



To: Members of the Cabinet

Notice of a Meeting of the Cabinet

**Tuesday, 16 September 2014 at 2.00 pm
in Meeting Rooms 1 & 2**

County Hall, Oxford, OX1 1ND

Joanna Simons

Joanna Simons
Chief Executive

September 2014

Contact Officer:

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Membership

Councillors

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

The Agenda is attached. Decisions taken at the meeting will become effective at the end of the working day on Wednesday 24 September 2014 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: 21 October 2014

County Hall, New Road, Oxford, OX1 1ND

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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 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 - 16)

To approve the minutes of the meeting held on 15 July 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. Service & Resource Planning Report 2015/16 - September 2014 (Pages 17 - 74)

Cabinet Member: Finance

Forward Plan Ref: 2014/053

Contact: Stephanie Skivington, Corporate Finance Manager Tel: (01865) 323995

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

This report is the first in a series on the Service & Resource Planning process for

2015/16, providing councillors with information on budget issues for the next financial year and the medium term. The report presents the assumptions on which the existing Medium Term Financial Plan (MTFP) is based, the financial strategy that informs the budget setting process, known and potential financial issues for 2015/16 and beyond which impact on the existing MTFP, and proposes a process for Service & Resource Planning for 2015/16 including a timetable of events.

The Cabinet is RECOMMENDED to:

- (a) note the report;***
- (b) approve the Service and Resource Planning process for 2015/16; and***
- (c) approve the updated Financial Strategy set out at Annex 3a.***

7. Ofsted Inspection of Children's Services (Pages 75 - 116)

Cabinet Member: Children, Education & Families

Forward Plan Ref: 2014/093

Contact: Lucy Butler, Deputy Director for Children's Social Care & YOS Tel: (01865) 815165

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

To note and to seek endorsement of the Council's response to the recent Ofsted Inspection of Children's Services.

Cabinet is Recommended to:

- (a) approve the Action Plan for submission to Ofsted; and***
- (b) request the Performance Scrutiny Committee to undertake a 6 monthly review of progress.***

8. Strategic Economic Plan and the Local Growth Deal(SEP) Update (Pages 117 - 134)

Cabinet Member: Leader

Forward Plan Ref: 2014/108

Contact: Richard Byard, Service Manager – Economy and Skills Tel: 07584 909508

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

The purpose of the report is to provide Cabinet with an update on Oxfordshire's recently announced Local Growth Fund (LGF) allocation to 2021 and the process for future LGF funding rounds. The report also seeks approval to further develop the approved schemes and to support match-funding being identified in the Council's capital programme for 2015/16.

The Cabinet is Recommended to agree that County Council lead schemes noted in paragraphs 10 and 11 of this report are brought forward as part of the 2015/16 capital programme to ensure proper revenue and resource planning can be undertaken.

9. Highways Asset Management Plan (Pages 135 - 166)

Cabinet Member: Environment

Forward Plan Ref: 2014/119

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

Report by Director for Environment & Economy (**CA9**).

Officers have produced an updated strategy for maintenance of the public highway in the form of a Highway Asset Management Plan. The draft document is submitted to Cabinet for consideration and adoption as Council policy.

The Cabinet is RECOMMENDED to approve the Highways Asset Management Policy and Strategy.

10. Outcome Based Contracting for Mental Health and Older People Services (Pages 167 - 176)

Cabinet Member: Adult Social Care

Forward Plan Ref: 2014/091

Contact: Benedict Leigh, Strategic Commissioner – Adults Tel: (01865) 323577

Report by Director for Adult Social Services (**CA10**).

Outcomes Based Contracting is an NHS priority as a way of managing spending and activity by making health care providers responsible for delivering outcomes, rather than paying them for activity. The substantial and ongoing pressures on health and social care services, and large activity pressures with acute (hospital) care mean that there needs to be action to manage costs and activity over the medium term.

The total budget going in to outcomes based contracting from Oxfordshire County Council is £11.2m. This is 4.1% of the total of the two pooled budgets (£281m). It is 10% of the total outcomes based contracting budget of £111.6m. £62m (55%) from pooled budgets, the remainder from Oxfordshire Clinical Commissioning Group.

Cabinet is recommended to:

- (a) Support the transition of the NHS to focus on outcomes rather than activities as the right direction for the benefit of the health of people in Oxfordshire; to recognise that the change is essential if the NHS in Oxfordshire is to be able to manage with the resources available and that the NHS managing within the resources is crucial to securing the resources of £8m from the Better Care Fund to protect Adult Social Care services and to secure resources to pay for the costs of the new Care Act.***

- (b) **delegate authority to negotiate Oxfordshire County Council's engagement with these two OBC contracts to the Director of Adult Social Services with certain conditions namely:**
 - (i) **that this is limited to adult social care services for people with mental health problems and reablement and intermediate care services for older people;**
 - (ii) **that there are specific outcome measures for both reablement and intermediate care that relate to our strategy of limiting demand for health and social care;**
 - (iii) **that there is a genuine pooling of resources for mental health; and**
 - (iv) **that the final negotiated position is subject to the prior agreement of the County Solicitor as to compliance with proper procurement requirements.**

11. Deprivation of Liberty Safeguards Resource Implications following Supreme Court Judgment in March 2014 (Pages 177 - 184)

Cabinet Member: Adult Social Care

Forward Plan Ref: 2014/111

Contact: Kate Terroni, Area Service Manager – District Team Service Area Central Tel: (01865) 815792

Report by Director of Adult Social Services (**CA11**).

The Cheshire West judgment was handed down by the Supreme Court on 19th March 2014. This judgment has had a significant impact on the workload to meet the Deprivation of Liberty Safeguards (DoLS) due to the increased scope of the definition of 'deprivation of liberty' and consequently the number of service users that are now within the remit of Deprivation of Liberty Safeguards who are placed within care homes and hospitals.

This report provides an understanding of the Deprivation of Liberty Safeguards, the context to this judgment and the operational impact of responding to the judgment in Oxfordshire. The report considers the risks to Oxfordshire County Council and how these are being addressed and managed and the need to consider how to meet the additional responsibilities on the Department.

The Cabinet is RECOMMENDED to note the impact of the Cheshire West judgement on the Authority due to the significant increase in requests in order to meet our statutory requirements, through increased staffing and financial resources and note the actions taken to manage these impacts.

12. Governance and Constitution Review 2014 - September (Pages 185 - 208)

Cabinet Member: Leader

Forward Plan Ref: 2014/080

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 therefore summarises the emerging issues from the Monitoring Officer's review.

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

13. Staffing Report - Quarter 1 - 2014 (Pages 209 - 214)

Cabinet Member: Deputy Leader

Forward Plan Ref: 2014/054

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

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

The report provides an update on staffing numbers and related activity during the period 1 April 2014 to 30 June 2014. Progress is also tracked on staffing numbers since 31 March 2014 as we continue to implement our Business Strategy.

The Cabinet is RECOMMENDED to:

(a) note the report; and

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

14. Forward Plan and Future Business (Pages 215 - 218)

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 **CA14**. 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.

15. Exempt Item

In the event that any Member or Officer wishes to discuss the information set out in Appendix C to Annex 1 and in Annex 2 to Item 16, the Cabinet will be invited to resolve to exclude the public for the consideration of those Annexes by passing a resolution in relation to that item in the following terms:

"that the public be excluded during the consideration of the Annexes since it is likely that if they were present during that discussion there would be a disclosure of "exempt" information as described in Part I of Schedule 12A to the Local Government Act, 1972 and specified below the item in the Agenda".

NOTE: The report does not contain exempt information and is available to the public. The exempt information is contained in the confidential appendix and annex.

THE APPENDIX AND ANNEX TO THE ITEM NAMED HAVE NOT BEEN MADE PUBLIC AND SHOULD BE REGARDED AS 'CONFIDENTIAL' BY MEMBERS AND OFFICERS ENTITLED TO RECEIVE THEM.

THIS IS FOR REASONS OF COMMERCIAL SENSITIVITY.

THIS ALSO MEANS THAT THE CONTENTS SHOULD NOT BE DISCUSSED WITH OTHERS AND NO COPIES SHOULD BE MADE.

16. A34 Major Improvement Schemes (Pages 219 - 242)

Cabinet Member: Environment

Forward Plan Ref: 2014/116

Contact: Jeremy Hollard, Commercial Delivery Manager Tel: 07765 906891

Report by Director for Environment & Economy (**CA16**).

The information contained in the annex 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)*

and since it is considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, in that where a tender or bidding process is in progress disclosure would distort the proper process of open competition and would prejudice the position of the authority in the process of the transaction and the Council's standing generally in relation to such transactions in future, to the detriment of the Council's ability properly to discharge its fiduciary and other duties as a public authority.

Cabinet is asked to:

- (a) **approve the Stage 2 – Full Business Case for the Milton Interchange scheme.**
- (b) **give delegated authority to the Director for Environment and Economy in consultation with the Leader to Award the contract for construction once tender assessment is complete and provided the costs are within the budget envelope**

17. Better Care Fund (Pages 243 - 246)

Cabinet Member: Adult Social Care

Forward Plan Ref: 2014/133

Contact: Ben Threadgold, Service Manager – Policy & Performance Tel: (01865) 328219

Report by Director for Adult Social Services Services (**CA17**).

The purpose of this paper is to seek agreement on the proposed use of the Better Care Fund in Oxfordshire, prior to submission to NHS England by 19 September 2014. This is an update to the plan previously agreed by Cabinet and the Health and Wellbeing Board in March 2014, to reflect updated Government guidance and requirements issued in July and August 2014.

It is a Government requirement that plans are agreed by the Health and Wellbeing Board prior to submission, as well as the County Council and Oxfordshire Clinical Commissioning Group.

The Cabinet is RECOMMENDED to:

Agree the Better Care Fund Plan for Oxfordshire for submission to NHS England by 19th September 2014, subject to the inclusion of any necessary changes which may be required following consideration by the Health and Wellbeing Board and Clinical Commissioning Group Governing Body as agreed by Chairman (Leader of the Council) and Vice Chairman (Clinical Chair of the Clinical Commissioning Group) of the Health and Wellbeing Board.
