

These notes indicate the decisions taken at this meeting and the officers responsible for taking the agreed action. For background documentation please refer to the agenda and supporting papers available on the Council's web site (www.oxfordshire.gov.uk.)

The decisions take effect at the time and date specified, unless before that time written notice is given in accordance with the Council's Scrutiny Procedure Rules requiring the decision to be called in for review by the relevant Scrutiny Committee.

If you have a query please contact Sue Whitehead (Tel: (01865) 810262; E-Mail: sue.whitehead@oxfordshire.gov.uk)

CABINET - TUESDAY, 21 JULY 2015

<i>List published 22 July 2015 Decisions will (unless called in) become effective at 5.00pm on 29 July 2015</i>		
<i>RECOMMENDATIONS CONSIDERED</i>	<i>DECISIONS</i>	<i>ACTION</i>
1. Apologies for Absence	None.	HLC (A. Newman)
2. Declarations of Interest - guidance note opposite	None.	HLC (A. Newman)
3. Minutes To approve the minutes of the meeting held on 23 June 2015 (CA3) and to receive information arising from them.	Agreed and signed.	SW
4. Questions from County Councillors	See attached annex.	
5. Petitions and Public Address	Petition – By Councillor Howson on behalf of parents requesting an extension of the cycle path to the school along the Woodstock Road. Item 6 – Councillor Nick Hards Councillor Roz Smith Item 7 - Councillor Nick Hards Councillor Roz Smith Item 8 –Councillor Steve Curran Councillor Bob Johnston, (3 mins) Councillor John Howson Councillor Roz Smith Councillor Richard Webber Councillor Jean Fooks	

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	<p>Councillor Liz Brighthouse Councillor Laura Price Councillor Nick Hards Councillor John Christie Simon Pratt, Regional Director, Sustrans South East Bob Warne, SPADE (Sunningwell Parishioners Against Damage to the Environment Joanne Blower - Sunningwell Parish councillor Ticia Lever, North Abingdon Local Plan group Helen Marshall, Director, CPRE Item 9 - Councillor Jean Fooks Councillor Laura Price Item 10 - Councillor Steve Curran Item 12 - Councillor Glynis Phillips Item 13 – Councillor Nick Hards, local councillor (3 mins) Item 14 - Councillor Liz Brighthouse</p>	
<p>6. Treasury Management 2014/15 Outturn</p> <p><i>Cabinet Member:</i> Finance <i>Forward Plan Ref:</i> 2015/014 <i>Contact:</i> Lewis Gosling, Financial Manager (Trainee) – Treasury Management Tel: (01865) 323988</p> <p>The Cabinet is RECOMMENDED to note the report, and to RECOMMEND Council to note the Council's Treasury Management Activity in 2014/15.</p>	<p>Recommendation agreed.</p>	<p>CFO (L. Gosling)</p>
<p>7. 2015/16 Financial Monitoring & Business Strategy Delivery Report - May 2015</p> <p><i>Cabinet Member:</i> Finance <i>Forward Plan Ref:</i> 2015/013 <i>Contact:</i> Kathy Wilcox, Chief Accountant Tel: (01865) 323981</p>		

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<i>RECOMMENDATIONS CONSIDERED</i>	<i>DECISIONS</i>	<i>ACTION</i>
<p>The Cabinet is RECOMMENDED to:</p> <p>(a) note the report;</p> <p>(b) approve the virement requests set out in Annex 2a;</p> <p>(c) approve the supplementary estimate request in Annex 2e;</p> <p>(d) note the Treasury Management lending list at Annex 3;</p> <p>(e) approve the updated Capital Programme at Annex 8 and the associated changes to the programme in Annex 78c;</p> <p>(f) approve the fees and charges as set out in Part 4 and Annex 7a and Annex 7b;</p> <p>(g) approve the updated capital programme in Annex 9 (changes to the Capital Programme set out in Annex 8c);</p> <p>(h) approve the inclusion of a £14.54m budget for the Local Highways Maintenance Challenge Fund programme over three years 2015/16 to 2017/18;</p> <p>(i) approve the Harwell Oxford Entrance City Deal project to proceed to detailed design and procurement with a total budget of £2m; and</p> <p>(j) approve the Hagbourne Hill City Deal project to contractually commit to letting the contract, with a total budget of £6.015m.</p>	<p>Recommendations agreed, subject to the reference to Annex 7c in (e) being amended to read Annex 8c.</p>	<p>CFO (K. Wilcox)</p>
<p>8. Connecting Oxfordshire: Local Transport Plan 2015-2031</p> <p><i>Cabinet Member:</i> Environment <i>Forward Plan Ref:</i> 2015/006 <i>Contact:</i> John Disley, Strategic Manager – Policy & Strategy Tel: (01865) 810460</p>		

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<i>RECOMMENDATIONS CONSIDERED</i>	<i>DECISIONS</i>	<i>ACTION</i>
<p>Cabinet is RECOMMENDED to approve Connecting Oxfordshire and to RECOMMEND it for adoption by Full Council at its meeting in September 2015.</p>	<p>Recommendation agreed subject to amendments to recognise that the proposals for Chipping Norton, Burford and Henley will be included when funding is available.</p>	<p>DEE (J. Disley)</p>
<p>9. A40 - Science Transit Public Transport Scheme and Long-Term Strategy</p> <p><i>Cabinet Member:</i> Environment <i>Forward Plan Ref:</i> 2015/049 <i>Contact:</i> Lisa Michelson, Locality Manager Tel: (01865) 815673</p> <p>The Cabinet is RECOMMENDED to</p> <p>(a) approve the inclusion of the A40 Science Transit Public Transport Scheme to the capital programme;</p> <p>(b) note the context of a wider delivery programme of schemes currently underway which will improve congestion along the A40 corridor; and</p> <p>(c) agree that the proposal to schedule a public consultation as part of 'Connecting Oxfordshire' on the options for a long term strategy approach for further A40 access improvements be undertaken in Autumn 2015.</p>	<p>Recommendations agreed</p>	<p>DEE (L. Michelson)</p>
<p>10. Household Waste Recycling Centre Strategy</p> <p><i>Cabinet Member:</i> Deputy Leader <i>Forward Plan Ref:</i> 2015/064 <i>Contact:</i> Vicky Fletcher, Environment and Resource Efficiency Manager Tel: 07500121866</p> <p>The Cabinet is RECOMMENDED to</p>	<p>Recommendations agreed.</p>	<p>DEE (V. Fletcher)</p>

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RECOMMENDATIONS CONSIDERED	DECISIONS	ACTION
<p>(a) approve a public consultation on a HWRC strategy based on the principals in paragraphs 9 and 10; and</p> <p>(b) approve the withdrawal of the non-statutory Green Waste Credit payment from 1 April 2016.</p>		
<p>11. National Citizen's Service - Contract for 2015-18</p> <p><i>Forward Plan Ref:</i> 2015/039 <i>Contact:</i> Ruth Ashwell , Youth, Engagement & Opportunities Service Manager Tel: (01865) 810649</p> <p>Cabinet is RECOMMENDED to agree the contract for delivery of NCS by Oxfordshire County Council for the period 2015-18</p>	<p>Recommendation agreed.</p>	<p>CEF (R. Ashwell)</p>
<p>12. Public Health Annual Report</p> <p><i>Cabinet Member:</i> Public Health & Voluntary Sector <i>Forward Plan Ref:</i> 2015/019 <i>Contact:</i> Alan Rouse, Business & Planning Manager Tel: (01865) 328603</p> <p>Cabinet is RECOMMENDED to RECOMMEND Council to receive the report and note its recommendations.</p>	<p>Recommendation agreed.</p> <p>Cabinet noted the comments of the Oxfordshire Joint Health Overview & Scrutiny Committee.</p>	<p>DASC (A. Rouse)</p> <p>HLC (J. Dean)</p>
<p>13. Compulsory Purchase Powers for Acquisition of Land Required for the Delivery of Schemes - Harwell Oxford Entrance</p> <p><i>Cabinet Member:</i> Environment <i>Forward Plan Ref:</i> 2015/053 <i>Contact:</i> Paul Fermer, Service Manager –</p>		

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<p>Major Infrastructure Delivery Tel: (01865) 815764</p> <p>Cabinet is RECOMMENDED to:</p> <p>(a) Approve delegation of the exercising of Compulsory Purchase Order Powers to the Director of Environment and Economy, in consultation with the Cabinet Member for Environment for the purchase of land required for the delivery of the major infrastructure scheme 'Harwell Oxford Entrance' as outlined in this report, in the event that the land cannot be acquired by negotiation so as to keep to the scheme programme; and</p> <p>(b) note that in so far as the whole or any part or parts of land required is not acquired by negotiation, the making of a Compulsory Purchase Order under provisions contained in Part X11 of the Highways Act 1980 for the acquisition of the land, will be progressed. This could include providing the necessary attendance, expert witness provision etc. at a Public Inquiry if required.</p>	<p>Recommendations agreed.</p>	<p>DEE (P. Fermer)</p>
<p>14. Cabinet Business Monitoring Report for Quarter 4</p> <p><i>Cabinet Member:</i> Deputy Leader <i>Forward Plan Ref:</i> 2015/015 <i>Contact:</i> Maggie Scott, Head of Policy Tel: (01865) 816081</p> <p>Report by Head of Policy (CA14).</p> <p>Cabinet is RECOMMENDED to note and discuss the performance reported in the</p>	<p>Recommendation agreed.</p>	<p>CEx (M. Scott/C. Phillips)</p>

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dashboards.		
<p>15. Forward Plan and Future Business</p> <p><i>Cabinet Member: All</i> <i>Contact Officer: Sue Whitehead,</i> <i>Committee Services Manager (01865 810262)</i></p> <p>The Cabinet is RECOMMENDED to note the items currently identified for forthcoming meetings.</p>	Noted.	AB
<p>16. Exempt Item</p> <p>In the event that any Member or Officer wishes to discuss the information set out in the Annex to Item 17, 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:</p> <p><i>"that the public be excluded during the consideration of the Annexes 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".</i></p> <p>NOTE: The report does not contain exempt information and is available to the public. The exempt information is contained in the confidential annex.</p>	Recommendation agreed.	
<p>17. Longford Park New Primary School, Banbury</p> <p><i>Cabinet Member: Environment</i> <i>Forward Plan Ref: 2015/048</i> <i>Contact: Philippa Patterson, Major Capital Projects Programme Manager Tel: 07891</i></p>		

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<p>566051</p> <p><i>The information contained in the annex is exempt in that it falls within the following prescribed category:</i></p> <p>3. <i>Information relating to the financial or business affairs of any particular person (including the authority holding that information)</i></p> <p><i>and since it is considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, in that where a tender or bidding process is in progress disclosure would distort the proper process of open competition and would prejudice the position of the authority in the 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</i></p> <p>The Cabinet is RECOMMENDED to:</p> <p>(a) endorse the progress to date; and</p> <p>(b) delegate to the Chief Finance Officer and Director for Environment & Economy in consultation with the Leader the authority to approve the Stage 2 Full Business Case and the award of the construction contract.</p>	<p>Recommendations agreed.</p>	<p>DEE (P. Patterson)</p>

Questions from County Councillors

1. From Councillor Howson to Councillor Tilley

" Using the last three sets of data available could she list the academies, community school and voluntary schools that would have been regarded as coasting primary or secondary schools? "

Answer

The first set of coasting schools will be defined in 2016.

Based on the DfE's definition of coasting schools, the maximum number of Oxfordshire schools that could meet the definition in 2016 includes:

- a) secondary schools - 7
 - of these - 6 academies, 1 community school

- a) primary schools - 32 (excluding small schools)
 - of these - 13 academies
 - 10 community school
 - 7 voluntary controlled schools
 - 2 voluntary aided schools

This list of schools is currently based only on 2014 data and will be refined following the release of 2015 and 2016 data. Hence the number of schools on this list can fall but not increase.

Definition of Coasting schools by DfE:

1. For secondary schools, a school will be 'coasting' if in 2014 and 2015 fewer than 60% of children achieve 5 A* to C including English and mathematics and they are below the median level of expected progress and in 2016 they fall below a level set against the new progress 8 measure. This level will be set after 2016 results are available to ensure it is set at a suitable level. A school will have to be below those levels in all 3 years to be defined as 'coasting'. By 2018 the definition of 'coasting' will be based entirely on Progress 8 and will not have an attainment element.

2. At primary level the definition will apply to those schools who for the first 2 years have seen fewer than 85% of children achieving level 4, the secondary-ready standard, in reading, writing and maths, and which have also seen below-average proportions of pupils making expected progress between age 7 and age 11, followed by a year below a 'coasting' level set against the new accountability regime which will see children being expected to achieve a new higher expected standard and schools being measured against a new measure of progress.

3. The 'coasting' definition will capture performance in 2014, 2015 and 2016. Therefore we will not know until 2016 how many schools will be captured within the definition. However, based on current performance we expect the definition to apply to hundreds of schools across the country.

Supplementary: Councillor Tilley responding to a question concerning coasting academies stated that they should be treated the same as any other school and that the Council would need to get in touch with the sponsors or the Education Funding Agency.

2. From Councillor Pressel to Councillor Nimmo Smith

"In the consultation, the City Council expressed a very strong view that we should include "sustainable transport corridors" in the City, to provide better space for buses, cycling and walking.

In fact, there was very little in LTP4 about encouraging walking, which I found most disappointing.

They also said that we need a much more ambitious package of measures to encourage cycling, drawn from European best practice, if we are to achieve the necessary "modal shift".

Surely it's obvious that we won't come close to increasing cycling from 3% to 10% of all trips without a much more radical approach?

This need not cost a lot of money, if we start to build good cycle measures into every road scheme. Excellent opportunities for doing this have recently been squandered, for instance in Iffley Road in Headington and in St Aldate's, in spite of advice from local cycling organisations.

Please can we be assured that this will change from now on? Can we look forward to a much bolder approach?"

Answer

"Local Transport Plan 4 has many ambitions including improvements for walking and cycling – indeed the Oxford Transport Strategy element of LTP4 sets out a high level of ambition for walking and cycling as one of its three central themes. We are already demonstrating our commitment to see this through, with the ambitious Access to Headington proposals tackling some long-standing problems such as car parking and investing substantial sums in cycling infrastructure. There is a completely false view that the county could have made major improvements to cycling infrastructure at little or no additional cost as part of its maintenance programme. In reality, the schemes mentioned would have required a substantial financial contribution from outside the maintenance programme to deliver the aspirations some have. Clearly it makes sense to combine multi-modal road improvements with maintenance, but to pretend that this has no cost implication is misleading. Lack of funding is key barrier – but the OTS sets out proposals for raising additional funding for transport improvements (including cycling) in the city, which go beyond anything put forward previously. We are doing a lot for walking as well as part of OTS and through existing schemes – for example at Frideswide Square and again through the Access to Headington programme. We do not feel that we need to have a separate Walking Strategy to see real delivery on the ground."

3. From Councillor Fooks to Councillor Nimmo Smith

"As Highway Authority, the County Council issues licenses for a fee to anyone wanting to appropriate parts of the highway, both road and pavement, for a specified length of time. Having tried to get action taken against an overstaying builder, I find that enforcement of the time limit is virtually impossible except by negotiation – without any realistic likelihood of a fine for overstaying. Could the Cabinet member confirm that it is indeed impossible to insist that either the obstructions are removed or a new fee is charged, and that enforcement is essentially impossible?"

If this is indeed the case, would he agree to lobby the Government for a change in the regulations in this area?”

Answer

‘As Highway Authority, the County Council issues licenses for a fee to anyone wanting to appropriate parts of the highway, both road and pavement, for a specified length of time. Having tried to get action taken against an overstaying builder, I find that enforcement of the time limit is virtually impossible except by negotiation – without any realistic likelihood of a fine for overstaying. Could the Cabinet member confirm that it is indeed impossible to insist that either the obstructions are removed or a new fee is charged, and that enforcement is essentially impossible?’

If this is indeed the case, would he agree to lobby the Government for a change in the regulations in this area?’

We always hope that developers recognise the impact that their materials have on the local community and would be prepared to take a responsible approach to this. If a developer overruns the end date of the licence then our current approach to resolving this issue is as follows:

1. Discuss the overrun with the developer on site to ascertain the reason for the extension and agree where possible a date when the materials etc will be removed. This will always depend on the location and impact on the Network etc. and the appropriate fees would be applied
2. Refuse extension to licence due to location etc.
3. If developer/builder refuses to remove materials then Oxfordshire County Council can arrange for the materials to be removed from site which under the law the developer would be responsible for. We would then need to recover the costs for that removal, which may well result in court action.

Under the Highways Act 1980 there is no process to enable the authority to fine the applicant apart from court action and so the decision on whether to take further action is based on a judgement of the likely outcome of taking the developer to Court. Whilst this is not ideal it does provide us with a route for the most persistent of offenders. I agree with Cllr Fooks that this is not the most robust of deterrents and so I will ask Officers to draft a letter on this matter that I will send to Ministers.

4. From Councillor Fooks to Councillor Nimmo Smith

“The major project on the A40 to improve traffic flow and reduce congestion by remodelling the Wolvercote and Cutteslowe roundabouts is causing considerable concern in my division – and elsewhere. Welcome as the new Oxford Parkway station will be, it will attract more traffic to the area while the road works are still in progress. It was unfortunate that the proposed road closures were not communicated to residents with the general project information, so that many only found out about them at the exhibitions if they were able to attend, or even later from others who had been able to attend.

Would you agree that it is a great pity that the promised strategic link road between the A40 and the Loop Farm roundabout was not in place before these major works on the A40 were done?”

Answer

It has never been the intention of the county council for the A40/A44 strategic link road to be delivered in advance of the Wolvercote and Cutteslowe roundabout improvements. This is because the link road is a more complex project in that it isn't within the current highway boundary so negotiations with landowners will need to take place; it will require planning permission and greater detailed design work.

However, the county council is progressing with the scheme as fast as possible and the current programme (as reported to Cabinet and at the Northern Gateway AAP Examination in Public earlier this year) for the project is:

Environmental and planning appraisal	March 2015	October 2015
Feasibility & Preliminary Design	October 2014	February 2016
Detailed Design	February 2016	August 2016
Consultation	tbc	Tbc
Planning Application	February 2016	July 2016
Enabling Works	tbc	Tbc
Procurement	September 2016	January 2017
Construction	May 2017	June 2018
Post Completion	June 2018	June 2019

As a planning application has yet to be submitted for the Northern Gateway development, it isn't clear on the timing for the build out of that site.

Every effort is being made to inform the residents of road closures. Communication beyond what is formally required as part of the temporary traffic regulation order process is being had, and further improvements to this process will be made if possible or necessary. The county council has a dedicated communications officer for all Major Projects and the Wolvercote and Cutteslowe scheme will also have a dedicated communications officer as part of the construction team.

Supplementary: Councillor Fooks asked to me kept informed with regard to matters in both questions.