

To: **Members of the Cabinet**

Notice of a Meeting of the Cabinet

Tuesday, 20 July 2010 at 2.00 pm

County Hall, Oxford, OX11ND

Joanna Simons

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Chief Executive

July 2010

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	Membership
Councillors	
Keith R. Mitchell CBE	- <i>Leader</i>
David Robertson	- <i>Deputy Leader</i>
Arash Fatemian	- <i>Cabinet Member for Adult Services</i>
Ian Hudspeth	- <i>Cabinet Member for Growth & Infrastructure</i>
Jim Couchman	- <i>Cabinet Member for Finance & Property</i>
Kieron Mallon	- <i>Cabinet Member for Police & Policy Co-Ordination</i>
Louise Chapman	- <i>Cabinet Member for Children, Young People & Families</i>
Michael Waine	- <i>Cabinet Member for Schools Improvement</i>
Rodney Rose	- <i>Cabinet Member for Transport</i>
Mrs J. Heathcoat	- <i>Cabinet Member for Safer & Stronger Communities</i>

The Agenda is attached. Decisions taken at the meeting will become effective at the end of the working day on Wednesday 28 July 2010 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: 27 July 2010

Declarations of Interest

This note briefly summarises the position on interests which you must declare at the meeting. Please refer to the Members' Code of Conduct in Part 9.1 of the Constitution for a fuller description.

The duty to declare ...

You must always declare any "personal interest" in a matter under consideration, i.e. where the matter affects (either positively or negatively):

- (i) any of the financial and other interests which you are required to notify for inclusion in the statutory Register of Members' Interests; or
- (ii) your own well-being or financial position or that of any member of your family or any person with whom you have a close association more than it would affect other people in the County.

Whose interests are included ...

"Member of your family" in (ii) above includes spouses and partners and other relatives' spouses and partners, and extends to the employment and investment interests of relatives and friends and their involvement in other bodies of various descriptions. For a full list of what "relative" covers, please see the Code of Conduct.

When and what to declare ...

The best time to make any declaration is under the agenda item "Declarations of Interest". Under the Code you must declare not later than at the start of the item concerned or (if different) as soon as the interest "becomes apparent".

In making a declaration you must state the nature of the interest.

Taking part if you have an interest ...

Having made a declaration you may still take part in the debate and vote on the matter unless your personal interest is also a "prejudicial" interest.

"Prejudicial" interests ...

A prejudicial interest is one which a member of the public knowing the relevant facts would think so significant as to be likely to affect your judgment of the public interest.

What to do if your interest is prejudicial ...

If you have a prejudicial interest in any matter under consideration, you may remain in the room but only for the purpose of making representations, answering questions or giving evidence relating to the matter under consideration, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

Exceptions ...

There are a few circumstances where you may regard yourself as not having a prejudicial interest or may participate even though you may have one. These, together with other rules about participation in the case of a prejudicial interest, are set out in paragraphs 10 – 12 of the Code.

Seeking Advice ...

It is your responsibility to decide whether any of these provisions apply to you in particular circumstances, but you may wish to seek the advice of the Monitoring Officer before the meeting.

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 - 8)

To confirm the minutes of the meeting held on 22 June 2010 (**CA3**) and to receive for information any matters arising therefrom.

4. Questions from County Councillors

Any county councillor may, by giving notice to the Proper Officer by 9 am on the working day 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. Treasury Management 2009/10 Outturn (Pages 9 - 24)

Cabinet Member: Finance & Property

Forward Plan Ref: 2010/097

Contact: Tim Chapple, Financial Manager – Treasury & Pension Fund Investment Tel: (01865) 323978

Report by Assistant Chief Executive & Chief Finance Officer (**CA 6**).

The report sets out the Council's Treasury Management Outturn financial position for the 2009/10 financial year.

The report fulfils the CIPFA Code of Practice on Treasury Management 2001 (and subsequent updates) requirement for the receipt of an annual report summarising the Treasury Management activity within 6 months of year-end.

The Council's external debt increased from £402.38m on 1 April 2007 to £412.09m on 31 March 2010. All new long-term debt was arranged through the Public Works Loans Board. The weighted average rate of interest paid on long-term debt during 2009/10 was 4.81%.

Security and liquidity of cash was prioritised over returns and the council adopted a cautious approach to lending to financial institution, with the majority of deposits restricted to 3 months in duration.

The Council achieved an in-house deposit return of 1.21% and continued to use 2 external fund managers, Investec and Scottish Widows Investment Partnership (SWIP). Investec earned an average return of 1.20% and SWIP 3.62%.

The net outturn on Treasury Management debt and investment activity was an underspend of £288k. This was mainly due to higher than average balances throughout the financial year.

The Cabinet is RECOMMENDED to note the report, and to RECOMMEND Council to note the Council's Treasury Management Activity in 2009/10.

7. Financial Monitoring - July 2010 (Pages 25 - 140)

Cabinet Member: Finance & Property

Forward Plan Ref: 2010/028

Contact: Kathy Wilcox, Principal Financial Manager Tel: (01865) 323981

Report by Assistant Chief Executive & Chief Finance Officer (**CA 7**).

Monthly financial report on revenue and capital spending against budget allocations, including virements between budget heads.

The Cabinet is RECOMMENDED to:

- (a) note the report;**
- (b) approve the virements as set out in Annex 2a;**
- (c) approve the updated capital programme as set out in Annex 6.**
- (d) agree the moratorium on capital schemes in 2010/11 that are not yet committed;**
- (e) agree to release the capital schemes set out in Annex 8 (to follow) from the moratorium;**
- (f) agree that any further urgent changes to the schemes held in the capital programme moratorium ahead of further review in the Autumn should be delegated to the Chief Executive and Chief Finance Officer after consultation with the Leader of the Council and Cabinet Member for Finance & Property;**

- (g) recommend Council to approve the reductions in revenue grant funded expenditure and related virements as set out in Annex 3e; and
- (h) note the increase in VAT with effect from 4 January 2011, and agree that the current scale of charges will not be amended in 2010/11.

8. Service & Resource Planning 2011/12 to 2015/16 and the Council's Business Strategy (Pages 141 - 146)

Cabinet Member: Finance & Property

Forward Plan Ref: 2010/133

Contact: Lorna Baxter, Assistant Head of Finance (Corporate Finance) Tel: (01865) 323971

Report by Assistant Chief Executive & Chief Finance Officer (**CA 8**).

The Cabinet is RECOMMENDED to:

- (a) agree that an additional £100m is used as a planning assumption for spending and grant reductions over the period 2011/12 – 2014/15;
- (b) agree to a full review of the Capital Programme in the light of national budget assumptions and the pressures currently being identified;
- (c) request officers to bring forward a revised planning process to the September Cabinet meeting; and
- (d) agree to launch The Oxfordshire Big Debate with the public and staff.

9. Policy for the Operation of Personal Budgets for Adult Social Care (Pages 147 - 172)

Cabinet Member: Adult Services

Forward Plan Ref: 2010/083

Contact: Alan Sinclair, Transforming Adult Social Care Director Tel: (01865) 323665/Jon Wilcox, Finance Officer Tel: (01865) 323665

Report by Director of Social & Community Services (**CA 9**).

As part of the Transforming Adult Social Care Programme the Resource Allocation System, sometimes referred to as a RAS, has been developed to as a method of matching the level of the person's need (as indicated by an assessment) to the amount of money to be made available to them.

The Resource Allocation System aims:

- To set out clearly what levels of funding will be provided at different levels of need.
- To provide a guide to how an indicative budget is arrived at. This would take the form of setting out the likely level of budget for particular range of scores in

the overview assessment.

- To serve as a framework within which decisions about changes to the formula can be made.

This is being brought to the Cabinet as the resource allocation system has implications for future budgeting decisions and planning for the County Council. Cabinet are asked to recommend the proposed policy that would govern the resource allocation system for approval by the County Council in September 2010.

The Cabinet is RECOMMENDED to:

- (a) ***note the report;***
- (b) ***recommend to Council to approve the introduction of the Policy for the operation of personal budgets in Oxfordshire from October 2010; and***
- (c) ***agree that a further report be brought to a future Cabinet meeting to approve any changes to the Policy for the financial year 2011/12.***

10. Response to the Queen's Speech 2010 (Pages 173 - 186)

Cabinet Member: Leader

Forward Plan Ref: 2010/107

Contact: Steven Howell, Assistant to the Cabinet Tel: (01865) 816376

Report by Leader of the Council (**CA 10**).

To agree a response to the legislative programme outlined in the Queen's Speech on 25 May 2010.

The Cabinet is RECOMMENDED to:

- (a) ***Endorse the comments set out in the report; and***
- (b) ***Ask the Leader of the Council to respond to Government as appropriate.***

11. Revised Carers Commissioning Intentions with Oxfordshire (Pages 187 - 200)

Cabinet Member: Adult Services

Forward Plan Ref: 2010/132

Contact: John Pearce, Service Manager Strategic Commissioning, Social & Community Services

Report by Director for Social & Community Services (**CA 11**).

The report outlines the proposed changes concerning the development of carers' services within Oxfordshire. It relates to those services commissioned for adult carers from the Area Based Grant (previously the Carers' Grant), the Oxfordshire County Council Base budget and the Oxfordshire Primary Care Trust contributions for carers

totalling £6.302m.

The report recommends that the existing services relating to personal budgets and direct payments to carers totalling £4,407,900.00 continues. It also recommends that new re-designed Services offering information and advice will be provided by Oxfordshire County Council Customer services centre, and tenders will be invited for face to face support for carers.

The rationale supporting this recommendation follows extensive involvement with carers and the strategic need to reach many more carers than currently. It is estimated that only 15% of carers in Oxfordshire access existing carers' services and this needs to be increased considerably. There are estimated 60, 000 people in Oxfordshire who care for vulnerable and disabled people. However only 9000 are known to voluntary and statutory sector.

The main area for service development is around information and advice, community network development, and enabling carers to maintain or improve employment opportunities.

The main shift around information and advice is to provide this through the new Oxfordshire County Council Customer Service Centre rather than through the existing arrangement of carers' centres. (3 centres in Didcot, Oxford and Banbury). The Customer Service Centre will proactively identify all those who have a caring responsibility and ensure appropriate information is made available to them by whatever method is most relevant to their needs.

A range of face to face support to be made available for carers of Oxfordshire for example peer support, access to brokerage service and specialist outreach workers based in the community (The Carers support Service). The Carers support Service will actively work with the carers who require this intervention as a solution and this tenders will be invited for these services.

The Aim is to increase the number of known carers by 20% per year so at the end of 3 years 75% of carers are known.

The Cabinet is RECOMMENDED to approve the revised commissioning intentions for carers within Oxfordshire, as detailed in this report.

12. Local Transport Plan 3 - July 2010 (Pages 201 - 216)

Cabinet Member: Growth & Infrastructure

Forward Plan Ref: 2009/234

Contact: Joanne Fellows, Project Manager (Local Transport Plan) Tel: (01865) 815546

Report by Head of Transport (**CA12**).

Oxfordshire County Council has a statutory requirement to produce a new Local Transport Plan (LTP3) by April 2011. LTP3 will cover the period from 2011 to 2030 and will be a blueprint for all transport development across the county and not just the publicly funded elements.

The background against which the Plan is being developed is changing fast. It is becoming increasingly important for the Plan to reflect the current economic climate

whilst not losing sight of the longer term aspirations for Oxfordshire. It is important that the County Council has an agreed LTP in order to respond to development and other pressures and allows the delivery of priority transport schemes when funding becomes available.

The purpose of this report is to outline the progress that is being made in developing the LTP3 and set out the results of the consultation on scenarios for LTP3. The scenarios do not include specific schemes but the choice of scenario will influence which schemes are progressed in the future.

This report also outlines changes recommended to the policies approved by Cabinet in March 2010. The revised set of policies will form the basis on which a draft Plan will be prepared for public consultation later this year, and a timetable for Plan finalisation is also set out as an annex to this report.

The Cabinet is RECOMMENDED to

- (d) ***approve the preferred scenarios for the LTP, noting the information contained in the Strategic Environmental Assessment of the scenarios; and***
- (e) ***approve the recommended changes to the policies, as the basis for further development of the LTP.***

13. Cogges Link Road Compulsory Purchase and Side Roads Order (Pages 217 - 226)

Cabinet Member: Transport

Forward Plan Ref: 2010/098

Contact: Julian Hartless, Principal Project Manager Tel: (01865) 815097

Report by Head of Transport (**CA 13**).

This report addresses statutory procedures in connection with Cogges Link Road. The procedures relate to land assembly (including the use of compulsory purchase powers), side roads and private means of access to premises, and works on non-navigable watercourses. The Cabinet's authorisation is required for the exercise of compulsory purchase powers and making and publishing of statutory orders, and the recommendation is extended to cover these and other statutory procedures which arise in this scheme.

The Cabinet is RECOMMENDED to

- (a) **approve the exercise of the Council's statutory powers of compulsory purchase to enable the acquisition of all land requirements for the purposes of the Cogges Link Road Scheme shown edged red/ and coloured on drawing number B0800100/B4130, including the service, publication and display of notices, the public deposit of documentation, and application to the Secretary of State for Transport for confirmation of the compulsory purchase of all land requirements for the purposes of the Cogges Link Road Scheme;**

- (b) approve the making of applications to the appropriate Secretary of State or other body (as the case may be) for certificates that the replacement land to be provided is 'equally advantageous' as and no less in area than the existing 'special category land' which is required for the Cogges Link Road Scheme, including the service, publication and display of notices and the public deposit of documentation;
- (c) approve the exercise of the Council's statutory powers for the purchase of land for the Cogges Link Road Scheme by General Vesting Declaration, including the service, display and publication of notices;
- (d) approve the making of a Side Roads Order in connection with the improvement, stopping up and diversion of side roads including public footpaths, and the stopping up of private means of access to premises and the provision of new means of access to premises, as shown on drawing number B0800100/B4500 Rev B, the service, display and publication of notices, the public deposit of documentation, and application to the Secretary of State for Transport for confirmation of the Side Roads Order;
- (e) approve the service, display and publication of all notices required for or in connection with the carrying out of works on non-navigable watercourses in connection with the Cogges Link Road Scheme;
- (f) approve the taking of all necessary steps by officers to implement the statutory procedures required in connection with the Cogges Link Road Scheme; and
- (g) approve the affixing of the Council's common seal to all orders, declarations, and any other documents arising in connection with the statutory procedures for the Cogges Link Road Scheme

14. Developer Contributions to Service Infrastructure (Pages 227 - 248)

Cabinet Member: Growth & Infrastructure

Forward Plan Ref: 2010/029

Contact: Howard Cox, Team Leader – Developer Funding (01865) 810436

Report by Head of Sustainable Development (**CA 14**).

This report provides a summary of the developer contributions secured by the County Council through the planning process in 2009/10; identifying the financial contributions negotiated, received and spent during the year (according to district area and locality).

The report shows that 82 planning obligations were completed in 2009/10 securing a total of £28.38M. The report shows the actual amount of contributions received during the year to be £7.24M with the amount spent being £5.34M.

The Cabinet is RECOMMENDED to note the information reported on the

developer contributions negotiated and received through the planning process in 2009/10.

15. Delegated Powers of the Chief Executive - July 2010 (Pages 249 - 250)

Cabinet Member: Leader

Forward Plan Ref: 2010/030

Contact: Sue Whitehead, Committee Services Manager, Tel (01865) 810262

Report by Assistant Head of Legal & Democratic Services (**CA 15**).

To report on a quarterly basis any 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). Item not for scrutiny call in.

16. Forward Plan and Future Business (Pages 251 - 254)

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 **CA16**. 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.