

## CABINET

**MINUTES** of the meeting held on Tuesday, 18 October 2011 commencing at 2.00 pm and finishing at 4.25 pm.

### **Present:**

#### **Voting Members:**

Councillor Keith R. Mitchell CBE – in the Chair  
Councillor David Robertson (Deputy Chairman)  
Councillor Arash Fatemian  
Councillor Louise Chapman  
Councillor Jim Couchman  
Councillor Lorraine Lindsay-Gale  
Councillor Kieron Mallon  
Councillor Mrs J. Heathcoat  
Councillor Melinda Tilley  
Councillor Rodney Rose

#### **Other Members in Attendance:**

Councillor Alan Armitage (Agenda Items 6 & 11)  
Councillor Lynda Atkins (Agenda Item 7)  
Councillor Janet Godden (Agenda Item 7)  
Councillor Charles Mathew (Agenda Item 7)  
Councillor Anne Purse (Agenda items 7 and 9)  
Councillor Charles Shouler (Agenda Item 9)  
Councillor David Turner (Agenda Item 7)  
Councillor Carol Viney (Agenda Item 7)

### **Officers:**

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

#### Part of meeting

Item	Officer
6	Kathy Wilcox (Corporate Finance)
7	Alexandra Bailey (Performance Review)
8	Lorna Baxter (Corporate Finance)
9	Martin Tugwell, Deputy Director (Growth & Infrastructure)
10	Sara Livadeas (Joint Commissioning); Martin Bradshaw (Transforming Social Care)
11	Huw Jones, Director of Growth & Infrastructure; Martin Tugwell, Deputy Director (Growth & Infrastructure)

*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.*

### **113/11 MINUTES**

(Agenda Item. 3)

The minutes of the meeting held on 20 September 2011 were approved and signed.

### **114/11 DECLARATIONS OF INTEREST**

(Agenda Item. 2)

Councillor Judith Heathcoat declared a prejudicial non-pecuniary interest in Agenda Item 7, Big Society Fund – Allocation of Wave 2 Funding by reason of the bid for funding from 1<sup>st</sup> Faringdon Scouts.

### **115/11 QUESTIONS FROM COUNTY COUNCILLORS**

(Agenda Item. 4)

Councillor Jean Fooks had given notice of the following question to the Cabinet Member for Transport:

“There seems to have been a moratorium on the progressing of traffic regulation orders over the last twelve months or so. Small but important schemes in Oxford, agreed for safety reasons, have not been implemented, such as a review of parking near a new nursery school in Rawlinson Road and a time limit on parking on Aristotle Lane near St Philip and St James primary school. Taxi spaces in Oakthorpe Road have been redundant for many years and were promised to be converted to much-needed disabled parking spaces early this year. Is this a county-wide problem? Why have staff not been given the time needed to progress them to implementation?”

Councillor Rose replied:

“Councillor Fooks will be aware that in response to the substantial reduction in funding from central Government, attributable to the high level of debt inherited from the previous national administration, this Council has had to significantly reduce the staffing resource available to respond to general traffic management issues, which includes the processing of traffic regulation orders. Priority has been given to matters such as the restrictions to facilitate the reintroduction of forces’ repatriations at RAF Brize Norton and to temporary orders related to the major increase in capital maintenance schemes across the County. However as there is developer funding available to carry out works at the specific locations mentioned by Councillor Fooks I am hopeful that these will be addressed over the coming months.”

Supplementary: Councillor Fooks sought reassurance that some of the delay in responding to general traffic management issues had not been due to abortive work by officers on the Park & Ride scheme. Councillor Rose replied that there was no effect as different officers were involved in each area of work.

Councillor Roz Smith had given notice of the following question to the Cabinet Member for Finance & Property

“How many buildings owned by the County Council, are unoccupied or partly occupied for more than one year, and what is the cost of security contractors for these buildings?”

Councillor Couchman replied:

“12 buildings are unoccupied for more than one year. The total cost of security contractors for these buildings is £9,050 p.a. It is not possible to give the number of partly occupied property as the situation constantly changes.”

## **116/11 PETITIONS AND PUBLIC ADDRESS**

(Agenda Item. 5)

The following requests to address the meeting had been agreed:

Item 6 - Councillor Alan Armitage, Shadow Cabinet Member

Item 7 - Councillor Lynda Atkins,

Councillor Janet Godden,

Councillor David Turner,

Councillor Anne Purse.

Councillor Carol Viney,

Mrs Rosemary Edgington,

Councillor Charles Mathew, Mr Leggatt, member of the public,

Item 9 - Councillor Anne Purse, Shadow Cabinet Member;

Councillor Charles Shouler

Item 11 - Councillor Alan Armitage, Shadow Cabinet Member

Mrs Ruth Lyster, member of the public

Councillor Charles Mathew spoke in support of the recommendation not to agree the bid in relation to West Oxfordshire Cycle Track as he agreed that it did not fit the criteria for funding. He questioned the numbers that would use the Cycle Track and referred to other alternative options.

Mr Leggatt spoke in support of the West Oxfordshire Cycle Track. He explained that only a very small part of the Cycle Track was in Eynsham. He understood that the Funs was not about filling in gaps but was rather about innovative new ways of working. He felt that the project did meet the criteria as it was innovative, value for money, was devolved working and brought local benefits. There was local support from the wider community and not merely from cyclists.

## **117/11 2011/12 FINANCIAL MONITORING & BUSINESS STRATEGY DELIVERY REPORT - AUGUST 2011**

(Agenda Item. 6)

Councillor Alan Armitage, Shadow Cabinet Member for Finance & Property welcomed the good news at paragraph 28 on the underspend in the concessionary fares scheme. He highlighted activity levels on recycling and composting and referred to the lowering effect on the County average of the

City Council levels and hoped that this could be drawn to their attention. In the context of reduced levels of waste he questioned whether the EfW plant at Ardley was over specified.

The Cabinet Member for Finance & Property summarised the contents of the report highlighting that there was not a great deal of change from the previous month and that the figures were close to the expected budget. He congratulated all involved particularly in the light of the large savings to be made.

**RESOLVED:** to:

- (a) note the report and approve the virements as set out in Annex 2a;
- (b) agree the bad debt write off as set out in paragraph 41;
- (c) approve the changes to the Capital Programme as set out in Annex 9c;
- (d) approve the updated Capital Programme included at Annex 10; and
- (e) approve the proposed fees and charges for the Oxfordshire History Centre as set out in Part 4 and Annex 11 to be effective from 1 November 2011.

## **118/11 BIG SOCIETY FUND - ALLOCATION OF WAVE 2 FUNDING**

(Agenda Item. 7)

Cabinet considered bids to the Big Society Fund from the second wave of Applications.

### *Annex 1 bids*

Councillor Anne Purse, local member, spoke in support of the Wheatley Youth Club bid. She commented that the Parish Council had made an ongoing pledge of funding and there would be local fund raising.

Councillor David Turner, spoke in support of the bid by Chalgrove Parish Council for youth worker recruitment. The Parish Council had built their own youth centre and doubled the size of the skate park. The Parish Council had already committed to funding the post in the future and the bid was to cover the immediate period and to purchase new equipment. Responding to a question about the precept needed to fund the post Councillor Turner gave details and commented that there were no complaints about it.

Councillor Atkins, as a member of Wallingford Town Council, hoped that the Cabinet would be able to endorse the bid for Wigod Centre. She also referred to the bid by the Pheonix Centre which had strong links to Wallingford.

### *Annex 2 bids*

Councillor Heathcoat commented that she was supportive of the 1<sup>st</sup> Faringdon Scouts having a permanent base. Although the bid did not quite meet the criteria she hoped that work could continue so that a future bid could be successful.

Having spoken Councillor Heathcoat withdrew from the meeting and took no part in the discussion and decision on the 1<sup>st</sup> Faringdon Scouts bid. Following discussion it was agreed that the bid not be moved from category 2 (bids that presently do not fully meet the assessment criteria but may with further development) but that officers including property management continue to work with other parties.

Councillor Heathcoat returned to the meeting.

Councillor Carol Viney, spoke in support of the Edge Youth Club bid. She referred to the lack of easy transport links to places such as Henley or elsewhere and the universal support for the project. She referred to the lack of activities for young people that could lead to problems. The Parish Council were supportive and she referred to letters of support. The building required a new kitchen as the existing kitchen had been condemned by the County Council's health & safety. A new kitchen could provide hot food and drinks. The bid had been cut down to one youth worker in line with the Fund requirements and new figures had been provided.

Mrs Edgington, Vice-Chairman, The Sonning Common Community Youth Club Management Committee spoke in support of the Edge Youth Club bid. She detailed the work undertaken in support of the bid and referred to 5 letters of support from local businesses. Responding to a question from Councillor Chapman, she detailed the new bid figures.

### *Annex 3*

Councillor Janet Godden, strongly supported the West Oxfordshire Cycle Track bid. She was disappointed that she had not been involved in the process due to the mix up in determining the correct division. She noted that many bids had received officer support in their development and she had been unaware that this was available. The Deputy Leader suggested that the bid was something that the Area Steward Scheme could support. This view was supported by Councillor Rose.

Councillor Mallon apologised that the Scheme had been put under the wrong Division but emphasised that it did not meet the criteria as the Fund did not cover feasibility studies. He suggested that in the light of all the comments that the bid be moved to Category 2 (bids that presently do not fully meet the assessment criteria but may with further development).

Following further discussion of the bids Councillor Mallon suggested that the Edge Youth Club bid be moved into Category 1 of accepted bids. In noting

that an amended bid had been submitted for less funding he indicated that he felt that there were elements of the scheme that could be included, such as pump priming, that meant that it was appropriate to agree the original bid funding. He asked officers to work with the bidders to reprofile the various elements of the bid. Councillor Robertson whilst supporting the proposed move commented on the funding secured elsewhere of £10,000 for two years and expressed interest in seeing in the next few months how they would continue to fund the project after this time.

**RESOLVED:** to:

- (a) approve the Wood Farm youth centre request to amend the use of their Big Society grant;
- (b) approve those bids which meet the assessment criteria as set out in Annex ; in addition to approve the bid by the Edge Youth Centre, with officers to work with the bidder to reprofile the individual elements of the bid
- (c) in accordance with the Asset Transfer Policy to agree the transfer of buildings to the school on the following sites;
  - 1) Lord Williams' School, Thame
  - (2) Chiltern Edge School, Sonning Common
- (d) move the West Oxfordshire Cycle Track project being moved from Category 3 to Category 2 (bids that presently do not fully meet the assessment criteria but may with further development).

## **119/11 LOCAL GOVERNMENT RESOURCE REVIEW - RESPONSE**

(Agenda Item. 8)

Cabinet considered a report setting out a response to the Local Government Resource Review together with a report from the Leader and Cabinet Member for Finance and Property giving an overarching response.

The Cabinet Member for Finance and Property introduced the contents of the reports, indicating that the Scheme being suggested in the consultation was flawed but was a step in the right direction. He did support the overarching proposal put forward in the consultation but had massive reservations. He thanked David Illingworth for his work in putting together answers to the detailed questions in the consultation.

Cabinet noted the major issues, as set out in the reports. Councillor Mitchell commented that the proposals reflected a small change as when there was growth in the local economy they could keep a tiny part of that increase. It did not free local government to any great extent.

**RESOLVED:** to agree to the response to consultation about the Local Government Resource Review which is set out in Annex 1 and to agree the overarching response as set out in the addenda.

## **120/11 NATIONAL PLANNING POLICY FRAMEWORK - RESPONSE**

(Agenda Item. 9)

The Cabinet considered a report explaining some of the issues which have caught public attention and the issues raised for upper-tier authorities of the Draft National Planning Policy Framework.

Councillor Anne Purse, Cabinet Member for Growth & Infrastructure, commented that she was particularly supportive of the penultimate paragraph. She regretted that the framework did not reflect the views of organisations supporting our countryside and referred to expert views that the green belt was put at risk. She felt that the County Council response should have urged caution to ensure that there was as much protection as previously. She asked that the Council consider adding a paragraph into the report about the protection of the countryside. Responding to a question from the Leader, Councillor Purse explained that it was not what was said in the framework that weakened that protection but a matter of the interpretation that could be drawn.

Councillor Shouler raised concerns about the impact on the countryside generally as he believed that a free for all could be created without sufficient thought being given to the cumulative effect. Sustainability needed a better definition to avoid exploitation of the open countryside. Planning Authorities needed to be given the time to develop Plans and should have the ability to defer planning applications as premature. Councillor Shouler, responding to questions from the Leader, explained how he thought that the term sustainable could be used by developers to support development that would not otherwise be acceptable.

The Cabinet Member for Growth & Infrastructure introducing the report thanked the Councillors for their comments which reflected concern that was there. There was a perceived loophole, but she felt that fears were unfounded. Sustainable development was about positive growth and she supported plans to simplify and speed up the process which many found incomprehensible. Much of the anxiety was because many local Councils did not have Plans in place and although she agreed there would be a time lag the final Plans would be better and provide more certainty. She urged District Councils to get their Plans in place. She highlighted the paragraphs in the report referring particularly to the impact on upper tier Councils and stressed the need to work with District Councils.

During discussion the link to the previous report on the Local Government Resource Review was highlighted. The County Council had a key role in providing services to support growth. It was important that the County had an opportunity to bring together issues of concern to the County. Local

distinctiveness was an important aspect and District Councils did need time to get their Plans in place.

**RESOLVED:** to ratify the consultation response at Annex 1.

## **121/11 LEARNING DISABILITY - SUPPORTED LIVING AND DAYTIME SUPPORT SERVICES - OUTCOME OF CONSULTATION**

(Agenda Item. 10)

Cabinet considered a report that set out the outcome of recent consultation on major changes to the delivery of services to people with learning disability.

Councillor Fatemian introduced the report and paid tribute to staff for the professionalism and care they had shown in their responses. As a result of the consultation a number of changes were suggested to the original proposals. Firstly there was active consideration being given to social enterprise options; secondly they were ensuring that users were embedded in the choices to be made; and finally people with learning disabilities were to be included in the monitoring process. In moving the recommendations he highlighted the risks set out in the report and the mitigation of those risks.

**RESOLVED:** to

(a) note the outcome of consultation with Service Users, carers and other stakeholders; and

(b) agree to the outsourcing of Independent Living Services by April 2013.

## **122/11 PROPERTY & FACILITIES PROCUREMENT - SCOPE OF CONTRACT - FOOD WITH THOUGHT/QUEST CLEANING SERVICE STRATEGY PAPER**

(Agenda Item. 11)

Cabinet considered a report informing the decision on the inclusion of the cleaning and catering services provided by Quest Cleaning Services (QCS) and Food with Thought (FwT) within the scope of the proposed integrated Property & Facilities external services contract. The contract will provide a Total Facilities Management service including the delivery of hard and soft FM services, as well as professional and construction services.

Councillor Alan Armitage, Shadow Cabinet Member for Finance & Property indicated that he had asked to speak as the Liberal Democrat Group was not convinced by the arguments. He did not agree that bigger is better and felt that with one contract there was more risk. Neither did he see that it saved money. The Atkins contract was not without problems and the model should not be expanded until it was proven to work fully. Referring to the benefits of inclusion in the contract set out on pages 164 and 165 Councillor Armitage commented that with regard to replacing new equipment this could be done anyway. He queried the outcome once the customer care line was



outsourced. FwT was popular with schools so why change it. He did not believe that the contract would maintain and improve service and quality and queried how take up would be improved.

Councillor Armitage responding to a question from Councillor Robertson stated that the contract did not state that there would be outsourcing but that he believed this was implied in the process.

Mrs Ruth Lyster, spoke against the recommendation. She was a school cook with 5 ½ years experience. In recent years the quality of schools meals had improved vastly with increased take-up. Over the last two years a profit had been generated. Most kitchens had been refurbished; training levels and health and safety standards were high. Mrs Lyster noted that her school had the highest take-up of meals at 67%. She believed that the service provided was of very good value at a low risk. Current involvement of school cooks made plans more practical and progress was jeopardised by plans to include in the contract. She believed it was the odd one out and that the goals set out in the report were either already achieved or could be achieved under the existing system. She believed that the main reason for inclusion was to make the contract more attractive. She was concerned as a mother that the welfare of her children would be affected by the deterioration of the food. As a cook she was concerned that portions would shrink and that the achievements so far would be jeopardised and that inclusion was not necessary or desirable.

Responding to questions from Cabinet Members as to what proof there was that there would be less money for food, portions would shrink, and whether the new contract could bring in some efficiencies, Mrs Lyster replied that the only way to increase profit was to reduce costs. The service had already done everything it could do in terms of efficiencies and she could not comment on any other company.

Councillor Couchman introduced the report setting out the background to the need for a new contract and the move to bring in a total facilities management service. He acknowledged that FwT had made a great deal of progress since 2005 but pointed out that there had been the benefit of a grant for school meals. The service was not fully self operating as it did not pay towards energy or back office charges. He supported inclusion in order to test the market.

Martin Tugwell referred to the detail of the report noting that the inclusion of Quest brought efficiencies as part of a comprehensive service. With regard to FwT there had been considerable relative success but looking forward there were risks associated with the service. There was a grant; a small number of schools (10) generated the majority of the surplus and he questioned whether this was resilient. The success to date did make it attractive. All bidders saw scope to grow the market and to maintain and build on standards. They were able to provide levels of investment greater than Oxfordshire County Council had been able to make. The model that would be tested would see the Council keep control of key aspects of the contract such as price and quality.

Councillor Robertson stressed that this was not the final decision. FWT had made remarkable progress: the service should be in the contract but if it did not meet his expectations he would expect the Council to renegotiate with it excluded. There was support expressed for this view. Councillor Tilley stated that the crux was to see the specification and to ensure that everything was the same or better and to carefully monitor.

Cllr Chapman in sympathising with the speaker commented that previously the decision had been taken that if FWT met its business case the service should continue. The food and value provided was very good and exceeding minimum specifications. She highlighted the need for Cabinet Members to be kept informed on matters such as who would put specifications together; on local sourcing of food; on how scrutiny would be provided and on the future of current workers. She queried whether there would be a need for rebranding and commented that FWT was not broken and did not require fixing. She was uneasy and queried whether if profit was made it would be fed back into the school meals service.

Following a vote by a show of hands it was:

**RESOLVED:** (by 9 votes to 0, with 1 abstention) to include the current catering and cleaning services provided by Food with Thought and QCS within the scope of the Property and Facilities Contract.

## **123/11 COMMUNITY SAFETY PARTNERSHIP STRATEGIES**

(Agenda Item. 12)

Cabinet considered the Community Safety Strategies.

Councillor Mallon in moving the recommendation drew attention to the comments of the Scrutiny Committee. And the responses to those comments set out in the report.

**RESOLVED:** to note the views from Members generally and the Safer and Stronger Communities Scrutiny Committee in particular, and to **RECOMMEND** the Council to approve the Community Safety Strategies for Oxfordshire 2011-14.

## **124/11 DELEGATED POWERS OF THE CHIEF EXECUTIVE - OCTOBER 2011**

(Agenda Item. 13)

Cabinet noted the schedule of executive decisions taken by the Chief Executive under the specific powers and functions delegated to her under the terms of Part 7.4 of the Council's Constitution – Paragraph 1(A)(c)(i) in the period January to March 2011.

**125/11 FORWARD PLAN AND FUTURE BUSINESS**

(Agenda Item. 14)

The Cabinet considered a list of items (CA) 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.

..... in the Chair

Date of signing ..... 2011