

To: Members of the Cabinet

## ***Notice of a Meeting of the Cabinet***

**Tuesday, 16 November 2010 at 2.00 pm**

**County Hall, Oxford, OX11ND**

*Joanna Simons*

Joanna Simons  
Chief Executive

November 2010

Contact Officer:

**Sue Whitehead**

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### *Councillors*

### **Membership**

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|-----------------------|---|
| Keith R. Mitchell CBE | - <i>Leader of the Council</i>                                    |
| David Robertson       | - <i>Deputy Leader of the Council</i>                             |
| Arash Fatemian        | - <i>Cabinet Member for Adult Services</i>                        |
| Ian Hudspeth          | - <i>Cabinet Member for Growth &amp; Infrastructure</i>           |
| Jim Couchman          | - <i>Cabinet Member for Finance &amp; Property</i>                |
| Kieron Mallon         | - <i>Cabinet Member for Police &amp; Policy Co-ordination</i>     |
| Louise Chapman        | - <i>Cabinet Member for Children, Young People &amp; Families</i> |
| Michael Waine         | - <i>Cabinet Member for Schools Improvement</i>                   |
| Rodney Rose           | - <i>Cabinet Member for Transport</i>                             |
| Mrs J. Heathcoat      | - <i>Cabinet Member for Safer &amp; Stronger Communities</i>      |

*The Agenda is attached. Decisions taken at the meeting will become effective at the end of the working day on 24 November 2010 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: 21 December 2010*

## **Declarations of Interest**

This note briefly summarises the position on interests which you must declare at the meeting. Please refer to the Members' Code of Conduct in Part 9.1 of the Constitution for a fuller description.

### **The duty to declare ...**

You must always declare any "personal interest" in a matter under consideration, i.e. where the matter affects (either positively or negatively):

- (i) any of the financial and other interests which you are required to notify for inclusion in the statutory Register of Members' Interests; or
- (ii) your own well-being or financial position or that of any member of your family or any person with whom you have a close association more than it would affect other people in the County.

### **Whose interests are included ...**

"Member of your family" in (ii) above includes spouses and partners and other relatives' spouses and partners, and extends to the employment and investment interests of relatives and friends and their involvement in other bodies of various descriptions. For a full list of what "relative" covers, please see the Code of Conduct.

### **When and what to declare ...**

The best time to make any declaration is under the agenda item "Declarations of Interest". Under the Code you must declare not later than at the start of the item concerned or (if different) as soon as the interest "becomes apparent".

In making a declaration you must state the nature of the interest.

### **Taking part if you have an interest ...**

Having made a declaration you may still take part in the debate and vote on the matter unless your personal interest is also a "prejudicial" interest.

### **"Prejudicial" interests ...**

A prejudicial interest is one which a member of the public knowing the relevant facts would think so significant as to be likely to affect your judgment of the public interest.

### **What to do if your interest is prejudicial ...**

If you have a prejudicial interest in any matter under consideration, you may remain in the room but only for the purpose of making representations, answering questions or giving evidence relating to the matter under consideration, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

### **Exceptions ...**

There are a few circumstances where you may regard yourself as not having a prejudicial interest or may participate even though you may have one. These, together with other rules about participation in the case of a prejudicial interest, are set out in paragraphs 10 – 12 of the Code.

### **Seeking Advice ...**

It is your responsibility to decide whether any of these provisions apply to you in particular circumstances, but you may wish to seek the advice of the Monitoring Officer before the meeting.

**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 - 12)

To confirm the minutes of the meetings held on 19 October 2010 (**CA3(a)**) and 2 November 2010 (**to be circulated separately**) and to receive for information any matters arising therefrom.

## 4. Questions from County Councillors

Any county councillor may, by giving notice to the Proper Officer by 9 am on the working day 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. Financial Monitoring - November 2010 (Pages 13 - 108)

*Cabinet Member:* Finance & Property

*Forward Plan Ref:* 2010/112

*Contact:* Kathy Wilcox, Principal Financial Manager Tel: (01865) 323981

Report by Assistant Chief Executive & Chief Finance Officer (**CA6**).

This is the fourth financial monitoring report for the 2010/11 financial year and covers the period up to the end of September 2010. Part 1 & 2 set out the Council's forecast

position for the 2010/11 financial year and include projections for revenue, balances, reserves. The capital programme monitoring and update is dealt with at Part 3.

***The Cabinet is RECOMMENDED to:***

- (a) ***note the report and approve the virements as set out in annex 2a;***
- (b) ***approve the Supplementary Estimate requests as set out in annex 2f and paragraph 46.***

**7. Treasury Management Mid Term Review 2010/11** (Pages 109 - 120)

*Cabinet Member:* Finance & Property

*Forward Plan Ref:* 2010/114

*Contact:* Tim Chapple, Financial Manager – Treasury & Pension Fund Investments (01865) 323978

Report by Assistant Chief Executive & Chief Finance Officer (**CA7**).

The report sets out the Treasury Management activity undertaken in the first half of the financial year in compliance with the CIPFA Code of Practice. The report includes Debt and Investment activity, an update on Prudential Indicators, changes in Strategy and a forecast interest receivable and payable in 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 2010/11.***

**8. Business Strategy and Service & Resource Planning Report for 2011/12 - 2015/16 (November 2010)** (Pages 121 - 144)

*Cabinet Member:* Finance & Property

*Forward Plan Ref:* 2010/116

*Contact:* Lorna Baxter, Assistant Head of Finance Tel: (01865) 323971

Report by Assistant Chief Executive & Chief Finance Officer (**CA8**).

This report is the third in the series for reports on the Business Strategy and Service & Resource Planning for 2011/12 – 2015/16 Service & Resource Planning process for 2011/12 - 2015/16 and will culminate in the Council setting a budget requirement for the authority and an amount of Council Tax for 2011/12 in February 2011.

The reports sets out a synopsis of what is contained in the Spending Review announced on 20 October 2010 along with subsequent announcements and the potential impact of them on Oxfordshire, highlighting where there are uncertainties and the level of risk those uncertainties form. Whilst the Spending Review does provide some information, the actual grant position for 2011/12 for both Formula Grant and Specific Grants along with capital funding, will not be known until the Draft Local Government Finance Settlement is announced in early December 2010.

***The Cabinet is RECOMMENDED to:***

- (a) note the outcome of the Spending Review, and the potential impacts on both revenue and capital;***
- (b) note that clarity has been sought from Members of Parliament on the uncertainties which remain as a result of the Spending Review;***
- (c) agree the proposed revision to the total savings targets in paragraph 27.***

**9. Day Opportunities for Older People (Pages 145 - 164)**

*Cabinet Member: Adult Services*

*Forward Plan Ref: 2010/178*

*Contact: Varsha Raja, Assistant Head of Services, Strategic Commissioning Tel: (01865) 323552*

Report by Director of Social & Community Services (**CA9**).

This report sets out a proposed new strategic direction to move away from traditional day services for older people to a concept of offering a range of support and services on different days of the week in different venues that maximise independence and offer activities tailored to meet individuals' needs.

Social & Community Services currently funds a range of day services for older people that are building based. These services are either delivered by internal staff or through directly provided services, or commissioned from voluntary and community organisations, or part funded through grants. A much wider range of occupational or activity opportunities are provided by voluntary agencies, community groups and special interest groups with no financial support from the County Council.

The current investment in day services is a total £3,214,000 with an additional £1,596,000 funding transport to enable people to access day services.

The future of day services for older people is one of a number of key issues that has arisen from the roll out of self-directed support as part of the transformation of adult social care.

There is evidence both nationally and locally that new service users may decide to spend their budgets in other ways. This report outlines a proposal to move from a more traditional approach of building based 9 to 5 'day care' which once entered becomes a lifelong service to a concept of offering a range of support and services on different days of the week in different venues that maximise independence and offer activities tailored to meet individuals' needs.

The changes in the main reflect a balance of building based services and flexible local provision that means that older people will not have to travel long distances to access services they need.

***The Cabinet is RECOMMENDED to approve the implementation of the strategic commissioning framework to move to day opportunities for older people carers within Oxfordshire, as detailed in this report.***

## **10. Oxfordshire Concessionary Fares Scheme (Pages 165 - 170)**

*Cabinet Member:* Growth & Infrastructure

*Forward Plan Ref:* 2010/168

*Contact:* Dick Helling, Principal Policy Officer Tel: (01865) 815859

Report by Head of Sustainable Development (**CA10**).

Government has determined that county councils must take over from district councils the management of the national concessionary fares scheme from 1 April 2011. Whilst the main part of the scheme – and almost all the cost – is a statutory responsibility, there is also discretion to enhance the scheme beyond the statutory minimum. Each individual district in Oxfordshire currently offers a different set of discretionary enhancements. These will need to be standardised for the county scheme.

Consultation is in progress on this, and the outcome will be reported to the 25 January 2011 meeting of Cabinet. However the Council is obliged to publish by 30 November 2010 a scheme for reimbursement of bus companies, for consultation with the companies. Decisions need to be taken now on those enhancements which directly affect this scheme.

Three of the five district councils currently allow passes to be used for free travel from 9.00 am (rather than 9.30 am which is the statutory requirement). It is not possible accurately to calculate the cost of this, but the true extra cost is undoubtedly small, since a large majority of people travelling free between 9.00 and 9.30 am would simply defer their journey slightly, until after 9.30 am, if they had to pay before that time. This extension is very popular with users and used to be offered as standard throughout Oxfordshire.

All district councils currently offer people who are so severely disabled as to be unable to travel by bus without a companion, a 'companion pass' entitles a companion to travel also at no fare. This is also very widespread elsewhere in the country. Terms of entitlement vary from district to district: a compromise standard is recommended.

***Cabinet is RECOMMENDED to:***

- (a) Publish, for consultation with bus operators, a reimbursement scheme as outlined in the 'Reimbursements to Bus Operators section above;***
- (b) Allow free travel for concessionary passholders, throughout Oxfordshire, starting at 9.00 am (instead of 9.30 am) on Mondays to Fridays, this to apply for the 2011/12 financial year and be reviewed for subsequent years;***
- (c) To offer companion passes to those residents who are in receipt of Carers Allowance; who can supply proof that they need assistance to use public transport; or are between the ages of 5 and 15;***

- (d) ***Specify exemptions from and inclusions in the scheme as recommended in the section headed 'Exemption of special categories of service'; and***
- (e) ***Ask officers to report on other aspects of the concessionary fare scheme, including the outcome of consultation with passholder representatives, and any major issues raised by bus operators in the consultation on the reimbursement scheme to the Cabinet meeting on 25 January 2011.***

## **11. OCC Parking Standards for Residential and Commercial Development** (Pages 171 - 196)

*Cabinet Member: Transport*

*Forward Plan Ref: 2010/156*

*Contact: David Groves, Transport Development Control Manager Tel: (01865) 816042*

Report by Head of Highways & Transport (**CA11**).

The current car parking standards for the County Council were approved by the Executive Committee in 2001. The parking standards of the District Councils are based on these standards.

In recent years there continues to be feeling amongst the public and Local Authority Members of the various levels of local government that there is insufficient parking provided in new residential developments.

In response to these views the County Council and District Councils jointly commissioned consultants to look at the car ownership in new developments. This report showed distinctive habitual patterns of modern parking habits in residential developments. A draft proposal was created based on a matrix approach to parking provision. This proposal was discussed with all of the District Councils in the County and refined into a form which was acceptable. The proposal is based on developing a series of parking provision regimes which is a mix of 'on-plot' and on street parking. It optimises the level of parking needed according to housing type and location within the built environment.

In the past year there have also been changes in the way new developments are assessed and designed from a Highway Authority point of view. Hence a review of the Councils Development Management design guidance and policies are needed. This document forms part of a future coherent suite of documents. Other documents within the suite of documents which are planned will deal with retail, commercial, and cycle parking.

The primary use of the document is to inform the shaping of new residential developments through the consultation process of planning applications. In its current form it has limited status within the wider planning process. The document has been subjected to a consultation process with all of the District Councils. It requires to be adopted at a higher level within the Council. A further wider consultation process is needed after which formal adoption by the Council will be required.

Cabinet is being asked to accept the content and principles of the document, and authorise a wider consultation process.

***The Cabinet is RECOMMENDED to endorse the principle of applying parking standards for new residential developments as set out in the draft document, and to agree to a formal consultation period. Allowing for minor amendments according to the consultation, Cabinet will meet again to fully endorse the use of the policy. Cabinet is also asked to empower officers to start using the principle of this emerging policy where the Planning Authority and the developer are in agreement.***

## **12. Establishment Review - November 2010 (Pages 197 - 200)**

*Cabinet Member: Deputy Leader*

*Forward Plan Ref: 2010/113*

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

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

This report gives an update on activity since 31 March 2010. It gives details of the agreed establishment figure at 30 September 2010 in terms of Full Time Equivalents, together with the detailed staffing position at 30 September 2010. These are shown in the report by directorate and service area.

The report also provides information on current activity and in addition there is information on grant funded posts and those vacancies which are being covered by agency staff and at what cost.

***The Cabinet is RECOMMENDED to:***

***(a) note the report;***

***(b) confirm that the Establishment Review continues to meet the Cabinet's requirements in reporting and managing staffing numbers.***

## **13. Forward Plan and Future Business (Pages 201 - 202)**

*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.***