



**Cabinet  
Tuesday, 16 July 2013**

**ADDENDA**

**3. Minutes (Pages 1 - 10)**

Attached. It is suggested that these be entered into the record but considered for approval at the next meeting.

**4. Questions from County Councillors (Pages 11 - 12)**

Attached.

**5. Petitions and Public Address (Pages 13 - 16)**

**6. Home to School Transport Policy (Pages 17 - 20)**

The following additional documents are attached:

- (a) Note from the Chairman of the Education Scrutiny Committee.
- (b) Addendum report of the Director for Children's Services.

**8. 2013/14 Financial Monitoring & Business Strategy Delivery Report - May 2013 (Pages 21 - 22)**

For completeness charges Hill End Outdoor Education Centre referred to in the main body of the report are attached as Annex 10b for approval under recommendation (e).

**19. Forward Plan and Future Business (Pages 23 - 24)**

Attached.

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# Agenda Item 3

## CABINET

**MINUTES** of the meeting held on Tuesday, 18 June 2013 commencing at 2.00 pm and finishing at 3.35 pm.

### Present:

**Voting Members:** Councillor Ian Hudspeth – in the Chair  
Councillor Rodney Rose  
Councillor Mrs Judith Heathcoat  
Councillor Nick Carter  
Councillor Melinda Tilley  
Councillor Lorraine Lindsay-Gale  
Councillor David Nimmo Smith  
Councillor Arash Fatemian  
Councillor Louise Chapman  
Councillor Hilary Hibbert-Biles

**Other Members in Attendance:** Councillor Nick Hards (Agenda Item 6)  
Councillor Laura Price (Agenda Items 7 & 8)  
Councillor Glynis Phillips (Agenda Item 9)  
Councillor Liz Brighthouse (Agenda Item 10)

### Officers:

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

Part of meeting

6	Stephanie Skivington, Kathy Wilcox (Corporate Finance)
7	John Jackson, Director for Social & Community Services
8	John Jackson, Director for Social & Community Services; Lorna Baxter, Deputy Chief Finance Officer; Stephanie Skivington (Corporate Finance)
9	Jonathan McWilliam, Director for Public Health
12	Huw Jones, Director for Environment & Economy; Roy Newton (Infrastructure Development)
13	Huw Jones, Director for Environment & Economy

*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.*

## **59/13 MINUTES**

(Agenda Item. 3)

The Minutes of the meeting held on 21 May 2013 were approved and signed.

## **60/13 QUESTIONS FROM COUNTY COUNCILLORS**

(Agenda Item. 4)

Councillor Janet Godden had given notice of the following questions to Councillor David Nimmo Smith:

“Residents of Farmoor have queried with me the repairs to the edges of a long strip of the narrow B4017 at Filchampstead in preparation for the ride of respect, when other local road maintenance problems - particularly on the B4044 - have been reported more frequently and seem to deserve higher attention. What consideration was given to the need for road repairs when the route was chosen? What has been the cost of this work along the route of the ride, and what budget has this money come from?”

Councillor Nimmo Smith replied:

“The work that has been carried out at Filchampstead was structural patching, not edge strengthening, which was identified as required for repair. This section of patching work had been identified before Oxfordshire County Council were made aware of the Ride of Respect, but, as it was on the Route, it made sense to carry it out before the event took place. The route was identified by the Royal British Legion and agreed by Thames Valley Police. These decisions are not based on the condition of the highway but if there were significant safety issues relating to a road we would take the necessary action to ensure the safety of all road users.

The County Council are aware of issues that are faced on the roads in Oxfordshire and officers assess each potential location based on their merits and submit locations for programmed attention after they have completed their assessment. These decisions are based on their professional assessment factors including visual inspections, SCRIM test results (skid resistance test) and reports from Local Highway Representatives.

The structural patching work carried out was completed at a cost £36.5k which was funded from the structural patching budget. This patching was completed over a distance of approximately 2.5 kilometres in advance of surface dressing planned for the summer of 2014 in that area.

Due to the volume of motorcycles expected for the ride of respect, the proposed route was inspected and work undertaken to ensure any defects on the route were repaired. This work was funded out of the standard defect budget.

The B4044 has been assessed regarding defects remaining open and not completed, there appears to be 6 safety defects in this area that are overdue and beyond the 28 days required for completion. These are programmed for completion by Friday 21 June 2013.”

Councillor Susanna Pressell had given notice of the following questions to Councillor Hilary Hibbert-Biles:

“I’m sorry that you don’t have the benefit of a range of comments from the Health Scrutiny Committee, but yet again the Public Health Annual Report has not been sent to this committee before coming to Cabinet. This is very regrettable and seems to show that the administration has no respect for the scrutiny function. Instead of this, you just have a couple of questions from me:

firstly what do you see as the major public health challenges presented by our growing ethnic minority communities  
and secondly how do you plan to meet these challenges and narrow the wide health gap between our Pakistani and Bangladeshi residents and the most healthy people in the County?”

Councillor Hibbert-Biles replied:

1. The Director of Public Health (DPH) Annual Report.

The Health Overview and Scrutiny Committee is free to set its own agenda and to request items for presentation at its meetings, but has not yet requested that this report be presented.

The DPH Annual Report is a statutory and independent report, presenting evidence of trends and gaps in the health and wellbeing of the population. This independence means that, though the views of committee members can be taken into account for future consideration, the report is not the subject of scrutiny or consultation.

2. The issue of inequalities in health, including those which are linked to ethnicity, are examined in the Director of Public Health Annual Report. There are two major public health challenges - poorer outcomes for particular groups on particular issues and an overall increase in the number of people from ethnic minorities in the population.

Specific challenges need to be addressed and it is the role of Public Health to identify these issues, influence the organisations responsible for delivering improvement and perform a “watchdog” role to ensure better outcomes. For example, South Asian communities have a higher prevalence of diabetes and it is the work of the Clinical Commissioning Group to ensure early identification and good management of the condition. Similarly the NHS England Thames Valley Area Team are now responsible for commissioning cancer screening services. They have been alerted to lower uptake of cervical screening programmes by women from some specific ethnic groups. Teams from the Clinical Commissioning Group are identifying and contacting these people individually to encourage attendance.”

The Joint Strategic Needs Assessment identifies particular groups in the population who have poorer outcomes. This analysis can then be used by all commissioners to ensure that they focus on the areas or populations with greatest need. It is this principle which is highlighted in the Director of Public Health Annual Report. Improving the quality of data to enable this process is an important and on-going task.

## **61/13 PETITIONS AND PUBLIC ADDRESS**

(Agenda Item. 5)

The following requests to address the meeting had been agreed:

Item 6 – Councillor Nick Hards, Shadow Cabinet Member for Finance;

Item 7 – Councillor Laura Price, Shadow Cabinet Member for Adult Social Care; Dr Stephen Richards and Mr Ian Busby

Item 8 – Councillor Laura Price, Shadow Cabinet Member for Adult Social Care; Dr Stephen Richards and Mr Ian Busby

Item 9 - Councillor Glynis Phillips, Shadow Cabinet Member for Public Health & the Voluntary Sector

Item 10 - Councillor Liz Brighouse, Opposition Leader

At this point Cabinet agreed to vary the order of the agenda.

## **62/13 OLDER PEOPLE'S STRATEGY**

(Agenda Item. 7)

Cabinet had before them the new Older People's Joint Commissioning Strategy 2013-2016, developed jointly by the County Council and the Oxfordshire Clinical Commissioning Group.

Dr Stephen Richards, Chief Executive, Oxfordshire Clinical Care Commissioning Group, referred to recent media coverage on urgent care pressure. Recent public presentations on a plan to address the issue had triggered the interest. He assured Cabinet that it was not the case as reported that £637m of the £650 budgeted had already been spent. More of the funding was committed at this stage than was expected and there was less contingency available than planned. They were committed to delivery with all their partners.

Councillor Price, Cabinet Member for Adult Social Care, welcomed the work for carers which was vital and also highlighted the importance of work on dementia. Her main concern was the lack of specific measures of success. She added that the objectives were important but she worried that there was a lack of a sense of innovation. She suggested that it might be necessary to look outside for examples of excellence and innovative solutions.

Councillor Heathcoat in proposing the recommendations emphasised that the Strategy was linked to other reports on the agenda today and that it was the result of collaboration by partners and had been subject to public consultation. A detailed action plan was attached. Stephen Richards

confirmed the support and engagement of the Oxfordshire Clinical Care Commissioning Group.

John Jackson, Director for Social & Community Services stressed the links to the other reports and commented that the focus was on meeting the needs of patients, users, carers and citizens. Organisational barriers should not get in the way and it was about working in new ways to avoid that. The Strategy so far had been subject to significant consultation. He outlined the further steps to put services in place, and to deliver on key priorities in an efficient way. He detailed how the delivery would be managed.

In welcoming the report Councillor Hibbert-Biles commented that she would wish to see the County Council encouraging the District Councils to provide more extra care housing and the Leader of the Council undertook to pick this up through the Spatial Planning & Infrastructure Partnership.

**RESOLVED:** to agree the Older People's Joint Commissioning Strategy 2013-2016.

## **63/13 OLDER PEOPLE'S POOLED BUDGET ARRANGEMENTS (SECTION 75 AGREEMENT)**

(Agenda Item. 8)

Cabinet had before them a report that sought Cabinet approval to increase the services and budgets that form the Older Person's Pooled Budget arrangements between Oxfordshire County Council and the Oxfordshire Clinical Commissioning Group. It also proposed changes to the risk sharing and governance arrangements to ensure they are appropriate for a truly pooled budget between both parties under a formal Section 75 agreement.

Councillor Laura Price, Shadow Cabinet Member for Adult Social Care supported the proposals but stressed the need to ensure the arrangements put in place were robust.

Stephen Richards and Ian Busby spoke in support of the arrangements.

Councillor Heathcoat in proposing the recommendations commented that the changes were good news being innovative and exciting. She paid tribute to the hard work by all partners to bring the complex arrangements together and highlighted the experience outlined in paragraph 16 that would be useful going forward. Governance arrangements were important and would be monitored.

John Jackson added that the arrangements were nationally recognised as being innovative for their integrated approach to health and social care for older people. In recognising that there were risks he emphasised that the bigger risk lay with not doing it. It was about better outcomes and efficient use of resources. He highlighted the governance arrangements that would be put in place including the Joint Management Group. Lorna Baxter outlined

the financial position and agreed that the risks were outweighed by the benefits of joint working.

**RESOLVED:** to:

- (a) approve the proposed changes to the older people's pooled budget arrangements for older people, including changes to the Section 75 Agreement for All Client Groups to reflect this, subject to the inclusion of any necessary changes in the text as agreed by the Director for Social & Community Services after consultation with the Cabinet Member for Adult Social Care;
- (b) RECOMMEND that the County Council approves the virement of £21m into the Older People's Pooled Budget, as well as an income target of £18m.

### **64/13 PROVISIONAL 2012/13 REVENUE AND CAPITAL OUTTURN**

(Agenda Item. 6)

Cabinet considered a report that set out the provisional revenue and capital outturn for 2012/13 and showed how actual expenditure and income for the year compared to the budgeted position. It also included proposals for carry forwards from 2012/13 to 2013/14.

Councillor Nick Hards, Shadow Cabinet Member for Finance highlighted the overspend on highways (paragraph 18) and hoped that the Council would look creatively at the issues created by the winter weather. He also referred to the surplus on on-street parking and queried whether this would be used.

Councillor Fatemian in moving the recommendations drew attention to the revised annex on the addenda. Cabinet in agreeing the recommendations thanked the Finance Team for their efforts over the year to produce such a good result.

**RESOLVED:**

- (a) in respect of the 2012/13 outturn to:
  - 1) note the provisional revenue and capital outturn for 2012/13 along with the year end position on balances and reserves as set out in the report;
  - 2) approve the carry-forwards and virements as set out in Annex 2;
  - 3) recommend Council to approve the virements greater than £0.5m for Children, Education & Families, Social & Community Services and Environment & Economy Directorates as set out in Annex 2b;
  - 4) agree that the surplus on the On-Street Parking Account at the end of the 2012/13 financial year, so far as not applied to particular eligible purposes in accordance with Section 55(4) of the Road Traffic



Regulation Act 1984, be carried forward in the account to the 2013/14 financial year;

- (b) in respect of the 2013/14 revenue budget and Capital Programme:
- 1) agree the increase of £0.581m to the Kennington Roundabout scheme as set out in paragraph 44;
  - 2) approve virements for 2013/14 as set out in Annex 7.

## **65/13 DIRECTOR OF PUBLIC HEALTH ANNUAL REPORT**

(Agenda Item. 9)

Cabinet considered the 6th Director of Public Health Annual Report for Oxfordshire. The priorities highlighted in this Report included

An ageing population – the “demographic challenge”

Breaking the cycle of disadvantage

·Mental health and wellbeing: avoiding a Cinderella service

The rising tide of obesity

Excessive alcohol consumption

Fighting killer infections

Councillor Glynis Phillips, Shadow Cabinet Member for Public Health and the Voluntary Sector drew attention to the health inequality highlighted by varying life expectancy figures across the County. The trend persisted and decisive action was needed. She commented that there was a general feeling from the report that we could be doing better across the public health agenda, even in areas where we were doing well. Councillor Phillips raised a number of concerns and felt that there were some omissions such as an update on children’s oral health and the use of district hospitals for brief advice.

Councillor Hibbert-Biles introduced the contents of the report which was the first one since public health returned to local government. There was a statutory duty to prepare and publish the report which she commended as being objective and with clear recommendations. She highlighted the priorities set out in the report.

Cabinet discussed the report by priority area and endorsed the recommendations at the end of each section.

**RESOLVED:** to **RECOMMEND** Council to receive the report and note its recommendations.

## **66/13 APPOINTMENTS 2013/14**

(Agenda Item. 10)

Cabinet had before them a paper setting out member appointments to a variety of bodies which in different ways support the discharge of the Council's executive functions.

Councillor Liz Brighthouse, Opposition Leader queried why all the Local Government Association and County Council Network places were taken by the ruling group. She noted that no independent members of the Conservative Independent Alliance had a place.

**RESOLVED:** to:

- (a) agree the change to the basis of the appointment to the Oxfordshire Safer Communities Partnership as set out paragraph 5 in the report; and
- (b) agree the appointments as set out in the Annex to the minutes.

### **67/13 FORWARD PLAN AND FUTURE BUSINESS**

(Agenda Item. 11)

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.

### **68/13 DIRECT CONSTRUCTION OF INFRASTRUCTURE BY DEVELOPERS**

(Agenda Item. 12)

*The information contained in the appendices is exempt in that it falls within the following prescribed category:*

*3 – information relating to the financial or business affairs of any particular person (including the authority holding that information)*

*5 - Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings*

Cabinet agreed that the item be considered in public as there were no queries relating to the exempt annex.

Cabinet considered a paper on the implications of enabling direct delivery by developers of infrastructure required by new development. During discussion the importance of sufficient controls was stressed.

**RESOLVED:** to:

Approve:

- (a). In relation to development proposals the principle of direct delivery of
  - i. major
  - ii. on-site infrastructure, and
  - iii. major off-site highway infrastructure
- (b). The entering into of S106/S278 agreements (subject to the prior approval of the Director for Environment & Economy) to secure the direct delivery of major infrastructure in line with the key principles as set out in Annex 1.
- (c). The standard conditions (for S278 agreements) for the control of highway works in conjunction with development (as in Annex 2).
- (d). Development of school space standards for subsequent approval by Cabinet (Paragraph 4.5).

Revoke:

- (e). Previous determinations in relation to the standard conditions for highway works in conjunction with development and in relation to noise insulation compensation requirements taken by the Highways Committee on 18 May 1976.

## **69/13 EXEMPTION REPORT - MARCHAM PRIMARY SCHOOL**

(Agenda Item. 13)

*The information contained in the appendices is exempt in that it falls within the following prescribed category:*

*3 – information relating to the financial or business affairs of any particular person (including the authority holding that information)*

Cabinet agreed that the item be considered in public as having read the report they had no queries on its contents.

Cabinet was advised that Vale of White Horse had resolved to grant Taylor Wimpey planning consent for a housing development adjacent to Marcham VC Primary School subject to prior completion of section 106 agreement. The development generates the need for 17 additional pupil places.

As identified in the County Council's response on the planning application "standard" developer contribution would be required and this funding would be passed to Oxfordshire County Council (OCC) to procure and manage the construction works.

Due to the developer's engagement with the community and in particular the primary school pre-application, the developer was willing to contract with the County Council to construct a two classroom extension to the school in lieu of providing contributions to OCC.

Since this work is to be undertaken on the land outside the developer's site legally it cannot be covered by Section 106 agreement and thus, it is proposed that there should be a hybrid agreement with the developer's section 106 obligations to provide funding being 'released' in return for the delivery of the school extension.

The developer's commitment to construct the two classroom extension in return for release from section 106 obligations to provide funding constitutes a works contract with the County Council and brings the need to comply with procurement law and the Council's Contract Procedure Rules. Therefore an exemption was sought from tendering under Contract Procedure Rule 4.3.

**RESOLVED:** to approve this exemption from the Council's Contract Procedure Rules.

..... in the Chair

Date of signing .....

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### ITEM 4 – QUESTIONS FROM COUNTY COUNCILLORS

Questions received from the following Members:

#### 1. Councillor John Howson to Councillor Melinda Tilley

“How long has it taken for prosecutions started by Oxfordshire County Council since September 2012 in relation to non-attendance of pupils at school to be completed?”

#### Answer

The length of proceedings in relation to non- attendance of pupils at school (from issue at Court to final hearing), in the period September 2012 to July 2013, is given in the table below. Over this period 34 cases commenced , 33 of which ended in conviction, one of which in acquittal. The average length of proceedings was 11 weeks.

Number of Weeks	Number of Cases
8 weeks or less	19
9 - 14 weeks	7
15 - 24 weeks	5
25 weeks +	3

#### 2. Councillor Roz Smith to Councillor David Nimmo Smith

“Consultants White Young and Green, (WYG), were engaged by the Council in early May 2013 to write a Headington Transport Strategy. A strategy to deal with the congestion, rat-running, speeding and to improve cycling and walking in the Headington area is to be welcomed. Could the cabinet member please tell me how and when the decision to employ WYG was taken?”

#### Answer

“White Young Green (WYG) were commissioned in May 2013 to work with the county council’s Infrastructure Development team, local members and stakeholders to consider the current and future transport challenges in Headington and develop a strategy for the area.

WYG have worked with the county council on similar projects in Banbury and Bicester, looking at transport and the infrastructure implications of future

growth. They were appointed in accordance with Council procurement rules for work under £25,000 in value and have proved themselves to be both technically competent and able to deliver within the required timescales.”

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### ITEM 5 – PETITIONS AND PUBLIC ADDRESS

The Leader of the Council has agreed the following requests to address the meeting:-

Item	Speaker
Item 6 Proposed Home to School Transport Policy	<p><b>Petition</b> - Margot Nelson, St Swithens CE Primary School, Kennington resident, parent and Ch of Governors (3 mins)</p> <p><b>Speakers -</b></p> <p>Councillor Lynda Atkins (5 mins)</p> <p>Councillor George Reynolds (5 mins)</p> <p>Councillor Kieron Mallon (5 mins)</p> <p>Councillor Glynis Phillips (5 mins)</p> <p>Councillor Gill Sanders (5 mins)</p> <p>District Councillor for Garsington, Elizabeth Gillespie (3 mins)</p> <p>Sue Moon, )</p> <p>Oxon Bus Action Group )</p> <p>Perran Moon, ) 3 mins</p> <p>Oxon Bus Action Group )</p> <p>Niall McWilliams, Head Teacher Carterton Community College (3 mins)</p> <p>Graham Speke Carterton Community College (3 mins)</p> <p>Bob Edward, Carterton, supporting proposals (3 mins)</p> <p>Annabel Kay Head Teacher Warriner School (3 mins)</p> <p>Andrew Baud founder of the Shutford</p>

	<p>Community Association, member of the The Warriner Partnership working party and governor at Sibford Gower Primary School (3 mins)</p> <p>Kathy Haig Headteacher Burford School (3 mins)</p> <p>Andrew Pitman, Chair of Governors Burford School (3 mins)</p> <p>Richard Martin governor at Burford School (3 mins)</p> <p>John White Mayor of Burford (3 Mins)</p> <p>Mr Rae Chair of Governors at Brize Norton Primary School (3 mins)</p> <p>Ed Scates (3 mins)</p> <p>Rob Connolley (3 mins)</p> <p>Mrs Katherine Curtis, head teacher Wheatley Park School (3 mins)</p>
Item 8 – 2013/14 Financial Monitoring & Business Strategy Delivery Report May 2013	Councillor Nick Hards (5 mins)
Item 9 – Impact of the 2015/16 Central Government Spending Round	Councillor Nick Hards (5 mins)
Item 10 – Joint Carers Strategy	Councillor Laura Price (5 mins)
Item 11- Care Home Fees	Councillor Laura Price (5 mins)
Item 12 – Placement Strategy for Children In and Out of Care	Councillor Gill Sanders (5 mins)
Item 13 – Expansion of Queensway Primary School, Banbury to 2 form	Councillor Gill Sanders (5 mins)
Item 14 – Expansion of St Joseph’s Catholic (VA) Primary School, Oxford to 2 Form Entry	Councillor Gill Sanders (5 mins)
Item 15 – Expansion of Watchfield Primary School	Councillor Gill Sanders (5 mins)
Item 17 – Future Direction of Oxfordshire Customer Services and School Facing Services	<p>Councillor Liz Brighthouse (5 mins)</p> <p>Councillor Lilly, speaking as Chairman of Pension Fund Committee (5 mins)</p> <p>Robin Gill, School Forum (3 mins)</p>



Item 18 – Corporate Plan Performance Report for the 4 <sup>th</sup> Quarter	Councillor Liz Brighthouse(5 mins)
Item 21 Highways Contract - Buy Out of Atkins Highways by Skanska	Cllr John Sanders (5 mins)

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Dear Cllr Hudspeth,

I am writing as Chairman of the Education Scrutiny Committee with the Committee's recommendations on the Home to School Transport Policy 2014. The draft proposals were discussed at our meeting on the 4<sup>th</sup> of July 2013. The Committee heard from a number of Councillors and members of the public, received a presentation from the relevant council officers followed by a lengthy question & answer session with those officers and then debated the proposals. The committee recognised the need to identify areas to save money within the Children Education & Families budget. However, during that debate, there were a number of concerns raised with the detail of the proposals and the manner in which the consultation was carried out.

The Education Scrutiny Committee resolved to send the following recommendations to Cabinet.

#### Recommendation 1

**The Cabinet should seek legal advice to ensure that the manner of the consultation has not left the council open to challenge.**

The committee queried whether the extension of the consultation period would leave the Council open to challenge. The consultation will end on the 15<sup>th</sup> of July, with the Cabinet decision due the next day on the 16<sup>th</sup>. There is a fear that the short delay between the end of the consultation period and the Cabinet decision implies that the results of the consultation may not properly factor in the Cabinet decision, which may leave the Council open to challenges including judicial review. Therefore, the committee recommends that prior to the meeting legal advice is sought to ascertain whether it is safe to take the decision on 16<sup>th</sup> July 2013.

#### Recommendation 2

**There should be a detailed review of proposals and a lengthier, targeted consultation process. This policy decision should be deferred for a year in order for that review to take place in a thorough measured way.**

The committee expressed a range of concerns:

- a. That sufficient consideration had not been given to the potential impact of proposals on rural communities. In particular, there was a concern that some villages would be significantly affected by the proposals. Due to the geography of some villages, these proposals could split communities of school children which could negatively affect their educational experience. The committee would also like reassurance that proposals on road safety take into account the material differences between walking routes in urban areas versus rural areas. For instance (as examples of some of the many potential problems) countryside issues include the lack of street lighting (which is specifically excluded as a factor for consideration in the draft policy) and the difficulty using rural paths year round: in some areas, footpaths are impassable for weeks or months at a time because of flooding or very deep mud. And in the interests of transparency, the committee would like to see the

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- criteria for assessing the 'safety' of walking routes made public on the County website.
- b. The committee also noted concern that the transport proposals may not meet the needs of a system where education providers are more independent. For instance, academies have the independence to set their own catchment areas and term-times. The proposed policy could create complex decision making scenarios for parents and the transport system which have not been scoped or understood. The committee believed that parents and schools need reassurance that transport proposals have considered these changes in the education system and their impact upon transport needs.
  - c. The committee also raised the concerns that:
    - i. the consultation process had been rushed;
    - ii. affected schools (both positively and negatively) had not been sufficiently engaged; and
    - iii. many families were unsure of their position.
  - d. These points were reflected in the number and range of responses received, so the Committee concluded that there should be additional efforts to ensure that families are clear on who will be affected and how, and that those areas and schools which are most affected are engaged with the consultation in much more detail.

In summary, the Committee felt that the implications and impact of the proposals were not clear (to officers as much as to schools, parents and the Committee) and that they needed to be understood by and communicated to all concerned much better than is currently the case.

The committee concluded that this policy proposal has been rushed, in order to have the policy in place for the 2014 school year and to secure much-needed savings as early as possible. However, the committee thinks that it is more important to be certain about the real impact of the proposals, given the number of concerns raised and the potential impact across Oxfordshire.

The Committee recommends, therefore, that the policy should be reviewed as outlined and its introduction deferred for a year, despite the fact that it would mean that any policy changes would not be able to come into force until 2015.

Yours sincerely,

Councillor Lynda Atkins  
Chairman of the Education Scrutiny Committee

## **CABINET – 16 JULY 2013**

### **ADDENDUM TO THE PROPOSED HOME TO SCHOOL TRANSPORT POLICY**

#### **Report by Director for Children's Services**

1. Local authorities have a statutory duty to follow the most recent statutory guidance on home to school transport issued by the Secretary of State.
2. The proposals put before Cabinet were all consistent with the statutory guidance issued by the Secretary of State in March 2013. This statutory guidance replaced earlier guidance issued in 2007.
3. The Secretary of State has now withdrawn the statutory guidance issued in March 2013 and has re-issued the statutory guidance dating from 2007. This followed the charity IPSEA (Independent Parental Special Education Advice) filing an application for a judicial review regarding the guidance.
4. No direct or indirect notification was received from the DfE regarding the withdrawal of the document or the re-issuing of the 2007 guidance. However, on 11 July the Council was alerted to the withdrawal of the statutory guidance by a third party and this was confirmed by checking the DfE website, making a direct enquiry to the DfE, and in discussions with representatives of the DfE at a meeting on 12 July.
5. The statement shown below is taken from the DfE website:

“We published on 8 March 2013 statutory guidance on home to school transport. A number of local authorities, dioceses and voluntary organisations have suggested ways in which the guidance could be more helpful. We have therefore decided to reinstate, for the time being, the statutory guidance which applied immediately prior to the publication of the 8 March 2013 guidance.

During the autumn, we will be consulting widely on a further version of the statutory guidance. A key aim for this new guidance will be to reduce prescription and to allow greater freedom for local authorities to develop transport policies that meet local needs. We also aim to ensure that the final guidance reflects, so far as possible, the views of those affected by the decisions that local authorities make about home to school transport policies.

#### **About this guidance**

This guidance, to which local authorities are under a statutory duty to have regard, is issued under duties placed on the Secretary of State by section 508D of the Education Act 1996 and provides a summary of the statutory

duties with which local authorities must comply when making home to school travel arrangements.”

6. Any Home to School Transport Policy now needs to be consistent with the requirements laid out in the Home to School Travel and Transport Guidance 2007 rather than the guidance issued in March 2013. This means that the proposed changes to the Home to School Transport Policy now need to be reconsidered in the light of the reinstated statutory guidance from 2007.
7. This means that it would now be inappropriate to consider the proposals regarding the Home to School Transport Policy at the Cabinet meeting scheduled for 16 July 2013.

Jim Leivers  
Director for Children, Education and Families

Background papers: Home to School Travel and Transport Guidance 2007,  
Department for Education

Contact Officer: Neil Darlington, Admissions and Transport Services Manager

July 2013

Financial Monitoring and Business Strategy Delivery Report  
 CABINET - 16 July 2013  
 Fees and Charges

Ref.	Service Area	Legal position on charging	Charging Objectives of Service	Type of charge	2013/14 Original		2013/14 Revised		% increase in fees or charges	Additional information	Expected Income 2012/13 Total £000	Expected Income 2013/14 Total £000	Income rising above 2.00% inflation to meet pressures	VAT Class
					Effective Date	Rate	Effective Date	Proposed Rate						
CEF1-4	Education													
CEF1-41	Educational Transformation & Effectiveness													
	Outdoor Education Centres		To control provision	<b>Hill End (per night)</b>										
				O.C.C. Schools/Groups							154	171	14	
				Any Kitchen (per day) Group Size 0-20	01/01/2013	£85.00	01/04/2013	£89.00	4.7%					NB
				Any Kitchen (per day) Group Size 21-40	01/01/2013	£136.00	01/04/2013	£143.00	5.1%					NB
				Any Kitchen (per day) Group Size 41-60	01/01/2013	£170.00	01/04/2013	£178.00	4.7%					NB
				Any Dormitory (per night) Group Size 0-20	01/01/2013	£113.50	01/04/2013	£120.00	5.7%					NB
				Any Dormitory (per night) Group Size 21-40	01/01/2013	£193.00	01/04/2013	£203.00	5.2%					NB
				Any Dormitory (per night) Group Size 41-60	01/01/2013	£227.00	01/04/2013	£239.00	5.3%					NB
				Staff Bedroom (per night)	01/01/2013	£26.00	01/04/2013	£27.00	3.8%					NB
				Camping (per tent per night, kitchen not included)	01/01/2013	£11.50	01/04/2013	£12.00	4.3%					NB
				Day Guest (per person with residential)	01/01/2013	£6.50	01/04/2013	£7.00	7.7%					NB
				Blue Dragon - Meeting Room Half Day	01/01/2013	£57.00	01/04/2013	£60.00	5.3%					NB
				Blue Dragon - Meeting Room Full Day	01/01/2013	£102.00	01/04/2013	£107.00	4.9%					NB
				Green Dragon - Meeting Room Half Day	01/01/2013	£34.00	01/04/2013	£36.00	5.9%					NB
				Green Dragon - Meeting Room Full Day	01/01/2013	£68.00	01/04/2013	£72.00	5.9%					NB
				Cookhouse and Barn - Meeting Room Half Day	01/01/2013	£45.50	01/04/2013	£48.00	5.5%					NB
				Cookhouse and Barn - Meeting Room Full Day	01/01/2013	£79.50	01/04/2013	£84.00	5.7%					NB
				Led Sessions (max 35 people) - Half Day	01/01/2013	£85.00	01/04/2013	£90.00	5.9%					NB
				Led Sessions (max 35 people) - Full Day	01/01/2013	£173.50	01/04/2013	£182.00	4.9%					NB
				Site Only Visit	01/01/2013	£103.00	01/04/2013	£52.00	-49.5%					NB
				<b>Commercial</b>										
				Any Kitchen (per day) Group Size 0-20	01/01/2013	£113.50	01/04/2013	£120.00	5.7%					SR
				Any Kitchen (per day) Group Size 21-40	01/01/2013	£170.00	01/04/2013	£178.00	4.7%					SR
				Any Kitchen (per day) Group Size 41-60	01/01/2013	£204.00	01/04/2013	£215.00	5.4%					SR
				Any Dormitory (per night) Group Size 0-20	01/01/2013	£136.00	01/04/2013	£143.00	5.1%					SR
				Any Dormitory (per night) Group Size 21-40	01/01/2013	£227.00	01/04/2013	£238.00	4.8%					SR
				Any Dormitory (per night) Group Size 41-60	01/01/2013	£261.00	01/04/2013	£275.00	5.4%					SR
				Staff Bedroom (per night)	01/01/2013	£26.00	01/04/2013	£27.00	3.8%					SR
				Camping (per tent per night, kitchen not included)	01/01/2013	£11.50	01/04/2013	£12.00	4.3%					SR
				Day Guest (per person with residential)	01/01/2013	£6.50	01/04/2013	£7.00	7.7%					SR

**Financial Monitoring and Business Strategy Delivery Report**  
**CABINET - 16 July 2013**  
**Fees and Charges**

Ref.	Service Area	Legal position on charging	Charging Objectives of Service	Type of charge	2013/14 Original		2013/14 Revised		% increase in fees or charges	Additional information	Expected Income 2012/13 Total £000	Expected Income 2013/14 Total £000	Income rising above 2.00% inflation to meet pressures	VAT Class
					Effective Date	Rate	Effective Date	Proposed Rate						
				Commercial Continued										
				Whole Site - All Buildings - (Friday - Sunday)	01/01/2013	£3,399.00	01/04/2013	£3,399.00	0.0%					SR
				Whole Site - All Buildings - (per 24 hours from 10.00am)	01/01/2013	£1,699.50	01/04/2013	£1,785.00	5.0%					SR
				Blue Dragon - Meeting Room Half Day	01/01/2013	£57.00	01/04/2013	£60.00	5.3%					EX
				Blue Dragon - Meeting Room Full Day	01/01/2013	£102.00	01/04/2013	£107.00	4.9%					EX
				Green Dragon - Meeting Room Half Day	01/01/2013	£34.00	01/04/2013	£36.00	5.9%					EX
				Green Dragon - Meeting Room Full Day	01/01/2013	£68.00	01/04/2013	£72.00	5.9%					EX
				Cookhouse and Barn - Meeting Room Half Day	01/01/2013	£45.50	01/04/2013	£48.00	5.5%					EX
				Cookhouse and Barn - Meeting Room Full Day	01/01/2013	£79.50	01/04/2013	£84.00	5.7%					EX
				Led Sessions (max 35 people) - Half Day	01/01/2013	£85.00	01/04/2013	£90.00	5.9%					EX
				Led Sessions (max 35 people) - Full Day	01/01/2013	£173.50	01/04/2013	£182.00	4.9%					EX
				Site Only Visit	01/01/2013	£103.00	01/04/2013	£52.00	-49.5%					EX
	Sub-Total Education										154	171		14

**Legal Position on charging**

SP	Statutory Prohibited
SA	Statutory Arrangements
D	Discretionary (LG Act 2003)

**VAT Class**

SR/EX	Standard Rate (20% 4 Jan 2011) / Charge stated excludes VAT
ZR	Zero Rated
NB	Non Business
EX	Exempt



## CABINET – 16 JULY 2012

### ITEM 19 – FORWARD PLAN AND FUTURE BUSINESS

Members are asked to note the following changes to the Forward Plan:

#### Amendments to items in the present Plan

Portfolio	Topic (Ref)/Decision	Present Timing	Change
<i>Leader</i> Cabinet	<b>Delegated Powers of the Chief Executive – September 2013</b> (Ref: 2013/082)  To report on a quarterly basis any executive decision 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). It is not for scrutiny call in	16 July 2013	17 September 2013
<i>Environment</i> Cabinet Member	<b>Proposed Parking Restrictions – Burford Road/Moor Avenue, Witney</b> (Ref: 2013/070)  To seek approval to proceed	25 July 2013	12 September 2013
<i>Environment</i> Cabinet Member	<b>Proposed Parking Restrictions – Limborough Road, Wantage</b> (Ref: 2013/072)  To seek approval to proceed	25 July 2013	12 September 2013

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