

## CABINET

**MINUTES** of the meeting held on Tuesday, 16 April 2013 commencing at 2.00 pm and finishing at 2.45 pm

**Present:**

**Voting Members:** Councillor Ian Hudspeth – in the Chair  
Councillor Rodney Rose  
Councillor Nick Carter  
Councillor Melinda Tilley  
Councillor Hilary Hibbert-Biles  
Councillor Mrs J. Heathcoat  
Councillor Kieron Mallon

**Other Members in Attendance:** Councillor Roz Smith, (Agenda Item 6)  
Councillor Jean Fooks, (Agenda Items 7 & 9)

**Officers:**

Whole of meeting Joanna Simons (Chief Executive); Sue Whitehead (Chief Executive's Office)

Part of meeting

Item	Name
6	Kathy Wilcox (Corporate Finance)
7	Roy Leach, School Organisation & Planning Manager
8	Kevin Griffin (School Organisation & Planning)
9	Kevin Griffin (School Organisation & Planning)

*The Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting, together with a schedule of addenda tabled at the meeting, and decided as set out below. Except insofar as otherwise specified, the reasons for the decisions are contained in the agenda, reports and schedule, copies of which are attached to the signed Minutes.*

#### **41/13 APOLOGIES FOR ABSENCE**

(Agenda Item. 1)

Apologies were received from Councillor Louise Chapman.

#### **42/13 MINUTES**

(Agenda Item. 3)

The Minutes of the meeting held on 19 March 2013 were approved and signed.

Cabinet noted the following erratum to the Minutes of the meeting held on 26 February 2013:

Item 19/13

Final paragraph on page 3, where it states CRMP was formerly known as the Integrated **Task** management Plan should read '**Risk**' as opposed to 'Task'

Final sentence of the first paragraph on page 4– reference to South **Oxfordshire** – should read 'South **Central Ambulance Service**'

#### **43/13 PETITIONS AND PUBLIC ADDRESS**

(Agenda Item. 5)

The following requests to address the meeting had been agreed:

Item 6 – Councillor Roz Smith, Shadow Cabinet Member for Finance

Item 7 – Councillor Jean Fooks, local Councillor

Mr Jon Gray, Head Teacher, Cutteslowe Primary School

Item 9 - Councillor Jean Fooks, local Councillor

#### **44/13 2012/13 FINANCIAL MONITORING & BUSINESS STRATEGY DELIVERY REPORT - FEBRUARY 2013**

(Agenda Item. 6)

Councillor Hudspeth gave notice of his intention to move the following amendment to recommendation (f):

- (f) to approve the use of the additional capital funding as set out in paragraphs **49 and 50 and approve the use of the additional highways capital funding in 2013/14 (referred to in paragraph 48)**

Councillor Smith referred to the small underspend in the last financial monitoring report of the 12/13 year which was worrying. She highlighted that

of greater concern was the increase in the reserves to £115m with further reserves to be agreed today. She expected to hear that the reserves were there for a reason but year on year they had increased. She hoped that following the election cabinet members would query why the money was not being spent on services.

Responding to a question from Councillor Hudspeth about what changes Councillor Smith would make she replied that each area would be reviewed.

The Leader in moving the recommendations as amended in the addenda and as set out above explained that the money referred to in paragraph 49 had come in and was going to adult services. At the budget County Council meeting they had looked at everything in detail. The reserves were looked at but they were there for a reason. They were not general reserves where the complaint might then have some validity. The Leader thanked Kathy Wilcox and the Finance Team for all the work they did and felt that 0.7% underspend was a good achievement. However the underspend was not treated lightly and specific underspends were closely monitored to see that they did not reoccur each year.

Councillor Rose, Deputy Leader with responsibility for transport welcomed the amendment proposed by Councillor Hudspeth. Although Oxfordshire roads were not as bad as in many areas the weather conditions had caused some problems and the funding was welcome.

Lorna Baxter responded to questions from Councillor Melinda Tilley about the Basic Needs Budget for Schools and provision for disadvantaged two year olds.

During further discussion cabinet members supported the amendment and the use of earmarked reserves

**RESOLVED:** to:

- (a) note the report;
- (b) approve virements for financial year 2013/14 included in Annex 9;
- (c) agree the creation of a new reserve for the renewal of Print Machinery as set out in paragraph 37;
- (d) note the Treasury Management lending list at Annex 7;
- (e) approve changes to the programme in Annex 8c;
- (f) approve the use of the additional capital funding as set out in paragraphs 49 and 50 and approve the use of the additional highways capital funding in 2013/14 (referred to in paragraph 48);
- (g) approve the charges for Environment & Economy as set out in paragraph 51 and Annex 10.

## **45/13 OPTION APPRAISAL CONCLUSIONS ON CUTTESLOWE PRIMARY SCHOOL FOUNDATION STAGE UNIT (FSU)**

(Agenda Item. 7)

In the light of a wish by the Head Teacher and The Cherwell School Academy Trust to continue to provide 39 full time equivalent (fte) F2 nursery places an option appraisal was commissioned by Children Education & Families to investigate the Foundation Stage Unit area and to present options on what work might be carried out, and its cost. Cabinet considered a report on the options appraisal that sought their decision on whether to allocate funds, and if so, how much.

Jon Gray, Head Teacher Cutteslowe Primary School, spoke in support of the extension of the FSU to be able to continue to provide 39fte nursery places. He highlighted that the school had been in special measures for a number of years and that he had taken over late in 2011. In their most recent OFSTED they had been found to making good progress. He explained the background to the recent move under The Cherwell School Academy Trust and highlighted that 40% of pupils were on free school meals and 50% did not have English as a first language. These challenges shaped the curriculum on offer. In referring to the report he stated that the concerns about the size of the nursery unit had been voiced by the school before he had started. The feasibility, procurement and design had all happened at once and he felt that because of that these concerns had been missed. He was aware of only one school of 60 F1 pupils that had only 26 F2 places. The rest were similar to Cutteslowe Primary School and he noted that they already had 39 children in the morning session. The additional provision would allow the school to take children earlier and this would assist in their achievement. With an extended classroom they could take some two year olds in line with the policy around provision for disadvantaged two year olds.

Responding to a question on numbers from Councillor Heathcoat, Mr Gray indicated that they already had 39 children in the morning session and would want 39 in the afternoon session.

Councillor Jean Fooks, speaking as a local councillor expressed surprise that the report referred to over provision in Summertown and Wolvercote and stated that she did not think this was the case. Of the nursery provision taken into account most were private and very few are within one mile of school. Parents would not travel 3 miles with a young child. Cutteslowe Primary School nursery provision was full and there was a waiting list. The school served a deprived area. The extension of the main school to two form was good and The Cherwell School was delighted at the joint Trust status. She felt that it was important that the County Council did what it could and she very much hoped that some support could be found. She referred to the map tabled by Mr Gray and explained where the extended classroom could go. She referred to the additional housing in Wolvercote and that much of this would be social housing.

In response to a question from Councillor Hibbert-Biles about the waiting list, Mr Gray returned to the table. He replied that there were 28 in September but would be 39 in January. He added that he had had to turn children away.

Councillor Tilley, Cabinet Member for Education in introducing the contents of the report paid tribute to Jon Gray. She highlighted that the County Council was spending £2m for the school to become 2-form entry. There was no funding available from the County Council to pay for additional nursery provision as it could not be considered under the Basic Needs budget. As an Academy there were other funding streams available to the school. She proposed that no financial support be provided to make provision for 78 (39 fte) F2 places.

Roy Leach, confirmed the officer view that there was not a basic need for additional places. It was expected that all other provision be considered and there were sufficient places in the recognised planning area. The School has sufficient space for 60 F1 pupils. Responding to a question from the Leader he confirmed that if Cabinet agreed the proposal then there would be additional over provision.

During discussion the following points were made:

(1) This was money that the Council had not got and there were many areas where Cabinet Members could identify additional spend within their own areas that could not take place because funding was not available.

(2) There was over capacity so funding could not be provided through the Basic Needs budget. There was no objective need for 39 places morning and afternoon. However the school could access alternative funding on suitability and condition as well as capacity. The Leader added that he was sure that officers would be happy to assist in applying for these other funding streams.

(3) As an Academy the School had more autonomy and as there was a sufficiency of places then the County Council was not responsible for this additional provision.

**RESOLVED:** Not to financially support The Cherwell School Academy Trust's aspiration to make provision for 78 (39 full time equivalent (fte)) rather than 52 (26 fte) F2 (nursery pupils).

## **46/13 STAGE ONE PUBLIC CONSULTATION ON PROPOSED EXPANSION OF ST JOSEPH'S CATHOLIC PRIMARY SCHOOL, OXFORD**

(Agenda Item. 8)

Cabinet considered a report detailing a proposal to permanently increase the school admission number at St Joseph's Catholic Primary School from 45 to 60 on a permanent basis from September 2014.

Cabinet noted that the proposals were part of the strategic basic need provision in Oxford.

**RESOLVED:** to support the Governing Body in its wish to publish a statutory notice for the expansion of St Joseph's Catholic (VA) Primary School, Oxford.

#### **47/13 STAGE ONE PUBLIC CONSULTATION ON PROPOSED EXPANSION OF WOLVERCOTE PRIMARY SCHOOL, OXFORD**

(Agenda Item. 9)

Cabinet considered a report that proposed the permanent increase of the school admission number at Wolvercote Primary School to 45 from 30.

Councillor Jean Fooks, as a local Councillor spoke in support of the proposal but raised concerns over traffic problems. A new travel plan may well be needed and she supported the consultation.

**RESOLVED:** to approve the publication of a statutory notice for the expansion of Wolvercote Primary School, Oxford

#### **48/13 FORWARD PLAN AND FUTURE BUSINESS**

(Agenda Item. 10)

The Cabinet considered a list of items for the immediately forthcoming meetings of the Cabinet.

**RESOLVED:** to note the items currently identified for forthcoming meetings.

#### **49/13 DELEGATED POWERS OF THE CHIEF EXECUTIVE - APRIL 2013**

(Agenda Item. 11)

**RESOLVED:** to note the following 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 -Paragraph 1(A)(c)(i).

<i>Date</i>	<i>Subject</i>	<i>Decision</i>	<i>Reasons for Urgency</i>
14 March 2013	Request for exemption from the Council's Contract Procedure Rules in respect of an extension of the LINK contract for one year from 1 April 2013.	Approved an exemption from the full tendering requirements of the Council's Contract Procedure Rules	Following a procurement exercise that failed to secure a provider to run Healthwatch in Oxfordshire the contract extension is needed so that the County Council can meet its statutory

			functions in relation to providing a local Healthwatch.
25 March 2013	Request for exemption from the Council's Contract Procedure Rules for the novation of the existing Carer's Voice Contract to Action for Carers (Oxfordshire) Ltd and an extension on the current contract terms for a period of two years .	Approved an exemption from the full tendering requirements of the Council's Contract Procedure Rules	The novation and extension of the contract from 1 April 2013 maintains continuity of service.
26 March 2013	Scale of Election Fees and Charges 2013	Agreed the scale of election fees and charges for running the County Council Elections.	The scale needed to be in place so that District Councils who are running the elections on behalf of the County can apply this scale in their preparations

..... in the Chair

Date of signing .....