

County Council

7 November 2023

Agenda



**OXFORDSHIRE
COUNTY COUNCIL**

To: **Members of the County COUNCIL**

Notice of a Meeting of the County Council

Tuesday, 7 November 2023 at 10.30 am

Council Chamber - County Hall, New Road, Oxford OX1 1ND

If you wish to view proceedings, please click on this [Live Stream Link](#). Please note, that will not allow you to participate in the meeting.

A handwritten signature in grey ink that reads "Reeves".

Martin Reeves
Chief Executive

October 2023

Committee Officer:

Colm Ó Caomhánaigh

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AGENDA

1. Minutes (Pages 1 - 40)

To approve the minutes of the meeting held on 12 September 2023 (CC1) and to receive information arising from them.

2. Apologies for Absence

3. Declarations of Interest - see guidance note

Members are reminded that they must declare their interests orally at the meeting and specify (a) the nature of the interest and (b) which items on the agenda are the relevant items. This applies also to items where members have interests by virtue of their membership of a district council in Oxfordshire.

4. Official Communications

5. Appointments

To make any changes to the membership of scrutiny and other committees on the nomination of political groups and to note any changes to the Cabinet made by the Leader of the Council.

6. Petitions and Public Address

Members of the public who wish to speak on an item on the agenda at this meeting, or present a petition, can attend the meeting in person or 'virtually' through an online connection. Requests must be submitted no later than 9am one working day before the meeting i.e., 9am on Monday 6 November 2023. Requests to speak should be sent to committeesdemocraticservices@oxfordshire.gov.uk

If you are speaking 'virtually', you may submit a written statement of your presentation to ensure that if the technology fails, then your views can still be taken into account. A written copy of your statement can be provided no later than 9am on the day of the meeting. Written submissions should be no longer than 1 A4 sheet.

7. Questions with Notice from Members of the Public

8. Questions with Notice from Members of the Council

9. Scrutiny Annual Report (Pages 41 - 66)

Report by the Director of Law & Governance

This report primarily focuses on the work of the Performance & Corporate Services, Place and People overview and scrutiny committees.

The Council is RECOMMENDED to receive the Scrutiny Annual Report

10. Report of the Cabinet (Pages 67 - 74)

Report by the Leader of the Council.

The report covers the Cabinet meetings held on 19 September 2023 and 17 October 2023.

11. Strategic Leadership Team (Pages 75 - 104)

Report by Chief Executive

Council is RECOMMENDED to

- a) **Approve the pay scale of £159,000 to £187,000 for the three proposed Executive Director roles; Executive Director of People, Executive Director of Place and Executive Director of Resources, which will form part of the Strategic Leadership Team;**
- b) **Appoint Stephen Chandler as permanent Executive Director of People and Lorna Baxter as permanent Executive Director of Resources at ED3 within the pay scale set out in recommendation 1; and**
- c) **Approve the Council's Pay Policy being amended at the next annual review in 2024 (Annex 1) to reflect the changes set out in this report.**

12. Appointment of Section 151 Officer (Pages 105 - 106)

Report by Chief Executive

Council is RECOMMENDED to confirm and approve the designation of Lorna Baxter, Executive Director of Resources, as Section 151 Officer, on a permanent basis from the date of this meeting.

13. Changes to Constitution of Pension Fund Committee (Pages 107 - 110)

Report by Director of Finance

The Council is RECOMMENDED

- a) **To agree the proposed changes by the Pension Fund Committee to their constitution as set out below:**

- (i) **The addition of two voting members, appointed by the County Council (this increases the number of county councillors from 5 to 7 members).**
 - (ii) **The deletion of the two non-voting positions representing the Academy sector.**
- b) **To instruct the Director of Law and Governance and Monitoring Officer to give consideration to the requirements of political balance as set out in the Local Government and Housing Act 1989 and present a report to Council at its next meeting for Council to consider nominations and confirm the relevant appointments to the Pension Fund Committee.**

14. Calendar of Meetings 2024-25 (Pages 111 - 116)

Report by Director of Law & Governance

The calendar of meetings for each civic year is presented to Council for approval.

COUNCIL IS RECOMMENDED to approve the calendar of meetings for the 2024-25 council year attached to the report.

15. Special Urgency Decision (Pages 117 - 120)

Report by Director of Law & Governance

Council is RECOMMENDED to note the use of Special Urgency for a Key Decision on 17 August 2023.

MOTIONS WITH NOTICE FROM MEMBERS OF THE COUNCIL

WOULD MEMBERS PLEASE NOTE THAT ANY AMENDMENTS TO MOTIONS WITH NOTICE MUST BE PRESENTED TO THE PROPER OFFICER IN WRITING BY 9.00 AM ON THE FRIDAY BEFORE THE MEETING

16. Motion by Councillor Liz Brighthouse

This Council notes that:

- Since the change in legislation regarding Special Educational Needs and Disabilities (SEND) in 2014 the partners delivering provision within the overall system have seen a reduction in resources, spiralling demand, a pandemic and major recruitment issues.
- Academisation of our Schools has added to the complexity. In Oxfordshire all but one of our Secondary Schools are Academies and over half out Primaries Schools are Academies.
- In Oxfordshire all schools struggle financially.
- The Local Area Partnership inspection and similar inspections across the Country identified “systemic failures” across the whole system and families

Children and practitioners are currently suffering.

- The System in England is £3.4bn in deficit in Oxfordshire this will amount to over £50m by March 2024.

45 years ago the The Warnock Report set out the expectations for the system and SEND Delivery framework. It is time for another such report.

This Council asks the Leader to write to the Prime Minister and Secretary of State for Education requesting them to set up a Commission urgently to consider the current needs, resources and systemic change which is needed to reform the System in order to support Children and Young People with SEND.

17. Motion by Councillor Andrew Gant

Oxfordshire County Council is proud of our history of welcoming people seeking safety in our county. We believe that:

- everyone has the right to seek safety, and everyone's claim for asylum should be treated equally and fairly;
- the Government's 'anti-refugee' laws undermine internationally recognised rights for people fleeing war and persecution to seek safety;
- people seeking safety should be housed as our neighbours and as a part of our communities;
- the UK needs an asylum system that empowers people seeking safety to rebuild their lives and enables communities to welcome them;

Council resolves to:

- i. defend the right to seek safety from war and persecution in the UK by signing the national 'Fight the Anti-Refugee Laws' pledge;
- ii. call on the UK Government to repeal the Illegal Migration Act and the Nationality and Borders Act, withdraw the UK–Rwanda partnership,
- iii. request Cabinet to
 - work with Local Authorities and communities to build a refugee protection system that treats all people with dignity and compassion;
 - continue to lobby against any UK Government plans to build or repurpose facilities in Oxfordshire to detain or warehouse people seeking safety;
 - work with local organisations and people with lived experience of the asylum system to identify ways to mitigate the effects of these measures in Oxfordshire;
 - consider joining the network of cities and towns which promote the inclusion and welfare of people who are fleeing violence and persecution and become a recognised Council of Sanctuary

18. Motion by Councillor Liam Walker

Oxfordshire County Council no longer has support for the:

- i. Cowley LTN scheme; and
- ii. East Oxford LTN scheme.

Council now requests Cabinet to urgently consider setting in train the necessary executive steps to remove the Cowley LTNs as agreed by the Cabinet Member for Environment (including Transport) on 21st January 2021 and the East Oxford LTNs as agreed by Cabinet on Tuesday 17th October 2023.

19. Motion by Councillor Mark Cherry

Council requests Cabinet to consider approving the Councils for Fair Tax declaration.

This commits Councils to

- Lead by example and demonstrate good practice in our tax conduct, right across our activities.
- Ensure IR35 is implemented robustly and contract workers pay a fair share of employment taxes.
- Not use offshore vehicles for the purchase of land and property, especially where this leads to reduced payments of stamp duty.
- Undertake due diligence to ensure that not-for-profit structures are not being used inappropriately by suppliers as an artificial device to reduce the payment of tax and business rates.
- Demand clarity on the ultimate beneficial ownership of suppliers UK and overseas and their consolidated profit & loss position, given lack of clarity could be strong indicators of poor financial probity and weak financial standing.
- Promote Fair Tax Mark certification especially for any business in which we have a significant stake and where corporation tax is due.
- Support Fair Tax Week events in the area, and celebrate the tax contribution made by responsible businesses are proud to promote responsible tax conduct and pay their fair share of corporation tax. .

Council also requests the Leader of the Council to write to the Chancellor of the Exchequer supporting calls for urgent reform of UK procurement law to enable local authorities to better penalise poor tax conduct and reward good tax conduct through their procurement policies.”

20. Motion by Councillor Donna Ford

Councillors note the increasing number of vacant bank and building society buildings on our high streets, which are largely the result of technological change. The loss of community banking services is of concern to many residents, especially older constituents and those with disabilities and adaptive needs.

Buckinghamshire Council has set up a Banking Hub in Buckingham library for people to access banking services in the town centre.

Established in partnership with Buckinghamshire Council through its Buckingham and Villages Community Board, with the support of Buckingham Town Council and

community representatives, the temporary Banking Hub provides local people with access to banking services. This offers a counter service operated by the Post Office, where customers of all major banks and building societies can carry out regular cash transactions. It also offers a Community Banker service where customers can talk to their banking provider about more complicated issues. Community Bankers work on rotation, with a different bank or building society available on each day of the week, to ensure fair and equitable access to major banking and building society customers.

Council requests the relevant Cabinet member for Community and Corporate Services and the Cabinet Member for Finance to take a lead from forward-thinking colleagues at Buckinghamshire Council and, working with its Town Council, and District Council partners, invite banks and building societies that have left – or are due to leave – our high streets to explore opportunities to work with this Council to set up similar banking hubs within appropriate Council libraries.

21. Motion by Councillor Eddie Reeves

This Council recognises that the voice of small and medium-sized enterprises ('SMEs') have, too often, been overlooked.

This Council resolves to request the Leader of the Council to appoint a Small Business Champion to provide a single point of contact for local businesspeople and advise members attending Cabinet and relevant scrutiny committees of the impact of Council policies on the county's SMEs.

22. Motion by Councillor David Rouane

Pride in the appearance of the public realm is important to our residents. Ensuring that streets and pavements are accessible, level, without hazards, clear of weeds and vegetation is essential for preventing long term damage to the footways, improving accessibility for all, visibility, reducing the chances of accidents, and also allowing people to have pride in their neighbourhood.

Council resolves to:

1. Note the difficulties in maintaining weed clearance to a high standard in view of the expanding network of highways, and in the context of over a decade of budget cuts; and
2. Acknowledge the justified phasing out of glyphosate and herbicide-based methods based on health and environmental grounds; and
3. Recognise that the Council has a statutory duty to keep pavements free of weeds and hazards; and
4. Request the Cabinet Member for Transport Management to consider options for alternative methods of weed removal, and scheduled maintenance that are both cost-effective and environmentally friendly, including supporting the work of towns and parishes, local groups and individuals, that can be developed and trialled around the county, and for ongoing consideration of other methods.
5. Request that the Cabinet Member for Finance give due consideration to the

findings of this report as part of the next round of budget setting.

6. Embrace collection of green matter from weeding and grass cutting and ask the Cabinet Member for Climate Change Delivery and Environment to consider reviewing a county owned Anaerobic digester facility.

23. Motion by Councillor Liz Brighthouse

Since the Alliance governing Oxfordshire collapsed on 24th Sept 2023 the Council now has a minority Liberal Democrat Green Alliance administration. This leaves Oxfordshire, its employees and those who rely on it for services in a difficult position. At any time unacceptable decisions could be called in to Scrutiny or a Special Council Meeting and the Leader could be subject to no confidence votes. This Council wants to ensure the good governance of Oxfordshire and therefore calls on the Cabinet to:-

- Ensure that all Group Leaders and Spokespersons are equally involved in all issues relating to decision making and Governance of Oxfordshire.
- Ensure that briefings are open to the Spokespeople of all three Groups.
- Inform all Panels and Groups of any new arrangements that may be necessary as a result of no political group having overall control of the Council.

Councillors declaring interests

General duty

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed 'Declarations of Interest' or as soon as it becomes apparent to you.

What is a disclosable pecuniary interest?

Disclosable pecuniary interests relate to your employment; sponsorship (i.e. payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licenses for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest. If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members' Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member 'must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself' and that 'you must not place yourself in situations where your honesty and integrity may be questioned'.

Members Code – Other registrable interests

Where a matter arises at a meeting which directly relates to the financial interest or wellbeing of one of your other registerable interests then you must declare an interest. You must not participate in discussion or voting on the item and you must withdraw from the meeting whilst the matter is discussed.

Wellbeing can be described as a condition of contentedness, healthiness and happiness; anything that could be said to affect a person's quality of life, either positively or negatively, is likely to affect their wellbeing.

Other registrable interests include:

- a) Any unpaid directorships
- b) Any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority.

- c) Any body (i) exercising functions of a public nature (ii) directed to charitable purposes or (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management.

Members Code – Non-registrable interests

Where a matter arises at a meeting which directly relates to your financial interest or wellbeing (and does not fall under disclosable pecuniary interests), or the financial interest or wellbeing of a relative or close associate, you must declare the interest.

In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied:

Where a matter affects the financial interest or well-being:

- a) to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- a) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest.

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.