

## CABINET

**MINUTES** of the meeting held on Tuesday, 14 February 2012 commencing at 2.00 pm and finishing at 3.20 pm

### Present:

**Voting Members:** Councillor Keith R. Mitchell CBE – in the Chair  
Councillor David Robertson (Deputy Chairman)  
Councillor Arash Fatemian  
Councillor Louise Chapman  
Councillor Jim Couchman  
Councillor Lorraine Lindsay-Gale  
Councillor Kieron Mallon  
Councillor Mrs J. Heathcoat  
Councillor Melinda Tilley  
Councillor Rodney Rose

**Other Members in Attendance:** Councillor Tanner (Agenda Item 4)  
Councillor Hannaby (Agenda Item 7)  
Councillor David Turner (Agenda Item 7)  
Councillor Brighthouse (Agenda Item 7)  
Councillor Wilmshurst (Agenda Item 7)  
Councillor Janet Godden (Agenda Item 7)  
Councillor M. Altaf-Khan (Agenda Item 12)

### Officers:

Whole of meeting	Joanna Simons (Chief Executive) Sue Whitehead (Law & Governance)
Part of Meeting	
Item	Name
6	K. Wilcox (Corporate Finance)
7	C. Phillips and K. Luddecke (Policy and Performance Team)
8	David Etheridge,(Chief Fire Officer), Mat Carlile (Fire & Rescue)
9	A. Milward (School Organisation & Planning)
10	A. Milward (School Organisation & Planning)
12	Jim Leivers, Interim Director for Children, Education & Families

*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.*

## **20/12 DECLARATIONS OF INTEREST**

(Agenda Item. 2)

Councillor David Turner declared a personal interest in Item 8 relating to the Big Society Fund as a member of Chalgrove Parish Council.

Councillor Mitchell declared a personal interest in Item 10 relating to the proposed expansion of the Warriner School as a former governor of Warriner School;

Councillor Mallon declared a personal interest in Item 10 relating to the proposed expansion of the Warriner School as a trustee of Banbury School Trust.

## **21/12 MINUTES**

(Agenda Item. 3)

The minutes of the meetings held on 17 January 2012 and 6 February 2012 were approved and signed.

## **22/12 QUESTIONS FROM COUNTY COUNCILLORS**

(Agenda Item. 4)

Councillor John Tanner had given notice of the following question to the Cabinet Member for Schools Improvement:

“Could the Cabinet member explain why she is pressuring excellent, locally well-regarded and improving primary schools, such as Larkrise in my own Isis division, to take on academy status, when it damages the morale of staff and parents and there is no firm evidence that academy status will improve standards for children?”

Councillor Melinda Tilley replied:

“Today’s report confirms the Council’s absolute commitment to improve educational outcomes for children. It also says we wish to encourage a dialogue about how Academies might be part of our approach to improve those educational outcomes. This is a discussion that we want to have with all schools; however, it is of particular relevance to schools which are not reaching the required national standards.

Larkrise School is one such school. It is a school which was below the national floor standards in 2010-11. The Fisher Family Trust Value Added reports for the school show that last year it was performing below the level expected for similar schools (i.e. after allowing for their free school meal population, ethnicity, English as an additional language, special educational needs and pupil mobility).

The children of Oxfordshire have one chance to get an education. The education they receive impacts upon their life chances. This Cabinet will not

stand by and allow continued under performance. We do not dispute the hard work of a great many individuals to ensure that schools like Larkrise are caring and supportive environments in which children are happy and safe. However, we believe that any school which has the best interests of its children at heart, will want to ask whether or not there is more they can do to improve their educational attainment. Our view is that these schools should ask whether or not becoming a sponsored academy might lead to the step-change that has not yet been achieved.”

Supplementary Question: Councillor Tanner thanked the Cabinet Member for the response and welcomed the recognition of the hard work being undertaken and that the response referred only to consideration being given to academy status. He asked what evidence the Cabinet Member could supply to him that supported the likelihood that conversion to an academy benefits a school?

Councillor Tilley replied that evidence available on the Department for Education website showed that academies progressed twice as fast as schools that were not.

Two further questions put by Councillor Tanner were not allowed under the rules relating to questions by Councillors at Cabinet and it was agreed that Councillor Tanner pursue these questions with the Cabinet Member outside the meeting.

## **23/12 PETITIONS AND PUBLIC ADDRESS**

(Agenda Item. 5)

The following requests to address the meeting had been agreed:

Item 7 Speaking as local members:

Councillor Hannaby (Refurbishment of October Club kitchen and toilets)

Councillor David Turner (Connecting the B480 Parishes)

Councillor Brighthouse (Thrive Barton)

Councillor Wilmshurst (Chinnor Youth Centre)

Councillor Janet Godden (Dean Court Community Centre and Cumnor Parish MUGA (multi-use games area) Project

Item 10 – Dr. Annabel Kay, Principal of The Warriner School in Bloxham

Item 12 – Councillor M. Altaf-Khan, Shadow Cabinet Member for Schools Improvement

**24/12 2011/12 FINANCIAL MONITORING & BUSINESS STRATEGY DELIVERY REPORT - DECEMBER 2011**

(Agenda Item. 6)

Cabinet considered a report that set out the forecast position for each Directorate. This included the delivery of the Directorate Business Strategies which were agreed as part of the Service and Resource Planning Process for 2011/12 – 2015/16. Parts 1 and 2 included projections for revenue, reserves and balances as at the end of December 2011. The Capital monitoring was included at Part 3.

The Cabinet Member for Finance & Property in moving the recommendations detailed the Directorate positions set out in the report and referred to proposals for the new reserves. He outlined the position with redundancies and highlighted the virements requested.

**RESOLVED:** to:

- a) note the report and approve the virements as set out in Annex 2a;
- b) Agree the creation of the new reserves as set out in paragraph 43 to 46; and
- c) Approve the new schemes and budget changes set out in Annex 9c.

**25/12 BIG SOCIETY FUND - FEBRUARY 2012**

(Agenda Item. 7)

Cabinet considered bids to the Big Society Fund from the third wave of applications.

Councillor Janet Godden spoke in support of the two bids for Dean Court namely the bid for Dean Court Community Centre and the Cumnor Parish MUGA (multi-use games area) Project. She welcomed the recommendation to support the Community Centre in what was a deprived area. The second bid for the re-use of the abandoned sports area had been less successful and she believed that this was due to a lack of clarity in the bid. She gave information on the use by football clubs and other uses. She expressed disappointment that she had been unable to comment before the recommendations came to Cabinet and asked that they be allowed to redo and bring back the bid.

Councillor Hannaby spoke in support of the bid for the refurbishment of October Club kitchen and toilets arguing that the bid did meet the criteria although accepting that there was only so much that could be done to make a bid for kitchens and toilets innovative. She had not realised that there was a problem with the bid and commented that the bidders were unused to the process. The bid had had to be made quickly in order to meet the deadline. She would be grateful for any assistance the Cabinet felt able to provide but

if they felt more work was necessary then she was happy to work with the community.

Councillor Brighthouse spoke in support of the Thrive Barton bid expressing her disappointment that it was not to be funded. There was excellent new youth provision in the area thanks to the Play Barton Grant but the hub and satellite work had not happened. The bid was very much about local people working hard to make a difference in their community and had come about because of the numbers of children needing support. She referred to the work of the Barton Youth Partnership together with the police to address issues on the estate. Whilst not asking the Cabinet to change the recommendation today she hoped that they would look again at the area and in particular referred to the interest already shown by the Cabinet Member for Children, Education and Families.

Councillor David Turner spoke in support of the project to connect the B480 Parishes and welcomed the recommendation to support the bid.

Councillor Wilmshurst spoke in support of the bid by Chinnor Youth Centre. He accepted that the paper submitted was lacking in detail and supplied additional information on cost, on funding from the Parish Council, the Centre's location and current support and plans for the future. He commented that he did not believe that the bid should be in category 3 but having read the summary he understood why it was.

The Cabinet Member for Police and Policy Co0ordination responded to the comments made commenting that bids needed Councillor approval before submission and Councillors could then get involved in the process. He agreed that some of the submissions could be clearer and he would encourage local councillors to become involved in the redesign. However the bids were assessed against strict criteria in a fair and equitable way as public money was involved. Councillor Louise Chapman added that she was aware of the Thrive Barton bid in her role as The Cabinet Member for Children, Education and Families and would take the matter up outside the meeting as there were other possible alternatives to take it forward more suited to the bid than the Big Society Fund.

Councillor Mallon in moving the recommendations highlighted the success of the Big Society Funs and its continuation for the next two years. He acknowledged that there were more bids not meeting the criteria in the current round but again stressed the need to apply the criteria strictly. There was a risk that bids were not sustainable and funding could only be given where there was a robust business case. Others were not innovative or could be delivered in a different way. He urged Councillors to speak to officers in the preparation of bids to ensure their best chance of success.

**RESOLVED:** to give approval to the following bids as detailed in Annex 1 to the report:

Dean Court Community Centre;

Kidlington Youth Club;  
New Horizons (Littlemore);  
Connecting the B480 Parishes

**26/12 INTEGRATED RISK MANAGEMENT PLAN (IRMP) FIRE & RESCUE  
- PROJECT**

(Agenda Item. 8)

The Fire and Rescue Services Act 2004 requires the Secretary of State to prepare a Fire and Rescue National Framework to which Fire Authorities must have regard when discharging their functions. The 2008-11 Framework requires each Fire and Rescue Authority to produce a publicly available IRMP. The report considered by Cabinet proposed a number of projects to be included within the Fire Authority's IRMP for the fiscal year 2012-13 and Cabinet commented on the proposed Action Plan, consultation responses & management responses to the consultation responses.

The Cabinet Member for Safer & Stronger Communities in introducing the contents of the report drew attention to a consultation response received after the deadline for responses. The response expressed concerns at the levels of retained duty fire fighters and over the future of the Carterton fire station. Referring to the report itself she noted that many of the projects were interconnected such as projects 2 and 5. She highlighted projects 3 and 7 that reflected the fully corporate and integrated nature of the Service. The Chief Fire Officer added that the large majority of the responses had been supportive. The consultation had been extensive and they would provide a public response to all consultation responses received.

**RESOLVED:** to agree that all of the project proposals detailed within the report and listed below are accepted by Cabinet and adopted in the final version of the IRMP Action Plan 2012-13:

- Project 1: Business Continuity Review
- Project 2: Recruitment & Advancement Review
- Project 3: Road Traffic Casualty Reduction
- Project 4: Olympics 2012 Pre-Planning
- Project 5: Retained Duty System (RDS) Availability Review
- Project 6: Operational Assurance Framework
- Project 7: Data Sharing to Improve the Safeguarding of Vulnerable Adults & Children
- Project 8: Review of Incident Command, Baseline Worst Case Operational Scenario Planning Assumptions.
- Project 9: Improving Fire Control Resilience

**27/12 EXPANSION OF ORCHARD MEADOW PRIMARY SCHOOL**

(Agenda Item. 9)

Cabinet considered a report on a proposal to expand Orchard Meadow Primary School to become a 2 form entry school with an Admission Number

of 60 as one part of the county council's strategy to meet the need for primary school places in Oxford. The report included the outcome of a public consultation and consideration of the responses to it.

**RESOLVED:** to approve the publication of a statutory notice for the expansion of Orchard Meadow Primary School, Oxford.

**28/12 PROPOSED EXTENSION OF THE WARRINER SCHOOL, BLOXHAM, BY ESTABLISHING A SIXTH FORM**

(Agenda Item. 10)

Cabinet considered a report on the proposals by the governors of The Warriner School in Bloxham to establish a Sixth Form in order to offer post-16 education. The report sets out the results of the public consultation and summarises the responses received.

Dr Kay, Principal of The Warriner School spoke in support of the proposals to establish a sixth form. She referred to the duty of care to meet the needs of students and to the high numbers of students going outside the County for a sixth form education. Of the current Year 10 cohort up to 80% had expressed a preference to stay on at Warriner School. Responding to a query from Councillor Couchman about their plans in terms of conversion to an academy Dr Kay replied that the School was keeping a watching brief and had made no application.

The Cabinet Member for Schools Improvement in moving the recommendations indicated her support for the proposals.

**RESOLVED:** to support the governing body of The Warriner School, Bloxham by approving the publication of a statutory notice to extend the age range of the school and establish a Sixth Form.

**29/12 ESTABLISHMENT REVIEW - FEBRUARY 2012**

(Agenda Item. 11)

Cabinet considered a report that gave an update on activity since 31 March 2011. It gave details of the agreed establishment figure at 31 December 2011 in terms of Full Time Equivalents, together with the staffing position at 31 December 2011. These were shown by directorate in Appendix 1. In addition, the report provided information on vacancies and the cost of posts being covered by agency staff.

The report also tracked progress on staffing numbers since 1 April 2010 as we implement our Business Strategy.

The Deputy leader highlighted the continued reduction in establishment numbers and full time equivalents.

**RESOLVED:** to:

- (a) note the report;
- (b) confirm that the Establishment Review continues to meet the Cabinet's requirements in reporting and managing staffing numbers.

**30/12 COUNCIL'S SUPPORT FOR THE CONVERSION OF SCHOOLS TO ACADEMIES AND THE ESTABLISHMENT OF NEW FORMS OF SCHOOLS**

(Agenda Item. 12)

Cabinet considered a report seeking confirmation from the Cabinet on its position in respect of the conversion of schools to academies and the establishment of new forms of schools and the future role of the Council.

Councillor Altaf-Khan, Shadow Cabinet Member for Schools Improvement referred to the context of the current legislation and expressed concerns that the Local Authority was not in a position to deal with failing schools. There were a number of issues where multi-school academies could force schools in to converting without proper discussion and this would cause problems. He welcomed the move to set up an Advisory Board but suggested that a Committee would also be needed to safeguard the position of schools and stakeholders. He noted the reference to community leaders and commented that he was not sure who they would be given the very diverse nature of Oxford. He stated that each school case would need to be considered on its merits.

The Cabinet Member for Schools Improvement introduced the contents of the report referring to the commitment to improve educational outcomes and to encourage dialogue with schools. However she stressed that the Council did not have the power to force any school to become an academy. She referred to feedback from the National Union of Teachers that endorsed their opposition to academies but supported the Council's attempts to manage the situation.

During discussion reference was made to a helpful and supportive letter from The Rt. Hon. Michael Gove MP, Secretary of State for Education. Cabinet welcomed the opportunity to set out its commitment to improving educational outcomes and its support for the academy process. The leadership role of the Council was essential and all Councillors had a role to play in raising the aspirations of people from all sections of the community. Whilst enthusiastic, a note of caution was sounded by the Cabinet Member for Finance & Property in respect of the impact on Council finances as a result of the conversion of secondary and primary schools. A range of duties would remain to the Council and he hoped that central Government would be realistic and fair over the need to finance those duties.

**RESOLVED:** to:



- (a) confirm the Council's future role as commissioner of outcomes, and a champion for the children and families of the county;
- (b) confirm its absolute commitment to improve educational outcomes for those children;
- (c) clearly state the Council's support for the conversion of schools to become academies and the establishment of new forms of schools, including free schools, studio schools and university technical colleges;
- (d) agree to conduct a time-limited piece of work to better inform a proposed Oxfordshire Academies Programme, building upon existing conversions and sponsorship arrangements to create a structured and supportive environment for school autonomy and collaboration; and
- (e) agree to establish a new Advisory Board on Education Standards to advise the Council in its role as a Commissioner of excellent outcomes in Education.

### **31/12 FORWARD PLAN AND FUTURE BUSINESS**

(Agenda Item. 13)

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. They noted in particular the additional meeting scheduled for 23 March 2012.

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

### **32/12 DELEGATED POWERS OF THE CHIEF EXECUTIVE - JANUARY 2012**

(Agenda Item. 14)

**RESOLVED:** to note the following 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).

<i><b>Date</b></i>	<i><b>Subject</b></i>	<i><b>Decision</b></i>	<i><b>Reason for Urgency</b></i>
7 November 2012	Appointment of Project Manager for the delivery of new buildings for Oxford Academy	Approved an exemption from the full tendering requirements of the Council's Contract Procedure Rules	To appoint a project manager to avoid unnecessary delay in the delivery of the

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<p>5 December 2012</p>	<p>Response to Statutory Notice to Expand Cutteslowe Primary School</p>	<p>Having considered the representations made in response to the statutory notice, approved the expansion of Cutteslowe Primary School, Oxford, with effect from 1 September 2013.</p>	<p>new buildings.  To take a decision within the time period set out in the regulations.</p>
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..... in the Chair

Date of signing