

CABINET

MINUTES of the meeting held on Tuesday, 27 November 2012 commencing at 2.00 pm and finishing at 3.20 pm

Present:

Voting Members: Councillor Ian Hudspeth – in the Chair
Councillor Rodney Rose
Councillor Arash Fatemian
Councillor Nick Carter
Councillor Melinda Tilley
Councillor Hilary Hibbert-Biles
Councillor Kieron Mallon

Other Members in Attendance: Councillor Zoe Patrick (Agenda Item 4)
Councillor Roz Smith (Agenda Items 3 and 7)
Councillor Liz Brighthouse (Agenda Item 7)

Officers:

Whole of meeting	Joanna Simons, Chief Executive; Sue Whitehead (Chief Executive's Office)
Part of Meeting	
Item	Name
6 - 9	Barbara Chillman,(School Organisation & Planning)
10	Matthew Edwards (Children, Education & Families)
11	Hannah Doney (Treasury Management)
14	Mark Kemp, Deputy Director – Commercial; Andrew Pau (Sustainable Development); Christian Smith (Law & Culture –Contracts)

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.

118/12APOLOGIES FOR ABSENCE

(Agenda Item. 1)

Apologies were received from Councillors Chapman and Heathcoat.

119/12MINUTES

(Agenda Item. 3)

The Minutes of the meeting held on 16 October 2012 were agreed subject to the following correction:

Page 3 – 2nd paragraph: Councillor Roz Smith asked the supplementary question on monitoring arrangements and not Councillor Jenny Hannaby.

Councillor Roz Smith, speaking as a local Councillor on Minute No112/12 commented that as yet nothing was in place to exempt hospital workers from the Park & Ride charge. Councillor Rose replied that information was awaited from the hospital on registration numbers and the Council would continue to work on it. Councillor Smith would be kept updated.

120/12QUESTIONS FROM COUNTY COUNCILLORS

(Agenda Item. 4)

Councillor Zoe Patrick had given notice of the following question to Councillor Ian Hudspeth

“What progress has been made on proposals for City and Central Oxfordshire Bid deal:

- i. The geographical area to be covered by central Oxfordshire; and
- ii. The governance arrangements that have to be submitted to the coalition Government by 15 January?”

Councillor Hudspeth replied:

“i) The Government's City Deal Prospectus is quite clear that the functional economic area should be the focus of bids coming forward for Wave 2. Consequently, the Oxfordshire bid will cover the County with a specific reference to the growth areas, namely Bicester, Oxford and Science Vale UK.

ii) The governance arrangements will build on the collaborative work undertaken in recent years by the Spatial Planning & Infrastructure Partnership (SPIP) Board and the linkages that are now in place with the Local Enterprise Partnership. Partners will be exploring how these arrangements might be developed further when developing the detail of the bid for submission on 15 January.”

Supplementary: Councillor Patrick asked who would be the lead in putting the bid forward. The Leader replied that the bid was a collaborative effort co-ordinated through Oxford City Council. County Council officers were working on the bid and all of the District Councils and the Local Enterprise Partnership would be involved. He emphasised that although it was termed a City Deal it was for the Oxford City work area and that included all of Oxfordshire.

121/12 PETITIONS AND PUBLIC ADDRESS

(Agenda Item. 5)

The following requests to address the meeting had been agreed:

Item 3 - Councillor Roz Smith on Minute 112/12

Item 6 – Deborah Glass-Woodin, local resident
Susie Bagnall, Head Teacher, St Ebbes

Item 7– Councillor Roz Smith, as local Councillor
Councillor Liz Brighthouse, as Local Councillor
Mayte Siswick, Chair of Governors for Windmill School
Andrea Bird, local resident
Natalie Poynter, local resident

122/12 EXPANSION OF ST EBBE'S CE(A) PRIMARY SCHOOL, OXFORD TO 2FORM ENTRY

(Agenda Item. 6)

Cabinet considered a report detailing a proposal to permanently increase the school admission number at St Ebbe's Church of England (Aided) Primary School from 45 to 60.

Deborah Glass-Woodin, local resident, spoke against the proposed expansion querying in whose interest it was to have a bigger school as in her view bigger did not mean better educationally or otherwise. Important community aspects of the school would be lost. She queried who was in favour of the expansion referring to the significant opposition to the proposal. Governors had only voted for it as a means of addressing the anomaly of mixed year teaching brought about by 1.5 forms of entry.

In response to a question from Councillor Tilley about the evidence that larger schools were worse educationally Mrs Glass-Woodin referred to anecdotal evidence and her own experience of Oxfordshire Schools. She believed that the evidence was available if sought out.

Ms Susie Bagnall, Head Teacher, St Ebbe's CE(A) Primary School spoke in support of the expansion as it would meet local demand, the room was available to build and the parents forum were in favour as it would remove mixed age teaching. She highlighted that it would not result in larger class sizes nor in a higher pupil/adult ratio. In her view as Head Teacher it would not be educationally disadvantageous.

In response to a question from Councillor Tilley, Ms Bagnall confirmed that the School had taken 15 additional pupils this year under a temporary agreement and if the expansion was agreed it would take place over a phased period.

RESOLVED: to approve the permanent expansion of St Ebbe's CE (A) Primary School with effect from 1 September 2014.

N.B. As set out under Rule 18(a) of the Scrutiny Procedure Rules, The Chairman of the Council has agreed that this decision is exempt from Call-In as it is deemed urgent and any delay would seriously prejudice the Council's interests, in that the Cabinet's role would be negated by referral to the Schools' Adjudicator if the decision was not taken within two months of the end of the Statutory Notice, in this case being 3 December 2012.

123/12 EXPANSION OF WINDMILL PRIMARY SCHOOL TO 3 FORM ENTRY

(Agenda Item. 7)

Cabinet considered a proposal to permanently increase the school admission number at Windmill Primary School from 60 to 90.

Ms Mayte Siswick, Chair of Governors for Windmill School, expressed regret that the Council had not put contingency plans in place earlier to deal with the increase in pupil numbers. Ms Siswick expressed concerns about traffic problems and asked that a full traffic survey be undertaken. Referring to the traffic situation with the earlier middle school was not a fair comparison as middle school children were more likely to come on foot. With more women working, more people with cars and children being more likely to be dropped off by parents traffic had increased quite considerably. Ms Siswick was disappointed that the concerns expressed were being dismissed and hoped that the decision to proceed would only be made if money was put in for the transition. The Governors were willing to work with the Local Authority but would fight if it was not implemented satisfactorily.

Ms Andrea Bird, local resident referred to increasing traffic problems. Drivers were behaving increasingly aggressively. There was a national trend that fewer 5-11 year olds went to school on their own. The housing developments were relevant because they would exacerbate the traffic problems. The area also had a concentration of hospitals and employment sites making it unique in the level of traffic using residential roads. It was irresponsible to proceed without a traffic survey. The County of Oxfordshire had some issues over educational attainment and she felt that the expansion jeopardised a good school. She felt that there was no benefit to pupils being in a big school.

Natalie Poynter, local resident, spoke against the proposal and stated that Windmill School was a successful 2 form entry school, where children knew each other. The proposal would create the first 3 form entry school in Oxford City and many local people did not want it. She referred to two new schools that were not 3 form entry and felt that with them there was now no critical need to expand Windmill School. She referred to possible problems in a larger school including small group work in corridors and children's needs being overlooked. Responding to a request for clarification from Councillor Tilley Ms Poynter referred to the consultation figures set out in the report.

Councillor Roz Smith, as local Councillor and Vice-Chairman of the Board of Governors referred to the eloquence of the concerns expressed so far. She recognised the need to build to fulfil Oxfordshire priorities but stressed the importance that it be done properly. A large capital expense would be needed to provide adequate facilities including a suitable hall and kitchen. Going forward there would need to be consideration of secondary school provision. Traffic was a problem and she urged that the Council work closely with Governors.

Councillor Liz Brighthouse, as Local Councillor reiterated that the transport issues were real and needed to be addressed. She had opposed previous development in the area because of the detrimental effect it would have. She recognised the need to look seriously at school capacity in the area and felt that there was almost certainly a need for an additional school in the Headington area. She felt that with this School neither the road nor the School could support enormous growth. However large primaries were able to do very well, with the larger budget that they received providing the opportunity for more staff and a wider curriculum including music or languages. She had no problems with this expansion as she had confidence in the Head Teacher, what ever the decision, to continue to provide an excellent school for the community.

Councillor Tilley in introducing the contents of the report acknowledged that the proposal was contentious. She had listened carefully to the comments today and could give an assurance that concerns over traffic issues would be considered seriously. She also supported comments about the need to ensure that the expansion was carried out properly. She recognised that the hall and kitchen were too small. She was aware that parents were upset but the alternative was to bus children around Oxford.

Councillor Rodney Rose, commented that he had not been aware that the problems here were worse than elsewhere in Oxford but he would be alive to the issues that the changes brought about.

Councillor Arash Fatemian supported the comments by Councillor Brighthouse in relation to large schools feeling that they could do a very good job.

Barbara Chillman, advised the Cabinet that a traffic assessment would be a normal part of transport planning for the project. The proposed expansion was based on parents first preferences when applying for school places.

Councillor Ian Hudspeth congratulated the School and Head Teacher for being a first class school.

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

124/12 EXPANSION OF BOTLEY PRIMARY SCHOOL TO 2FE

(Agenda Item. 8)

Cabinet considered a proposal to permanently increase the school admission number at Botley School from 45 to 60.

RESOLVED: to approve the permanent expansion of Botley School with effect from 1 September 2014.

N.B. As set out under Rule 18(a) of the Scrutiny Procedure Rules, The Chairman of the Council has agreed that this decision is exempt from Call-In as it is deemed urgent and any delay would seriously prejudice the Council's interests, in that the Cabinet's role would be negated by referral to the Schools' Adjudicator if the decision was not taken within two months of the end of the Statutory Notice, in this case being 30 December 2012.

125/12 EXPANSION OF FIVE ACRES PRIMARY SCHOOL TO 2 FORM ENTRY

(Agenda Item. 9)

Cabinet considered a proposal to permanently increase the school admission number at Five Acres Primary School from 45 to 60.

The Cabinet is RECOMMENDED to approve the publication of a statutory notice for the expansion of Five Acres Primary School, Ambrosden.

126/12 PROGRESS REPORT ON CLA AND LEAVING CARE

(Agenda Item. 10)

Cabinet considered a report that reviewed the performance and outcomes of Looked After Children and Care Leavers (LAC) over the last twelve months.

Mr Edwards, in response to Councillor Ian Hudspeth, who highlighted comments from the Children's Services Scrutiny Committee that schools be made aware of the benefits of one to one tuition for children in care, replied that there was now much closer individual monitoring to identify issues as they occurred.

RESOLVED: to note the report.

127/12 TREASURY MANAGEMENT MID TERM REVIEW (2012/13)

(Agenda Item. 11)

Cabinet considered a report that set out the Treasury Management activity undertaken in the first half of the financial year 2012/13 in compliance with the CIPFA Code of Practice. The report included Debt and Investment activity, Prudential Indicator monitoring, changes in Strategy, and forecast interest receivable and payable for the financial year.

RESOLVED: to note the report, and to **RECOMMEND** Council to note the Council's Mid Term Treasury Management Review 2012/13.

128/12 STAFFING REPORT - QUARTER 2

(Agenda Item. 12)

Cabinet received a report that gave an update on staffing numbers and related activity during the period 1 July 2012 to 30 September 2012. It gave details of the agreed staffing numbers and establishment at 30 September 2012 in terms of Full Time Equivalents. In addition, the report provided information on vacancies and the cost of posts being covered by agency staff and tracked progress on staffing numbers since 1 April 2010 as the Business Strategy is implemented

RESOLVED: to:

- (a) note the report; and
- (b) confirm that the Staffing Report meets the Cabinet's requirements in reporting and managing staffing numbers.

129/12 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.

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

130/12 EXEMPT INFORMATION

(Agenda Item.)

RESOLVED: that the public be excluded for the duration of items 14 and 15 in the Agenda since it is likely that if they were present during those items there would be disclosure of exempt information as defined in Part I of Schedule 12A to the Local Government Act 1972 (as amended) and specified in relation to the respective items in the Agenda and it is considered that, in all the circumstances of each case, the public interest in exemption outweighs the public interest in disclosing the information.

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

131/12 OXFORDSHIRE RESIDUAL MUNICIPAL WASTE BULKING AND HAULAGE PROCUREMENT

(Agenda Item. 14)

The information contained in Annex 1 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)

.....
It is considered that in this case the public interest in maintaining the exemption outweighs the public interest in disclosing the information, in that such disclosure would distort the proper 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 considered the results of a procurement process undertaken to secure a bulking and haulage service for residual municipal waste from the districts of South Oxfordshire, Vale of White Horse, West Oxfordshire and the northern part of Cherwell to ensure that waste can be delivered to the Energy from Waste (EfW) facility efficiently from those parts of the county that are furthest away from Ardley.

Councillor Mathew, as a local Councillor highlighted two points that could affect his area.

RESOLVED: to defer the decision deferred pending further clarification.

132/12 CONVERSION TO SPONSORED ACADEMIES - FINANCIAL LIABILITIES

(Agenda Item. 15)

The information contained in the report 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)

It is considered that in this case the public interest in maintaining the exemption outweighs the public interest in disclosing the information, in that such disclosure would distort the proper process of free negotiations between the authority with another party for the purposes described and would prejudice the position of the authority in those negotiations and other negotiations of a similar nature in future.

Cabinet agreed the stance that officers should adopt in negotiating binding agreements about past liabilities and future restructuring costs in relation to sponsored academies.

..... in the Chair

Date of signing