



To: **Members of the Cabinet**

Notice of a Meeting of the Cabinet

Tuesday, 26 February 2013 at 2.00 pm

County Hall, Oxford, OX1 1ND

Joanna Simons

Joanna Simons
Chief Executive

February 2013

Contact Officer:

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Councillors

Membership

- | | |
|----------------------|---|
| Ian Hudspeth | - <i>Leader of the Council</i> |
| Rodney Rose | - <i>Deputy Leader of the Council</i> |
| Arash Fatemian | - <i>Cabinet Member for Adult Services</i> |
| Nick Carter | - <i>Cabinet Member for Business & Communications</i> |
| Louise Chapman | - <i>Cabinet Member for Children & the Voluntary Sector</i> |
| Melinda Tilley | - <i>Cabinet Member for Education</i> |
| Hilary Hibbert-Biles | - <i>Cabinet Member for Growth & Infrastructure</i> |
| Mrs J. Heathcoat | - <i>Cabinet Member for Safer & Stronger Communities</i> |
| Kieron Mallon | - <i>Cabinet Member for Police & Policies</i> |

The Agenda is attached. Decisions taken at the meeting will become effective at the end of the working day on Wednesday 6 March 2013 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: 19 March 2013

Declarations of Interest

The duty to declare.....

Under the Localism Act 2011 it is a criminal offence to

- (a) fail to register a disclosable pecuniary interest within 28 days of election or co-option (or re-election or re-appointment), or
- (b) provide false or misleading information on registration, or
- (c) participate in discussion or voting in a meeting on a matter in which the member or co-opted member has a disclosable pecuniary interest.

Whose Interests must be included?

The Act provides that the interests which must be notified are those of a member or co-opted member of the authority, **or**

- those of a spouse or civil partner of the member or co-opted member;
- those of a person with whom the member or co-opted member is living as husband/wife
- those of a person with whom the member or co-opted member is living as if they were civil partners.

(in each case where the member or co-opted member is aware that the other person has the interest).

What if I remember that I have a Disclosable Pecuniary Interest during the Meeting?.

The Code requires that, at a meeting, where a member or co-opted member has a disclosable interest (of which they are aware) in any matter being considered, they disclose that interest to the meeting. The Council will continue to include an appropriate item on agendas for all meetings, to facilitate this.

Although not explicitly required by the legislation or by the code, it is recommended that in the interests of transparency and for the benefit of all in attendance at the meeting (including members of the public) the nature as well as the existence of the interest is disclosed.

A member or co-opted member who has disclosed a pecuniary interest at a meeting must not participate (or participate further) in any discussion of the matter; and must not participate in any vote or further vote taken; and must withdraw from the room.

Members are asked to continue to pay regard to the following provisions in the code that *“You must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself”* or *“You must not place yourself in situations where your honesty and integrity may be questioned.....”*.

Please seek advice from the Monitoring Officer prior to the meeting should you have any doubt about your approach.

List of Disclosable Pecuniary Interests:

Employment (includes *“any employment, office, trade, profession or vocation carried on for profit or gain”*.), **Sponsorship, Contracts, Land, Licences, Corporate Tenancies, Securities.**

For a full list of Disclosable Pecuniary Interests and further Guidance on this matter please see the Guide to the New Code of Conduct and Register of Interests at Members’ conduct guidelines. <http://intranet.oxfordshire.gov.uk/wps/wcm/connect/occ/Insite/Elected+members/> or contact Rachel Dunn on (01865) 815279 or rachel.dunn@oxfordshire.gov.uk for a hard copy of the document.

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 - 16)

To approve the minutes of the meeting held on 29 January 2013 (**CA3**) and to receive information arising from them.

4. Questions from County Councillors

Any county councillor may, by giving notice to the Proper Officer by 9 am two working days 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. Proposal to Alter the Lower Age Range at Three Oxfordshire Primary Schools (Pages 17 - 28)

Cabinet Member: Education

Forward Plan Ref: 2012/156

Contact: Diane Cameron, School Organisation Officer Tel: (01865) 816445

Report by Director for Children's Services (**CA6**).

The proposal was initially to alter the lower age range of 3 Oxfordshire primary schools:

Five Acres Primary School, John Hampden Primary School and West Kidlington Primary School. The Governing Body of West Kidlington Primary School decided to withdraw from the proposal to give thought to potential other options.

The alteration to the age range for both Five Acres Primary School and John Hampden Primary School would enable both to admit 3 year olds onto the school roll, thus creating Nursery classes. In both cases, the Governing Body and the Headteacher already run associated maintained Nursery Schools, and these would effectively be "taken over" by the schools and technically closed as separate establishments.

This change would be administrative in nature only and it is unlikely that parents, children or staff would notice any difference in practical terms. The proposal aims to enable the schools to become more efficient, managing a single budget rather than two separate budgets for Nursery and Primary schools, where there is now no advantage in doing so.

The Cabinet is RECOMMENDED to:

- (a) approve the publication of linked statutory notices for closure of Five Acres Nursery School and for the extension of age range at Five Acres Primary School to 3-11; and***
- (b) approve the publication of linked statutory notices for closure of John Hampden Nursery School and for the extension of age range at John Hampden Primary School to 3-11.***

7. 2012/13 Financial Monitoring & Business Strategy Delivery Report - December 2012 (Pages 29 - 70)

Cabinet Member: Leader

Forward Plan Ref: 2012/127

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

Report by Assistant Chief Executive & Chief Finance Officer (**CA7**).

This report focuses on the delivery of the Directorate Business Strategies which were agreed as part of the Service and Resource Planning Process for 2012/13 – 2016/17. Parts 1 and 2 include projections for revenue, reserves and balances as at the end of December 2012. Capital monitoring is included at Part 3. Fees and Charges are included in Part 4.

The Cabinet is RECOMMENDED to:

- (a) note the report;***
- (b) approve the virement requests over £0.250m set out in Annex 2a;***
- (c) approve the charges for Heritage Service and Oxfordshire Customer Services as set out in paragraph 41 and Annex 9;***
- (d) note the Treasury Management lending list at Annex 7;***

8. Community Risk Management Planning Strategy (CRMPS) 2013-2018 & Community Risk Management Action Plan (CRMP) 2013-2014
(Pages 71 - 134)

Cabinet Member: Safer & Stronger Communities

Forward Plan Ref: 2012/073

Contact: Nathan Travis, Assistant Chief Fire Officer Tel: (01865) 855206

Report by Assistant Chief Fire Officer (**CA8**).

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 latest (2012) Framework requires each Fire and Rescue Authority to produce a publicly available Integrated Risk Management Plan (IRMP) covering a minimum period of three years which should be appropriately consulted upon.

In order to improve accessibility and public understanding, OFRS has titled its IRMP as a Community Risk Management Plan (CRMP) - highlighting its aim to manage and mitigate the overlapping risks facing the local communities in Oxfordshire. This strategic five-year CRMP has undergone a 3-month public consultation process and is ready for final approval and publication. At the same time, the 2013-14 CRMP action plan (detailing specific projects related to the strategic analysis work) was also consulted upon and is ready for publication.

This report summarises the consultation approach taken by OFRS and any key commentary and subsequent changes to the plans.

It should be noted that the consultation finished on 1st February 2013 - close to the submission date for this report (8th February 2013), so any significant consultation commentary that has not been able to be responded to and/or incorporated in to the final documents (including the feedback from the Safer & Stronger Scrutiny Committee on 18th February) will be provided as a verbal update, along with any additional proposed changes to the two plans.

Both draft plans have already been submitted to the Cabinet member for Safer & Stronger Communities (October 2012) and Safer & Stronger Scrutiny Committee (November 2012 and February 2013).

The Cabinet is RECOMMENDED to agree that the documents be adopted as the final versions of the Strategic 2013-2018 CRMP and 2013-2014 CRMP Action Plan.

9. Oxford City Draft Charging Levy (Community Infrastructure Levy (CIL)) Consultation Response (Pages 135 - 142)

Cabinet Member: Growth & Infrastructure

Forward Plan Ref: 2012/122

Contact: Roy Newton, Service Manager – Infrastructure Planning Tel: (01865) 815647

Report by Deputy Director for Environment & Economy – Strategy & Infrastructure

Planning (**CA9**).

This report sets out the County Council's proposed response to the Oxford Draft Community Infrastructure Levy Schedule. The levy will contribute funding to key infrastructure within the city and its introduction will mark a change in the ability to apply Section 106 planning obligations, to new development, within the City

The County Council has worked with Oxford City Council to inform the development of the Community Infrastructure Schedule. It will continue to work with the City Council as the policy moves toward adoption and the mechanisms for delivery of infrastructure through CIL funding is developed further.

It is RECOMMENDED that the Cabinet approve the County Council's response to the Oxford Draft Community Infrastructure Levy Schedule as set out in this report

10. The Council's Role as Accountable Body for Oxfordshire Local Enterprise Partnership - Growing Places Fund Memorandum of Understanding (Pages 143 - 164)

Cabinet Member: Leader

Forward Plan Ref: 2013/006

Contact: Richard Byard, Service Manager – Economy & Skills Tel: (01865) 810812

Report by Deputy Director for Environment & Economy – Strategy & Infrastructure Planning (**CA10**).

Oxfordshire Local Enterprise Partnership was established in 2011 with the aim of creating private sector jobs and removing barriers to business growth.

It is a partnership between the business community and local government that operates as an unincorporated association. The governance structure comprises an Executive Board, Programme Sub-groups and the Forum. The Executive Board is responsible for preparing an annual business plan on behalf of the Partnership and for ensuring that its agreed priorities are taken forward.

Local Enterprise Partnerships are the Government's mechanism for the distribution of Growing Places Funds which are issued pursuant to section 31 of the Local Government Act 2003 and therefore can only be paid to a local authority nominated to act as accountable body. The County Council has agreed to act as accountable body in respect of Growing Places Fund allocation on behalf of Oxfordshire Local Enterprise Partnership.

It is anticipated that Oxfordshire Local Enterprise Partnership will receive additional funding streams from government in the future.

Cabinet is RECOMMENDED to:

- (a) approve the Memorandum of Understanding with the Oxfordshire Local Enterprise Partnership in relation to the Council's role as accountable body for the allocation and distribution of government funds allocated***

to/via Oxfordshire Local Enterprise Partnership; and

- (b) authorise the Chief Finance Officer to approve loan applications recommended by the Executive Board of the Oxfordshire Local Enterprise Partnership and to enter into appropriate legal agreements on behalf of Council with the recipients of the grant funding once they are approved by the Enterprise Partnership Executive Board.*

11. Future Devolved Governance Local Transport Board - Consultation Feedback (Pages 165 - 168)

Cabinet Member: Deputy Leader

Forward Plan Ref: 2012/197

Contact: Tom Flanagan, Planning & Transport Policy Service Manager Tel: (01865) 815691

Report by Deputy Director for Environment & Economy – Strategy & Infrastructure Planning (**CA11**).

The purpose of this paper is to provide Cabinet with the details of the consultation responses from partner organisations to the proposal to establish a Local Transport Board in accordance with the draft Assurance Framework approved at Cabinet on 29 January. Cabinet is asked to consider the responses and any consequent amendments required to the governance and working arrangements in order that the Assurance Framework can be confirmed prior to the deadline set by the Department of Transport of the end of February.

Cabinet is RECOMMENDED to approve the following:

- (a) That the consultation responses from partner agencies are noted.*
- (b) That the request from Oxfordshire LEP for two representatives on the Local Transport Board is approved and the Draft Assurance Framework is amended accordingly.*
- (c) That the Director of Environment & Economy be authorised to develop the Scheme Prioritisation Process and progress the Assurance Framework to completion for submission to the Department of Transport in accordance with their timetable in consultation with the Section 151 and Monitoring Officer.*

12. Staffing Report - Quarter 3 (Pages 169 - 172)

Cabinet Member: Deputy Leader

Forward Plan Ref: 2012/128

Contact: Sue Corrigan, Strategic HR Manager Tel: (01865) 810280

Report by Head of Human Resources (**CA12**).

This report gives an update on staffing numbers and related activity during the period 1

October 2012 to 31 December 2012. It gives details of the agreed staffing numbers and establishment at 31 December 2012 in terms of Full Time Equivalents. These are also shown by directorate in Appendix 1. In addition, the report provides 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 we implement our Business Strategy.

The Cabinet is RECOMMENDED to:

(a) note the report;

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

13. Forward Plan and Future Business (Pages 173 - 176)

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 **CA13**. 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.

EXEMPT ITEM

Item 14

It is RECOMMENDED that the public be excluded for the duration of item 14 in the Agenda since it is likely that if they were present during that item 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 item in the Agenda and 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.

THE REPORT AND ANNEXES TO THE ITEM HAVE NOT BEEN MADE PUBLIC AND SHOULD BE REGARDED AS 'CONFIDENTIAL' BY MEMBERS AND OFFICERS ENTITLED TO RECEIVE THEM.

THIS IS FOR REASONS OF COMMERCIAL SENSITIVITY AND THE FINANCIAL RISK TO THE COUNCIL IF THE CONTENTS ARE DISCLOSED.

THIS ALSO MEANS THAT THE CONTENTS SHOULD NOT BE DISCUSSED WITH OTHERS AND NO COPIES SHOULD BE MADE.

14. Cherwell District Council - Property Asset Transactions (Pages 177 - 186)

Cabinet Member: Police & Policies

Forward Plan Ref: 2012/142

Contact: Martin Tugwell, Deputy Director for Environment & Economy – Strategy & Infrastructure Tel: (01865) 815113

Report by Deputy Director for Environment & Economy – Strategy & Infrastructure **(CA14)**.

The information contained in the report and annexes 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.

The report seeks approval for the sale of eight County Council owned properties to Cherwell District Council. The properties would be sold below market value because Cherwell District Council is providing the County Council nomination rights in perpetuity for 22 supported housing units: the revenue savings arising from this arrangement offsetting the shortfall in capital receipts.
