

To: Members of the Democracy & Organisation Committee

***Notice of a Meeting of the Democracy & Organisation
Committee***

**Tuesday, 14 June 2011 at 3.30 pm
or on the rising of Council, whichever is later**

County Hall, New Road, Oxford



Peter G. Clark
County Solicitor

June 2011

Contact Officer: **Geoff Malcolm**
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Membership

Councillors

Anne Purse
Neil Owen
A.M. Lovatt
Alyas Ahmed
Lynda Atkins

Mike Badcock
Maurice Billington
Liz Brighthouse OBE
Iain Brown
Michael Gibbard

Janet Godden
Ray Jelf
G.A. Reynolds
Richard Stevens
Alan Thompson

Notes:

- ***Date of next meeting: 13 October 2011***

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.

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. **Election of Chairman for the 2011/12 Council Year**
2. **Election of Deputy Chairman for the 2011/12 Council Year**
3. **Subordinate Bodies**

The Committee is asked to note that the following existing subordinate bodies fall within the responsibility of this Committee. Appointments to them are not needed at this time.

Appeals Sub-Committee

To hear and determine appeals in cases where the relevant procedure rules require this function to be performed by a formally constituted committee or sub-committee.

Tribunal Panels

(Drawn from a pool comprising all members of the Democracy & Organisation Committee or named substitutes)

To hear and determine appeals in other cases under the relevant procedure rules.

Fire Service Discipline Sub-Committee

To act as the Disciplinary Tribunal hearing and determining cases against Principal Officers in the first instance in accordance with the provisions of the Fire Services (Discipline) Regulations 1985.

Appointments Sub-Committee

To appoint Directors and Deputy Directors and make recommendations to the Council as to the appointment of the Head of the Paid Service.

Gradings Sub-Committee

To agree changes to the salaries and remuneration of Directors and other officers on Chief Officer or equivalent grades.

Pension Benefits Sub-Committee

To determine, as the Employing Authority, the benefits for individual applications for early retirement.

4. **Apologies for Absence and Temporary Appointments**
5. **Declarations of Interest - see guidance note**
6. **Minutes**

To approve the minutes of the meeting held on 15 July 2010 (**DO6**) and to receive for information any matters arising therefrom.

7. Petitions and Public Address

DEMOCRACY & ORGANISATION COMMITTEE

MINUTES of the meeting held on Thursday, 15 July 2010 commencing at 11.00 am and finishing at 11.10 am

Present:

Voting Members: Councillor Neil Owen – in the Chair

Councillor Lynda Atkins
Councillor Mike Badcock
Councillor Liz Brighthouse OBE
Councillor Iain Brown
Councillor Michael Gibbard
Councillor Ray Jelf
Councillor G.A. Reynolds
Councillor Richard Stevens
Councillor Alan Thompson
Councillor Melinda Tilley (in place of Councillor Alyas Ahmed)

Officers:

Whole of meeting A. R. Cloke & G. K. Malcolm (Legal & Democratic Services)

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

7/10 **APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS**

(Agenda No. 1)

Apologies for Absence	Temporary Appointments
Councillor Alyas Ahmed	Councillor Melinda Tilley
Councillor A. M. Lovatt	-
Councillor Anne Purse	-
Councillor Roz Smith	-

8/10 **MINUTES**

(Agenda No. 2)

The Minutes of the meeting held on 29 April (DO2) were approved and signed.

9/10 BYELAW REGULATING THE EMPLOYMENT OF CHILDREN UNDER 14
(Agenda No. 5)

The Committee considered a report (DO5) informing members that, following feedback from the National Network for Children in Employment and Entertainment, the former Department for Children, Young People & Families (DCSF) had written to local authorities to draw attention to the fact that byelaws concerning the employment of children under 14 may be out of date in that they permitted children between the ages of 10 and 13 to work in occasional light agricultural work under adult supervision.

The Assistant Head of Legal & Democratic Services outlined the background to the current position. The existing Oxfordshire County Council byelaw which had been approved by Council in July 1998, coming into force on 4 August 1998, required amendment in this respect.

At members' request, Mr. Cloke undertook to provide Committee members with further details regarding the definition of 'light agricultural or horticultural work on an occasional basis'.

RESOLVED: to

- (a) revoke the current Oxfordshire County Council byelaw governing the employment of children under the age of 14 years; and
- (b) make a new byelaw in the same terms save for the changes necessary to reflect the legislation and the guidance from the former DCSF (set out in paragraphs 3 and 4 of the report), following the usual procedure.

10/10 APPOINTMENT OF A DESIGNATED SCRUTINY OFFICER
(Agenda No. 6)

This Assistant Head of Legal & Democratic Services reported that the Committee had within its terms of reference the power to appoint officers for particular purposes (appointment of "proper officers") under paragraph 40 of Section 1 of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended.

The Committee considered the report and whether, in the circumstances, it was appropriate that the Head of Service within whose responsibilities the scrutiny function sat (currently the Head of Strategy) should be designated as the 'scrutiny officer'.

RESOLVED: to designate the Head of Service within whose responsibilities the scrutiny function sat as the 'scrutiny officer' for the purposes of section 31 of the Local Democracy, Economic Development and Construction Act 2009.

11/10 OUTSIDE BODIES APPOINTMENTS

(Agenda No. 7)

The Council's Constitution allocated to the Committee the responsibility for appointments to 'non-strategic' outside bodies.

The Committee considered two matters:

(a) Cotswolds & Malverns Transport Partnership

RESOLVED: to appoint Councillor Rose to the Partnership in place of Councillor Robertson.

(b) Oxfordshire Rural Forum

RESOLVED: to

- (a) designate the Oxfordshire Rural Forum as a Category 'B' outside Body;
and
- (b) appoint Councillor Nimmo-Smith to the Forum.

..... in the Chair

Date of signing

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