

## CABINET

**MINUTES** of the meeting held on Tuesday, 21 May 2013 commencing at 2.00 pm and finishing at 2.53 pm

**Present:**

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

**Other Members in Attendance:** Councillor Mark Cherry (Agenda Item 6),  
Councillor Gill Sanders (Agenda Item 7 & 8),  
Councillor N Hards (Agenda Item 7),  
Councillor John Christie (Agenda Item 9)

**Officers:**

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

Part of meeting

Item	Name
6	Huw Jones, Director for Environment & Economy; Graham Shaw, Deputy Director, Oxfordshire Customer Services
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8	Roy Leach, School Organisation & Planning Manager; Barbara Chillman (School Organisation & Planning) Debbie Rouget

*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.*

## **50/13 MINUTES**

(Agenda Item. 3)

The minutes of the meeting held on 16 April 2013 were approved and signed.

## **51/13 QUESTIONS FROM COUNTY COUNCILLORS**

(Agenda Item. 4)

Councillor Janet Godden had given notice of the following question to Councillor Ian Hudspeth:

“Please can full consideration be given as soon as possible to the creation of a scrutiny committee for adult social care? You will remember that in the course of the debate on the new governance arrangements at the April Council meeting several members questioned the absence of this. The main reasons put forward in favour were the size of the budget and the scale and complexity of the service. It was argued that the Performance scrutiny committee would not have the time to review this adequately; and that in terms of finance and of service delivery adult social care is one of our highest risk areas. To put it under a ‘Health’ umbrella overlooks much of the work (esp. re disabilities). No reasons were advanced in April against having such a committee; to reject it for administrative reasons would seem to be letting the tail wag the dog. To wait for the first review of the new arrangements in a year’s time seems excessive. Please can this be looked at now?”

Councillor Hudspeth replied:

“The new scrutiny arrangements came about following a cross party review group. All the proposals were put forward to the Conservative group at frequent stages during the review, they were fully debated with comments fed back to the cross party working group, I would hope that other groups within the council followed the same open and democratic process. There will be a review of the new arrangements and that is the time to consider any changes.”

Councillor Jean Fooks had given notice of the following question to Councillor David Nimmo Smith:

“There is much concern about cycle safety in Oxford and throughout the county. I hope that cyclist safety will be a top priority for you in your new role. Large lorries pose particular risks and with the expected huge amount of construction planned for the city it is more important than ever that all possible ways to improve safety and reduce risk are implemented. Some time ago I asked about the provision of ‘Trixi mirrors’ at junctions, to enable lorries to see cyclists on their near sides – these are inexpensive and easy to install. It is also possible to require lorries to have safety rails and they could themselves have better nearside mirrors. Could you tell me when you will ask officers to investigate which junctions should be fitted with Trixi mirrors,

when they might be installed and whether you will seek powers to improve the safety features on large lorries?"

Councillor Nimmo Smith replied:

"The use of 'Trixi' mirrors in Oxfordshire was considered following the issuing of a general authorisation of their use by the Department for Transport in February this year. However, results including those published by the Institute for Road Safety Research in The Netherlands suggest that such mirrors are not an effective way of reducing collisions involving lorries and cyclists. In view of this we currently have no plans to provide them, but will review closely the experience of other authorities in England—in particular London where we understand a significant number have been installed – to establish if any benefits are reported, and if so, will then consider their use.

The issue of improving safety features on lorries is not in the gift of OCC but sits with DfT and VOSA".

Supplementary: Councillor Fooks asked what the Cabinet Member for Environment would be doing to promote cycle safety? Councillor Nimmo Smith replied that as a Civil Engineer he was aware of the work being done through the Institution of Civil Engineers to promote cycle safety and he would be following that work through in Oxfordshire.

## **52/13 PETITIONS AND PUBLIC ADDRESS**

(Agenda Item. 5)

The following requests to address the meeting had been agreed:

Item 6 – Councillor Mark Cherry, Shadow Cabinet Member for Business & Customer Services

Item 7 – Councillor Gill Sanders, Shadow Cabinet Member for Children, Education & Families

Councillor N Hards, Local Councillor

Item 8 – G. Sanders, Shadow Cabinet Member for Children, Education & Families

Item 9 - Councillor John Christie, Opposition Deputy Leader

## **53/13 EXEMPT ITEM**

(Agenda Item. )

**RESOLVED:** that the public be excluded during the consideration of the Annex to the following item 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 since 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**

**54/13 PROCUREMENT OF BETTER BROADBAND FOR OXFORDSHIRE**

(Agenda Item. 6)

*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)*

*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 competitive dialogue process 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 had before them a report updating on the Better Broadband Programme currently in closed contract negotiations as part of a competitive dialogue process.

Councillor Mark Cherry, Shadow Cabinet Member for Business and Customer Services, spoke in support of the proposals but queried the use of public money being used to advantage a private company. He requested that Labour and Liberal Democrat Councillors be involved in the consultation on the detailed project appraisal. In response Councillor Carter welcomed Councillor Cherry as a new Councillor speaking at Cabinet for the first time. He explained that funding had been agreed some time ago and the programme was on going. He was not prepared to review at this stage as it would slow down the implementation which would not be in the public interest.

Following lengthy discussion of the proposals including the proposed timetable and need for delegation to officers to avoid delay it was:

**RESOLVED:** to

- (a) endorse the progress to date and the Stage 2 Business Case; and
- (b) delegate to the Chief Finance Officer and Director for Environment & Economy in consultation with the Leader and the Cabinet Member for Business and Customer Services the authority to approve the detailed project appraisal.

**MEMBERS OF THE PUBLIC READMITTED TO THE MEETING AND ADVISED OF THE OUTCOME**

## **55/13 RESULTS OF NEW SCHOOLS FOR DIDCOT PUBLIC CONSULTATION, AND SUBSEQUENT ACADEMY SPECIFICATION**

(Agenda Item. 7)

Cabinet considered a report that detailed the background to, process of and outcomes of a public consultation on new schools required for Great Western Park in Didcot/Harwell.

Councillor Gill Sanders spoke in support of the need to plan for increased numbers given the massive increase in house building in the area. She expressed concern over the possible delay in the University Technical College (UTC) for 14-19 year olds. The proposed specification was based on the assumption that it would open and Councillor Sanders sought assurances that plans were in hand to deal with the shortage of places should it not proceed.

Councillor Nick Hards, speaking as a local Councillor commented that in his experience the number of pupils generated by housing development in Didcot had been consistently underestimated leading to temporary classrooms and he was anxious that this should not happen. He sought assurances that the additional primary pupils would not need to go to schools in surrounding villages. He reiterated concerns over the provision of places through UTC and plans to cover any gaps in provision in 2015. Finally he suggested that there was little detail in the report about provision for pupils with Special Educational Needs and queried how the needs of these children would be met.

Councillor Melinda Tilley in introducing the contents of the report detailed how the additional provision was to be provided and although accepting that there were still some way to go she felt sure that the UTC would go ahead. Responding to the points made Barbara Chillman confirmed that there were currently some spare places giving the time needed to provide the additional places and added that the methodology used to determine the numbers need was very robust. She explained the approach to be taken with potential sponsors to discuss the unpredictability around numbers linked to the housing development. Roy Leach detailed provision for pupils with the most severe Special Educational Needs. He added that there was no reason to doubt the development of UTC would take place but that if it did not go ahead then the proposed secondary school would be larger.

**RESOLVED:** to note the outcomes of the consultation into new schools for Didcot and to approve the specification as the basis for seeking academy providers for the Great Western Park schools.

**56/13 EDWARD FEILD NURSERY SCHOOL - PROPOSAL TO CLOSE AND PROVIDE ALTERNATIVE EARLY YEARS PROVISION**

(Agenda Item. 8)

Cabinet considered a report following consultation on proposals to close the Nursery School and expand the on-site voluntary Playgroup. A formal decision was sought on whether to publish a Statutory Notice to close Edward Feild Nursery School at the end of the Autumn term 2013.

Councillor Gill Sanders, Shadow Cabinet Member for Children, Education & Families spoke in support of the proposal but expressed concern over the move from public to private provision and in particular sought assurances about succession planning should the current management decide not to continue. Councillor Tilley undertook to take this concern forward and to keep Councillor Sanders informed.

**RESOLVED:** to approve publication of a Statutory Notice for the Closure of Edward Feild Nursery School.

**57/13 STAFFING REPORT - QUARTER 4**

(Agenda Item. 9)

Cabinet had before them a report giving an update on staffing numbers and related activity during the period 1 January 2013 to 31 March 2013. It gave details of the agreed staffing numbers and establishment at 31 March 2013 in terms of Full Time Equivalents. In addition, the report provided information on vacancies and the cost of posts being covered by agency staff. The report also tracks progress on staffing numbers since 1 April 2010 as the Business Strategy is implemented.

Councillor John Christie, Opposition Deputy Leader referred to paragraph 3 of the report and queried how many of the part time employees had previously been full time. He also commented that the amount spent on agency staff was rather high. Councillor Rose replied that in a period of change there would be use of agency staff. He was considering how there could be greater transparency around these figures but they were moving in the right direction. Sue Corrigan advised that there was no requirement for staff to work reduced hours although some staff will come forward and suggest it.

**RESOLVED:** to:

(a) note the report;

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

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**58/13 FORWARD PLAN AND FUTURE BUSINESS**

(Agenda Item. 10)

(Agenda Item)

The Cabinet considered a list of items for the immediately forthcoming meetings of the Cabinet.

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

..... in the Chair

Date of signing