

To: **Members of the Cabinet**

## ***Notice of a Meeting of the Cabinet***

**Tuesday, 19 January 2010 at 2.00 pm**

**County Hall, Oxford, OX11ND**

*Joanna Simons*

Joanna Simons  
Chief Executive

January 2010

**Contact Officer: Sue Whitehead**  
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<i>Councillors</i>	<b>Membership</b>
Keith R. Mitchell CBE	- <i>Leader</i>
David Robertson	- <i>Deputy Leader</i>
Jim Couchman	- <i>Cabinet Member for Adult Services</i>
Ian Hudspeth	- <i>Cabinet Member for Growth &amp; Infrastructure</i>
Louise Chapman	- <i>Cabinet Member for Children, Young People &amp; Families</i>
Michael Waine	- <i>Cabinet Member for Schools Improvement</i>
Rodney Rose	- <i>Cabinet Member for Transport Implementation</i>
Mrs J. Heathcoat	- <i>Cabinet Member for Safer &amp; Stronger Communities</i>

*The Agenda is attached. Decisions taken at the meeting will become effective at the end of the working day on 27 January 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: 16 February 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 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

- guidance note opposite

## 3. Minutes (Pages 1 - 10)

To confirm the minutes of the meeting held on 15 December 2009 (**CA 3**) 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. Comprehensive Area Assessment - Audit Commission Report (Pages 11 - 14)

*Cabinet Member: Leader*

*Forward Plan Ref: 2009/174*

*Contact: Tracy Luck, Head of Strategy (01865 816383)/ Christa Brodie-Levinsohn (01865 815463)*

*Report by: Head of Strategy*

The report summarises Oxfordshire County Council's results in the recent Comprehensive Area Assessment (CAA). This is an annual assessment of local public services in England.

***The Cabinet is RECOMMENDED to:***

- a) ***Celebrate Oxfordshire's areas of good performance from the 2009 assessment;***
- b) ***Note the areas highlighted for follow up work next year.***

**7. Financial Monitoring - January 2009** (Pages 15 - 106)

*Cabinet Member:* Leader

*Forward Plan Ref:* 2009/154

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

*Report by:* Assistant Chief Executive & Chief Finance Office (CA7)

This is the eighth financial monitoring report for the 2009/10 financial year and covers the period up to the end of November 2009. It includes projections for revenue, balances, reserves and capital and a capital programme update.

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 £3.060m. In addition the Council elements of the Older People, Physical Disabilities and Equipment Pooled Budget within Social and Community Services are forecast to overspend by £2.892m, whilst the Learning Disabilities Pooled Budget is forecast to overspend by £1.040m.

The current position for general balances is set out in Annex 5 and shows an unchanged forecast of £14.088m. After taking into account the forecast Directorate overspend, the consolidated revenue balances forecast is £11.028m.

***The Cabinet is RECOMMENDED to:***

- (a) ***note the report;***
- (b) ***approve the virements as set out in Annex 2a;***
- (c) ***approve the use of carry forward from 2008/09 to offset pressures in Legal and Democratic Services as set out in paragraph 51.***
- (d) ***Approve the write off of the bad debt of £110,685.71 in respect of a payment in advance to Sedgemoor Children's Services as set out in paragraph 57.***
- (e) ***Approve the updated Capital Programme as set out in Annex 8;***

- (f) **Agree the deferral and phasing of the repayment of grant from Creation Theatre Company as set out in paragraphs 86 and 87.**

**8. Service & Resource Planning Report for 2010/11 - 2014/15 (Pages 107 - 324)**

*Cabinet Member:* Leader

*Forward Plan Ref:* 2009/153

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

*Report by:* Assistant Chief Executive & Chief Finance Office(**CA8B**)

This report is the third in a series on the Service and Resource Planning process for 2010/11 to 2014/15, providing councillors with information on budget issues for 2010/11 and the medium term. It is the final report to Cabinet before Council considers the budget on 9 February 2010. The report sets out the latest information on the Council's financial position, includes the Treasury Management Strategy for 2010/11 and considers the capital funding, including an updated Capital Programme.

The Leader has prepared a separate report (**CA8A**), circulated alongside this report, which sets out the basis for the Cabinet's budget proposals to Council and Medium Term Financial Plan (MTFP) for 2010/11 to 2014/15. This takes into consideration comments on the draft budget proposals from the individual Scrutiny Committees in December 2009 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 during October 2009, 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 2010/11 and a medium term plan to 2014/15, based on the proposals set out by the Leader and Cabinet Member for Finance;**
  - (2) **a budget requirement for 2010/11;**
  - (3) **a precept for 2010/11;**
  - (4) **a council tax for band D equivalent properties;**
  - (5) **the use of unallocated LABGI funding as set out in Annex 5;**
  - (6) **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 2010;**
  - (3) **that in relation to the 2010/11 strategy any further changes required be delegated to the Chief Finance Officer in consultation with the Leader and Cabinet Member for Finance and leaders of the Opposition and Labour group.**
- (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 and Corporate Asset Management Plan;
  - (2) a Capital Programme for 2010/11 to 2014/15;
  - (3) Prudential Indicators from April 2010.
- (e) **RECOMMEND** Council 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. Draft Corporate Plan 2010/11** (Pages 325 - 356)

*Decision Maker and Target Date: Full Cabinet, 19 January 2010*

*Forward Plan Ref: 2009/154*

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

*Report by: Assistant Chief Executive (Strategy)*

A draft of the Corporate Plan for the period 2010/11 to 2014/15 is provided for approval by Cabinet on 19 January 2009 in advance of consideration by the full Council in February 2009. By the time of the meeting the draft plan will have been considered by the Strategy and Partnerships Scrutiny Committee. The Committee's advice will be reported to this meeting as part of the schedule of addenda.

The plan is still in a draft format and further work is required, particularly reviewing the nature of the targets for each priority and in developing the accompanying delivery plan. We will be working with Directorate teams early in the New Year to ensure that the targets are outcome focused, challenging and measurable.

***The Cabinet is RECOMMENDED, subject to consideration of any advice from the Strategy & Partnerships Scrutiny Committee and 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 2010/11-14/15.***

**10. Annual Report by the Care Quality Commission on Adult Social Care**  
(Pages 357 - 360)

*Cabinet Member: Adult Services*

*Forward Plan Ref: 2009/155*

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

*Report by: Director for Social & Community Services*

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 2008/9 report for Oxfordshire is attached as annex 1. Oxfordshire is rated as performing well.

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 6 of the outcomes, and on one it is described as performing adequately. The area described as adequate is 'maintaining personal dignity and respect'. This was based, in a large part, on the CQC inspection of adult social care in June 2009 which was reported to Cabinet in October. The covering letter, provided with the inspection report, from CQC noted 'The report acknowledges an improving picture of performance in safeguarding adults in Oxfordshire, with some areas of positive performance and a clear commitment to further raising of standards.'

Within the report the Commission identify key strengths and areas for development. For each area of development an action plan has been agreed with the Commission and will be monitored via the routine business meetings the council has with them.

**The Cabinet is RECOMMENDED to**

- (a) **receive the report;**
- (b) **review progress on the areas for development through the quarterly monitoring of the directorate balanced scorecard.**

**11. Revised Disability Equality Scheme (Pages 361 - 388)**

*Cabinet Member: Safer, Stronger Communities*

*Forward Plan Ref: : 2009/195*

*Contact: Adrian Harper-Smith, Corporate Strategies Manager (01865 323960)*

Report by: Assistant Chief Executive (Strategy) (**CA11**)

Oxfordshire County Council is committed to ensuring 'real choice'; recognition that residents have a right to expect services that are shaped to meet their needs and are fair, timely and accessible. We aim to achieve this by recognising the differing circumstances of the local population, by listening to their views and by developing appropriate and innovative solutions.

The Disability Discrimination Act 2005 places a statutory general duty on public authorities to promote disability equality in carrying out their functions; and specific duties including the requirement to publish a revised Disability Equality Scheme every three years. On 21 November 2006, Cabinet agreed Oxfordshire County Council's first Disability Equality Scheme and this is therefore now due to be revised.

The proposed new Disability Equality Scheme includes priorities developed through the involvement of disabled people, as follows:

- Improving our understanding of disabled people and demonstrating positive attitudes towards them to ensure that we deliver excellent customer service;
- Ensuring that our communications and engagement activities are accessible to disabled people and that disabled people feel that their views are being listened to and taken into account when decisions are made;
- Making our buildings and sites more accessible to disabled people, improving highways, public transport and services to address their needs and promoting

- independent living; and
- Improving the skills, qualifications and employment opportunities for disabled people and improving the representation of disabled people at all levels in our workforce, ensuring that appropriate reasonable adjustments are made..

***The Cabinet is RECOMMENDED to:***

- (a) ***agree the revised Disability Equality Scheme (Annex 1 of this report); and***
- (b) ***agree the revised 3-Year rolling schedule of statutory Equality Impact Assessments (Annex 2 of this report).***

## **12. Closer to Communities - Actions to Further Develop Corporate and Service Engagement in Localities and Priority Places (Pages 389 - 402)**

*Cabinet Member: Leader*

*Forward Plan Ref: 2009/198*

*Contact: Claire Evans, Strategic Partnerships Manager (01865 323966)*

*Report by: Assistant Chief Executive (Strategy)*

In 2007 we took our first steps towards a focus on localities when we agreed a Closer to Communities Strategy – an outline framework for locality working based around 25 “natural community areas”. We explored how to engage more actively with key local partnerships (for example in Bicester and Abingdon), communicate with the public about service provision in localities and promote the benefits of community led-planning (for example, parish plans).

It is now proposed that we reduce these 25 areas to 14 localities, being a more manageable number in terms of officer support and communication.

During November the Closer to Communities report was circulated to all County Council elected members and discussed at Informal Cabinet and the Corporate Core opposition briefing. It was also circulated to all District Chief Executives, the Primary Care Trust and Police for comment.

Within the 14 localities Cabinet has already identified Didcot, Abingdon, Bicester, Carterton, Banbury and Oxford as being a high priority because of planned developments. For these priority areas we have used a wide range of information to identify the key issues and recommendations are proposed for each of the priority places.

***It is RECOMMENDED that Cabinet:***

- (a) ***approve the 14 proposed locality areas for further discussion with partner organisations; and***
- (b) ***approve the recommendations for making progress on locality arrangements in the 6 priority places.***

### **13. Member Champions (Pages 403 - 406)**

*Cabinet Member: Leader*

*Forward Plan Ref: 2009/219*

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

*Report by: Assistant Head of Legal & Democratic Services*

This report seeks approval to the appointment of a new Member Champion for Locality Working.

***The Cabinet is RECOMMENDED to appoint a Councillor as Member Champion for Locality Working.***

### **14. Forward Plan and Future Business (Pages 407 - 410)**

*Cabinet Member: All*

*Contact: 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.***

### **15. Delegated Powers of the Chief Executive**

*Cabinet Member: Leader*

*Forward Plan Ref: 2009/146*

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

*Report by: Assistant Head of Legal & Democratic Services*

Schedule attached reporting on a quarterly basis any executive decisions 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.

Please note that this is not for scrutiny call in.

<i>Date</i>	<i>Subject</i>	<i>Decision</i>	<i>Reason for Urgency</i>
14/12/09	Proposed transfer of staff and services to Oxfordshire and Buckinghamshire Mental Healthcare NHS Foundation Trust	Approved an exemption from the full tendering requirements of the Council's Contract Procedure Rules	To put an interim arrangement in place to ensure integrated and safe services pending the agreement of joint commissioning procurement arrangements.

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