



To: Members of the Cabinet

Notice of a Meeting of the Cabinet

Tuesday, 18 December 2012 at 2.00 pm

County Hall, Oxford, OX1 1ND

Joanna Simons

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Chief Executive

December 2012

Contact Officer: **Sue Whitehead**
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<i>Councillors</i>	Membership
Ian Hudspeth	- <i>Leader of the Council</i>
Rodney Rose	- <i>Deputy Leader of the Council</i>
Arash Fatemian	- <i>Cabinet Member for Adult Services</i>
Nick Carter	- <i>Cabinet Member for Business & Communications</i>
Louise Chapman	- <i>Cabinet Member for Children & the Voluntary Sector</i>
Melinda Tilley	- <i>Cabinet Member for Education</i>
Hilary Hibbert-Biles	- <i>Cabinet Member for Growth & Infrastructure</i>
Mrs J. Heathcoat	- <i>Cabinet Member for Safer & Stronger Communities</i>
Kieron Mallon	- <i>Cabinet Member for Police & Policies</i>

The Agenda is attached. Decisions taken at the meeting will become effective at the end of the working day on Thursday 27 December 2012 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: 29 January 2013

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 (Pages 1 - 10)

To approve the minutes of the meeting held on 2012 (**CA3**) 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. 2012/13 Financial Monitoring & Business Strategy Delivery Report - October 2012 (Pages 11 - 46)

Cabinet Member: Leader

Forward Plan Ref: 2012/106

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

Report by Assistant Chief Executive & Chief Finance Officer (**CA 6**).

This report focuses 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 include projections for revenue, reserves and balances as at the end of October 2012. The Capital monitoring is included at Part 3.

The Cabinet is RECOMMENDED to:

- (a) note the report;***
- (b) approve the use of £0.100m revenue funding towards the capital project at the Littlemore Early Intervention Hub as set out in paragraph 8;***
- (c) approve the virement requests over £0.250m set out in Annex 2a;***
- (d) agree the creation of new reserves as set out in paragraph 43 and 47 and the proposed changes to reserves set out in paragraph 45 and 46;***
- (e) note the Treasury Management lending list at Annex 7;***

7. Service & Resource Planning Report 2013/14 - 2017/18 - December 2012 (Pages 47 - 122)

Cabinet Member: Leader

Forward Plan Ref: 2012/107

Contact: Lorna Baxter, Deputy Chief Finance Officer Tel: (01865) 323971

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

The report is the second in a series on the Service & Resource Planning process for 2013/14 to 2016/17, providing councillors with information on budget issues for 2013/14 and the medium term. The report provides information on budgetary pressures faced by the Council and gives an update on the changes to the local government funding system. The report also provides an update on government consultations and initiatives and sets out the review of charges.

The Cabinet is RECOMMENDED to:

- (a) note the report and that an addenda will be produced following the announcement of the Chancellor's Autumn Statement;***
- (b) consider, in forming their budget proposals, the council tax referendum threshold announced by the Chancellor;***
- (c) consider, in forming their budget proposals, the implications in future years of accepting the Council Tax Freeze Grant in 2013/14;***
- (d) consider, in forming their budget proposals, the revised inflation assumptions set out in paragraph 29; and***
- (e) in relation to the review of charges:***
 - (1) note those charges prescribed by legislation;***
 - (2) approve those charges where there is local discretion as set out in Annex 3 noting that some of these charges will commence before April 2013.***

8. West Oxfordshire District Council Core Strategy (Pages 123 - 130)

Cabinet Member: Growth & Infrastructure

Forward Plan Ref: 2012/131

Contact: Martin Tugwell, Deputy Director for Environment & Economy – Strategy &

Infrastructure Planning Tel: (01865) 815113

Report by Director for Environment & Economy (**CA 8**).

This report sets out the County Council's proposed response to the West Oxfordshire Local Plan. The Local Plan sets the framework for development across West Oxfordshire for the period to 2029. Growth is focused primarily at Witney and Carterton and to a lesser extent at Chipping Norton, with more modest growth at Eynsham, Woodstock, Burford, Charlbury and the larger villages.

Increasing emphasis is given to the importance of the planning regime facilitating and supporting sustainable economic growth in the National Planning Policy Framework (NPPF); facilitating economic growth is also a key County Council's strategic objective.

The County Council has worked closely with West Oxfordshire District Council in the preparation of this draft Local Plan for consultation. It will continue to work with the District Council as the policies in it are refined and the Infrastructure Delivery Plan developed further.

The Cabinet is RECOMMENDED to agree the County Council's response to the West Oxfordshire Draft Local Plan for consultation, as specifically outlined in paragraph 1 and described throughout this report.

9. Procurement of Healthwatch Oxfordshire (Pages 131 - 132)

Cabinet Member: Adult Services

Forward Plan Ref: 2012/146

Contact: Alison Partridge, Public Engagement Manager Tel: (01865) 328548

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

Under the Health and Social Care Act 2012, all (top tier) Local Authorities are responsible for commissioning a Local Healthwatch by April 2013. Local Healthwatch will be the new independent consumer champion for people of all ages using social care, and patients using health services. It replaces the Local Involvement Network (LINKs) and will have a number of extended and statutory functions. A member of Healthwatch Oxfordshire will have a seat on the Health and Wellbeing Board.

The report sets out the procurement and commissioning process for approval.

The Cabinet is RECOMMENDED to delegate decision-making for the contract award and funding allocation John Jackson, Director for Social and Community Services in consultation with Councillor Arash Fatemian, Cabinet Member for Adult Services

10. Corporate Plan Performance and Risk Management Report for the 2nd Quarter 2012 (Pages 133 - 150)

Cabinet Member: Deputy Leader

Forward Plan Ref: 2012/108

Contact: Alexandra Bailey, Senior Performance & Improvement Manager Tel: (01865) 816384

Report by County Council Management Team (CA10).

Quarterly performance monitoring report against the Corporate Plan priorities - Quarter 2

The Cabinet is RECOMMENDED to note this report.

11. Forward Plan and Future Business (Pages 151 - 152)

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 **CA11**. 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.

EXEMPT ITEM

Item 12

In the event that any Member or Officer wishes to discuss the information set out in the Annex to Item 12, 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 Annex 1 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 does not contain exempt information and is available to the public. The exempt information is contained in the confidential annex.

THE ANNEX 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.

12. Oxfordshire Residual Municipal Waste Bulking and Haulage Procurement (Pages 153 - 166)

Cabinet Member: Growth & Infrastructure

Forward Plan Ref: 2012/088

Contact: Andrew Pau, Head of Waste Management Tel: (01865) 815867

Report by Deputy Director for Environment & Economy – Growth & Infrastructure **(CA12)**.

The information contained in Annex 1 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 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.

Oxfordshire County Council as a Waste Disposal Authority (WDA) has a responsibility to dispose of residual waste collected by the Waste Collection Authorities (WCAs) and residual waste delivered to Household Waste Recycling Centres (HWRCs). The Council currently manages approximately 300,000 tonnes of municipal waste per year.

In March 2011 the Council entered into a long term contract for the treatment of residual municipal waste with Viridor Oxfordshire Ltd (Viridor) who are constructing an energy from waste (EfW) facility at Ardley in north Oxfordshire. Under the terms of the contract all residual municipal waste that is processable must be delivered for treatment at the EfW facility once it is operational which is currently estimated to be in autumn 2014.

A procurement process has been undertaken to secure a bulking and haulage service for residual municipal waste from the districts of South Oxfordshire, Vale of White Horse, West Oxfordshire and the northern part of Cherwell to ensure that waste can be delivered to the EfW facility efficiently from those parts of the county that are furthest away from Ardley.

The tenders submitted have been subject to rigorous evaluation using technical and financial criteria, including consideration of the implications for the WCAs who will be delivering to waste transfer stations. The results of the evaluation demonstrate that

good technical and value for money solutions can be provided for each lot and authorisation is sought to award contracts for municipal waste bulking and haulage services.

The Cabinet is RECOMMENDED to note the outcome of the evaluation and endorse the award of contracts for the provision of residual municipal waste bulking and haulage services as follows;

- (a) Lot 1 northern part of Cherwell to Tenderer 2 on the basis of their variant 2 tender ;***
 - (b) Lot 2 South Oxfordshire and Lot 3 Vale of White Horse to Tenderer 1 on the basis of their variant 2 tender; and***
 - (c) Lot 4 West Oxfordshire to Tenderer 1 on the basis of their compliant tender.***
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