

CABINET

MINUTES of the meeting held on Tuesday, 15 March 2011 commencing at 2.00 pm and finishing at 4.10 pm

Present:

Voting Members: Councillor Keith R. Mitchell CBE – in the Chair
Councillor David Robertson (Deputy Chairman)
Councillor Arash Fatemian
Councillor Ian Hudspeth
Councillor Jim Couchman
Councillor Kieron Mallon
Councillor Louise Chapman
Councillor Michael Waine
Councillor Mrs J. Heathcoat

Other Members in Attendance:

Officers:

Whole of meeting Joanna Simons (Chief Executive)

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.

27/11 APOLOGIES FOR ABSENCE

(Agenda Item. 1)

Apologies were received from Councillor Rodney Rose.

28/11 MINUTES

(Agenda Item. 3)

The minutes of the meeting held on 16 February 2011 were agreed and signed.

29/11 QUESTIONS FROM COUNTY COUNCILLORS

(Agenda Item. 4)

Councillor John Sanders had given notice of the following question to the Cabinet Member for Growth & Infrastructure:

“What measures will LPT3 include to improve cross-city cycle routes in Oxford?”

” Councillor Hudspeth replied:

“Radial cycle routes as well as routes across the city centre will be improved and there will be schemes to improve cycle access to park and ride sites.

Schemes and investigative work will include:

- cycle/pedestrian improvements to allow 2-way cycling on Pembroke Street;
- Jackdaw Lane cycle and footbridge over the Thames;
- identification of other ‘missing links’ and potential schemes to further join up the city’s cycle network.

It is unfortunate that due to the country’s deficit that the previous government left behind that funding for such schemes will be difficult to identify.”

Councillor John Sanders had given notice of the following question to the Cabinet Member for Growth & Infrastructure:

“Paragraph 10 of the report on LPT3 claims under aims and strategic objectives that it will “tackle deprivation” how does the Cabinet Member for Transport envisage that LPT3 will tackle deprivation?”

Councillor Hudspeth replied:

“The LTP will tackle deprivation by:

- Supporting growth and the competitiveness of the local economy - by reducing congestion, securing infrastructure and improving the local environment the Plan will help to retain existing jobs and attract new ones to the county

- Making it easier to get around the county and improving access to jobs and services – by creating the conditions for sustainable long term transport services the Plan will give real choice to the deprived and open up opportunities for them
- Promoting healthier travel – the most deprived people often have the least healthy lifestyles and the Plan will provide more opportunities for them to choose more healthy travel options

These ambitions may not be realised in the first few years of the Plan because of the deficit that the previous government left behind but the plan will guide investment for 20 years towards these important goals.”

30/11 PETITIONS AND PUBLIC ADDRESS

(Agenda Item. 5)

The following requests to address the meeting had been agreed:

- Item 6. Mr Andrew Churchill-Stone, Chair of Governors of Culham Parochial School;
Mr Kitson Thomas (Chair of Save Culham School Group);
Councillor Lorraine Lindsay-Gale, local member
- Item 8. Councillor Janet Godden, local member,
Ms Brockliss, Headteacher Elms Road Nursery,
Ms Marsh, Headteacher Botley Primary School
- Item 11. Councillor Janet Godden, Shadow Cabinet Member
- Item 14. Councillor Jean Fooks, Opposition Deputy Leader

31/11 CULHAM PAROCHIAL PRIMARY SCHOOL

(Agenda Item. 6)

Cabinet at its meeting on 16 February considered a report that set out the outcomes of the consultation about a proposal to close the school with effect from the end of the current academic year and describing the next steps required if effect was to be given to the proposal to close the school. Following representations from the school, Cabinet deferred a decision to the March Cabinet to allow three conditions to be met for the school to remain open. Cabinet received an update on the interview process for the appointment of a head teacher.

Note: As set out under Rule 18(a) of the Scrutiny Procedure Rules, this decision is exempt from Call-In as any delay would seriously prejudice the Council's interests, due to additional financial costs, and the interests of the public in that the publication of any necessary statutory notice would be

delayed leading to significant disadvantage to parents with children at the School.

Mr Churchill-Stone gave an update on the remaining two conditions advising that there would be 39 children on roll by January 2012 and 46 by the January following. In terms of the financial position he referred to the personal pledges of funding for 3 years from people in the audience of the meeting today and that a positive budget could be achieved. He was happy to meet with officers to prove his budget robust. He referred to the lack of appointment of a head teacher but commented that a further advertising round was underway and that he was confident that the leadership issue could be resolved. Help was being given by the National Education Trust.

Mr Kitson added that in respect of the numbers on roll the figures were based on detailed information that had been given to the Authority for verification.

Responding to a question about any progress towards a hard federation Mr Churchill-Stone advised that they were talking to other schools but that it was impossible to have something in place by September 2011.

Councillor Lorraine Lindsay-Gale speaking as a local member commented on the hard work of the Governors. They had successfully met two of the three conditions and she hoped that the Cabinet would be able to respond to what had already been done.

The Cabinet Member for Schools Improvement stated that he had met with those involved and officers in the last week. He stressed that it was the approach of the Council to support small schools and that there had been no closure of a small school in six years. Efforts had been made over a number of years to get the school to confront the need for a federation. He referred to the papers he had received today and indicated that the numbers and budget figures would need to be verified by officers. He acknowledged the work done and expressed his regret that it had not been possible to appoint from the short list. The school needs strong and sustainable leadership. He did not believe that the Council should leave the children's future in doubt and so he was proposing that the closure notice be issued. However he suggested that the door remain open to the school until the preparation of the May Cabinet report and that Governors continue to work.

Responding to questions from Cabinet Members, Roy Leach indicated that the publication of the closure notice would make the recruitment process more difficult and explained why small schools were seen as unattractive for aspiring head teachers. In terms of numbers at the school he believed that 32 pupils could be achieved with the increase in reception pupils but that he would want to look at the evidence for numbers in late year groups.

Cabinet in supporting the proposal by Councillor Waine asked that, as before, any interview held for the head teacher post should involve two local authority representatives.

RESOLVED: to proceed with the publication of a statutory notice to close Culham Primary Parochial School with effect from 31st August 2011 but that the opportunity remain open for the three conditions previously set by the Cabinet to be fulfilled prior to the production of the report to Cabinet in May; it was further agreed that two Local Authority representatives be included on any interview panel for the Headteacher.

32/11 SOUTH EAST REGIONAL ARTS COUNCIL: MEMBERSHIP

(Agenda Item. 7)

RESOLVED: to:

- (a) nominate the Cabinet Member for Safer & Stronger Communities for a place on the Arts Council England's Board of the South East Regional Arts Council; and
- (b) include the Board in the 'All Appointments' list as a 'Standing Advisory Body'.

33/11 PROPOSAL TO MERGE ELMS ROAD NURSERY SCHOOL AND BOTLEY PRIMARY SCHOOL

(Agenda Item. 8)

Cabinet considered a report setting out representations made by interested parties following the decision of Cabinet on the 21 December 2010 to the issuing of a linked formal statutory closure notice which was published on the 7 January 2011.

Councillor Janet Godden speaking as local Member expressed some dismay at the letters and emails on this subject some of which had been personal and queried information in the local parish magazine which she felt was misleading. She remained convinced that the merger was the best way forward but stressed that this in no way diminished the lifetime achievement of the head teacher of the nursery school.

Ms Brockliss, Headteacher of Elms Road Nursery School spoke against the proposed merger. She commented that the accountability issue remained undefined that the Nursery School was an outstanding school and it made no sense for it to join with a school that was satisfactory. The expertise of the school in early years would be diluted. She referred to her leadership roll in respect of the Children's Centre. The parents fight for the school to remain open told its own story.

Ms Marsh, Headteacher of Botley Primary School spoke in support of the proposed merger. She had experienced first hand the limitations of joint working. She did not believe that it would lead to declining standards. There was an experienced team for early years and it was about a single accountability.

Responding to a question Ms Marsh indicated that she would be the Headteacher of the merged school but that the remaining structure would be decided by the Governing Body.

The Cabinet Member for Schools Improvement indicated that no new information had come out of the formal consultation except a hardening of views. There had been a series of misleading statements/articles and he stressed that the closure of the Nursery School was a technical matter, taking out the name and official number but was in fact a merger not a closure. He feared that some of the responses received were based on the misapprehension that the school would close and nursery places would be lost. He thanked Ms Brockliss for her work. The leadership role in respect of the Children's Centre was well made but the shape of provision in this area would be reviewed in next twelve months. He added that every Children's Centre had its own manager and the role of the Headteacher was strategic.

The Leader indicated that Cabinet members had received and considered prior to the meeting information from Sue Dowe, Extended Services Co-ordinator Elms Road Children's Centre.

RESOLVED:- That following consideration of the representations made in response to the statutory closure notice with particular reference to the issues detailed in paragraphs 12-23 and the Statutory Guidance to approve the closure of Elms Road Nursery School with effect from midnight, 31 August 2011, and the extension of age range at Botley Primary School with effect from 1 September 2011

34/11 COGGES TRUST

(Agenda Item. 9)

Cabinet considered a report that described the work that had continued since authority was given to officers to establish a new charitable trust to manage Cogges Manor Farm Museum and since the objects and powers of the new Trust had been established.

In introducing the report the Cabinet Member for Safer & Stronger Communities thanked officers for their efforts over a very long period of time working with the Shadow Board.

During discussion it was suggested that the Board should have at least one elected Member and it was proposed that Councillor David Robertson who had been involved throughout should be nominated.

RESOLVED: subject to one-off funding support of £50,000 from West Oxfordshire District Council: to:

- (a) authorise the County Councils Assistant Head of Property to agree the grant of a lease of Cogges Manor Farm to the Trust on terms to be agreed;

- (a) authorise the County Councils Assistant Head of Property to enter into such other property arrangements in respect of the Mawles Lease and the Church Lease and on terms to be agreed as are appropriate to facilitate the new Trust in operating the Cogges Manor Farm;
- (b) authorise the Head of Legal Services to agree the creation of the Trust and its constitution; and
- (c) nominate Councillor David Robertson and one of either Simon Kearey or Martyn Brown as Trustees.

35/11 ANNUAL UNANNOUNCED INSPECTION OF CONTACT REFERRAL AND ASSESSMENT ARRANGEMENTS AND CHILDREN'S SERVICES ASSESSMENT 2010.

(Agenda Item. 11)

Cabinet considered a report setting out the positive outcome of the authority's latest inspection of services to safeguard children and the 2010 Children's Services Assessment.

Councillor Janet Godden welcomed the pleasing and positive report. There were no surprises and half the battle was to know the development issues and to be working on them. *She highlighted improvements shown in the report in areas with which the Council had struggled for some time, such as caseloads for children's social workers and capacity issues; and finding suitable accommodation for people leaving care as it often unlocked access to jobs and training. She welcomed the strong performance of the Children's Trust. She congratulated officers and Cabinet Members for their efforts.

The Cabinet Member for Children, Young People and Families responded to the comments made highlighting the positives in the inspection that were set out particularly in paragraph 17 and thanking everyone involved for their efforts. With regard to workloads it was an area that needed to be addressed and there was additional money in the budget to provide support. She was pleased that currently there was only one agency worker. Referral rates had gone up and continued to rise but the Directorate was managing well. On care leavers she commented that they had worked closely with District Council colleagues and it was about partnership working. She agreed that the Trust could point to its achievements including a recent award for an employability scheme. Since the arrival of the Director record keeping had improved with new processes in place.

RESOLVED: to note the positive outcome of the authority's latest inspection of services to safeguard children and the 2010 Children's services Assessment

* Sentence corrected at the Cabinet meeting on 19 April 2011.

36/11 LOCAL TRANSPORT PLAN 2011-2030 - MARCH 2011

(Agenda Item. 12)

Cabinet considered a report that sought approval of the final version of the Local Transport Plan 2011 – 2030 (LTP3) prior to submission to the full Council meeting.

John Disley highlighted that the Plan would be updated annually and that there would be ongoing work over the next few months.

Cabinet Members in supporting the Plan commented on the cycling strategy, traffic to Bicester Village and the Cogges Link in Witney. The Cabinet Member for Growth and Infrastructure responding to the comments made. The Leader drew attention to the additional information contained in the addenda.

RESOLVED: to: **RECOMMEND** the County Council

- (a) to adopt the Local Transport Plan, subject to the inclusion of any consequential and editorial changes in the text as agreed by the Deputy Director of Environment & Economy Highways & Transport in consultation with the Cabinet Member for Growth and Infrastructure and the Cabinet Member for Transport; and
- (b) to delegate the authority for any interim changes to the Plan to be agreed by the Deputy Director of Environment & Economy Highways & Transport in consultation with the Cabinet Members for Growth and Infrastructure and Transport, for proposed adoption as Policy as part of the annual review of the Plan.

37/11 FINANCIAL MONITORING - MARCH 2010

(Agenda Item. 13)

Cabinet considered the latest financial monitoring report for the 2010/11 financial year that covered the period up to the end of January 2011. Part 1 & 2 set out the Council's forecast position for the 2010/11 financial year and included projections for revenue, balances, reserves. The capital programme monitoring and capital programme review update was included at Part 3. Funding changes and Other Financial Issues were included in Part 4.

The Cabinet Member for Finance and Property commented that the changes to accounting procedures meant that there were some very different figures in the report.

RESOLVED: to:

- (a) note the report and approve the virement requests as set out in annex 2a;
- (b) agree to use the exceptional funding from the Department of Transport on additional Highways Maintenance as set out in paragraphs 81 and 82;

- (c) agree the removal the additional funding relating to the pay award for employees earning less than £21,000 and transfer £0.381m to the Efficiency Reserve as set out in paragraphs 83 and 84; and
- (d) agree the creation of the Oxfordshire Buckinghamshire Partnership reserve as set out in paragraph 55.

At this point the Chairman proposed and it was agreed to vary the order of the agenda.

38/11 FORWARD PLAN AND FUTURE BUSINESS

(Agenda Item. 15)

The Cabinet considered a list of items 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.

39/11 URGENT BUSINESS - APPROVAL FOR CAPITAL GRANT FOR THE SHOTOVER VIEW EXTRA CARE HOUSING DEVELOPMENT

(Agenda Item. 16)

Cabinet considered a report seeking approval of the payment of £1.2m grant to help secure the viability of a new, purpose built Extra Care Housing Scheme to provide a development of 55 one and two bedroom flats plus a full suite of communal facilities plus accommodation for care staff.

Note: As set out under Rule 18(a) of the Scrutiny Procedure Rules, this decision is exempt from Call-In in that any delay would be detrimental to the Council's financial interest and to the strategy for the development of services for older people.

Note: In accordance with Regulation 16 of The Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 (as amended), the Chairman of the Strategy & Partnerships Scrutiny Committee (since this is a finance related item) has agreed that the need to take the decision is urgent and cannot reasonably be deferred. The Chairman of the meeting agreed that the item be deemed a matter of urgency in view of the need to secure the viability of the scheme.

Cabinet was advised that the grant agreement would be with Oxfordshire Care Partnership and not Bedfordshire Pilgrims Housing Association as set out in the report.

Cabinet Members noted that it would be the last meeting attended by Nick Welch before his retirement and they thanked him for his efforts for the Council and wished him well in his retirement.

RESOLVED: to approve the payment of grant to Oxfordshire Care Partnership in order to help secure the viability of a new, purpose built Extra Care Housing Scheme.

40/11 EXEMPT ITEM

(Agenda Item.)

RESOLVED: that the public be excluded for the duration of item 14 since it was likely that if they were present during that item there would be disclosure of exempt information as defined in Part I of Schedule 12A to the Local Government Act 1972 (as amended) and specified in minute no. 41 below and since it was considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information on the grounds set out in that minute.

PUBLIC SUMMARY OF PROCEEDINGS FOLLOWING THE WITHDRAWAL OF THE PRESS AND PUBLIC

41/11 AUTHORITY TO EXTEND CHANGES TO TERMS AND CONDITIONS OF EMPLOYMENT GROUPS WHERE AGREEMENT HAS NOT BEEN POSSIBLE

(Agenda Item. 14)

The public was excluded during this item because its discussion in public would have been likely to lead to the disclosure to members of the public present of information in the following prescribed category:

4 – Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matters arising between the authority or a Minister of the Crown and employees of, or officer-holders under the authority;

and since it was considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information, in that in that disclosure would be detrimental to consultations or negotiations in connection with labour relations matters.

Cabinet heard from Councillor Jean Fooks, Opposition Deputy Leader and following discussion agreed the recommendations set out in the report.

..... in the Chair

Date of signing