

To: **Members of the Cabinet**

Notice of a Meeting of the Cabinet

Tuesday, 20 October 2009 at 2.00 pm

County Hall, Oxford, OX11ND

Joanna Simons

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Chief Executive

October 2009

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<i>Councillors</i>	Membership
Keith R Mitchell CBE	- <i>Leader of the Council</i>
David Robertson	- <i>Deputy Leader of the Council</i>
Jim Couchman	- <i>Adult Services</i>
Ian Hudspeth	- <i>Growth & Infrastructure</i>
Louise Chapman	- <i>Children, Young People & Families</i>
Michael Waine	- <i>Schools improvement</i>
Rodney Rose	- <i>Transport Implementation</i>
Mrs J. Heathcoat	- <i>Safer, Stronger Communities</i>

The Agenda is attached. Decisions taken at the meeting will become effective at the end of the working day on Wednesday 28 October 2009 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: 24 November 2009

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 Section DD of the Constitution for a fuller description.

The duty to declare ...

You must always declare any "personal interest" in a matter under consideration, ie 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 - 18)

To confirm the minutes of the extraordinary meeting held on 7 September 2009 (**CA3**) and the meeting on 15 September 2009 (**CA3(b)**) and to receive for information any matters arising therefrom.

4. **Petitions and Public Address**
5. **Adult Social Care Inspection**

Cabinet Member: Adult Services

Forward Plan Ref: 2009/100

Contact: John Jackson, Director of Social & Community Services Tel: (01865) 323572, Steve Thomas, Performance Information Manager Tel: (01865) 323609

Report by Director for Social & Community Services

There will be a presentation from the Care Quality Commission on their recent Independence, Wellbeing and choice inspection of social care services.

6. **Financial Monitoring** (Pages 19 - 114)

Cabinet Member: Finance & Property

Forward Plan Ref: 2009/034

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

Report by Assistant Chief Executive & Chief Finance Officer

This is the fifth financial monitoring report for the 2009/10 financial year and covers the period up to the end of August 2009 for both revenue, balances, reserves and capital.

The report sets out explanations where the forecast revenue outturn is significantly different from the budget along with proposals to recover the position where appropriate.

The in – year Directorate forecast is an overspend of £3.251m. The reduction of £0.762m compared to the forecast at the end of July largely relates to a change in the

forecast for Children, Young People and Families.

The current position for general balances is set out in Annex 5 and shows a forecast of £14.088m. After taking into account the forecast Directorate overspend, the consolidated revenue balances forecast is £10.837m.

The report also includes an updated Capital Programme.

The Cabinet is RECOMMENDED to:

- (a) **note the report;**
- (b) **approve the virements as set out in Annex 2a;**
- (c) **note the updated transfer of excess inflation to the Efficiency Savings Reserve (para 38);**
- (d) **approve the request for £0.078m added to balances earlier this year to be removed to fund the transport capital programme (para 40) and**
- (e) **approve the updated capital programme included at Annex 7.**

7. Building Schools for the Future (Pages 115 - 150)

Cabinet Member: Leader

Forward Plan Ref: 2009/126

Contact: Roy Leach, Lead Officer, School Organisation & Planning Tel: (01865) 816458

Report by Director for Children, Young People & Families

Building Schools for the Future (BSF) is a substantial national investment programme intended to transform secondary school education. It has the potential to deliver in the region of £600m of capital investment to Oxfordshire's schools. The report provides an up to date account of progress made towards securing entry to the national BSF programme, describes the next steps to be taken and identifies a number of financial challenges which the Council and its schools will need to address. For Oxfordshire to be brought into the national BSF programme it is necessary for the County Council to demonstrate that it is committed to a number of key principles: the establishment of a Local Education Partnership; delivery of substantially rebuilt schools through the Private Finance Initiative; adequate revenue funding to support procurement; and securing sufficient resources to bridge any 'affordability gap' between the funding allocated and that required to deliver the Council's and schools' visions for the transformation of education.

The Cabinet is RECOMMENDED to:

- (a) **Confirm it's commitment to the BSF programme;**
- (b) **Confirm that it wishes officers to continue to seek to have Oxfordshire brought into the national BSF programme as soon as possible and fully**

engage with all relevant stakeholders and partners;

- (c) Confirm that, unless or until such time as the requirements change, it understands that the default model for the delivery of BSF is through a Local Education Partnership unless otherwise agreed with DCSF and Partnership for Schools subject to value for money consideration; and
- (d) Acknowledge that, under the current regime, new schools delivered through the BSF programme will be predominately procured through PFI and that refurbishments will be procured through capital grant.

8. St Nicholas CE Primary School, Marston (Pages 151 - 158)

Cabinet Member: Schools Improvement

Forward Plan Ref: 2009/128

Contact: Barbara Chillman, Principal Officer - School Organisation and Planning Tel: (01865) 816459

Report by Director for Children, Young People & Families

St Nicholas CE Primary School has a published admission number of 45 children. For September 2008, 57 parents chose the school as their first preference. Due to rising numbers across Oxford City, 60 children have been admitted to the school in September 2009. Primary Care Trust records and the annual census of local children in early years settings show that the demand for places is likely to continue to be above the planned admission number. Other nearby schools are also expected to be full or nearly full, and pupil numbers across Oxford are expected to rise further.

The report considers a proposal to increase the school admission number from 45 to 60, which has been the subject of an informal consultation in the Marston area. A decision is sought as to whether to proceed to issuing a statutory notice to expand the school, in accordance with The Education and Inspections Act 2006 (EIA 2006) and The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended by The School Organisation and Governance (Amendments)(England) Regulations 2007 which came into force on 21 January 2008).

The Cabinet is RECOMMENDED to approve the publication of a statutory notice for the expansion of St Nicholas CE Primary School, Marston.

9. Report on the Property Portfolio (Pages 159 - 176)

Cabinet Member: Leader

Forward Plan Ref: 2009/131

Contact: Mark Tailby, Assistant Head of Property Tel: (01865) 816012

Report by Head of Property

This is the annual report detailing the performance of the Council's property portfolio from April 2008 to March 2009. The content of this report will help inform the Corporate Asset Management Plan. The report includes benchmarking information and targets for 2009/10.

In the summary, the report shows:

- A slight reduction in the number of fit for purpose properties to 41%, although only one third of the portfolio was surveyed in 2008/09.
- Capital receipts of £6,947,871 were achieved in year.
- Total required maintenance (assessed need) increased by 4.4% on 2007/08. Total spend on repairs and maintenance reduced, although the percentage split between planned and responsive maintenance has improved to 59% and 41% respectively.
- 64% of properties perform better than typical in terms of environmental performance – a slight reduction on 2007/08 largely attributable to a particularly cold winter.
- Performance indicators for capital projects show the core consultant performing very well in terms of cost and time predictability at the design stage, and in terms of cost predictability at the construction stage.

The Cabinet is RECOMMENDED to note the report.

10. Quarter 1 Performance Management: April - June 2009 (Pages 177 - 182)

Cabinet Member: Leader

Forward Plan Ref: 2009/074

Contact: Alexandra Bailey, Corporate Performance and Review Manager Tel: (01865) 816384

Report by County Council Management Team

The report shows the council's performance in the four key areas of: customer, projects, finance, and people. Progress against targets is shown by directorate, including a summary of what is going well, what needs to develop, and what requires attention. This is the performance report for Q1 2009/2010.

The Cabinet is RECOMMENDED to note this report.

11. Forward Plan and Future Business (Pages 183 - 186)

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 **CA**. 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.
