

To: Members of the Cabinet

Notice of a Meeting of the Cabinet

Tuesday, 13 March 2012 at 2.00 pm

County Hall, Oxford, OX1 1ND

Joanna Simons

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Chief Executive

March 2012

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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>
Arash Fatemian	- <i>Cabinet Member for Adult Services</i>
Louise Chapman	- <i>Cabinet Member for Children, Education & Families</i>
Jim Couchman	- <i>Cabinet Member for Finance & Property</i>
Lorraine Lindsay-Gale	- <i>Cabinet Member for Growth & Infrastructure</i>
Kieron Mallon	- <i>Cabinet Member for Police & Policy Co-ordination</i>
Mrs J. Heathcoat	- <i>Cabinet Member for Safer & Stronger Communities</i>
Melinda Tilley	- <i>Cabinet Member for Schools Improvement</i>
Rodney Rose	- <i>Cabinet Member for Transport</i>

The Agenda is attached. Decisions taken at the meeting will become effective at the end of the working day on 21 March 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: 23 March 2012

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 Part 9.1 of the Constitution for a fuller description.

The duty to declare ...

You must always declare any "personal interest" in a matter under consideration, i.e. 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 - 10)

To approve the minutes of the meeting held on 14 February 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. Oxfordshire Minerals and Waste Plan: Minerals and Waste Core Strategy Proposed Submission Document (Pages 11 - 52)

Cabinet Member: Growth & Infrastructure

Forward Plan Ref: 2011/190

Contact: Peter Day, Mineral & Waste Policy Team Leader Tel: (01865) 815544

Report by Deputy Director for Environment & Economy – Growth & Infrastructure (**CA6**).

The Minerals and Waste Core Strategy will set out the vision, objectives, spatial strategy, core policies and implementation framework for the supply of minerals and management of waste in Oxfordshire to 2030. The County Council carried out consultation on draft Minerals and Waste Planning Strategies in September/October 2011. Responses were received from 779 individuals and organisations, including 548 objections to a new mineral working area at Cholsey.

Overall the consultation has not resulted in any substantive issues being raised that call into question the principles of the draft strategies. But a number of more detailed issues have been raised, in response to which some changes to the strategy policies are proposed.

The consultation responses, issues raised and possible changes to policies have been considered by the Minerals and Waste Plan Working Group; and the Growth and Infrastructure Scrutiny Committee on 27 February 2012 considered key issues arising from the consultation and proposed changes to policies in response to them.

The report sets out the key issues arising from the consultation and actions that have been undertaken in response to them. It draws conclusions on where changes need to be made to policies and it puts forward a set of proposed changes to the minerals, waste and core policies and the minerals and waste vision and objectives, for inclusion in a revised Minerals and Waste Core Strategy.

The next stage in the process, subject to approval by full Council, is for the revised Minerals and Waste Core Strategy to be published for public comment and submitted to the government for independent examination.

The Cabinet is RECOMMENDED to:

- (a) agree the amended minerals, waste and core policies in Annex 1 and the amended minerals and waste vision and objectives in Annex 2 as the basis of the Minerals and Waste Core Strategy – Proposed Submission Document for approval by the full County Council.***
- (b) delegate authority to finalise the Minerals and Waste Core Strategy – Proposed Submission Document, including amendments to the supporting text, to the Cabinet Member for Growth & Infrastructure.***
- (c) delegate authority to finalise the County Council's responses to the comments made in response to the Minerals Planning Strategy and Waste Planning Strategy Consultation Drafts, September 2011 to the Cabinet Member for Growth & Infrastructure.***
- (d) RECOMMEND to the full County Council that the Minerals and Waste Core Strategy – Proposed Submission Document as finalised by the Cabinet Member for Growth & Infrastructure be approved and be published to enable representations to be made and submitted to the Secretary of State for independent examination.***

7. Equalities Policy and Objectives - Equality Policy 2012-2017 (Pages 53 - 58)

Cabinet Member: Police & Policy Co-ordination

Forward Plan Ref: 2012/004

Contact: Ben Threadgold, Senior Policy & Performance Officer Tel: (01865) 328219

Report by Head of Law & Governance (**CA7**).

The Equality Policy 2012-2017 sets out how the Council is approaching its responsibilities for ensuring that all residents in Oxfordshire have fair access to services and equal life chances. It also demonstrates how the Council is meeting the requirements placed on public bodies under the Equality Act 2010, including setting equality objectives for the next four years.

A draft of the policy has been out for public consultation since January, and the final policy has been amended to reflect feedback from internal and external stakeholders.

To fulfil our legislative requirements, the final policy will be published by 6th April 2012, and progress in implementing it will be monitored and reported as part of the council's overall performance management arrangements.

The Cabinet is RECOMMENDED to approve the Council's judgement on effectiveness and key equality objectives as set out in the Equality Policy 2012/2017 and to RECOMMEND Council to receive the report.

8. Frideswide Square, Oxford - Transport and Public Realm Scheme (Pages 59 - 92)

Cabinet Member: Transport

Forward Plan Ref: 2012/012

Contact: John Disley, Strategic Manager - Policy & Strategy Tel: (01865) 810460

Report by Director for Environment & Economy (**CA8**).

The report summarises the outcomes of design work and stakeholder consultation on two options for improving Frideswide Square. The "Boulevard" option is recommended for detailed design and implementation.

The Cabinet is RECOMMENDED to approve the "Boulevard" option for Frideswide Square for detailed design and implementation, including the advertisement of any necessary traffic orders.

9. Health & Wellbeing and Social Care: New Roles for Local Authorities (Pages 93 - 118)

Cabinet Member: Adult Services

Forward Plan Ref: 2012/030

Contact: Dr Jonathan McWilliam, Director of Public Health Tel: (01865) 336707

Report by Director of Public Health, Chief Executive, Director for Social & Community Services and Interim Director for Children, Education & Families (**CA9**).

To consider the changes to health and wellbeing and social care, and to discuss the future direction they may wish the Council to take.

The Cabinet is RECOMMENDED to discuss the changes to health well-being and social care as described in this paper, and discuss the future direction they may wish the Council to take.

10. Extension of Age Range at Woodeaton Manor School - Proposal for Alteration of Lower Age Limit (Pages 119 - 130)

Cabinet Member: Schools Improvement

Forward Plan Ref: 2011/162

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

Report by Interim Director for Children, Education & Families (**CA 10**).

Woodeaton Manor School is a Foundation Special School which provides education for children and young people aged 11 to 18 years old. It is designated as a special school for pupils with behavioural, emotional and social disorders (BESD), but has a particular focus on those with emotional and social difficulties. The vast majority of pupils have autistic spectrum disorders.

The proposal is to extend the age range to include pupils of Key Stage 2 primary school age so that it becomes an age range of 7 to 18.

More primary school places are needed in Oxfordshire for children with BESD, leading to a potential delay before the children receive the particular special care that enables them to thrive and achieve their full potential.

To accommodate this growth in pupil numbers, a single temporary unit is proposed to be installed on the school site, in a location previously occupied by a similar unit some years ago.

The Cabinet is RECOMMENDED to support the Governing Body of Woodeaton Manor School by approving the publication of a statutory notice for the alteration of the lower age limit at Woodeaton Manor School.

11. Embedding Personalisation (Pages 131 - 134)

Cabinet Member: Adult Services

Forward Plan Ref: 2011/217

Contact: Robyn Noonan, Strategic & Performance Service Manager, Tel: (01865) 323664

Report by Cabinet Member for Adult Services (**CA11**).

This report summarises outcomes from the 'Hearsay' event and Business Strategy engagement sessions in 2011, both relating to developments in social care. It sets out the background to the growth of personalisation in Adult Social Care. The concept of personalisation is defined, and the policy context is set out, from Community Care law reforms of the 1990's to 'Putting People First' in 2007.

The report welcomes the introduction of Personalisation as a policy and reviews some of the risks involved in more direct purchasing of social care by individuals, for example the use of 'Personal Assistants'. It outlines the measures being proposed to Adult Social Care Scrutiny Committee for assuring quality in externally provided care. This includes the role of Members in promoting and assuring quality in services which operate in their locality.

The Cabinet is RECOMMENDED to

- (a) to note the current position; and***
- (b) to RECOMMEND to Council to receive the report and debate its implications for Members.***

12. Academies and Pension Costs (Pages 135 - 138)

Cabinet Member: Finance & Property and Schools Improvement

Forward Plan Ref: 2012/027

Contact: Sean Collins, Service Manager (Pensions, Insurance & Money Management)

Tel: (01865) 797190

Report by Assistant Chief Executive & Chief Finance Officer (**CA 12**).

This report responds to a letter sent to all Local Authority Leaders and Chief Executives in England. This letter set out the statutory position regarding Academies and the Local Government Pension Scheme. The letter expressed concerns that the basis of the calculation of the employer contribution rate for some Academies across the Country was inconsistent, and led to Academies paying unjustifiably higher contributions compared to maintained schools in the same area. The letter set out the preferred approach of allowing Academies to be pooled with their former local authority.

This report sets out the background to the position in Oxfordshire, the issues surrounding pooling and asks the Cabinet to determine its views on the option of allowing academies to pool with the County Council. Final decisions will be made by the Pension Fund Committee including any changes to their Funding Strategy Statement which sets out the current approach to pooling, at its meeting on 16 March 2012.

In light of the future financial risk to the Council, and the availability of alternative options open to the Pension Fund Committee, the Cabinet is RECOMMENDED not to support the option of allowing academies to be pooled with the County Council for LGPS purposes, and to inform the Pension Fund Committee accordingly.

13. 2011/12 Financial Monitoring & Business Strategy Delivery Report - January 2012 (Pages 139 - 174)

Cabinet Member: Finance & Property

Forward Plan Ref: 2011/185

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

Report by Assistant Chief Executive & Chief Finance Officer (**CA13**).

This report sets out the forecast position for each Directorate. This includes the delivery of the Directorate Business Strategies which were agreed as part of the Service and Resource Planning Process for 2011/12 – 2015/16. Parts 1 and 2 include projections for revenue, reserves and balances as at the end of January 2012. The Capital monitoring is included at Part 3.

The Cabinet is RECOMMENDED to:

- (a) ***note the report and approve the virements as set out in Annex 2a;***
- (b) ***agree the creation of the new reserves as set out in paragraph 45 to 48; and***
- (c) ***approve the new capital schemes and budget changes set out in Annex 9c.***

14. Corporate Plan Performance and Risk Management Report for the 3rd Quarter 2011 (Pages 175 - 184)

Cabinet Member: Deputy Leader

Forward Plan Ref: 2011/186

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

Report by County Council Management Team (**CA14**).

Quarterly Performance Monitoring report.

The Cabinet is RECOMMENDED to note the report.

15. Renewed Section 75 Agreement with Oxfordshire PCT (Pages 185 - 188)

Cabinet Member: Adult Services

Forward Plan Ref: 2012/013

Contact: John Pearce, Service Manager, Strategic Commissioning Tel: (01865) 323619

Report by Director for Social & Community Services (CA15).

Part one : Joint arrangements with Oxfordshire Primary Care Trust (Commissioner)

The framework provided by the National Health Service Act 2006 means money can be pooled between health bodies and health-related local authority services, functions can be delegated and resources and management structures can be integrated.

The arrangements allow commissioning for existing or new services, as well as the development of provider arrangements, to be joined-up. They cover:

- lead commissioning
- integrated provision
- pooled budgets.

This paper asks the Cabinet to:

Endorse the proposed renewal of the current s75 NHS Act 2006 pooled budget agreement and lead commissioning with Oxfordshire Primary Care Trust from April 2012-March 2013 for the two pooled arrangements for:

- Older people and people with physical disabilities and
- People with a Learning Disability.

This paper has also been submitted to the Oxfordshire Clinical Commissioning Group and agreed in February 2011

Part two : Joint arrangements with Oxford Health (Provider)

The framework provided by the National Health Service Act 2006 has been used to develop integrated provision and pooled budgets with Oxfordshire and Buckinghamshire Mental Health NHS Foundation Trust

This paper asks the cabinet to:

Delegate the responsibility to the Director Social and Community Services to enter into a further Mental health pooled Section 75 agreement with Oxford Health. The purpose of this Agreement is to facilitate the provision of integrated services by the partners in the manner and locations specified in this Agreement and to be limited to eligible people within the Council's borders.

Cabinet are RECOMMENDED to:

- (a) Endorse the proposals to agree joint agreements with Oxfordshire PCT set out above which have been approved by Oxfordshire Clinical Commissioning Group**
- (b) Grant delegated authority to the Director and s151 officer to agree the section 75 partnership agreement with Oxford Health.**

16. Forward Plan and Future Business (Pages 189 - 192)

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 **CA16**. 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.
