair of the Committee, noted that the scrutiny committee had two meetings on the budget. He thanked Cabinet Members and senior officers for their presence at these meetings and finance officers for additional briefings.

The scrutiny committee would not make recommendations until the proposals were settled. However, Councillor Reeves highlighted the following observations:

- It was a particularly challenging budget given concerns around inflation.
- The rate of savings required was increasing but for the Council to match previous savings would be very challenging. There was a need to continue the process of transformation – particularly in the area of Children's Services where there was particular concern.
- The links between the proposals and strategic priorities needed to be clearer.
- There was a heavy reliance on agency staff and there were challenges around recruitment and retention of staff.

Cabinet Members thanked the scrutiny committee for their observations and agreed that the meetings were most useful. Cabinet will respond formally in due course.

166/22 FINANCIAL MONITORING UPDATE OCTOBER 2022

(Agenda Item. 7)

Cabinet considered the fourth financial monitoring update for the 2022/23 financial year, based on information to the end of October 2022. Key issues, as well as risks relating to inflation, demand and other factors, plus areas of emerging pressure were explained in the report.

Councillor Calum Miller, Cabinet Member for Finance, summarised the report:

- The updated overspend figure for Children's Services was £14.5m.
- That was somewhat offset by contingency drawdown and increased interest from treasury investments giving an overall overspend of £10.4m.
- This led to a reduction in the General Balance to £25.6m which was below the recommended risk level.
- The High Needs Block overspend was projected to be £17.5m by the end of the year due to gross government under-funding in this area.

- The report gives more detail on this and outlines the actions in response.
- £2.1m of the projected savings were at risk, mainly due to inflationary pressures.

Councillor Liz Brighouse, Cabinet Member for Children, Education & Young People's Services, noted that the costs were also increasing significantly for Looked After Children. There needed to be more scrutiny of the numbers coming through the MASH (Multi-Agency Safeguarding Hub). She expected that some work will succeed in reducing the figures by the time it comes to setting next year's budget.

The Chair emphasised that the same challenges were faced by local councils across the country due to underfunding by central government.

The recommendations were proposed by Councillor Miller, seconded by Councillor Phillips and agreed.

RESOLVED

to:

- a) note the report and annexes
- b) agree the virements in Annex B-2a
- c) note the virements in Annex B-2b
- d) agree the use of a further £1.0m from the COVID-19 reserve to offset pressures in Children's Services.

167/22 CAPITAL PROGRAMME MONITORING REPORT - OCTOBER 2022

(Agenda Item. 8)

Cabinet had before it a report setting out the monitoring position based on activity to the end of October 2022 - the third update for 2022/23. It also included an update to the Capital Programme approved by Cabinet in October 2022 taking into account additional funding and new and/or changes to schemes.

Councillor Calum Miller, Cabinet Member for Finance, introduced the report. He highlighted that the total forecast programme expenditure had reduced by £33.1m compared to the most recently agreed programme. The largest contribution to this came from Major Infrastructure projects. The reasons were explained in paragraphs 30 to 35.

On the positive side, Councillor Miller noted the successes in obtaining £32.8m in government grants for zero-emission buses and £5.2m matched funding for new children's homes. Also, the Department for Levelling Up, Housing and Communities had confirmed that it will pay the final £30m instalment of the Housing & Growth Deal and the implications of that will be outlined in the next report.

Cabinet Members made the following comments:

- It was disappointing that the construction phase of the Wantage Eastern Link Road had been pushed back to summer 2023 and it was hoped that there would be no further delays as the housing it was to cater for was well under way.
- It had been a major achievement to secure the funding for zero-emission buses and it was a testament to the Council's determination to pursue its policies, the hard work of officers and the partnership working with bus companies.

It was agreed that recommendation 2 should refer to the "Deputy Leader" rather than the "Leader".

The recommendations as amended were proposed by Councillor Miller, seconded by Councillor Phillips and agreed.

RESOLVED to:

OCC Capital Programme

1. Approve the latest capital monitoring position for 2022/23 (Annex 1) and the associated updated capital programme at Annex 2, incorporating the changes set out in this report
2. Note the approval made under delegated authority of the Leader of the Council for:
 - a) New Heyford Primary School (paragraph 26)
 - b) Heyford Park School Expansion (paragraph 28)
3. To note:
 - c) increase of £0.360m to the Active Travel Programme (Tranche 2) funded from the Budget Priorities Reserve (paragraph 34)
 - d) the inclusion of the Department for Transport (DfT) grant of £32.8m into the capital programme following the Cabinet Report on 18 October 2022 as funding towards the Zero Emission Bus Regional Area (paragraph 37).
 - e) progress on the Structural Maintenance 2022/23 Milestones (Annex 3):
 - f) funding of £0.185m towards the Highway Tree Planting programme funded from the Budget Priorities Reserve (paragraph 52)

Re-profiling

4. Agree the in-year re-profiling as identified in the report and (Annex 1 and 2)

Funding

5. Note the following grant funding updates and allocations:
 - a) Housing & Growth Deal (paragraph 39)
 - b) Children Homes (paragraph 66),

- c) Safer Roads (paragraphs 71),

168/22 WORKFORCE REPORT AND STAFFING DATA - QUARTER 2 - JULY TO SEPTEMBER 2022

(Agenda Item. 9)

Cabinet was asked to note the report providing an update on the key strategic workforce priority areas for Quarter 2 and a refreshed workforce profile at Appendix 1.

Councillor Glynis Phillips, Cabinet Member for Corporate Services, summarised the report. She noted that it was the last report from Karen Edwards, Director of HR, who was leaving the Council at the end of December. She wished to thank Karen Edwards in particular for steering the Council through the challenges posed by Brexit and Covid-19.

Councillor Phillips highlighted that the report showed improved workforce planning, including work to increase diversity, more development of our own staff and increased agile working. The report also explained the need to extricate the Council from Hampshire's Integrated Business Centre which has proven to be insufficiently adaptable to meet our needs.

Councillor Phillips also drew attention to the plans to reduce reliance on agency staff, in Children's Services in particular. It should be noted that staff numbers have increased in response to increasing demand for services.

Cabinet Members welcomed the moves to take back control of the Council's recruitment and retention of staff as well as the measures to develop more of our own staff. The challenges posed by the demand for housing in the county and the very tight workforce market were also acknowledged.

The recommendation was proposed by Councillor Phillips, seconded by Councillor Miller and agreed.

RESOLVED to note the report.

169/22 ANNUAL COUNCIL GREENHOUSE GAS EMISSIONS REPORT & CLIMATE ACTION PROGRAMME - BIANNUAL UPDATE

(Agenda Item. 10)

The Greenhouse Gas Emissions 2021/2022 report is an annual report on the council's own operational greenhouse gas emissions and progress towards the target of net zero by 2030 for the council's own operations. This report covered the financial year 2021/2022 and updated Cabinet on the delivery of the 2022/23 Climate Action Programme delivery plan as approved at Cabinet in June 2022.

Councillor Pete Sudbury, Cabinet Member for Climate Change Delivery & Environment, summarised the report. He thanked the many officers, and in

particular, Stephen Chandler, Interim Chief Executive, for making a step change in integrating climate awareness across the organisation.

Councillor Sudbury highlighted that carbon emissions had reduced by 21% in two years. Work was in progress regarding carbon emissions from the supply chain. He drew particular attention to Appendix 2 from Agenda Page 159 which demonstrated the scope and urgency of the work being undertaken by the Council and partners. PAZCO (Pathways to Zero Carbon Oxfordshire) demonstrated the ability to move beyond talk into action.

Cabinet Members added the following comments:

- This more self-reliant approach will protect against shocks such as the Russian invasion of Ukraine.
- These measures will be accompanied by other moves that will help to reduce inequalities.
- Central government was making big pledges internationally but doing little in reality.
- The Council had the policies in place but now needed to implement actions to realise the targets.

The recommendations were proposed by Councillor Sudbury, seconded by Councillor Enright and agreed.

RESOLVED to:

- a) **Approve the annual Greenhouse Gas Emissions report for 2021/2022 for publication on the County Council website, set out in Appendix 1.**
- b) **Note the biannual update on the delivery of the Climate Action Programme agreed by Cabinet in May (Appendix 2).**
- c) **Note the success of the Carbon Literacy Training programme and ambition to achieve bronze accreditation by March 2023 and develop a business case to move to silver accreditation.**

170/22 INFRASTRUCTURE FUNDING STATEMENT

(Agenda Item. 11)

The Infrastructure Funding Statement is a statutory statement of fact to be reported annually, by 31 December 2022 on developer contributions secured, spent or received during the previous financial year. This report covered 1 April 2021 – 31 March 2022.

Councillor Duncan Enright, Cabinet Member for Travel & Development Strategy, introduced the report describing it as a good overview of the use of resources secured on behalf of the community as well as an indicator of the pace of the provision of infrastructure.

Councillor Calum Miller noted that 20% of the funds currently held by the Council have been allocated to projects and that no funds had to be repaid in

the three most recent financial years thanks to the close monitoring of the funds by officers.

The recommendations were proposed by Councillor Enright, seconded by Councillor Sudbury and agreed.

RESOLVED to:

- a) Consider the content of the Infrastructure Funding Statement 2021/22.
- b) Approve the publication of the report onto the Oxfordshire County Council website

171/22 REPORT FROM LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN

(Agenda Item. 12)

Cabinet was invited to consider the findings of the Local Government and Social Care Ombudsman's (LGO) report which upheld a resident's complaint against the Council regarding alternative provision for her son.

Councillor Liz Brighouse, Cabinet Member for Children, Education & Young People's Services, moved the recommendations and noted that the actions completed were outlined in the report.

Councillor Hannaby seconded the recommendations and they were agreed.

RESOLVED to note the contents of the report by the Local Government and Social Care Ombudsman (LGO) as in Annex 1 and to endorse the actions completed and undertaken in response by this council.

172/22 LOCAL GOVERNMENT ASSOCIATION COMMUNICATIONS PEER REVIEW: FEEDBACK REPORT

(Agenda Item. 13)

Cabinet considered the report of the Local Government Association peer review of the Council's communications, marketing and engagement function which was undertaken from 6 to 8 July 2022.

Councillor Glynis Phillips, Cabinet Member for Corporate Services, summarised the report. She thanked the members of the LGA review group for their work. They spoke to councillors, staff, partners and stakeholders as part of the review. There was very positive feedback. The service was described as a "real asset" and a "professional and passionate team".

The report stressed that communications need to be embedded in the policy forming process from the outset. This observation was reinforced by the scrutiny committee in its discussion of the report. An action plan had been

developed to implement the recommendations and the scrutiny committee had asked for an update on progress in April.

The recommendations were proposed by Councillor Phillips, seconded by Councillor Lygo and agreed.

RESOLVED to note the report from the July 2022 LGA communications peer review, which is attached as Annex 1, and the council's actions taken in response to the recommendations in the report.

173/22 OXFORDSHIRE MINERALS AND WASTE LOCAL PLAN PROCESS

(Agenda Item. 14)

Cabinet was asked to approve the annual Minerals and Waste Development Scheme (MWDS) setting out the Council's programme for preparing the Minerals and Waste Local Plan.

Before considering the item, the Chair had accepted a request to speak:

Mandy Rigault addressed the meeting on behalf of Nuneham Courtenay and Sandford-on-Thames Parish Councils as well as the wider communities. She noted that the current plan runs to 2031 and in respect of sharp sand and gravel there were already enough permitted reserves to meet demand up to 2031. She asked therefore why there was a need for a new plan – especially given the £320,000 cost. She urged that a decision be deferred until next year so that Cabinet and local councillors can review if a new plan is needed.

Mandy Rigault added that she understood that there were concerns around crushed rock but asked if these could be addressed under next year's review of Part 1.

Councillor Pete Sudbury, Cabinet Member for Climate Change Delivery & Environment, responded that there had to be a review of crushed rock, even though the Council had made an argument that the current demand was largely temporary from the HS2 project. The advice from officers was that we should review the sharp sand and gravel aspects at the same time. If the reserves were sufficient, he did not envisage re-opening issues on that aspect.

Councillor Sudbury proposed the recommendations. He stated that he had brought the timescale down to the minimum and the plans had been peer reviewed by Northamptonshire.

Councillor Enright seconded the recommendations and they were approved.

RESOLVED to

- a) **Approve the Oxfordshire Minerals and Waste Development Scheme (Thirteenth Revision) December 2022 at Annex 1, in order to have effect from 1st January 2023.**
- b) **Delegate any final detailed amendment and editing to the Corporate Director Environment and Place, in consultation with the Cabinet Member for Climate Change and Environment.**

174/22 FORWARD PLAN AND FUTURE BUSINESS

(Agenda Item. 15)

The Cabinet considered a list of items (CA15) 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

ITEM 4 – QUESTIONS FROM COUNTY COUNCILLORS

Questions	Cabinet Member
<p>1. COUNCILLOR SALLY POVOLOTSKY</p> <p>In 2022 (from January), how many hours / days / permits were granted to Thames Water so far for “emergency work”, and how many of these permits were classified as “emergency” in relation to leaks / broken network / households without water? How many of these permits resulted in enforcement measures and fines due to issues on the original permit issues, for example failure to “make good” the site they worked on in the Highway.</p>	<p>COUNCILLOR ANDREW GANT, CABINET MEMBER FOR HIGHWAY MANAGEMENT</p> <p>It is not possible to specifically identify only works in relation to leaks / broken network / households without water on our system. The most relevant category we have would be under “Utility repair and maintenance works”. Works registered under “Immediate notices” are all those which need to start without delay so do not require prior notice. These have two categories: emergency (where there is imminent risk to people or property) and urgent (where there is no service but no imminent danger). The table below provides these figures for permits issued to Thames Water since January 2022.</p> <p>In respect of enforcement data, we only hold data about enforcement measures in relation to all work types for Thames Water, not just those classed as immediate works. These are as follows:</p> <ul style="list-style-type: none"> • Total Fixed Penalty Notices (FPNs) issued – 410 (please note FPNs can be issued for a variety of reasons including breaches of permit conditions and noticing failures relating to permit information) • Total Section 74 Notices (S74s) issued – 119 (please note leaks / broken network / households without water on our system) • Total overrun days charged - 399

Questions	Cabinet Member
	<p><u>Table of permits issued to Thames Water since January 2022</u></p> <p>See below</p>
<p>2. COUNCILLOR SALLY POVOLOTSKY</p> <p>Project Leo has been a groundbreaking smart energy and hyper localised project alongside other countywide innovation. Can the Cabinet Member for Climate Change Delivery & Environment please update us on high level lessons learnt, an all Member briefing and will this Council be accelerating this learning to benefit some of our poorest communities to transition energy decarbonisation and benefit those residents and communities?</p>	<p>COUNCILLOR PETE SUDBURY, CABINET MEMBER FOR CLIMATE CHANGE DELIVERY & ENVIRONMENT</p> <p>Project LEO is due to complete at end of March 2023. Work is continuing apace, with ongoing market trials (assessing the potential for local flexibility services to balance energy supply and demand on the low voltage network), continuation of the smart and fair neighbourhood projects (led by project partners, the Low Carbon Hub, with six communities across Oxfordshire) and further development of the data and mapping workstreams. Learnings from across the project are being drawn together into a final report during December and will be widely shared once published (before end March 2023).</p>
<p>3. COUNCILLOR JOHN HOWSON</p> <p>Residents in my Division have expressed scepticism about the new paperless Residents' Parking Scheme. Could the Cabinet member please provide data from the first weeks of the new paperless scheme to reassure them that the technology has been a useful investment in saving both time and money?</p>	<p>COUNCILLOR ANDREW GANT, CABINET MEMBER FOR HIGHWAY MANAGEMENT</p> <p>As with all new systems the new Residents' Parking Scheme has taken time to bed-in. However, now that this has happened officers report there has been a reduction in the number of chaser calls and emails for permits which would previously have been posted. The system does not currently allow for this to be quantified. Positive feedback has also been received from customers over the 'phone thanking officers, saying how much easier the new system is, and that they look forward to visitors permits moving over to the new system.</p>

Questions	Cabinet Member
<p>SUPPLEMENTARY In relation to enforcement of non-compliant parking in residents' parking zones by those who are not permitted to be there, what are the Key Performance Indicators for that and whether this system is showing it is more effective and we are able to better police this for the benefit of residents than the previous system?</p>	<p>Full realisation of the scheme will come when virtual visitor permits are delivered. Having a wholly virtual permit scheme will give residents full control of their permits, allowing for self-service. This will remove the waiting times residents face at present due to manual processing of permits.</p> <p>RESPONSE I am happy to take that question away and find out how the scheme is performing in that respect and let you know.</p>
<p>4. COUNCILLOR DAN LEVY</p> <p>Could the Cabinet Member for Travel & Development Strategy please give an update on the scope of the review of HIF2 (the A40 projects) and the expected timings. It is clearly important that the revised scheme retains the best parts of the superseded version, so can he give an indication of the consultation process that will be undertaken to ensure that this is the outcome?</p>	<p>COUNCILLOR DUNCAN ENRIGHT, CABINET MEMBER FOR TRAVEL & DEVELOPMENT STRATEGY</p> <p>The recent withdrawal of the HIF2 CPO process was as a result of the serious financial pressures we and others face as a result of the highest inflation for decades. We are still committed to delivering the project and officers will be returning to cabinet in the new year with revised plans for the continuation of the project. I agree that it is important that the revised scheme does indeed retain all the best aspects of the previous proposals, and we will be working hard to ensure this is the case. We will take the opportunity to make sure local members are engaged in this process as soon as we have some draft plans to share, as well as take</p>

Questions	Cabinet Member
<p>SUPPLEMENTARY</p> <p>Could I ask specifically if it is your intention to ask external groups like Cyclox and other active travel groups to take part in any redesign of the A40 as part of the review?</p>	<p>the opportunity to do further appropriate public engagement throughout the process of scheme design and delivery.</p> <p>RESPONSE</p> <p>It is very much our aim to involve all stakeholders and expert groups one of whom is Cyclox. Obviously the bus companies are another and we would hope to make sure that, as far as possible, local councillors are kept informed and involved.</p>
<p>5. COUNCILLOR IAN MIDDLETON</p> <p>Can the Cabinet Member assure me that residents in my division will be fully and genuinely consulted before the sale or lease of any publicly owned County Council green belt land at Stratfield Brake is agreed by cabinet?</p>	<p>COUNCILLOR CALUM MILLER, CABINET MEMBER FOR FINANCE</p> <p>Thank you, Cllr Middleton, for your question. As you know from our conversations about this proposal, the cabinet is committed to making sure that decision-making about this proposal from Oxford United FC is conducted in an open and transparent way, informed by the views of residents. This has led the county council to take a number of steps:</p> <ul style="list-style-type: none"> • We requested an engagement exercise be undertaken in February 2022 which included a disaggregated response from local residents and which has shaped Cabinet's approach to discussions with the club; • Taking account of those views, we requested that the club focus on a smaller area of land (known as 'the Triangle') within the area they had originally proposed; • We set out very clearly at the start of this month the intention to bring officers' recommendations to Cabinet for a decision to be taken in a public meeting on 24 January 2023;

Questions	Cabinet Member
<p>SUPPLEMENTARY</p> <p>It's good to hear that there is still going to be scope for continuing input from residents and local stakeholders into any decision on this matter but for the avoidance of doubt could Councillor Miller confirm that any decision taken by Cabinet in January to allow officers to enter into discussions with the club will not constitute an in-principle agreement to lease or sell any land at Stratfield Brake but will rather be an exploratory process which will inform any later decision taken on the disposal of such land along with input from local stakeholders and residents?</p>	<ul style="list-style-type: none"> • We have asked the club to publish the information that they provided to the County Council so that the parish councils, sports clubs and members of the public interested in this proposal can review those. <p>I am in close touch with the two relevant parish councils (Kidlington, and Gosford and Water Eaton), of which I know you are a member, and will meet with them to have their input before the Cabinet meeting. The public Cabinet meeting on 24 January is the next stage in decision-making. If Cabinet decides to take forward negotiations with the club, there will still be a considerable way to go before any sale or lease is agreed, with opportunities for further input from residents, parishes and other parties at each stage.</p> <p>RESPONSE</p> <p>I am happy to confirm that the decision that will be put to Cabinet on 24 January will not be a final one relating to lease or sale. I anticipate that officers will make recommendations to Cabinet on 24 January and if Cabinet decides to proceed that they will set out a timetable for those negotiations and in that situation Cabinet would retain oversight of the negotiations with regular reporting back.</p>

Table of permits issued to Thames Water since January 2022 (Question 1)

Work Type	Number of permits	Proposed working days	Proposed calendar days	Actual calendar days
All work types	6472	18401	23680	23603
Immediate notices - all				
Total	3304	10022	13172	13511
Urgent	2786	8741	11521	11825
Emergency	518	1281	1651	1686
Immediate notice (activity type - <i>Utility repair & maintenance works</i>)				
Total	3209	9786	12858	13193
Urgent	2735	8592	11325	11625
Emergency	474	1194	1533	1568

