

To: **Members of the Cabinet**

Notice of a Meeting of the Cabinet

Tuesday, 25 January 2011 at 2.00 pm

County Hall, Oxford, OX1 1ND



Joanna Simons
Chief Executive

January 2011

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<i>Councillors</i>	Membership
Keith R. Mitchell CBE	- <i>Leader of the Council</i>
David Robertson	- <i>Deputy Leader of the Council</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 2 February 2011 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: 16 February 2011

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

To confirm the minutes of the meeting held on 21 December 2010 (**CA3** (to be circulated separately)) and to receive for information any matters arising from them.

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. Financial Monitoring - January 2011 (Pages 1 - 116)

Cabinet Member: Finance & Property

Forward Plan Ref: 2010/150

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

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

This is the fifth financial monitoring report for the 2010/11 financial year and covers the period up to the end of November 2010. Part 1 & 2 set out the Council's forecast position for the 2010/11 financial year and include projections for revenue, balances,

reserves. The capital programme monitoring and capital programme review update is included at Part 3.

The Cabinet is RECOMMENDED to note the report and approve the virement requests as set out in annex 2a.

7. Draft Corporate Plan 2011/12 (Pages 117 - 136)

Cabinet Member: Leader

Forward Plan Ref: 2010/153

Contact: Ben Threadgold, Senior Policy Officer, 01865 328219)

Report by Assistant Chief Executive (Strategy) (**CA7**).

The report introduces a draft of the Corporate Plan 2011/12 – 2015/16. The plan will be submitted to Council on 15 February 2011 as one of the plans and strategies that form the policy framework and so require full Council approval.

The Corporate Plan 2011/12 – 2015/16 is split into two parts. The first (Annex A) summarises the council's broad strategic direction and the second (Annex B) sets our short and medium term delivery commitments.

The Cabinet is RECOMMENDED, subject to the inclusion of consequential and editorial changes in the text as agreed by the Chief Executive in consultation with the Leader of the Council, to RECOMMEND the Council to approve the Medium Term Corporate Plan 2011/12-15/16.

8. Service & Resource Planning Report for 2011/12 - 2015/16 (January 2011)
(Pages 137 - 384)

Cabinet Member: Finance & Property

Forward Plan Ref: 2010/151

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

Report of the Cabinet Member for Finance & Property (**CA8A**)

Report by Assistant Chief Executive & Chief Finance Officer (**CA8B**).

This report is the final report to Cabinet in the series on the Business Strategy and Service & Resource Planning process for 2011/12 to 2015/16, providing councillors with information on budget issues for 2011/12 and the medium term. If any information is outstanding at the time of the Cabinet meeting, it will be reported to Council when it considers the budget on 15 February 2011.

The report sets out the latest information on the Council's financial position, includes the Treasury Management Strategy for 2011/12 and considers the capital funding, including an updated Capital Programme.

The Cabinet Member for Finance & Property has prepared a separate report, circulated alongside this report, which sets out the basis for the Cabinet's proposals to Council for the 2011/12 budget and Medium Term Financial Plan (MTFP) to 2015/16. This takes

into consideration comments on the draft budget proposals from the individual Scrutiny Committees in December 2010 as well as the latest information on the Council's financial position as outlined in this report. It also takes account of the public consultation on the budget which was undertaken in both August 2010 through Oxfordshire Voice and a further consultation during December, the outcomes of which are set out in an annex to that report.

The Cabinet is RECOMMENDED to:

a. (in respect of revenue) RECOMMEND Council to approve:

- (1) a budget for 2011/12 and a medium term plan to 2015/16, based on the proposals set out by the Leader and Cabinet Member for Finance;
- (2) a budget requirement for 2011/12;
- (3) a precept for 2011/12;
- (4) a council tax for band D equivalent properties;
- (5) virement arrangements to operate within the approved budget;

b. (in respect of treasury management) RECOMMEND Council to approve:

- (1) the Treasury Management Strategy Statement ;
- (2) Prudential Indicators from April 2011;
- (3) that in relation to the 2011/12 strategy any further changes required be delegated to the Chief Finance Officer in consultation with the Leader and Cabinet Member for Finance.

c. RECOMMEND Council to approve the Minimum Revenue Provision Methodology Statement as set out in paragraphs 10 to 13 of Annex 7.

d. (in respect of capital) RECOMMEND Council to approve:

- (1) the updated Capital Strategy, Corporate Asset Management Plan and Transport Asset Management Plan;
- (2) a Capital Programme for 2010/11 to 2015/16;
- (3) Prudential Indicators from April 2011.

e. to delegate authority to the Leader of the Council, following consultation with the Chief Finance Officer, to make appropriate changes to the proposed budget.

9. Annual Report by the Commission for Social Care Inspection on Adult Social Services (Pages 385 - 410)

Cabinet Member: Adult Services

Forward Plan Ref: 2010/152

Contact: Steve Thomas, Performance Information Manager Tel: (01865) 323609

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

The Care Quality Commission (CQC) is the independent regulator of all health and adult social care in England. Within its remit it provides an annual performance

assessment of all councils with adult social care responsibilities in England. The 2009/10 report for Oxfordshire is attached as annex 1. Oxfordshire is rated as performing well which means that Oxfordshire is 'consistently delivering above the minimum standard required for people.'

The report is structured around seven key outcomes, which are used to evaluate how well the council currently serves people, and 2 further criteria which are used to describe the future prospects for the council. The council was described as performing well on 5 of the 7 outcomes, and as performing excellently on the other two outcomes, 'Making a positive contribution' and 'Economic well-being'. Being assessed as excellent on 'making a positive contribution' means that people who use services and carers are supported to take part in community life. They contribute their views on services and this helps to shape improvements. Voluntary organisations are seen to be thriving and accessible. Organisations for people who use services and carers are well supported. Being assessed as excellent on 'Economic well-being' means that people who use services and their carers have income to meet living and support costs and they are supported in finding or maintaining employment.

These results show a significant improvement on the previous report (2008/9) where the council was assessed as performing well on 6 outcomes and as performing adequately on one outcome. The outcome that has moved from performing adequately to performing well is 'Maintaining Personal Dignity and Respect'. The report notes that following the inspection of adult safeguarding in 2008/09 the council has addressed all the issues raised. It notes that strong governance arrangements are on place, improved public awareness of adult safeguarding, greater partnership working and improvements in the time taken to complete case work.

The report's overall summary says 'Oxfordshire County Council has had a very productive year and has achieved well on the key outcome areas. It has strong leadership and tight financial controls in place that have enabled it to deliver significant efficiency savings and a slight budget under-spend.' As well as providing reports on individual councils, CQC provide a national report, which highlights areas of good practice. Several examples of developments in Oxfordshire are included in the national report.

This is the last year that CQC will provide an annual assessment of performance.

The Cabinet is RECOMMENDED to

- (a) receive the report;***
- (b) review progress on the areas for development through the council's performance reporting arrangements for next year.***

10. Henley Primary School Provision (Pages 411 - 426)

Cabinet Member: Schools Improvement

Forward Plan Ref: 2010/105

Contact: Barbara Chillman, Principal Officer – School Organisation and Planning Tel: (01865) 816459

Report by Director for Children, Young People & Families (**CA 10**).

This report considers two alternative proposals to expand primary school provision within Henley. The number of 4-year-olds needing school places has risen over the last few years, and is forecast to peak in 2012 before again falling. This has led to increasing pressure on primary school places across the town, which has been met in the last two years through Trinity CE Primary School and Badgemore Primary School agreeing to admit over their admission number on a temporary basis.

A consultation was carried out in Henley (9 June – 21 July 2010) to gather views on whether Trinity CE Primary School or Badgemore Primary School should be expanded permanently. Feasibility studies have been carried out at both schools to assess the accommodation requirements and capital implications for each expansion.

A decision is now sought as to whether to proceed to issuing statutory notices to expand either Trinity CE Primary School or Badgemore Primary School. Publication of such a statutory proposal requires confirmation from the local authority that funds will be made available for the necessary capital costs.

The Cabinet is RECOMMENDED to either:

- (a) ***approve the publication of a statutory notice for the expansion of Badgemore Primary School, Henley to 1 form entry, confirming that funds will be made available for the capital costs identified in paragraph 25 above; or***
- (b) ***approve the publication of a statutory notice for the expansion of Trinity Primary School, Henley to 2 form entry, confirming that funds will be made available for the capital costs identified in paragraph 24 above.***

11. Oxfordshire Concessionary Fares Scheme

- (a) **Oxfordshire Concessionary Fares Scheme - January 2011**_(Pages 427 - 432)

Cabinet Member: Growth & Infrastructure

Forward Plan Ref: 2010/187

Contact: Dick Helling, Principal Policy Officer Tel: (01865) 815859

Report by Head of Highways & Transport (**CA11**).

The County Council is obliged to take over from District Councils the statutory duty of managing the concessionary fares scheme for elderly and disabled people from 1 April 2011. Some decisions on this matter have already been made by Cabinet in November 2010; this report covers the further issues which require to be resolved to ensure that this duty is fulfilled. In all cases decisions are for 2011/12 only; the details of schemes for future years, from 1 April 2012 onwards, will be considered nearer the time.

A pass for free bus travel is a statutory entitlement for elderly and disabled people, but some districts have been exercising discretionary powers also to offer travel tokens and/or free travel on dial-a-ride services. Consultation has been carried

out with users and stakeholders on a proposal that the county will not offer these discretionary enhancements from 1 April 2011 (thus reducing the options which are available to some users in some districts at present). The outcome of this consultation is summarised in the report and a decision invited on this.

The Cabinet is RECOMMENDED to:

- a) **To allow free travel on Dial-a-Ride services for concessionary passholders during 2011/12;**
- b) **not offer any alternative (such as tokens or a senior railcard) to the standard concessionary pass, during 2011/12;**
- c) **delegate to the Deputy Director (Highways and Transport), in consultation with the Cabinet Member for Growth and Infrastructure, the authority to manage all aspects of the County Council's concessionary fares scheme during 2011/12, in accordance with the principles set out in this report and the report to Cabinet on 16 November 2010, and to incur expenditure as necessary for the purpose; and**
- d) **ask officers to report back on experience of running the scheme during 2011/12, and invite Cabinet to agree the details of the scheme for subsequent years (including possible changes to the scheme and the taking over of pass-issuing by the County Council).**

(b) Oxfordshire Concessionary Fares Scheme - Issuing of Concessionary Passes_(Pages 433 - 438)

A major part of the statutory duty is to issue passes to entitled users, and handle the many enquiries they make. In the short term, the best option to meet this duty is for the districts to continue to issue the passes on the county's behalf, under a formal delegation arrangement. There are also various details regarding pass-issuing, on which decisions must be made, and these are described in the report.

Note: As set out under Rule 18(b) of the Scrutiny Procedure Rules, this decision is exempt from Call-In as the Council's call-in procedure should not apply to any decision on the letting of a contract arising from termination of an existing contract if the time available is such that allowing for call-in would result in service discontinuity, provided that all members of the relevant Scrutiny Committee have been informed of the circumstances of the decision to be made and have had an opportunity to make representations to the decision maker about it.

The Cabinet is RECOMMENDED to:

- a) **formally to delegate to each Oxfordshire District Council, under the terms of Section 2(b) of Article 10 of the Council's Constitution, the County Council's functions under Section 145(2) of the Transport Act 2000 [duty to issue concessionary**

passes], and associated powers, plus such of the powers under Section 93 of the Transport Act 1985 as may be necessary to issue additional passes or other concessions on a discretionary basis as agreed by the County Council; and agree appropriate funding payments to each district council – to include the cost of enquiry-handling as well as pass-issuing; for the period from 1 April 2011 until 31 March 2012;

- b) ask the District Councils to issue concessionary passes during 2011/12 in accordance with the principles set out in paragraph 8 of this report; and
- c) agree the provision of a dedicated telephone enquiry resource at the Customer Service Centre to handle those enquiries which are directed to the County Council.

12. Amendments required in Fair Funding Formula for Schools from April 2011 (Pages 439 - 450)

Cabinet Member: Schools Improvement

Forward Plan Ref: 2010/170

Contact: Simon Pickard, Finance Business Partner CYP&F Tel (01865) 797512

Report by Director for Children, Young People & Families (**CA 12**).

The report explains which significant changes are required to the Fair Funding Formula for Schools from April 2011, and why these are required. The report summarises the national funding position and the implications for the Strategic Review of Schools Funding which has been started in Oxfordshire, following Cabinet's agreement in May 2009 that this should be carried out.

The main changes required are the introduction of an Early Years Single Funding Formula, and the inclusion of a new factor in the funding formula to deal with the specific grants which have now been merged in to the Dedicated Schools Grant for 2011/12 onwards. The merging of grants factor is only expected to apply for one year pending the revision of the formula in April 2012 after conclusion of the Strategic Formula Review.

The report explains that the original plan to introduce changes in the funding formula from April 2011 have been revised due to the Coalition Government's funding announcements and the introduction of the Pupil Premium. The intention is now to introduce the main changes from April 2012, once further work is done and the implications of the Pupil Premium and future changes are fully assessed.

The report summarises which principles have been agreed by Schools Forum and seeks Cabinet approval/ endorsement of proposals pending finalisation of the budget proposals and inclusion of final figures in Budget papers to be considered in February 2011.

The Cabinet is RECOMMENDED to:

- (a) agree the proposals for introduction of the Early Years Single Funding Formula (EYSFF) from 1 April 2011;***

- (b) **endorse the proposed principles for a formula funding factor for 2011-12 for merged standards fund grants; and**
- (c) **note the revised target date of April 2012 for completion of the Strategic Review of School Funding and introduction of a revised funding formula for schools.**

EXEMPT INFORMATION

Cabinet will be invited to resolve to exclude the public for the consideration of the report at Agenda Item 12 by passing a resolution in relation to that item in the following terms:

"that the public be excluded during the consideration of this matter 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".

THE REPORT HAS NOT BEEN MADE PUBLIC AND SHOULD BE REGARDED AS 'CONFIDENTIAL' BY MEMBERS AND OFFICERS ENTITLED TO RECEIVE IT.

THIS IS FOR REASONS OF COMMERCIAL SENSITIVITY IF THE CONTENTS ARE DISCLOSED.

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

13. CfBT Advice & Guidance - Pension Liabilities (Pages 451 - 456)

Cabinet Member: Finance & Property

Forward Plan Ref: 2010/218

Contact: Sean Collins, Assistant Head of Shared Services Tel: (01865) 797190

Report by Chairman of the Pension Fund Committee on behalf of the Committee (**CA 13**).

(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 disclosure would be detrimental to the activities of the charitable organisations and their ability to provide effective services to the public.

This report on behalf of the Pension Fund Committee asks the Cabinet to consider accepting the transfer of responsibility for funding the past service pension deficit in respect of former staff of CfBT (Advice & Guidance). This follows the Council decision

not to renew the connexions service contract with CfBT (Advice & Guidance) following a tender exercise, combined with the current Pension regulations which prohibit transferring the past service pension liability on to the new provider. The Pension Fund Actuary has advised that due to the relative size of the pension deficits of the County Council and CfBT (Advice & Guidance), that a transfer in respect of these staff will have no impact on the County's employer contribution rate.

The Cabinet is RECOMMENDED to accept the transfer of responsibility for the past service pension liabilities in respect of the former members of CfBT (Advice & Guidance) employed in respect of the careers/connexions service.

14. Forward Plan and Future Business (Pages 457 - 460)

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 **CA14**. 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.
