



To: Members of the Cabinet

## ***Notice of a Meeting of the Cabinet***

**Tuesday, 25 November 2014 at 2.00 pm  
in Meeting Rooms 1& 2**

**County Hall, Oxford, OX1 1ND**

*Joanna Simons*

Joanna Simons  
Chief Executive

November 2014

Contact Officer:

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### **Membership**

#### *Councillors*

Ian Hudspeth	<i>Leader of the Council</i>
Rodney Rose	<i>Deputy Leader of the Council</i>
Mrs Judith Heathcoat	<i>Cabinet Member for Adult Social Care</i>
Nick Carter	<i>Cabinet Member for Business &amp; Customer Services</i>
Melinda Tilley	<i>Cabinet Member for Children, Education &amp; Families</i>
Lorraine Lindsay-Gale	<i>Cabinet Member for Cultural &amp; Community Services</i>
David Nimmo Smith	<i>Cabinet Member for Environment</i>
Lawrie Stratford	<i>Cabinet Member for Finance</i>
Hilary Hibbert-Biles	<i>Cabinet Member for Public Health &amp; the Voluntary Sector</i>

*The Agenda is attached. Decisions taken at the meeting will become effective at the end of the working day on 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: 16 December 2014*

## 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 Glenn Watson on (01865) 815270 or [glenn.watson@oxfordshire.gov.uk](mailto:glenn.watson@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 - 20)

To approve the minutes of the meeting held on 21 October 2014 (**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. Treasury Management Mid Term Review (2014/15) (Pages 21 - 34)

*Cabinet Member:* Finance

*Forward Plan Ref:* 2014/095

*Contact:* Greg Ley, Financial Manager – Pension Fund Investments Tel: (01865) 323978

Report by Chief Finance Officer (**CA6**).

The report sets out the Treasury Management activity undertaken in the first half of the

financial year 2014/15 in compliance with the CIPFA Code of Practice. The report includes Debt and Investment activity, Prudential Indicator monitoring, changes in Strategy, and forecast interest receivable and payable for the financial year.

**7. Action Plan in Relation to Recent Serious Care Review Overview Report (Pages 35 - 40)**

*Cabinet Member:* Children, Education & Families

*Forward Plan Ref:* 2014/163

*Contact:* Hannah Farncombe, Safeguarding Manager Tel: (01865) 815273

Report by Director for Children's Services (**CA7**).

At its meeting on 13 May 2014, Cabinet endorsed the recommendations of the Cabinet Advisory Group on the Strategic Assurance Framework for safeguarding children and young people. One of those recommendations was that Cabinet (among others) should be alerted to the outcome of all Serious Case Reviews and actions flowing from them. This is the first such report.

***The Cabinet is RECOMMENDED to note the action being taken in response to the Serious Case Review.***

**8. Oxfordshire Minerals and Waste Local Plan (Pages 41 - 56)**

*Cabinet Member:* Environment

*Forward Plan Ref:* see below

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

Report by Deputy Director for Environment & Economy – Strategy & infrastructure Planning(**CA8**).

This report covers four separate but connected documents that relate to the Minerals and Waste Local Plan:

**A. Oxfordshire Local Aggregate Assessment 2014\_(Pages 57 - 122)**

*Forward Plan Ref:* 2014/120

To seek agreement to the Local Aggregate Assessment for 2014, setting out the Council's updated annual assessment of the demand for, and supply of aggregate minerals in Oxfordshire.

**B. Oxfordshire Minerals and Waste Local Plan: Core Strategy - Proposed Submission Document\_(Pages 123 - 260)**

*Forward Plan Ref:* 2014/026

To seek agreement to the Minerals & Waste Local Plan: Core Strategy – Proposed Submission Document, setting out the Council’s proposed planning strategy and policies for minerals and waste developments in Oxfordshire to 2030, for publication for comment and submission to the Secretary of State for examination.

**C. Oxfordshire Minerals & Waste Local Plan - Review of Statement of Community Involvement\_ (Pages 261 - 302)**

*Forward Plan Ref: 2014/123*

To recommend to Full Council a revised version of the Council’s Mineral & Waste Statement of Community Involvement for adoption.

**D. Oxfordshire Minerals & Waste Development Scheme (Sixth Revision) 2014 (Pages 303 - 344)**

*Forward Plan Ref: 2014/121*

To seek agreement of a revised Minerals & Waste Development Scheme 2014, setting out the Council’s updated programme for the preparation of the Oxfordshire Minerals & Waste Local Plan.

***The Cabinet is RECOMMENDED to:***

**A.**

- i. approve the Oxfordshire Local Aggregate Assessment 2014 at Annex 1 for use as the basis for provision for mineral working in the Oxfordshire Minerals and Waste Local Plan and for calculating the Oxfordshire landbank;***
- ii. authorise the Deputy Director Strategy & Infrastructure Planning in consultation with the Cabinet Member for Environment to make any necessary minor corrections and amendments and publish the Oxfordshire Local Aggregate Assessment 2014 on the Council website.***

**B.**

- i. agree the amended Minerals and Waste Local Plan: Part 1 – Core Strategy at Annex 3 in principle as the basis of a complete amended version of the Plan for recommendation to Council for publication and submission to the Secretary of State under Regulations 19 and 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012; and***
- ii. authorise the Deputy Director Strategy & Infrastructure Planning in consultation with the Cabinet Member for Environment to finalise the Plan for recommendation to Council.***

**C. RECOMMEND to Council to**

- i. adopt the Oxfordshire Statement of Community Involvement with the***

**amendments as shown in Annex 5 to replace the existing Oxfordshire Statement of Community Involvement adopted on 7 November 2006; and**

- ii. authorise the Deputy Director Strategy & Infrastructure Planning in consultation with the Cabinet Member for Environment to make any further factual corrections or updating required and finalise the adopted Statement of Community Involvement for publication.**

**D.**

- i. approve the Oxfordshire Minerals and Waste Development Scheme (Sixth Revision) 2014 at Annex 6, subject to final detailed amendment and editing, to have effect from 23 December 2014;**
- ii. authorise the Deputy Director Strategy & Infrastructure Planning to:**
  - (a) carry out final detailed amendment and editing of the Oxfordshire Minerals and Waste Development Scheme, in consultation with the Cabinet Member for Environment;**
  - (b) take the necessary steps to bring the revised Scheme into effect from 23 December 2014 and publish the revised Scheme, in accordance with Sections 15 and 16 of the Planning and Compulsory Purchase Act 2004 (as amended).**

**9. Progress Report on the Delivery of the Placement Strategy - For Children In and on the Edge of Care 2013-16 (Pages 345 - 350)**

*Cabinet Member: Children, Education & Families*

*Forward Plan Ref: 2014/097*

*Contact: Matthew Edwards, Corporate Parenting Manager Tel: (01865) 323098*

Report by Director for Children's Services (**CA9**).

The report updates Cabinet on the progress achieved since The Placement Strategy was approved by Cabinet in July 2013. This report provides an update on the strategy's four major work streams: residential homes build, delivery model for edge of care and residential provision, re-commissioning of young people's supported housing, and fostering and adoption reform. It particularly draws attention to the challenges around foster care recruitment and asks Cabinet to endorse an ambition for Oxfordshire to become "the most fostering friendly county in the country". It recognises that there needs to be a radical step change in recruitment of foster carers to relieve the pressure on the agency placement budget and that the local authority cannot be the sole driver but needs engagement from a number of partners including from business and the community. A number of new approaches are recommended in this area and Cabinet is being asked to endorse and support these approaches.

The Cabinet is **RECOMMENDED** to endorse the initiatives set out in paragraph 13 of this report.

## 10. Statutory Rights of Way Management Plan (Pages 351 - 432)

*Cabinet Member:* Environment

*Forward Plan Ref:* 2014/023

*Contact:* Steve Smith, Service Manager, Network & Asset Management Tel: (01865) 810435

Report by Director for Environment & Economy (**CA10**).

It is a statutory duty for the highway authority to prepare, publish & review a Rights of Way Improvement Plan (RoWIP). The RoWIP provides the strategy framework for public rights of way recording, management and development.

Oxfordshire's first RoWIP was adopted on 21 February 2006 and ran until the end of 2011/12. On 22 March 2012 the Cabinet Member for Transport authorised the extension of the current RoWIP validity date to March 2014 and the development of its replacement.

The first consultation on the review of the RoWIP ran from November 2012 to January 2013. This secured broad agreement of the principles outlined for continuation into a new plan. In light of these consultation responses the draft second Rights of Way Improvement Plan was developed. In recognition of the need to maintain existing rights of way as well as seek improvements to the network as a whole it was decided to amend title of the document to a Rights of Way Management Plan (RoWMP).

On 9 January 2014 the Cabinet Member for Environment authorised the publication of the draft Rights of Way Management Plan for public consultation and to extend the lifespan of the current plan until such time that approval for the finalised Rights of Way Management Plan document has been confirmed.

The second public consultation ran from January to May 2014. In total 68 representations were made, including the Local Access Forum for Oxfordshire. All representations were considered and analysed. Where appropriate, the final draft version of the Rights of Way Management Plan 2015-2025 takes account of these representations. Overall, the plan's vision and aims are the same as the original Rights of Way Improvement Plan.

The decision to adopt the Rights of Way Management Plan is required to provide County Council approval of the plan.

***The Cabinet is RECOMMENDED to:***

- (a) note the results of the consultation on the draft Rights of Way Management Plan;***
- (b) approve the proposed changes to the consultation document;***
- (c) adopt the Rights of Way Management Plan for the period January 2015 - December 2025; and***
- (d) extend the lifespan of the current Rights of Way Improvement Plan to December 2014.***

## 11. **Energy Procurement – Electricity & Gas Procurement 2016-2020 (Pages 433 - 442)**

*Cabinet Member:* Business & Customer Services

*Forward Plan Ref:* 2014/143

*Contact:* Lawrence Bunn, Principal Strategic Procurement Manager

Tel: 07973 701827

Victoria Fletcher, Environment & Resource Efficiency Manager

Tel: (01865) 815420

Report by Deputy Director for Environment & Economy – Commercial (**CA11**).

The paper sets out an approach to the procurement of electricity and gas for the period 2016-2020 for all of the Council's buildings, street lighting and other illuminated street furniture. The Council currently procures its energy from contracts established by LASER, a professional buying organisation, which tenders, awards and manages energy contracts on behalf of 160 local authorities and other organisations. The current energy contracts expire in 2016.

LASER has just completed a formal tender process in compliance with EU procurement rules resulting in the award of new energy contracts for the period 2016-2020.

The Council needs to decide now whether to continue to procure its energy via LASER from the new contracts commencing in 2016. This decision is needed now because LASER forward buys energy up to two years in advance in order to secure optimum energy prices.

***The Cabinet is RECOMMENDED to:***

- (a) approve the proposal to using the energy framework contracts established by LASER for the period 2016-20.***
- (b) delegate to the Deputy Director – Commercial the authority to decide on the preferred in-contract purchasing option.***

## 12. **Governance Review 2014 - November (Pages 443 - 470)**

*Cabinet Member:* Leader

*Forward Plan Ref:* 2014/134

*Contact:* Peter Clark, County Solicitor & Monitoring Officer, Tel: (01865) 323907

Report by County Solicitor & Monitoring Officer (**CA12**).

In April 2013, the Council adopted new governance arrangements which came into effect following the May 2013 elections. The Council asked its Monitoring Officer to review the effectiveness of these decision-making arrangements a year after their coming into operation, along with the underlying Constitution. His recommendations will be considered by Full Council on 9 December. This report highlights the emerging issues. The Committee previously gave attention to this matter in September 2014 but wished to have a more full discussion at this meeting.



***Cabinet is recommended to consider and endorse the direction of travel of the review.***

**13. Staffing Report - Quarter 2 - 2014 (Pages 471 - 476)**

*Cabinet Member:* Deputy Leader

*Forward Plan Ref:* 2014/096

*Contact:* Sue Corrigan, Strategic HR Manager Tel: (01865) 810280

Report by Chief Human Resources Officer (**CA13**).

The report gives an update on staffing numbers and related activity during the period 1 July 2014 to 30 September 2014. It gives details of the agreed staffing numbers and establishment at 30 September 2014 in terms of Full Time Equivalents. These are also shown by directorate in Appendix 1. In addition, the report provides information on vacancies and the cost of posts being covered by agency staff. Appendix 2 shows a breakdown by service area of agency spend.

***The Cabinet is RECOMMENDED to:***

***(a) note the report;***

***(b) confirm that the Staffing Report meets the Cabinet's requirements in reporting and managing staffing numbers.***

**14. Provision of Education Services to Oxfordshire Schools (Pages 477 - 478)**

*Cabinet Member:* Children, Education & Families

*Forward Plan Ref:* 2014/180

*Contact:* Hannah Farncombe, Safeguarding Manager Tel: (01865) 815273

Report by Director for Children's Services (**CA14**).

In April 2014 Cabinet asked officers to explore the possibility of a partnership with Hampshire County Council to run services that support schools in Oxfordshire to improve their learning outcomes. This report brings the outcome of that exploration back to Cabinet.

***The Cabinet is RECOMMENDED to agree that Oxfordshire County Council should formally withdraw from work to develop a partnership arrangement with Hampshire County Council in relation to school based services.***

**15. Follow up to the Call in of a Decision by the Cabinet Member for Environment: Proposed Pelican Crossings - A415 Marcham Road and Ock Street, Abingdon (Pages 479 - 480)**

At their meeting on 3 November 2014, the Performance Scrutiny Committee considered the decision of the Cabinet Member for Environment made on 9 October 2014 following proper notice of a call in. The Committee agreed to refer the decision back to Cabinet

for it to consider in the light of the following material concerns that the Committee had about the following aspects of the decision:

- (a) that neither the officer's report nor the Cabinet Member's decision appeared to be based on the Department of Transport Guidance into the assessment of pedestrian crossing sites; and
- (b) the Cabinet Member did not take due account of the impact of the changes on the wider local traffic network.

***Cabinet is RECOMMENDED to note the complexity of the information they will be asked to consider and agree to defer consideration of the Scrutiny Committee Call to the December meeting.***

## **16. Forward Plan and Future Business (Pages 481 - 482)**

*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.***

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