



Cabinet Tuesday, 19 March 2013

ADDENDA

3. Minutes (Pages 1 - 10)

To approve the minutes of the meeting held on 26 March 2013 (**CA3**) and to receive information arising from them.

Exempt Item

In the event that any Member or Officer wishes to discuss the information set out in the Appendices to the Annex to **Item 9**, the Cabinet will be invited to resolve to exclude the public for the consideration of those appendices by passing a resolution in relation to that item in the following terms:

"that the public be excluded during the consideration of Appendices A-D 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 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. "

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

THE APPENDICES A-D 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 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.

9. Bayards Hill Primary School - Redevelopment Project (Pages 11 - 32)

Cabinet Member: Police & Policies

Forward Plan Ref: 2013/021

Contact: Trevor Askew, Service Manager - Operational Client Contracts Tel: (01865) 323678

Report by Director for Environment & Economy (**CA9**).

Appendices A-D to the Annex are attached.

The information contained in the appendices 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.

In order to reflect the current state of negotiations with the contractor an amended RECOMMENDATION is set out below:

Cabinet is RECOMMENDED to approve the Stage 2 Full Business Case up to the financial limit of £6.66m and to agree delegation of authority to the Director of Environment and Economy, to approve letting of the construction contract within the agreed financial limit (£6.66m).

CABINET

MINUTES of the meeting held on Tuesday, 26 February 2013 commencing at 2.00 pm and finishing at 2.55 pm

Present:

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

Other Members in Attendance: Councillor Roz Smith (Agenda Item 7)
Councillor Zoe Patrick (Agenda Item 10)

Officers:

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

Part of meeting

Item

Name

6	Diane Cameron (School Organisation & Planning)
7	Kathy Wilcox (Corporate Finance)
8	Nathan Travis, Deputy Chief Fire Officer
9	Martin Tugwell, Deputy Director, Strategy & Infrastructure Planning
10	Huw Jones, Director of Environment & Economy; Lorna Baxter, Deputy Chief Finance Officer
11	Huw Jones, Director of Environment & Economy; Martin Tugwell, Deputy Director, Strategy & Infrastructure Planning
14	Huw Jones, Director of Environment & Economy; Martin Tugwell, Deputy Director, Strategy & Infrastructure Planning

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.

15/13 MINUTES

(Agenda Item. 3)

The minutes of the meeting held on 29 January 2013 were approved and signed subject to the following addition under Minute 1/13:

“The minutes of the meeting held on 18 December 2012 were approved and signed.”

16/13 PETITIONS AND PUBLIC ADDRESS

(Agenda Item. 5)

The following requests to address the meeting had been agreed:

Item 7 – Councillor Roz Smith, Shadow Cabinet Member

Item 10 - Councillor Zoe Patrick, Opposition Leader

17/13 PROPOSAL TO ALTER THE LOWER AGE RANGE AT THREE OXFORDSHIRE PRIMARY SCHOOLS

(Agenda Item. 6)

Cabinet considered a report on proposals to alter the lower age range of for both Five Acres Primary School and John Hampden Primary School would enabling both to admit 3 year olds onto the school roll, thus creating Nursery classes.

RESOLVED to:

- (a) approve the publication of linked statutory notices for closure of Five Acres Nursery School and for the extension of age range at Five Acres Primary School to 3-11; and
- (b) approve the publication of linked statutory notices for closure of John Hampden Nursery School and for the extension of age range at John Hampden Primary School to 3-11.

18/13 2012/13 FINANCIAL MONITORING & BUSINESS STRATEGY DELIVERY REPORT - DECEMBER 2012

(Agenda Item. 7)

Cabinet considered a report that focused 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 December 2012. Capital monitoring was included at Part 3. Fees and Charges were included in Part 4.

Councillor Smith, Shadow Cabinet Member with responsibility for Finance welcomed the provision of a full list of earmarked reserves set out in the addenda. She noted that there were only minor variation to the predicted budgets but drew concern to pooled budgets where a large amount of money was held for clients. She queried why the personal budgets had not been spent and whether the assessments had been carried out properly. She welcomed the use of the efficiency reserve to allow the Councillor Community Budget to continue.

Councillor Hudspeth in formally moving the recommendations commented that the variation on the expected budget was small and the Council was in a good position.

RESOLVED: to:

- (a) note the report;
- (b) approve the virement requests over £0.250m set out in Annex 2a;
- (c) approve the charges for Heritage Service and Oxfordshire Customer Services as set out in paragraph 41 and Annex 9;
- (d) note the Treasury Management lending list at Annex 7;
- (e) approve the use of £0.380m of the Efficiency Reserve in 2013/14 to fund the development of improved and joined up technical solutions for paying for journeys across Oxfordshire and beyond and to allow the Councillor Community Budget to be extended for another year, as set out in paragraph 1 above.

19/13 COMMUNITY RISK MANAGEMENT PLANNING STRATEGY (CRMPS) 2013-2018 & COMMUNITY RISK MANAGEMENT ACTION PLAN (CRMP) 2013-2014

(Agenda Item. 8)

Cabinet considered a report that summarised the consultation approach taken by Oxfordshire Fire and Rescue Service (OFRS) to the Community Risk Management Plan (CRMP) and any key commentary and subsequent changes to the plans. Cabinet also considered the 2013-14 CRMP action plan (detailing specific projects related to the strategic analysis work)

Councillor Heathcoat in introducing the contents of the report noted that the CRMP was formerly known as the Integrated Task Management Plan (IRMP). She emphasised that there had been extensive consultation including through the Safer & Stronger Communities Scrutiny Committee. Nathan Travis, Deputy Fire Chief Officer added that the current Plan took the statutory requirement for a Plan a step further to promote an integrated approach, adding value and supporting the community.

Responding to a question from the Leader about the possibility of the introduction of domestic sprinklers Nathan Travis replied that this had been introduced in Wales but despite lobbying had not been accepted by government for introduction in England. Responding to a query from Councillor Tilley about first responders Nathan Travis confirmed that they did work with first responders and had an agreement with South Oxfordshire.

RESOLVED: to agree that the documents be adopted as the final versions of the Strategic 2013-2018 CRMP and 2013-2014 CRMP Action Plan.

20/13 OXFORD CITY DRAFT CHARGING LEVY (COMMUNITY INFRASTRUCTURE LEVY (CIL)) CONSULTATION RESPONSE

(Agenda Item. 9)

Cabinet had before them a report setting out the County Council's proposed response to the Oxford Draft Community Infrastructure Levy Schedule.

Councillor Hibbert-Biles in introducing the report commented that this was the first of the Schedules to come in from any of the Districts. She outlined the role that the Districts played as the charging and collecting authority and the role of S106 funding for site specific obligations.

Martin Tugwell, Deputy Director, Strategy & Infrastructure Planning outlined the issues the County Council needed to respond on as set out in detail in the report.

During discussion Cabinet highlighted their role to look at levies across the whole of the County and to push for cross boundary consideration of charges.

RESOLVED: to approve the County Council's response to the Oxford Draft Community Infrastructure Levy Schedule as set out in this report

21/13 THE COUNCIL'S ROLE AS ACCOUNTABLE BODY FOR OXFORDSHIRE LOCAL ENTERPRISE PARTNERSHIP - GROWING PLACES FUND MEMORANDUM OF UNDERSTANDING

(Agenda Item. 10)

Oxfordshire Local Enterprise Partnership was established in 2011 with the aim of creating private sector jobs and removing barriers to business growth. It is a partnership between the business community and local government that operates as an unincorporated association. The governance structure comprises an Executive Board, Programme Sub-groups and the Forum. The Executive Board is responsible for preparing an annual business plan on behalf of the Partnership and for ensuring that its agreed priorities are taken forward.

Local Enterprise Partnerships are the Governments mechanism for the distribution of Growing Places Funds which are issued pursuant to section 31 of the Local Government Act 2003 and therefore can only be paid to a local authority nominated to act as accountable body. The County Council has agreed to act as accountable body in respect of Growing Places Fund allocation on behalf of Oxfordshire Local Enterprise Partnership.

Cabinet considered a report seeking approval to an agreement to take arrangements forward.

Councillor Zoe Patrick, Opposition Leader welcomed the Local Enterprise Partnership(LEP) and accepted the impact it could have on the whole of Oxfordshire. She highlighted that one of the key to growth was securing funding to improvements to the to the A34. She welcomed the funding being delivered through the LEP but commented that management was crucial and that if not spent on capital projects it would have to be repaid. She hoped that housing would be sited close to employment as encouraged by government.

The Leader introduced the contents of the report noting that the Memorandum of Understanding was a technical document rather than about detailed plans at this stage.

RESOLVED: to:

- (a) approve the Memorandum of Understanding with the Oxfordshire Local Enterprise Partnership in relation to the Council's role as accountable body for the allocation and distribution of government funds allocated to/via Oxfordshire Local Enterprise Partnership; and
- (b) authorise the Chief Finance Officer to approve loan applications recommended by the Executive Board of the Oxfordshire Local Enterprise Partnership and to enter into appropriate legal agreements on behalf of Council with the recipients of the grant funding once they are approved by the Enterprise Partnership Executive Board.

22/13 FUTURE DEVOLVED GOVERNANCE LOCAL TRANSPORT BOARD - CONSULTATION FEEDBACK

(Agenda Item. 11)

Cabinet considered a report that detailed the consultation responses from partner organisations to the proposal to establish a Local Transport Board in accordance with the draft Assurance Framework approved at Cabinet on 29 January.

Cabinet considered the request from Oxfordshire LEP for two representatives on the Local Transport Board and heard that there were no financial implications to agreeing or not the request.

RESOLVED: to approve the following:

- (a) that the consultation responses from partner agencies are noted;
- (b) that the request from Oxfordshire LEP for two representatives on the Local Transport Board is approved and the Draft Assurance Framework is amended accordingly; and
- (c) that the Director of Environment & Economy be authorised to develop the Scheme Prioritisation Process and progress the Assurance Framework to completion for submission to the Department of Transport in accordance with their timetable in consultation with the Section 151 and Monitoring Officer.

23/13 STAFFING REPORT - QUARTER 3

(Agenda Item. 12)

Cabinet had before them a report that gave an update on staffing numbers and related activity during the period 1 October 2012 to 31 December 2012. It gave details of the agreed staffing numbers and establishment at 31 December 2012 in terms of Full Time Equivalents. In addition, the report provided information on vacancies and the cost of posts being covered by agency staff. The report also tracked progress on staffing numbers since 1 April 2010 as the Council implements its Business Strategy.

RESOLVED: to:

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

24/13 FORWARD PLAN AND FUTURE BUSINESS

(Agenda Item. 13)

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.

25/13 EXEMPT ITEM

RESOLVED: that the public be excluded for the duration of item 14 in the Agenda since it is likely that if they were present during that item 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 that item in the Agenda and it is considered that, in all the circumstances of each case, the public interest in exemption outweighs the public interest in disclosing the information.

PUBLIC SUMMARY OF PROCEEDINGS FOLLOWING THE WITHDRAWAL OF THE PRESS AND PUBLIC

26/13 CHERWELL DISTRICT COUNCIL - PROPERTY ASSET TRANSACTIONS

(Agenda Item. 14)

The information contained in the report and annexes is exempt in that it falls within the following prescribed category:

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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.

Cabinet considered a report seeking approval for the sale of eight County Council owned properties to Cherwell District Council. The properties would be sold below market value because Cherwell District Council was providing the County Council nomination rights in perpetuity for 22 supported housing units: the revenue savings arising from this arrangement offsetting the shortfall in capital receipts.

Cabinet approved the proposed sale.

..... in the Chair

Date of signing

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