

To: Members of the Cabinet

Notice of a Meeting of the Cabinet

**Tuesday, 15 July 2014 at 2.00 pm
in Meeting Rooms 1&2**

County Hall, Oxford, OX1 1ND

Joanna Simons

Joanna Simons
Chief Executive

July 2014

Contact Officer: **Sue Whitehead**
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Membership

Councillors

Ian Hudspeth	<i>Leader of the Council</i>
Rodney Rose	<i>Deputy Leader of the Council</i>
Mrs Judith Heathcoat	<i>Cabinet Member for Adult Social Care</i>
Nick Carter	<i>Cabinet Member for Business & Customer Services</i>
Melinda Tilley	<i>Cabinet Member for Children, Education & Families</i>
Lorraine Lindsay-Gale	<i>Cabinet Member for Cultural & Community Services</i>
David Nimmo Smith	<i>Cabinet Member for Environment</i>
Arash Fatemian	<i>Cabinet Member for Finance</i>
Louise Chapman	<i>Cabinet Member for the Fire Service & Corporate Plan</i>
Hilary Hibbert-Biles	<i>Cabinet Member for Public Health & the Voluntary Sector</i>

The Agenda is attached. Decisions taken at the meeting will become effective at the end of the working day on 23 July 2014 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: 16 September 2014

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

To approve the minutes of the meeting held on 17 June 2014 (**CA3** to be circulated separately) 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. Treasury Management Outturn 2013/14 (Pages 1 - 18)

Cabinet Member: Finance

Forward Plan Ref: 2014/019

Contact: Lewis Gosling, Financial Manager (Trainee) – Treasury Management Tel: (01865) 323988

Report by Chief Finance Officer (**CA6**).

The report sets out the Treasury Management activity undertaken in the financial year

2013/14 in compliance with the CIPFA Code of Practice. The report includes Debt and Investment activity, Prudential Indicator Outturn, changes in Strategy, and 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 Treasury Management Activity in 2013/14.

7. 2014/15 Financial Monitoring & Business Strategy Delivery Report - May 2014 (Pages 19 - 80)

Cabinet Member: Finance

Forward Plan Ref: 2014/018

Contact: Stephanie Skivington, Corporate Finance Manager Tel: (01865) 323995

Report by Chief Finance Officer (CA7).

The report focuses on the delivery of the Directorate Business Strategies that were agreed as part of the Service and Resource Planning Process for 2014/15 – 2017/18. Parts 1 and 2 include projections for revenue, reserves and balances as at the end of May 2014. Capital Programme monitoring and update is included at Part 3 and Part 4 sets out a change to un-ringfenced grant funding in 2014/15. Changes to Fees and Charges are included at Part 5.

The Cabinet is RECOMMENDED to:

- (a) note the report;***
- (b) approve the virement requests and changes related to unringfenced grants set out in Annex 2a and Part 4;***
- (c) approve the supplementary estimate request in Annex 2e;***
- (d) note the Treasury Management lending list at Annex 3;***
- (e) approve the updated Capital Programme at Annex 8 and the associated changes to the programme in Annex 7c;***
- (f) approve the contribution of £1.7m of developer contributions funding to the Cheney Academy to expand the school by an additional class in each year;***
- (g) authorise the Director for Children, Education & Families and the Chief Finance Officer to enter into a funding agreement with Cheney Academy to transfer £1.7m of developer funding in stages;***
- (h) approve the use of the £1.120m grant to implement the Universal Infant Free School Meal programme and the addition of the scheme to the Capital Programme;***
- (i) approve the fees and charges as set out in Part 5 and Annex 9.***

8. Public Health Annual Report (Pages 81 - 120)

Cabinet Member: Public Health & the Voluntary Sector

Forward Plan Ref: 2014/090

Contact: Rebecca Cooper, Consultant – Public Health Tel: (018654) 328553

Report by Director of Public Health (CA8).

This is the seventh Director of Public Health Annual Report.

As well as reporting on the overall state of health and wellbeing of the county, the paper:

- Reports on the Public Health services that the county council is now responsible for as set out in legislation.
- Reflects on the opportunities afforded by the return of Public Health to Local Government and sketch out some of what the future may hold.

The report begins with an analysis on these opportunities.

This is followed by sections reporting on services, important issues and progress in the following chapters:

1. The Best Start in Life
2. Improving Quality of Life for All
3. Reducing Inequalities in Health
4. Infectious and Communicable Diseases

Cabinet is RECOMMENDED to RECOMMEND Council to receive the report and note its recommendations.

9. SEND (Special Educational Needs & Disabilities) Reforms (Pages 121 - 128)

Cabinet Member: Children, Education & Families

Forward Plan Ref: 2014/089

Contact: Janet Johnson, Children with SEN Manager Tel: (01865) 815129

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

The Children and Families Act (March, 2014) introduces significant changes affecting children and young people, aged 0 - 25, with special educational needs (SEN) and disabilities. These, in turn, have implications for a number of public bodies, including the Council. The principle changes which impact on the role of the Council include the requirement to publish a 'Local Offer'; the replacement of Statements of SEN with Education, Health and Care Plans; and personal budgets. The report summarises the key issues, their implications and how the Council is responding.

The Cabinet is RECOMMENDED to be aware of the significant changes to SEN and disabilities and the challenges facing the Council over the coming years.

10. **Oxfordshire Minerals and Waste Local Plan - Review of Statement of Community Involvement** (Pages 129 - 158)

Cabinet Member: Environment

Forward Plan Ref: 2014/081

Contact: Chris Kenneford, Service Manager – Planning Regulations Tel: (01865) 815615

Report by Interim Deputy Director for Environment & Economy – Strategy & Infrastructure Planning (**CA10**).

The County Council has a statutory duty to prepare a Statement of Community Involvement (SCI). This sets out how the Council will involve the community (consultees, stakeholders and other interested parties) in: preparing and reviewing the Minerals and Waste Local Plan; and making decisions on planning applications for minerals, waste and County Council developments. The Council must comply with its SCI in preparing the Local Plan.

The current SCI was adopted by the Council in November 2006. Since then there have been changes in legislative requirements for consultation and in the way the Council carries out consultation. In view of these changes, a review of the adopted SCI is required. This should be undertaken now, so that an up to date SCI can be put in place before the Minerals and Waste Local Plan: Core Strategy is published and submitted to the Secretary of State for examination early in 2015.

The Cabinet is RECOMMENDED to

- (a) agree the draft revised Oxfordshire Statement of Community Involvement at Annex 1, subject to final detailed amendment, updating and editing, as a draft for public consultation;***
- (b) authorise the Deputy Director for Environment & Economy (Strategy & Infrastructure Planning) to:***
 - (i) carry out final detailed amendment, updating and editing of the draft revised Oxfordshire Statement of Community Involvement, in consultation with the Cabinet Member for Environment;***
 - (ii) publish the draft revised Oxfordshire Statement of Community Involvement for public consultation.***

11. **Externalisation of Back Office/School Facing Services - Next Steps** (Pages 159 - 164)

Cabinet Member: Deputy Leader

Forward Plan Ref: 2014/074

Contact: Lorna Baxter, Chief Finance Officer Tel: (01865) 823971/Steve Munn, Chief HR Officer Tel: (01865) 815191

Report by Chief Executive (**CA11**).

This report provides an update and next steps in the externalisation of corporate facing HR and Finance back office services and the joint venture proposal to cover school back office and schools learning and foundation years.

The Cabinet is RECOMMENDED to:

- (a) ***agree to join the Hampshire partnership as an operational partner for the provision of back office support services with an expected go-live date of 1st July 2015.***
- (b) ***note that a report will be brought to Cabinet in September 2014 setting out the progress made towards a business case for a second partnership with Hampshire concerning a range of school improvement and support services.***

12. Modification to Approved Alteration of Age Range at St Edburg's CE (VA) Primary School, Bicester (Pages 165 - 168)

Cabinet Member: Children, Education & Families

Forward Plan Ref: 2014/046

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

Report by Director for Children's Services & the Governing Body (**CA12**).

In July 2012, Cabinet approved the proposal for St Edburg's CE (VA) Primary School in Bicester to alter its age range in order to establish a Nursery class. The alteration is linked to the future relocation and expansion of the school to a new building in the Kingsmere housing development.

The relocation of the school is delayed and so the original implementation date cannot be met and must be postponed until the school is in its new building. Under the Guidance that the original approval was given, a change of implementation date must be approved by the same Decision Maker (Cabinet). This is the reason for this report going before Cabinet.

The Cabinet is RECOMMENDED to approve the modification to the implementation date of the approved alteration of age range at Edburg's CE (A) Primary School, Bicester.

13. Recommended Sponsor for the New Primary School for Barton, Oxford - report on the selection process for approved providers and approval of Preferred Option (Pages 169 - 170)

Cabinet Member: Children, Education & Families

Forward Plan Ref: 2014/044

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

Report by Director for Children's Services (**CA13**).

The Cabinet meeting of 4 September 2012 approved a process for the identification of sponsors for new academies to meet the needs of population growth such as this which requires a new primary school for 2015.

This process has been followed and has now reached the point where a preferred provider has been identified from a group of 2 short-listed bidders which were assessed against criteria.

The Cabinet is asked to agree the recommended provider which will be submitted to the Secretary of State for Education for a final decision.

The Cabinet is RECOMMENDED to approve the Cheney School Academy Trust as the preferred provider to be submitted to the Secretary of State for Education for final agreement.

14. Recommended Sponsor for the First New Primary School for NW Bicester - report on selection process for potential providers and approval of Preferred Option (Pages 171 - 174)

Cabinet Member: Children, Education & Families

Forward Plan Ref: 2014/045

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

Report by Director for Children's Services (CA14).

The Cabinet meeting of 4 September 2012 approved a process for the identification of sponsors for new academies to meet the needs of population growth such as this which requires a new primary school for 2015.

This process has been followed and has now reached the point where a preferred provider has been identified from a group of 3 short-listed bidders which were assessed against criteria.

The agreed process is that the preferred option should be approved either by Cabinet or by the Lead Member for Children, Education and Families.

The Cabinet is asked to agree the preferred provider which will be submitted to the Secretary of State for Education for a final decision.

In addition the Cabinet is asked to consider whether similar decisions on further schools should be made by the Lead Member unless there are exceptional circumstances.

The Cabinet is RECOMMENDED to agree

(a) The White Horse Federation as the recommended provider to be submitted to the Secretary of State for Education for final agreement;

(b) The Cabinet is RECOMMENDED to agree that in future the preferred provider for a new school should be approved by Lead Member for

Children, Education and Families rather than Cabinet, unless there are exceptional circumstances.

15. Cabinet Business Monitoring Report for Quarter 4 (Pages 175 - 190)

Cabinet Member: Deputy Leader

Forward Plan Ref: 2014/020

Contact: Maggie Scott, Head of Policy Tel: (01865) 816081

Report by Head of Policy (**CA15**).

This paper provides details of performance for quarter four for the Cabinet to consider. The report is required so that the Cabinet can monitor the performance of the Council in key service areas and be assured that progress is being made to improve areas where performance is below the expected level.

Cabinet is RECOMMENDED to note and discuss the performance reported in the dashboards.

16. Forward Plan and Future Business (Pages 191 - 192)

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 **CA16**. 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.

17. Delegated Powers of the Chief Executive - July 2014

Cabinet Member: Leader

Forward Plan Ref: 2014/021

Contact: Sue Whitehead, Principal Committee Officer Tel: (01865) 810262

<i>Date</i>	<i>Subject</i>	<i>Decision</i>	<i>Reasons for Urgency</i>
7 February 2014	Provision of Drug & Alcohol Education in	Approved a contract award for the provision	To ensure continuity of service provision

	Secondary Schools	of drug and alcohol education in secondary schools to "The Training Effect" for two years with an option to extend for up to a further 24 months at a total value of £521,240	of a statutory service following transfer of functions from Public Health to local authority.
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18. Exempt Item

Item 19

In the event that any Member or Officer wishes to discuss the information set out in the Annex to Item 19, 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 the Annex 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.

THE ANNEX TO THE ITEM NAMED HAS 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.

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

19. Didcot Great Western Park - Primary School (Pages 193 - 198)

Cabinet Members: Business & Customer Services and Children, Education & Families
Forward Plan Ref: 2014/092

Contact: Trevor Askew, Service Manager – Property & Procurement Tel: (01865) 323678

Report by Director for Environment & Economy (**CA19**).

The information contained in the annex 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)

and since it is considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, in that where a tender or bidding process is in progress disclosure would distort the proper process of open competition and would prejudice the position of the authority in the 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.

As a consequence of a new 3,300 unit housing development at Great Western Park, Didcot, there is an immediate need to provide a 420 pupil Primary school within the development for September 2015. Outline Planning consent has been gained for the overall development (housing and schools etc.) by the developer; associated with which is a S106 agreement securing land and contributions towards various infrastructure, including the proposed primary school. Work to complete this new school project commenced in June 2013. The Scheme has now been developed sufficiently to pass its first Capital Governance stage, which provides a recommendation for the budget for the scheme, results of the feasibility report, details current risks and the recommended school design to be submitted for planning. The scheme is currently being developed further to enable detailed design to be completed in order to enable construction to start in October 2014, with completion in time to enable pupils to begin school in September 2015.

The Cabinet is RECOMMENDED to:

- (a) endorse the progress to date***
 - (b) delegate to the Chief Finance Officer and Director for Environment & Economy in consultation with the Leader the authority to approve the Stage 2 Full Business Case and the award of the construction contract.***
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