

## CABINET

**MINUTES** of the meeting held on Tuesday, 15 October 2013 commencing at 2.00 pm and finishing at 3.40 pm.

**Present:**

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

**Other Members in Attendance:** Councillor Nick Hards, (Agenda Items 6 & 11)  
Councillor John Christie (Agenda Items 7 & 8)  
Councillor John Sanders (Agenda Item 9)  
Councillor Liz Brighthouse, (Agenda Item 12)

**Officers:**

Whole of meeting	Joanna Simons (Chief Executive) Deborah Miller (Chief Executive's Office)
Part of Meeting	
Item	Name
10	Diane Cameron (Children, Education & Families)
11	Roy Leach (Children, Education & Families)
6	Kathy Wilcox (Corporate Finance)
7	Director for Environment & Economy, Tom Flanagan
8	Deputy Director for Oxfordshire Customer Services, Director for Environment & Economy, Andy Ball
9	Director for 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.*

### **109/13 APOLOGIES FOR ABSENCE**

(Agenda Item. 1)

An apology for absence was received on behalf of Councillor Hibbert-Biles.

## **110/13MINUTES**

(Agenda Item. 3)

The Minutes of the Meeting held on 17 September 2012 were approved and signed.

## **111/13QUESTIONS FROM COUNTY COUNCILLORS**

(Agenda Item. 4)

Councillor John Howson had given written notice of the following question to Councillor Melinda Tilley:

In view of the importance to a number of rural schools of a 'sparsity' factor being included in the DSG what briefing of councillors was conducted as a part of the consultation on changes to the funding formula advised by County officers, and were these suggested changes highlighted to councillors ahead of the Schools Forum meeting so that councillors could discuss the possibility of a sparsity factor being included with the governors and heads responsible for voting on the change to the DSG formula?

Councillor Melinda Tilley replied:

There has been no briefing for all Councillors as part of the consultation, nor have all Councillors been alerted to suggested changes prior to the Schools Forum meeting, indeed it would not be our normal practice to do so in relation to a decision which is proper to the Forum and which, through its representational membership, is able to come to a view which takes account of the interests of all schools.

Having said that, I must point out that there was no recommendation in the consultation about introducing a new sparsity factor. However, potentially eligible schools were asked to provide evidence of significant additional costs they faced as a result of their rural location before a final recommendation is made to Schools Forum. Of the 20 potentially eligible primary schools and 2 secondary schools, only three provided some evidence of additional costs. Councillor Nimmo-Smith undertook to provide Councillor Fooks with a written response to her Question.

Councillor John Howson had given written notice of the following question to Councillor Melinda Tilley:

How many unfilled places in Year 7 were there across the County in September 2013, and what is the estimate for 2014 for unfilled places at both Year 7 and Year 10 in view of the new 'direct grant' school places imposed on the County by the DfE in the secondary sector?

Councillor Melinda Tilley replied:

The number of unfilled Year 7 places will not be known until the October pupil census returns have been analysed which will probably be nearly

complete in time for the November Cabinet. At the time of the first allocation round in March 2013 there were 1022 places not allocated but not all of these will have been taken up and, in the meantime, there have been applications for places for children moving into the County.

The Heyford Park Free School, which opened in September 2013 added a further 60 Year 7 places to the Oxfordshire schools' capacity. The Banbury Space Studio School will, if it opens on schedule, add a further 75 places at year 10.

The current Year 9 cohort (Year 10 in September 2014) is approximately 5800 and the number of Year 7 places initially allocated for September 2013 was about 50 larger. Therefore, if the Banbury Space Studio School opens there are likely to be similar numbers of spare places in Year 10 in September 2014 as there are in the current Year 7.

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

How much money is held by the County Council as S106 contributions to 'cycling measures' and how will its spending be decided?

Councillor David Nimmo-Smith replied:

I apologise for not being able to get a response to you in time for this meeting. I will send a written reply to you as soon as possible.

## **112/13 PETITIONS AND PUBLIC ADDRESS**

(Agenda Item. 5)

The following requests to address the meeting had been agreed:

Item 6, Councillor Nick Hards, Shadow Cabinet Member for Finance;  
Item 7 Councillor John Christie, Opposition Deputy Leader;  
Item 8, Councillor John Christie, Opposition Deputy Leader;  
Item 9, Mr Gibbon, Resident of Witney and Councillor John Sanders, Shadow Cabinet Member for Environment;  
Item 11, Councillor Nick Hards, Shadow Cabinet Member for Finance;  
Item 12, Councillor Liz Brighouse, Opposition Leader.

## **113/13 FINAL DECISION ON EXPANSION OF WATCHFIELD PRIMARY SCHOOL TO 2 FORMS OF ENTRY (2FE)**

(Agenda Item. 10)

The Cabinet had before them a report (CA10) which, following a formal consultation period in September 2013, proposed an expansion of Watchfield Primary Schools to two forms of entry with effect from 1 September 2014.

The proposal was to increase the formal published admission number from 45 to 60 children, on a permanent basis from September 2014. This would eventually increase the school's total capacity from its current 315 places in Years F1- Y6 to a maximum of 420. Additional classroom and supporting spaces would need to be created at the school to accommodate the increase in pupil numbers and a feasibility study would investigate how those could best be provided.

Watchfield Primary School planned to convert to an academy in November 2013, joining a Multi-Academy Trust (MAT). The proposal to expand the school had been discussed with the MAT co-ordinator prior to commencement of the consultation process and they were supportive of the proposal.

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

## **114/13 FINANCIAL CONTRIBUTION TOWARDS THE UNIVERSITY TECHNICAL COLLEGE PROJECT IN DIDCOT**

(Agenda Item. 11)

The Department for Education had approved a proposal to create a 600 place University Technical College in Didcot. Subject to the outcome of a public consultation, which was currently underway, the UTC would serve a large catchment area covering the southern part of Oxfordshire. The UTC would make a substantial contribution towards the additional school places required to meet the needs of a rapidly growing Didcot and it was proposed that the Council make available a site on the Great Western Park development.

In addition it was proposed that the Council enhances the facilities available in the UTC, to the benefit of local pupils, by making a financial contribution towards the construction costs. Cabinet had before them a report that sought agreement to a lease of land and contribution of £2m towards construction.

Councillor Nick Hards, Shadow Cabinet Member for Finance, spoke in support of the recommendations. However, he expressed concern over the large catchment area for the college. He was concerned that the equal intake from the furthest rural areas to that from Didcot, Wallingford and Abingdon, was unachievable. He urged the Cabinet to ensure that they would do what they could to influence the selection criteria to provide for a decent intake of girls. He also expressed the caution against the College taking students from the other Secondary provision in Didcot.

Councillor Tilley responding to comments from Councillor Hards commented that the catchment area and the selection criteria for the College were not the responsibility of the County Council.

Mr Leach added that the admission rules set down for the College were in line with the code of practice and that although the UTC served a broader area than Didcot, it was likely that the uptake would be from the immediate area. He further commented that the UTC was a highly specialised area and would appeal to a limited proportion of the student population so would not take students from other schools, but that it was likely that there would be more boys than girls given the subject.

**RESOLVED:** to

- (a) approve the leasing of 2 hectares to the University Technology College trust; and
- (b) make a contribution of up to £2 million towards the construction costs of the University Technology College.

## **115/132013/14 FINANCIAL MONITORING & BUSINESS STRATEGY DELIVERY REPORT - AUGUST 2013**

(Agenda Item. 6)

The Cabinet considered a report (CA6) which set out the delivery of the Directorate Business Strategies which were agreed as part of the Service and Resource Planning Process for 2013/14 – 2016/17. Parts 1 and 2 included projections for revenue, reserves and balances as at the end of August 2013. The Capital Programme monitoring and programme update is included at Part 3.

Councillor Nick Hards, Shadow Cabinet Member for Finance, expressed concern over the level of overspend in Environment & Economy in relation to road maintenance (pot holes) and highlighted the difficult decisions to be taken in balancing maintaining the roads to an adequate standard and a huge overspend. He further expressed concern over the underspend in street lighting and sought assurance that the correct maintenance within that area was being carried out.

In relation to paragraph 29 of the report, he stressed the importance of bidding for any available grants.

In response, the Leader highlighted the need to ensure that the right strategies were in place for any funding streams bid for.

Councillor Nimmo Smith responded that the highway maintenance budget had an overspend due to exceptionally severe winters two years in a row. The Council had now caught up on pothole maintenance. He also reminded Councillor Hards that the Council had recently made successful bids for £1m funding for cycling improvements at the Plain and that the underspend in street lighting was due to a phased programme of replacing lights to LED.

**RESOLVED:** to

The Cabinet is RECOMMENDED to:

- a) note the report;
- b) approve the virement requests set out in Annex 2a;
- c) approve the transfer of the Schools Amalgamations Reserve to the Academy Conversion Support Reserve as set out in paragraph 37;
- d) approve the creation of the reserve for Job Clubs as set out in paragraph 38;
- e) note the updated Treasury Management lending list at Annex 4;
- f) approve the use of £0.300m revenue funding towards the capital project to increase the provision for 2 year olds as set out in paragraph 9;
- g) approve the changes to the Capital Programme set out in Annex 7c and the full updated Capital Programme presented in Annex 8;
- h) approve the addition of the Milton Interchange scheme in the Capital Programme as set out in paragraph 46.

## **116/13EAST-WEST RAIL LOCAL CONTRIBUTIONS**

(Agenda Item. 7)

Cabinet had before them a report (CA7) which sought agreement to the terms of a formal agreement on local contributions for East-West Rail over a 15-year period from 2014, ahead of Oxfordshire County Council entering into the agreement with Buckinghamshire County Council and the Department for Transport by October 2013.

Councillor Christie spoke in support of the recommendations. However, he expressed concern over committing to this level of investment when the Council were faced with another £60m worth of cuts. He sought assurance from the Deputy Leader, that, should the situation outlined in paragraph 14 of the report change in relation to the Council's preferred approach to the funds committed, the issue would be brought back to Cabinet for discussion.

Councillor Rose responded that the investment was very important for Oxfordshire, in particular the new link to Heathrow Airport. He stressed that the investment was over 15 years and was capital Payments not revenue and that proposed cuts such as Children's Centres could not be supported with Capital monies.

In relation to paragraph 14 of the report, the Deputy Leader indicated that East West Rail would have to cover the contribution from the City Council if they pulled out of the investment.

During discussion Cabinet stressed the importance of the City Council committing to their investment in the project.

**RESOLVED:** to approve

- (a) the principle of the agreement with Buckinghamshire County Council, with approval of the final agreement being delegated to the Deputy Leader in consultation the Head of Legal Services and the Chief Finance Officer;

- (b) the local contribution for Oxfordshire County of £11.06m and proposed payment profile as detailed in Annex 2.

## **117/13 OXFORDSHIRE CUSTOMER SERVICES (OCS) EXTERNALISATION**

(Agenda Item. 8)

Cabinet had before them a report (CA8), which following the completion of soft market testing, updated Cabinet on the outcomes and outlined recommendations for the future direction of Oxfordshire Customer Services (OCS) and Children, Education and Families (CEF) services.

Councillor John Christie, Opposition Deputy Leader welcomed the development since the last report for proposals for joint ventures rather than outsourcing for school services. He also welcomed the involvement of schools particularly in regard to recommendation (c) concerning the direct participation of schools in the procurement exercise in January. However, he expressed concern regarding the fully outsourced back office services, in particular savings realised and quality of contracts, asking that the Cabinet provide a full examination and justification of the proposals to Scrutiny before any decisions were taken because to date insufficient details had been provided.

The Deputy Leader agreed that there would need to be a full justification for the proposals but indicated that soft market testing process had confirmed the level of savings achievable and that there would be market interest.

**RESOLVED:** to endorse the following recommendations:

- (a) a single major procurement exercise with multiple lots should be undertaken, commencing January 2014 to address the following requirements:
- (i) a fully outsourced service to replace existing back office Corporate facing HR and Finance Back office services;
  - (ii) a joint venture with a national private provider OR another public sector provider to cover school back office, Schools and Learning and Foundation Years support from April 2015 –subject to (3) below;
  - (iii) skills and learning requirements should be sourced locally if possible but otherwise we should seek a joint venture with a national provider;
- (b) ICT should continue as an in-house service with the expectation that work to re-shape ICT will continue and thereby, ultimately, the majority of the service requirements will be commissioned;
- (c) final decisions about schools back office and CEF services should be taken in December after there has been an opportunity during the Autumn to shape proposals with Headteachers, Governors, Schools Forum and other stakeholders. Proposals should include arrangements for school representatives to participate directly in the major procurement exercise to begin in January 2014;

- (d) trust options for the future of the Music Service should be considered in consultation with stakeholders during the Autumn with a proposed direction of travel to be considered by Cabinet in December;
- (e) The remaining in-house delivery to meet the Council's own skills/learning needs should cease and all future requirements should be commissioned as necessary;
- (f) discussion should be opened now with local Oxfordshire providers first with a view to externalising qualification based learning and to determine the future of the remaining skills and learning provision.

## **118/13 WITNEY TRANSPORT STRATEGY - PHASE 1**

(Agenda Item. 9)

Cabinet had before them a report (CA9) which sought agreement to detailed proposals to improve the Ducklington Lane corridor; Phase 1 of the wider Witney Transport Strategy. The scheme formed part of a package of transport infrastructure investment in Witney, identified to relieve congestion and support the planned level of growth.

The report also confirmed the outcomes of a public consultation and separate Traffic Regulation Order consultation, and the subsequent changes made to the scheme design following this.

The corridor improvements included: 1) an enhanced signal control junction at the Ducklington Lane / Station Lane / Thorney Leys junction, with 3-lane approaches on all arms; 2) right-turn manoeuvres at the junction, a road safety concern raised by local drivers, will no longer be opposed as right-turn filters will be incorporated into the traffic signal phasing; 3) the southern Beechgate vehicle access is modified so that vehicles can only exit here and travel in the direction of Ducklington Lane south or the A40 on-slip; and 4) improved pedestrian and cycle crossings will also be incorporated into the Ducklington Lane / Station Lane / Thorney Leys junction design, and along Ducklington Lane (south) corridor.

Mr Gibbon, local resident and taxi driver, spoke generally in support of the improvements to Ducklington Lane whilst making specific observations regarding the layout of the scheme and in particular the Thorney Leys junction when approaching from Beechgate. He urged the Cabinet to reconsider the yellow box proposed for that junction indicating that he believed the box would lead to 10 to 15 minute waiting times. He further asked the Cabinet to consider making the Northern exit 2 lanes (one left and one right) and to increase right turns lanes at Station Lane to improve traffic flow.

Councillor Sanders, Shadow Cabinet Member for Environment expressed concern over the proposed pedestrian facilities and their impact on the traffic flow through Witney, hoping that adequate mitigation was in place. He expressed reservations that the scheme appeared to be a 'patchwork project'.



The Leader commented that the scheme was not 'patchwork' but that a phased approach had been decided upon to make the implementation safe and appropriate for the residents of Witney.

In response to the public address regarding the Thorney Leys Junction, Mr Tugwell commented that the Beechgate approach was a sliproad and signalled and so should provide plenty of opportunity for traffic to get in and out of the junction.

Regarding phasing and capacity, Mr Tugwell commented that extra capacity was being put into the junctions and that sequencing of lights also allowed people to get across junctions.

Councillor Chapman expressed the need for the Cabinet to monitor the situation closely to see how the proposals were working on the ground.

**RESOLVED:** to

- (a) note the responses received as part of the consultation;
- (b) agree the proposed changes to the scheme reflected in the revised scheme drawing as well as approve the scheme for detailed design and construction; and
- (c) delegate powers to the Director for Environment & Economy, in consultation with the Cabinet Member for Environment, to make minor amendments to the scheme.
- (d) ask officers to report back to a future meeting of the Cabinet following implementation of the Ducklington Lane Corridor improvements to access the impact on congestion.

## **119/13CABINET BUSINESS MONITORING REPORT FOR QUARTER**

### **1**

(Agenda Item. 12)

Cabinet received a report (CA12) which provided details of performance for quarter one. The report was required so that Cabinet could monitor the performance of the Council in key service areas and be assured that progress was being made to improve areas where performance was below the expected level.

Councillor Brighouse, Opposition Leader welcomed the transparency of the new performance indicators. However, she expressed the need to consider how best to go forward with other agencies to improve delayed transfer of care and reduce the massive overspend in this area; the need to look at short term assessment beds which had led to an increase in permanent care home placements; the need for a further look at the policy of letting people into hospital in the first place and the need to work with GP's to get it right.

In relation to Children, Education & Families she expressed concern around the referral process where 36.7% of all referrals resulted in no further action at the point of referral and 83.8% of all referrals resulting in no further action

when the initial assessment was carried out. She expressed the need to ensure know whether some of these cases were re-referred and therefore close the gap.

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She further expressed concerns regarding the efficiency reserves and unachievable savings and cuts, questioning whether there were enough in the reserves to cover it and whether the associated risks had been calculated.

Councillor Hudspeth, Leader of the Council thanked Councillor Brighthouse for her input into the way performance was being reported. He agreed with the need to work with GP's and National Health services . He reported that 70% of referrals were received from schools and that 75% of those referrals ended in no further action. However, he stressed the importance of schools to keep on referring.

In relation to the efficiency reserves, the Leader commented that it was a fine balancing act and stressed the importance of money not being left in the efficiency funds.

Councillor Chapman confirmed that work was being carried out around re-referrals.

**RESOLVED:** to note and discuss the performance reported in the dashboards and to make any comments necessary for performance improvements to be made.

**120/13 FORWARD PLAN AND FUTURE BUSINESS**

(Agenda Item. 13)

(Agenda Item 13)

The Cabinet considered a list of items (CA13) 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