

Public Document Pack

Cabinet

Tuesday, 15 September 2009 at 2.00 pm

County Hall, Oxford, OX11ND

ADDENDA

4. Questions from County Councillors

Questions received from the following Members:

From Councillor John Sanders to Councillor Hudspeth:

1. It is reassuring to read that LTP3 will promote cycling and walking (paragraph 10). Can the Cabinet Member assure me that the Plan will include targets, performance indicators and measurement criteria to ensure that these commendable aims are achieved?
2. It is a concern that the report predetermined the 10 objectives for LTP3 and merely has tried to prioritise these objectives. There appears never to have been consideration of objectives for public transport NOT on main routes, such as in rural and suburban areas. Would the Cabinet member agree with me that more realistic objectives could have been identified if the consultation had sought views of the various groups before trying to prioritise a list already set?

From Councillor Brighthouse to Councillor Waine:

Two questions (asked at the meeting) relating to Building Schools for the Future- (i) about the Transformation Strategy, and (ii) about other schools moving up the Government's list for BSF money ahead of Oxfordshire.

5. Petitions and Public Address

The Leader of the Council has agreed the following request to address the meeting:-

Item	Speaker
6. Service & Resource Planning Report for 2010/11 – 2014/15	Councillor Alan Armitage (as Opposition Group spokesman)
7. Local Transport Plan 3	Councillor Ann Purse (as Opposition Group spokesman); Mr. G.P. Smith (member of the public); Mr. A. Joyce (as member of the public)
8. Accessing Science Vale UK - SCOTS	Councillor Ann Purse (as Opposition Group spokesman); Councillor Zoé Patrick (as local Member)
9. Chiltern Railways – Evergreen 3 Project	Councillor Ann Purse (as Opposition Group spokesman); Councillor Jean Fooks (as local Member)
10. Oxford School	Councillor Altaf Khan (as Opposition Group spokesman); Councillor John Tanner (as local Member); Mr Amar Latif (member of the public); Ms Anna Thorne (member of the public)
11. Secondary School Provision in the Grove/Wantage Area	Councillor Zoé Patrick (as local Member)
12. Chipping Norton Care Home	Councillor Jenny Hannaby (as Opposition Group spokesman)
14. Government Draft Legislative Programme	Councillor Zoé Patrick (as Leader of the Opposition)
15. Establishment Review	Councillor Jean Fooks (as Opposition Group spokesman)

6. Financial Monitoring

Building Schools for the Future

Attached is a copy of the Statement of Readiness to Deliver.

Green Book Pay Award

As noted in paragraph 47 of the Financial Monitoring Report the Employer's final offer in settlement of the 2009/10 claim was made on 22 July 2009. The offer was accepted by the Unions on 10 September 2009 and agreement has now been reached on the rates of pay applicable from 1 April 2009. Spinal Column Points 4-10 inclusive have been increased by 1.25%, and SCP 11 and beyond by 1.00%.

The agreement also provides for an additional day of annual leave for those with less than five years service currently entitled to 20 days. Oxfordshire County Council's minimum annual leave entitlement is 24 days so this does not apply to any staff employed by the Authority.

Further detail will be provided in the August report but in the meantime Cabinet is RECOMMENDED to:

- (f) **approve the transfer of £0.8m estimated surplus pay inflation from Directorate budgets for 2009/10 to the Efficiency Savings Reserve.**

8. Local Transport Plan 3 (Pages 1 - 2)

Following the close of the consultation period, there are some suggested changes to the wording of the objectives in the report circulated with the agenda, and these are set out in Annex 1.

16. Forward Plan and Future Business

Members are asked to note the following addition to the Forward Plan:

Portfolio <i>Decision by...</i>	Topic	Timing	Report by... <i>Contact</i>
Growth & Infrastructure <i>Full Cabinet</i>	Community Infrastructure Levy – Draft Regulations Approve OCC response to Government consultation on draft regulations for the introduction of the Community Infrastructure Levy	20 October 2009	Head of Sustainable Development <i>Howard Cox Team Leader Developer Funding (01865 810436)</i>

Members are asked to note the following amendments to the Forward Plan:

Portfolio <i>Decision by...</i>	Topic (Ref) & Decision	Present Timing	Change
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Transport Implementation <i>Cabinet Member</i>	Wolvercote, Oxford - Bus Stop Clearways & Double Yellow Lines (2009/122) To consider responses to a consultation on the introduction of the proposals.	1 October 2009	Item deferred to 26 November 2009
Growth & Infrastructure <i>Full Cabinet</i>	Oxford City Council West End Streamlined Contributions Supplementary Planning Guidance (2009/010) To provide a County view on this important consultation document which will provide the basis for securing developer contributions for infrastructure requirements in the West End	15 September 2009	Item deferred to 20 October 2009
Schools Improvement <i>Cabinet Member</i>	St Nicholas CE Primary School, Marston (2009/132) To consider the expansion of St Nicholas CE Primary School and approve issue of statutory notice if no objections have been received	1 September 2009	Item deleted – objections received going to Full Cabinet on 20 October 2009
Schools Improvement <i>Full Cabinet</i>	St Nicholas CE Primary School, Marston (2009/128) To consider the expansion of St Nicholas CE Primary School and approve issue of statutory notice if objections received	15 September 2009	Item deferred to 20 October 2009
Growth & Infrastructure <i>Full Cabinet</i>	Draft Parking Policy for Oxfordshire (2009/090) To approve a parking policy	15 September 2009	Item deferred to 20 October 2009
Transport Implementation <i>Full Cabinet</i>	Transport Capital Programme Review (2009/120) To review performance and agree changes to the capital programme	20 October 2009	Item deleted - because it is now going to be incorporated into the new Capital Governance process
Transport Implementation <i>Cabinet Member</i>	Henley-on-Thames Town Centre Environmental Improvements – Proposed Changes to Loading and Disabled Parking (2009/139) To consider results of public consultation to promote disabled parking provision and amended times in loading bays.	1 October 2009	Item deleted – no objections
Adult Services <i>Cabinet Member</i>	Governance of Supporting People in the Light of New Oxfordshire Partnership Arrangements (2009/140) To consider changes to the Memorandum of Understanding relating to the Supporting People programme	4 September 2009	Item deferred to 11 December 2009
Transport Implementation <i>Cabinet Member</i>	Oxford - Permit Controlled Parking Zones (CPZs) in the Divinity Road and Magdalen Road Areas of Oxford (2009/118) To approve new TROs to include a permit scheme to bring the CPZs into effect and vary some existing TROs in the area.	1 October 2009	Item to be split into two 2009/118(a) – Oxford – Permit Controlled Parking Zones (CPZs) in the Divinity Road Area of Oxford and 2009/118(b) – Oxford – Permit Controlled Parking Zones (CPZs) in the Magdalen Road Area of Oxford
Schools Improvement <i>Cabinet Member</i>	Burford Community College - Phase 3 Replacement of Temporary Classrooms (2009/098) To consider a project appraisal for the construction of a new 8 classroom block and drama studio to replace temporary buildings.	6 October 2009	Item deferred to 4 November 2009

Schools
Improvement
Cabinet Member

**Fitzwaryn School, Wantage - Phase 2
Modernisation and Permanent Post-16
Provision (2009/099)**

6 October
2009

Item deferred to 4
November 2009

To consider a project appraisal for
modernisation of the existing accommodation
and for the construction of new post-16
accommodation.

18. Item of Urgent Business - Extra Care Housing Development, Orchard Fields, Banbury (Pages 3 - 4)

Report attached as Annex 2.

In accordance with Regulation 16 of the The Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 (as amended), the Chairman of the Strategy & Partnerships Scrutiny Committee (since this is a property-related item) has agreed that the need to take the decision is urgent and cannot reasonably be deferred.

In addition, given the timescale for completing the licence (before 30 September 2009), the Chairman of the Council has agreed, under Rule 17(a) of the Scrutiny Procedure Rules, that any delay is likely to seriously prejudice the Council's interests, in that the availability of grant will be reduced or removed and this would be fatal to the viability of the scheme, and so the Call In procedure shall not apply to this decision.

Division(s): All

ANNEX 1

CABINET – 15 SEPTEMBER 2009

LOCAL TRANSPORT PLAN 3

Report by Director for Environment & Economy

Draft Objective	Officer comment following consultation	Suggested wording following consultation
<p>Improve the condition of local roads and footways, including resilience to flooding</p>	<p>A number of comments were received stating that cycleways were an obvious omission from this objective. Officers recommend the inclusion of cycleways in this objective.</p> <p>Resilience to flooding is not the only impact of climate change. Extremes of temperature also have implications on the condition of roads, footways and cycleways. Officers recommend that this is reflected in the wording of the objective.</p>	<p>Change: Improve the condition of local roads, footways and cycleways, including resilience to climate change</p>
<p>Reduce congestion</p>		<p>No Change</p>
<p>Make journey times more reliable</p>	<p>This objective was given a low priority by the public focus groups. It was also given a low priority by respondents to the general consultation when they were asked to identify the most important objectives for Oxfordshire.</p> <p>Given this, and the fact that it relates closely to the congestion objective (with indicators likely to be similar), officers recommend that this objective should be removed.</p>	<p>REMOVE</p>
<p>Reduce casualties and the dangers associated with travel</p>		<p>No Change</p>
<p>Improve accessibility for all to jobs, goods, services and leisure</p>	<p>The consultation responses indicated that the meaning of this objective was not clear from the wording used.</p>	<p>Improve accessibility to work, education and services</p>

	Officers recommend simplifying this objective.	
Secure infrastructure and services to support development		No Change
Reduce carbon emissions from transport		No Change
Improve air quality and enhance the street environment	The Growth & Infrastructure Scrutiny LTP Working Group commented that air quality is just one environmental impact and that reference to other environmental impacts (e.g. noise) should be included in this objective. Officers recommend that other environmental impacts are included in this objective without explicitly listing them.	Change: Improve air quality, reduce other environmental impacts and enhance the street environment
Develop and increase the use of high quality, welcoming public transport on main routes	A number of comments were received relating to the reference to 'main routes'. Respondents considered that this wording was unnecessary. Officers recommend that the reference to main routes is removed from the objective as it may be considered as pre-determining the inclusion of particular schemes in the programme. Members will have an opportunity to indicate where their priorities for investment in public transport lie at a later stage in the process of developing the LTP.	Change: Develop and increase the use of high quality, welcoming public transport
Promote and support cycling and walking for local journeys, recreation and health	The public focus groups and respondents to the general consultation gave this objective a high priority. However views were expressed that the draft wording of the objective was not ambitious enough. It was also considered to be inconsistent with the wording of the objective relating to public transport. Officers recommend that the wording of this objective reflects that of the public transport objective.	Change: Develop and increase cycling and walking for local journeys, recreation and health

Division(s):Banbury

ANNEX 2

CABINET – 15 SEPTEMBER 2009

ITEM OF URGENT BUSINESS

EXTRA CARE HOUSING DEVELOPMENT, ORCHARD FIELDS, BANBURY

Report by Director for Social & Community Services

Introduction

1. This report seeks Cabinet approval for a license to be issued to Bedfordshire Pilgrims Housing Association (bpha) which will include compensation for costs incurred should the lease for the extra care housing development that they are undertaking not be completed by practical completion of the work.
2. The extra care housing (ECH) development is part of a broader development on the same site of a care home. The Social & Community Services Directorate was successful in obtaining a £1.35million grant for the ECH development. The grant conditions include the deadline of 30 September 2009 for start on site and failure to meet this deadline will lead to the loss of the grant, or a significant reduction in its value. Both these eventualities would mean that the ECH scheme would no longer be viable.
3. This report is seen as being an urgent item for the Cabinet because of the Department of Health deadline and need for a license to be issued for the work to start on site.

The License

4. In essence, the license will allow bpha and its contractors to enter the site and begin work. It will include measures that will require the County Council to compensate bpha for costs incurred should the necessary lease arrangements not be in place by the practical completion of the ECH development. These measures are the same as those for the care home. However, while developing a care home is within the County Council's powers as a social services authority, it is not clear that the Council has the same power to enter into a potential financial obligation, however remote this might be, for an ECH development. To do so requires agreement to use other powers that the Council has.
5. Elsewhere on this agenda the Cabinet is considering a very similar issue. It being proposed that the Council underwrites Oxfordshire PCT's commitments for the development of the Primary Care Centre in Chipping Norton. It is

proposed that this arrangement is allowed under the Well Being that the Council has. It is proposed that the same powers apply here.

6. The ECH development will provide employment opportunities. The analysis of need strongly indicates that ECH is needed in Banbury, and the ECH development will contribute to the supply of affordable housing. It will provide facilities that will enhance the care of older people, including people with high dependency needs.

Financial and Staff Implications

7. There are no staff implications. The financial implications arise if the lease arrangements are not in place by the time of practical completion of the work. In these circumstances the Council would be required to compensate bpha for the work completed. This would total £5.7million less the Department of Health grant of £1.35million and the Homes and Communities Agency grant of £1.2million.
8. Both parties are fully committed to the scheme and there are no matters beyond technical complexity at this time that are thought will stop the leases being completed. In the event of the compensation being due then the Council would also be in a position to enter into arrangements with other organisations which should cover any costs the Council could be facing.

RECOMMENDATION

9. **The Cabinet is RECOMMENDED to agree to a license being issued to bpha (Bedfordshire Pilgrims Housing Association), including the requirement for compensation should the leases not be in place by the time of practical completion.**

JOHN JACKSON
Director for Social & Community Services

Background papers: Nil

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September 2009