

## Notice of a Meeting

### **Growth & Infrastructure Scrutiny Committee** **Monday, 9 August 2010 at 10.00 am** **County Hall**

#### **Membership**

Chairman - Councillor David Nimmo-Smith  
Deputy Chairman - Councillor Nicholas P. Turner

<i>Councillors:</i>	Roger Belson	Charles Mathew	John Tanner
	Michael Gibbard	Anne Purse	David Turner
	Pete Handley	Keith Strangwood	

#### **Notes:**

*Date of next meeting: 23 September 2010*

#### **What does this Committee review or scrutinise?**

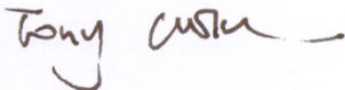
- Transport; highways; traffic and parking; road safety (those areas not covered by the Safer & Stronger Communities Scrutiny Committee); public passenger transport
- Regional planning and local development framework; economic development; waste management; environmental management; archaeology; access to the countryside; tourism
- The planning, highways, rights of way and commons/village greens functions of the Planning & Regulation Committee

#### **How can I have my say?**

We welcome the views of the community on any issues in relation to the responsibilities of this Committee. Members of the public may ask to speak on any item on the agenda or may suggest matters which they would like the Committee to look at. **Requests to speak must be submitted to the Committee Officer below no later than 9 am on the working day before the date of the meeting.**

#### **For more information about this Committee please contact:**

Chairman	-	Councillor David Nimmo-Smith E.Mail: david.nimmo-smith@oxfordshire.gov.uk
Committee Officer	-	Sue Whitehead, Tel: (01865) 810262 sue.whitehead@oxfordshire.gov.uk



Tony Cloke  
Assistant Head of Legal & Democratic Services

July 2010

## About the County Council

The Oxfordshire County Council is made up of 74 councillors who are democratically elected every four years. The Council provides a range of services to Oxfordshire's 630,000 residents. These include:

schools	social & health care	libraries and museums
the fire service	roads	trading standards
land use	transport planning	waste management

Each year the Council manages £0.9 billion of public money in providing these services. Most decisions are taken by a Cabinet of 9 Councillors, which makes decisions about service priorities and spending. Some decisions will now be delegated to individual members of the Cabinet.

## About Scrutiny

Scrutiny is about:

- Providing a challenge to the Cabinet
- Examining how well the Cabinet and the Authority are performing
- Influencing the Cabinet on decisions that affect local people
- Helping the Cabinet to develop Council policies
- Representing the community in Council decision making
- Promoting joined up working across the authority's work and with partners

Scrutiny is NOT about:

- Making day to day service decisions
- Investigating individual complaints.

## What does this Committee do?

The Committee meets up to 6 times a year or more. It develops a work programme, which lists the issues it plans to investigate. These investigations can include whole committee investigations undertaken during the meeting, or reviews by a panel of members doing research and talking to lots of people outside of the meeting. Once an investigation is completed the Committee provides its advice to the Cabinet, the full Council or other scrutiny committees. Meetings are open to the public and all reports are available to the public unless exempt or confidential, when the items would be considered in closed session

**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, giving as much notice as possible before the meeting**

**A hearing loop is available at County Hall.**

# AGENDA

1. **Apologies for Absence and Temporary Appointments**
2. **Declarations of Interest - see guidance note on the back page**
3. **Speaking to or petitioning the Committee**
4. **Call in of Decision by the Cabinet - Oxfordshire Residual Waste Treatment Procurement - Award of Contract (Pages 1 - 18)**

In accordance with Rule 16 of the Scrutiny Procedure Rules, the Proper Officer has agreed to a request from the following Councillors for a Call In of the Cabinet's decision made on 27 July in relation to 'Oxfordshire Residual Waste Treatment Procurement – Award of Contract'

Councillor Tanner  
Councillor Mrs Fulljames  
Councillor Brighthouse  
Councillor Val Smith  
Councillor Stevens  
Councillor Pressel  
Councillor John Sanders  
Councillor Larry Sanders  
Councillor Purse  
Councillor Godden  
Councillor Goddard  
Councillor Patrick

The Cabinet decision was to:

award the contract for the treatment of Oxfordshire's residual municipal waste to Viridor Waste Management Ltd and authorise:

- (a) the Director for Environment & Economy, after discussion with the Cabinet Member for Growth and Infrastructure, to approve minor amendments to the form of contract, and any subsidiary or related documents, prior to its execution which do not modify substantial aspects of the contract or the commercial agreement with Viridor as outlined in the report;
- (b) the Director for Environment & Economy to sign any subsidiary or related documents arising from the contract; and
- (c) the Assistant Chief Executive & Chief Finance Officer to issue a certificate under the Local Government (Contracts) Act 1997 (the Certificate).

The reasons given for the request are:

*“That the contract is not in the best interests of the people of Oxfordshire.”*

A copy of the report to the Cabinet (**GI4**) is attached, including Annex 1, but not Annexes 2, 3 and 4 which contain “exempt” information as described in Part I of Schedule 12A to the Local Government Act 1972 as specified below:

*“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 such disclosure would prejudice on-going negotiations and disadvantage the company concerned.

## **5. Close of Meeting**

## 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 Part 9.1 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.