

To: Members of the Cabinet

Notice of a Meeting of the Cabinet

Tuesday, 27 November 2012 at 2.00 pm

County Hall, Oxford, OX1 1ND



Joanna Simons
Chief Executive

November 2012

Contact Officer: **Sue Whitehead**
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| <i>Councillors</i> | Membership |
|----------------------|---|
| Ian Hudspeth | - <i>Leader of the Council</i> |
| Rodney Rose | - <i>Deputy Leader of the Council</i> |
| Arash Fatemian | - <i>Cabinet Member for Adult Services</i> |
| Nick Carter | - <i>Cabinet Member for Business & Communications</i> |
| Louise Chapman | - <i>Cabinet Member for Children & the Voluntary Sector</i> |
| Melinda Tilley | - <i>Cabinet Member for Education</i> |
| Hilary Hibbert-Biles | - <i>Cabinet Member for Growth & Infrastructure</i> |
| Mrs J. Heathcoat | - <i>Cabinet Member for Safer & Stronger Communities</i> |
| Kieron Mallon | - <i>Cabinet Member for Police & Policies</i> |

The Agenda is attached. Decisions taken at the meeting will become effective at the end of the working day on Wednesday 5 December 2012 unless called in by that date for review by the appropriate Scrutiny Committee. Copies of this Notice, Agenda and supporting papers are circulated to all Members of the County Council.

Date of next meeting: 18 December 2012

Declarations of Interest

The duty to declare.....

Under the Localism Act 2011 it is a criminal offence to

- (a) fail to register a disclosable pecuniary interest within 28 days of election or co-option (or re-election or re-appointment), or
- (b) provide false or misleading information on registration, or
- (c) participate in discussion or voting in a meeting on a matter in which the member or co-opted member has a disclosable pecuniary interest.

Whose Interests must be included?

The Act provides that the interests which must be notified are those of a member or co-opted member of the authority, **or**

- those of a spouse or civil partner of the member or co-opted member;
- those of a person with whom the member or co-opted member is living as husband/wife
- those of a person with whom the member or co-opted member is living as if they were civil partners.

(in each case where the member or co-opted member is aware that the other person has the interest).

What if I remember that I have a Disclosable Pecuniary Interest during the Meeting?.

The Code requires that, at a meeting, where a member or co-opted member has a disclosable interest (of which they are aware) in any matter being considered, they disclose that interest to the meeting. The Council will continue to include an appropriate item on agendas for all meetings, to facilitate this.

Although not explicitly required by the legislation or by the code, it is recommended that in the interests of transparency and for the benefit of all in attendance at the meeting (including members of the public) the nature as well as the existence of the interest is disclosed.

A member or co-opted member who has disclosed a pecuniary interest at a meeting must not participate (or participate further) in any discussion of the matter; and must not participate in any vote or further vote taken; and must withdraw from the room.

Members are asked to continue to pay regard to the following provisions in the code that *“You must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself”* or *“You must not place yourself in situations where your honesty and integrity may be questioned.....”*.

Please seek advice from the Monitoring Officer prior to the meeting should you have any doubt about your approach.

List of Disclosable Pecuniary Interests:

Employment (includes *“any employment, office, trade, profession or vocation carried on for profit or gain”*.), **Sponsorship, Contracts, Land, Licences, Corporate Tenancies, Securities.**

For a full list of Disclosable Pecuniary Interests and further Guidance on this matter please see the Guide to the New Code of Conduct and Register of Interests at Members’ conduct guidelines. <http://intranet.oxfordshire.gov.uk/wps/wcm/connect/occ/Insite/Elected+members/> or contact Rachel Dunn on (01865) 815279 or Rachel.dunn@oxfordshire.gov.uk for a hard copy of the document.

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.

AGENDA

1. Apologies for Absence

2. Declarations of Interest

- guidance note opposite

3. Minutes (Pages 1 - 14)

To approve the minutes of the meeting held on 16 October 2012 (**CA3**) and to receive information arising from them.

4. Questions from County Councillors

Any county councillor may, by giving notice to the Proper Officer by 9 am two working days before the meeting, ask a question on any matter in respect of the Cabinet's delegated powers.

The number of questions which may be asked by any councillor at any one meeting is limited to two (or one question with notice and a supplementary question at the meeting) and the time for questions will be limited to 30 minutes in total. As with questions at Council, any questions which remain unanswered at the end of this item will receive a written response.

Questions submitted prior to the agenda being despatched are shown below and will be the subject of a response from the appropriate Cabinet Member or such other councillor or officer as is determined by the Cabinet Member, and shall not be the subject of further debate at this meeting. Questions received after the despatch of the agenda, but before the deadline, will be shown on the Schedule of Addenda circulated at the meeting, together with any written response which is available at that time.

5. Petitions and Public Address

6. Expansion of St Ebbe's CE(A) Primary School, Oxford to 2 form entry (Pages 15 - 52)

Cabinet Member: Education

Forward Plan Ref: 2012/134

Contact: Diane Cameron, School Organisation & Planning Tel: (01865) 816445

Report by Director for Children's Services (**CA6**).

As set out under Rule 18(a) of the Scrutiny Procedure Rules, The Chairman of the

Council has agreed that this decision is exempt from Call-In as it is deemed urgent and any delay would seriously prejudice the Council's interests, in that the Cabinet's role would be negated by referral to the Schools' Adjudicator if the decision was not taken within two months of the end of the Statutory Notice, in this case being 3 December 2012.

The proposal is to permanently increase the school admission number at St Ebbe's CE (VA) Primary School from 45 to 60. This means that each year group would consist of up to 60 places, taught in two classes, making a maximum total of 420 pupils.

The school has admitted up to 60 children by local arrangement with Oxfordshire County Council for September 2012, however this arrangement is not permanent. This proposal is to formally change the admission number to 60 on a permanent basis from September 2014.

The current capacity of the school is 315 and the proposed capacity will be 420. The current admission number for the school is 45 and the proposed admission number will be 60.

The Cabinet is RECOMMENDED to approve the permanent expansion of St Ebbe's CE (A) Primary School with effect from 1 September 2014.

7. Expansion of Windmill Primary School to 3 Form Entry (Pages 53 - 84)

Cabinet Member: Education

Forward Plan Ref: 2012/090

Contact: Diane Cameron, School Organisation Officer, Tel: (01865) 816445

Report by Director for Children's Services (**CA7**).

The proposal is to permanently increase the school admission number at Windmill Primary School from 60 to 90. This means that each year group would consist of up to 90 places, taught in three classes, making a maximum total of 630 pupils an increase from the current capacity of 510.

The school has admitted up to 90 children by local arrangement with Oxfordshire County Council for September 2011 and 2012, however this arrangement is not permanent. This proposal is to formally change the admission number to 90 on a permanent basis from September 2014. The school has a published admission number of 60 for September 2013 but will admit up to 90 children should this proposal be approved.

The Cabinet is RECOMMENDED to approve the publication of a statutory notice for the expansion of Windmill Primary School, Oxford.

8. Expansion of Botley Primary School to 2 form entry (Pages 85 - 110)

Cabinet Member: Education

Forward Plan Ref: 2012/132

Contact: Diane Cameron, School Organisation & Planning Tel: (01865) 816445

Report by Director for Children's Services (**CA8**).

As set out under Rule 18(a) of the Scrutiny Procedure Rules, The Chairman of the Council has agreed that this decision is exempt from Call-In as it is deemed urgent and any delay would seriously prejudice the Council's interests, in that the Cabinet's role would be negated by referral to the Schools' Adjudicator if the decision was not taken within two months of the end of the Statutory Notice, in this case being 30 December 2012.

The proposal is to permanently increase the school admission number at Botley School from 45 to 60. This means that each year group would consist of up to 60 places, taught in two classes, making a maximum total of 420 pupils an increase on the current capacity of 300.

The school has admitted up to 60 children by local arrangement with Oxfordshire County Council for September 2012, and is published at 60 for 2013, however this arrangement is not permanent. This proposal is to formally change the admission number to 60 on a permanent basis from September 2014.

The Cabinet is RECOMMENDED to approve the permanent expansion of Botley School with effect from 1 September 2014.

9. Expansion of Five Acres Primary School to 2 Form Entry (Pages 111 - 122)

Cabinet Member: Education

Forward Plan Ref: 2012/092

Contact: Diane Cameron, School Organisation Officer, Tel: (01865) 816445

Report by Director for Children's Services (**CA9**).

The proposal is to permanently increase the school admission number at Five Acres Primary School from 45 to 60. This means that each year group would consist of up to 60 places, taught in three classes, making a maximum total of 420 pupils.

The school has admitted up to 60 children by local arrangement with Oxfordshire County Council for September 2012, however this arrangement is not permanent. This proposal is to formally change the admission number to 60 on a permanent basis from September 2014. The school has a published admission number of 45 for September 2013 but will admit up to 60 children should this proposal be approved.

The current capacity of the school is 315 and the proposed capacity will be 420. The current admission number for the school is 45 and the proposed admission number will be 60.

The Cabinet is RECOMMENDED to approve the publication of a statutory notice for the expansion of Five Acres Primary School, Ambrosden.

10. Progress Report on CLA and Leaving Care (Pages 123 - 134)

Cabinet Member: Children & the Voluntary Sector

Forward Plan Ref: 2012/097

Contact: Matthew Edwards, Corporate Parenting Manager Tel: (01865) 323098

Report by Director for Children's Services (**CA10**).

This report reviews the performance and outcomes of Looked After Children and Care Leavers (LAC) over the last twelve months. It provides the following information so Cabinet Members can fully understand and exercise their responsibilities as corporate parents:

- brief updates on the impact and outcomes of all key services supporting children in and on the edge of care.
- key challenges and pressures on the service
- actions taken in response to the All Party Parliamentary Working Group on Children Missing from Care
- an overview of recent changes in adoption legislation
- the timetable for the Corporate Parenting Service Review.

The Cabinet is RECOMMENDED to note this report.

11. Treasury Management Mid Term Review (2012/13) (Pages 135 - 148)

Cabinet Member: Leader

Forward Plan Ref: 2012/099

Contact: Hannah Doney, Financial Manager – Treasury Management Tel: (01865) 323988

Report by Assistant Chief Executive & Chief Finance Officer (**CA11**).

The report sets out the Treasury Management activity undertaken in the first half of the financial year 2012/13 in compliance with the CIPFA Code of Practice. The report includes Debt and Investment activity, Prudential Indicator monitoring, changes in Strategy, and forecast interest receivable and payable for the financial year.

The Cabinet is RECOMMENDED to note the report, and to RECOMMEND Council to note the Council's Mid Term Treasury Management Review 2012/13.

12. Staffing Report - Quarter 2 (Pages 149 - 152)

Cabinet Member: Deputy Leader

Forward Plan Ref: 2012/096

Contact: Sue Corrigan, Strategic HR Manager Tel: (01865) 810280

Report by Head of Human Resources (**CA12**).

This report gives an update on staffing numbers and related activity during the period 1 July 2012 to 30 September 2012. It gives details of the agreed staffing numbers and establishment at 30 September 2012 in terms of Full Time Equivalents. These are also shown by directorate in Appendix 1. In addition, the report provides information on vacancies and the cost of posts being covered by agency staff.

The report also tracks progress on staffing numbers since 1 April 2010 as we implement our Business Strategy.

The Cabinet is RECOMMENDED to:

- (a) **note the report;and**
- (b) **confirm that the Staffing Report meets the Cabinet's requirements in reporting and managing staffing numbers.**

13. Forward Plan and Future Business (Pages 153 - 154)

Cabinet Member: All

Contact Officer: Sue Whitehead, Committee Services Manager (01865 810262)

The Cabinet Procedure Rules provide that the business of each meeting at the Cabinet is to include "updating of the Forward Plan and proposals for business to be conducted at the following meeting". Items from the Forward Plan for the immediately forthcoming meetings of the Cabinet appear in the Schedule at **CA13**. This includes any updated information relating to the business for those meetings that has already been identified for inclusion in the next Forward Plan update.

The Schedule is for noting, but Cabinet Members may also wish to take this opportunity to identify any further changes they would wish to be incorporated in the next Forward Plan update.

The Cabinet is RECOMMENDED to note the items currently identified for forthcoming meetings.

EXEMPT ITEMS

Item 14

In the event that any Member or Officer wishes to discuss the information set out in the Annex to Item 14, the Cabinet will be invited to resolve to exclude the public for the consideration of that Annex by passing a resolution in relation to that item in the following terms:

"that the public be excluded during the consideration of Annex 1 since it is likely that if they were present during that discussion there would be a disclosure of "exempt" information as described in Part I of Schedule 12A to the Local Government Act, 1972 and specified below the item in the Agenda".

NOTE: The report does not contain exempt information and is available to the public. The exempt information is contained in the confidential annex.

Item 15

It is **RECOMMENDED** that the public be excluded for the duration of items 15 in the Agenda since it is likely that if they were present during those items there would be disclosure of exempt information as defined in Part I of Schedule 12A to the Local Government Act 1972 (as amended) and specified in relation to the respective items in the Agenda and since it is considered that, in all the circumstances of each case, the public interest in exemption outweighs the public interest in disclosing the information.

THE REPORT AND RELEVANT ANNEX TO THE ITEMS NAMED HAVE NOT BEEN MADE PUBLIC AND SHOULD BE REGARDED AS 'CONFIDENTIAL' BY MEMBERS AND OFFICERS ENTITLED TO RECEIVE THEM.

THIS IS FOR REASONS OF COMMERCIAL SENSITIVITY AND THE FINANCIAL RISK TO THE COUNCIL IF THE CONTENTS ARE DISCLOSED.

THIS ALSO MEANS THAT THE CONTENTS SHOULD NOT BE DISCUSSED WITH OTHERS AND NO COPIES SHOULD BE MADE.

14. Oxfordshire Residual Municipal Waste Bulking and Haulage Procurement (Pages 155 - 168)

Cabinet Member: Growth & Infrastructure

Forward Plan Ref: 2012/088

Contact: Andrew Pau, Head of Waste Management Tel: (01865) 815867

Report by Deputy Director for Environment & Economy – Growth & Infrastructure **(CA14)**.

The information contained in Annex 1 is exempt in that it falls within the following prescribed category:

3 – information relating to the financial or business affairs of any particular person (including the authority holding that information)

It is considered that in this case the public interest in maintaining the exemption outweighs the public interest in disclosing the information, in that such disclosure would distort the proper process of the transaction and the Council's standing generally in relation to such transactions in future, to the detriment of the Council's ability properly to discharge its fiduciary and other duties as a public authority.

Oxfordshire County Council as a Waste Disposal Authority (WDA) has a responsibility to dispose of residual waste collected by the Waste Collection Authorities (WCAs) and residual waste delivered to Household Waste Recycling Centres (HWRCs). The

Council currently manages approximately 300,000 tonnes of municipal waste per year.

In March 2011 the Council entered into a long term contract for the treatment of residual municipal waste with Viridor Oxfordshire Ltd (Viridor) who are constructing an energy from waste (EfW) facility at Ardley in north Oxfordshire. Under the terms of the contract all residual municipal waste that is processable must be delivered for treatment at the EfW facility once it is operational which is currently estimated to be in autumn 2014.

A procurement process has been undertaken to secure a bulking and haulage service for residual municipal waste from the districts of South Oxfordshire, Vale of White Horse, West Oxfordshire and the northern part of Cherwell to ensure that waste can be delivered to the EfW facility efficiently from those parts of the county that are furthest away from Ardley.

The tenders submitted have been subject to rigorous evaluation using technical and financial criteria, including consideration of the implications for the WCAs who will be delivering to waste transfer stations. The results of the evaluation demonstrate that good technical and value for money solutions can be provided for each lot and authorisation is sought to award contracts for municipal waste bulking and haulage services.

The Cabinet is RECOMMENDED to note the outcome of the evaluation and endorse the award of contracts for the provision of residual municipal waste bulking and haulage services as follows;

- (a) ***Lot 1 northern part of Cherwell to Tenderer 2 on the basis of their variant 2 tender ;***
- (b) ***Lot 2 South Oxfordshire and Lot 3 Vale of White Horse to Tenderer 1 on the basis of their variant 2 tender; and***
- (c) ***Lot 4 West Oxfordshire to Tenderer 1 on the basis of their compliant tender.***

15. Conversion to Sponsored Academies - Financial Liabilities (Pages 169 - 176)

Cabinet Member: Education

Forward Plan Ref: 2012/138

Contact: Simon Pickard, Finance Business Partner, CEF Tel: (01865) 797512

Report by Director for Children's Services (**CA15**).

The information contained in Annex 1 is exempt in that it falls within the following prescribed category:

3 – information relating to the financial or business affairs of any particular person (including the authority holding that information)

It is considered that in this case the public interest in maintaining the exemption outweighs the public interest in disclosing the information, in that such disclosure would distort the proper process of free negotiations between the authority with another party

for the purposes described and would prejudice the position of the authority in those negotiations and other negotiations of a similar nature in future.

The majority of Oxfordshire academies are likely to be formed as converter academies by decision of the governing body under Academies Act 2010. These academies generally convert with no redundancies and take all existing assets and liabilities of the school with them as they convert.

Some schools are however directed to become academies due to having been identified as making insufficient progress towards floor targets or underperforming in other ways. The legal arrangements for these conversion (Sponsored Academies) are different to those under Academies Act 2010, and in essence involve closure of the predecessor school and the opening of a new academy in its place. These arrangements applied to the North Oxfordshire Academy, Oxford Academy and Oxford Spires Academy.

This report seeks guidance on the stance that officers should adopt in negotiating binding agreements about past liabilities and future restructuring costs in relation to sponsored academies. A draft set of recommended terms to replace the Department for Education (DfE) standard terms is included in the report.

Two agreements in respect of sponsored academies are currently being sought by DfE and need to be finalised by early December to enable the target transfer date to be achieved.

Agenda Item 3

CABINET

MINUTES of the meeting held on Tuesday, 16 October 2012 commencing at 2.00 pm and finishing at 4.08 pm

Present:

Voting Members: Councillor Ian Hudspeth – in the Chair
Councillor Rodney Rose
Councillor Arash Fatemian
Councillor Nick Carter
Councillor Melinda Tilley
Councillor Hilary Hibbert-Biles
Councillor Mrs J. Heathcoat
Councillor Kieron Mallon

Other Members in Attendance: Councillor Alan Armitage (Agenda Items 8 & 10)
Councillor Liz Brighthouse (Agenda Item 8)
Councillor Jim Couchman (Agenda Item 6)
Councillor Jenny Hannaby (Agenda Item 6)
Councillor Anne Purse (Agenda Items 8 & 9)
Councillor Roz Smith (Agenda Items 7 & 8)

Officers:

Whole of meeting Joanna Simons (Chief Executive); Sue Whitehead (Chief Executive's Office)

| Part of meeting Item | Name |
|----------------------|--|
| 6 | John Jackson, Director for Social & Community Services |
| 7 | Kathy Wilcox (Corporate Finance) |
| 8 | Huw Jones, Director for Environment & Economy; Jim Daughton (Highways & Transport) |
| 9 | Huw Jones, Director for Environment & Economy; Daniel Round (Strategy & Infrastructure Planning) |
| 10 | Alexandra Bailey (Performance & Review) |
| 13 | John Jackson, Director for Social & Community Services |

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.

106/12 APOLOGIES FOR ABSENCE

(Agenda Item. 1)

Apologies were received from Councillor Louise Chapman and Councillor Charles Shouler.

107/12 MINUTES

(Agenda Item. 3)

The minutes of the meeting held on 18 September 2012 were approved and signed subject to the following correction:

Councillor Janet Godden and Councillor Roz Smith added to the list of other Members present.

108/12 QUESTIONS FROM COUNTY COUNCILLORS

(Agenda Item. 4)

Councillor Alan Armitage had given notice of the following question to Councillor Rodney Rose:

“Why were the local councillors not informed at the right time of the demise RH Transport and the effects on the local bus services for their divisions?”

Councillor Rose replied:

“County council staff briefed councillors and made sure all updates on the hard work undertaken to find new bus operators for RH Routes were emailed to county councillors throughout Thursday, 4 October and Friday, 5 October. The website was updated promptly at each important juncture and the media linked in with the council as part of a managed public information exercise – both inside and outside of normal working hours. The initial suggestion that RH Transport were facing problems only came to the attention of officers during the course of Wednesday, 3 October.”

Supplementary: Councillor Armitage asked whether Councillor Rose accepted that the answer was not correct as key members including the Opposition Leader had not been informed for some time and that a review would allow lessons to be learnt. Councillor Rose replied that that was not his understanding. Huw Jones had phoned members personally all evening although Councillor Rose accepted that the order may not have been as some would have wished. Cabinet Members commended the work undertaken by Huw Jones and his Team in difficult circumstances.

Councillor Roz Smith had given notice of the following question to Councillor Charles Shouler

“Will the failure of RH Transport end up costing the council more for the services provided?”

In Councillor Shouler’s absence the Leader replied:

“The cost to the Council is likely to be more than £400,000 although absolute final costs are still to be settled.”

Supplementary: Councillor Hannaby asked whether monitoring arrangements would be changed in the light of the failure of RH Transport. The Leader replied that all contracts went through checks and due diligence. The Council supported the contract as much as possible. On Friday officers ensured that children got to school and he passed his personal compliments to everyone involved.

Councillor Jenny Hannaby had given notice of the following question to Councillor Arash Fatemian

“Would he agree that putting up the charges for Day Centres, some as high as 700%, might lead to the demise of our centres so vital for the health and wellbeing of elderly residents?”

Councillor Fatemian replied:

“Increasing charges is a difficult issue but we are committed to finding a way to continue providing these services and it is important to note that these charges will **only** apply to people who do not meet the criteria to receive services under FACS (Fair Access to Care). Those in greatest need and those who cannot afford to pay will continue to have their care funded by the council.

As you say the proposed changes do appear to be a high increase and that is mainly due to the fact that charges have not been reviewed or increased to date. The current charge of £4.81 in the seven social and community managed centres is not sustainable and we are consulting on an increase of £15 per day for 5 hours of attendance. This represents approximately half of the actual cost to provide the service so the County Council would continue to subsidise the centres by up to 50%. I think the 700% you refer to must be in regards to the Centre run by Leonard Cheshire in Witney, which currently charges a much lower rate, so there will be a bigger gap between current and proposed charges.

We have looked at how best to sustain these centres, which we know provide important support to people, their families and carers in local communities and as such have had to look at all options regarding funding. As part of that work, we looked at what other similar Local Authorities are doing and we found that many are charging the full cost, which we believe would be too cost prohibitive, so in Oxfordshire we are only consulting on an increase in charges to people, as we have decided not to charge at full cost.

I am mindful of the potential risks due to the proposed increases and our aim is to avoid, as you say, “the demise of our centres” by finding a pragmatic outcome, which can sustain these services into the future.

As you know the consultation ends on 31st October and we will need to analyse the feedback and including whether customers are indicating they could not use the centres if the proposed rates were introduced. At that point we can fully assess the risks and consider options to mitigate those accordingly and report to cabinet in the New Year.

We are statutorily obliged to consult with the people who would be directly affected by any policy change. For that reason we have gone directly to the resource centre users and asked for their views and also held a number of face-to-face events. People using the centres have been given all the information they need to take part, using a variety of methods in this consultation and over 50% of service users have given us their views so far (that is 459 out of 800). Organisations such as Age UK and other stakeholders have also asked to consult directly with their members.”

In thanking Councillor Fatemian for his comprehensive answer Councillor Hannaby indicated that it would be a case of looking forward to what would happen on 31 October and she invited Councillor Fatemian to visit the newly refurbished Day Centre at Wantage.

109/12 PETITIONS AND PUBLIC ADDRESS

(Agenda Item. 5)

The following requests to address the meeting had been agreed:

Item 6 – Councillor Jenny Hannaby, Shadow Cabinet Member for Adult Services

Councillor Jim Couchman, Chairman of Adult Services scrutiny Committee (at the invitation of the Chairman)

Also attending: Sir Jonathan Michael and Andrew Steven from OUHT and Ian Busby and Mary Keenan from OCCG.

Item 7 – Councillor Roz Smith, Shadow Cabinet Member for Finance

Item 8 – Councillor Alan Armitage, Opposition Deputy Leader
Cllr Anne Purse, Local Councillor for Wheatley
Cllr Roz Smith, Local Councillor for Barton & Churchill
Cllr Liz Brighouse, Local Councillor for Barton & Churchill

Item 9 – Councillor Anne Purse, Shadow Cabinet Member for Growth & Infrastructure

Item 10 – Councillor Alan Armitage, Opposition Deputy Leader

Councillor Purse speaking as Shadow Cabinet Member for Growth & Infrastructure on Item 9, OCC Response to the Consultation on the Cherwell Local Plan was pleased to see development in places like Bicester. Her only concern was the increased incidents of flooding in places such as Otmoor. A village suffered from sewage flooding when there was a lot of rain. She asked that the Cabinet Member take note of the problem and ask that effective measures be taken to avoid it.

110/12 OXFORD UNIVERSITY HOSPITALS TRUST APPLICATION TO BECOME A FOUNDATION TRUST

(Agenda Item. 6)

Oxford University Hospitals NHS Trust (OUHT) was formed in November 2011 from the Nuffield Orthopaedic Centre and the Oxford Radcliffe Hospitals NHS Trust.

OUHT is currently applying to become a Foundation Trust. Foundation Trusts differ from other NHS Trusts in that they have a membership drawn from communities served by the Trust and the staff that work for it. The membership elects a Council of Governors which is involved by the Trust's Board of Directors in setting the future direction for the Trust. Foundation Trusts have the freedom to respond to local needs, and through their public and staff membership they are able to reflect the concerns and wishes of their local population. The government has said that all NHS Trusts must become Foundation Trusts by 2014.

Cabinet considered a report that set out the possible issues relevant to the application by Oxford University Hospital Trust (OUHT) to become a Foundation Trust so that the Cabinet could express a view to both the Board of OUHT and also the Strategic Health Authority. The paper reflected discussions with both the Oxfordshire Clinical Commissioning Group (OCCG) and the OUHT.

Councillor Jenny Hannaby, Shadow Cabinet Member for Adult Services commended the full discussion held at the Joint Health Overview & Scrutiny Committee meeting a note of which was before Cabinet. Her main concern was that the focus on specialist services should not be to the detriment of more mundane general care including for the elderly and she gave an example of cataract operations. Communication was also a worry and she gave an example relating to midwifery services generally and the service in Wantage specifically where she had received conflicting information.

Councillor Jim Couchman, Chairman of Adult Services Scrutiny Committee, advised that he had attended one of the consultation meetings and had also been at the Joint Health Overview & Scrutiny Committee meeting. He sought clarity and assurances that the basic services would remain a principal role of the Foundation Trust. He also sought assurances that the OUHT would meet the financial tests for Foundation Trust status and would not be undermined by the existing PFI deals. He further hoped that there was a robust future for The Horton Hospital and that it would continue to improve.

Sir Jonathan Michael and Andrew Steven from OUHT and Ian Busby and Mary Keenan from OCCG were invited to the table.

John Jackson, Director for Social & Community Services in introducing the report explained the national context for the application, and highlighted the factors that needed to be taken into account to build a successful Foundation

Trust in the eyes of the people of Oxfordshire. He noted that Sir Jonathan Mitchell had committed the Trust to the successful delivery of these issues and further noted the useful discussion that had been held with OCCG.

Issues highlighted included the concern mentioned above that specialist work receives greater attention than more routine District General Hospital work which more closely affects the people of Oxfordshire; the importance of maintaining the highest possible standards of care including nursing standards; the continued strong commitment to working in partnership; the move away from focussing most resources on hospital care to supporting people in the community including support for the effective delivery of prevention and early intervention; and continued support for The Horton within the commitment to make services as local as possible.

John Jackson drew attention to the letter from Sir Jonathan Michael and the comments of the Joint Health Overview & Scrutiny Committee. He added that Sue Butterworth, the Chairman of the Local Involvement Network (LINK) was unable to attend. LINK represented public views about the NHS and adult social care to help identify ways in which they can be improved. However Sue Butterworth had commented: "I celebrate the specific developments within the NHS Trust towards Foundation status, as indeed I do with recent news of a newly funded partnership between Oxford University and the OUH NHS Trust. However, I am particularly interested in the full inclusion of the wider population of the County in any developments in this area and would want to see robust evidence of integration of some services; partnerships across the sector and improved communication between departments. Basic customer service costs nothing and is often overlooked."

Councillor Fatemian in formally moving the recommendation commented that the benefits of Foundation Trust status were well set out in the report. He noted the widespread concern over specialist services overshadowing District General Hospital services and emphasised that the Council would want reassurance over the commitment to day to day services. He also paid tribute to the increased partnership working in Oxfordshire which was beginning to receive national recognition.

Sir Jonathan Michael responding to questions from Councillor Fatemian highlighted the Trust's commitment to providing high quality care emphasising that the delivery of patient care was their business alongside education and training and research and development. It was difficult to prove their commitment to District General Hospital work but pointed to their strategic objective to provide high quality local services. Specialist work was still only 30% of income and they had responded to commissioners, sometimes by the reduction in the amount of certain specialist services. Partnership working was the key to delivering local services in an integrated way. Referring to the question of finance he gave an assurance that PFI was not an issue going forward.

During discussion the following points and further questions were raised:

- (1) Reference was made to the Community Partnership Network in the North of the County, links to South Warwickshire and South East Northamptonshire and how engagement with the public would be taken forward. A further point was made that the area stretched into West Oxfordshire.
- (2) What effect would the European Working Time Directive have on the training of hospital staff and on services provided particularly at The Horton?
- (3) Did the OCCG support the application?
- (4) Councillor Hilary Hibbert-Biles proposed an additional point of principle seeking a commitment to continued support for services in Community Hospitals such as peripheral clinics, minor injuries units and midwifery units.
- (5) Support was expressed for first responders in rural areas.
- (6) It was queried whether clinicians had the skills to make good managers.
- (7) Councillor Rodney Rose gave personal thanks for the excellent care he had received over the past year. However he noted that he lived some miles from the hospital and although it had been fine for him many people would find local services easier. He asked what vision there was for the local delivery of services?
- (8) It was queried what steps were in place to ensure local influence of services and how far down it would go?
- (9) It was confirmed that the recommendation point about ensuring frail older people are treated with dignity and respect was not an aspiration but a reflection of the current position.
- (10) Would the lack of co-terminosity with County Boundaries have any impact?

In response Sir Jonathan Michael and Andrew Stevens explained the process to ensure genuine engagement took place and the commitment to working with commissioning colleagues. The experiences in the North of the County would shape how this was taken forward.

With regard to the European Working Times Directive there was a balance to be had between a reasonable working life and the experience needed to take the Trust forward. There would be a balance between trainees and fully trained staff and it was likely that there would be a slight move toward more senior staff delivering care. Trainees would continue to need practical experience.

Ian Busby stated that although it was for the PCT to give formal support the OCCG had contributed to the process and would also be commenting formally. They supported the principles laid out in the report but would identify a number of other areas where they would be looking for continuous improvement. The focus was about improvement for the community. They would be working very closely with the Trust to try and ensure that what the public wanted and needed in secondary care was delivered.

Mary Keenan referring to clinicians being managers highlighted that they would be helping clinicians to develop the necessary skills. Referring to her experience in Chipping Norton first responders had made a difference to response times.

With regard to the vision for more local services Sir Jonathan Michael commented that there was a balance. Some services such as major trauma were best centralised but this did not apply to all services. It was very much about the integration of services with care in a specialist centre but continuing support at a local level. It was hoped that closer collaboration would lead to more co-ordinated care.

Andrew Stevens gave a brief outline of how local influence through patient feedback would work. With regard to County boundaries it was not expected that lack of co-terminosity would have any impact as they provided services across a broad catchment area.

RESOLVED: to support the application of Oxford University Hospitals Trust to become a Foundation Trust on the basis that it is committed to the following principles:

- (a) Commitment to the highest standards of medical and nursing services for both secondary and tertiary care. This includes ensuring that frail older people are treated with dignity and respect in accordance with the standards set by the Commission on Dignity in Care for Older People.
- (b) Continued and strengthened commitment to working in partnership with the rest of the NHS, local government and other partners to deliver the most effective and efficient ways of meeting the care needs of the people of Oxfordshire.
- (c) Actively supporting the move to providing more care within the community rather than in a hospital setting as part of a broader commitment to the local delivery of services.
- (d) Actively supporting developments which prevent people from needing care or limiting the extent to which they might need care.
- (e) Commitment to the continued existence of the Horton hospital providing district general hospital services to the people of north Oxfordshire; and
- (f) commitment to continued support for services in Community Hospitals:
 - (1) peripheral clinics;
 - (2) minor injuries units (MIU) nurses; radiographers;
 - (3) midwifery units.

111/12 2012/13 FINANCIAL MONITORING & BUSINESS STRATEGY DELIVERY REPORT - AUGUST 2012

(Agenda Item. 7)

Cabinet considered a report that focussed on the delivery of the Directorate Business Strategies which were agreed as part of the Service and Resource Planning Process for 2012/13 – 2016/17. Parts 1 and 2 included projections

for revenue, reserves and balances as at the end of August 2012. The Capital monitoring was included at Part 3.

Councillor Roz Smith, Shadow Cabinet Member for Finance expressed concerns over the PCT pooled budget overspend. She also highlighted underspends in education and early intervention and highways and emphasised concerns previously expressed about the growing reserves. Referring to the savings for Thornhill Park & Ride she asked that some of the savings be used to alleviate parking problems in the area, particularly to reduce inconsiderate parking.

The Leader in moving the recommendations commented that the physical disability budget would be overspent. He defended the reserves and balances and indicated that that the £20m efficiency reserve would reduce.

Councillor Heathcoat referred to paragraph 10 of the report which referred to the increase in firefighters pay. She noted that the Council had no control over that figure which was decided by the NJC and that in line with a number of other Councils she had written to the Local Government Association querying it.

RESOLVED: to:

- (a) note the report;
- (b) approve the virement requests set out in Annex 2a;
- (c) note the updated Treasury Management lending list at Annex 7; and
- (d) approve the updated Capital Programme at Annex 9 and the associated changes to the programme in Annex 8c.

112/12 OXFORD PARK & RIDE : THORNHILL & WATER EATON INTRODUCTION OF CHARGING

(Agenda Item. 8)

Cabinet considered a report that detailed a requirement to fund an identified revenue gap of £150,000 a year as set out in the Environment & Economy Business Strategy 2011-15 and proposing a system of charging for long stay parking at Thornhill and Water Eaton sites to achieve at least this.

The report summarised the public consultation on the advertised Traffic Regulation Order (TRO) for charging; the outcome of a customer survey via citizen panel; and recommends to Cabinet members a proposed level of charging.

Councillor Alan Armitage, Opposition Deputy Leader expressed the Liberal Democrat Group's support for charging every user of the Thornhill Park & Ride. In the past they had supported free use of all 5 Park & Ride sites but in the current financial squeeze this was no longer appropriate or affordable. He questioned why the decision was not being taken to go ahead with charging all users and referred to the result of the consultation where the

majority agreed it was reasonable to charge for parking and that a charge in excess of £5 was reasonable. He asked that in view of the current and new pressures on budgets the opportunity be taken to consider charging all vehicles to use the county-owned park & rides in Oxford.

Councillor Anne Purse, speaking as a local Councillor, supported the introduction of a charge but expressed concerns over the proposed hours of charging and the system of charging. She believed that a lot of people using it for the daily commute to London would come home earlier to avoid the charge and work from home. She supported a review after 6 months but asked that the situation be closely monitored in any case. She also queried whether the fine was sufficient to be a deterrent. She referred to the none Park & Ride use being made of the site by employees of local firms and queried whether companies that used buses to collect employees from the Park & ride site should also be charged.

Councillor Roz Smith, speaking as a local Councillor welcomed the increase in spaces and the changes to the pick up and drop off points. She referred to the first paragraph of the report and the prime purpose to reduce congestion and yet there was no mitigation to the effects of inconsiderate drivers. She commented that the report did not refer to disabled blue badge holders and key workers (for example at the hospital) and that she would have liked to have seen a recommendation addressing their needs. The Chairman replied that there were procedures in place at the hospital for key workers to be given permits to park at the hospital when required.

Councillor Liz Brighthouse welcomed the expansion and charging being put in place. She would like to see the proposals go much further and in particular had issues with the likely displacement parking. The relationship of the site with Heathrow needed to be more clearly looked at and there were issues about the carbon footprint. She hoped that the review would look at the communities around the park & Ride site.

Councillor Rose in moving the recommendations emphasised that Park & Ride sites were introduced in the first place to tackle congestion. The proposals were an extension of that principle to ensure that spaces are available. He hoped that once there had been the increase in spaces it would be possible to look at charging for airport stays. He was not against the use of the site by worker's buses as it still contributed to reduced congestion.

RESOLVED: to:

- (a) approve the making of the Oxfordshire County Council (Park and Ride Parking Places - Thornhill and Water Eaton) Order 201* as advertised
- (b) confirm the timing of the introduction of charges as identified in paragraph 9; and
- (c) instruct officers to undertake a review between 6 – 12 months of commencement of charging.

113/12 OCC RESPONSE TO THE CONSULTATION ON THE CHERWELL LOCAL PLAN

(Agenda Item. 9)

The Director for Environment, Economy & Customer Services undertook to include the comment on primary school places to be found under the heading Banbury on page 4 Appendix 4 in the section on Villages on that same page.

Cabinet considered a report advising that Cherwell District Council had published the Cherwell Local Plan Proposed Submission Draft for consultation ahead of its submission to Government towards the end of the year. A public examination was expected to follow in 2013, with the Plan adopted by March 2014.

The report and its annexes set out the County Council's response to the consultation and highlighted the key issues for this authority over the next 20 years in Cherwell.

Councillor Hilary Hibbert-Biles introduced the contents of the report emphasising her support for the review of Green Belt at Begbroke. She thanked Daniel Round for all his efforts and her views were echoed by Cabinet Members. Councillor Heathcoat added her thanks to the Cabinet Member.

Councillor Mallon expressed the view that on page 113 in relation to seeking consistency on public transport, walking & cycling in strategic development policies this should be where appropriate as it was important to recognise those developments where cars were important.

Responding to a further comment from Councillor Mallon The Director for Environment & Economy undertook to include the comment on primary school places to be found under the heading Banbury on page 4 Appendix 4 in the section on Villages on that same page.

Responding to a query from Councillor Carter Daniel Round outlined the involvement of the Town Councils, advising that Bicester were slightly more advanced in the process than Banbury but that they had both bought in to the master planning process and were broadly content at this stage.

RESOLVED: to inform Cherwell District Council that:

- (a) Oxfordshire County Council believes the Draft Local Plan is broadly sound, subject to our representations in Annex 3 being addressed;
- (b) In principle, Oxfordshire County Council supports the strategic allocated development sites that have been identified in the Draft Local Plan;
- (c) Oxfordshire County Council supports the proposed Green Belt review at Langford Lane/Oxford Airport but requests that this is expanded to

- incorporate the land in the vicinity of Begbroke Science Park to be considered for key sector employment growth; and
- (d) Oxfordshire County Council requests that the detailed officer comments as outlined in Annex 4 are taken into account before the Plan is submitted to Government

114/12 CORPORATE PLAN PERFORMANCE AND RISK MANAGEMENT REPORT FOR THE 1ST QUARTER 2012

(Agenda Item. 10)

Cabinet considered the quarterly performance monitoring report against the Corporate Plan priorities for Quarter 1, 2012/13.

Councillor Alan Armitage, Deputy Opposition Leader, expressed his dissatisfaction with the report, highlighting the lack of a proper risk management report and suggesting that if it were too sensitive to be considered in public then it should not be referred to in the Forward Plan. He suggested that the wording of the report was not clear and designed to confuse and that in some respects the report was selective. He highlighted in relation to accidents that there was no mention of an increase in fatal and serious accidents to cyclists and an increase in accidents to children which he felt was worthy of mention if the report was intended to identify areas needing attention. He queried the comments in the report on the Customer Services Centre referring to problems he was aware of and to the personal experiences of Councillors.

Councillor Tilley suggested that the figures in relation to accidents and cyclists may not be as simple as it appeared and that the increase may be due to the increasing number of cyclists.

Councillor Rose in moving to note the report commented that the report was a statistical information report which officers did their best to make interesting. Risk management was primarily managed through the audit process. The report captured risks but did not seek to deal with them. On road safety officers did look at cyclists and children but there was a need to be careful when dealing with small numbers. It was not always possible to infer a trend from changes up and down.

In relation to Customer Services councillor Rose stated that September had been one of the busiest months ever and he was aware of a number of issues around recruitment and training that were being addressed. Joanna Simons, Chief Executive added that there were a number of changes taking place around Customer Services and suggested that the Strategy & Partnership Scrutiny Committee consider the changes taking place, which would allow the space to consider detail.

RESOLVED: to note the report and to agree that the Senior Performance & Improvement Manager arrange for the Strategy & Partnership Scrutiny Committee to consider the changes taking place in Customer Services.

115/12 DELEGATED POWERS OF THE CHIEF EXECUTIVE - OCTOBER 2012

(Agenda Item. 11)

Cabinet noted the following executive decision taken by the Chief Executive under the specific powers and functions delegated to her under the terms of Part 7.4 of the Council's Constitution – Paragraph 1(A)(c)(i). It is not for scrutiny call in.

| <i>Date</i> | <i>Subject</i> | <i>Decision</i> | <i>Reasons for Urgency</i> |
|----------------|---|---|--|
| 3 October 2012 | <i>Request for Exemption from Contract procedure rules – Bicester Town Centre Access Improvements</i> | <i>Approved an exemption from the full tendering requirements of the Council's Contract Procedure Rules</i> | By adding the improvements to other work being undertaken by the developer in connection with highway works for Bicester town Centre Redevelopment scheme it limits the time during which traffic is disrupted and ensures the scheme is delivered within the necessary time period. |

116/12 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.

117/12 OXFORD SPIRES ACADEMY NEW BUILDINGS AND ALTERATIONS

(Agenda Item. 13)

(The information contained in Appendix C to the Business case was exempt in that it fell within the following prescribed category:

3 – information relating to the financial or business affairs of any particular person (including the authority holding that information)

It was considered that in this case the public interest in maintaining the exemption outweighed the public interest in disclosing the information, in that such disclosure would prejudice on-going negotiations and disadvantage the company concerned.)

The Chairman indicated that unless a matter was raised relating to Appendix C he intended that the discussion and decision be taken in public.

Oxford Spires Academy opened in January 2011, replacing Oxford School. The project is to provide new and refurbished accommodation funded by a £7.808m capital grant the Education Funding Agency (EFA).

The capital project follows the National Academy Framework process established by Partnership for Schools (PfS) now EFA and is similar to that followed by the Oxford Academy (formerly Peers School). Under this process the Authority (OCC) are responsible for procurement of the works (excluding ICT which is procured by the Academy Trust) which it then leases to the Academy Trust by way of a Development Agreement, interim short term lease and ultimately a long term (125 year) lease.

Planning consent is due in early October, 2012 with EFA approval sought soon after this and formal Contract signing programmed for October, 26th, 2012; the Contract Sum is £6,433,777 which will be met from EFA funding, a separate contract for ICT will be let by CfBT Schools Trust. The date for the proposed opening of the new Academy buildings is proposed to be in phases from September 2013.

RESOLVED: to:

- (a) approve the Final Business Case
- (b) authorise that the contract be let and the development agreement be entered into subject to EFA approval and agreement on funding drawdown; and
- (c) approve the 'passport' of ICT funding to the Academy Trust in accordance with EFA processes

..... in the Chair

Date of signing

Division(s): Isis Ward

CABINET – 27 NOVEMBER 2012

FINAL REPORT ON RESPONSE TO STATUTORY NOTICE TO EXPAND ST EBBE'S CE (A) PRIMARY SCHOOL, OXFORD

Report by Director for Children's Services

Introduction

1. At the meeting on 17th July 2012 Cabinet agreed to support the governing body of St Ebbe's CE (A) Primary School in Oxford in their aim to publish formal proposals to expand their school from 1.5 form entry to 2 form entry.
2. The statutory notice (attached at Annex 1) was published by the governing body in the Oxford Mail on 5th September 2012 and expired following 4 weeks of formal consultation on 3rd October 2012. In accordance with legislation the notice was also posted at the school entrance and sent to the local library for display. A copy of the full proposal (attached at Annex 2) and the Notices were sent to the governing body and the Secretary of State and additionally made available on the Oxfordshire County Council website.
3. The decision-making power in terms of determining the notice lies with the Cabinet or can be delegated to the Cabinet Member for Education (if there have been no objections). In meeting as 'decision-maker' the Cabinet or Cabinet Member must have regard to government guidance and statutory timescales otherwise a decision can be referred to the independent Schools' Adjudicator for reconsideration. The Cabinet decision must be made within 2 months of the close of the notice period; as a consequence, it is necessary for the Chairman of the Council to determine that the decision cannot be subject to 'call-in' as this would, in most cases, prevent a decision being finalised within the required timescale and mean that the Cabinet's role would be negated by referral to the Schools' Adjudicator.
4. As objections in relation to the proposal have been received the decision is referred to the OCC Cabinet. The proposed implementation date for the proposal is 1 September 2014. The school has written into its policy that it may agree to admit 60 pupils for September 2013 by local agreement with the county council.

The Proposal

5. The proposal is to increase the formal published admission number from 45 to 60 on a permanent basis from September 2014 (an admission number of 45 has already been published for 2013). This will eventually increase the

school's total capacity from its current 315 places in Years F1- Y6 to a maximum of 420.

6. The school is very popular and has been oversubscribed for the last few years. Demand for pupil places across Oxfordshire generally has risen and in recent years Oxford city has experienced a significant and sustained rise in primary pupil numbers. To meet this demand additional places have been created in other Oxford primary schools each year since 2008. Looking to the future, significant additional housing is included in Oxford City Council's Core Strategy, which will, in turn, lead to increased pupil numbers across Oxford. The proposal to expand St Ebbe's CE (A) Primary School acknowledges that the community the school serves has grown, and that several other primary schools in the city have expanded recently due to this growth being sustained.
7. The latest pupil forecasts for Oxford city are shown below. Note that this forecast does not take into account those pupils who join the roll at St Ebbe's during spring or summer, having deferred their entry to F1 (Reception) and so an additional 15 or so pupils in this year group might be expected per year. The forecast does include pupils expected to be generated by all new housing development in Oxford City Council's Core Strategy.

| Oxford | F1 (R) | 1 | 2 | 3 | 4 | 5 | 6 | Total |
|-----------------------|---------------|----------|----------|----------|----------|----------|----------|--------------|
| 2011-12 actual | 1321 | 1340 | 1267 | 1219 | 1160 | 1050 | 1074 | 8431 |
| 2012-13 | 1424 | 1286 | 1329 | 1273 | 1224 | 1207 | 1038 | 8782 |
| 2013-14 | 1459 | 1412 | 1269 | 1324 | 1271 | 1273 | 1204 | 9213 |
| 2014-15 | 1522 | 1453 | 1402 | 1271 | 1329 | 1331 | 1281 | 9588 |
| 2015-16 | 1560 | 1512 | 1438 | 1397 | 1269 | 1382 | 1331 | 9889 |
| 2016-17 | 1581 | 1548 | 1495 | 1433 | 1394 | 1324 | 1380 | 10154 |

8. The Education Act 1996 (Section 14) places a statutory duty on local authorities to secure sufficient school places in their area. To allow for fluctuation in demand, in-year movement and effective operation of parental preference, it is judged that 8% spare places are required across an urban area.
9. To assess the need for future school places, forecasts of pupil numbers are revised each year, based on ward-level population forecasts, which are calculated from census population data, fertility/mortality data, Census migration data and housing net completions data. Oxford City Council's Core Strategy for Growth to 2026 was approved by the Secretary of State in autumn 2010, and sets out the intention to provide at least 8,000 additional dwellings in Oxford city between 2006 and 2026. Of these, 2472 had been built by the end of 2010/11.
10. The current forecasts predict average growth in reception numbers in city schools of 2.7% pa over the next 4 years, which follows average growth of 3.6% pa over the previous 4 years.

11. On this basis, the number of Reception places needed over the next 4 years is shown below. The current number of places confirmed for 2013 and beyond is 1380. The number of additional places (compared to 2013) the county council seeks to commission for each of the next 5 years is also shown below.

| Year of Reception intake | Target number of Reception places | Target additional Reception places (cumulative) |
|---------------------------------|--|--|
| 2013 | 1586 | 206 |
| 2014 | 1654 | 270 |
| 2015 | 1696 | 316 |
| 2016 | 1718 | 338 |

12. There are a number of proposals at different stages of development which will contribute towards the additional places required. None is yet confirmed.

| School | Additional Reception places | Target date | Status |
|--------------------------------------|------------------------------------|--------------------|--|
| St Ebbe's CE (VA) Primary School | 15 | 2013 | Subject to statutory process. |
| Tyndale Free School | 60 | 2013 | Subject to DfE funding agreement, date unknown |
| Windmill Primary School | 30 | 2013 | Subject to statutory process due to conclude March 2013 |
| St Gregory the Great Catholic School | 60 | 2013 | Subject to statutory process, consultation expected autumn 2012 |
| Other schools in Oxford city | 25 | 2013 / 2014 | Initial discussions with 3 schools ongoing |
| Wolvercote Primary School | 15 | 2014 | Subject to statutory process, consultation expected autumn/winter 2012 |
| New Barton School | 60 | 2016 | Subject to timescale of housing development |

13. In addition to the named proposals above, the county council continues to seek up to 2 forms of additional spaces to meet the target level of capacity, through "Free Schools" and/or additional expansions of existing schools. If any of the proposals above are not approved, or prove unfeasible, the level of growth sought at other schools will need to be greater.
14. Along with an increase in pupil numbers, the school will require additional classrooms and other accommodation in line with regulations and guidance. The Diocese is carrying out a feasibility study, which is well underway to

investigate how these can best be provided to bring the school up to standard for a modern 2 form entry primary school.

Representations

15. The formal representation (Statutory Notice) phase was from 5th September 2012 – 3rd October 2012 and a Statutory Notice (Annex 1) was publicly displayed at St Ebbe's CE (A) Primary School, and was also available on the county council website and was published in The Oxford Mail newspaper on 5th September 2012.
16. Eight representations were received in response to the Statutory Notice. Four were in favour of the proposal in principle, two of which were made by the Headteacher and one of the governors of the school.
17. Four representations were received objecting to the proposal. The concerns raised were:
 - The impact on the ethos of the school and the "community feel" in addition to concern that there might be a drop in educational standards if the school were expanded from 1.5fe to 2fe.
 - Concern over depletion of outdoor spaces / playing field.
 - Objection to expansion, due to belief that it will reduce the number of children being offered a place at their first preference secondary school.
 - Concern about the effect on "borderline SEN" pupils of the proposed expansion of the school and the education they receive.
 - Concern about increase in traffic.

Children Education & Families' comments relating to the concerns above are as follows:

- *There are 2 form entry primary schools in Oxford which parents report as having a real community feel and which parents and children are proud of and feel part of. With the majority of children at St Ebbe's living within the catchment area of the school, or attending churches in nearby parishes, the expectation is that increasing half a form of entry would not unduly jeopardise the community feel the school currently has. We have received positive representations from two governors and the Headteacher of the school supporting the proposal and they express no concern over either standards or ethos. The Minutes of the Governing Body's meeting held in January 2012 in which they voted unanimously to support the expansion of St Ebbe's are attached as Annex 3.*
- *Throughout the feasibility study process, the regulations relating to the amount of playing field that a 2 form entry school must have will be adhered to. The final scheme will be subject to the usual Planning laws and the study is being carried out by the Diocese in full consultation with the school, in order to reach an agreed final project that delivers additional accommodation whilst retaining sufficient outdoor space for the numbers of children.*

- *The expansion of St Ebbe's will not affect the number of applications made to secondary schools in Oxford. If the school were not expanded, the same number of children living in the area would exist, and would apply for a secondary school place at the appropriate time, regardless of which primary school they attended. Secondary school places in Oxford are currently largely dictated by the home address of the child, and not the primary school attended.*

The impact of the increase in primary rolls since 2008 will start to affect secondary schools in 2015/16, and will gradually remove all currently spare places in the city's secondary schools. The county council will therefore start to commission additional places over the next few years, through school expansions. Total admission numbers into Year 7 are expected to need to start increasing in 2015, with an additional 2 forms of entry required on these forecasts. In the first instance this can be accommodated within existing capacity, but capacity across the city's schools will need to increase from 2017/18 onwards. Discussions have commenced with all affected Headteachers to identify options to meet the long term pressure on places. There is not considered to be a need for a new secondary school within the city. Most of the secondary schools in Oxford may have converted to academy status within the coming academic year. Academies are responsible for setting their own admission number, and thus capacity, with the agreement of the Secretary of State. They may, therefore, choose to change their intakes independently of the local authority needing to commission more places

- *The Headteacher of St Ebbe's has submitted a letter addressing the concerns raised relating to SEN provision at the school and this is attached at Annex 4.*
- *As the majority of children attending St Ebbe's live nearby, the expectation is that they will walk or cycle to school. This is actively encouraged by both the Authority and the school. No parent parking facility is provided or planned, to further discourage driving, and the expansion of the school would be subject to Planning laws which includes traffic and Highways consideration. In an October 2012 survey of modes of transport by the school, 14% come by car, 32% cycle, 3% come by bus and over 50% walk.*

18. As concerns in relation to the proposal have been raised, the decision on whether to implement the proposal is referred to the Cabinet.

Legal background

19. School expansions are subject to statutory procedures, as established by The Education and Inspections Act 2006 (EIA 2006) and The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended). Local authorities also have a duty to have regard to statutory guidance, in this particular case 'Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form', ("the Guidance"). When reaching a

decision, Cabinet or Member must have regard to The Guidance. Cabinet / Member is referred in particular to pages 19 to 40 of The Guidance.

20. In terms of reaching a decision all proposals should be considered on their merits but the following factors should be borne in mind but are not considered to be exhaustive. The Decision Maker should consider the views of all those affected by the proposals. The Cabinet Member, as Decision Maker, must be satisfied that the statutory consultation has been carried out prior to the publication of the notice. Details of the consultation should be included in the proposals. The Decision Maker must be satisfied that the consultation meets statutory requirements. If the requirements have not been met, the Decision Maker may judge the proposals to be invalid and should consider whether they can make a decision on the proposals. Alternatively the Decision Maker may take into account the sufficiency and quality of the consultation as part of their overall judgement of the proposals as a whole.
21. **The effect on standards, school improvement and diversity.** The government aims to create a dynamic system shaped by parents that delivers excellence and equality, closing weak schools, encouraging new providers and popular schools to expand. Decision Makers should be satisfied that the proposals will contribute to raising local standards of provision and improved attainment and consider the impact on choice and diversity. They should pay particular attention to the effect on groups that tend to under-perform including children from certain ethnic minorities and deprived backgrounds. The decision-maker should consider how the proposals will help deliver the 'Every Child Matters' principles.
22. **School characteristics.** The Decision Maker should consider whether there are any sex, race or disability discrimination issues that arise and whether there is supporting evidence to support the extension and take into account the existence of capacity elsewhere. The Decision Maker needs to consider the accessibility of the provision for disadvantaged groups as the provision should not unduly extend journey times or cost.
23. **Need for places.** The Decision Maker should consider whether there is a need for the expansion and should consider the evidence presented for the expansion. There is a strong presumption that proposals to expand popular and successful schools should be approved. If surplus capacity exists in neighbouring schools the Decision Maker should ask how it is planned to tackle any consequences for other schools.
24. **Funding and land.** The Decision Maker should be satisfied that any land, premises and capital required to implement the proposals will be available.

Financial and Staff Implications

25. The financial implications of this report are linked to the capital works that will be carried out should the proposal be approved. The Capital Investment Board (CIB) has approved £1.1m. Resources for the infrastructure needs required for this expansion have been identified within the Capital programme

2011/12–2015/16 (existing demographic pupil provision – basic needs programme). In accordance with OCC Capital Governance requirements this will be the subject to a separate Stage 2 – Full Business Case/ Project Approval in due course.

26. Developer contributions towards this expansion will be sought from any relevant future developments in the area.
27. There will also be on-costs to the school for additional staff and for increased maintenance requirements. The day to day revenue costs for repair and maintenance and staffing costs must be met through the schools delegated budget as part of the Council's Fair Funding arrangements, which will be updated to meet revised government requirements from April 2013.
28. Resources for School Budget Shares are provided by government through the Dedicated Schools Grant, which will increase proportionately to increases in overall pupil numbers in Oxfordshire. Additional pupils will be reflected in an adjustment in the school's funding formula which applies numbers of pupils on roll and their characteristics.

Equality and Inclusion Implications

29. The Equality Impact Assessment of Oxfordshire's Pupil Place Plan (June 2011) identified that increasing school places at the heart of their communities has a positive impact on equalities through promoting social inclusion and minimising barriers to accessing education.

Decision

30. In considering the proposals for a school expansion, the Decision Maker can decide to:
 - Reject the proposals;
 - Approve the proposals;
 - Approve the proposals with a modification (e.g. the implementation date); or
 - Approve the proposals subject to them meeting a specific condition (see the Guidance).

RECOMMENDATION

31. **The Cabinet is RECOMMENDED to approve the permanent expansion of St Ebbe's CE (A) Primary School with effect from 1 September 2014.**

JIM LEIVERS
Director for Children's Services

Background document: Cabinet Member report 17th July 2012

Annexes: Annex 1: Statutory notice
Annex 2: Full statutory proposal
Annex 3: Minutes of Governing Body meeting Jan 2012
Annex 4: Letter from Headteacher re SEN provision

Contact Officer: Diane Cameron, School Organisation Officer,
School Organisation & Planning, 01865 816445.

November 2012



PUBLIC NOTICE

Proposal to expand St Ebbe's CE (VA) Primary School, Oxford

Notice is given in accordance with section 19(3) of the Education and Inspections Act 2006 that the Governing Body of St Ebbe's CE (VA) Primary School intends to make a prescribed alteration to St Ebbe's CE Primary School (Voluntary Aided) Whitehouse Road Oxford OX1 4NA from 01 September 2014.

The governing body's proposal is to increase the school admission number (at F1 entry) from 45 to 60, to grow the school to 2 forms of entry. This is to help meet demand for pupil places. To accommodate this growth in pupil numbers, there will need to be some extension of the school's buildings.

The current capacity of the school is 308 and the proposed capacity will be 420. The current number of pupils registered at the school is 281. The current admission number for the school is 45 and the proposed admission number will be 60.

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained from: Diane Cameron, School Organisation & Planning, Oxfordshire County Council, County Hall FREEPOST or by going to <http://myconsultations.oxfordshire.gov.uk>, or by emailing:

stebbes2012stat-manager@myconsultations.oxfordshire.gov.uk

Within four weeks from the date of publication of these proposals, any person may object to or make comments on the proposal by sending them to Diane Cameron, School Organisation & Planning, Oxfordshire County Council, County Hall FREEPOST, or by using the online questionnaire at <http://myconsultations.oxfordshire.gov.uk> or by email to: **stebbes2012stat-manager@myconsultations.oxfordshire.gov.uk**

Signed: Jim Leivers, Director for Children's Services

Publication Date: 5th September 2012

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PROPOSALS FOR PRESCRIBED ALTERATIONS OTHER THAN FOUNDATION PROPOSALS: Information to be included in a complete proposal

Extract of Part 1 of Schedule 3 and Part 1 of Schedule 5 to The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended):

In respect of a Governing Body Proposal: School and governing body's details

1. The name, address and category of the school for which the governing body are publishing the proposals.

St Ebbe's CE Primary School, Whitehouse Road, Oxford, OX1 4NA
(Voluntary Aided)

In respect of an LEA Proposal: School and local education authority details

1. The name, address and category of the school .

n/a

Implementation and any proposed stages for implementation

2. The date on which the proposals are planned to be implemented, and if they are to be implemented in stages, a description of what is planned for each stage, and the number of stages intended and the dates of each stage.

September 2014

Objections and comments

3. A statement explaining the procedure for making representations, including

- (a) the date prescribed in accordance with paragraph 29 of Schedule 3 (GB proposals)/Schedule 5 (LA proposals) of The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations

2007 (as amended), by which objections or comments should be sent to the local education authority; and

- (b) the address of the authority to which objections or comments should be sent.

- a) Objections and comments should be received by the LA by 3rd October 2012
- b) Objections and comments should be sent to Diane Cameron, School Organisation & Planning, Oxfordshire County Council, County Hall, FREEPOST or emailed to stebbes2012stat-manager@myconsultations.oxfordshire.gov.uk or sent using the online questionnaire at <http://myconsultations.oxfordshire.gov.uk>

Alteration description

4. A description of the proposed alteration and in the case of special school proposals, a description of the current special needs provision.

The proposal is to expand St Ebbe's CE (VA) Primary School from 1.5 form entry to 2 form entry.

School capacity

5.—(1) Where the alteration is an alteration falling within any of paragraphs 1 to 4, 8, 9 and 12-14 of Schedule 2 (GB proposals)/paragraphs 1-4, 7, 8, 18, 19 and 21 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), the proposals must also include —

- (a) details of the current capacity of the school and, where the proposals will alter the capacity of the school, the proposed capacity of the school after the alteration;

Current capacity of the school is 308 and the proposed capacity of the school is 420 (Years F1 – 6)

- (b) details of the current number of pupils admitted to the school in each relevant age group, and where this number is to change, the proposed number of pupils to be admitted in each relevant age group in the first school year in which the proposals will have been implemented;

45 pupils are currently admitted to Reception (F1), except for September 2012 where it has been agreed between the Local Authority and the governing body that 60 pupils will be admitted. In September 2014 60 pupils will be admitted as this is the first year the proposals will be implemented on a permanent basis.

- (c) where it is intended that proposals should be implemented in stages, the number of pupils to be admitted to the school in the first school year in which each stage will have been implemented;

n/a

- (d) where the number of pupils in any relevant age group is lower than the indicated admission number for that relevant age group a statement to this effect and details of the indicated admission number in question.

n/a

(2) Where the alteration is an alteration falling within any of paragraphs 1, 2, 9, 12 and 13 of Schedule 2 (GB proposals) /paragraphs 1, 2, 8, 18 and 19 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), a statement of the number of pupils at the school at the time of the publication of the proposals.

There are currently 281 pupils on roll (Years F1 – 6)

Implementation

6. Where the proposals relate to a foundation or voluntary controlled school a statement as to whether the proposals are to be implemented by the local education authority or by the governing body, and, if the proposals are to be implemented by both, a statement as to the extent to which they are to be implemented by each body.

n/a

Additional Site

7.—(1) A statement as to whether any new or additional site will be required if proposals are implemented and if so the location of the site if the school is to occupy a split site.

n/a

(2) Where proposals relate to a foundation or voluntary school a statement as to who will provide any additional site required, together with details of the tenure (freehold or leasehold) on which the site of the school will be held, and if the site is to be held on a lease, details of the proposed lease.

n/a

Changes in boarding arrangements

8.—(1) Where the proposals are for the introduction or removal of boarding provision, or the alteration of existing boarding provision such as is mentioned in paragraph 8 or 21 of Schedule 2 (GB proposals)/7 or 14 of Schedule 4 to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended) —

- (a) the number of pupils for whom it is intended that boarding provision will be made if the proposals are approved;

n/a

- (b) the arrangements for safeguarding the welfare of children at the school;

n/a

- (c) the current number of pupils for whom boarding provision can be made and a description of the boarding provision; and

n/a

- (d) except where the proposals are to introduce boarding provision, a description of the existing boarding provision.

n/a

(2) Where the proposals are for the removal of boarding provisions or an alteration to reduce boarding provision such as is mentioned in paragraph 8 or 21 of Schedule 2 (GB proposals)/7 or 14 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended) —

- (a) the number of pupils for whom boarding provision will be removed if the proposals are approved; and

n/a

- (b) a statement as to the use to which the former boarding accommodation will be put if the proposals are approved.

n/a

Transfer to new site

9. Where the proposals are to transfer a school to a new site the following information—

- (a) the location of the proposed site (including details of whether the school is to occupy a single or split site), and including where appropriate the postal address;

n/a

- (b) the distance between the proposed and current site;

n/a

(c) the reason for the choice of proposed site;

n/a

(d) the accessibility of the proposed site or sites;

n/a

(e) the proposed arrangements for transport of pupils to the school on its new site; and

n/a

(f) a statement about other sustainable transport alternatives where pupils are not using transport provided, and how car use in the school area will be discouraged.

n/a

Objectives

10. The objectives of the proposals.

The governing body's proposal is to increase the school admission number (at F1 entry) from 45 to 60. Because the published admission number for 2012 and 2013 has already been published, the school's admission number can only now formally change from September 2014. However, the school has agreed to accept over its official admission number in 2012 and has written into its policy for 2013 that it may agree to do the same to work with the Local Authority to meet demand for places

To accommodate this growth in pupil numbers, there will be some extension of the school's buildings, and a feasibility study is underway to investigate how this can best be provided. Accommodation exists for the additional pupils to be admitted as agreed for September 2012.



Consultation

11. Evidence of the consultation before the proposals were published including—

- (a) a list of persons who were consulted;
- (b) minutes of all public consultation meetings;
- (c) the views of the persons consulted;
- (d) a statement to the effect that all applicable statutory requirements in relation to the proposals to consult were complied with; and
- (e) copies of all consultation documents and a statement on how these documents were made available.

- a) Public consultation was held between 2nd May 2012 and 20th June 2012. The governing body produced a consultation leaflet which was circulated to all parents of pupils at the school, Heads at Partnership primary schools, local Councillors, MP, libraries, relevant county council teams and was also available publicly on the OCC website.
- b) An informal open drop-in session was held at the school on 24th May 2012. Any interested parties were invited to attend to ask questions of OCC officers and the Headteacher. There were no attendees at the session.
- c) 7 responses were received during the public consultation period. 3 of these were in favour of the proposal in principle. These include responses from the Headteacher at New Hinksey CE Primary School, and a local councillor. Reasons given for supporting the proposal include:
 - Need for additional pupil places in the local area.
 - Improved resourcing for the school as a result of the expansion.

Two responses objected to the proposal in principle. Reasons given for objecting include:

- Concern that other schools may be more suitable for expansion and that St Ebbe's was being looked at in isolation.
- Concern over any loss of green space on the school site.
- Concern about any negative impact of growth on the ethos and standards of the school.

LA Officers responded to these concerns as follows:

All Oxford primary schools that can be expanded either have been or are in the process of being expanded. The nearest school to St Ebbe's (which is New Hinksey CE Primary School) has already been working with OCC for over a year to make changes to maximise pupil places, but this school is restricted by a very constrained site. A feasibility study is being carried out at St Ebbe's to investigate options for how the school may be physically expanded and all building options are subject to School Premises Regulations which set out the amount of playing field which must be available for the number of pupils at any school. Any construction will also be subject to Planning regulations and would be the subject of a separate Planning application which may be responded to in the usual way. The governing body and staff at St Ebbe's have expressed no concern about future standards or ethos of the school as a result of the proposed expansion. In rising to 2 form entry from 1.5 form entry the likely class organisation model will be simpler single year groups per class rather than mixed year groups as currently.

Two responses were undecided about the proposal in principle. Queries raised include:

- Concern about increased traffic.
- Concern about disruption during building works.

LA Officers responded to these concerns as follows:

As the vast majority of pupils attending the school are expected to live in the designated area (catchment area) most will travel to school by foot or cycle. No additional parking for parents will be constructed and the school's Travel Plan will be updated. As usual, the expansion of the school, including traffic issues, will be subject to Planning scrutiny during the Planning application process.

There will inevitably be some disruption during building works but the works will all be carried out in one phase and will be planned as far as possible so that the most disruptive elements of work can be carried out during school holidays. Around this, the safety of pupils and others on the school site will be paramount and management of circulation round the school will form part of the feasibility study planning. In many schools, building works are used as topics of work with the children as they progress.

- d) All applicable statutory requirements in relation to the proposals to consult were complied with.

A copy of the consultation leaflet is available to view online on the OCC website at <http://myconsultations.oxfordshire.gov.uk> and was also available during the consultation from the school and from OCC.

Project costs

12. A statement of the estimated total capital cost of the proposals and the breakdown of the costs that are to be met by the governing body, the local education authority, and any other party.

Estimated capital costs are in the region of £950K.
Basic Need requirements will be funded by OCC with financial support from the Oxford Diocese to address a number of consequential accommodation improvements required as a result of the expansion of the school.

13. A copy of confirmation from the Secretary of State, local education authority and the Learning and Skills Council for England (as the case may be) that funds will be made available (including costs to cover any necessary site purchase).

The Council's Capital Investment Board meeting on 18 October 2011 received a report outlining the scope of the overall Basic Needs Programme for 2011/12 to 2016/17 and individually project budget requirements in order to inform the capital budget setting process. The report was approved by the Leader of the Council, Director for Environment & Economy and Chief Finance Officer in November 2011 and subsequently included in the Capital Programme approved by Council on 10th February 2012.

Age range

14. Where the proposals relate to a change in age range, the current age range for the school.

n/a

Early years provision

15. Where the proposals are to alter the lower age limit of a mainstream school so that it provides for pupils aged between 2 and 5—

- (a) details of the early years provision, including the number of full-time and part-time pupils, the number and length of sessions in each week, and the services for disabled children that will be offered;

n/a

- (b) how the school will integrate the early years provision with childcare services and how the proposals are consistent with the integration of early years provision for childcare;

n/a

- (c) evidence of parental demand for additional provision of early years provision;

n/a

- (d) assessment of capacity, quality and sustainability of provision in schools and in establishments other than schools who deliver the Early Years Foundation Stage within 3 miles of the school; and

n/a

- (e) reasons why such schools and establishments who have spare capacity cannot make provision for any forecast increase in the number of such provision.

n/a

Changes to sixth form provision

16. (a) Where the proposals are to alter the upper age limit of the school so that the school provides sixth form education or additional sixth form education, a statement of how the proposals will—

- (i) improve the educational or training achievements;
- (ii) increase participation in education or training; and
- (iii) expand the range of educational or training opportunities for 16-19 year olds in the area;

n/a

- (b) A statement as to how the new places will fit within the 16-19 organisation in an area;

n/a

- (c) Evidence —

- (i) of the local collaboration in drawing up the proposals; and
- (ii) that the proposals are likely to lead to higher standards and better progression at the school;

n/a

- (d) The proposed number of sixth form places to be provided.

n/a

17. Where the proposals are to alter the upper age limit of the school so that the school ceases to provide sixth form education, a statement of the effect on the supply of 16-19 places in the area.

n/a

Special educational needs

18. Where the proposals are to establish or change provision for special educational needs—

- (a) a description of the proposed types of learning difficulties in respect of which education will be provided and, where provision for special educational needs already exists, the current type of provision;

n/a

- (b) any additional specialist features will be provided;

n/a

- (c) the proposed numbers of pupils for which the provision is to be made;

n/a

- (d) details of how the provision will be funded;

n/a

- (e) a statement as to whether the education will be provided for children with special educational needs who are not registered pupils at the school to which the proposals relate;

n/a

- (f) a statement as to whether the expenses of the provision will be met from the school's delegated budget;

n/a

- (g) the location of the provision if it is not to be established on the existing site of the school;

n/a

- (h) where the provision will replace existing educational provision for children with special educational needs, a statement as to how the local education authority believes that the new provision is likely to lead to improvement in the standard, quality and range of the educational provision for such children; and

n/a

- (i) the number of places reserved for children with special educational needs, and where this number is to change, the proposed number of such places.

n/a

19. Where the proposals are to discontinue provision for special educational needs—

- (a) details of alternative provision for pupils for whom the provision is currently made;

n/a

- (b) details of the number of pupils for whom provision is made that is recognised by the local education authority as reserved for children with special educational needs during each of the 4 school years preceding the current school year;

n/a

- (c) details of provision made outside the area of the local education authority for pupils whose needs will not be able to be met in the area of the authority as a result of the discontinuance of the provision; and

n/a

- (d) a statement as to how the proposer believes that the proposals are likely to lead to improvement in the standard, quality and range of the educational provision for such children.

n/a

20. Where the proposals will lead to alternative provision for children with special educational needs, as a result of the establishment, alteration or discontinuance of existing provision, the specific educational benefits that will flow from the proposals in terms of—

- (a) improved access to education and associated services including the curriculum, wider school activities, facilities and equipment with reference to the local education authority's Accessibility Strategy;
- (b) improved access to specialist staff, both educational and other professionals, including any external support and outreach services;
- (c) improved access to suitable accommodation; and
- (d) improved supply of suitable places.

n/a

Sex of pupils

21. Where the proposals are to make an alteration to provide that a school which was an establishment which admitted pupils of one sex only becomes an establishment which admits pupils of both sexes—

- (a) details of the likely effect which the alteration will have on the balance of the provision of single sex-education in the area;

n/a

- (b) evidence of local demand for single-sex education; and

n/a

- (c) details of any transitional period which the body making the proposals wishes specified in a transitional exemption order (within the meaning of section 27 of the Sex Discrimination Act 1975).

n/a

22. Where the proposals are to make an alteration to a school to provide that a school which was an establishment which admitted pupils of both sexes becomes an establishment which admits pupils of one sex only—

- (a) details of the likely effect which the alteration will have on the balance of the provision of single-sex education in the area; and

n/a

- (b) evidence of local demand for single-sex education.

n/a

Extended services

23. If the proposed alterations affect the provision of the school's extended services, details of the current extended services the school is offering and details of any proposed change as a result of the alterations.

n/a

Need or demand for additional places

24. If the proposals involve adding places—

- (a) a statement and supporting evidence of the need or demand for the particular places in the area;

St Ebbe's CE (A) Primary School's published admission number is 45. However, the school is very popular and has been oversubscribed for the last few years. For the September 2012 intake, the school has agreed to admit 60 children into Reception (F1) at the request of Oxfordshire County Council, in order to meet growth in demand for pupil places in Oxford.

Demand for pupil places across Oxfordshire generally has risen and in recent years Oxford city has experienced a significant and sustained rise in primary pupil numbers. To meet this demand additional places have been created in other Oxford primary schools each year since 2008. Looking to the future, significant additional housing is included in Oxford City Council's Core Strategy, which will, in turn, lead to increased pupil numbers across Oxford. The proposal to expand St Ebbe's CE (A) Primary School acknowledges that the community the school serves has grown, and that several other primary schools in the city have expanded recently due to this growth being sustained.

By April 2012, 59 families had chosen St Ebbe's as their first preference for a September start, and with an admission number of 60 all places had been allocated already at that date. 10 applications for a place in the school were refused by April as no places were available.

In 2011, by June, 53 families had chosen St Ebbe's as their first preference and an admission number of 45 had been fully allocated.

- (b) where the school has a religious character, a statement and supporting evidence of the demand in the area for education in accordance with the tenets of the religion or religious denomination;

The school is Church of England and Voluntary Aided. Evidence of demand is demonstrated above. The nearest school to St Ebbe's is New Hinksey CE Primary School which is also Church of England and is also fully subscribed.

- (c) where the school adheres to a particular philosophy, evidence of the demand for education in accordance with the philosophy in question and any associated change to the admission arrangements for the school.

n/a

25. If the proposals involve removing places—

- (a) a statement and supporting evidence of the reasons for the removal, including an assessment of the impact on parental choice; and

n/a

- (b) a statement on the local capacity to accommodate displaced pupils.

n/a

Expansion of successful and popular schools

25A. (1) Proposals must include a statement of whether the proposer considers that the presumption for the expansion of successful and popular schools should apply, and where the governing body consider the presumption applies, evidence to support this.

(2) Sub-paragraph (1) applies to expansion proposals in respect of primary and secondary schools, (except for grammar schools), i.e. falling within:

(a) (for proposals published by the governing body) paragraph 1 of Part 1 to Schedule 2 or paragraph 12 of Part 2 to Schedule 2;

(b) (for proposals published by the LA) paragraph 1 of Part 1 to Schedule 4 or 18 of Part 4 to Schedule 4

of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended).

The presumption for the expansion of successful and popular schools should does not apply in this case. The school is rated Good (Grade 2) by Ofsted.

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ST EBBE'S C.E. (AIDED) PRIMARY SCHOOL
Headteacher: Mrs Susie Bagnall M Ed

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Oxford
OX1 4NA
Tel No: 01865-248863
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Email: office.3833@st-ebbes.oxon.sch.uk

Website: www.st-ebbes.oxon.sch.uk/

Minutes of the Full Governing Body Meeting
Held on Tuesday 25th January 2012 at 7.00p.m at the School

Present

Susie Bagnall (Headteacher) (Staff Governor)
 Jill McCleery (Chair) (LA Governor)
 Claire Cory (Foundation Governor)
 Andrew Godley (Foundation Governor)
 Helen Graham (Foundation Governor)
 Janet Rayment (Foundation Governor)
 Steve Hellyer (Foundation Governor)
 Jo Horn (Foundation Governor)
 Pete Wilkinson (Foundation Governor)
 Clare Whyles (Community Governor)
 Jane Godby (Staff Governor)
 Carol Walton (Staff Governor)
 Rosie Harlow (Parent Governor)

In Attendance

Lucy Tyrell – Clerk (arrived at 7:30pm – minutes taken by Jo Horn until item no. 7)

| | MINUTE | ACTION |
|----------|---|---------------|
| 1 | <p>Welcome and Apologies</p> <ul style="list-style-type: none"> ◇ Jill welcomed everyone to the meeting. ◇ Steve opened the official meeting with a prayer. ◇ Apologies were received and accepted from Fiona Whitehouse (Parent Governor). | |
| | <p>Procedural Matters</p> <p>The meeting was quorate.</p> | |

Signed.....Date.....

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| 2. | <p>Election of Vice-Chair</p> <p>Jill explained that Sally Smith (Deputy Chair) (Foundation Governor) had not attended previous meetings as her mother has recently died. She informed Jill that she is officially stepping down as a Governor. The vote for a new Deputy Chair has been delayed until the next meeting.</p> | <p>Next meeting – agenda item</p> |
| 3. | <p>Business Interests to declare</p> <p>There were no business interests to declare.</p> | |
| 4. | <p>Minutes of Meeting on 28th November 2011</p> <p>The following points were highlighted:-</p> <ul style="list-style-type: none"> • Page 3: under point 4 – Changes to Admissions Code – we need to clarify that the criterion of ‘children to staff members’ will appear in the new policy after the criterion of ‘church members at St. Ebbe’s and St Matthew’s and before the criterion about ‘members of other churches’. <p>In view of the above the minutes were accepted as correct and signed by the Chair.</p> | |
| 5. | <p>Matters Arising</p> <p>There were no matters arising.</p> | |
| 6 | <p>Head teacher’s Report</p> <p>This was circulated before the meeting.</p> <p>Susie highlighted the following:-</p> <p>Number on roll will top 300 in the summer term.</p> <p><u>Development of School Building</u></p> <p>Jill and Susie have met with the Diocese and have been given full backing for the development of the school building to fit the school’s needs as it expands to 2-form entry. LA will provide money for the basic build as they are responsible for meeting the basic needs of the children. This funding is not yet guaranteed. Liz Harrison (Diocese) has stressed they are committed to spending money to enhance the project, concentrating on aesthetics and helping the new parts of the</p> | |

Signed.....Date.....

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| | <p>building fit the existing.</p> <p>The building work includes 2 new classrooms on the present tarmac facing the rest of the school, an expanded staff room and hall (all at full height), a new full size netball court (potentially to be used by the community), upgrading of the spare classroom for EYFS and conversion of the IT suite into an additional classroom, but retaining our separate library.</p> <p>It is proposed that car parking is made available in the OCC car park across the road.</p> <p>These plans are very early stage and staff will be able to look at more detailed plans when available and comment on them.</p> <p>Jill was concerned that the second EYFS classroom and toilets should meet the standard of the present provision.</p> <p>The building work should commence in Spring 2013 to be completed by Autumn 2013.</p> <p><u>Admissions Code</u></p> <p>Susie fed back that discussions with Grandpont regarding 2-form entry have been very positive and she is confident in developing a positive future partnership. It is Grandpont's preference for both EYFS classes to be sited at St Ebbe's, which is the easier option for St Ebbe's also.</p> <p>The Governors were asked to vote on the above and the result was unanimous. The Governors were agreed that it is in the best interests of the community to proceed to 2-form entry.</p> <p>Susie expanded on the possibility of having a second full-time EYFS teacher from September to avoid the problem of having to annually recruit to a temporary post for the summer term. This would be affordable due to the greater sum of money the youngest children would attract (£3,297) if 30 children start in September 2012.</p> <p>Susie has calculated that 30 children on roll for the January census would cover the staffing costs of the two classes.</p> <p>The Governors were asked to vote as to whether St Ebbe's should employ another EYFS teacher from September 2012 and the Governors agreed unanimously.</p> | |
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Signed.....Date.....

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| | <p>(Clerk arrived at meeting and carried on with minute taking).</p> <p><u>Cherwell Partnership Collaboration</u></p> <p>The Cherwell Partnership Collaboration is being run by facilitator John Hulett, a retired Head Teacher from Thame. A graphic highlighting the aims of the partnership was tabled at the meeting. Susie emphasised the need for governors to be involved in the partnership in the future as it is likely to involve financial decisions as schools are faced with buying in services previously provided by the LA.</p> <p>The Governors discussed the likelihood of St Ebbe's being 'left out' of the Cherwell Academy due to geographical location. Susie clarified that Cherwell is our nearest secondary school and most Yr 6 children were offered their place for 2011, although only on the 2nd and 3rd tranche.</p> <p><u>Latest Ofsted News</u></p> <p>Susie highlighted the latest news detailed in her report and indicated an inspection may be due this Autumn.</p> <p><u>DfE News</u></p> <p>Susie informed the Governors that proposed developments are unlikely to change before 2013 and highlighted that although the curriculum is 20 years old, teachers are still making it work and making it creative.</p> <p>The report ended with a list of Curriculum Events since 28.11.11, for the Governors' information.</p> | |
| 7 | <p>Governor Committee Reports</p> <p><u>Personnel & Welfare</u></p> <p>The minutes from 5th January 2012 were circulated with the FGB agenda.</p> <p>Lucy Gething is to return from maternity leave after Easter for one day a week until the Summer Term and will cover PPA/NQT time.</p> <p>The Committee had looked at Home School Agreements and Carol confirmed these are kept at the school. They plan to update these in the near future and to monitor that they are signed and returned.</p> | |

Signed.....Date.....

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| | <p>The Homework Policy is currently being updated.</p> <p>A Tea Party has been arranged for 16th July 2012 at 3:30pm and all Governors are encouraged to attend. It will be an excellent opportunity for Governors to affirm the staff and acknowledge the end of a good year.</p> <p>Date of next meeting</p> <p><u>Parent & Community Links</u></p> <p>The minutes from 13th January 2012 were circulated with the FGB agenda.</p> <p>The following was highlighted:-</p> <ul style="list-style-type: none"> ➤ The tarmac issue will now be dealt as part of the capital development, but remedial work needs to be carried to the uneven kerb stones and paving which was raised as a H&S issue in the recent audit. ➤ Two trees at the front of the school have been causing damage and creating a serious trip hazard. Susie has been advised to obtain quotes for their removal and quotes for the remedial work to the playground surface. Susie would like this work to be done in the Easter holidays because of the H&S risk. The Governors suggested a carefully worded paragraph in the newsletter to reassure parents the trees are being removed due to the risk they are posing. ➤ Rosie questioned if the raised drain cover should be highlighted to Mouchel as a health and safety issue. Susie to investigate. <p>Date of next meeting Friday 24th February 2012 at 3:15pm</p> <p><u>Curriculum</u></p> <p>The minutes from 10th January 2012 were circulated with the FGB agenda.</p> <p>Janet highlighted the literacy report – there is a significant discrepancy between pupil performance in reading and writing achievement, particularly at Level 5, as per a report written by Saskia van de Zee. Reading attainment was good, however the school would be focusing on technical writing skills and raising standards in spelling and handwriting. Saskia is to write and circulate policies for handwriting and spelling.</p> | <p>Susie</p> <p>Susie</p> |
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Signed.....Date.....

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| | <p>Royal Society Grant – the award of this grant offers the school great opportunities in Science, with workshops led by 6th formers.</p> <p>The Assessment policy, approved by the Committee was signed at the FGB meeting.</p> <p>Jo questioned if there existed a ‘teacher’s wish list’ to enable Governors to be aware of resources/help required by teachers and asked if this could be prepared. The Governors agreed.</p> <p>Jill informed governors that £529 has been raised by the community to be spent on maths literacy games.</p> <p>Date of next meeting 1st March 2012 at 3:30pm</p> <p><u>Finance</u></p> <p>The minutes from 17th January 2012 were circulated with the FGB agenda.</p> <p>Rosie highlighted the following:-</p> <ul style="list-style-type: none"> ➤ Linda, a bursar from Sue Bremmer Mills will help out at the school on a needs-must basis. ➤ Awaiting result of funding application for monies to develop EYFS outdoor learning area. <p>Date of next meeting 28th February 2012 at 9:15am.</p> <p><u>Buildings</u></p> <p>Covered by capital development project.</p> <p><u>Foundation</u></p> <p>The minutes from 18th January 2012 were circulated with the FGB agenda.</p> <p>Our resident artist is working with the student council with a view to creating a mural at the back entrance of the school. It has been agreed to do fantasy animals lead by a dragon on the way in to school and Noah’s Ark marching animals leading out of school.</p> <p>Date of next meeting Wednesday 29th February 2012 at 3:30pm.</p> | <p>Committee to investigate</p> |
|--|--|--|

Signed.....Date.....

| | | |
|-----|--|--------------------------------------|
| | <p><u>Admissions</u></p> <p>Carol updated the Governors as follows:-</p> <ul style="list-style-type: none"> ➤ 4 appeals before Christmas. 2 were refused and 2 upheld (Yr 3). ➤ F1 applications are with LA and school is awaiting the list of preferences. | |
| 8. | <p>Governor Visits</p> <p>Governors were sent a list detailing their class links with the agenda papers before the meeting. Susie highlighted to the governors they are linked by class, not by teacher and governors are to initiate contact.</p> <p>Susie advised the governors to use the SDP to guide them in their observations, but highlighted it is not a formal observation but will help governors develop a more critical eye of our strengths and weaknesses. Governors will also be better informed to support staff.</p> <p>Jo questioned if governors were to be linked through Champions and it was suggested that Curriculum Committee would look at this.</p> | Curriculum Comm |
| 9. | <p>Governor Training</p> <p>None reported.</p> | |
| 10. | <p>Policies Review</p> <p>The Assessment Policy was signed and filed.</p> | |
| 11. | <p>Health and Safety</p> <p>Health and safety is being looked at by Susie and Janie. They aim to look at 3 risk assessments at each meeting and are also working on COSHH and the other action points arising from the annual audit.</p> | |
| 12. | <p>Correspondence</p> <p>Jill had received a letter from Prof Margaret Maden asking if she could be considered as a governor if an appropriate vacancy arose. Jill to reply.</p> <p>John Perry has been nominated as a candidate for a St Matthew's governor.</p> | Jill Foundation |

Signed.....Date.....

7

| | | |
|------------|--|--|
| | That leaves a vacancy for the diocese – forward to Foundation committee meeting. | |
| 14. | AOB None. | |
| 15. | Next Meeting The next meeting will be on Wednesday 7 th March at 7pm at the school. | |
| | Close Steve closed the meeting with a prayer. The meeting closed at 8:35pm. | |

Signed.....Date.....

ST EBBE'S C.E. (AIDED) PRIMARY SCHOOL

Whitehouse Road, Oxford, OX1 4NA

Tel No: 01865-248863 Fax No: 01865-248817

Email: office.3833@st-ebbes.oxon.sch.ukWebsite: www.st-ebbes.oxon.sch.uk**Headteacher: Mrs Susie Bagnall MEd**

Monday, 19 November 2012

Dear Diane

I understand that two respondents to our consultation have raised concerns that children who are borderline SEN may be affected detrimentally by our expansion. This is unlikely for the following reasons:

1. A higher number of children on roll will not lead to lower adult:pupil ratios, therefore, all children should maintain at least the same level of adult support as is currently available.
2. We monitor the progress of all children closely. If a child does not make good progress or they are at risk of under attaining compared to national age related expectations, they are targeted by the class teacher and their needs will be met through focused intervention groups or one to one support e.g. phonics, reading or maths groups. Class sizes will not increase if we move to two form entry, and therefore there will be no additional demands on class teachers or changes to these current arrangements.
3. If we move to two-form entry our classes will become single rather than mixed age. This is likely to have a positive impact as additional adults in classes will no longer be needed to work with one year group in order, on occasions, to let the teacher focus on the other year group in the same class. Additional adults will be able to focus entirely on supporting targeted children.
4. Our SEN register is higher than average in our LA and we are developing our SEN structure. My deputy head teacher is our designated SENCo and works 0.6, and we have a specialist dyslexia teacher without classroom responsibilities working 0.4. This year we have also appointed a support SENCo, who has non-contact to carry out her responsibilities on two afternoons a week. We have a strong team of highly trained teaching assistants and we use our budget to maximise the level of adult support in classes. As we expand we intend to continue to prioritise this area of school development, especially as both the strategies used to support children with SEN and the expertise and high adult ratios in class will have a positive knock on effect for all pupils especially those who are borderline SEN.

We have every expectation that expanding to two form entry will be to our children's academic advantage, and we hope these arguments will allay any reservations held by Cabinet members.

Best wishes

A handwritten signature in cursive script that reads "Susie Bagnall".

Head teacher

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Division(s): Headington & Marston

CABINET – 27 NOVEMBER 2012

PROPOSAL TO EXPAND WINDMILL PRIMARY SCHOOL, OXFORD

Report by Director for Children's Services

Introduction

1. Windmill Primary School is located in Headington in Oxford. Its published Admission Number until recently was 60. In 2010, the school agreed with the county council's request to admit 90 pupils for two years only (September 2011 and September 2012), to meet sharp growth in demand for pupil places in Headington.
2. The proposal is to expand Windmill Primary School to become a 3 form entry school with an Admission Number of 90 permanently. This would bring the number of children on roll at the school up to a maximum of 630 children in F1 to Year 6 by Sept 2016.

The need for additional school places in Oxford

3. The Education Act 1996 (Section 14) places a statutory duty on local authorities to secure sufficient school places in their area. To allow for fluctuation in demand, in-year movement and effective operation of parental preference, it is judged that 8% spare places are required across an urban area.
4. To assess the need for future school places, forecasts of pupil numbers are revised each year, based on ward-level population forecasts, which are calculated from census population data, fertility/mortality data, Census migration data and housing net completions data. Oxford City Council's Core Strategy for Growth to 2026 was approved by the Secretary of State in autumn 2010, and sets out the intention to provide at least 8,000 additional dwellings in Oxford city between 2006 and 2026. Of these, 2472 had already been built by the end of 2010/11.
5. The current forecasts predict average growth in reception numbers in city schools of 2.7% pa over the next 4 years, which follows average growth of 3.6% pa over the previous 4 years.
6. On this basis, the number of Reception places needed over the next 4 years is shown below. The current number of places confirmed for 2013 and beyond is 1380. The number of additional places (compared to 2013) the county council seeks to commission for each of the next 5 years is also shown below.

| Year of Reception intake | Target number of Reception places | Target additional Reception places (cumulative) |
|---------------------------------|--|--|
| 2013 | 1586 | 206 |
| 2014 | 1654 | 270 |
| 2015 | 1696 | 316 |
| 2016 | 1718 | 338 |

7. There are a number of proposals at different stages of development which will contribute towards the additional places required. None is yet confirmed.

| School | Additional Reception places | Target date | Status |
|--------------------------------------|------------------------------------|--------------------|--|
| St Ebbes Primary School | 15 | 2013 | Subject to statutory approval to expand to 2 form entry, decision expected November/December |
| Tyndale Free School | 60 | 2013 | Subject to DfE funding agreement, decision date unknown |
| Windmill Primary School | 30 | 2013 | Subject to statutory process due to conclude March 2013 |
| St Gregory the Great Catholic School | 60 | 2013 | Subject to statutory process, consultation expected autumn 2012 |
| Other schools in Oxford city | 25 | 2013 / 2014 | Initial discussions with 3 schools ongoing |
| Wolvercote Primary School | 15 | 2014 | Subject to statutory process, consultation expected to commence January 2013 |
| New Barton School | 60 | 2016 | Subject to timescale of housing development |

8. In addition to the named proposals above, the county council continues to seek up to 2 forms of additional spaces to meet the target level of capacity, through "Free Schools" and/or additional expansions of existing schools. If any of the proposals above are not approved, or prove unfeasible, the level of growth sought at other schools will need to be greater.

Provision of school places through new schools

9. Education and Inspections Act 2006 (Section 2) places a statutory duty on local authorities to secure diversity of provision of schools and increasing opportunities for parental choice.
10. The county council has engaged proactively with promoters of new schools for Oxford, and one Free School has been provisionally approved by the DfE for Oxford, due to open in 2013 subject to funding agreement. There is also a new school planned as part of the Barton West housing development. The timing of

this is subject to the progress of the housing development, but it is currently not expected before 2016.

11. New schools cannot, however, be the sole route to increasing school capacity in Oxford for the following reasons:
- Shortage of suitable sites;
 - The land acquisition and construction costs of providing all additional places in new schools would exceed the council's resources;
 - Timescales – the design and construction of a new school is longer than for extensions of existing schools;
 - Extensions of existing schools provide opportunities to provide added value through addressing existing accommodation issues;
 - New schools (which would usually be expected to be 2 form entry) provide a concentration of additional capacity in one area – suitable for new housing developments such as Barton, but less suitable where demand has increased across the city.

For these reasons the county council's main growth strategy has been through extension of existing schools.

Location of additional places

Parental preference

12. The School Standards and Framework Act 1998 (Section 86) as amended by section 42 of the Education and Inspections Act 2006 places a statutory duty on local authorities to allow parents to express a preference for a school. The county council seeks to ensure a high percentage of parents secure a place at their first preference school.
13. In each of the last 4 years the number of first preference applications (at the late allocation stage) for Windmill Primary School has been:
- | | |
|------|------|
| 2009 | 85 |
| 2010 | 84 |
| 2011 | 92 |
| 2012 | 116. |
14. In the last two years, while the school has been accepting intakes of 90, there have been 18 (2011) and 19 (2012) appeals from parents against being refused a place at the school. In 2010, when the school admitted 60, there were 41 appeals. If an appeal goes to a full hearing the cost to the county council is approximately £150, including the background costs of recruiting and training panel members and clerks, plus time and costs spent on administering the process and clerking appeals. In addition to this there are staffing costs related to the production and the presentation of appeals papers.

Quality of provision

15. At the Cabinet meeting of February 2012, Cabinet confirmed that the Council sees its future role as being a champion for the children and families of the county, and also its absolute commitment to improve educational outcomes for those children. Educational standards within Oxford city have been of particular concern. At its last inspection (2010) Windmill Primary School was judged by Ofsted to be “Good”, and it is one of the higher performing schools in the city in Key Stage assessments.

| 2012 Key Stage 2 results | Level 4+ in English & Maths | 2 Levels Progress in English | 2 Levels Progress in Maths | 3 Levels Progress in English | 3 Levels Progress in Maths |
|--------------------------|-----------------------------|------------------------------|----------------------------|------------------------------|----------------------------|
| Oxfordshire | 81.9% | 91.1% | 88.2% | 28.8% | 28.3% |
| Windmill | 83.9% | 100% | 90.2% | 27.5% | 27.5% |

Travel to school

16. Annex 5 is Transportation & Highways’ formal commentary on the proposal, setting out the measures that must be taken during the Planning process of any expansion, to mitigate traffic impact at Windmill. The Education Act 1996 (Section 508A) places a statutory duty on Local Authorities to promote sustainable modes of travel to school. To allow the option of children walking or cycling to school, it is preferable for children to be able to attend a school no more than 2 miles from home (for infant children). In the last 2 years, when Windmill Primary School has been accepting 90 pupils into Reception, the additional children who have been admitted (compared to a PAN of 60) have lived within a mile of the school, and in many cases less than 0.5 miles. If the school had retained an admission number of 60 during this time, siblings of children already at the school would not have secured a place, increasing the likelihood of parents needing to drive their children to school, as they would have attended two different schools.
17. The expansion of Windmill Primary School is therefore considered an appropriate response to growth in demand for places, on grounds of parental preference, quality of provision and sustainable travel to school.

Consultation with Windmill Primary School over the provision of more places

18. The possibility of Windmill Primary School being suitable to expand was first raised through the 2008 Primary Capital Programme locality review, when the county council notified the school of our intention to conduct a feasibility study into options.
19. In January 2009, discussion was held with Windmill Primary School about the potential for the school to expand either permanently or temporarily to 3 form entry from September 2009. The school was very reluctant to do so, and instead sufficient places for 2009 were created through continuing to allocate

over the Published Admission Number at Sandhills Primary School, Bayards Hill Primary School, Larkrise Primary School, Orchard Meadow Primary School, St Nicholas Primary School and West Oxford Primary School; and over-allocating for the first time at New Marston Primary School, St Christopher's Primary School and St Aloysius Catholic Primary School. At this time demographic forecasts indicated that the number of Reception pupils was expected to peak in 2011 and then subside.

20. Additional classes or permanent expansions for 2010 were agreed with the schools above (excluding St Aloysius, which could not accommodate another over-allocation), as well as at St Andrew's Primary School (one year only), Cutteslowe Primary School, Botley Primary School and Wolvercote Primary School (one year only). As a result, it was proved unnecessary for Windmill to take an additional intake in 2010.
21. In late 2010 the school was again asked to accept a higher intake and, following negotiation on accommodation, it agreed to do so for 2 years, i.e. September 2011 and September 2012. At this time national demographic forecasts indicated that the number of Reception pupils was expected to peak in 2012 and then dip sharply, before growing gradually as a result of planned housing growth. It was hoped that by 2013 additional places at Windmill would no longer be needed.
22. Revised demographic forecasts in summer 2012 showed that demand for Reception places in the area was now predicted to continue growing. Greater certainty about Oxford City's housing plans also indicated the need for continued growth in school places across Oxford. Following a meeting with the school in May 2012 it was decided to start consultation procedures towards a permanent expansion of the school.
23. There are five statutory stages for a proposal to expand a school:
 - i. Consultation;
 - ii. publication of a statutory notice;
 - iii. representation;
 - iv. decision;
 - v. implementation.

This proposal has completed the first consultation stage, and a decision is now sought as to whether to proceed to publication of a statutory notice and representation.

The Proposal

24. The proposal is to increase the formal published admission number from 60 to 90, on a permanent basis from September 2014 (the admission number for 2013 is already published at 60 but if this proposal is approved the school will admit 90). The class size will remain unchanged, as classes will be limited to 30 children, as now, in F1 and Key Stage 1.

25. To accommodate this growth in pupil numbers, there would need to be adaptation and extension of the school's buildings, and a feasibility study is underway to investigate the options for how to achieve this. All options would seek to comply with statutory regulations on school premises and playing field space and would be subject to Planning regulations and approval, including those in consideration of traffic and Highways.

What if the proposal is not approved?

26. If the proposal is not approved to proceed the 30 pupil places that will not be available in September 2013 at Windmill Primary School must be found elsewhere.
27. Wood Farm Primary (rated Good by Ofsted) has now expanded permanently to 2fe and construction is on-going. At the time of writing, most classes are in temporary accommodation. Given the ongoing construction works, as well as the additional uses of the school site by the Children's Centre and Day Nursery, it is not considered appropriate to further increase pupil numbers at Wood Farm School at this stage.
28. St Andrew's CE Primary School in Headington (rated Good by Ofsted) is on a small constrained site which makes it very difficult for permanent expansion due to space limitations. The school already has a "bulge" class working its way through the school.
29. Bayard's Hill Primary School in nearby Barton (rated Satisfactory by Ofsted) is currently undergoing extensive building work to replace some of its older unsuitable accommodation. In addition, part of the site is to be developed into a residential special school for children with autism and learning disabilities: the existing building will be refurbished and a new residential home built on the site. A new primary school will be constructed in Barton in the next few years due to a major housing development in the vicinity, and will offer sufficient pupil places for the area. It is not considered appropriate therefore to create additional places in Barton, forcing people to travel to it, as Barton is not where the pressure of population currently lies.
30. As population increases, the Headington partnership of schools will all admit up to their admission numbers increasingly with children living in their catchment area. This will leave fewer places available for those living out of catchment. It is possible, therefore, that if Windmill Primary catchment children cannot be offered a place at Windmill, they may not be allocated a place at a nearby school either, as they would be lower down in the admissions criteria than that school's catchment children. In this case, they would need to be transported outside of the area to a school by taxi, at the county council's cost. This would also increase traffic and is a situation the county council seeks to avoid wherever possible.
31. For September 2012 allocation of places, the Headington partnership of schools were allocated as follows (AN = Admission Number):

- Wood Farm Primary School (AN 60) – 53 catchment, 4 siblings, 3 distance
- St Andrew's CE Primary School (AN 30) – 30 catchment
- Bayard's Hill Primary School (AN 90 bulge year) – 37 catchment, 6 siblings, 47 distance
- Windmill Primary School (AN 90 bulge year) – 70 catchment, 7 siblings, 13 distance

TOTAL PLACES ALLOCATED: 270

32. For September 2013, Bayard's Hill Primary School has a published admission number of 60, and admitted 90 children in September 2012 as a bulge year only. The school has now expanded to a permanent 2fe size and is undergoing construction work. For reasons previously set out above it is not considered appropriate to expand Bayards Hill further in lieu of Windmill Primary. If Windmill's AN reduces to 60 also, then Headington partnership will offer 60 fewer places (a total of 210) at the same time as an increase in need for them from the year before.
33. No budget is identified to acquire a site and construct a school by September 2013. Children applying to Windmill Primary live extremely close to it, and this is where demand for pupil places is strongest from local residents.
34. In summary, if the proposal is not approved, in September 2013 increased numbers of primary age children in Headington may be allocated a place at a school not listed as a preference by their parents, and further away from their home which will inevitably increase traffic on the roads. In some cases they may need to be transported by taxi at the county council's expense.

Representations

35. During the Stage 1 consultation phase (10th September 2012 – 22nd October 2012) a meeting was held at the school on 20 September to give parents of children at the school the opportunity to raise queries about the proposal with a county council officer. Notes of the meeting, verified as accurate by the Headteacher and governors of the school are attached as Annex 1. A further meeting was held with the Cabinet Member for Education on 16th October. Notes from this meeting are attached at Annex 4.
36. A consultation leaflet (Annex 2) was sent to parents of children at Windmill Primary School, as well as to local councillors, partnership schools and early years providers including childminders in the area, libraries, local Early Intervention Hub, community groups, community website and centres and other stakeholders. It was also available on the OCC public website, together with full details of the various ways of responding. Additionally, the school highlighted the consultation in its newsletters to parents.
37. 122 responses to the consultation were received:
- 20% (24) of respondents supported the proposal in principle,
 - 2% (3) of respondents were neutral or did not express an opinion in principle, but raised queries, and
 - 78% (95) of respondents were opposed to the proposal in principle.

38. The reasons given for supporting the proposal were:

- Clear need for additional pupil places in Headington area, to prevent local children having to travel outside of the area to gain a school place.
- Concern from parents with children at the school and younger siblings not yet at school, that they may not be able to have their children in the same school, if it does not expand.
- The same concern as above from parents of children not yet at school, who intend to express a preference in future for a place at Windmill Primary.
- It is a good and popular school, and that therefore more children should have the opportunity to attend it, if parents prefer it.
- Opinion that the school should serve the local community, which is growing, therefore the school should also grow to keep pace with it.

39. Opposition to the proposal in principle was strongly expressed by some respondents. The concerns, and suggestions for alternative ways forward, raised were:

- Suggestion that a new school should be built somewhere else instead.
- Suggestion that another school in the Headington area be expanded instead of Windmill Primary.
- Concern about the effect of being a larger school on educational standards.
- Concern about the increase in traffic resulting from parents who choose to drive their children to school, instead of walking or cycling.
- Concern about sufficient facilities being provided for the increased numbers of pupils.
- Queries about the design of new buildings and alterations.
- Concern that the ethos of the school would be adversely affected if it were larger and that the “community feel” of the school would not be as strong. Opinion that it is important that all staff know all the children and the children all know each other.
- Queries about the effect on existing outdoor spaces / playing field size for the increased numbers of pupils if more buildings are constructed.
- Concern that building works would cause undue disruption to the children’s learning.
- Concern that due to the Hall size, whole school assemblies would not be possible and that lunch times would be crowded and school plays affected.
- Concern that increased pupil numbers might mean the school could not take everyone on trips.
- Concern not all pupils would be able to join clubs run by the school.
- Concern that the youngest children would be intimidated by a larger school setting.
- Concern about the After School Club (managed separately to the school) and sufficient places being available if pupil numbers increased,

although recognition that this was already the case. Also concern that the After School Club room would be taken into use as a classroom and that provision would not be made for this service.

- Concern about increased noise from the playground.
- Concern that insufficient data was made available for people to come to an informed view on the proposal in terms of new accommodation that would be built and what money would be available for the project.
- Perception that the proposal was “last minute” and “rushed” without consideration being given to any other options of providing the needed additional pupil places in Headington.

40. At the meetings held at the school for parents, most of the concerns detailed above were raised. The notes of the meetings are attached as Annexes.
41. With respect to accommodation, a feasibility study is now in progress and the Headteacher and Governors are working with the council's property consultants to identify how the accommodation needs arising from this proposal might be met. The timeline for delivering the required adaptation and extensions would take into account a range of factors including the need to ensure that sufficient space is available to meet the needs of the school as it grows and how best to undertake construction works whilst minimising the impact on the day to day operation of the school. As this study is not complete, there were no proposed building plans to share with parents at the school during this consultation. Funding is not identified within the county council governance processes until a recommended capital scheme has been proposed and so no specific information on funding is available at this current time.
42. As detailed earlier in this document, additional pupil places have been created at many schools in Oxford, including in and near Headington, over the past years. The county council has been in dialogue with the governors and Headteacher at Windmill Primary School around the idea of expansion since 2008 but until the new nationally provided forecasts for pupil numbers were received in 2012, the hope was that Windmill offering two “bulge” years of 90 would be sufficient growth. It became clear on receipt of the forecasts however that this is not the case. As some respondents to the consultation have stated themselves, in September 2012 there was a very sharp increase in catchment children applying for places at the school even against the previous year. It is in this context that permanent expansion of the school is now being formally proposed.
43. As objections in relation to the proposal have been raised, the decision on whether to proceed to publish a formal statutory proposal is referred to OCC Cabinet, rather than the Cabinet Member for Education.

Making a Decision

44. Sections 18 to 24 of the Education & Inspections Act 2006 and The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended) ["the Prescribed Alterations Regulations"] establish the procedures that must be followed when enlarging school premises. Local authorities also have a duty to have regard to statutory guidance, in this particular case 'Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form: A Guide for Local Authorities and Governing Bodies ("the Guidance").
45. The Prescribed Alterations Regulations require proposers to consult interested parties and the Guidance lists these at paragraph 1.3. The Cabinet must be satisfied that the statutory consultation has been properly carried out prior to the publication of the notice. Annex 3 provides details of the county council's consultation with interested parties that are required to be consulted with under the Prescribed Alterations Regulations. The period of consultation is not prescribed by legislation, although the Guidance recommends a minimum of 4 weeks. The consultation period was in line with the Guidance having run from 10th September 2012 – 22nd October 2012, thereby exceeding the four week minimum requirement. The consultation was therefore carried out in accordance with the Prescribed Alterations Regulations.
46. A decision is now required as to whether to publish formal proposals for this proposed expansion. If approved, a statutory notice would be published, followed by a formal representation period of four weeks. The decision-making power in terms of determining the notice will lie with the Cabinet or the Cabinet Member for Education, and a report will be put to Cabinet if objections in principle are received, for a final decision in due course.

Equality and Inclusion Implications

47. Equality Impact Assessment of Oxfordshire's Pupil Place Plan (June 2011) identified that increasing school places at the heart of their communities has a positive impact on equalities through promoting social inclusion and minimising barriers to accessing education.

Financial and Staff Implications

48. The direct financial implication of this report is the cost of the statutory process recommended, which is planned for and met within the normal Children Education & Families budget provision. There are no significant financial implications or risks at this stage. If the proposal proceeds, following statutory consultation there would be another report to Cabinet in due course seeking a final decision on whether to expand the school.

49. The financial implications of this report are linked to the capital works that will be carried out should the proposal be approved. Publication of a statutory proposal to expand the school requires confirmation from the county council that funds will be made available for the necessary capital costs. The Capital Investment Board (CIB) has approved funding for the initial feasibility work to establish the preferred option for meeting the additional accommodation needs.
50. There will also be on-costs to the school for additional staff and for increased maintenance requirements. The day to day revenue costs for repair and maintenance and staffing costs must be met through the school's delegated budget as part of the Council's Fair Funding arrangements, which will be updated to meet revised government requirements from April 2013.
51. Resources for School Budget Shares are provided by government through the Dedicated Schools Grant, which will increase proportionately to increases in overall pupil numbers in Oxfordshire. Additional pupils will be reflected in an adjustment in the school's funding formula which applies numbers of pupils on roll and their characteristics.

RECOMMENDATION

The Cabinet is **RECOMMENDED** to approve the publication of a statutory notice for the expansion of Windmill Primary School, Oxford.

JIM LEIVERS
Director for Children's Services

Contact Officer: Diane Cameron, School Organisation Officer, 01865 816445

November 2012

- Annex 1 Notes of meeting held at Windmill Primary School on 20th September 2012
- Annex 2 Consultation leaflet
- Annex 3 List of interested parties consulted
- Annex 4 Notes of meeting held at Windmill Primary School on 16th October 2012
- Annex 5 OCC Transportation & Highways Commentary

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Notes of meeting to discuss expansion of Windmill Primary School

A public meeting at the school on Thursday 20 September was attended by 101 people, mostly parents of children at the school, but also school staff/governors and local residents, including some parents of younger children.

The county council officer present set out the statutory process, and why it was proposed to expand the school, namely:

- Popularity: in 2012 the school attracted the most first preference applications of any school in the county, and would have been oversubscribed in-catchment if the admission number had been 60.
- Quality of education: the school is rated “good” by Ofsted.
- Rising demand for school places across the city, and also specifically in the Headington area.
- If Windmill does not expand, local children will have to go to a school further away, and more siblings will be unable to secure a place.
- The expansion of Windmill is part of the council’s city-wide growth planning, which has already seen 14 primary schools in the city expand permanently, with more expansions at different stages of investigation. New schools are also planned, with a Free School expected to open in 2013 and a new school included within the Barton housing development. The equivalent of 7 forms of entry have been added to city primary school capacity in the last 6 years.
- Sufficient school places in the right locations cannot all be provided through new schools, so expansions are a crucial part of the growth strategy. Without sufficient growth in the city, children would have to be transported to surrounding village schools.

Nearly all speakers expressed concern or opposition to the proposed expansion.

Concerns included:

The impact on educational experience for young children of being in a 3 form entry school.

Most comments were negative, including:

- The school would feel too crowded and intimidating for young children.
- How events such as sports days and school plays could be held with so many children.
- That extracurricular activities limited to a given number of pupils would have to turn away more children - examples given were that more children would be unable to join the choir, or go on off-site events.
- The importance of all children knowing each other, and the staff knowing all the children.
- The school is a good school now: are the things which make it good scalable?

A teacher from a 3 form entry school was present, and expressed the opinion that growth to 3 form entry is not harmful given careful management, design and organisation to overcome the challenges of a larger school. Another speaker commented on the additional resources that larger schools had, for example more staff meant more specialisms and experience to contribute to the school.

A parent with one child at the school and another younger one was concerned that if the school did *not* expand, their younger child might not gain a place, and she would then have children in 2 schools. She was concerned that her child would miss out on forming local friendship groups.

[A research summary prepared by Kingston Borough Council on whether 3fe or larger primary schools are detrimental to the quality of education has been forwarded to the Headteacher, and is available from the Kingston Borough Council website]

Accommodation issues

Concerns included:

- That there would be sufficient capital investment in the school.
- That the school should not have to make do with the “minimum” standards.
- A hall large enough for whole school assemblies.
- Accommodation to allow more children to attend the popular and successful parent-run after-school and breakfast clubs.
- Accommodation/facilities to support specialist activities such as music, sports and the Green Club.
- Outdoor play, including the difficulties caused in wet weather when children had limited access to the playing field.
- It was suggested that infant/junior sections might make the school feel less daunting to children.
- Possible conflicts of use, e.g. early years outdoor learning areas outside Key Stage classrooms.
- Any more building work would mean continued disruption for the school.
- Information on school premises standards was requested to allow parents to “benchmark” the school’s accommodation. [Links to the DfE Building Bulletin 99 and School Premises Regulations were added to the consultation website on 24 September.]

Other options for providing school places had not been properly explored.

- Several speakers considered that a new school in the Headington area would be better.
- Alternatively, other schools in the area, such as St Andrews, Bayards or Wood Farm, were suggested as being more suitable to expand.
- It was suggested that Free Schools would mean that expansion of existing schools was not needed.
- The local authority was criticised for not having a strategy to provide sufficient school places, and for not providing sufficient information on demographic need. [A direct link to the Pupil Place Plan was added to the consultation website on 24 September, with a note that it was currently being updated.]
- Questions were asked about what determined which schools were chosen to expand, for example whether Windmill was only chosen because it was a good and popular school.
- The local authority was criticised for selling off the neighbouring school site in 2003, instead of keeping it as school capacity.

- It was suggested that data on how many children currently at the school had younger siblings would be helpful in assessing how large the school needed to be.

Traffic

- The amount of traffic at school pick-up/drop-off times was a concern for parents and local residents.
- The need for a crossing patrol or other action was suggested.
- It was suggested that a school bus should be provided to bring pupils to the school.
- Doubt was expressed that an accurate baseline could be measured for the traffic assessment, given that numbers, and traffic, had grown over the last 2 years due to the "bulge" classes.
- Local parking options had been lost recently.
- A parent with a younger child pointed out that if the school did *not* expand, her child might not be able to gain a place as the school is attracting more than 60 in-catchment applications. She would then have to drive her child to another school, increasing traffic.

The consultation process

- Concern was raised that local parents of younger children did not know about the consultation, despite leaflets being circulated to local Early Years providers. [Early Years providers were again contacted during the following week, and the consultation is now promoted on the local news website.]
- It was questioned how the comments both at the meeting and through written representations would be reported to the Cabinet, and whether an impartial and comprehensive account would be provided.
- It was thought that parents did not have sufficient information about other options to be able to judge their relative merits.
- The headteacher was asked for her and the school's view. [The headteacher sent a letter to all parents on 25 September.]

Other comments

- That the school was originally asked to take intakes of 90 for two years only, and parents chose the school on that basis, but that the local authority was now trying to make this permanent.
- Whether conversion to academy status would enable the school to avoid being expanded.
- It was questioned whether a smaller increase in admission number – of 10 or 20 instead of 30 – would be easier for the school to cope with.
- It was suggested that, instead of growing immediately to an admission number of 90, a return to 60 for one or more years first would enable the school to adapt more gradually.
- It was noted that in 2012 around 10 catchment children and 7 siblings had joined the Reception class who would have been unsuccessful if the admission number had been 60. It was asked what the comparable statistics were for previous years. [This information was added to the consultation website on 27 September.]

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Consultation on the proposal to expand Windmill Primary School, Oxford

10 September 2012 – 22 October 2012

Produced by Oxfordshire County Council

**An open meeting will be held at the school at
7pm on 20th September 2012.**

Your opportunity to discuss the proposal with County Council and school staff.

About Windmill Primary School

Windmill Primary School is a community school for children aged 4-11 in the Headington area of Oxford city. Until recently, Windmill Primary School has been a two form entry school, with a published admission number has been 60. The school is very popular and many applications to the school each year are unsuccessful.

For the September 2011 and 2012 intakes, the school agreed to increase its admission number temporarily, admitting 90 children into Reception (F1) in order to help meet growth in demand for pupil places in Oxford. It was able to do this using its existing buildings, with some internal changes funded by the County Council.

At the last official pupil census in May 2012 there were 444 children on roll as shown below:

| Year Group | Reception (F1) | 1 | 2 | 3 | 4 | 5 | 6 |
|---------------------|----------------|----|----|----|----|----|----|
| Pupil Number | 88 | 61 | 59 | 59 | 62 | 59 | 56 |

In September 2012, 90 children are expected to start in Reception, and the total number of children is expected to be approximately 480.

What we want to do

We are planning to increase the school to three forms of entry, with an admission number of 90 on a permanent basis. The formal admission number for 2013 has already been published at 60, but if this proposal is approved the school will admit 90 children in 2013. The school's admission number can only now formally change from September 2014.

If it is decided to permanently change the admission number to 90, there will be a need for more classrooms to be built. A detailed feasibility study has begun, which looks carefully at the school's site and buildings to see how these additional classrooms and supporting spaces could best be provided.

We think that this is a very popular and successful school at the heart of its community, which should expand to meet local demand. We want to know your views about whether you are happy to see the school grow.

Why do we want Windmill Primary School to grow?

Demand for primary school places in Oxford has risen rapidly over the last few years, and many schools have grown in response. There are over 300 more Reception places in 2012 than there were in 2006 – the equivalent of 10 additional classes.

High demand for places at Oxford primary schools in general, and at Windmill Primary School in particular, is predicted to continue. Windmill's site and buildings are suitable for expansion, and there is a shortage of school places in the Headington area. If Windmill Primary School grows, more children will attend their first choice primary school.

If Windmill Primary School does not grow, in 2013 it will return to admitting 60 children per year. More applications will be unsuccessful, and some children will have to travel further to go to school.

The proposed expansion of Windmill Primary School is one part of the County Council's strategy to increase the number of school places in Oxford. This strategy includes expansions already underway; other expansions still being explored; and new schools, including "Free Schools" and, in the longer term, new schools as part of major housing developments included in Oxford City Council's Local Plan.

Your views

Because of the increase in the proposed size of the school we need to make sure that the proposal is supported locally. This is a two stage process:

Stage One:

Public consultation with parents, local schools and others about a permanent change to the admission number to 90. That will take place until 22 October 2012. You have until that date to respond (see details below). This consultation is to help inform the plans. The decision whether to proceed to Stage Two rests with the County Council Cabinet. If, as a result of the consultation, the Cabinet want to go ahead with the expansion, Stage Two will follow.

Stage Two:

The County Council will publish a *public notice* in the local paper and at the school. There will then be a *statutory notice period* of 4 weeks, during which you can send any formal objections or comments to the proposal to the County Council. These will be considered by the County Council Cabinet before making a final decision. If you wish to object to the expansion, you must do so during the statutory notice period even if you have already responded to the consultation during Stage One. We currently expect the statutory notice period to be in January / February 2013.

The County Council Cabinet will then make the final decision on this permanent change, and this is currently planned to be in March 2013.

How you can respond to this consultation

The information necessary for an informed response is contained in this consultation document, which is also available online at: <http://myconsultations.oxfordshire.gov.uk>

You can respond in one of four ways:

- complete the response form at the back of this document and send it to the address shown on the response form
- respond online at : <http://myconsultations.oxfordshire.gov.uk>
- write a letter and send it to the address shown on the response form
- email your response to:
Windmill2012-manager@myconsultations.oxfordshire.gov.uk

Parents are asked to complete only one form, even if you have more than one child at the school. Please return your form as soon as possible, but by **22 October 2012** at the latest.

Consultation on the proposal for the expansion of Windmill Primary School, Oxford

I/we wish to make the following comments:

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Signature

Name

Address (optional)

- Parent of a child at Windmill Primary School
- Parent of a child at another school
- Parent of a child not yet at school
- Governor/staff at Windmill Primary School
- Local resident
- Other (specify)

Tick all that apply

Please return by 22nd October 2012 to:

School Organisation and Planning

FREEPOST OXFORDSHIRE COUNTY COUNCIL

(No stamp required)

Alternative formats of this publication can be made available. These include other languages, large print, Braille, Easy Read, audiocassette, computer disc or email. Please telephone 01865 816454 or email SchoolOrgPlan@oxfordshire.gov.uk



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Consultation with interested parties

The Prescribed Alterations Regulations require proposers to consult interested parties and the Guidance lists these at paragraph 1.3. This annex provides details of the County Council's consultation with interested parties that are required to be consulted with under the Prescribed Alterations Regulations.

| | |
|---|---|
| The governing body of any school which is the subject of proposals (if the LA are publishing proposals) | Consulted through distribution of consultation leaflets (10 th September 2012 – 22 nd October 2012). |
| The LA that maintains the school (if the governing body is publishing the proposals). | n/a |
| Families of pupils, teachers and other staff at the school. | Through distribution of consultation leaflets (to families via children) (10 th September 2012 – 22 nd October 2012), and invitation to meeting for parents of children at the school (20 th September 2012). |
| Any LA likely to be affected by the proposals, in particular neighbouring authorities where there may be significant cross-border movement of pupils. | The proposals are not judged to affect other local authorities. |
| The governing bodies, teachers and other staff of any other school that may be affected. | Other Oxfordshire schools consulted through online consultation (10 th September 2012 – 22 nd October 2012) and alerted via email twice. Early years providers were sent consultation leaflets and alerted by individual email. |
| Families of any pupils at any other school that may be affected. | Consulted through online consultation and via email to other schools' Headteachers (10 th September 2012 – 22 nd October 2012). |
| Any trade unions who represent staff at the school; and representatives of any trade union of any other staff at schools who may be affected by the proposals. | Consulted through online consultation and via email directly (10 th September 2012 – 22 nd October 2012). |
| (If proposals involve, or are likely to affect a school which has a particular religious character) the appropriate diocesan authorities or the relevant faith group in relation to the school. | Oxford CE diocese and Birmingham and Portsmouth RC dioceses consulted through online consultation and alerted via email (10 th September 2012 – 22 nd October 2012). |
| The trustees of the school (if any). | n/a |
| (If the proposals affect the provision of full-time 14-19 education) the Learning and Skills Council | n/a |
| MPs whose constituencies include the schools that are the subject of the proposals or whose constituents are | Local MP sent a copy of the consultation leaflet. |

| | |
|---|--|
| likely to be affected by the proposals. | |
| The local district or parish council where the school that is the subject of the proposals is situated. | Local district and county councillors consulted through distribution of consultation leaflets and online consultation. |
| Any other interested party, for example, the Early Years Development and Childcare Partnership (or any local partnership that exists in place of an EYDCP) where proposals affect early years provision, or those who benefit from a contractual arrangement giving them the use of the premises. | Members of the School Organisation Stakeholder Group consulted through online consultation and meetings. Link to consultation on community Headington website and leaflets sent to community centre for display. |

| <p align="center">Notes from a meeting held at Windmill Primary School on 16/10/12 7pm-8:30pm. Mr Roy Leach, School Organisation and Planning Manager, Frances Craven Deputy Director Education & Early Intervention and Cllr Melinda Tilley, Cabinet Member for Education. (LK Lynn Knapp, Head teacher; RL Roy Leach; MT Melinda Tilley; MS Mayte Siswick, chair Windmill Governors)</p> | | |
|---|--|----|
| LK welcomed the community to the meeting. MS chaired the meeting, introduced Mr Leach and Cllr Tilly | | |
| Questions/Points Raised | Response | By |
| Concern about appropriate funding to expand effectively. How much funding is available? | No certainty yet-feasibility study not done yet. Resources are available, OCC will spend on facilities to enable an effective curriculum delivery and ensure spaces are available. | RL |
| What part does Sandhills play in the catchment? Why are Bayards & Sandhills under subscribed? | Sandhills is included in planning to meet parental preferences. It was looked at to expand but had traffic issues. Both schools have admitted additional children. | RL |
| Traffic issues, triangle, London Rd, Slade & Windmill Rd. Not just school traffic but workers travelling. Windmill bearing the brunt of it. Sandhills has more ground, something has to be done about traffic. | Not clear something has to be done directly linked to Windmill expansion. Traffic reorganisation in area has led to change in travel patterns. There was a strong argument why Windmill is to expand, originally thought it wouldn't need to but the population has grown. RL listed schools already expanded. | RL |
| How big is the catchment? Parents still drive, drop off, go to work | school patterns. Most children live relatively close to the school (under 1 mile) so could walk/cycle. | RL |
| Has OCC had a traffic survey done? | Don't know, but will certainly do home to school travel survey as part of feasibility work. | RL |
| Wouldn't address the issue | If problems with home/school/work traffic, OCC will monitor | RL |
| Area outside school is at breaking point particularly in bad weather - extremely busy | All traffic issues will be passed to the relevant department | RL |
| What happened to the base line survey done 2 years ago? | No response | |
| At what stage did CC look at Sandhills? | Sandhills has previously admitted above original Published Admission Number but cannot be permanently expanded to 1.5 or 2 FE | RL |
| Concern, point of impact - future WPS pupils, sufficient building not just a block of rooms, infrastructure, parking. How can it happen successfully to a school already full? | Detailed planning will be available, increment planning over 5 yrs. When WPS was a middle school there were c.530 pupils on the site. | RL |
| 580 was questioned as accurate | Capacity was actually 585. | RL |
| Out of catchment pupil numbers were quoted, are the CC shoehorning an entire out of catchment primary school into WPS? | There will inevitably be a proportion not in catchment but the majority will be local children. National and local policy is to offer choice. Every school is full | RL |

| | | |
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| What are projections for this area? | RL will check and report back to LK | RL |
| How are children to get a good education in over crowded teaching areas? | There is no evidence proving that bigger schools have worse outcome than small schools. The teaching areas won't be overcrowded; there will be enough classrooms. | RL |
| Beyond level of expansion, schools cannot build on its ethos | Don't agree. *Schools planning need to be detailed. Some schools who have expanded continue to be good or outstanding. | RL *MT |
| Questions/Points Raised | Response | By |
| A site inspector pointed out access from front to back of school is restrictive, a neighbour's wall demolished 4 times during last building works | No response [But contractors would need to be sensitive to impact on neighbouring properties.] | |
| Success depends on good planning, would it have been better to have plans at the forefront not after consultations? | Likely that there are informal sketches of possible classroom sites etc produced by School Organisation team when potential for expansion first considered. *Detailed plans would have pre-empted the consultation process. Nothing has been decided, don't shoot the messengers | RL *MT |
| The population has steadily increased, why has there been no forward planning until now at the last minute? | There has been forward planning and dialogue but the governors and Head teacher were previously not keen to expand. Demand for places has continued to increase so expansion of WPS now being considered. We must ensure every child has a school place. | RL |
| Feel this is a fait accompli, if not WPS there is no back up. Struggle to view meeting as a consultation. No time to deliver by Sept '13. No plans, no numbers, Why only expansion not new schools? | Not a fait accompli as must go through a two stage political process. These issues have been raised, not viable to build as no sites available in Headington. Would be 3 yrs before able to offer places in a brand new school. If WPS didn't expand children would be ferried to schools CC would have to bear the cost. New schools would be great but there are no resources. | |
| Delivering quality education, schools too big lose a community feeling, children don't recognise each other, social cohesion would break down. | There are ways of organising smaller groups, vertical houses etc. | RL |
| School should work along side CC. Properly managed with good standards maintained in an expanded school could be a positive way forward. If we fight this we may be forced to expand, still feel it is a fait accompli. | Not a fait accompli - Cabinet will need to consider whether to publish Statutory Notice and then whether to proceed with expansion. Informed audience how feelings are reported | MT |

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| Teachers may prefer to work in a 2 form entry school, facilities and opportunities etc are fewer in bigger schools. No space to teach small grps. Staff don't get to know each other nor do the children. It may take 3 yrs to build a new school but planning could have done this 3 yrs ago. | Acknowledged that more difficult for teachers to know names of every child in a large school (RL referred to own experience as a teacher) but every child would be known by name by adults. | |
| If school doesn't expand, what happens to those already here? | They will stay in school until yr 6. They won't be expelled! There is enough space for them now and will continue to be so. | RL |
| Concern the 'bulge' will greatly reduce resourcing, already lost art room, ICT suite, how is it acceptable to lose facilities? Children must have the same opportunities | ICT is now enhanced by mobile technology, ICT suites are uncommon. Need to look at how to enhance facilities | RL |
| Questions/Points Raised | Response | By |
| We must fight to get the best not lose classroom space, hall is too small, lose after school club room, No empty rooms, where will they all go? Need positive messages. | Will be positive about how the capacity was and it could be that 3-4 additional classrooms would suffice. | RL |
| Mrs Knapp's response to the above: we need 5 classrooms if we are not to compromise on the opportunities that are currently available to the children. I would fight tooth and nail to keep the After School Club room and DT space that are resources we need and not be squashed into small spaces. Please clarify the position should the proposal be turned down. My understanding is that the LA could still come back to us in April and demand that we take an extra 30 children who would then be housed in a temporary building. We would then have to be reactive and not proactive. | Confirmed that if permanent expansion of WPS were not agreed but come April there were not enough schoolplaces, the Council could require the school to admit another 'bulge' year accommodated in a temporary classroom. The Council is able to direct Community and Controlled schools to admit additional children (as was done with St.Andrew's). | RL |
| Christmas shows, plays, harvest festivals etc unable to have whole school together to have the same experience now as the hall is too small for the amount of pupils | Concerns about the size of the hall have been noted and will be considered as part of the feasibility study. | RL |
| What is the point of catchment? | Establishes likelihood of getting into schools of choice and gives preference to local children. | RL |

| | | |
|---|---|-----------|
| 2 day centres in the area take children from 2yrs old outside catchment therefore they will want to come to Windmill. How many are we really taking out of catchment? | Of the current 90 children, 70 were in catchment and seven had older siblings in the school. | RL |
| Would like to see 'catchment area' Quotes from Matilda and Billy Elliot. The proposal to expand would sacrifice space and outdoor space, what value is placed on the proposal? | [Catchment map available at end of meeting but not looked at.] No response | |
| How does the current pupil space allocation affect WPS? When was the last time pupil space was changed? | Pupil space is not set by CC but nationally. In older builds some classrooms exceed the recommended allowance. Would not take advantage of recent changes to building specifications. | RL |
| When was it amended? Was it better or worse? | Cannot remember when last amended. What is working now is based on the last decade and set out in national Building Bulletins. | RL |
| Is the information available? | Basic information is available on the website or by request | RL |
| Questions/Points Raised | Response | By |
| Expansion would change the culture of WPS. Clubs, societies, music, characterises WPS. Short term extra classrooms. | Did not say temporary classrooms. Expansion will be more than just rooms. The after school club has already been raised as an issue | RL |
| Response before to after school care was CC is not responsible for after school care. There isn't anywhere to put more children in the school now. Please to hear you agree the ASC is an issue | No response | |
| What happens when the children leave WPS for secondary school? Where will they go? | Fortunately the bulge is now in yrs 3/4. Eventually the CC will have to invest in some secondary schools-improving reputation and performance. | RL |
| Going back to catchment, WPS wasn't the first choice for a parent on Risinghurst, Sandhills was full, no nursery care | No response | |
| Space - how much 'joined up thinking' is there? A developer says there is development for housing preferred over plans for schools | There is a City Council priority for housing to reduce pressure. Planners do liaise with City and recognise that additional housing will further increase demand for school places. | RL |

| | | |
|--|--|-------------------|
| <p>If the proposal was rejected by community, WPS could still be told to take another 30 children year on year. The dilemma is work with CC to produce a great facility, strategic planning, be involved or don't be involved and end up with cramped inefficient spaces</p> | <p>The reality is the Council can place additional children in Community and Controlled schools and have used the power to do so in the past to ensure every child has a school place. *We want to listen to everything you say, much rather work alongside. Reiterated reasons for expansion</p> | <p>RL *MT</p> |
| <p>Only dissent is heard. If in April pupils can't be placed does taking an additional 30 make us permanent 3 form entry?</p> | <p>No</p> | <p>RL</p> |
| <p>Could expansion be forced on us even if object?</p> | <p>It will go to cabinet at least twice for deliberation.</p> | <p>RL</p> |
| <p>Would 3 forms be enough? Not fair on the children affected by lack of strategy</p> | <p>Can't say 3 forms would be enough to meet all future growth in demand, as the population may change again. * Babies are counted, 4-5 yrs hence are able to plan for school places but not before they're born. Migration is the problem, 500 extra spaces needed [across the City], not all information is available to movement of families in and out of area. Forecasting next year and year after is not an exact science</p> | <p>RL *MT</p> |
| <p>Expansion would be an opportunity to create better teaching areas, a foreign language lab etc</p> | <p>Next to no chance of a language lab but larger schools have a greater opportunity to attract specialist teachers.</p> | <p>RL</p> |

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**Windmill Primary School, Headington
Transportation and Highways Comments**



Location: Margaret Road, Headington

Proposal: School expansion to accommodate increased pupil numbers

Transportation and Highways Comments

A site visit has been carried out.

Windmill Primary School is situated on Margaret Road in the residential area of Headington, Oxford. Margaret Road is traffic-calmed with a system of road humps. There is a Controlled Parking Zone (CPZ) in the vicinity of the School. The CPZ allows parking during School drop-off and pick-up but not long-term parking.

The proposal is to expand the School with an increase in pupil numbers and associated increase in staff and Gross Floor Area. This increase will be over a 3 – 5 year period.

This proposal is likely to increase the level of traffic and parking pressure during School drop-off and pick-up on the surrounding local roads. There is a School Travel Plan which seeks to reduce this impact.

A Transport Statement will be required to identify the impacts of the proposal on the local road network. The scope of the Transport Statement will need to be approved by the Local Highway Authority (LHA) to determine the necessary requirements.

An up-to date School Travel Plan should be produced to include up-to date pupil and staff travel survey data, a measurable set of targets, based on the survey data and an action plan to outline how the targets are going to be achieved. Oxfordshire County Council's Travel Choice's Team would be able to work with and assist the School Travel Plan Co-ordinator to update the plan.

I would note from the latest School Travel Survey where the existing catchment area of the School is predominantly Headington and Wood Farm and the vast majority of pupils live in the immediate vicinity of the School that walking and also cycling are important.

This Transport Statement and Travel Plan should consider:

- The requirements for on-site car parking provision to cater for the proposal. This is necessary where on-street parking in the surrounding area is restricted throughout the School day. The level of on-site car parking provision will need to be justified;
- On-site disabled car parking provision in accordance with the requirements of 'Inclusive Mobility';
- An appropriate car park layout to ensure access for deliveries, servicing and emergency vehicles;
- Vehicular access arrangements to parking areas and a system to restrict vehicular access to the School premises for drop-off and pick-up of pupils. This is to encourage non-car trips and in the interests of highway and pedestrian safety;

- Improvements to encourage walking including improved segregation of internal pedestrian routes from vehicular access routes and parking areas, pedestrian routes which are secure, step-free and lit and improved waiting areas for parents/guardians;
- A pedestrian infrastructure audit in the surrounding area to ensure that walking routes for pedestrians are acceptable;
- Cycle parking provision which will need to be covered, secure and accessible and facilities to encourage cycling and cater for the proposed increase in pupil and staff numbers; and
- Opportunities for cycle lanes and other safety measures to encourage pupils to cycle should be explored, where it was observed from site that cycle parking was under-utilised and the latest School Travel Survey noted that a number of pupils wanted to cycle but did not.

Proposals for the School should also include:

A Drainage Strategy for review by the LHA where the proposal is likely to include an increase in the permeable area. Surfacing for vehicular access and parking areas will need to be permeable paving and constructed to be Sustainable Drainage Systems (SUDS) compliant. This is to avoid localised highway flooding.

A Construction Traffic Management Plan (CTMP) to be submitted for review and approval by the LHA prior to any demolition and construction works being carried out at the School. This is in the interests of highway and pedestrian safety where the School is located in a residential area. Works are not to be undertaken until the CTMP has been agreed as acceptable by the LHA and should be undertaken outside of the School term.

Signed: Andrew Cooper
For Oxfordshire County Council as Local Highway Authority
Officer Name: Andrew Cooper
Officer Title: Transport Planner

Division(s): North Hinksey & Wytham

CABINET – 27 NOVEMBER 2012

FINAL REPORT ON RESPONSE TO STATUTORY NOTICE TO EXPAND BOTLEY SCHOOL, OXFORD

Report by Director for Children's Services

Introduction

1. At the meeting on 18th September 2012 Cabinet agreed to proceed to publish a Statutory Notice relating to the proposal to expand Botley School from 1.5 form entry to 2 form entry.
2. The Statutory Notice (Annex 1) was published by the Authority in the Oxford Mail on 2 October 2012 and expired following 4 weeks of formal consultation on 30 October 2012. In accordance with legislation the Notice was also posted at the school entrances and sent to the local library and main Oxford library for display. A copy of the full proposal (Annex 2) and the Notice were sent to the governing body and the Secretary of State and additionally made available on the Oxfordshire County Council website. Local childminders, nurseries, primary schools and other childcare providers were contacted by email, attaching the Notice and sending a link to the website. Local councillors were sent a copy of the Notice.
3. The decision-making power in terms of determining the Notice lies with the Cabinet or can be delegated to the Cabinet Member for Education (if there have been no objections). In meeting as 'decision-maker' the Cabinet or Cabinet Member must have regard to government guidance and statutory timescales otherwise a decision can be referred to the independent Schools' Adjudicator for reconsideration. The Cabinet decision must be made within 2 months of the close of the notice period; as a consequence, it is necessary for the Chairman of the Council to determine that the decision cannot be subject to 'call-in' as this would, in most cases, prevent a decision being finalised within the required timescale and mean that the Cabinet's role would be negated by referral to the Schools' Adjudicator.
4. As objections in relation to the proposal have been received the decision is referred to the Cabinet. The proposed implementation date for the proposal is 1 September 2014. If the proposal is approved, the school will admit 60 pupils in September 2013 by local agreement with the county council.

The Proposal

5. The Education Act 1996 (Section 14) places a statutory duty on local authorities to secure sufficient school places in their area. To allow for fluctuation in demand, in-year movement and effective operation of parental preference, it is judged that 8% spare places are required across an urban area.
6. The proposal is to increase the formal published admission number from 45 to 60 on a permanent basis at Botley School from September 2014 (an admission number of 45 has already been published for 2013). This will eventually increase the school's total capacity from its current 315 places in Years F1- Y6 to a maximum of 420.
7. The school has been allocated places over its admission number for the last few years, which has been crucial in terms of the county council meeting its duty to provide sufficient pupil places. Demand for pupil places across Oxfordshire generally has risen in recent years.
8. The proposal to expand Botley School is related to current and future housing developments planned by the Vale of the White Horse District Council, which are within the school's catchment area. These will generate more pupils for the school. If the proposal is not approved, some of these children may need to go to school further away from their homes and potentially be transported there at the expense of the county council.
9. The latest figures, and forecast for primary pupil numbers in the Cumnor partnership is as follows:

| Year | R | 1 | 2 | 3 | 4 | 5 | 6 | Total |
|---------|-----|-----|-----|-----|-----|-----|-----|-------|
| 2011-12 | 203 | 218 | 183 | 205 | 180 | 179 | 168 | 1336 |
| 2012-13 | 235 | 200 | 215 | 177 | 207 | 190 | 180 | 1403 |
| 2013-14 | 237 | 233 | 198 | 211 | 178 | 213 | 192 | 1463 |
| 2014-15 | 239 | 238 | 233 | 197 | 215 | 187 | 217 | 1526 |
| 2015-16 | 244 | 236 | 235 | 229 | 198 | 220 | 187 | 1549 |
| 2016-17 | 242 | 241 | 233 | 230 | 229 | 203 | 220 | 1597 |

10. Along with an increase in pupil numbers, the school will require additional classrooms and other accommodation in line with regulations and guidance. The county council is carrying out a feasibility study, which is well underway to investigate how these can best be provided to bring the school up to standard for a modern 2 form entry primary school.

Representations

11. The formal representation (Statutory Notice) phase was from 2nd October 2012 – 30th October 2012.
12. 9 representations were received in response to the Statutory Notice. 4 were in favour of the proposal in principle, including one from the Headteacher at a partnership primary school and one from Botley School's Senior Leadership Team, although they also wished to raise some concerns.
13. 5 representations were received objecting to the proposal. The concerns raised were:
 - Concern about increased traffic to the site.
 - Concern that the additional children attending the school would not live locally.
 - Concern about sufficient new facilities being provided for the increased number of pupils, and that they should be permanent not temporary.
 - Suggestion that another school in the Cumnor area be expanded instead
 - Concern that no information relating to building design was available.
14. During the initial consultation, there were concerns raised regarding traffic and whether the additional pupils would live locally or not, also about sufficient additional accommodation being provided. These concerns were considered by the Cabinet at its meeting in September 2012. Councillor Janet Godden, speaking as a local Councillor referred to the problem of taxied children and Councillor Melinda Tilley, Cabinet Member for Education, replied that she was investigating and hoped to resolve the problem. Cabinet was of the opinion that these concerns should not be a barrier to proceeding to publish a Notice. See Annex 1 for officer comments in response to the concerns raised.
15. Most schools in the immediate vicinity of Botley School have already admitted additional pupils including West Oxford Primary School, St Swithun's CE Primary School and Appleton CE (VA) Primary School. Cumnor CE School was assessed for expansion, but the site proved unsuitable.
16. The feasibility study looking at how the required additional accommodation might be provided is nearing completion but not yet finalised. For this reason plans have not been available to parents to comment on. However, this Notice is part of the process to consult on the *principle* of whether the school should expand, not the design of future buildings. Building plans can be commented on by the general public through the Planning process in the usual way. In the Cabinet meeting in September 2012 Councillor Godden supported the proposed expansion, commended the school for the way it had coped with the influx of young people so far and urged the provision of permanent buildings rather than temporary ones. Cabinet, in agreeing the recommendation, indicated that their expectation was for the provision of permanent buildings should the expansion go ahead, and that it would expect to be updated if following assessment of all the options a temporary solution was proposed.

17. Following subsequent publication of the Statutory Notice and the close of the formal four week representation stage, objections have been raised. Therefore, the decision on whether to implement the proposal is referred to the Cabinet.

Legal background

18. School expansions are subject to statutory procedures, as established by The Education and Inspections Act 2006 (EIA 2006) and The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended). Local authorities also have a duty to have regard to statutory guidance, in this particular case 'Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form', ("the Guidance"). When reaching a decision, Cabinet or Member must have regard to The Guidance. Cabinet / Member is referred in particular to pages 19 to 40 of The Guidance.
19. In terms of reaching a decision all proposals should be considered on their merits but the following factors should be borne in mind but are not considered to be exhaustive. The Decision Maker should consider the views of all those affected by the proposals. The Cabinet Member, as Decision Maker, must be satisfied that the statutory consultation has been carried out prior to the publication of the notice. Details of the consultation should be included in the proposals. The Decision Maker must be satisfied that the consultation meets statutory requirements. If the requirements have not been met, the Decision Maker may judge the proposals to be invalid and should consider whether they can make a decision on the proposals. Alternatively the Decision Maker may take into account the sufficiency and quality of the consultation as part of their overall judgement of the proposals as a whole.
20. **The effect on standards, school improvement and diversity.** The government aims to create a dynamic system shaped by parents that delivers excellence and equality, closing weak schools, encouraging new providers and popular schools to expand. Decision Makers should be satisfied that the proposals will contribute to raising local standards of provision and improved attainment and consider the impact on choice and diversity. They should pay particular attention to the effect on groups that tend to under-perform including children from certain ethnic minorities and deprived backgrounds. The decision-maker should consider how the proposals will help deliver the 'Every Child Matters' principles.
21. **School characteristics.** The Decision Maker should consider whether there are any sex, race or disability discrimination issues that arise and whether there is supporting evidence to support the extension and take into account the existence of capacity elsewhere. The Decision Maker needs to consider the accessibility of the provision for disadvantaged groups as the provision should not unduly extend journey times or cost.
22. **Need for places.** The Decision Maker should consider whether there is a need for the expansion and should consider the evidence presented for the

expansion. There is a strong presumption that proposals to expand popular and successful schools should be approved. If surplus capacity exists in neighbouring schools the Decision Maker should ask how it is planned to tackle any consequences for other schools.

23. **Funding and land.** The Decision Maker should be satisfied that any land, premises and capital required to implement the proposals will be available.

Financial and Staff Implications

24. The financial implications of this report are linked to the capital works that will be carried out should the proposal be approved. As part of the Service & Resource Planning process the county council will consider these capital resource implications in the context of agreeing the Basic Need Programme 2013/14 to 2016/17. In accordance with the Capital Governance requirements the detailed design solution will be subject a Full Business Case / Project Approval in due course.
25. Developer contributions towards this expansion will be sought from the future new housing development and any other relevant future developments in the area.
26. There will be on-costs to the school for additional staff and for increased maintenance requirements. The day to day revenue costs for repair and maintenance and staffing costs must be met through the schools delegated budget as part of the Council's Fair Funding arrangements, which will be updated to meet revised government requirements from April 2013. Additional pupils will be reflected in an adjustment in the school's funding formula which applies numbers of pupils on roll and their characteristics.
27. Resources for School Budget Shares are provided by government through the Dedicated Schools Grant, which will increase proportionately to increases in overall pupil numbers in Oxfordshire.

Equality and Inclusion Implications

28. The Equality Impact Assessment of Oxfordshire's Pupil Place Plan (June 2011) identified that increasing school places at the heart of their communities has a positive impact on equalities through promoting social inclusion and minimising barriers to accessing education.

Decision

29. In considering the proposals for a school expansion, the Decision Maker can decide to:
- Reject the proposals;

- Approve the proposals;
- Approve the proposals with a modification (e.g. the implementation date); or
- Approve the proposals subject to them meeting a specific condition (see the Guidance).

RECOMMENDATION

- 30. The Cabinet is RECOMMENDED to approve the permanent expansion of Botley School with effect from 1 September 2014.**

JIM LEIVERS
Director for Children's Services

Background document: Cabinet report 18 September 2012

Annexes: Annex 1: Statutory notice
Annex 2: Full statutory proposal

Contact Officer: Diane Cameron, School Organisation Officer,
School Organisation & Planning, 01865 816445.

November 2012



Statutory Notice: Proposal to Expand Botley School, Oxford

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 that Oxfordshire County Council intends to make a prescribed alteration to Botley School (Community), Elms Road, Oxford, OX2 9JZ from 01 September 2013.

The proposal is to expand Botley School to become 2 form entry with an admission number of 60 on a permanent basis.

The current capacity of the school is 300 and the proposed capacity will be 420. The current number of pupils registered at the school is 303. The current admission number for the school is 45 and the proposed admission number will be 60.

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained by emailing:

statBotley2012-manager@myconsultations.oxfordshire.gov.uk or by calling 01865 816445. Alternatively you may write to Diane Cameron, School Organisation & Planning, Oxfordshire County Council, County Hall, FREEPOST.

Within four weeks from the date of publication of these proposals, any person may object to or make comments on the proposal by sending them via email to: **statBotley2012-manager@myconsultations.oxfordshire.gov.uk** or in writing to Diane Cameron, School Organisation & Planning, Oxfordshire County Council, County Hall, FREEPOST. Alternatively you may respond using the online questionnaire at <http://myconsultations.oxfordshire.gov.uk>

Signed: Jim Leivers, Director of Children's Services

Publication Date: 2nd October 2012

Explanatory Notes

By local agreement, 60 places were offered at Botley School for pupils starting F1 (Reception) in September 2012. The official admission number remains 45. This proposal seeks to set the admission number at 60 on a permanent basis.

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PROPOSALS FOR PRESCRIBED ALTERATIONS OTHER THAN FOUNDATION PROPOSALS: Information to be included in a complete proposal

Extract of Part 1 of Schedule 3 and Part 1 of Schedule 5 to The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended):

In respect of a Governing Body Proposal: School and governing body's details

1. The name, address and category of the school for which the governing body are publishing the proposals.

n/a

In respect of an LEA Proposal: School and local education authority details

1. The name, address and category of the school .

Botley School, Elms Road, Oxford, OX2 9JZ (Community)

Implementation and any proposed stages for implementation

2. The date on which the proposals are planned to be implemented, and if they are to be implemented in stages, a description of what is planned for each stage, and the number of stages intended and the dates of each stage.

1st September 2014 (admission number for September 2013 already set)

Objections and comments

3. A statement explaining the procedure for making representations, including

- (a) the date prescribed in accordance with paragraph 29 of Schedule 3 (GB proposals)/Schedule 5 (LA proposals) of The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), by which objections or comments should be sent to the local education authority; and

- (b) the address of the authority to which objections or comments should be sent.

| |
|--|
| a) Send comments or objections to arrive by 30 th October 2012 |
| b) Respond using the online questionnaire at http://myconsultations.oxfordshire.gov.uk or by emailing statBotley2012-manager@myconsultations.oxfordshire.gov.uk or in writing to Diane Cameron, School Organisation & Planning, Oxfordshire County Council, County Hall FREEPOST. |

Alteration description

4. A description of the proposed alteration and in the case of special school proposals, a description of the current special needs provision.

The proposal is to set the Botley School admission number at 60 on a permanent basis from September 2014, to make the school 2 form entry.

School capacity

5.—(1) Where the alteration is an alteration falling within any of paragraphs 1 to 4, 8, 9 and 12-14 of Schedule 2 (GB proposals)/paragraphs 1-4, 7, 8, 18, 19 and 21 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), the proposals must also include —

- (a) details of the current capacity of the school and, where the proposals will alter the capacity of the school, the proposed capacity of the school after the alteration;

Current Net Capacity is 300 (F1 – Year 6). The proposed Net Capacity will be 420.

- (b) details of the current number of pupils admitted to the school in each relevant age group, and where this number is to change, the proposed number of pupils to be admitted in each relevant age group in the first school year in which the proposals will have been implemented;

60 pupils were admitted in September 2012, by agreement at the request of the Local Authority. This temporary arrangement is also agreed for 2013

admission but if the arrangement is not made permanent, the admission number would revert to the previous 45 for September 2014. If this proposal is implemented the admission number will be kept at 60 on a permanent basis.

- (c) where it is intended that proposals should be implemented in stages, the number of pupils to be admitted to the school in the first school year in which each stage will have been implemented;

n/a

- (d) where the number of pupils in any relevant age group is lower than the indicated admission number for that relevant age group a statement to this effect and details of the indicated admission number in question.

n/a

(2) Where the alteration is an alteration falling within any of paragraphs 1, 2, 9, 12 and 13 of Schedule 2 (GB proposals) /paragraphs 1, 2, 8, 18 and 19 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), a statement of the number of pupils at the school at the time of the publication of the proposals.

There are 303 pupils on roll at the time of writing.

Implementation

6. Where the proposals relate to a foundation or voluntary controlled school a statement as to whether the proposals are to be implemented by the local education authority or by the governing body, and, if the proposals are to be implemented by both, a statement as to the extent to which they are to be implemented by each body.

n/a

Additional Site

7.—(1) A statement as to whether any new or additional site will be required if proposals are implemented and if so the location of the site if the school is to occupy a split site.

n/a

(2) Where proposals relate to a foundation or voluntary school a statement as to who will provide any additional site required, together with details of the tenure (freehold or leasehold) on which the site of the school will be held, and if the site is to be held on a lease, details of the proposed lease.

n/a

Changes in boarding arrangements

8.—(1) Where the proposals are for the introduction or removal of boarding provision, or the alteration of existing boarding provision such as is mentioned in paragraph 8 or 21 of Schedule 2 (GB proposals)/7 or 14 of Schedule 4 to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended) —

- (a) the number of pupils for whom it is intended that boarding provision will be made if the proposals are approved;

n/a

- (b) the arrangements for safeguarding the welfare of children at the school;

n/a

- (c) the current number of pupils for whom boarding provision can be made and a description of the boarding provision; and

n/a

- (d) except where the proposals are to introduce boarding provision, a description of the existing boarding provision.

n/a

(2) Where the proposals are for the removal of boarding provisions or an alteration to reduce boarding provision such as is mentioned in paragraph 8 or 21 of Schedule 2 (GB proposals)/7 or 14 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended) —

- (a) the number of pupils for whom boarding provision will be removed if the proposals are approved; and

n/a

- (b) a statement as to the use to which the former boarding accommodation will be put if the proposals are approved.

n/a

Transfer to new site

9. Where the proposals are to transfer a school to a new site the following information—

- (a) the location of the proposed site (including details of whether the school is to occupy a single or split site), and including where appropriate the postal address;

n/a

- (b) the distance between the proposed and current site;

n/a

(c) the reason for the choice of proposed site;

n/a

(d) the accessibility of the proposed site or sites;

n/a

(e) the proposed arrangements for transport of pupils to the school on its new site; and

n/a

(f) a statement about other sustainable transport alternatives where pupils are not using transport provided, and how car use in the school area will be discouraged.

n/a

Objectives

10. The objectives of the proposals.

The objective of the proposal is to expand Botley School to become a 2 form entry school in order to provide sufficient pupil places in the area.

Consultation

11. Evidence of the consultation before the proposals were published including—

- (a) a list of persons who were consulted;
- (b) minutes of all public consultation meetings;
- (c) the views of the persons consulted;

- (d) a statement to the effect that all applicable statutory requirements in relation to the proposals to consult were complied with; and
- (e) copies of all consultation documents and a statement on how these documents were made available.

- a) Persons consulted: the governing body and staff of Botley School, all Partnership primary schools, parents / guardians of Botley School pupils, MP, relevant District and County Councillors, trade union representatives, Church of England and Catholic Dioceses, members of the School Organisation Stakeholder Group.
- b) An open meeting was held at Botley School on 4th July for parents and other interested parties. A Local Authority officer attended to answer concerns. These were:
- Concern regarding children currently arriving at the school by taxi.
 - Discussion around the scale of proposed housing developments in the catchment area, how this will affect the school and other Oxford schools.
 - Discussion around whether if Botley School were an Academy, the growth could still be “insisted” upon.
 - Queries around the nature of the building works to the school being proposed.
 - Queries about the statutory process and decision-making on the proposal.
 - Discussion around the benefits to class organisation of being 2 form entry, and the financial benefits to the school

The LA officer responded in agreement that it is a far from ideal situation to taxi children from other areas to Botley School, but that this was the nearest school with places available to the children’s homes and was therefore the best available option to meet the LA’s statutory duty to provide school places. Without expansion of Botley School, children moving into the new housing in the area in the future would face a similar situation, as there is unlikely to be sufficient places at the school for them and they would need to be transported elsewhere to receive their education. It is hoped that expansion of other schools in Oxford will mitigate this very real issue of children being brought to Botley by taxi.

Over 500 new homes have been or are expected to be approved by the Vale of White Horse District Council in the vicinity of Botley School. Without expansion of the school, the children living in these new homes will not be able to be accommodated at the school. As the new homes come “on stream”, more and more pupils at Botley School will live within the catchment area and the expectation is that travel to the school from out of catchment children will reduce.

It is expected that academies would choose to expand in order to

meet the needs of its local population. While the Local Authority would not have the power to insist on an academy expanding, it could ask for the Secretary of State to intervene.

c) 17 responses were received: 10 respondents supported the proposal in principal, while 6 respondents were opposed to the proposal in principal and raised concerns. One respondent was neutral. The reasons given for supporting the proposal were:

- Need for additional school places for children living in the local area, particularly in view of proposed housing.
- Belief that a growing school has a positive image in its community and is more attractive to local families.
- Belief that the proposed new building works will enhance the current school building and provide purpose-built spaces for learning.
- More children bring extra funding into the school, enabling it to invest in its pupils.
- Ability to teach without mixed-age classes.

The following concerns were raised by respondents:

- Concern that children from outside the designated area for Botley School are being allocated places at the school due to lack of places elsewhere, and that parents living some distance from the school cannot develop a good relationship with school staff, as their children arrive by taxi. Also concern that when places become available nearer to these children's homes, they leave Botley School causing disruption to class organisation and other pupils. Concern about the amount of taxi travel to Botley School with detrimental effect on traffic in the area and outside the school. Concern over the effect on very young children of travelling without a carer to school by taxi and subsequent impact on being ready to learn.
- d) All applicable statutory requirements in relation to the proposals to consult were complied with.
- e) The consultation document is available to view online at <http://myconsultations.oxfordshire.gov.uk> , where it was available to public view during the consultation. Copies of it were sent to every parent of a child at Botley School and to local libraries and early years' providers. Emails directing interested parties to the website to see the consultation document were sent out to the parties listed as consulted above. Copies of the leaflet were given to local County Councillors and sent to the local Early Intervention Hub.

Project costs

12. A statement of the estimated total capital cost of the proposals and the breakdown of the costs that are to be met by the governing body, the local education authority, and any other party.

The LA awaits confirmed projected capital costs associated with the proposed expansion of Botley School. A feasibility study is currently underway to investigate options for expansion and make recommendations. The solution decided upon will be the subject of formal Project Approval at a later date, in accordance with the Council's capital governance requirements. Resources to assist with demographic issues on school places have already been identified from contributions secured by the County Council to meet the infrastructure needs arising from local housing developments (S106 contributions). There will also be on-costs for the school for additional staff and increased maintenance requirements.

13. A copy of confirmation from the Secretary of State, local education authority and the Learning and Skills Council for England (as the case may be) that funds will be made available (including costs to cover any necessary site purchase).

Resources to assist with demographic issues on school places have already been identified from contributions secured by the County Council to meet the infrastructure needs arising from local housing developments (S106 contributions). Once the preferred solution, costs and phasing options have been identified and agreed, funding will be sought from within the County Council's Capital Programme 2011/12 onwards.

Age range

14. Where the proposals relate to a change in age range, the current age range for the school.

n/a

Early years provision

15. Where the proposals are to alter the lower age limit of a mainstream school so that it provides for pupils aged between 2 and 5—

- (a) details of the early years provision, including the number of full-time and part-time pupils, the number and length of sessions in each week, and the services for disabled children that will be offered;

n/a

- (b) how the school will integrate the early years provision with childcare services and how the proposals are consistent with the integration of early years provision for childcare;

n/a

- (c) evidence of parental demand for additional provision of early years provision;

n/a

- (d) assessment of capacity, quality and sustainability of provision in schools and in establishments other than schools who deliver the Early Years Foundation Stage within 3 miles of the school; and

n/a

- (e) reasons why such schools and establishments who have spare capacity cannot make provision for any forecast increase in the number of such provision.

n/a

Changes to sixth form provision

- 16.** (a) Where the proposals are to alter the upper age limit of the school so that the school provides sixth form education or additional sixth form education, a statement of how the proposals will—

- (i) improve the educational or training achievements;
- (ii) increase participation in education or training; and
- (iii) expand the range of educational or training opportunities for 16-19 year olds in the area;

n/a

- (b) A statement as to how the new places will fit within the 16-19 organisation in an area;

n/a

- (c) Evidence —

- (i) of the local collaboration in drawing up the proposals; and
- (ii) that the proposals are likely to lead to higher standards and better progression at the school;

n/a

- (d) The proposed number of sixth form places to be provided.

n/a

17. Where the proposals are to alter the upper age limit of the school so that the school ceases to provide sixth form education, a statement of the effect on the supply of 16-19 places in the area.

n/a

Special educational needs

18. Where the proposals are to establish or change provision for special educational needs—

- (a) a description of the proposed types of learning difficulties in respect of which education will be provided and, where provision for special educational needs already exists, the current type of provision;

n/a

- (b) any additional specialist features will be provided;

n/a

- (c) the proposed numbers of pupils for which the provision is to be made;

n/a

- (d) details of how the provision will be funded;

n/a

- (e) a statement as to whether the education will be provided for children with special educational needs who are not registered pupils at the school to which the proposals relate;

n/a

- (f) a statement as to whether the expenses of the provision will be met from the school's delegated budget;

n/a

- (g) the location of the provision if it is not to be established on the existing site of the school;

n/a

- (h) where the provision will replace existing educational provision for children with special educational needs, a statement as to how the local education authority believes that the new provision is likely to lead to improvement in the standard, quality and range of the educational provision for such children; and

n/a

- (i) the number of places reserved for children with special educational needs, and where this number is to change, the proposed number of such places.

n/a

19. Where the proposals are to discontinue provision for special educational needs—

- (a) details of alternative provision for pupils for whom the provision is currently made;

n/a

- (b) details of the number of pupils for whom provision is made that is recognised by the local education authority as reserved for children with special educational needs during each of the 4 school years preceding the current school year;

n/a

- (c) details of provision made outside the area of the local education authority for pupils whose needs will not be able to be met in the area of the authority as a result of the discontinuance of the provision; and

n/a

- (d) a statement as to how the proposer believes that the proposals are likely to lead to improvement in the standard, quality and range of the educational provision for such children.

n/a

20. Where the proposals will lead to alternative provision for children with special educational needs, as a result of the establishment, alteration or discontinuance of existing provision, the specific educational benefits that will flow from the proposals in terms of—

- (a) improved access to education and associated services including the curriculum, wider school activities, facilities and equipment with reference to the local education authority's Accessibility Strategy;
- (b) improved access to specialist staff, both educational and other professionals, including any external support and outreach services;
- (c) improved access to suitable accommodation; and
- (d) improved supply of suitable places.

n/a

Sex of pupils

21. Where the proposals are to make an alteration to provide that a school which was an establishment which admitted pupils of one sex only becomes an establishment which admits pupils of both sexes—

- (a) details of the likely effect which the alteration will have on the balance of the provision of single sex-education in the area;

n/a

- (b) evidence of local demand for single-sex education; and

n/a

- (c) details of any transitional period which the body making the proposals wishes specified in a transitional exemption order (within the meaning of section 27 of the Sex Discrimination Act 1975).

n/a

22. Where the proposals are to make an alteration to a school to provide that a school which was an establishment which admitted pupils of both sexes becomes an establishment which admits pupils of one sex only—

- (a) details of the likely effect which the alteration will have on the balance of the provision of single-sex education in the area; and

n/a

- (b) evidence of local demand for single-sex education.

n/a

Extended services

23. If the proposed alterations affect the provision of the school's extended services, details of the current extended services the school is offering and details of any proposed change as a result of the alterations.

n/a

Need or demand for additional places

24. If the proposals involve adding places—

- (a) a statement and supporting evidence of the need or demand for the particular places in the area;

The proposal to expand Botley School is one part of the County Council's

strategy to meet the need for primary school places in Oxford. The number of 4-year-olds needing school places has risen over the last few years, and is forecast to continue rising until at least 2018. This has led to increasing pressure on primary school places across Oxford.

To meet this demand, hundreds of additional pupil places have been created across Oxford.

Over 500 new homes have been or are expected to be approved by the Vale of White Horse District Council in the vicinity of Botley School. Without expansion of the school, the children living in these new homes will not be able to be accommodated at the school.

- (b) where the school has a religious character, a statement and supporting evidence of the demand in the area for education in accordance with the tenets of the religion or religious denomination;

n/a

- (c) where the school adheres to a particular philosophy, evidence of the demand for education in accordance with the philosophy in question and any associated change to the admission arrangements for the school.

n/a

25. If the proposals involve removing places—

- (a) a statement and supporting evidence of the reasons for the removal, including an assessment of the impact on parental choice; and

n/a

- (b) a statement on the local capacity to accommodate displaced pupils.

n/a

Expansion of successful and popular schools

25A. (1) Proposals must include a statement of whether the proposer considers that the presumption for the expansion of successful and popular schools should apply, and where the governing body consider the presumption applies, evidence to support this.

(2) Sub-paragraph (1) applies to expansion proposals in respect of primary and secondary schools, (except for grammar schools), i.e. falling within:

(a) (for proposals published by the governing body) paragraph 1 of Part 1 to Schedule 2 or paragraph 12 of Part 2 to Schedule 2;

(b) (for proposals published by the LA) paragraph 1 of Part 1 to Schedule 4 or 18 of Part 4 to Schedule 4

of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended).

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| The presumption for the expansion of successful and popular schools does not apply in this case. |
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Division(s): Bicester South

CABINET – 27 NOVEMBER 2012

PROPOSAL TO EXPAND FIVE ACRES PRIMARY SCHOOL, AMBROSDEN

Report by Director for Children's Services

Introduction

1. Five Acres Primary School is located in Ambrosden village near Bicester. Approximately half the children on roll are from Service families posted to the Army base nearby, and who form a significant section of the local community.
2. The school's published admission number was until recently 30. However the school has admitted over this number for the last few years in agreement with the Local Authority, to meet growth in demand for pupil places and fluctuations as a result of troop movement. For September 2012 the Admission Number rose to 45, which more accurately reflects the actual intake of pupils into the Reception (F1) class each year. However demand for pupil places increased still further due to small-scale housing development in the area and troop movements, and Five Acres agreed at the request of the Authority to admit up to 60 pupils in September 2012.
3. Cherwell District Council has included Ambrosden in its list of villages in which it expects to approve housing under their Local Plan. This would further increase demand for places at the school. Significant additional housing is already being built in Bicester and more is planned, and schools in this partnership are expected to operate at or near capacity because of this. There has been some small scale housing development in the Ambrosden area and a planning application by the MoD to develop land at Graven Hill, near Ambrosden, means that additional class space might also be required to meet demand from the first phases of this housing development, which would be built ahead of a new primary school.
4. Five Acres Primary School is a school for 4-11 year olds. The Five Acres Nursery School is already federated with the school and is run by the same governing body and Headteacher. A public consultation will commence in December 2012 relating to a proposal for the school to alter its lower age limit to effectively "take over" the nursery provision as part of the school. 55 out of the 60 available places in F1 (Reception) were initially allocated for September 2012. Due to the nature of the local community being partly composed of Service families, the numbers on roll at this school fluctuate, sometimes with little notice.

5. There are five statutory stages for a proposal to expand a school:

- i. Consultation;
- ii. publication of a statutory notice;
- iii. representation;
- iv. decision;
- v. implementation.

This proposal has completed the first consultation stage, and a decision is now sought as to whether to proceed to publication of a statutory notice and representation.

The Proposal

6. The proposal is to increase the formal published admission number from 45 to 60 children, on a permanent basis from September 2014 (the admission number for 2013 is already published at 45 but if this proposal is approved the school will admit 60). This would bring the number of children on roll at the school up to a maximum of 420 children in F1 to Year 6.
7. To accommodate this growth in pupil numbers, there will be some extension of the school's buildings, and a feasibility study is underway as to how this can best be provided.

Representations

8. During the Stage 1 consultation phase (10th September 2012 – 22nd October 2012) an informal drop-in session was held at the school for parents to raise any queries about the proposal with a county council officer. A consultation leaflet (Annex 1) was sent to parents of children at Five Acres Primary School, as well as to local councillors, Bicester Town Council, partnership schools and early years providers in the area, libraries and other stakeholders; it was also available on the OCC public website, together with full details of the various ways of responding. A link was also set up on the school's website to the consultation.
9. Nine responses to the consultation were received. Seven respondents supported the proposal in principle. One opposed the proposal in principle, while one expressed no opinion in principle but raised a concern.
10. The reasons given for supporting the proposal were:
 - Need for additional pupil places in Ambrosden area, to prevent local children having to travel elsewhere.
 - This is a good school, and more children should have the opportunity to be taught there.

11. The concerns raised by respondents were:
- That troop movements mean fluctuating numbers of pupils and so the expansion may not be needed.
 - That there may be an increase in traffic around the school, or parking issues.
 - That being a larger school will affect the ethos of the school.

Officer comment: As detailed above, the Authority and school are aware of the fluctuating nature of pupil numbers at Five Acres Primary. However, the view is that other factors such as housing in the area and the increased popularity of the school with parents due to an Ofsted rating of "Good" outweigh this consideration. Additionally, it is council policy to retain a level of surplus places in primary schools in order to cope with just such fluctuations.

Any building scheme approved at the school would be subject to the usual Planning regulations, which includes scrutiny by Transportation & Highways for traffic issues. The county council's policy is to encourage walking and cycling to school and this is supported strongly by Five Acres' Headteacher, who has stated that an already firm policy of pedestrian and traffic management will be continually monitored and if necessary, adapted, to ensure any increase in traffic does not adversely affect the school. As the vast majority of pupils attending the school live close by in Ambrosden the expectation from both school and county council is that they will not require a car to get to school. No additional parking facilities will be provided for parents' use.

The proposal is for the admission number at Five Acres to increase to 60 permanently, making Five Acres a 2 form entry school. There are good examples of 2fe schools in Oxfordshire reporting an excellent "community feel" and the Headteacher at Five Acres has been supportive of the proposal to grow, expressing no concern over ethos or educational standards. The proposal for growth of the school is linked to it serving the growing community it is situated in: the majority of children attending live in Ambrosden.

12. At the drop-in session held at the school for parents, the following additional points were discussed and responded to by the officer present and the Headteacher:
- Query as to the location and design of the new accommodation, should the proposal be approved.
 - Query with regard to school assemblies and lunch organisation when additional pupils were on roll.
 - Opinion expressed that more pupils attending the school is a positive thing, and that the teaching at the school is of high quality.
 - Query about whether additional parental car parking facilities would be planned.

13. With respect to accommodation, the feasibility study now in progress will identify how accommodation can be provided to meet the statutory requirements for a 2 form entry school. The Headteacher at the drop-in session assured the parents that the school would be capable of managing the necessary changes relating to assemblies and lunchtimes were the school to expand. As previously stated, there is no plan to increase car parking facilities at the school as a result of this proposal, and the view of the school is that parents should only drive to school when there is no other suitable option.
14. As objections in relation to the proposal have been raised, the decision on whether to proceed to publish a formal statutory proposal is referred to the Cabinet.

Making a Decision

15. Sections 18 to 24 of the Education & Inspections Act 2006 and The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended) ["the Prescribed Alterations Regulations"] establish the procedures that must be followed when enlarging school premises. Local authorities also have a duty to have regard to statutory guidance, in this particular case 'Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form: A Guide for Local Authorities and Governing Bodies ("the Guidance")'.
16. The Prescribed Alterations Regulations require proposers to consult interested parties and the Guidance lists these at paragraph 1.3. The Cabinet must be satisfied that the statutory consultation has been properly carried out prior to the publication of the notice. Annex 2 provides details of the County Council's consultation with interested parties that are required to be consulted with under the Prescribed Alterations Regulations. The period of consultation is not prescribed by legislation, although the Guidance recommends a minimum of 4 weeks. The consultation period was in line with the Guidance having run from 10th September 2012 – 22nd October 2012, thereby exceeding the four week minimum requirement. The consultation was therefore carried out in accordance with the Prescribed Alterations Regulations.
17. A decision is now required as to whether to publish formal proposals for this expansion. If approved, a statutory notice would be published, followed by a formal representation period of four weeks. The decision-making power in terms of determining the notice will lie with the Cabinet or the Cabinet Member for School Improvement, and a report will be put to Cabinet if representations are received, for a final decision in due course.

Equality and Inclusion Implications

18. Equality Impact Assessment of Oxfordshire's Pupil Place Plan (June 2011) identified that increasing school places at the heart of their communities has a positive impact on equalities through promoting social inclusion and minimising barriers to accessing education.

Financial and Staff Implications

19. The direct financial implication of this report is the cost of the statutory process recommended, which is planned for and met within the normal CE&F budget provision. There are no significant financial implications or risks at this stage. If the proposal proceeds, following statutory consultation there would be another report to Cabinet in due course seeking a final decision on whether to expand the school.
20. The financial implications of this report are linked to the capital works that will be carried out should the proposal be approved. Publication of a statutory proposal to expand the school requires confirmation from the county council that funds will be made available for the necessary capital costs. The Capital Investment Board (CIB) has approved funding for the initial feasibility work to establish the preferred option for meeting the additional accommodation needs. Resources for the capital works required for this expansion have been identified within the Capital programme 2011/12–2015/16 (existing demographic pupil provision – basic needs programme). In accordance with OCC Capital Governance requirements this will be the subject to a separate Stage 2 – Full Business Case/ Project Approval in due course
21. There will also be on-costs to the school for additional staff and for increased maintenance requirements. The day to day revenue costs for repair and maintenance and staffing costs must be met through the schools delegated budget as part of the Council's Fair Funding arrangements, which will be updated to meet revised government requirements from April 2013.
22. Resources for School Budget Shares are provided by government through the Dedicated Schools Grant, which will increase proportionately to increases in overall pupil numbers in Oxfordshire. Additional pupils will be reflected in an adjustment in the school's funding formula which applies numbers of pupils on roll and their characteristics.

RECOMMENDATION

The Cabinet is RECOMMENDED to approve the publication of a statutory notice for the expansion of Five Acres Primary School, Ambrosden.

Jim Leivers
Director for Children's Services

Contact Officer: Diane Cameron, School Organisation Officer,
01865 816445

November 2012

Annex 1 Consultation leaflet
Annex 2 List of interested parties consulted

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Consultation on the proposal to expand Five Acres Primary School, Ambrosden

10 September 2012 – 22 October 2012

**Produced by Oxfordshire County Council and the Governing Body of
Five Acres Primary School**

**Open Drop-In Session at Five Acres Primary School:
9am on 20th September 2012**

Your opportunity to discuss with Headteacher and Oxfordshire County Council staff

About Five Acres Primary School

Five Acres Primary School is a community school for children aged 4-11 in Ambrosden, near Bicester in the Cherwell district of Oxfordshire. Approximately half the children on roll are from Service families, who are posted to the Army base nearby and who form a significant section of the local community. The on-site Five Acres Nursery School is also governed by the school's governing body and run by the school's Headteacher.

The total number of children (January 2012 pupil census) is 283 (excluding the Nursery), as shown below:

| Year Group | Reception (F1) | 1 | 2 | 3 | 4 | 5 | 6 |
|--------------|----------------|----|----|----|----|----|----|
| Pupil Number | 55 | 45 | 56 | 47 | 32 | 24 | 24 |

Why are we consulting?

Five Acres Primary School's published admission number was until recently 30. However the school has admitted over this number for the last few years in agreement with the Local Authority, to meet growth in demand for pupil places and fluctuations as a result of troop movement. For September 2012 the Admission Number rose to 45, which more accurately reflects the actual intake of pupils into the Reception (F1) class each year. However demand for pupil places has increased still further due to small-scale housing development in the area and troop movements, and Five Acres agreed at the request of the Authority to admit up to 60 pupils in September 2012. Cherwell District Council has included Ambrosden in its list of villages in which it expects to approve housing under their Local Plan. This would further increase demand for places at the school.

The proposal is now to expand Five Acres Primary School to become a 2 form entry school with an Admission Number of 60 on a permanent basis. This would bring the number of children on roll at the school up to possibly 420 children (excluding the Nursery).

We think that this is a popular school at the heart of its community, which should expand to meet local demand. We want to know your views about whether you are happy to see the school grow.

What we want to do

We are planning to increase the school admission number from 45 to 60. Because the published admission number for 2013 has already been decided, the school's admission number can only now formally change from 2014. However, the school may admit 60 in 2013 in agreement with the Local Authority as a temporary measure.

The school had sufficient classroom accommodation to accept up to 60 Reception (F1) pupils in September 2012. If, following this consultation, it is decided to permanently change the admission number to 60, there will be a need for more classrooms to be built. A feasibility study has begun, which will look carefully at the school's site and buildings to see how classrooms could be provided.

Your views

Because of the increase in the proposed size of the school we need to make sure that the proposal is supported locally. The changes to the buildings will be subject to achieving Planning permission and the statutory planning process will be followed, offering a separate opportunity to comment.

This consultation is about the principle of increasing the number of children at the school. This is a two stage process:

Stage One:

Consultation with parents, local schools and others about a permanent change to the admission number to 60. That will take place until 22nd October 2012. You have until that date to respond (see details below).

This consultation is to help inform the plans. The final decision rests with the County Council. If, as a result of the consultation, they want to go ahead with the expansion, Stage Two will follow.

Stage Two:

The County Council will publish a *public notice* in the local paper and at the school. There will then be a *statutory notice period* of 4 weeks, during which you can send any formal objections to the proposal to the County Council. These will be considered by the County Council Cabinet before making a final decision. If you wish to object to the expansion, you must do so during the statutory notice period even if you have already responded to the consultation during Stage One. We currently expect the statutory notice period to be in January / February 2013.

The County Council Cabinet (if there have been objections) or the Cabinet Member for Schools Improvement (if there are no objections) will then make the final decision on this permanent change, and this is currently planned to be in March 2013.

How you can respond to this consultation

The information necessary for an informed response is contained in this consultation document, which is also available online at: <http://myconsultations.oxfordshire.gov.uk>

You can respond in one of four ways:

- complete the response form at the back of this document and send it to the address shown on the response form
- respond online at <http://myconsultations.oxfordshire.gov.uk> - go to the *Consultation portal*
- write a letter and send it to the address shown on the response form
- email your response to:
FiveAcres2012-manager@myconsultations.oxfordshire.gov.uk

Parents are asked to complete only one form, even if you have more than one child at the school. Please return your form as soon as possible, but by **22nd October 2012** at the latest.

**Consultation on the proposal for the expansion of Five Acres Primary School,
Ambrosden**

I/we wish to make the following comments:

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Signature

Name

Address (optional)

- Parent of a child at Five Acres Primary School
- Parent of a child at another school
- Parent of a child not yet at school
- Governor/staff at Five Acres Primary School
- Local resident
- Other (specify)

Tick all that apply

Please return by 22nd October 2012 to:

School Organisation and Planning

FREEPOST OXFORDSHIRE COUNTY COUNCIL

(No stamp required)

Alternative formats of this publication can be made available. These include other languages, large print, Braille, Easy Read, audiocassette, computer disc or email. Please telephone 01865 816454 or email SchoolOrgPlan@oxfordshire.gov.uk

Consultation with interested parties**ANNEX2**

The Prescribed Alterations Regulations require proposers to consult interested parties and the Guidance lists these at paragraph 1.3. This annex provides details of the County Council's consultation with interested parties that are required to be consulted with under the Prescribed Alterations Regulations.

| | |
|---|--|
| The governing body of any school which is the subject of proposals (if the LA are publishing proposals) | Consulted through distribution of consultation leaflets (10 th September 2012 – 22 nd October 2012). |
| The LA that maintains the school (if the governing body is publishing the proposals). | n/a |
| Families of pupils, teachers and other staff at the school. | Through distribution of consultation leaflets (to families via children) (10 th September 2012 – 22 nd October 2012), and invitation to meeting for parents of children at the school (20 th September 2012). |
| Any LA likely to be affected by the proposals, in particular neighbouring authorities where there may be significant cross-border movement of pupils. | The proposals are not judged to affect other local authorities. |
| The governing bodies, teachers and other staff of any other school that may be affected. | Other Oxfordshire schools consulted through online consultation (10 th September 2012 – 22 nd October 2012). Early years providers were sent consultation leaflets. |
| Families of any pupils at any other school that may be affected. | Consulted through online consultation (10 th September 2012 – 22 nd October 2012). |
| Any trade unions who represent staff at the school; and representatives of any trade union of any other staff at schools who may be affected by the proposals. | Consulted through online consultation (10 th September 2012 – 22 nd October 2012). |
| (If proposals involve, or are likely to affect a school which has a particular religious character) the appropriate diocesan authorities or the relevant faith group in relation to the school. | Oxford CE diocese and Birmingham and Portsmouth RC dioceses consulted through online consultation (10 th September 2012 – 22 nd October 2012). |
| The trustees of the school (if any). | n/a |
| (If the proposals affect the provision of full-time 14-19 education) the Learning and Skills Council | n/a |
| MPs whose constituencies include the schools that are the subject of the proposals or whose constituents are likely to be affected by the proposals. | Local MP sent a copy of the consultation leaflet. |

| | |
|--|---|
| <p>The local district or parish council where the school that is the subject of the proposals is situated.</p> | <p>Local district and county councillors consulted through distribution of consultation leaflets and online consultation.</p> |
| <p>Any other interested party, for example, the Early Years Development and Childcare Partnership (or any local partnership that exists in place of an EYDCP) where proposals affect early years provision, or those who benefit from a contractual arrangement giving them the use of the premises.</p> | <p>Members of the School Organisation Stakeholder Group consulted through online consultation and meetings.</p> |

Division(s): NA

CABINET - 27 NOVEMBER 2012

PROGRESS REPORT ON CHILDREN IN AND LEAVING CARE

Report by Director for Children's Services

Introduction

1. This report reviews the performance and outcomes of Looked After Children and Care Leavers (LAC) over the last twelve months. It focuses specifically on actions taken in response to the All Party Parliamentary Working Group on Children Missing from Care, the impact of changes in adoption legislation and the timetable for the Corporate Parenting Review. This report will be considered by Children's Services Scrutiny Committee at its meeting on 14 November and feedback from that meeting will be made available for Cabinet.
2. Since the last Cabinet report, there have been no OFSTED inspections for the whole service which remains rated as "Good". OFSTED is changing the inspection arrangements going forward, such that from April 2013 inspections will be unannounced and will be multi agency (including Ofsted; Care Quality Commission; Her Majesty's Inspectorate of Constabulary; Her Majesty's Inspectorate of Probation; Her Majesty's Inspectorate of Prisons (as appropriate) and Her Majesty Crown Prosecution Service). However both children's homes have recently been re-inspected under much more challenging requirements. The Moors was rated as overall good with some outstanding features and Maltfield had an overall rating of outstanding. Adoption, inspected in July 2011, and Fostering, inspected in March 2012 were both rated as good.

The Council's Corporate Parenting Strategy

3. Many priorities remain the same since the last report to Cabinet: the need for stable and consistent care; the support necessary to minimise time spent in care; access to the best possible appropriate education and healthcare, and ensuring all children and young people (CYP) feel valued and listened to. However the corporate parenting review will need to address some of the rising pressures on the service particularly around building "in-county" capacity including adopters, foster carers and residential homes.
4. The number of CYP looked after is at the level we would expect for our demographic profile and remains similar to last year. Oxfordshire has the 12th lowest level of need of the 152 authorities for children and the 7th lowest rate of looked after children. The profile of CYP looked after remains similar to last year.

Table 1: Children and Young People Looked After In Oxfordshire

| | September 2011 | September 2012 |
|---|----------------|----------------|
| Total Looked After | 439 | 440 |
| Of who unaccompanied asylum seekers | 36 | 24 |
| % from Black & Minority Ethnic background | 23% | 25% |
| Male | 249 | 256 |
| Female | 190 | 184 |
| 0-9 years old | 161 | 171 |
| 10-15 years old | 150 | 157 |
| 16+ years | 128 | 112 |

5. The number of children looked after rose by 6% in Oxfordshire in 2011/12 compared with 2% nationally and 1.4% for our statistical neighbours. However in the first 6 months of 2012/13 the number of children and young people looked after in Oxfordshire fell by 10 people (2.2%). At end of September the figures include 24 young people who were Unaccompanied Asylum Seekers, this is a drop of 20% (6 young people) compared with the number who were looked after at 31 March 2012. National trends are also showing a drop in the number UASCs who are looked after. There are also 378 care leavers, including 88 Unaccompanied Asylum Seeking Children (UASCs).

Reason why children are looked after

6. 253 children entered care in 2011/12, 126 (50%) had a reason of abuse or neglect, the second highest reason for entering care was family dysfunction (52 children, 21%, see table below for sub-category for entering care), this follows the national trend for reasons entering care.

Table 2: Family Dysfunction by sub category

| Sub Category | Number |
|---|-----------|
| Child at risk of significant harm due to inadequate parenting | 13 |
| Child exhibiting behaviour parent(s) find difficult to manage | 12 |
| Inability to provide stable relationships | 2 |
| Problems related to homelessness | 1 |
| Young Persons presenting as homeless (15-17 years) | 15 |
| No sub category recorded | 9 |
| Total | 52 |

Attaining best possible outcomes for LAC

7. Performance at key stage 2 is in line with other authorities and has been for a number of years. Performance this year was maintained for level 4+ English and level 4+ maths, and improved for level 4+ for English and Maths. This was achieved when 42% (5/12) children in the cohort had a statement, compared to 14% (1/7) last year.

Table 3: KS2 results for children looked after compared to other groups

| | Actual Results 2011/12 cohort | | Oxon 2010/11 | LAC Children (Stat Neighbour) | LAC Children (England) |
|--------------------------|----------------------------------|-----|-----------------|--|------------------------------|
| | No | % | % | % | % |
| Level 4+ English | 6 | 50% | 50% | 46% | 50% |
| Level 4+ Maths | 6 | 50% | 50% | 51% | 48% |
| Level 4+ English & Maths | 6 | 50% | 50% | 41% | 40% |

8. Educational achievement at key stage 4 in Oxfordshire remains marginally below that of comparable authorities and significantly below that of other children in Oxfordshire. However results in 2011/12 academic year improved across all grades compared to last year. For the headline figure used by the Department for Education and Ofsted (5 or more A*-C of children looked after continuously between April 1st 2011 and March 31st 2012) performance was better than any of the 6 years and showed consistent, but small, year on year improvement over the last three years. Of the 32 children and young people looked after for more than a year, just under a half (48%) achieved their Fischer Family Trust D (FFTD) level, which predicts performance for the top 25%. 18 of the 32 children (56%) met the individual results targets set for them by the virtual school, but 44% did not.

Table 4: KS4 results for children looked after compared to other groups

| | Actual Results 2011/12 cohort | | Oxon 2010/11 | LAC Children (Stat Neighbour) | LAC Children (England) | All Children (Oxon) |
|---------------------------------|----------------------------------|-------|-----------------|--|------------------------------|---------------------------|
| | No | % | % | % | % | % |
| 5+ A*-C with English & Maths | 3 | 9.4% | 8.3% | 11.3% | 12.8% | 57.4% |
| 5+ A*-C | 8 | 25.0% | 19.4% | 24.0% | 31.2% | 74.0% |
| 5+ A*-G with English & Maths | 17 | 53.1% | 50.0% | | | |
| 5+ A*-G | 18 | 56.3% | 52.8% | | | 96.0% |
| 1+ A*-G | 26 | 81.3% | 75.0% | | | 99.0% |
| 1+ Entry Level Certificate | 9 | 28.1% | 30.6% | | | |
| No Pass | 6 | 18.8% | 25.0% | | | |
| Total | 32 | | | | | |

EET performance and Post 16 outcomes

9. Performance on young people leaving care being in employment, education and training remains better than the national average and that of similar authorities, and is continuing to improve. The latest available comparative data is for September 2010.

Table 5: Education, Employment and Training of CYP in care and leaving care

| | National 2010 | SE 2010 | Oxon 2010 | Oxon 2011 | Oxon 2012 |
|---|------------------|---------|--------------|--------------|--------------|
| Education and employment status of year 11 | 82% | 83% | 92% | 96% | 97% |

10. 36 out of 37 young people leaving year 11 who had been looked after continuously for 12 months made a positive progression and were engaged in EET on 30th of September 2012. However only 4 out of 9 young people who either came into care very late in year 11 or left care very early were engaged in EET at the same stage. Performance as published by DfE in October 2011 for the 'position at 19' indicator as an average over three years from 2009 to 2011 was 85% in EET placing us jointly leading this indicator nationally. Over the same period, performance around those living in suitable accommodation was at 91% placing Oxfordshire just above the national average for this indicator.
11. In September 2012, overall participation in Higher Education increased slightly from 11% to 12% of the 18+ cohort despite a national drop in applications of 10% (across the whole population not only care leavers). Two thirds of Oxfordshire care leavers who are currently engaged in Higher Education are UASC. Currently 5 young people are training on OCC apprenticeships in the following vocational areas: Health and Social Care, Business Administration, Customer Services and Outdoor Education Services.

Health assessments

12. A greater proportion of looked after children in Oxfordshire have up to date health checks than comparative authorities though the figures dropped in 2011/12 which is a small concern. Children Looked after are presenting with increasingly difficulties as measured by the Strength and Difficulties Questionnaire.

Table 6: Health Outcomes

| | National 2010/11 | Statistical neighbours 2010/11 | Oxon 2010/11 | Oxon 2011/12 |
|---|---------------------|--------------------------------------|-----------------|-----------------|
| Immunisations up to date | 78.9% | 73.2% | 89.8% | 86.1% |
| Dental check completed | 82.4% | 83.9% | 89.1% | 84.3% |
| Review health assessment completed | 84.2% | 83.1% | 96.0% | 97.4% |
| LAC identified with a substance misuse problem | 4.3% | 5.0% | 4.7% | 6.0% |
| SDQ total difficulties score | | 14 | 15.5 | 16.7 |

Missing from Care

13. The All Party Parliamentary Group (APPG) for Looked after Children and Care Leavers published their report in June 2012. The report comprised of 6 overarching and 31 detailed recommendations and a working group was set up to immediately review the Oxfordshire position in relation to these and identify where practice could be strengthened.
14. The following changes have been put into immediate effect:
 - Missing notifications for all out of county placements (both residential and agency foster placements) centrally monitored by Placement Duty Team
 - Return Interviews simplified and chronology of missing episodes created
 - Auditing and role of Independent Reviewing Officers has been strengthened
 - New guidance for foster carers is being issued on when child is "missing" and when it is "unauthorised absence".
 - Monitoring Reports on completion of return interviews for all out of county placements instigated and will be reviewed by Corporate Parenting Manager
15. The working group also identified a key workforce development area around improving the use of risk assessment across the service and LAC recording. A Risk Assessment and Management Plan will be used for all looked after children and all social work teams will be trained in risk assessment and management by June 2013.
16. The CICC have also asked to feed into the development of better advocacy services and the Service Specification for VIVA will be rewritten to improve advocacy for our out of county young people

Service Review

17. **Supported Housing Review:** The main conclusion from the consultation exercise and the data analysis was the structure of the pathway was broadly operating well. The Joint Housing Team Steering Group has provided a strategic focal point allowing partners to align housing options for young people across the County. A notable success of the Pathway has been its ability to house our priority needs group, predominately 16 and 17 year olds. This has however highlighted the need for greater countywide provision for those young people with the most complex needs.
18. **Corporate Parenting Review:** Corporate Parenting is the last part of Children, Education and Families to be reviewed and the process will take place between October 2012 and June 2013. The key review themes will include building in-county capacity (foster carers, adopters, residential), targeting our interventions, ensuring throughput, creating care pathways, being outcome focused, and improving systems for reviewing, tracking and monitoring progress.

Service Development

19. **Children in Care Council (CICC):** has received an outstanding rating for the last two years from Ofsted and is about to be featured on an Ofsted website demonstrating good practice. Over the last twelve months the CICC have discussed challenging issues such as raising attainment, missing from care, and sexual exploitation in order to feed directly into policies and practices being agreed at the Corporate Parenting Panel. CICC members have been directly involved in the recruitment of a wide range of social work staff and managers. Nationally CICC members have been active in the All-Party Association Parliamentary group, the SE Regional CICC Chairs forum and the Young People's Benchmarking Forum. The key challenges are to ensure all children and young people in the care system know about the CICC, use it to air their views, and measuring the CICC's impact on improving outcomes for all children and young people in care.

20. **Community Parenting Team (CPT) :** the aim of this new service is to carry out early pre-birth assessment for young, vulnerable "parents" where concerns have been identified regarding future parenting capacity. Referrals come via JR Women's Centre for women between 18-22 weeks gestation. These families are offered assessment and intensive intervention during pregnancy using the "Parents Under Pressure" model. The priority for the service is to make well-informed and timely decisions re: safe care of infants from an early stage so that intensive support can be given to those families that engage with the service and safe, early care planning can be put in place for those infants whose parents are unlikely to be in a position to offer "good enough" parenting.

21. **Family Group Conferencing (FGC) service:** Oxfordshire County Council has now committed to offering a FGC to all families whose children are at risk of being taken into care and the process is written into the workflow chart for children at risk of harm, in Pre Proceedings and for consideration in LAC reviews. Of the 92 conferences held in 2011-12 (62 initials and 30 reviews), 171 children were involved in pre-FGC planning and 136 young people were engaged sufficiently to be able to attend their FGC in person. 23 children seen as at high risk of becoming looked after were prevented from entering care, 12 went into kinship care, and 6 were returned home who had already entered care.

22. **Young Carers Team (YCT):** works to identify and support children and young people (0 – 25 years old) who have caring responsibilities due to their parent and/or sibling having physical or mental illness, disability or substance misuse problems. This service is managed by OCC but delivered jointly with Spurgeons Young Carers Service. The model of service delivery has received national recognition from the Carers Trust this year. YCT hold data on 1200 young carers who have had support from the service since 2009. Development work is focused around supporting schools to identify and support young carers, recognising them as group of vulnerable learners and working to raise attainment levels. Over the last year YCT has also provided

casework for 90 young carers. The casework is focused on reducing the negative outcomes of the caring role.

23. **Family & Placement Support Service (FPSS):** This service has recently been identified by Ofsted as a model of good practice in with working with families on the "edge of care". During the past year the service has introduced assessment and review scales in order to independently assess and measure a family's capacity to change over time. In 2011-12 F&PSS received 172 referrals. 137 of the children and young people referred to F&PSS have not required a referral to Placement Duty team for alternative care arrangements.
24. **ATTACH team:** this service promotes placement stability through offering treatment for emotional and behavioural difficulties arising from the early experience of maltreatment. Aside from their work in promoting children moving to adoption and preventing re-entry into care for adoptive families, the ATTACH team at any one time works with about 50 looked after children with the majority (88%) being referred for placement instability. A recent audit in August 2012 indicated that 61% of cases meeting long term stability in Oxfordshire were being seen or were known to the service. Over the last few months better tracking of potentially disrupting placements has allowed ATTACH to provide a rapid assessment and intervention to address instability where this arises from the child's level of disturbance.

Fostering:

25. At 22 October 2012 there were 434 children and young people looked after, 298 were placed in a foster placement.

Table 7: Children looked after at 22 October 2012 in a Foster Placement by placement location

| | Oxfordshire | Neighbouring Authority | Other Authorities | Total |
|------------------------------|-------------|------------------------|-------------------|------------|
| Oxfordshire Foster Carer | 167 | 6 | 3 | 176 |
| Independent Fostering Agency | 34 | 27 | 14 | 75 |
| Friends/Family Placement | 40 | 4 | 3 | 47 |
| Total | 241 | 37 | 20 | 298 |

Oxfordshire has around 330 foster carers who offer a range of provision from relief and short break care to long term and specialist provision. Recruitment of foster carers remains a priority for the service due to the need to sustain in house provision to meet the demand for in house placements and replace those who may choose not to foster any longer for normal "natural turnover" reasons such as age/retirement etc. We have a dedicated marketing and publicity team which continues to attract high levels of enquiries from prospective carers. There is a particular focus on recruitment of foster carers for hard to place children (for example disabled children and sibling groups.)

26. A specialist foster care scheme, MTFC (Multi-dimensional Treatment foster care) has operated as a pilot in Oxfordshire since 2008. It has proven to be a highly successful model of support and care for some of our most vulnerable and challenging CYP. A new MTFC-A scheme sponsored by the DfE has been established for adolescents who need intensive support to live in a foster placement.
27. KEEP (Keeping Foster and Kinship Carers Supported), a training programme based on MTFC principles is offered to mainstream foster and kinship carers with CYP of 5-12 years. This programme has been beneficial in maintaining placements for the majority of carers who have attended. Further KEEP programmes are currently being established for carers of other children including adolescents, 3-6 year olds and adopted children.

Adoption

28. Thirty-two children were adopted in 2011/12. We are sustaining the trend in 2012/13 with 19 children having already been adopted in the first 6 months. National figures show, that as an average over 3 years (2009 to 2012), Oxfordshire has reduced the time from entering care to moving to an adoptive family by 2 weeks, nationally this has increased by 1.5 weeks. Oxfordshire also have a higher percentage of children from a BME background adopted than the national average and a higher percentage of children aged 5 and over who are adopted.
29. The adoption team has responded by setting challenging targets to recruit more adopters to meet the needs of children requiring adoptive families. In the first 6 months we have placed 20 children and approved 14 prospective adoptive families. This is an improvement on previous years. Our particular challenge going forward is finding families for children in large sibling groups, children over age 6, and children with disabilities.
30. In March 2012 the government produced an Action Plan. The action plan sets out a range of proposals to speed up the process for children; to overhaul the service for prospective adopters, and to strengthen local accountability for the timeliness of adoption services. A change in the role of adoption panels was introduced from 1/09/12. Adoption Panels will continue to hear cases for approving adoption applicants and linking children for adoption but will no longer hear cases regarding adoption plans for children in court proceedings.
31. Score cards have been issued to all local authorities showing current performance and giving targets for improvement over the next 4 years. The indicators measure how long it takes for children to move in with adopters, from the time they enter care; what proportion of those children wait longer for adoption than they should, and the time it takes a council to match a child to a family, once the court has decided adoption is the best option. There will be penalties for local authorities who do not perform adequately in terms of placing children from the looked after system without delay.

32. Oxfordshire have scored well in terms of timeliness of children being placed with adoptive families for 2011-12, however, with current high numbers of young children in the looked after system needing adoption, a great deal of effort will need to go in to sustaining this high score. New Adoption Regulations will be published in the summer of 2013. The expectation will be for adopters to be approved within 6 months rather than the current 8 month period.

Pressures

33. Out of County placements

Fewer young people are placed out of county than other authorities. At 31 March 2012, 81 (18%) looked after children were in an out of county placement more than 20 miles from their home address. Table 8 below provides the most up to date information on where children are placed by placement type. The Corporate Parenting Review will address where additional "in-county" provision could better meet need, reduce risk and track and monitor outcomes for our looked after children.

Table 8: Children looked after at 22 October 2012 by placement location

| | Oxfordshire | Neighbouring Authority | Other Authorities | Total |
|---------------------------|-------------|------------------------|-------------------|------------|
| Foster Care | 201 | 33 | 17 | 251 |
| Relatives/Friends | 40 | 4 | 3 | 47 |
| Residential Home | 26 | 4 | 13 | 43 |
| Indept Living | 31 | 3 | 2 | 36 |
| Placed for adoption | 22 | 1 | 8 | 31 |
| Placed with Parent | 18 | 0 | 0 | 18 |
| Residential School | 3 | 0 | 1 | 4 |
| NHS Establishment | 0 | 1 | 1 | 2 |
| Secure Unit | 0 | 0 | 1 | 1 |
| Young Offenders Institute | 0 | 0 | 1 | 1 |
| Total | 341 | 46 | 47 | 434 |

34. Remands

From December 2012 all young people receiving a secure remand or custodial sentence will become looked after while they are in custody. From 1 April 2013, Oxfordshire will have to fund the cost of secure accommodation for young people on remand and the associated transport costs. 18 additional young people are likely to become looked after each year as a result of these changes. 10 additional young people will become care leavers each year, and Oxfordshire will have a responsibility to support them until they are at least 21 years old. The funding from Ministry of Justice is unlikely to meet all the costs of associated with looked after children and care leavers, resulting in pressures on these services

35. **Adoption reforms**

Meeting the tighter timeframes will require rapid changes to working practices, new policies and procedures, changes to adoption panels and training for staff and key partners. The government is planning to introduce an 'adoption passport' providing a guarantee of the minimum support that adoptive families will receive throughout the process.

RECOMMENDATION

36. **The Cabinet is RECOMMENDED to note this report**

JIM LEIVERS
Director for Children's Services

Background papers: None

Contact Officer: Matthew Edwards, Corporate Parenting Manager (01865) 323097

CABINET – 27 NOVEMBER 2012

Progress Report on Children In and Leaving care

On Wednesday, the 14th of November 2012, the Children's Services Scrutiny Committee met to discuss the draft cabinet report 'Progress Report on Children In and Leaving Care'.

As a result, the committee would like the Cabinet to consider the outcomes of that discussion as part of its agenda item on this topic in their meeting on Tuesday the 27th of November. This includes the following:

Cabinet Report on Children in and Leaving Care- Committee Recommendations

The committee commended officers on the outcomes of the report and the good, committed work that is being done. There was a lengthy discussion on the report and the committee emphasised the following key areas:

Prevention

The committee noted that the second highest reason for entering care was family dysfunction and believe this highlights the importance of keeping the Thriving Families project central to the work of the Early Intervention Service through the hubs in order to early identify and take decisions on struggling families.

Getting children into care earlier

Whilst the committee discussed the challenges involved in choosing the appropriate time to put children into care, following the Parliamentary Select Committee view that more children should be brought into care, they are confident that the difficult decisions being made are the right ones and that the approach is sound.

Changes to the adoption/fostering process

The committee welcomed news that the government is simplifying the fostering and adoption process and introducing a new fostering to adopt scheme but emphasised that the focus should remain on achieving the right outcomes for the children.

Kinship

The committee discussed that children are usually better off with their family and welcomed the assurance that risk assessments consider appropriate context when assessing family members' eligibility for fostering when they may have previous background issues.

Fostering Recruitment

The committee raised concern that there are hotspots in the county with a lack of foster families leading to children being fostered away from where they live, causing

disruption. However, they are satisfied that targeted campaigns and good links with the media are working to increase numbers in these areas.

Education

The committee emphasised that Ofsted performance data shows clear evidence that one to one tuition improves educational outcomes for children in care up to and above that of children not in care. The committee recommends that all schools are made aware of the increased benefits of individual tuition for children in care and that this can be funded through the pupil premiums.

Corporate Parenting Review

The committee welcomed the upcoming Corporate Parenting Review, especially in regards to the joint working with Councillors.

Children in Education, Employment and/or Training (EET)

The committee was pleased with the high performance levels in both EET and living accommodation (above the national average). Officers described the pathway that is developed for each child and the need to take a flexible approach to timing of services as maturity levels may differ.

Children under Custodial Sentences to become 'In Care'

There is a concern that proposed changes (December 2012) to status of young people in remand could have a financial impact on the council.

Officer Contact:

Lisa Michelson – Scrutiny Officer

lisa.michelson@oxfordshire.gov.uk

Division(s): N/A

CABINET – 27 NOVEMBER 2012

TREASURY MANAGEMENT MID TERM REVIEW 2012/13

Report by Assistant Chief Executive and Chief Finance Officer

Introduction

1. The Chartered Institute of Public Finance and Accountancy's (CIPFA's) Code of Practice on Treasury Management (Revised) 2011 recommends that members are informed of Treasury Management activities at least twice a year. This report ensures this authority is embracing Best Practice in accordance with CIPFA's recommendations.
2. The following annexes are attached
 - Annex 1 Lending List Changes
 - Annex 2 Debt Financing 2012/13
 - Annex 3 PWLB Debt Maturing
 - Annex 4 Prudential Indicator Monitoring
 - Annex 5 Arlingclose Quarter 2 Benchmarking

Strategy 2012/13

3. The approved Treasury Management Strategy for 2012/13 was based on an average base rate forecast of 0.50%.
4. The Strategy for Long Term Borrowing was to use internal balances up the value of 25% of the investment portfolio.
5. The Strategy included the continued use of the services of external fund managers, Investec and Scottish Widows Investment Partnership.

Economic Background

6. The world economy has continued to struggle over the first six months of the financial year to September 2012. The Eurozone, with the exception of Germany, failed to show discernable growth while the US economy grew slowly.
7. The UK GDP estimates for Q2 (April to June) were disappointing and showed the economy contracting by 0.4%, not helped by an extra bank holiday due to the Queen's Diamond Jubilee. In contrast, early estimates for Q3 GDP (July to September) show that the economy grew by 1% and indicate that the UK economy had moved out of recession. The current early estimate is based on around 45% of data and is likely to be subject to future revision. Some analysts have sounded a note of caution that much of the growth may be attributable to the Olympics rather than a true turn-around in the fortunes of the economy and reflecting the Bank of England's statement that this will be a 'zig-zag' year for UK growth. Concerns also remain about the construction industry which continued to contract by 3% in Q2 and 2.5% in Q3 based on initial estimates.

8. Inflation slowly began to fall and CPI dipped below 3% in May 2012 for the first time in two and a half years. The CPI data for September 2012 revealed that inflation had fallen to 2.2%, slightly above the Bank of England's target of 2%. The greatest downward pressure came from the fall out of significant increases in fuel and energy costs in September 2011.
9. In July, against the back drop of weak growth forecasts but improving inflation, the Bank of England announced a further £50bn of asset purchases taking the total amount of quantitative easing (QE) to £375bn. There was also speculation about a potential 0.25% reduction in base rate after minutes of the Bank's Monetary Policy Committee revealed that this was discussed at the meetings in June and July. This has not been realised and The Bank of England's base rate has remained fixed at 0.5%.
10. The UK Labour market statistics released in October showed that, at the end of the quarter June to August 2012, employment was at 71.3%, up 0.5% on the previous quarter for March to May. For the same period, the unemployment rate was down 0.2% to 7.9%.
11. In the US, the Federal Reserve extended QE through 'Operation Twist', in which it buys longer dated bonds with the proceeds of shorter dated US Treasuries. In addition to this, poor employment data released in August prompted a commitment from the Federal Reserve to purchase \$40 billion of agency backed mortgage securities each month until the outlook for the labour market substantially improves. The Federal Reserve has also pledged to keep interest rates low until mid-2015.
12. The Eurozone has continued to worry the markets with Spanish and Italian borrowing costs hitting concerning levels in June 2012. The Spanish Government was forced to officially seek a bailout for its domestic banks.
13. In September the European Central Bank (ECB) responded to the continuing turbulence by announcing the Outright Monetary Transactions Facility (OMT). This allows the ECB to buy unlimited amounts of 1-3 year sovereign bonds provided that the sovereign first asks for assistance and adheres to strict conditionality attached to the assistance.
14. Against the backdrop of continuing concern about the Eurozone, the UK has retained its 'safe haven' status. Partly as a result of this UK gilt yields continued to fall sharply, raising the prospect that very short-dated yields could turn negative. Lows of 0.48% and 1.45% were achieved for 5 and 10 year gilts respectively. Other supportive factors included the large scale purchases by banks to comply with the FSA's liquidity requirements and the Bank of England's continued purchases of gilts under the extended QE programme.
15. Money market rates fell over the six month period by between 0.2% and 0.6% for one to 12 month maturities.

Treasury Management Activity

Debt Financing

16. Oxfordshire County Council's (the Council) debt financing to date for 2012/13 is analysed in Annex 2.

17. The 2012/13 borrowing strategy is to use internal balances to fund new or replacement borrowing up to the value of 25% of the portfolio. This is intended to reduce the cost of carry (the difference between borrowing rates and investment returns) in the low interest rate environment and reduce counterparty risk by minimising the level of cash balances.
18. There has been no change to this strategy.
19. The Council's cumulative total external debt has decreased from £420.73m on 1 April 2012 to £417.38m by 30 September 2012, a net decrease of £3.35m. No new debt financing has been arranged during the year. The total forecast external debt for 31 March 2013, after repayment of loans maturing during the year is £412.38m. The forecast debt financing position for 31 March 2013 is shown in Annex 2.
20. At 30 September 2012, the authority had 69 PWLB¹ loans totalling £367.38m and 10 LOBO² loans totalling £50m. The combined weighted average interest rate for external debt as at 30 September 2012 was 4.52%.

Maturing Debt

21. The Council repaid £3.346m of maturing PWLB loans during the first half of the year. The details are set out in Annex 3.

Debt Restructuring

22. There has been no restructuring of Long Term Debt during the year to date.

Investment Strategy

23. The security and liquidity of cash was prioritised above the requirement to maximise returns. The Council continued to adopt a cautious approach to lending to financial institutions and continuously monitored credit quality information relating to counterparties.
24. A mixture of short term fixed deposits of up to 12 months and longer term fixed deposits of greater than 12 months have been arranged throughout the first half of the financial year. All deposits with banks have been restricted to a maximum duration of twelve months. Deposits over twelve months have been made exclusively with other Local Authorities. The majority of these deposits have been made for the maximum duration of three years to tie in to high credit quality counterparties over the longer term and to maximise the return available. This was also intended to take advantage of the relatively buoyant local to local market before the introduction of the PWLB certainty rate on 1 November which gives local authorities the opportunity to borrow at a lower rate from the PWLB. This is expected to reduce the number of local authorities looking to borrow from other local authorities and the rate at which they will be willing to borrow.
25. The approved Treasury Management Lending List has remained constrained by the poor credit quality of financial institutions. The policy of lending longer term to other Local Authorities has continued to help limit the impact of this. Exposure to a more diverse cross

¹ PWLB (Public Works Loans Board) is a Government agency operating within the United Kingdom Debt Management Office and is responsible for lending money to Local Authorities.

² LOBO (Lender's Option/Borrower's Option) Loans are long-term loans which include a re-pricing option for the bank at predetermined intervals.

section of financial institutions has been achieved through the use of AAA rated money market funds which provide relatively good security and liquidity for overnight deposits.

26. In addition to fixed deposits with Local Authorities and banks, call accounts and Money Market Funds, the Council also used structured and callable products to deposit its in-house temporary cash surpluses during the first half of 2012/13.
27. The Council received a third distribution from the Landsbanki winding up board on 9 October 2012. A total of £2.312m has now been received. The latest CIPFA guidance assumes that the full amount may be recovered by 2018, although the timings and amounts of future distributions remain unknown.

The Council's Lending List

28. The Council's in-house cash balances were deposited with institutions that meet the Council's approved credit rating criteria. The approved Lending List was regularly updated during the period to reflect changes in bank and building society credit ratings. Changes were reported to Cabinet each month. Annex 1 shows the amendments incorporated into the Lending List during the first half of 2012/13, in accordance with the approved credit rating criteria and additional temporary restrictions.
29. In August 2012, the authorised lending limit of £10m for Lloyds TSB was breached by £6.8m as a result of a training issue relating to the checking of primary records. This was identified during a routine reconciliation and the excess funds, which were held in an overnight deposit facility, were withdrawn immediately. The Council has not incurred any loss as a result of the breach and the training requirement has been addressed.

Investment Performance

30. The average daily balance of temporary surplus cash invested in-house in the six months to 30 September was £296.9m. The Council achieved an average in-house return for that period of 1.03%, producing gross interest receivable of £1.528million (excluding interest accrued on Landsbanki deposits). Temporary surplus cash includes; developer contributions; SAP school balances; council reserves and balances; trust fund balances; and various other funds to which the Council pays interest at each financial year end, based on the average earned on all balances.
31. The Council uses the three month inter-bank sterling bid rate as its benchmark to measure its own in-house investment performance. During the first half of 2012/13 the average three month inter-bank sterling rate was 0.73%. The Council's average in-house return of 1.03% exceeded the benchmark by 0.30%. The Council operates a number of call accounts and instant access Money Market Funds to deposit short-term cash surpluses. The average balance held on overnight deposit in money market funds or call accounts in the 6 months to 30 September was £68.0million or 23% of the total in house portfolio.

External Fund Managers and Pooled Funds

32. The Council has continued to use the services of one external fund manager: Investec Asset Management Limited. Proportions of the £12.1m portfolio are invested in three different types of investment fund. The Council has invested in the 'Dynamic Model' where 5% of the portfolio is invested in a Liquidity Fund, 65% is invested in a Short Dated Bond Fund and the

remaining 30% is invested in a Target Return Fund. The Target Return fund is the most volatile aspect of the portfolio, carrying greater risk but also the most opportunity for significant returns.

33. Investec's annualised return for the first six months of the year (net of management charges) was 1.19%, compared with a benchmark of 1.65%. Although the return for the period has failed to achieve the benchmark it has achieved a higher return than the in-house deposits. Failure to achieve the benchmark has primarily been due to the underperformance of the Target Return element of the portfolio.
34. At the end of 2011/12, and as reported in the Treasury Management Outturn Report 2011/12, the decision was made to end the segregated mandate with Scottish Widows Investment Partnership (SWIP) and to invest £12.0m of the balance directly in the SWIP Short dated bond fund. This transaction was completed on 30 March 2012 and has allowed the Council to save the minimum annual management fee of £20,000 for 2012/13 while maintaining the same portfolio diversification and return.
35. SWIP's annualised return for the first six months of the year was 1.51% (net of management charges) compared to their annualised benchmark of 0.47%.

Prudential Indicators for Treasury Management

36. During the first six months of the financial year the Council operated within the treasury limits and Prudential Indicators set out in the Council's Treasury Management Strategy Report. The outturn for the Prudential Indicators is shown in Annex 4.

External Performance Indicators and Statistics

37. The County Council is a member of the CIPFA Treasury and Debt Management benchmarking club and receives annual reports comparing returns and interest payable against other authorities. The benchmarking results for 2011/12 showed that Oxfordshire County Council had achieved an average return of 1.14% compared with an average of 1.13% for their comparative group of County Councils and an average of 1.19% for all 84 members. Through conversation with a sample of authorities with higher than average interest rates it was established that in general they had benefitted from high interest rate long term deposits which had been placed in early 2008/09 and matured during 2011/12.
38. The average interest rate paid for all debt during 2011/12 was 4.54%, lower than the 4.73% average for the comparative group of 19 County Councils but marginally higher than the all member average of 4.49%. Oxfordshire County Council had a higher than average proportion of its debt portfolio in PWLB loans. Oxfordshire County council had 12% of its debt in LOBO loans at 31/3/2012 compared with an all member average of 19% and a comparative group average of 18%.
39. Arlingclose also benchmark the Council's investment performance against its other clients on a quarterly basis. The results of the quarter 2 benchmarking to 30 September 2012 for 2012/13 are included at Annex 5.
40. The benchmarking results show that the Council has achieved higher than average interest on deposits at 30 September 2012. This has been achieved by placing deposits over a longer than average duration with institutions that are of better than average credit quality.

This reflects the current investment strategy to place long term deposits with other local authorities to maximise the security of cash.

Training

41. On 17 October 2012 members and officers were invited to attend a three hour Treasury Management training seminar. The Council's Treasury Management advisors Arlingclose explained the risk and return of in house deposits. The Council's external fund managers, Investec Asset Management, reported on the performance and management of the Council's fund. This was an opportunity for members and officers to challenge Investec on the volatile performance of the fund.

Reporting

42. Due to changes to the frequency of the Financial Monitoring and Business Strategy Delivery Report, updates regarding changes to the lending list, current Treasury Management performance and breaches will now be reported to Cabinet on a bi-monthly basis.

Financial and Legal Implications

43. Interest payable and receivable in relation to Treasury Management activities are only two parts of the overall Strategic Measures budget.
44. The 2012/13 budget for interest receivable is £2.449m. The forecast outturn for interest receivable is £2.963m giving net forecast excess income of £0.514m. The increased forecast in interest receivable is due to higher average cash balances due in part to the front loading of government grants and the timings of capital and revenue expenditure.
45. The 2012/13 budget for interest payable is £18.806m. The forecast outturn for interest payable is £18.843m giving a net forecast overspend of £0.037m.

RECOMMENDATION

46. **The Cabinet is RECOMMENDED to note the report, and to RECOMMEND Council to note the Council's Mid Term Treasury Management Review 2012/13.**

SUE SCANE

Assistant Chief Executive and Chief Finance Officer

Contact officer: Hannah Doney, Financial Manager – Treasury Management; Tel: 01865 323988

November 2012

Lending List Changes during 2012/13**Counterparties added/reinstated**

Nationwide Building Society
Svenska Handelsbanken

Counterparties removed

No Counterparties have been removed from the Lending List between 1 April 2012 and 30 September 2012.

Lending limits & Maturity limits increased

| Counterparty | New Lending limit | New Maximum Maturity |
|------------------------------------|--------------------------|-----------------------------|
| HSBC Bank plc | no change | 12 months |
| Lloyds TSB Bank plc | £25m | 12 months |
| Commonwealth Bank of Australia | no change | 12 months |
| National Australia Bank | no change | 12 months |
| Bank of Montreal | no change | 12 months |
| Bank of Nova Scotia | no change | 12 months |
| Canadian Imperial Bank of Commerce | no change | 12 months |
| Toronto-Dominion Bank | no change | 12 months |

Lending limits & Maturity limits decreased

| Counterparty | New Lending limit | New Maximum Maturity |
|------------------------|--------------------------|-----------------------------|
| Royal Bank of Scotland | no change | Overnight |
| JP Morgan Chase | £15m | no change |

OXFORDSHIRE COUNTY COUNCIL DEBT FINANCING 2012/13

| <u>Debt Profile</u> | | £m |
|---|-------------|---------------|
| 1. PWLB | 88% | 370.73 |
| 2. Money Market LOBO loans | 12% | 50.00 |
| 3. Sub-total External Debt | | 420.73 |
| 4. Internal Balances | -0% | -0.28 |
| 5. Actual Debt at 31 March 2012 | 100% | 420.45 |
| 6. Government Supported Borrowing | | 0.00 |
| 7. Unsupported Borrowing | | 2.15 |
| 8. Borrowing in Advance | | 0.00 |
| 9. Minimum Revenue Provision | | -18.20 |
| 10. Forecast Debt at 31 March 2013 | | 404.40 |
| <u>Maturing Debt</u> | | |
| 11. PWLB loans maturing during the year | | -8.35 |
| 12. PWLB loans repaid prematurely in the course of debt restructuring | | 0.00 |
| 13. Total Maturing Debt | | -8.35 |
| <u>New External Borrowing</u> | | |
| 14. PWLB Normal | | 0.00 |
| 15. PWLB loans raised in the course of debt restructuring | | 0.00 |
| 16. Money Market LOBO loans | | 0.00 |
| 17. Total New External Borrowing | | 0.00 |
| <u>Debt Profile Year End</u> | | |
| 18. PWLB | 90% | 362.38 |
| 19. Money Market LOBO loans | 12% | 50.00 |
| 20. Sub-total External Debt | | 412.38 |
| 21. Internal Balances | -2% | -7.98 |
| 22. Forecast Debt at 31 March 2013 | 100% | 404.40 |

Line

- 1 – 5 This is a breakdown of the Council's debt at the beginning of the financial year (1 April 2012). The PWLB is a government agency operating within the Debt Management Office. LOBO (Lender's Option/ Borrower's Option) loans are long-term loans, with a maturity of up to 60 years, which includes a re-pricing option for the bank at predetermined time intervals. Internal balances include provisions, reserves, revenue balances, capital receipts unapplied, and excess of creditors over debtors.
- 6 'Government Supported Borrowing' is the amount that the Council can borrow in any one year to finance the capital programme. This is determined by Central Government, and in theory supported through the Revenue Support Grant (RSG) system.
- 7 'Unsupported Borrowing' reflects Prudential Borrowing taken by the authority whereby the associated borrowing costs are met by savings in the revenue budget.
- 8 'Borrowing in Advance' is the amount the Council borrowed in advance to fund future capital finance costs.
- 9 The amount of debt to be repaid from revenue. The sum to be repaid annually is laid down in the Local Government and Housing Act 1989, which stipulates that the repayments must equate to at least 4% of the debt outstanding at 1 April each year.
- 10 The Council's forecast total debt by the end of the financial year, after taking into account new borrowing, debt repayment and movement in funding by internal balances.
- 11 The Council's normal maturing PWLB debt.
- 12 PWLB debt repaid early during the year.
- 13 Total debt repayable during the year.
- 14 The normal PWLB borrowing undertaken by the Council during 2012/13.
- 15 New PWLB loans to replace debt repaid early.
- 16 The Money Market borrowing undertaken by the Council during 2012/13.
- 17 The total external borrowing undertaken.
- 18-22 The Council's forecast debt profile at the end of the year.

Long-Term Debt Maturing 2012/13**Public Works Loan Board: Loans Matured during first half of 2012/13**

| Date | Amount £m | Rate % |
|--------------|------------------|---------------|
| 01/04/2012 | 2.000 | 9.00% |
| 13/07/2012 | 0.500 | 2.35% |
| 31/07/2012 | 0.500 | 2.35% |
| 31/08/2012 | 0.346 | 1.12% |
| Total | 3.346 | |

Public Works Loan Board: Loans Due to Mature during second half of 2012/13

| Date | Amount £m | Rate % |
|--------------|------------------|---------------|
| 13/01/2013 | 0.500 | 2.35% |
| 31/01/2013 | 0.500 | 2.35% |
| 01/03/2013 | 4.000 | 4.40% |
| Total | 5.000 | |

Prudential Indicators Monitoring at 30 September 2012**Authorised and Operational Limit for External Debt**

| External Debt | Operational Limit £m | Authorised Limit £m | Actual 30/09/12 £m | Forecast 31/03/13 £m |
|-----------------------------|---------------------------------|--------------------------------|-----------------------------------|-------------------------------------|
| Borrowing | 466 | 476 | 417 | 412 |
| Other Long-Term Liabilities | 6 | 6 | 6 | 6 |
| TOTAL External Debt | 472 | 482 | 423 | 418 |

Capital Financing Requirement for year £434,625,000.00

Fixed Interest Rate Exposure

Fixed Interest Net Borrowing limit 150.00%
Actual at 30 September 2012 140.34%

Variable Interest Rate Exposure

Variable Interest Net Borrowing limit 25.00%
Actual at 30 September 2012 -40.34%

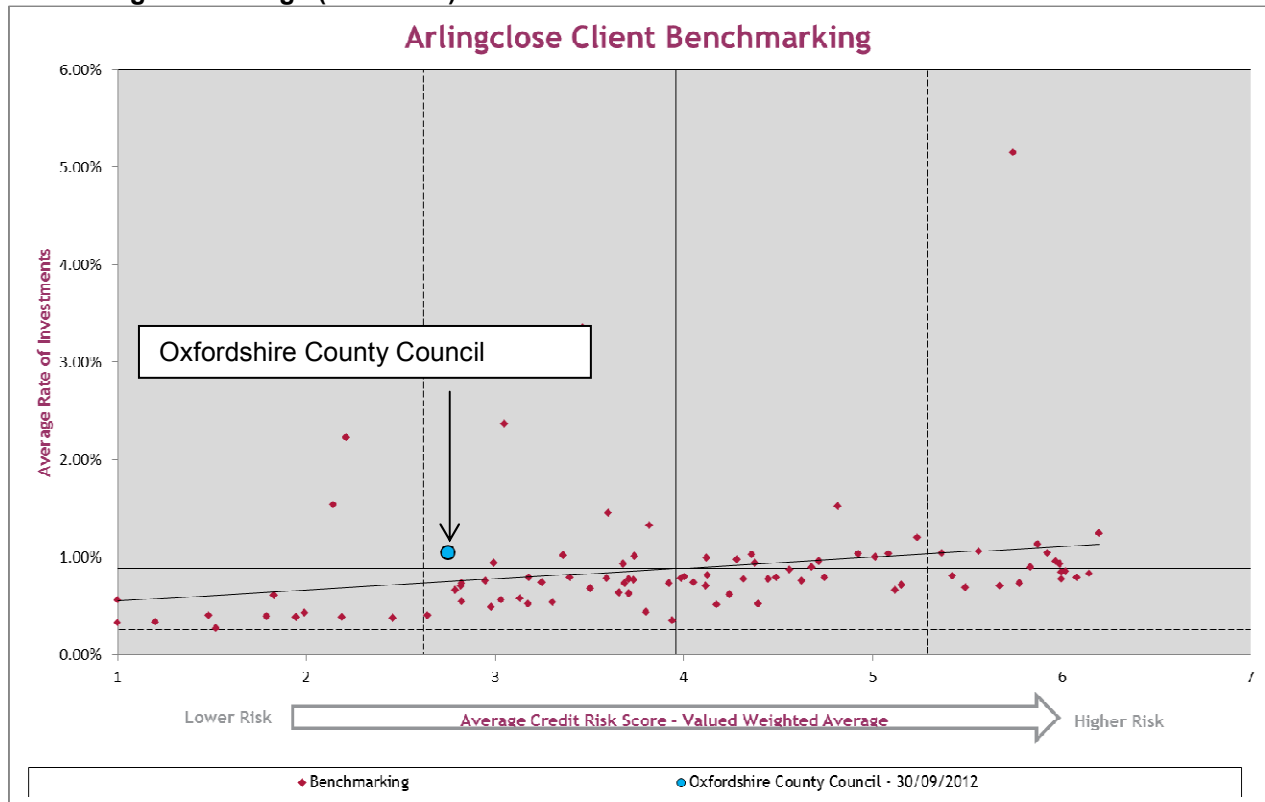
Sums Invested over 365 days

Total sums invested for more than 364 days limit £100,000,000
Actual sums invested for more than 364 days £ 82,617,010

Maturity Structure of Borrowing

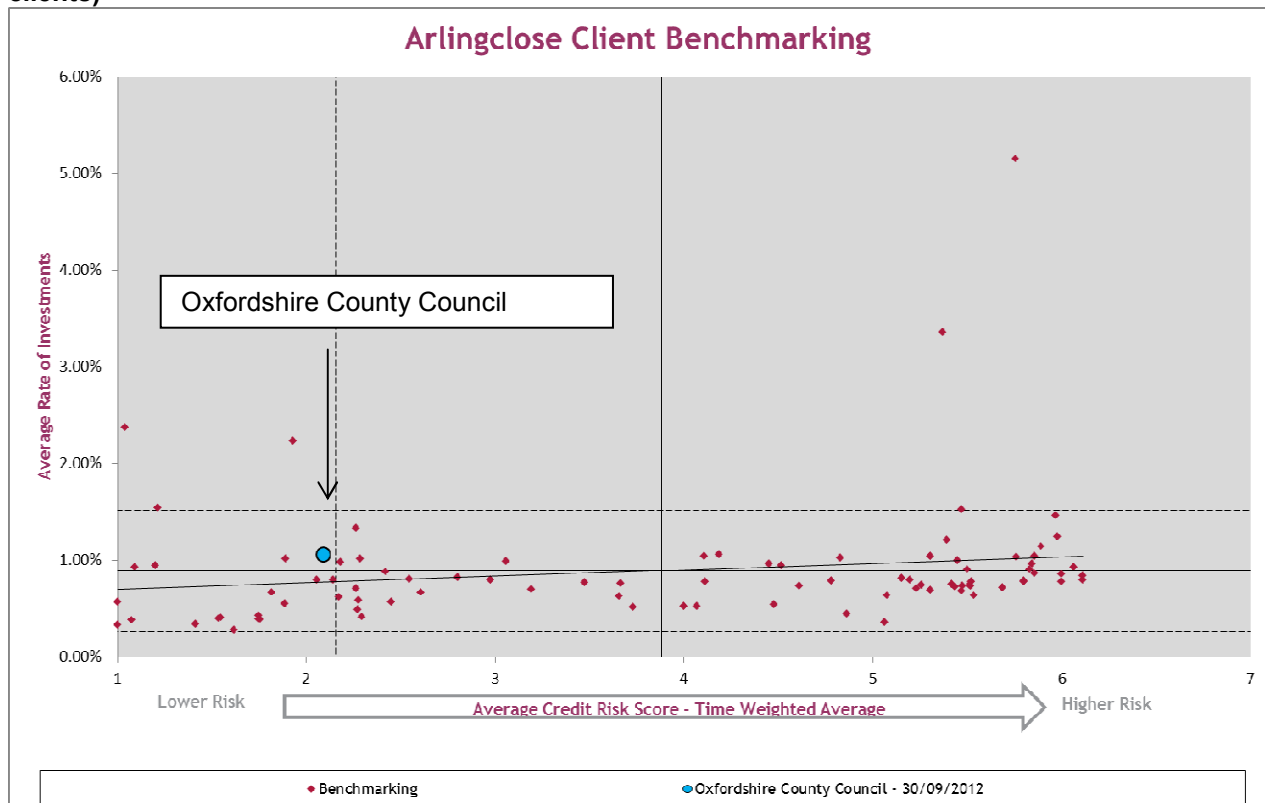
| | Limit % | Actual % |
|---------------------|----------------|-----------------|
| Under 12 months | 0 - 20 | 5.99 |
| 12 – 24 months | 0 - 25 | 3.83 |
| 24 months – 5 years | 0 - 35 | 8.63 |
| 5 years to 10 years | 5 - 40 | 18.45 |
| 10 years + | 50 - 95 | 63.10 |

Value weighted average (all clients)



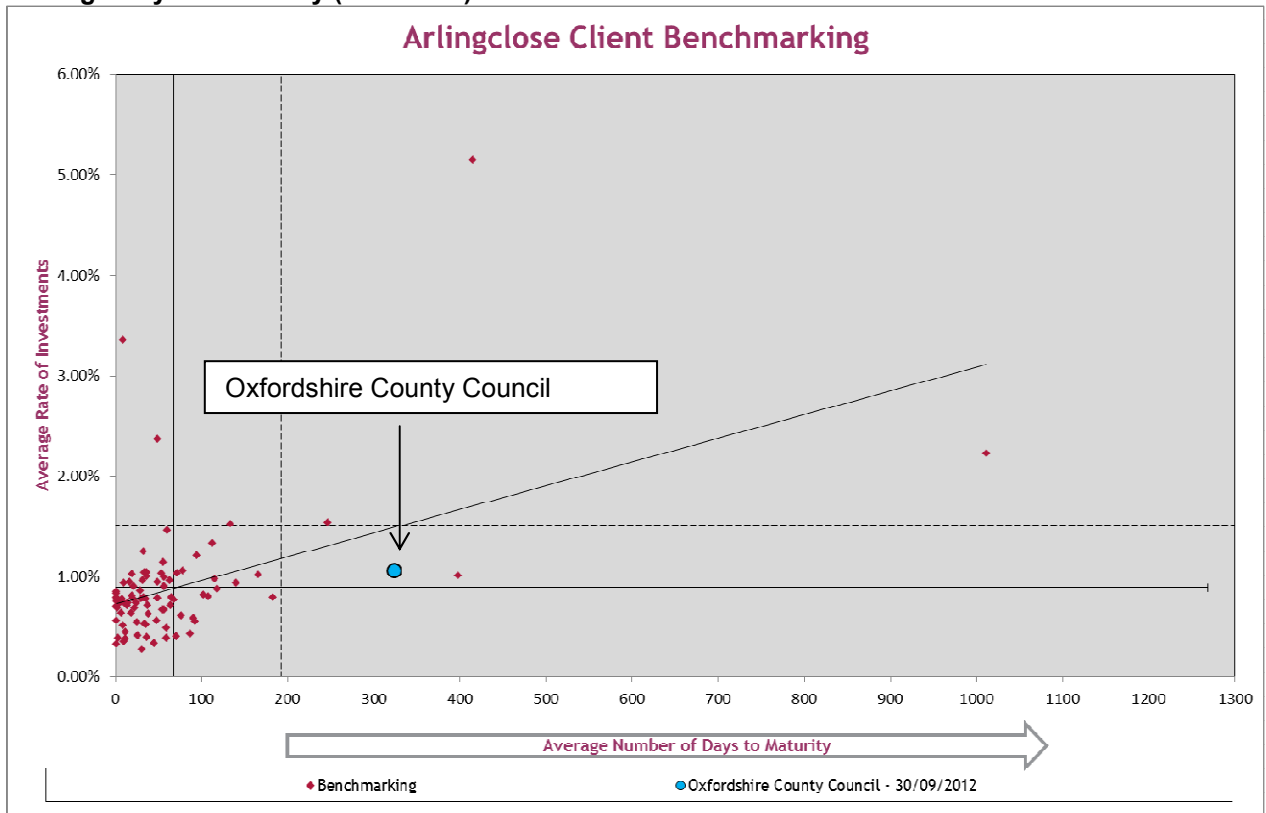
This graph shows that, at 30 September 2012, Oxfordshire achieved higher than average return for lower than average credit risk weighted by deposit size.

Time weighted Average (all clients)



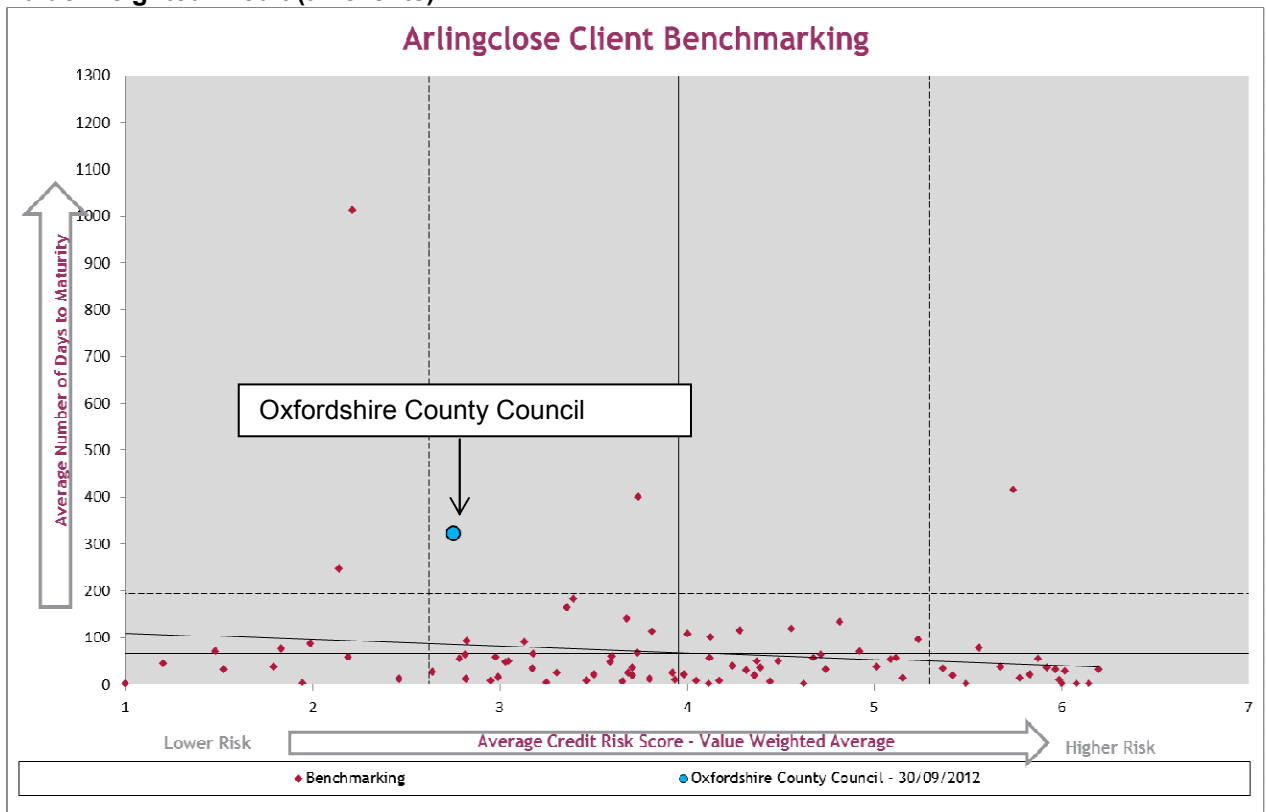
This graph shows that, at 30 September 2012, Oxfordshire achieved higher than average return for lower than average credit risk weighted by duration.

Average Days to Maturity (all clients)



This graph shows that, at 30 September 2012, Oxfordshire achieved a higher than average return by placing deposits for longer than average duration.

Value Weighted Credit (all clients)



This graph shows that, at 30 September 2012, Oxfordshire had a higher than average duration for deposits and that these deposits are made with institutions with lower than average credit risk when weighted by deposit size.

Division(s): NA

CABINET – 27 NOVEMBER 2012

STAFFING REPORT – QUARTER 2

Report by Head of HR

Introduction

1. This report provides an update on staffing numbers and related activity during the period 1 July 2012 to 30 September 2012. It also tracks progress on staffing numbers since 1 April 2010 as we implement our Business Strategy.

Current numbers

2. The establishment and staffing numbers (FTE) as at 30 September 2012 are 4361.59 Establishment; 4087.71 employed in post. These figures exclude the school bloc.
3. We continue to monitor the balance between full time and part time workers to ensure that the best interests of the Council and the taxpayer are served. For information, the numbers as at 30 September 2012 were as follows - Full time 2911 and Part time 2328. This equates to the total of 4087.71 FTE employed in post.
4. The changes in both establishment and staffing numbers since 31 March 2012 are shown in the table below. A breakdown of movements by directorate for this financial year is provided at Appendix 1.

| | FTE Employed | Establishment FTE |
|---|--------------|-------------------|
| Reported Figures at 31 March 2012 – Non-Schools | 4372.47 | 4634.75 |
| Changes | -284.76 | -272.16 |
| Reported Figures at 30 September 2012 – Non-Schools | 4087.71 | 4361.59 |

Quarter 2 Changes

5. The reduction in overall staffing and establishment numbers this quarter is mainly due to the implementation of the new Property and Facilities Management contract with Carillion Capita Symonds in July 2012.
6. We remain committed to redeploying displaced staff wherever possible via our Career Transitions Service but this is getting more difficult as staffing numbers reduce across the Council. There were 9 successful redeployments this quarter (13 in total so far this financial year)
7. We also recognise that operational services are critical and cannot be left without any cover. Prudent use of agency staff is therefore deployed to ensure continuity of service – the cost of agency staff this quarter is £994,404. We are not simply replacing directly employed staff with agency workers however and this activity is closely monitored with appropriate controls in place within directorates.

Progress since 1 April 2010

8. Staffing numbers have reduced in all key areas since 1 April 2010 as we continue to implement measures contained in our Business Strategy across the Council:-
 - **Establishment FTE** down from 5836 to 4362 – a 25% reduction.
 - **Staff employed FTE** down from 5283 to 4088 – a 23% reduction
 - **Vacancies FTE** down from 474 to 250 – a 47% reduction

Accountability

9. Staffing numbers continue to be monitored rigorously. All new posts are reviewed by the Head of HR on a weekly basis and Deputy Directors are required to check and confirm staffing data for their services on a quarterly basis with appropriate challenge provided by the relevant HR Business Partner .

Recommendation

The Cabinet is RECOMMENDED to:

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

Steve Munn

Head of HR

23 October 2012

Contact Officer: Sue James, Strategic HR Officer, 01865 815465.

| | Total Established Posts at 30 September 2012 | Changes to Establishment since 31 March 2012 | FTE Employed at 30 September 2012 | Changes in FTE Employed since 31 March 2012 | Vacancies at 30 September 2012 | Cost of Agency Staff * £ |
|---|---|---|--|--|---|---|
| DIRECTORATE | | | | | | |
| CHILDREN, EDUCATION & FAMILIES | 1393.89 | 39.77 | 1300.78 | 37.29 | 105.82 | 191,652 |
| SOCIAL & COMMUNITY SERVICES | 865.33 | -65.58 | 809.26 | -62.80 | 41.34 | 353,743 |
| COMMUNITY SAFETY | 406.18 | -1.02 | 396.60 | -5.59 | 8.58 | 21,314 |
| ENVIRONMENT & ECONOMY | 525.29 | -272.02 | 505.11 | -269.07 | 18.48 | 276,991 |
| OXFORDSHIRE CUSTOMER SERVICES | 725.62 | 47.88 | 657.04 | 37.95 | 57.76 | 93,048 |
| CHIEF EXECUTIVE'S OFFICE | 210.61 | 2.29 | 199.46 | 1.38 | 7.29 | 57,656 |
| CULTURAL SERVICES | 234.67 | -24.48 | 219.46 | -23.92 | 11.22 | 0 |
| TOTAL | 4361.59 | -273.16 | 4087.71 | -284.76 | 250.49 | 994,404 |

Please note: The vacancies plus the FTE employed will not always be equivalent to the Establishment. Where employees are absent eg on maternity leave or long term sick and have been temporarily replaced, both the absent employee and the temporary employee will have been counted.

* This figure does not necessarily bear a direct relationship with vacant posts.

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| |
|------------------|
| Division(s): N/A |
|------------------|

CABINET – 27 NOVEMBER 2012

FORWARD PLAN AND FUTURE BUSINESS

Items identified from the Forward Plan for Forthcoming Decision

| Topic/Decision | Portfolio/Ref |
|--|---|
| Cabinet, 18 December 2012 | |
| <ul style="list-style-type: none"> ▪ 2012/13 Financial Monitoring & Business Strategy Delivery Report - October 2012 <p>Monthly financial report on revenue and capital spending against budget allocations, including virements between budget heads. Key Decision: No - Exempt Information: None</p> | Leader, 2012/106 |
| <ul style="list-style-type: none"> ▪ Business Strategy and Service & Resource Planning Report 2013/14 - 2017/18 - December 2012 <p>To provide an update to the service and resource planning process for 2013/14 – 2017/18, including the review of charges. Key Decision: No - Exempt Information: None</p> | Leader, 2012/107 |
| <ul style="list-style-type: none"> ▪ Corporate Plan Performance and Risk Management Report for the 2nd Quarter 2012 <p>Quarterly Performance Monitoring report. Key Decision: No - Exempt Information: None</p> | Deputy Leader, 2012/108 |
| <ul style="list-style-type: none"> ▪ Healthwatch Oxfordshire <p>To seek delegated authority for the contact award and funding allocation to be made. Key Decision: No - Exempt Information: None</p> | Adult Services, 2012/146 |
| <ul style="list-style-type: none"> ▪ Stanton Harcourt Primary School : Alteration of Lower Age Range and Merging with Preschool - Stage Two <p>If objections received, to consider representations and to decide whether to proceed on the proposal. Key Decision: No - Exempt Information: None</p> | Education, 2012/117 |
| <ul style="list-style-type: none"> ▪ Asset Disposal <p>To consider asset disposal in Cherwell. Key Decision: Yes - Capital Expenditure >£1m Exempt Information: Yes - commercial sensitive information - annex</p> | Growth & Infrastructure, 2012/142 |

- **West Oxfordshire District Council Core Strategy** Growth &
To consider proposed response to the draft WODC Core Infrastructure,
Strategy. 2012/131
Key Decision: No -
Exempt Information: None

Cabinet Member for Children & the Voluntary Sector, 10 December 2012

- **Chill Out Fund 2012/13 - December 2012** Cabinet Member
To consider applications received (if any) from the Chill Out for Children & the
Fund. Voluntary Sector,
Key Decision: No - 2012/109
Exempt Information: None

Cabinet Member for Education, 10 December 2012

- **Expansion of Botley Primary School to 2fe** Cabinet Member
Following publication of a Statutory Notice, if no objections for Education,
received, whether to approve expansion of Botley Primary 2012/133
School, Oxford.
Key Decision: Yes - Capital Expenditure >£1m
Exempt Information: None
- **Expansion of Five Acres Primary School to 2 Form Entry** Cabinet Member
If no objections are received, to decide whether to publish a 2012/093
Statutory Notice.
Key Decision: No -
Exempt Information: None
- **Stanton Harcourt Primary School : Alteration of Lower Age Range and Merging with Preschool - Stage Two** Cabinet Member
If no objections received, to consider the final decision on the for Education,
proposal. 2012/104
Key Decision: No -
Exempt Information: None

Division(s): All

CABINET – 27 NOVEMBER 2012

OXFORDSHIRE RESIDUAL MUNICIPAL WASTE BULKING AND HAULAGE PROCUREMENT – CONTRACT AWARD

Report by Director for Environment and Economy

Introduction

1. Members are asked to consider the proposed award of a contract(s) to provide bulking and haulage services for residual municipal waste. The purpose of the report is to explain the outcome of the evaluation of tenders submitted and seek authorisation to award a contract(s).
2. Oxfordshire County Council as a Waste Disposal Authority (WDA) has a responsibility to dispose of residual waste collected by the Waste Collection Authorities (WCAs) and residual waste delivered to Household Waste Recycling Centres (HWRCs). The Council currently manages approximately 300,000 tonnes of municipal waste per year.
3. In March 2011 the Council entered into a long term contract for the treatment of residual municipal waste with Viridor Oxfordshire Ltd (Viridor) who are constructing an energy from waste (EfW) facility at Ardley in north Oxfordshire. Under the terms of the contract all residual municipal waste that is processable must be delivered for treatment at the EfW facility once it is operational which is currently estimated to be in autumn 2014.
4. The main purpose of the proposed contract(s) is to secure a bulking and haulage service for residual municipal waste from the districts of South Oxfordshire, Vale of White Horse (VOWH), West Oxfordshire and the northern part of Cherwell to ensure that waste can be delivered to the EfW facility efficiently from those parts of the county that are furthest away from Ardley. Waste from Oxford and the southern part of Cherwell district will be delivered directly to the EfW without bulking. The proposed contract(s) will enable the Council to meet a key requirement of the residual waste treatment contract.
5. The proposed contract(s) allow for the bulking and haulage of municipal food waste collected by the WCAs for delivery to processing facilities in Oxfordshire operated by the council's food waste treatment contractor. In addition, bulking and haulage services have been sought for small quantities of clinical waste that WCAs collect from residents.
6. This procurement has also provided an opportunity to seek offers for bulking and haulage of a range of other materials commonly managed by WCAs e.g. carpets, mattresses, furniture, tyres, gas bottles, paint and others. The Council may wish to work with the WCAs and contractors to help manage these materials over the course of the contract.

Exempt Information

7. This report contains information in Annex 1 that relates to a competitive procurement process and is commercially sensitive. The public should therefore be excluded during consideration of the Annex because their discussion in public would be likely to lead to the disclosure to members of the public present of information in the following categories prescribed by Part 1 of Schedule 12A to the Local Government Act 1972 (as amended): paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information). Since it is considered that, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, in that disclosure would distort the proper process of the transaction and the Council's standing generally in relation to such transactions in future, to the detriment of the Council's ability properly to discharge its fiduciary and other duties as a public authority.

Procurement process

8. The procurement process was undertaken by a project team of experienced Council waste management, legal, financial and procurement colleagues and WCA waste management officers. The project was managed by the Waste Project Manager following corporate project management guidance and procedures. As a key dependency for implementation of the residual waste treatment contract the procurement was overseen by the Waste Treatment Board which is responsible for residual waste treatment.
9. The procurement process was designed and carried out in accordance with the Council's Contract Procedure Rules and has followed the EU restricted procedure tendering process. It was conducted electronically using the South East Business Portal which provided an efficient, secure and auditable method of issuing documents, making submissions and seeking clarification of documents.
10. The contract was advertised in the Official Journal of the European Union (OJEU) on 9 March 2012 in four geographical lots;
- Lot 1 – the northern part of Cherwell
 - Lot 2 – South Oxfordshire
 - Lot 3 – Vale of White Horse
 - Lot 4 – West Oxfordshire.
11. Four companies submitted pre-qualification questionnaires (PQQs) and successfully qualified. The Invitation to Tender (ITT) was issued on 22 May 2012. One company was then bought by another waste management company, and although the new company was given the opportunity to re-qualify and participate in the process it withdrew. Tenders were received from the remaining three companies on the submission deadline of 20 July 2012.
12. Tenderers were required to submit a standard bid that complied with the contract terms and conditions for each lot they wished to bid for. Up to two

variant bids were also allowed, for example for different contract durations or combined lots.

13. The terms of the contract do not specify the location for waste transfer stations or whether these should be existing or new, and require the contractor(s) to finance, build and provide the infrastructure they require. It will be the contractor's responsibility and risk to gain planning consent and an environmental permit. Any planning applications required will be submitted to the Council as planning authority and determined by the Planning and Regulation Committee.
14. The standard contract duration is 15 years. The Council has the option to extend by any period of time up to 10 years. A minimum tonnage of 5,000 tonnes per annum for lots 2, 3 and 4 is offered in order to give market confidence for any investment required. The amount is less than half the current annual tonnage per district and the risk of not being able to deliver this amount is considered to be extremely low. This has not been included for lot 1 as the tonnage of waste is for only part of the district and is relatively small, and it is expected that Cherwell District Council will deliver most of its waste directly to the Ardley EfW facility. Therefore the Council has no minimum tonnage liability for Cherwell.
15. The requirements for onward haulage from waste transfer stations include compliance with the delivery procedures at the final destinations and any HGV routing agreements. This includes a requirement to comply with the HGV routing agreement for the Ardley EfW facility.

Consultation and stakeholder involvement

16. All the WCAs have been represented on the project team and they have provided information for and been consulted on the procurement strategy, specification, and the evaluation criteria and weightings. This has ensured that WCA requirements and costs have been taken into account.
17. Progress on the procurement process has been regularly reported to WCA partners through the Oxfordshire Waste Partnership. The proposed contract(s) will support implementation of Policy 9 of the Oxfordshire Joint Municipal Waste Management Strategy which seeks to recover value from residual waste.

Evaluation of tenders

Submitted tenders

18. Each of the three bidders has submitted a compliant tender and two variant bids. A high level summary of the bids received per lot is set out in Table 1. The compliant tenders included bids for all four geographical lots, although no tenderer bid for all lots. The variant bids included combinations of lots in which one waste transfer station (WTS) would serve two district areas, variations to contract duration, and various amendments to terms and conditions.

Table 1 Summary of tenders

| | Compliant bids | | | | Variant bids | |
|---------------|------------------------------|----------------|---------------|---------------|--------------|-----------|
| | Lot1 North of Cherwell | Lot 2 South | Lot 3 VOWH | Lot 4 West | Variant 1 | Variant 2 |
| Tenderer 1 | | ✓ | ✓ | ✓ | ✓ | ✓ |
| Tenderer 2 | ✓ | ✓ | ✓ | | ✓ | ✓ |
| Tenderer 3 | | | | ✓ | ✓ | ✓ |

Evaluation criteria and process

19. The evaluation criteria and weightings used to evaluate the tenders are set out in Table 2. The overall weighting of the scores was split 60% price and 40% technical and operational aspects, as agreed by the Waste Treatment Board in January 2012.

Table 2 Evaluation criteria, sub-criteria and weightings

| Level 1 criteria | Weighting | Level 2 criteria | Weighting | Level 3 criteria | Weighting |
|------------------------------------|------------|---|-----------|-----------------------|-----------|
| Price | 60% | | | | |
| Technical & Operational | 40% | Operations | 32% | | |
| | | | | Site Operations | 8% |
| | | | | Travelling Distances | 12% |
| | | | | Haulage | 8% |
| | | | | Health & Safety | 4% |
| | | Organisation | 8% | | |
| | | | | Recording & reporting | 4% |
| | | Staff | 4% | | |
| | | Compliance with conditions of contract (standard bid) | PASS/FAIL | | |

20. The financial evaluation was based on submitted tender prices and assessed the annual cost of residual waste bulking and haulage based on indicative tonnages for 2011/12 as provided in the ITT. The Council also reserved the right to take into account the impact of any additional costs to the Council implied by a tender, for example excess mileage payments. Prices for food, clinical and other wastes were not included in the financial evaluation because they are opt in services that may not be taken up.

21. Within the technical and operational criteria, significant weight was given to travelling distances. The locations of waste transfer stations have both practical and cost implications for the WCAs in how waste collection rounds are organised. In effect this enabled the procurement to take into account the cost to the Oxfordshire tax payer as a whole.
22. For Lot 2 South Oxfordshire and Lot 3 VOWH tenders were received for both individual lots and bids that combined both lots. To enable a proper comparison of pairs of tenders for individual lots with combined tenders, all the possible combinations of lots 2 and 3 have been evaluated.

Evaluation outcome

23. The evaluation scores are summarised in Annex 1. Contract award will be based on the most economically advantageous solution to the council tax payer overall, taking into account the technical and operational evaluation criteria as set out in Table 2.
24. All the tenderers confirmed acceptance of the conditions of contract for their compliant tenders and therefore passed this pass/fail criterion.
25. The technical evaluation (40% weighting) has demonstrated that all the tenderers have offered solutions for residual municipal waste bulking and haulage that are capable of providing the specified service to the required standard and time. The written consent of the Council will be required to sub-contract any part of the service. Where a tenderer has proposed to sub-contract the haulage element of the service, the project team are satisfied that proposed sub-contractors will provide a satisfactory service as specified in the ITT.
26. The most significant area of difference between the tenders in technical terms relates to the travel distances for the WCAs delivering to the proposed waste transfer stations. Tenders that offered delivery points within the district to be served scored higher on this criterion and this has had an impact on the outcome. For the other technical criteria the differences between scores were less varied.
27. In terms of the financial evaluation (60% weighting) there were significant variations in price which produced a wide range of scores. Generally variant bids for combined lots or longer contract durations offered lower prices and scored higher. Additional costs were applied where delivery points for waste transfer were proposed in locations beyond five miles of the boundary of the district to be served and would therefore trigger excess mileage payments.
28. The evaluation results indicate that for each lot the following tenderers have achieved the highest scores.
 - a) Lot 1, northern part of Cherwell – Tenderer 2, variant 2. Although only one tenderer submitted bids for this lot, comparison of the price per tonne submitted with the other tendered prices demonstrates that the price is

competitive. This lot has no minimum tonnage enabling a flexible approach.

- b) Lot 2 South Oxfordshire and Lot 3 VOWH – Tenderer 1, variant 2 is the highest scoring solution and most economically advantageous overall. This scored well in the financial evaluation and in relation to travel distances.
 - c) Lot 4 West Oxfordshire – the compliant bid submitted by Tenderer 1 has scored the highest for Lot 4 and scored well in the financial evaluation.
29. The highest scoring bids for lot 1 and lots 2 and 3 combined are for 25 year contract durations. A long contract term offers the Council security in three ways. Firstly, the contract duration would match the service period for the EfW contract, and maintaining a long term arrangement with a bulking and haulage contractor will reduce risk in terms of the Council's obligations to meet the delivery requirements at the EfW facility. Secondly, indexation of the contract price at RPIX would provide protection from the risk of fuel price inflation increasing above RPIX if the contract is re-tendered after 15 years. Thirdly, there is no change in law risk for the Council for a 25 year contract duration, whereas for a 15 year duration there would be some risk in any extended term.
30. A minimum tonnage of 5,000 tonnes per year has been offered for both lots 2 and 3. As the amount is less than half the current tonnage for each district the project team considers this is a low risk even over 25 years. Therefore, in light of the potential benefits described above it is considered that 25 year contracts for lots 1, 2 and 3 should be awarded.

Bulking and haulage of food and other wastes

31. The tenderers have all offered to provide food waste bulking and haulage and have provided prices for this and the other wastes. These are opt in services that can be taken up and paid for by the WCAs from the successful contractors if they choose to do so. The WCAs can decide to take up any of these services when the residual waste bulking and haulage service starts or at any time after.

Financial and Staff Implications

32. The affordability assessment for the residual waste treatment procurement included the costs the Council would incur for the transfer and haulage of residual waste to the Ardley EfW facility. The costs of the highest scoring tender submissions fall well within the value for money benchmark estimate, demonstrating that the tenders offered are both affordable and represent value for money.
33. Payment for the residual waste bulking and haulage service will only be made once the service has started in 2014, when the Council will pay a rate per tonne for waste delivered to the waste transfer stations and transported to the

Ardley EfW facility. Payment for the service from 2014 is already built into the medium term financial plan, as part of the budget process for residual waste treatment.

34. The bulking and haulage of municipal food, clinical and other wastes will be paid for by the WCAs on a rate per tonne basis and as a cost pass-through if they choose to take up these services. There are no minimum tonnages for these waste streams which ensures flexibility in the offer to the WCAs.
35. The contract will be implemented and managed utilising existing staff resources. The project team including legal services consider that there will be no implications under TUPE. The process of preparing for a smooth transition from landfill to delivering residual waste to the Ardley EfW facility via waste transfer stations and direct delivery will require on-going liaison with the WCAs. This work will form part of the residual waste treatment project which is managing the transition and contract management during construction of the Ardley EfW facility.

Legal implications

36. The award of contracts to provide bulking and haulage services will help to fulfil the Council's legal obligations as WDA under the Environmental Protection Act 1990 to provide delivery points for the WCAs for municipal waste.
37. Award of the contracts is critical to enabling the Council to meet its obligations to deliver all residual municipal waste that can be processed to the Ardley EfW facility for treatment. Failure to do so would place the Council in breach of the exclusivity provisions in the residual waste treatment contract and at risk of financial penalties under the contract.
38. The Council will have the ability to terminate the contracts due to contractor default and a number of reasons including bribery, insolvency and change of control, and will have the right to recover any losses incurred. However, there is no unilateral right for the Council to break the contract. This was considered inappropriate for a contract potentially involving significant up-front capital expenditure as it would either have had a negative impact on pricing or it is possible that tenderers would not have submitted bids and therefore reducing competition.
39. The procurement has benefitted from support from officers in legal services and procurement, in a team approach which ensured that the process has been undertaken in accordance with EU and national procurement legislation and the Council's contract procedure rules.

Sustainability implications

40. A key objective of the bulking and haulage service is to provide for the efficient delivery of residual waste to the Ardley EfW facility by reducing vehicle movements and by using modern fuel efficient vehicles.

41. The alternative of all refuse collection vehicles (RCVs) and street cleansing vehicles delivering directly to the EfW facility would lead to more vehicles travelling longer distances, with increased fuel consumption and vehicle emissions. The WCAs would also face a need for more frequent vehicle maintenance, reduced vehicle life, and implications for the organisation of waste collection rounds due to longer journey times for vehicles and crews.
42. At the PQQ stage all the companies demonstrated satisfactory performance in terms of their environmental and carbon management policies and practices. The contract specification requires vehicle standards and maintenance, and driving practices to reduce emissions and maximise fuel efficiency.
43. Implementation of the residual waste treatment contract contributes to the Corporate Plan priority of enhancing the environment, and the bulking and haulage contract is a key dependency. Residual waste treatment at the Ardley EfW facility will achieve 95% diversion of residual municipal waste from landfill, reduce emissions of greenhouse gases by approximately 56,800 tonnes CO2 equivalent per year, and generate electricity for about 38,000 homes.

Risk management

44. Risks have been managed proactively by the project team and regularly reported to the Waste Treatment Board. The key risks relate to delay to the procurement, the planning or permit application processes or the construction of new waste transfer stations if required leading to inability to deliver all residual waste to the EfW facility.
45. The responsibility for obtaining planning permission and an environmental permit will be the contractor's. Should there be any delay or failure to maintain required consents for the duration of the contract, the contractor will be required to provide contingency arrangements at no additional cost to the Council.
46. The procurement has been undertaken to schedule and has been programmed to allow time for contractors to achieve necessary consents and build new infrastructure if they need to. The delivery programmes and contingency arrangements submitted in the tenders were evaluated and assessed to be feasible and deliverable.

Next steps

47. Following the Cabinet's decision, the contract award process will be completed as soon as possible. The start of the bulking and haulage service will need to be coordinated with the EfW facility commissioning stage and operational start date which is dependent on future construction progress. Preparation for this will be a key work stream for implementation of the residual waste treatment contract over the next two years.

RECOMMENDATION

48. **The Cabinet is RECOMMENDED to note the outcome of the evaluation and endorse the award of contracts for the provision of residual municipal waste bulking and haulage services as follows;**
- (a) Lot 1 northern part of Cherwell to Tenderer 2 on the basis of their variant 2 tender ;**
 - (b) Lot 2 South Oxfordshire and Lot 3 Vale of White Horse to Tenderer 1 on the basis of their variant 2 tender; and**
 - (c) Lot 4 West Oxfordshire to Tenderer 1 on the basis of their compliant tender.**

Huw Jones
Director for Environment and Economy

Background papers: Report to Cabinet 27 July 2010, Oxfordshire Residual Waste Treatment procurement – Award of Contract

Contact Officer: Frankie Upton, Waste Project Manager, Tel (01865) 815824

7 November 2012

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