

To: **Members of the Cabinet**

Notice of a Meeting of the Cabinet

Tuesday, 9 March 2010 at 2.00 pm

County Hall, Oxford, OX11ND

Joanna Simons

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Chief Executive

March 2010

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<i>Councillors</i>	Membership
Keith R. Mitchell CBE	- <i>Leader</i>
David Robertson	- <i>Deputy Leader of the Council</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</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 17 March 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. **Petitions and Public Address**

EXEMPT ITEMS

In the event that any Member or Officer wishes to discuss the information set out in Annex 2, the Cabinet will be invited to resolve to exclude the public for the consideration of that Annex (marked **CA4E – Annex 2**) by passing a resolution in relation to that item in the following terms:

"that the public be excluded during the consideration of Annex 2 since it is likely that if they were present during that discussion there would be a disclosure of "exempt" information as described in Part 1 of Schedule 12A to the Local Government Act, 1972 and specified below the item in the Agenda".

NOTE: The report and Annex 1 do not contain exempt information and are thus available to the public. The exempt information is contained in confidential annex 2.

ANNEX 2 TO 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 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.

4E. **Transport Services Contract Award** (Pages 1 - 62)

Cabinet Member: Transport Implementation
Forward Plan Ref: 2009/170
Contact: Art Rapp, Project Manager Tel: (01865) 815661

Report By: Head of Transport

(The information contained in Annex 2 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 distort the proper process of the transaction and the Council's standing generally in relation to such transactions in future, to the detriment of the Council's ability properly to discharge its fiduciary and other duties as a public authority.

The term contracts for Engineering Consultancy Services with Jacobs and Highway Maintenance with Enterprise plc (formerly Accord) have come to the end of their contract period. Cabinet are aware of the work that has been undertaken to reshape the Transport Service to integrate with a private sector provider of Transport related services. This will encompass the transport work from the above two contracts.

It had been planned to start the whole of the new contract on 1st July 2010 but it has not been possible to negotiate an extension with Enterprise so the highway works element will end on 31st March 2010. Jacobs contract will remain through to 30th June 2010.

The decision required of Cabinet is to approve the successful tenderer and to confirm that a contract can be entered into.

The Cabinet is RECOMMENDED to approve the signing of a contract with Atkins to provide Oxfordshire County Council's transport and highway work within the terms of the contract.
