

To: **Members of the Cabinet**

Notice of a Meeting of the Cabinet

Tuesday, 15 September 2009 at 2.00 pm

County Hall, Oxford, OX11ND

Joanna Simons

Joanna Simons
Chief Executive

September 2009

Contact Officer: **Sue Whitehead**

<i>Councillors</i>	Membership
Mitchell	- <i>Leader</i>
David Robertson	- <i>Deputy Leader of the Council</i>
C.H. Shouler	- <i>Cabinet Member for Finance & Property</i>
Jim Couchman	- <i>Cabinet Member for Adult Services</i>
Ian Hudspeth	- <i>Cabinet Member for Growth & Infrastructure</i>
Louise Chapman	- <i>Cabinet Member for Childre, Young People & Families</i>
Michael Waine	- <i>Cabinet Member for Schools Improvement</i>
Mrs J. Heathcoat	- <i>Cabinet Member for Safer, Stronger Communities</i>
Rodney Rose	- <i>Cabinet Member for Transport Implementation</i>

The Agenda is attached. Decisions taken at the meeting will become effective at the end of the working day on 29 April 2009 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: 20 October 2009

County Hall, New Road, Oxford, OX1 1ND

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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 Section DD of the Constitution for a fuller description.

The duty to declare ...

You must always declare any "personal interest" in a matter under consideration, ie 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** – see guidance note opposite
3. **Minutes** (Pages 1 - 8)

To confirm the minutes of the meeting held on 21 July 2009 (**CA3**) and to receive for information any matters arising therefrom.

4. **Petitions and Public Address**
5. **Financial Monitoring** (Pages 9 - 110)

Cabinet Member: Finance & Property

Forward Plan Ref: 2009/034

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

Report by Assistant Chief Executive & Chief Finance Office (**CA5**).

This report sets out the Council's forecast financial position for the 2009/10 financial year based on four months of actuals to the end of July 2009. It includes projections for revenue, balances, reserves and capital. The report sets out explanations where the forecast revenue outturn is significantly different from the budget along with proposals to recover the position where appropriate.

The in – year Directorate forecast is an overspend of £4.013m for revenue and £14.166m for general balances. After taking into account the forecast revenue overspend, the consolidated revenue balances forecast is £10.153m.

Carry forwards from 2008/09 were approved by Cabinet on 23 June 2009 as part of the Provisional Outturn Report for 2008/09 and are now included in the latest budget.

The report also includes an updated Capital Programme and update about progress in respect of Building Schools for the Future.

The Cabinet is RECOMMENDED to:

- (a) ***note the report;***
- (b) ***approve the virements as set out in Annex 2a;***
- (c) ***approve the supplementary estimate request as set out in Annex 2f and paragraph 26 and 33;***

- (d) **approve the transfer of £0.027m surplus pay inflation from Community Safety to the Efficiency Savings Reserve as set out in paragraph 48; and**
- (e) **Confirm agreement that the Readiness to Deliver statement for Building Schools for the Future should be submitted to the Partnership for Schools by 17 September 2009.**

6. Service and Resource Planning Report for 2010/11 - 2014/15 (Pages 111 - 144)

Cabinet Member: Finance & Property

Forward Plan Ref 2009/135

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

Report by the Chief Executive, Assistant Chief Executive – Strategy and Assistant Chief Executive & Chief Finance Officer (**CA6**)

This report is the first in a series on the service and resource planning process for 2010/11 to 2014/15, providing councillors with information on the budget issues for 2010/11 and the medium term. The report presents the current Medium Term Financial Plan (MTFP) as agreed by Council on 10 February 2009 and the assumptions on which it is based. It sets out the known and potential financial issues for 2010/11 and beyond which impact on the existing MTFP and the proposals for planning to meet these pressures, which were endorsed by Cabinet in July 2009.

This report sets out the Service and Resource Planning process for 2010/11, although it is mostly concerned with finance and the implications are set out in the main body of the report. The Council is required under the Local Government Finance Act 1992 to set a budget requirement for the authority and an amount of Council Tax. This first report forms an initial basis for those requirements that will lead to the budget requirement and Council Tax being agreed in February 2010.

Cabinet is RECOMMENDED to:

- (a) **note the report;**
- (b) **approve the Service and Resource Planning Process for 2010/11; and**
- (c) **provide advice on the development of the Financial Strategy**

7. Local Transport Plan 3 (Pages 145 - 162)

Cabinet Member: Growth & Infrastructure

Forward Plan Ref 2009/129

*Contact: Joanne Clegg, Project Manager (Local Transport Plan),
(01865 815546)*

Report by Head of Transport (**CA7**).

This report sets out the results of the initial stages of consultation on the draft objectives for Oxfordshire's third Local Transport Plan (LTP3) and seeks a decision on the prioritisation of those objectives. It also informs members of the environmental criteria

that will be used for the Strategic Environmental Assessment (SEA) of the LTP and sets out the stages of developing the SEA.

Two series of consultations have recently taken place in relation to LTP3. Comments have been invited on the draft set of ten objectives for the LTP and on the scoping report for the SEA. Public focus groups were asked for their views on how the relative priorities of the objectives apply in each of the four settlement types that have been identified to help with recognising the differentiation between parts of Oxfordshire (Oxford, larger towns, market towns and rural Oxfordshire).

An update on the consultation results from both series of consultations will be provided at the meeting.

Cabinet is RECOMMENDED to

(f) approve the prioritisation of the objectives for each of the four types of settlement as set out in the report, subject to consideration of the views of the Growth & Infrastructure Committee; and that the Head of Transport in consultation with the Cabinet Members for Growth & Infrastructure and Transport Implementation be authorised to make any necessary changes; and

(b) note the consultation undertaken on the Strategic Environmental Assessment.

8. Southern Central Oxfordshire Transport Study (SCOTS) (Pages 163 - 174)

Cabinet Member: Growth & Infrastructure

Forward Plan Ref: 2009/068

Contact: Jacqui Cox, Principal Transport Planner (01865 815713)

Report by Head of Transport (**CA8**).

The purpose of this report is to inform members of the progress made in developing the Southern Central Oxfordshire Transport Study (SCOTS) Strategic Transport Package being put forward for the Didcot – Wantage/Grove area of southern Oxfordshire, which is part of the 'Accessing Science Vale UK' strategy work being undertaken.

The report and decisions are required to allow Oxfordshire County Council to form a strategic response to the Vale of White Horse (VoWHDC) and South Oxfordshire (SODC) District Councils' Local Development Framework (LDF) proposals for southern central Oxfordshire. As such it will become part of the evidence base for both SODC's and the VoWHDC's LDFs.

The main themes discussed in the report are how/why SCOTS has come about, the Transport Package being put forward to mitigate the planned growth in the area, the environmental, financial and staff implications associated with the package. The report also sets out the next steps required to complete this work and the risks associated with it.

The Cabinet is RECOMMENDED to:

(g) Approve in principle the strategic transport package required to mitigate

growth in the SCOTS area to 2026, subject to the further work being undertaken, including funding options; and

(b) Delegate the decision to add to or amend the SCOTS to the Director for Environment and Economy, in consultation with the Cabinet Member of Growth and Infrastructure, should the further work reveal that changes are necessary.

9. Chiltern Railways - Project Evergreen 3 (Pages 175 - 190)

Cabinet Member: Growth & Infrastructure

Forward Plan Ref: 2009/091

Contact: Adrian Saunders, Rail Development Officer (01865 815080)

Report by Head of Transport (**CA 9**).

Chiltern Railways will shortly be submitting a Transport and Works Act application for works to enable introduction of a new half hourly rail service between London Marylebone and Oxford via High Wycombe and Bicester. Works would include a short new stretch of railway in Bicester, upgrading and partially doubling the existing railway between Oxford and Bicester, improvement of Bicester Town station, a new Parkway station at Water Eaton and new platforms at, and track approaching, the north end of Oxford station. The County Council will be a consultee on this application and needs to form a view on it. The report discusses the potential benefits of the proposal; its relationship with the East West rail proposal over the same stretch of line; its relationship with the County Council's Access to Oxford project; possible implications for the Water Eaton Park and Ride site; other transport implications; implications for green belt policy; implications for minerals and waste strategies; implications for public rights of way; and some other issues. It invites the Cabinet to consider in principle the overall County Council view on the proposal, and any conditions to be applied to that view.

Cabinet is RECOMMENDED to:

- (a) *advise Chiltern Railways that, if the full transport benefits as now outlined in this report continue to be offered, the council supports in principle the Evergreen 3 proposals subject to:***
- (1) *the submission of a full and acceptable Transport Assessment which addresses the points raised in Annex 2 of this report;***
 - (2) *the Transport and Works Act application being accompanied by evidence to demonstrate that there are very special circumstances which justify the development on the site in the green belt;***
 - (3) *the proposals accommodating the existing Aggregates Rail Depot and, if appropriate, the development of a Materials Recovery Facility at the Water Eaton site;***
 - (4) *satisfactory arrangements to ensure that there is no prejudice to continued operation of the free County Council car park at Water Eaton for bus access to the city centre and hospitals;***

- (5) *effective liaison with the Access to Oxford project to upgrade Oxford station;*

and on the basis that Chiltern Railways should also pay due regard to all other impacts in Oxfordshire of their proposals, including in particular the Rights of Way issues mentioned in the report.

- (b) ***delegate to the Heads of Transport and Sustainable Development, in consultation with the Cabinet Member for Growth and Infrastructure, the authority to respond to the TWA application and other aspects of this project as it develops, in accordance with the general principles outlined in this report.***

10. Oxford School (Pages 191 - 220)

Cabinet Member: Schools Improvement

Forward Plan Ref: 2008/092

Contact: Janet Tomlinson, Director for Children, Young People & Families (01865 815122)

Report by Director for Children, Young People & Families (**CA10**).

Oxford School is a 'National Challenge School' because its headline GCSE results fall below a nationally acceptable threshold of 30% or more students gaining 5 or more grades A*-C (including English and mathematics). Local Authorities are expected to consider radical proposals which will bring about significant and sustained improvements, including whether such schools should be replaced by academies. An 'Expression of Interest' in exploring the academy option has been submitted to the Department for Children, Schools & Families. If approved, it will result in the release of funding from the DCSF for the undertaking of a detailed feasibility study. This will consider the viability of creating an academy to replace Oxford School as well as ascertain the views of a wide range of stakeholders, including parents, students, staff, elected and community representatives.

Cabinet is RECOMMENDED to:

- (a) ***note the content of the Expression of Interest;***
- (b) ***agree to proceed with the 'Feasibility Study; and***
- (c) ***request officers to bring a further report on the outcomes of consultations undertaken as part of the 'Feasibility Study'.***

11. Secondary School Provision in the Grove/Wantage Area (Pages 221 - 224)

Cabinet Member: Schools Improvement

Forward Plan Ref: 2009/107

Contact: Roy Leach, Strategic Lead

Report by Report by Director for Children, Young People & Families (**CA11**).

The Wantage and Grove area has been identified as an area offering the potential for significant additional housing. If this housing is built it will require additional secondary school provision to meet the anticipated increased demand for school places. A previous review of secondary school places confirmed the desirability of rationalising the current King Alfred's School, Wantage from its current 3 sites to just two.

The report explores the implications of one or more significant housing developments in the Wantage and Grove area and how the secondary school needs arising from these can be met alongside delivering the King Alfred's School rationalisation.

Cabinet is RECOMMENDED to

- (h) note the contents of this report and confirm that a new secondary school (with sixth form provision) should be planned and available prior to significant development as part of Grove airfield and/or North East Wantage; and**
- (b) request officers, once Oxfordshire's position regarding Building Schools for the Future is confirmed, to work together with King Alfred's School governors to try to reach agreement on a strategy to achieve rationalisation of the school onto 2 sites.**

12. Chipping Norton Care Home (Pages 225 - 230)

Cabinet Member: Adult Services

Forward Plan Ref 2009/145

Contact: Nick Welch, Head of Major Programmes (01865 323575)

Report by Head of Major Programmes (**CA12**).

This report sets out the arrangements that are required to secure the funding the development of a Primary Health Care Centre in Chipping Norton, which is an integral element to the overall development of community health and care home services. The County Council is undertaking the development of a care home through the existing arrangements between itself and the Oxfordshire Care Partnership but these do not cover the development of the Primary Health Care Centre. Specific arrangements and guarantees are required of the County Council by the scheme's developers and funders. This report gives the details and of the guarantees that are required, the implications for the Council, and seeks formal agreement for these arrangements.

Cabinet is RECOMMENDED to approve the proposed arrangements with the Oxfordshire Care Partnership, Bedfordshire Pilgrims Housing Association and the Oxfordshire PCT whereby

(a) in the event of the Project Agreement dated 20 December 2001 being terminated, the County Council would meet the outstanding finance charges applicable to both the Care Home and the Community Health Facility and would grant a direct lease of the Community Health Facility to

the PCT at a rent sufficient to repay those charges over the remainder of the initial 30 years finance period; and

(b) in the event of the PCT either failing to enter into the Sub-subunderlease with OCP after the Community Health Facility has been constructed or committing a major breach of covenant resulting in forfeiture of the Sub-subunderlease and becoming liable to pay the outstanding finance charges on the Community Health Facility to OCP/BPHA, the County Council would stand as guarantor for the PCT. This would make the County Council responsible for payment of the outstanding finance charges on the Community Health Facility to BPHA and recovering such payment through a "Compensation Agreement" with the PCT (or by taking legal action if the PCT did not comply with the terms of the Compensation Agreement).

13. London Road - Osler Road to Wharton Road (Pages 231 - 238)

*Cabinet Member: Transport Implementation
Forward Plan Ref 2009/106
Contact: Colin Baird, Principal Engineer (01865 815536)*

Report by the Head of Transport (**CA13**).

This is the third section of the London Road Corridor to be developed to make bus journeys quicker and more reliable and improve road safety for all users. Additionally this project seeks to enhance the Headington Shopping Centre through the use of quality surface materials to footway areas and the de-cluttering of unnecessary street furniture. The scheme was the subject of a public consultation process and Transport Decisions Committee approved the final design on 2 July 2009.

This improvement scheme to the London Road corridor is a key part of the County Council's second Local Transport Plan and its Capital Programme. The delays experienced by the large numbers of people travelling along the route by bus are very significant and, as a result, there is a continuing major impact on the reliability and attractiveness of buses as an alternative to the car for journeys in this area. The accident rate on the London Road is around twice the national average for a major route such as this. Most of the accidents result in slight injury but of the 4 serious accidents 3 were pedestrians and one was a cyclist. The measures to reduce speeds together with improved crossing provision should bring the severity and frequency of accidents down.

The scheme is estimated at £2.035 million including fees. Funding has been allocated from the Capital Programme for the financial years 2008/09 to 2010/11 and comprises of Supported Capital Expenditure (SCE) and developer funding. The programmed start of construction is April 2009.

Approval of the Financial Project Appraisal is sought.

Cabinet is RECOMMENDED to approve Project Appraisal H192 for the London

Road Corridor (Osler Road– Wharton Road) scheme.

14. Government Draft Legislative Programme (Pages 239 - 252)

Cabinet Member: Leader

Forward Plan Ref 2009/152

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

Report by Head of Strategy (**CA14**).

The 2009/10 draft legislative programme was announced by Government at the end of June. It sets out proposed legislation for the next session of parliament, to be announced in the Queen's speech in late 2009. Comments are invited on the proposed programme, individual bills and specific policy issues by 21 September 2009.

This paper summarises the bills in the programme and the implications for the county council for those that are relevant to the county council and our services. Key legislative changes affecting Oxfordshire County Council are highlighted below:

- proposals to enshrine in law the Government's commitment to eradicate child poverty by 2020- to introduce an incentive to support up to four carbon capture and storage projects on a commercial scale
- a number of proposals around improving performance in schools, including introducing a set of guarantees of a good standards of education for each child
- new powers of intervention in Youth Offending and enabling the media to report on certain family proceedings in court
- the continuation of the equalities legislation currently progressing through parliament, including banning negative age discrimination

Cabinet is RECOMMENDED to endorse the proposed County Council response to proposals.

15. Establishment Review (Pages 253 - 258)

Cabinet Member: Deputy Leader

Forward Plan Ref 2009/73

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

Report by Head of Human Resources and Organisational Development (**CA15**).

This report gives an update on activity since the implementation of the Establishment Review and associated Recruitment Approval process on 1 August 2005. It provides detail on the overall objectives of the review and summarises progress made against the targets which were agreed to ensure delivery of those objectives. Details of the agreed establishment figure at 30 June 2009 in terms of Full Time Equivalents is provided, together with the detailed staffing position at 30 June 2009. These are shown in the report by directorate and service area.

The report also provides information on current activity and in addition there is

information on grant funded posts and those vacancies which are being covered by agency staff and at what cost.

The Cabinet is RECOMMENDED to:

- (a) note the report;***
- (b) confirm that the Establishment Review continues to meet the Cabinet's requirements in reporting and managing staffing numbers.***

16. Forward Plan and Future Business (Pages 259 - 262)

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 **CA**. 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.
