

To: **Members of the Cabinet**

Notice of a Meeting of the Cabinet

Tuesday, 16 February 2010 at 2.00 pm

County Hall, Oxford, OX11ND



Joanna Simons
Chief Executive

February 2010

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<i>Councillors</i>	Membership
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 & Infrastructure</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 Implementation</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 24 February 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 March 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 (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. Financial Monitoring - February 2010 (Pages 11 - 82)

Cabinet Member: Leader

Forward Plan Ref: Ref: 2009/181

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

Report By: Assistant Chief Executive & Chief Finance Officer

This is the ninth financial monitoring report for the 2009/10 financial year and covers the period up to the end of December 2009. It includes projections for revenue, balances, reserves and capital monitoring.

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 £4.305m. 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 £2.588m, whilst the Learning Disabilities Pooled Budget is forecast to overspend by £0.901m.

The current position for general balances is set out in Annex 5 and shows a forecast of £11.063m after taking account of agreed and proposed requests for supplementary estimates. After taking into account the forecast Directorate overspend, the consolidated revenue balances forecast is £6.758m.

The Cabinet is RECOMMENDED to:

- (a) note the report;***
- (b) approve the virements as set out in Annex 2a;***
- (c) approve the proposed new music service charges as set out in Annex 8;***
- (d) note the addition to the Older People & Physical Disabilities Pooled Budget of £0.320m extra residential and Fairer Charging income in 2009/10;***
- (e) approve the supplementary estimate request of £0.300m for costs relating to the Southwark Judgement as set out in paragraph 11 and Annex 2f;***
- (f) agree to recommend Council to approve the supplementary estimate request of £2.250m for ICT as set out in paragraph 57 and Annex 2f, at their meeting on 6 April 2010; and***
- (g) approve the write off of the bad debt of £13,000 as set out in paragraph 71.***

7. Endorsement of the Cherwell Sustainable Community Strategy, Our District, Our Future (Pages 83 - 86)

Cabinet Member: Leader

Forward Plan Ref: Ref: 2010/001

Contact: Claire Phillips, Partnership Officer Tel: (01865) 323967

Report By: Assistant Chief Executive (Strategy)

Each district in Oxfordshire has a local strategic partnership (LSP) and has a duty to produce a Sustainable Community Strategy (SCS).

The Cherwell LSP has recently produced its Sustainable Community Strategy. The county council is a key partner in the Cherwell LSP and was involved in the development of the strategy and consultation on its priorities.

Cabinet endorsed the other four district strategies last year.

The Cabinet is RECOMMENDED to endorse the Cherwell sustainable community strategy and commit its support to delivery of the priorities identified.

8. Review of Delegation to Cabinet Members (Pages 87 - 88)

Cabinet Member: Leader
Forward Plan Ref: Ref: 2010/008
Contact: Tony Cloke, Assistant Head of Legal and Democratic Services Tel: (01865) 815314

Report By: Assistant Head of Legal & Democratic Services

To review the working of the Transport Decisions Committee now it has been operating for six months, and to consider future arrangements including any necessary changes to the delegation to the relevant Cabinet Members.

Cabinet is RECOMMENDED to:

- (a) note the Leader of the Council's decision that the Cabinet Member for Transport Implementation be re-designated as Cabinet Member for Transport;***
- (b) note the Leader of the Council's decision to wind up the Transport Decisions Committee with effect from 1 March 2010 and to authorise the discharge of its functions to be exercised by the Cabinet Members for Transport and Growth & Infrastructure as set out in their respective portfolios; and***
- (c) authorise the Assistant Head of Legal & Democratic Services to take all necessary steps to bring the arrangement at (b) into effect from that date, including:***
 - (i) the setting of provisional dates and venues for delegated decision sessions for the Cabinet Member for Transport, in consultation with the Cabinet Member for Transport and the Director for Environment & Economy; and***
 - (ii) making the arrangements known to other members and to officers.***

9. Forward Plan and Future Business (Pages 89 - 92)

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 **CA9**. 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.
