

## CABINET

**MINUTES** of the meeting held on Tuesday, 20 July 2010 commencing at 2.00 pm and finishing at Time Not Specified

### **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 Louise Chapman  
Councillor Michael Waine  
Councillor Rodney Rose  
Councillor Mrs J. Heathcoat

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

Councillor Liz Brighthouse OBE (Agenda item No. 7)  
Councillor Zoe Patrick ( Agenda item Nos. 10,11 and 16)  
Councillor Anne Purse (Agenda item Nos. 12 and 14)

### **Officers:**

Whole of meeting Chief Executive, S. Whitehead (Democratic Services)

Part of Meeting

Agenda Item No	Item
6.	T. Chapple (Corporate Core)
7.	L. Baxter, K. Wilcox (Corporate Core)
8.	Assistant Chief Executive & Chief Finance Officer
9.	Director for Social & Community Services, A. Sinclair (Social & Community Services)
11.	Director for Social & Community Services, J. Pearce (Social & Community Services)
12.	J. Fellows (Environment & Economy)
14.	H. Cox (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.*

**70/10 APOLOGIES FOR ABSENCE**

(Agenda Item. 1)

Apologies were received on behalf of Councillor Mallon.

**71/10 MINUTES**

(Agenda Item. 3)

The Minutes of the meeting held on 22 June 2010 were approved and signed subject to the following correction:

65/10 (Item 11, Local Investment Agreement) paragraph 2: Delete 'supported schemes relating to her Division' and substitute with 'expressed concern that local housing schemes were in the 2010-2015 group when they were on hold pending infrastructure works. She also suggested that it would be a good idea to have a member of the PCT or public health on the board.'

**72/10 QUESTIONS FROM COUNTY COUNCILLORS**

(Agenda Item. 4)

Councillor Zoe Patrick had given notice of the following questions to the Leader:

- “1. Why has no single member champion produced a report (to be published on the intranet) since January, and some for considerably longer than that?”

Councillor Mitchell replied:

“Champions' reports were due on 31 March 2010 and on 30 June 2010. Given that 31 March was immediately before the calling of the General Election and the commencement of a period of purdah, I took the view that members would be busy campaigning and that Champions' reports might fall foul of the purdah rules and were, therefore, best avoided. I have reviewed and changed some of the Champion positions. They all know they are expected to produce quarterly reports and these are being collated and finalised at the moment and should be on the Intranet by the end of this month.”

- “2. What is the status of the "member champions" mentioned in the Business Strategy 2010-2013 dated June 2010? Cllr Shouler was appointed at Cabinet on 22nd June 2010; when were the others appointed? Will they be providing quarterly reports?”

Councillor Mitchell replied:

All of the Champion Appointments were made at Agenda Item 14 (see Annex to the report) at the Cabinet Meeting on 22 June 2010.

Councillor Jean Fooks had given notice of the following question to the Leader:

- “3. Is the Leader intending to appoint someone to take over as Design Champion? As he clearly has had difficulty finding someone to appoint in the last six months, has he considered asking a member of another group?”

Councillor Mitchell replied:

“The position of Design Champion has been discontinued on the advice of the last Champion.

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

- “4. Can the Cabinet Member give an update on the progress of the City/County partnership bid for Plugged-in Places funding, and any information on the performance of the two electric vehicles on loan to the Council?”

Councillor Hudspeth replied:

“Plugged-in Places

At the end of June 2010, the City and County submitted an expression of interest for the second round of Plugged in Places. This application was supported by a range of other partners.

We have subsequently met with the Office for Low Emissions Vehicles (OLEV) and were advised by them that our Expression of Interest was good.

The new Government has made policy commitments to this agenda, most clearly in the coalition agreement which announced they will mandate a national charging infrastructure for electric and plug-in hybrid vehicles. We are further advised by civil servants that Ministers are taking an active interest in the Electric Vehicle arena and are considering the detail for how to take forward the wider OLEV programme, including the Plug-in Car Grant and Plugged-in Places.

However, we also understand in discussion with OLEV, that decisions are being taken in the wider context of a need to reduce the budget deficit and unfortunately, at this point in time, no firm decisions have been made as to the future of Plugged in Places.

OLEV has said that once it has a clear decision from Ministers, it will issue updated guidance and application templates as well as a clear list of those projects that it is asking to carry forward to final bid. In the meantime, OLEV has asked all those that submitted an expression of interest to continue work, with a view to submission of a full application at the end of September 2010.

### Electric Vehicles

We are coming to the end of phase one (the first six months) of the Mini E car trial, with the second phase due to begin in September.

BMW is able to share only very limited technical information with the Council but we will in due course get feedback from the Oxford Brookes University research into driver behaviour, although not until the end of the trial in March 2011.

Locally, we have observed a tendency for drivers to be concerned about the distance they can comfortably travel (so-called "range anxiety") but this was perhaps understandable and has lessened with more frequent use. Most drivers have been very positive about the overall performance of the vehicles but would like an easier method of hooking up for recharge. Of the five cars we had allocated in phase one, four were used as 'pool' cars and one allocated permanently to an Advisor for Hearing Impaired Children. The permanent user very quickly became comfortable with the minor peculiarities of the vehicle, was able to perform her duties in a normal manner and was sad to see it go at the end of the trial.

The first phase included the very cold spell of weather during which a number of technical and other performance issues were revealed.

In phase two of the trial the number of our vehicles will reduce to four. The intention is for two to be based at County Hall, one at Samuelson House (Banbury) and one to be placed with the Fire Service."

Councillor Larry Sanders had given notice of the following question to the Cabinet Member for Adult Services

"5. With reference to Agenda Item 11 on Revised Carers Commissioning Intentions within Oxfordshire how does the Cabinet think it will be possible for the revised budget and revised plans to meet the needs of the 45,000 carers it aims to target?"

Councillor Fatemian replied:

"The target of 45,000 carers contacted and offered services needs to be approached by ensuring we have a good understanding of what informal family carers might want and need, and to respond appropriately. We need to target face-to-face time at those with the greatest needs and focus other resources to meet the needs of the less critical. Crucially, we need to harness the functions of new technologies, be they telephone or internet based, to maximise the use of the resources we have.

We do know that support to carers in the form of information can go a long way to improving a carer's situation to allow them to make the choice to continue to keep caring if they wish - when perhaps they might have felt the need otherwise to make a more difficult choice - that might, for example, mean a change of accommodation or similar.

There are new opportunities to meet this need to reach out to many more carers:

1. The new Customer Services Centre will offer services to all callers to the Council. The Customer Services Centre is expected to handle approximately 85,000 callers per year. Agreement has been reached for all of these callers to be screened for caring responsibilities and offered information where needed. We estimate that that 10% of these will be Carers based on the current available demographic data.
2. We expect that, with Self Directed Support, carers' needs will be explicitly identified and taken into account in support plans and will be given named contacts within locality teams. In addition to this, the new brokerage service puts carers, along with the cared-for, at the centre of support planning and carers will receive individual support. We expect this to improve markedly the number of carers we can identify and support. We want to ensure that all carers are clearly recorded as such.
3. Peer Support and Voluntary schemes - Adult Social & Community Services is continuing to invest into community services and will expect to expand investment to further strengthen infrastructure. This is a very popular service and we want to increase its coverage, but it is difficult, at present, to assess the number of carers we can expect to reach by this route.

In addition:

1. The Carers' Support Service will employ members of 6 staff including a specific Marketing Post, the role of which will be to improve our ability to reach new carers more effectively. This is to be put out to tender shortly.
2. The Emergency Support Service - 1 Staff – currently 2000 carers identified.
3. The Transformed Social Care Services - 45 Coordinators delivering carers and cared for access to specialist provision including direct payments
4. Improved partnership working with Districts, City Council and PCT through the Carers Strategy action plans. Specific training for staff
5. Carers will be further identified through initiatives like direct payments through GPs surgeries which encourages GPs to register as carers. The pilot projects have proven very successful so far.
6. Investment remains in place to increase identification of hidden carers such as members of black and ethnic minority groups or those in rural communities.
7. The new Alert Service contract offers the opportunity for self-referral from carers when they request this service.”

Supplementary: Councillor Sanders referred to concerns that Councillor Fatemian had been reported as stating that 3 Care Centres were to close and sought clarification.

Councillor Fatemian replied that he too had heard the statements. Under the Carers Commissioning arrangements to be considered today the funding

would be withdrawn but the Centres were independent charitable bodies and it would be for them to determine their future

### **73/10 PETITIONS AND PUBLIC ADDRESS**

(Agenda Item. 5)

The following requests to address the meeting had been agreed:

Speaker	Item
Councillor Liz Brighthouse OBE Dr Liz Fisher, Chair, St Mary's Rd Resident's Association in respect of Magdalen Rd and Divinity Rd parking schemes	7. Financial Monitoring
Councillor Zoe Patrick	10. Response to the Queen's Speech 2010
Councillor Zoe Patrick Tony Purkis, Chairman of Oxfordshire Carers' Forum Ms Cara Brandi speaking as a carer	11. Revised Carers Commissioning Intentions with Oxfordshire
Councillor Anne Purse	12. Local Transport Plan 3
Mr James Mawle speaking as the representative of the principal landowner	13. Cogges Link Road Compulsory Purchase and Side Roads Order
Councillor Anne Purse	14. Developer Contributions to Service Infrastructure
Councillor Zoe Patrick	16. Forward Plan and Future Business

### **74/10 TREASURY MANAGEMENT 2009/10 OUTTURN**

(Agenda Item. 6)

Cabinet considered a report that set out the Council's Treasury Management Outturn financial position for the 2009/10 financial year.

The report fulfilled the CIPFA Code of Practice on Treasury Management 2001 (and subsequent updates) requirement for the receipt of an annual report summarising the Treasury Management activity within 6 months of year-end.

**RESOLVED:** to note the report, and to **RECOMMEND** Council to note the Council's Treasury Management Activity in 2009/10.

## **75/10 FINANCIAL MONITORING - JULY 2010**

(Agenda Item. 7)

Cabinet considered the financial monitoring report and addenda covering the period to the end of April 2010. The report focused on key risk areas and areas of emerging pressures identified by Directorates, along with plans to manage these. Councillor Liz Brighthouse OBE, speaking as a local member expressed the distress she had felt on reading that the scheme for Bayards Hill was held up.

Mrs Fisher whilst recognising the difficult choices ahead and supporting the moratorium spoke in support of the Magdalen Rd and Divinity Rd parking Schemes.

Responding to a question from Councillor Hudspeth Mrs Fisher commented that she could not speak for the whole area; there was a duty on the Council to consult but that the proposals met the Council's duties.

The Leader responding to the comments made clarified that the schemes referred to by the speakers had not been cancelled. The schemes being approved today were those that had been prioritised as matters that needed to be taken forward without delay. Other schemes were postponed and would be reviewed.

The Cabinet Member for Finance and Property highlighted areas of concern including pooled budgets, the underspend on school transport, placements and the general fragility of the social & community services budget.

During debate Cabinet Members supported the moratorium on capital projects in the light of the current financial position. They outlined the actions being taken to review and address the concerns raised by Councillor Couchman.

Following discussion around the play pathfinder schemes the Leader proposed an additional recommendation that was agreed.

**RESOLVED:** to:

- (a) note the report and addenda;
- (b) note the changes to 2010/11 grant allocations;
- (c) agree the change to the allocation of Harnessing Technology grant as recommended by the Schools Forum on 19 July 2010;
- (d) approve the virements as set out in Annex 2a;
- (e) approve the updated capital programme as set out in Annex 6.

- (f) agree the moratorium on capital schemes in 2010/11 that are not yet committed;
- (g) agree to release the capital schemes set out in Annex 8 from the moratorium;
- (h) agree that any further urgent changes to the schemes held in the capital programme moratorium ahead of further review in the Autumn should be delegated to the Chief Executive and Chief Finance Officer after consultation with the Leader of the Council and Cabinet Member for Finance & Property;
- (i) recommend Council to approve the reductions in revenue grant funded expenditure and related virements as set out in revised Annex 3e;
- (j) note the increase in VAT with effect from 4 January 2011, and agree that the current scale of charges will not be amended in 2010/11;
- (k) recommend Council to agree the changes to the Specified and Non-Specified Investment instruments section of the Treasury Management Strategy;
- (l) recommend Council to agree that any further changes required to the Annual Treasury Management Strategy & Annual Investment Strategy can be delegated to the Chief Finance Officer in consultation with the Leader of the Council and Cabinet Member for Finance and property; and
- (m) hold play pathfinder schemes in the moratorium; negotiate with the DfE about the release of schemes where building works have not yet commenced and make representations for other third parties who have made an investment in schemes; if funding is withdrawn, seek to recover as far as possible any money paid out.

## **76/10 SERVICE & RESOURCE PLANNING 2011/12 TO 2015/16 AND THE COUNCIL'S BUSINESS STRATEGY**

(Agenda Item. 8)

The Cabinet considered a report (CA8) on the context to and changes needed in the service and resource planning process 2011/12 to 2015/16 and outlining the Council's business strategy.

**RESOLVED:** to:

- (a) agree that an additional £100m is used as a planning assumption for spending and grant reductions over the period 2011/12 – 2014/15;
- (b) agree to a full review of the Capital Programme in the light of national budget assumptions and the pressures currently being identified;



- (c) request officers to bring forward a revised planning process to the September Cabinet meeting; and
- (d) agree to launch The Oxfordshire Big Debate with the public and staff.

**77/10 POLICY FOR THE OPERATION OF PERSONAL BUDGETS FOR ADULT SOCIAL CARE**

(Agenda Item. 9)

Cabinet considered a report (CA9) that asked Cabinet to recommend, for approval by the County Council in September 2010, the proposed policy that would govern the resource allocation system.

Cabinet noted that a briefing was to be held for all Councillors following the extraordinary Council meeting on 27 July 2010.

**RESOLVED:** to:

- (a) note the report;
- (b) recommend to Council to approve the introduction of the Policy for the operation of personal budgets in Oxfordshire from October 2010; and

agree that a further report be brought to a future Cabinet meeting to approve any changes to the Policy for the financial year 2011/12.

**78/10 RESPONSE TO THE QUEEN'S SPEECH 2010**

(Agenda Item. 10)

Cabinet considered a report (CA10) that set out a response to the content of the Queen's Speech that was delivered on 25 May 2010. The report also summarised an initial reaction to the new measures announced in the emergency budget delivered on 22 June 2010.

Councillor Zoe Patrick, Leader of the Opposition, welcomed the inclusion in the Queen's Speech of 23 policies proposed by the Liberal Democrat Party. In commenting on individual proposals, she welcomed the pupil premium and Localism Bill. In relation to academies, she expressed some concerns over the funding for the remaining schools. She welcomed the Council's response on planning issues and felt that with regard to the proposals in the Health Bill it was a question of waiting to see how GPs managed their new role.

Responding to a question from Councillor Mitchell regarding the position of her Group in relation to development at Grenoble Road Councillor Patrick indicated she had nothing to say at this time.

The Leader in proposing the response commented that he welcomed the academy proposals but shared some of the concerns over future funding of remaining schools. He was proposing a conference looking at academies.

During discussion, the Cabinet Member for Schools Improvement referred to the pupil premium and asked that the response include a request to include the children of service men and women in the proposal. Referring to the admissions issue, he was not persuaded that the use of the schools adjudicator would be effective.

The Deputy Leader suggested a strengthening of the response under paragraph 21. He commented that responsibilities were to come to local authorities with no additional funding.

The Cabinet Member for Growth & Infrastructure referred to paragraphs 10 & 11 relating to mineral extraction and suggested an additional point be made to government seeking clarity over arrangements for determining the amount of mineral extraction in localities.

**RESOLVED:** to agree the response set out in the report subject to the strengthening of the response in relation to paragraphs 15 and 21 and an additional point under paragraph 12 relating to mineral extraction.

## **79/10 REVISED CARERS COMMISSIONING INTENTIONS WITH OXFORDSHIRE**

(Agenda Item. 11)

Cabinet considered a report (CA11) that outlined the proposed changes concerning the development of carers' services within Oxfordshire. It related to those services commissioned for adult carers from the Area Based Grant (previously the Carers' Grant), the Oxfordshire County Council Base budget and the Oxfordshire Primary Care Trust contributions for carers totalling £6.302m.

Councillor Zoe Patrick, Leader of the Opposition, referred to the number of carers as estimated in the report and queried the capacity of the Customer Service Centre. She asked why it was felt that the network would work better without Carer Centres and felt that the mitigation provided was inadequate.

Mr Tony Purkiss, Chairman of Oxfordshire Carers' Forum, commented that he had been encouraged in the past few years by the improvements in awareness of carers. He recognised the need for the proposals and made the following points. He hoped that the Oxfordshire Carers Forum remained intact. He commented that the strategic direction did not feature parent carers who also sought advice from Carers Centres. He felt that support should be targeted on those most in need to avoid the danger of diluting the quantity and quality of the support provided and finally he supported the identification of carers as a first step.

Responding to a question from Councillor Fatemian he confirmed that he found the Council supportive of carers.

Ms Brandi, speaking as a carer supported the concern concerning parent carers, expressed the fear that they would be excluded from valued support and felt that they had not been directly consulted.

Councillor Fatemian in proposing the recommendations commented that the problem was that carers did not always identify themselves. The new service model moved away from carers having to attend a specific location and the key outcome had to be local and accessible to carers. He emphasised that savings under the new model were to be reinvested. He commented that the Cabinet Member and Directorate were considering the issue of parent carers for Children, Young People & Families and that there would be further consultation. The Cabinet Member for Children, Young People & Families added that she would be happy to include the matter on the agenda of the Children's Trust Board.

The Director for Social & Community Services responding to a query from Councillor Patrick advised that the figure in paragraph 21 of the report equated to three full time equivalent officers.

**RESOLVED:** to approve the revised commissioning intentions for carers within Oxfordshire, as detailed in this report.

## **80/10 LOCAL TRANSPORT PLAN 3 - JULY 2010**

(Agenda Item. 12)

Cabinet considered a report (CA12) that outlined progress in developing the LTP3 and that set out the results of the consultation on scenarios for LTP3. The report also outlined changes recommended to the policies approved by Cabinet in March 2010.

Councillor Anne Purse, Shadow Cabinet Member for Growth & Infrastructure raised a number of concerns. She referred to the fast changing scene and hoped that the process, which was lengthy, would be able to pick the changes up. She hoped that there would be flexibility when looking at the scenarios for the different types of community defined in the plan as some town issues were common to some rural areas and she was concerned at the reduced emphasis on speed control mechanisms and changes to planning regulations. She also welcomed the commitment to produce a complete list of schemes.

The Cabinet Member for Growth & Infrastructure responded to the comments made.

**RESOLVED:** to:

- (a) approve the preferred scenarios for the LTP, noting the information contained in the Strategic Environmental Assessment of the scenarios; and

- (b) approve the recommended changes to the policies, as the basis for further development of the LTP.

## **81/10 COGGES LINK ROAD COMPULSORY PURCHASE AND SIDE ROADS ORDER**

(Agenda Item. 13)

Cabinet considered a report that addressed statutory procedures connected to the Cogges Link Road. The procedures related to land assembly (including the use of compulsory purchase powers), side roads and private means of access to premises, and works on non-navigable watercourses.

Mr James Mawle speaking as the representative of the principal landowner opposed the proposals.

**RESOLVED:** to:

- (a) approve the exercise of the Council's statutory powers of compulsory purchase to enable the acquisition of all land requirements for the purposes of the Cogges Link Road Scheme shown edged red/ and coloured on drawing number B0800100/B4130, including the service, publication and display of notices, the public deposit of documentation, and application to the Secretary of State for Transport for confirmation of the compulsory purchase of all land requirements for the purposes of the Cogges Link Road Scheme;
- (b) approve the making of applications to the appropriate Secretary of State or other body (as the case may be) for certificates that the replacement land to be provided is 'equally advantageous' as and no less in area than the existing 'special category land' which is required for the Cogges Link Road Scheme, including the service, publication and display of notices and the public deposit of documentation;
- (c) approve the exercise of the Council's statutory powers for the purchase of land for the Cogges Link Road Scheme by General Vesting Declaration, including the service, display and publication of notices;
- (d) approve the making of a Side Roads Order in connection with the improvement, stopping up and diversion of side roads including public footpaths, and the stopping up of private means of access to premises and the provision of new means of access to premises, as shown on drawing number B0800100/B4500 Rev B, the service, display and publication of notices, the public deposit of documentation, and application to the Secretary of State for Transport for confirmation of the Side Roads Order;
- (e) approve the service, display and publication of all notices required for or in connection with the carrying out of works on non-navigable watercourses in connection with the Cogges Link Road Scheme;

- (f) approve the taking of all necessary steps by officers to implement the statutory procedures required in connection with the Cogges Link Road Scheme; and

approve the affixing of the Council's common seal to all orders, declarations, and any other documents arising in connection with the statutory procedures for the Cogges Link Road Scheme.

## **82/10 DEVELOPER CONTRIBUTIONS TO SERVICE INFRASTRUCTURE**

(Agenda Item. 14)

Cabinet considered a report (CA14) that summarised developer contributions secured by the County Council through the planning process in 2009/10; identifying the financial contributions negotiated, received and spent during the year (according to district area and locality).

Councillor Anne Purse stated that she appreciated the efforts of officers but queried whether the recommendations of a Scrutiny Review of the last few years had been implemented.

The Cabinet Member for Growth & Infrastructure agreed that officers did a tremendous job. He was not quite certain where the Council was in respect of the recommendations of the Scrutiny Review but further proposals may be coming forward from government in autumn 2010.

**RESOLVED:** to note the information reported on the developer contributions negotiated and received through the planning process in 2009/10.

## **83/10 DELEGATED POWERS OF THE CHIEF EXECUTIVE - JULY 2010**

(Agenda Item. 15)

**RESOLVED:** to note the schedule of delegated powers exercised by the Chief Executive.

## **84/10 FORWARD PLAN AND FUTURE BUSINESS**

(Agenda Item. 16)

Councillor Patrick, Leader of the Opposition, commented on the deferral of the Cogges Trust report. The Trust was wound up and animals slaughtered. The Deputy Leader responding commented that there was a new Trust being set up. A Shadow Board was considering the options and in the mean time, the museum was closed for this year.

The Cabinet considered a list of items (CA) for the immediately forthcoming meetings of the Cabinet together with changes and additions set out in the schedule of addenda.

**RESOLVED:** to note the items currently identified for forthcoming meetings.

..... in the Chair

Date of signing .....