

County Council

5 April 2022

Agenda

Declarations of Interest

The duty to declare.....

Under the Localism Act 2011 it is a criminal offence to

- (a) fail to register a disclosable pecuniary interest within 28 days of election or co-option (or re-election or re-appointment), or
- (b) provide false or misleading information on registration, or
- (c) participate in discussion or voting in a meeting on a matter in which the member or co-opted member has a disclosable pecuniary interest.

Whose Interests must be included?

The Act provides that the interests which must be notified are those of a member or co-opted member of the authority, **or**

- those of a spouse or civil partner of the member or co-opted member;
- those of a person with whom the member or co-opted member is living as husband/wife
- those of a person with whom the member or co-opted member is living as if they were civil partners.

(in each case where the member or co-opted member is aware that the other person has the interest).

What if I remember that I have a Disclosable Pecuniary Interest during the Meeting?

The Code requires that, at a meeting, where a member or co-opted member has a disclosable interest (of which they are aware) in any matter being considered, they disclose that interest to the meeting. The Council will continue to include an appropriate item on agendas for all meetings, to facilitate this.

Although not explicitly required by the legislation or by the code, it is recommended that in the interests of transparency and for the benefit of all in attendance at the meeting (including members of the public) the nature as well as the existence of the interest is disclosed.

A member or co-opted member who has disclosed a pecuniary interest at a meeting must not participate (or participate further) in any discussion of the matter; and must not participate in any vote or further vote taken; and must withdraw from the room.

Members are asked to continue to pay regard to the following provisions in the code that *“You must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself”* or *“You must not place yourself in situations where your honesty and integrity may be questioned.....”*.

Please seek advice from the Monitoring Officer prior to the meeting should you have any doubt about your approach.

List of Disclosable Pecuniary Interests:

Employment (includes “any employment, office, trade, profession or vocation carried on for profit or gain.”), **Sponsorship, Contracts, Land, Licences, Corporate Tenancies, Securities.**

For a full list of Disclosable Pecuniary Interests and further Guidance on this matter please see the Guide to the New Code of Conduct and Register of Interests at Members’ conduct guidelines. <http://intranet.oxfordshire.gov.uk/wps/wcm/connect/occ/Insite/Elected+members/> or email democracy@oxfordshire.gov.uk for a hard copy of the document.

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.



OXFORDSHIRE
COUNTY COUNCIL

To: Members of the County COUNCIL

Notice of a Meeting of the County Council

Tuesday, 5 April 2022 at 10.30 am

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

If you wish to view proceedings, please click on the link on the website. Please note, that will not allow you to participate in the meeting. If you still wish to attend this meeting you must contact the Committee Officer by 9am four working days before the meeting.

Requests to speak should be sent to chris.reynolds@oxfordshire.gov.uk

Please note that in line with current government guidance all attendees are strongly encouraged to take a lateral flow test in advance of the meeting

A handwritten signature in black ink that reads "Stephen T Chandler".

Stephen Chandler
Interim Chief Executive

28 March 2022

Committee Officer: **Chris Reynolds**
Tel: 07542 029441; E-Mail: chris.reynolds@oxfordshire.gov.uk

In order to comply with the Data Protection Act 1998, notice is given that the meeting will be recorded. The purpose of recording proceedings is to provide an *aide-memoire* to assist the clerk of the meeting in the drafting of minutes.

Members are asked to sign the attendance book which will be available in the corridor outside the Council Chamber. A list of members present at the meeting will be compiled from this book.

AGENDA

1. Minutes (Pages 1 - 10)

To approve the minutes of the meeting held on 8 February 2022 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 the Cabinet, scrutiny and other committees on the nomination of political groups.

6. Petitions and Public Address

Members of the public who wish to speak at this meeting can attend the meeting in person or 'virtually' through an online connection. In line with current Government advice, those attending the meeting in person are asked to consider wearing a face-covering.

Normally requests to speak at this public meeting are required by 9am on the day preceding the published date of the meeting. However, during the current situation and to facilitate 'hybrid' meetings we are asking that requests to speak are submitted by no later than 9am four working days before the meeting i.e. 9am on Wednesday 30 March 2022. Requests to speak should be sent to chris.reynolds@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 2 working days before 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. Dispensation from attending meetings (Pages 11 - 12)

Report by Director of Law and Governance

Council is RECOMMENDED to:

- (a) approve an extension of the dispensation for Cllr Alison Rooke from the statutory requirement to attend a meeting of the Council within a six month period from the last noted attendance;***
- (b) approve that the dispensation last up to and including 30 September 2022.***

10. Report of the Cabinet (Pages 13 - 20)

Report of the Cabinet meetings of 21 December 2021, 15 February 2022 and 15 March 2022

11. Appointment to the Berkshire, Oxfordshire and Buckinghamshire Joint Health Overview and Scrutiny Committee (Pages 21 - 28)

Report by Director of Law and Governance

Health Services have a legislative duty to consult a local authority's Health Overview and Scrutiny Committee about any proposals they have for a substantial development or variation in the provision of health services in their area. When these substantial developments or variations affect a geographical area that covers more than one local authority, the local authorities are required to appoint a Joint Health Overview and Scrutiny Committee (JHOSC) for the purposes of the consultation

Council is RECOMMENDED to -

Appoint the councillors shown in Annex 2 to the Berkshire, Oxfordshire and Buckinghamshire Joint Health Overview and Scrutiny Committee subject to any changes reported at the meeting

12. Code of Conduct (Pages 29 - 46)

Report by Director of Law and Governance

Section 27(2) of the Localism Act 2011 requires that a local authority must adopt 'a code dealing with the conduct that is expected of members and co-opted members of the authority when they are acting in that capacity. A revised Councillors' Code of Conduct was considered and approved by the Audit and Governance Committee on the 16th March 2022.

The Council is RECOMMENDED to adopt the revised Councillors' Code of Conduct at Annex 1 for implementation from the 1st May 2022

13. Future Management of the Charlotte Coxe Trust (Pages 47 - 50)

Report by Director of Law and Governance

The Charlotte Coxe Trust is currently managed by the Director of Law and Governance on her own on behalf of OCC.

Council is RECOMMENDED to

1. ***Establish a Committee of Council to which responsibility for all decision making in connection with the Charlotte Coxe Trust is delegated, which is to be known as the “Charlotte Coxe Trust Committee”.***
2. ***Appoint the five members to the Committee.***

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 MONDAY BEFORE THE MEETING

14. Motion by Councillor Sally Povolotsky

Transgender and non-binary people face significant disadvantage in society, vulnerable to violence, isolation, homelessness, and lack of access to suitable healthcare provision.

Council believes that:

1. All UK law should clearly recognise that trans rights are human rights.
2. Transgender and non-binary people deserve respect and autonomy.
3. It's therefore our duty as community leaders who seek to create an open and tolerant society to speak out against transphobia and discrimination in all its forms.

Council therefore resolves to:

1. Ensure that all Council services, both directly provided and through partners, are fully accessible, regardless of their sexuality or gender identity.
2. State publicly that trans rights are human rights and affirm the legal rights of all protected groups under the 2010 equality act.
3. To work with healthcare providers to remove barriers transgender and non-binary people face when accessing medical care.
4. Work to provide at least one gender inclusive bathroom (accessible) where

possible in every public building owned or operated by the Council.

5. Ensure that the Council's constitution, policies, forms, and all internal and external communications are;

- a. Reducing the amount of gender information collected unless absolutely necessary,
- b. Respecting the pronouns individuals use for themselves,
- c. Providing opportunities for self-identification beyond the binary "man" and "woman".

6. Encourage and support a network of informal LGBTQIA+ allies across officers and councillors.

7. Support and embrace the development of a LGBTQIA+ guidance within OCC for employees and contractors."

15. Motion by Councillor Donna Ford

This council is committed to ensuring that active travel is fully inclusive all year round, including during the Winter, and accepts its responsibility to ensure that all feel safe on our streets and cycle paths.

This council recognises the need to ensure the safety and security of our residents engaged in active travel and its responsibility in deterring crime and anti-social behaviour.

In accordance with its statutory responsibilities this council further commits to maintaining Oxfordshire's publicly maintainable footpaths, cycle paths and rights of way network to make using active travel routes safer and more secure and encourage greater use of them.

This council resolves to ensure that wherever possible all overgrowth is cleared from publicly maintainable rights of way including footpaths and cycle paths without delay and ensure that any broken lighting along footpaths and cycle paths is resolved efficiently. Moreover, this council resolves to consider installing additional LED lighting in poorly lit areas and/or those along active travel routes where crime and anti-social behaviour are high or at risk of increasing.

This council agrees to engage more actively with stakeholders, including Network Rail, residents, landowners and businesses to ensure that they comply more fully with their obligations to clear vegetation on private land and keep public rights of way open. This council commits to ensure all residents, but particularly disabled, elderly and vulnerable residents, are able to walk and cycle safely and securely.

16. Motion by Councillor Freddie van Mierlo

In 2020, South Oxfordshire District Council was directed by the then Conservative Secretary of State for Housing, Robert Jenrick MP, to progress a local plan through examination and adoption that included Chalgrove Airfield as an allocated site.

In November 2021, Homes England restated its desire to develop Chalgrove Airfield with 3,000 new homes, despite having previously withdrawn its outline planning application, following significant concerns as to the suitability and safety of the site being raised by the Civil Aviation Authority.

The County Council notes that a massive and unprecedented package of infrastructure would be required to serve new dwellings in this remote and rural location, with no rail connection and uncertainty around viability of bus services. The construction of a large, car dependent community, distant from major employment centres and in a rural setting, runs contrary to the County Council's goals on climate emergency and biodiversity.

Without prejudice to the County Council's role as statutory consultee in the planning application process, the Council expresses reservations in the strongest terms as to the suitability of the site and its compatibility with climate change goals.

17. Motion by Councillor Kate Gregory

Oxfordshire County Council recognises

1. That Councillors have a duty to promote kind, respectful and honest discourse both on and offline.
2. Recognises that discussion, scrutiny and debate are important to a democracy but must be carried out without targeting or abuse.
3. That robust debate is a crucial part of the scrutiny process and should not be discouraged.
4. That social media is an increasingly aggressive space where abuse is normalised.
5. That misinformation is often the trigger for such abusive behaviour.
6. That public figures are often the target for abusive behaviour and that it inevitably has a significant detrimental impact on their mental health and wellbeing.

Oxfordshire County Council Proposes to

7. Introduce a councillor protocol for social media, that has an emphasis on promoting accurate discourse and encourages councillors to not write or share posts that contain obvious inaccuracies or aggression against colleagues across the council.

8. Create a digital citizenship guide for all elected members and staff.
9. Introduce social media training in all new councillor inductions and refresh for elected members on, focusing on harm of misinformation, rumours and slander.
10. Ask Councillors to declare the social media handle of any public accounts in their name, as an elected member in the community or related to party political activity.

18. Motion by Councillor Bob Johnston

Council welcomes recent legislation which, amongst other things, sets out an aspiration to restore nature. This reflects the fact that the UK is the most nature poor country in Europe. The legislation states that in each area there should be a lead body to oversee this initiative.

Council believes that Oxfordshire County Council should be a lead body in as much as it defines a clear geographical area of significant size, has significant and developing inhouse expertise and access to further expertise in local universities and many groups involved with wildlife conservation, for example BBOWT amongst very many others.

It should seek to build on the emerging work of the Local Nature Partnership as set up by the Future Oxfordshire Partnership and other similar initiatives. It notes that additional resources will be required to ensure the success of this work

19. Motion by Councillor Eddie Reeves

This Council notes that the Leader has acknowledged the challenging market conditions faced by Oxfordshire's excellent meat and dairy farmers.

This Council further notes that local authorities have an important duty to engage positively and proportionately in public discourse.

Given the privileged position in which this Council finds itself and the potentially damaging effects of its motion dated 14 December, this Council resolves to offer locally produced menus at Council-catered events, including meat, dairy and vegan options, or to make alternative provisions for members, staff and attendees to facilitate personal choice.

20. Motion by Councillor Nigel Simpson

Oxfordshire County Council has acknowledged the Climate Change Emergency.

A major contributor to excessive CO2 output are unnecessary car journeys. The proposal by Network Rail to shut the vital link between Yarnton and Kidlington by closing the rail crossing at Sandy Lane will result in a significant increase in carbon emissions.

Permanent closure would see drivers forced to use Frieze Way or Langford Lane

resulting in an average extra distance travelled of nearly two miles per journey.

Based on current trends this is estimated to result in an extra 4750 miles travelled on weekdays and an additional 3800 at weekends, resulting in 1.5 million unnecessary miles per year.

The cost of such surplus miles in money is hundreds of thousands of pounds to residents and businesses who rely on their cars; and extra pollution in the form of many tonnes of carbon emissions, contrary to the Council's environmental objectives.

This would go directly against the council's ambition to reduce CO2 output generated by transport and very significantly degrade the network of contacts that currently underpins the ancient and vital community nexus around the parishes of Yarnton, Begbroke, Kidlington and Gosford and Water Eaton.

This Council calls upon the Leader to urgently write to Network Rail to oppose the proposed closure and further to instruct her officers and relevant Cabinet colleague(s) to lobby for this vital link to be maintained with improvements, where possible, especially for cyclists and pedestrians.

21. Motion by Councillor Ian Corkin

Whilst the "leader and cabinet" model, enabled by the Local Government Act 2000, streamlines decision making, it invariably means that the majority of back bench councillors are not directly involved in the early stages of policy development, making access to information and effective scrutiny even more important

This council recognises that improving access to information, improves transparency and inclusion of all councillors in the scrutiny process. This is particularly true in respect of questions without notice on the "report of the cabinet", and resolves to ask the Audit and Governance Committee to consider that, where a written response is offered or requested, it is provided within 10 working days

22. Motion by Councillor Liam Walker

This council recognises the need to improve public transport in Oxfordshire to reduce emissions, tackle congestion and make sure our bus services are more sustainable.

Park and Ride sites are important transport hubs in Oxfordshire helping to reduce the need to drive into Oxford city.

To help meet the commitments as stated above this council calls on both the Leader of the Council and the Cabinet Member for Highways Management to:

- Establish a cross-party task force to explore the viability of making parking at our P&R sites free.
- Write to the Leader of Oxford City Council asking for the city council to join this new task force.
- Work with public transport providers in Oxfordshire to establish a Park & Ride improvement plan.

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Agenda Item 1

OXFORDSHIRE COUNTY COUNCIL

MINUTES of the meeting held on Tuesday, 8 February 2022 commencing at 10.30 am and finishing at 3.30pm

Present:

Councillor John Howson – in the Chair

Councillors:

Susanna Pressel	Neil Fawcett	Freddie van Mierlo
Brad Baines	Ted Fenton	Calum Miller
Hannah Banfield	Donna Ford	Jane Murphy
David Bartholomew	Andrew Gant	Michael O'Connor
Tim Bearder	Andy Graham	Glynis Phillips
Robin Bennett	Kate Gregory	Sally Povolotsky
Felix Bloomfield	Jane Hanna OBE	Eddie Reeves
Liz Brighouse OBE	Jenny Hannaby	G.A. Reynolds
Kevin Bulmer	Damian Haywood	Judy Roberts
Nigel Champken-Woods	Charlie Hicks	Geoff Saul
Mark Cherry	Tony Ilott	Les Sibley
Andrew Coles	Bob Johnston	Nigel Simpson
Yvonne Constance OBE	Liz Leffman	Roz Smith
Ian Corkin	Dan Levy	Ian Snowdon
Imade Edosomwan	Dr Nathan Ley	Dr Pete Sudbury
Duncan Enright	Mark Lygo	Bethia Thomas
Mohamed Fadlalla	Kieron Mallon	Michael Waine
Arash Fatemian	Ian Middleton	Richard Webber

The Council considered the matters, reports and recommendations contained or referred to in the agenda for the meeting and decided as set out below. Except 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.

1/22 MINUTES
(Agenda Item 1)

The minutes of the meeting held on 14 December 2021 were amended as follows:-

1. Cllr Donna Forder added to the list of members present and voting
2. Minute 89/21 – “**RESOLVED**: (on a motion from Councillor Liz Brighouse, seconded by Councillor Duncan Enright and carried nem con)”

3. Minute 91/21- in the third paragraph of the resolution “Working with local firms, the Road Haulage Association and neighbouring authorities, the Council will establish a Regional Network of well-serviced HGV through routes, and bring in measures to assist or encourage”

and approved as a correct record.

2/22 APOLOGIES FOR ABSENCE

(Agenda Item 2)

Apologies for absence were received from Councillors Ash, Field-Johnson, Gawrysiak, Leverton, Rouane and Walker

The Chair reported dispensations for Councillors Paule and Rooke

3/22 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE

(Agenda Item 3)

The Chair reported that the Corporate Director of Adults and Housing Services and the Director of Law and Governance had declared interests in Items 9 and 10 on the agenda, respectively, and would not attend for those items.

4/22 OFFICIAL COMMUNICATIONS

(Agenda Item 4)

The Chair expressed gratitude, on behalf of the Council, to Deborah Miller for her long service as Committee Officer and wished her well for the future.

The Chair remarked on the 70th anniversary of Her Majesty The Queen's accession to the throne and the celebrations for the Platinum Jubilee. He referred to her devoted service to this country and the Commonwealth during her long reign.

Council paid tribute and held a minute's silence in memory of former Councillor Douglas Spencer

5/22 APPOINTMENTS

(Agenda Item 5)

Council noted the following appointments:

Place Overview and Scrutiny Committee

Councillor Yvonne Constance OBE to replace Councillor Jane Murphy

Pension Fund Committee

Councillor Sally Povolotsky to replace Councillor Richard Webber

Councillor Eddie Reeves to replace Councillor Nicholas Field-Johnson

6/22 PETITIONS AND PUBLIC ADDRESS

(Agenda Item 6)

Council received the following Petition and Public Address:

Petition

Ms Petia Rayner presented a petition of some 500 signatures on behalf of Risinghurst Community Association, calling on Stagecoach and Oxford Bus Company to work with Oxfordshire County Council to reinstate the No 9 to 30 minute bus services in Risinghurst

Public Address

Mr Richard Parnham addressed the council on the increase in car parking charges in certain streets in Jericho. He expressed concern that the proposed increases in charges did not clearly appear in the budget papers before the Council at this meeting and on the negative effects for local residents, businesses and the tourism economy in Oxford.

Mr Graham Jones addressed the council urged the Council to review the proposed increases in car parking charges in Jericho which he considered would be met with considerable customer resistance. The proposals would adversely affect the economic recovery in Oxford. He recognised the Council's desire to improve air quality in the city but consideration should also be given to the impact on local businesses, the effects of reduced bus services and the needs of those who were not able to use buses to access the city because of their disability, and on cyclists and walkers who needed to go to the city in inclement weather.

Ms Emily Scaysbrook addressed the council and said that she wanted to raise concerns about the proposed parking charge increases from both a business and environmental perspective. She suggested that many people would not pay the high charges in Jericho when they could pay much less at the Westgate Centre. The overall traffic around the Westgate Centre would also affect the air quality in an already very busy area. The increase in charges would negatively affect independent businesses in Jericho and shift footfall to national chains in the Westgate Centre. She suggested that more evidence regarding the economic and environmental impact of these increases needed to be considered before the changes were introduced

Ms Bernadette Evans addressed the council and referred to the negative impact on 54 independent businesses in Jericho, many of which have been established for many years. These businesses had no alternative sources of income. She suggested that many residents would be deterred from shopping in Jericho in view of these charges and the lack of public transport infrastructure in the area.

Mr Alex Hollingsworth, an Oxford City Councillor, addressed the Council. He said that he had always supported measures to reduce car use in Oxford. But considered that the changes in Walton Street were not carefully and deliberately designed. He said that the likely impact of the charges would be to reduce revenue and it was not logical to make one small suburb of Oxford the most expensive place to park in the city.

The Director of Law and Governance advised the council that the proposals in the budget papers concerning the proposed increases in parking revenue were lawful.

7/22 OXFORDSHIRE COUNTY COUNCIL AND CHERWELL DISTRICT COUNCIL SECTION 113 AGREEMENT

(Agenda Item 7)

Council had before it a report by the Chief Executive Officer regarding the Section 113 agreement with Cherwell District Council.

Councillor Liz Brighouse OBE, Deputy Leader, presented the report. She referred, in particular, to the benefits of the partnership over a number of years but that it was now recommended that the partnership be discontinued and ongoing joint arrangements be reviewed for a future working relationship and outlined how these arrangements would be progressed.

Councillor Liz Leffman, Leader of the Council, seconded the motion and reserved her right to speak.

A number of members then spoke on the proposals contained in the report,

Some members questioned the need for the partnership to be dissolved and the cost implications and suggested that this was a politically motivated decision which would not be to the benefit of the residents of the County and employees of the Council.

Councillor Miller, Cabinet Member for Finance, responded to these concerns and assured members of the financial arrangements being put in place within these proposals.

Councillor Leffman stated that the administration at Cherwell District Council had decided to sever the agreement and expressed disappointment that opposition members refused to second or support the proposals. She reiterated that there would be ongoing joint working arrangements to the benefit of both authorities.

RESOLVED, with 37 voting in favour and 18 abstaining, to:

- a. terminate the s.113 partnership with Cherwell District Council;

- b. Formally notify Cherwell District Council of Oxfordshire County Council's decision to give 6 months' notice of its intention to terminate the s.113 Agreement dated 31 August 2018 regarding joint working between the two authorities;
- c. Agree the ongoing role of the Joint Shared Services and Personnel Committee (JSSP) in providing suitable oversight and decision-taking concerning the termination of the s.113 Agreement.
- d. Adopt a revised Terms of Reference for the JSSP at Appendix 1 of this report.
- e. Disband the Partnership Working Group and note the conclusion of its business.
- f. Instruct the Interim Chief Executive of Oxfordshire County Council subject to Council agreeing Recommendation 1.1 to work alongside Cherwell District Council officers to establish a Joint Officer Transition Working Group
- g. Note the responsibility for agreeing the transition plan rests with Cabinet.
- h. Adopt the Financial Principles for the termination of the s.113 Agreement as set out in Section 8.3 of this report.
- i. Agree amendments to the existing dispute resolution process set out in section 4.2 of this report
- j. Request that the Monitoring Officer undertakes a review of the existing Scheme of Delegation to ensure that decision making is both effective and efficient.
- k. Delegate responsibility to the Monitoring Officer to undertake amendments to the Council's Constitution to reflect the resolutions arising from this report to Council.
- l. Agree to keep the best interests of its mutual residents at the centre of its decision making, endeavouring to ensure that such actions will not be to their detriment.

Councillor Leffman then expressed thanks, on behalf of the County Council, to Yvonne Rees who had been joint Chief Executive Officer, for her contribution to her work and dedicated public service, much of which had taken place during the pandemic, which had been to the benefit of all residents of the County.

8/22 PAY POLICY STATEMENT 2022/2023

(Agenda Item 8)

Council had before it a report of the Remuneration Committee which updated the Council's Pay Policy Statement and an Annex updating members on the Gender Pay Gap.

RESOLVED (on a motion by Councillor Leffman and seconded by Councillor Brighouse and carried nem con) to:

- a. Approve the Pay Policy Statement 2022/23 (Annex A).
- b. Approve the Gender Pay Gap Report (Annex B)

9/22 APPOINTMENT OF INTERIM CHIEF EXECUTIVE

(Agenda Item 9)

Council had before it a joint report by the Director of Law and Governance and Director of Human Resources relating to the Remuneration Committee's recommendation on the appointment of an interim Chief Executive and Head of Paid Service

Councillor Liz Leffman, Leader of the Council, Councillor Brighouse, Deputy Leader, and Councillor Eddie Reeves spoke in favour of the recommendations and wished the Interim Chief Executive well in his new role.

RESOLVED (on a motion from Councillor Leffman and seconded by Councillor Brighouse and carried nem con) to:

- a) Agree the recommendation of the Remuneration Committee to appoint Stephen Chandler as interim Chief Executive and Head of Paid Service with effect from 9 February 2022.
- b) To delegate authority to the Director of Human Resources to take any further action
- c) To delegate authority to the Monitoring Officer to make any consequential changes to the Constitution in light of appointment of the interim Chief Executive.

Stephen Chandler, Interim Chief Executive, was admitted to the meeting and addressed members. Members congratulated Mr Chandler on his appointment.

10/22 APPOINTMENT OF RETURNING OFFICER

(Agenda Item 10)

RESOLVED to appoint Anita Bradley as the council's Returning Officer with effect from 9 February 2022 in accordance with Section 35 of the Representation of the People Act 1983.

11/22 BUDGET AND BUSINESS PLANNING 2022/23 - 2025/26

(Agenda Item 11)

Before the Council were the report and annexes setting out the Cabinet's proposed revenue budget for 2022/23, medium term financial plan to 2025/26, and capital programme to 2031/32, the Leader of the Council's overview and the schedule of business.

Councillor Leffman moved and Councillor Miller seconded the Cabinet's recommendations.

Following debate, the motion was put to the vote and carried by 35 votes to 18.

Voting was as follows:-

Councillors voting for the motion (35)

Baines, Banfield, Bearder, Bennett, Brighouse, Cherry, Coles, Edosomwan, Enright, Fadlalla, Fawcett, Gant, Graham, Gregory, Hanna, Hannaby, Hicks, Howson, Johnston, Leffman, Levy, Ley, Lygo, Middleton, van Mierlo, Miller, O'Connor, Phillips, Povolotsky, Pressel, Roberts, Saul, Smith, Sudbury, and Webber

Councillors voting against the motion (18):-

Bartholomew, Bloomfield, Bulmer, Champken-Woods, Constance, Corkin, Fatemian, Fenton, Ford, Ilott, Mallon, Murphy, Reeves, Reynolds, Sibley, Simpson, Snowdon, Waine

Councillors abstaining on the motion (0)

It was accordingly

RESOLVED to:-

- a. adopt the Strategic Plan as set out in Section 2
- b. have regard to the statutory report of the Director of Finance (at Section 3) in approving recommendations c to e below;
- c. (in respect of the budget and medium term financial strategy – at Section 4) approve:

- (1) the council tax and precept calculations for 2022/23 set out in Section 4.3 and in particular:
 - (i) a precept of £435,816,475;
 - (ii) a council tax for band D equivalent properties of £1,651.61;
- (2) a budget for 2022/23 as set out in Section 4.4;
- (3) a medium term financial strategy for 2022/23 to 2025/26 as set out in Section 4.1 (which incorporates changes to the existing medium term financial strategy as set out in Section 4.2);
- (4) the Financial Strategy for 2022/23 at Section 4.5;
- (5) the Earmarked Reserves and General Balances Policy Statement 2022/23 at Section 4.6 including
 - (i) the Chief Finance Officer's recommended level of General Balances for 2022/23 (Section 4.6), and
 - (ii) the planned level of Earmarked Reserves for 2022/23 to 2025/26 (Section 4.6)

d. (in respect of capital – at Section 5) approve:

- (1) the Capital & Investment Strategy for 2021/22 to 2031/32 including the Prudential Indicators and Minimum Revenue Provision Methodology Statement as set out in Section 5.1;
- (2) a Capital Programme for 2021/22 to 2031/32 as set out in Section 5.5 which includes new capital proposals set out in Section 5.6 and the Property Strategy set out in Section 5.4; and
- (3) the Investment Strategy for Property Investment for 2022/23 set out in Section 5.3.

e. (in respect of treasury management) approve:

- (1) the Treasury Management Strategy Statement and Annual Investment Strategy for 2022/23 at Section 5.2 including the Treasury Management Prudential Indicators and the Specified Investment and Non-Specified Investment Instruments.

(2) that any further changes required to the 2022/23 strategy be delegated to the Chief Finance Officer in consultation with the Leader of the Council and the Cabinet Member for Finance;

12/22 APPOINTMENT OF EXTERNAL AUDITORS

(Agenda Item 12)

Council had before it a report relating to the appointment of external auditors for 2023/24 to 2027/28

RESOLVED (on a motion by Councillor Calum Miller and seconded by Councillor Liz Leffman and carried nem con) to accept the Public Sector Audit Appointments (PSAA) invitation to 'opt in' to the sector led option for the appointment of external auditors for the period 2023/24 – 2027/28.

..... in the Chair

Date of signing

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Division(s): N/A

COUNCIL – 5 APRIL 2022

DISPENSATION FROM ATTENDING MEETINGS

Report by Director of Law & Governance

RECOMMENDATION

Council is RECOMMENDED to:

- (a) approve an extension of the dispensation for Cllr Alison Rooke from the statutory requirement to attend a meeting of the Council within a six month period from the last noted attendance;
- (b) approve that the dispensation last up to and including 30 September 2022.

Executive Summary

1. Under the Local Government Act 1972 Section 85 (1), councillors who do not attend a meeting of the Council during a six month period will cease to be a member of the Council unless the Council has approved a dispensation before the expiry of that period.
2. Council is asked to grant such a dispensation to Cllr Alison Rooke who, for reason of ill-health, is unlikely to be able to attend a meeting of the Council prior to September 2022. While Cllr Rooke is attending online meetings and undertaking her division work, Cllr Rooke's last physical attendance was at Annual Council on 18 May 2021. A dispensation granted by the Council at its meeting on 14 September 2021 expires on the 30 April 2022.

Legal Implications

3. Under the Local Government Act 1972 Section 85 (1), if a member of the Council fails throughout a six month period from the date of their last attendance at any meeting of the council to attend another such meeting, they shall, unless the failure is approved by the authority before the expiry of that period, cease to be a member of the authority.
4. As such, Full Council has the discretion to approve a dispensation, based on the circumstances of the case, such that the councillor may not cease to be a member of the Council for failing to attend a meeting in that period.
5. The Monitoring Officer has received formal notification from Cllr Rooke, and her Group Leader, Cllr Liz Leffman, seeking Full Council's approval to grant an extension of the dispensation until 30 September 2022 due to ill-health. The Monitoring Officer is satisfied that, having regard to the circumstances, the Council would be justified in granting the extension of the dispensation.

Financial Implications

6. There are no financial implications arising from this report.

ANITA BRADLEY

Director of Law & Governance

Contact officer: Chris Reynolds, Committee Officer, 07542 029441

April 2022

Divisions-N/A

COUNTY COUNCIL – 5 APRIL 2022

REPORT OF THE CABINET

Cabinet Member: Leader of the Council

1. COVID 19: Oxfordshire System Recovery and Renewal Framework

(Cabinet, 15 March 2022)

Cabinet considered a report setting overarching common ambitions for the issues and themes that will be worked on together as organisations and the community learn from the pandemic. It aimed to ensure that Oxfordshire was best placed to learn from and recover from the immediate impacts of the pandemic, to support the long-term renewal of communities and places, and enhance our joint impact on national and international challenges.

Cabinet agreed to adopt the aims of the report on the understanding that further discussion will take place with the District and City Councils on the implementation. The making of final revisions was delegated to the Interim Chief Executive, in consultation with the Leader of the Council. Cabinet noted the summary of utilisation of COVID Programme grants for the immediate COVID response.

Cabinet Member: Deputy Leader of the Council: Children, Education & Young People's Services

2. Oxfordshire Safeguarding Children Board Annual Report 2020/21

(Cabinet, 21 December 2021)

Cabinet received the report highlighting findings from the Board's annual report on the effectiveness of local arrangements to safeguard and promote the welfare of children in Oxfordshire.

Cabinet noted the report's key messages

- 'Oxfordshire needs traction on changing practice'
- 'The Jacob CSPR shows that we need to improve how we work together across our whole partnership'
- 'Post-pandemic interventions will need to be at scale and volume'
- 'Education settings are key partners'

3. Youth Offer Update

(Cabinet, 21 December 2021)

Cabinet received a report for information on the youth offer development including details about the structure for the Youth Services that the Children Education and Families Department were putting in place.

4. Formal Approval of Early Years Funding Formula 2022/23
(Cabinet, 15 February 2022)

The local authority is required to set a funding formula for 2-year-old and for 3- and 4-year-old provision. The 2022-23 formula proposed was in line with the Department for Education (DfE) national formula introduced in 2017-18. The Schools Forum approved the formula at its meeting on 9 February 2022.

Cabinet agreed to pass the funding increase received by Oxfordshire onto providers in full and approve the 2022-23 Early Years funding formula for 3- and 4-year-old provision and for 2-year-old provision.

Cabinet Member: Adult Social Care

5. Oxfordshire Safeguarding Adults Board Annual Report 2020/21
(Cabinet, 21 December 2021)

Cabinet received the report providing an overview of the work of the Safeguarding Board and its partners during 2020-21. It is a statutory requirement that an annual report is produced and shared with partners.

Cabinet noted the content of the report, particularly the findings of the Vulnerable Adults Mortality group, the emerging findings from the Homeless Mortality Review group and the overall summary of progress during the year including the outstanding work.

6. Oxfordshire s75 NHS Act Pooled Commissioning Budget
(Cabinet, 15 March 2022)

Oxfordshire Clinical Commissioning Group (CCG) and the Council have held an s75 NHS Act 2006 agreement to pool health and social care commissioning budgets since April 2013. This agreement has been extended by contract variation and the latest such variation expires on 31 March 2022.

Cabinet approved the agreement of a s75 NHS Act 2006 pooled commissioning budget with Oxfordshire Clinical Commissioning Group from 1 April 2022, approved a single, fully integrated Pool Budget and Risk Share for Live Well and Age Well services and delegated to the Interim Corporate Director of Adult Services in consultation with the Director of Finance (Section 151 Officer) to finalise and sign the agreement.

Cabinet Member: Climate Change Delivery & Environment

7. Water Resources - Regional Plan Consultation Response
(Cabinet, 15 March 2022)

Cabinet considered an Oxfordshire County Council response to a current consultation for a water resources regional plan covering the South East of England.

Cabinet delegated the final written response to the Corporate Director for Environment and Place in consultation with the Cabinet Member for Climate Change Delivery and Environment.

Cabinet Member: Community Services & Safety

8. Libraries and Heritage Services: A Strategic Framework: 2021 - 2026

(Cabinet, 21 December 2021)

Cabinet had before it a report on the development of a strategy for the future direction of the county's library and heritage services.

Cabinet agreed the draft strategy and action plan, developed following a programme of stakeholder engagement and feedback from the Place Overview and Scrutiny Committee, agreed a period of 8 weeks for public consultation on the strategy and noted the feedback provided by the Place Overview and Scrutiny Committee and that an annual review of the actions to deliver the strategy will be reported to the Place Overview and Scrutiny Committee in the future.

9. Community Risk Management Plan (CRMP) 2022-26 - Public Release

(Cabinet, 15 March 2022)

Cabinet had before it a new Strategic Community Risk Management Plan to cover the period from April 2022 to March 2026. The creation of the document was supported by in-depth risk analysis that assessed all known and foreseeable risks in the county throughout the period. It was also supported by departmental strategies detailing how the separate areas will address these risks.

Cabinet approved the CRMP for public release.

Cabinet Member: Corporate Services

10. Consultation and Engagement Strategy

(Cabinet, 15 February 2022)

Cabinet considered a report providing an overview of the draft consultation and engagement strategy 2022 – 2025 as well as comments from the Performance & Corporate Services Overview & Scrutiny Committee.

The Cabinet Member for Corporate Services responded to the scrutiny recommendations and Cabinet endorsed the content of the strategy.

11. Plant Based Food (response to Motion from Cllr Middleton at Council on 14 December 2021)

(Cabinet, 15 March 2022)

Following an approved motion to Full Council, Cabinet considered a paper setting out some initial measures to enable the council to meet its strategic priorities.

Cabinet agreed to ensure that food provided at full Council meetings and all civic events is entirely plant based and, where possible, sustainably and locally sourced; to take a graduated approach to incorporating plant-based options for school meals provided by the council; and to develop a food policy to support the delivery of sustainable food provision and its disposal within the Council.

12. Workforce Report and Staffing Data – Quarters 2 & 3

(Cabinet, 21 December 2021 & 15 March 2022)

In December, Cabinet noted the Q2 staffing report providing details of key people numbers and analysis of main changes since the previous report.

In March, Cabinet noted update for Quarter 3 on key HR activities along with a refreshed workforce profile and gender pay gap report.

Cabinet Members: Corporate Services and Finance

13. Strategic Plan 2022-2025: Outcomes Framework 2022/23

(Cabinet, 15 March 2022)

Cabinet had before it a proposed outcomes framework, representing a high-level overview of the council's priorities, and a revised reporting schedule.

Cabinet considered feedback from the Performance and Corporate Services Overview and Scrutiny Committee and delegated to the Corporate Director for Customers, Organisational Development and Resources, in consultation with the relevant portfolio holders, the ability to make amendments to the outcomes framework following discussion and feedback.

Cabinet also requested officers prepare a 'strategy map' setting out how key thematic and service plans link into the corporate strategy and its priorities, a timeframe during which key policies and strategies will be reviewed, and the identification of new outcome measures resulting from the review.

Cabinet Member: Finance

14. Budget & Business Planning Report- 2022/23

(Cabinet, 18 January 2022)

Cabinet was presented with a report on the culmination of the Budget and Business Planning process for 2022/23 to 2025/26, setting out the Cabinet's proposed Strategic Plan and related revenue budget for 2022/23, medium term financial strategy to 2025/26 capital programme to 2031/32 plus supporting policies, strategies and information.

The report comprised five sections:

1. Leader of the Council's Overview

2. Budget consultation 2022/23 findings and draft strategic plan (including the engagement feedback on the Oxfordshire Fair Deal Alliance's priorities)
3. Chief Finance Officer's Statutory Report
4. Revenue Budget Strategy
5. Capital & Investment Strategy

Cabinet agreed to adopt the draft Strategic Plan on the basis that feedback from the Performance & Corporate Services Overview & Scrutiny Committee would be reflected in the version put to Council in February.

Cabinet reduced the proposed increase in parking charges in the Jericho area of the city for evenings and weekends. The rest of the officer recommendations were approved.

15. OCC Social Value Policy

(Cabinet, 15 February 2022)

Cabinet considered a report advising on progress towards introducing a Social Value Policy for Oxfordshire County Council. The aim of the Policy is to enable the Council's spending to go further by encouraging suppliers to commit to providing additional social value, through the tendering process, that will benefit local communities within Oxfordshire.

Cabinet approved the draft and the planned implementation of the Social Value Policy.

16. Capital Programme Monitoring Reports

(Cabinet, 21 December 2021 & 15 March 2022)

In December, Cabinet approved the updated Capital Programme, October 2021 and agreed the increase in the budget for the Lord Williams's School, Thame expansion by one form entry and the Kennington Bridge Maintenance Scheme.

In March, Cabinet had before it the fourth monitoring report and Capital Programme update for 2021/22. This update set out the monitoring position based on activity to the end of January 2022 and updated the Capital Programme approved by Council on 8 February 2022.

Cabinet endorsed the latest capital monitoring position for 2021/22, agreed to add the Sustainable Warmth Fund to the capital programme and agreed a contribution from S106 contributions towards the new Bloxham Grove SEND Free School.

17. Land At Stratfield Brake, Kidlington – Proposal from Oxford United Football Club to Oxfordshire County Council as Landowner

(Cabinet, 18 January 2022 and 15 March 2022)

In January Cabinet first considered a request from Oxford United Football Club (OUFC) to transfer land at Stratfield Brake for the development of a new 18,000

capacity football stadium with ancillary leisure and commercial facilities to include hotel, retail, conference, and training/community grounds.

Cabinet decided that officers should hold a 4-week Public Engagement Exercise amongst residents and stakeholders to receive their feedback on the proposal and on the principles/objectives proposed to guide any future negotiation with OUFC.

Following that exercise, Cabinet in March considered the feedback and proposals to take the matter forwards. Cabinet authorised officers to enter into detailed discussions with the club in line with objectives for the use of the OCC's land, explore lease surrender discussions with OCC's current tenants, maintain open dialogue with stakeholders, provide regular updates and bring back to Cabinet for further discussion any detailed proposals that are made.

Cabinet Member: Highway Management

18. Kidlington Local Cycling and Walking Infrastructure Plan (LCWIP)
(Cabinet, 18 January 2022)

Cabinet considered and approved a plan setting out a cycling and walking network plan for the village including links to neighbouring rural settlements and measures to improve the network over a ten-year timescale to 2031 with the aim of increasing the uptake of active travel modes.

19. Traffic Management Act - Part 6 Powers for Oxfordshire (Civil Enforcement of Moving Traffic Offences)
(Cabinet, 18 January 2022)

The Department for Transport will be inviting applications for a Designation Order to enable a Highway Authority to undertake civil enforcement of site specific Traffic Regulation Orders within a geographical area already covered by Civil Parking Enforcement. For Oxfordshire, this can include the whole County as Civil Parking Enforcement is now Oxfordshire wide.

Cabinet approved the submission of an application to the Department for Transport to apply for a Designation Order for Oxfordshire to enforce moving traffic offences and approved the Site Selection Criteria and Resource Prioritisation Framework to manage decisions for potential enforcement delivery.

20. West Oxfordshire Civil Parking Enforcement
(Cabinet, 15 March 2022)

Civil Enforcement powers to manage highway parking and bus lanes is now enforced across the whole of Oxfordshire. The County Council is directly managing this service with the exception of West Oxfordshire where a historic agency agreement is in place. It is considered that it is no longer necessary or efficient for West Oxfordshire to operate this service for the county council, and more importantly, potentially creates confusion for the public and other users of the network as to whom is responsible for on-street parking across Oxfordshire.

Cabinet approved notice being given to West Oxfordshire District Council to terminate the s101 Agency Agreement in respect of the management of highway parking enforcement within the district of West Oxfordshire.

Cabinet Member: Travel and Development Strategy

21. Infrastructure Funding Statement

(Cabinet, 21 December 2021)

The Infrastructure Funding Statement is a statutory statement of fact to be reported annually, by 31 December 2021 on developer contributions secured, spent or received during the previous financial year, 1 April 2020 – 31 March 2021.

Cabinet approved publication of the report.

22. A40 HIF2 Smart Corridor- Compulsory Purchase and Side Road Orders

(Cabinet, 18 January 2022)

Oxfordshire County Council (OCC) submitted a successful business case for A40 HIF2 Smart Corridor (“HIF2”) securing grant funding towards a package of transport improvements proposed along the A40 corridor between Witney and Duke’s Cut (North Oxford).

Cabinet approved the necessary compulsory purchase and side road orders.

23. Oxfordshire Infrastructure Strategy (OxIS) Stage 1 - Endorsement to Final Report

(Cabinet, 15 February 2022)

Cabinet considered a report introducing the completed, updated first stage of the Oxfordshire Infrastructure Strategy (OxIS), which covered the identification and prioritisation of strategic infrastructure needs to 2040.

Cabinet endorsed Stage 1 of OxIS and recommended its adoption as the basis for infrastructure assessment and prioritisation in other relevant workstreams. OxIS has been undertaken as a partnership project with District Councils and other Stakeholders and OxIS Stage 1 had already been endorsed by the Future Oxfordshire Partnership on 25 January.

24. Burford Experimental Weight Limit

(Cabinet, 15 February 2022)

A delegated decision taken by the Cabinet Member for Travel Development and Strategy on the Burford Experimental Weight Limit was called in and referred to the Place Overview and Scrutiny Committee. The scrutiny committee recommended that greater clarity be provided on the evidence base upon which the decision was made.

Cabinet considered the report from scrutiny and all of the data available. Cabinet endorsed the original decision to terminate the experimental weight limit and instead develop area-wide restrictions across Oxfordshire.

25. HIF1 - Amendments to the Grant Determination Agreement
(*Cabinet, 15 March 2022*)

Cabinet was asked to agree to authorise officers and relevant Cabinet Members to negotiate an amended Grant Determination Agreement with Homes England to reflect changes negotiated with the Government who will contribute further funding to the programme and extend the funding window to March 2026.

Cabinet agreed that the draft of any amended GDA should be presented to Cabinet for consideration and potential approval. They also established a Cabinet Advisory Group (CAG) to oversee the detailed design and development of HIF1 consistent with this Council's strategic priorities.

26. Oxfordshire Plan 2050: Statement of Community Involvement
(*Cabinet, 15 March 2022*)

Cabinet was asked to note a report on the revised Oxfordshire Plan 2050 Statement of Community Involvement following the lifting of the coronavirus restrictions as well as an update on the recent consultation and the next steps. The district and city councils are also asked to adopt the SCI at their Cabinets and Executive committees during March, as the OP2050 is their joint plan.

Cabinet Member: All Cabinet Members

27. Business Management & Monitoring Reports
(*Cabinet, 21 December 2021 & 15 March 2022*)

In December 2021 Cabinet noted the October 2021 performance, risk and finance position for the Council and approved virements, bad debt write off and of the Transformation Reserve and COVID Reserve.

It was agreed to suspend monthly reporting while staff were seconded to assist with the response to the Omicron surge. Bi-monthly reporting resumed at the March meeting when Cabinet received the January 2022 report.

Cabinet approved further use of the COVID Reserve and use of the corporate contingency for the estimated cost of the pay award.

LIZ LEFFMAN

Leader of the Council

March 2021

Divisions Affected N/A

**COUNCIL
5 APRIL 2022**

APPOINTMENT TO THE BERKSHIRE, OXFORDSHIRE AND BUCKINGHAMSHIRE JOINT HEALTH SCRUTINY AND OVERVIEW COMMITTEE

Report by DIRECTOR OF LAW AND GOVERNANCE

RECOMMENDATION

1. **Council is RECOMMENDED to -**
2. **Appoint the councillors shown in Appendix 2 to the Berkshire, Oxfordshire and Buckinghamshire Joint Health Overview and Scrutiny Committee subject to any changes reported at the meeting**

Summary

3. Health Services have a legislative duty to consult a local authority's Health Overview and Scrutiny Committee about any proposals they have for a substantial development or variation in the provision of health services in their area. When these substantial developments or variations affect a geographical area that covers more than one local authority, the local authorities are required to appoint a Joint Health Overview and Scrutiny Committee (JHOSC) for the purposes of the consultation.
4. In response to the development of an Integrated Care System (ICS) across the Buckinghamshire, Oxfordshire and Berkshire West (BOB) footprint, a health scrutiny committee is needed for the patient-flow geography impacted by service changes at a BOB-level. This includes the authorities of Buckinghamshire County Council, Oxfordshire County Council, West Berkshire Council, Reading Borough Council and Wokingham Borough Council.
5. On 23 March 2021, Council agreed the final terms of reference for the Berkshire, Oxfordshire and Buckinghamshire Joint Health Overview and Scrutiny Committee (known as BOB HOSC). Those terms of reference were also agreed by the four other appointing Authorities of Buckinghamshire, West Berkshire, Reading and Wokingham and are enclosed at Appendix 1.
6. Those Authorities are at varying stages of appointing Councillors to this Joint Committee. It would therefore be timely for Oxfordshire to make such appointments in anticipation of the commencement of the Health and Care Act

and by implication the Integrated Care Board becoming a statutory body and the dissolution of the Clinical Commissioning Groups (CCG) for those areas, including Oxfordshire CCG.

7. In line with the terms of reference, Oxfordshire Councillors will make up the largest grouping and has a total of 7 seats on the Joint Committee. Apportioning political balance translates to the following numbers of seats per political group

Committee Name	Frequency of Meetings	Number of Places	Nominations
Berkshire, Oxfordshire and Buckinghamshire Joint Health Overview and Scrutiny Committee (BOB HOSC)	No fewer than 2 per year	7 (3) – Liberal Democrat / Green Alliance (2) – Conservative / Independent Alliance (2) – Labour and Cooperative	See Appendix 2

8. Council should be aware that the Chair and Deputy Chair of that Joint Committee will be appointed by the Committee itself.

Corporate Policies and Priorities

9. Council agreed its strategic priorities on 7 February to include prioritising the health and wellbeing of residents.

Financial Implications

10. None immediately arising from this report.

Cleared by Lorna Baxter, Director of Finance.

Legal Implications

11. The County Council's statutory responsibilities in respect of establishing a Joint Health Overview and Scrutiny Committee across the Buckinghamshire, Oxfordshire and Berkshire West (BOB) geography to allow scrutiny of system-wide issues that impact upon the BOB population have been met.

Cleared by Anita Bradley, Director of Law and Governance

Staff Implications

12. None immediately arising as a result of this report.

Equality & Inclusion Implications

13. None immediately arising as a result of this report.

Sustainability Implications

14. None immediately arising as a result of this report.

Risk Management

15. Risks arising from not appointing to the Committee relate to the Council's reputation and the impact on the delivery of its strategic aims.

Consultations

16. None immediately arising from this report.

Anita Bradley
Director of Law and Governance

Annex: Terms of Reference of BOB HOSC

Background papers: None

Other Documents: None

Contact Officer: Helen Mitchell, Interim Health Scrutiny Officer
Helen.mitchell@oxfordshire.gov.uk

March 2022

Appendix 2

Committee Name	Frequency of Meetings	Number of Places	Nominations
Berkshire, Oxfordshire and Buckinghamshire Joint Health Overview and Scrutiny Committee (BOB HOSC)	No fewer than 2 per year	7 (3) – Liberal Democrat / Green Alliance (2) – Conservative / Independent Alliance (2) – Labour and Cooperative	Liberal Democrat / Green Alliance Cllr Hanna Cllr Ley Cllr van Mierlo Conservative / Independent Alliance Cllr Leverton Cllr Champken - Woods Labour and Cooperative Cllr Edosomwan Cllr Haywood

Joint Health Overview and Scrutiny Committee (Buckinghamshire, Oxfordshire, Reading, West Berkshire, Wokingham) – “BOB HOSC”

Terms of Reference

Purpose

1. Health Services are required to consult a local authority's Heath Overview and Scrutiny Committee about any proposals they have for a substantial development or variation in the provision of health services in their area. When these substantial developments or variations affect a geographical area that covers more than one local authority (according to patient flow), the local authorities are required to appoint a Joint Health Overview and Scrutiny Committee (JHOSC) for the purposes of the consultation.
2. The NHS Long-Term Plan (published at the beginning of 2019) sets out the vision and ambition for the NHS for the next 10 years. It states - “Every Integrated Care System will need streamlined commissioning arrangements to enable a single set of commissioning decisions at system level.” The purpose of the JHOSC would be to hold to account and challenge these commissioning decisions at system level. This function would be new and a different part of local health scrutiny arrangements. The powers and duties of health scrutiny would remain unchanged at Place, Locality and Neighbourhood level (see definitions below). The creation of a JHOSC to scrutinise system level decisions would strengthen existing scrutiny arrangements.
3. These terms of reference set out the arrangements for Buckinghamshire Council, Oxfordshire County Council, Reading Borough Council, West Berkshire Council, Wokingham Borough Council, to operate a JHOSC in line with the provisions set out in legislation and guidance and to allow it to operate as a mandatory committee.

Terms of Reference

4. The new JHOSC will operate formally as a mandatory joint committee i.e. where the councils have been required under Regulation 30 (5) Local Authority (Public Health, Health and Well-being Boards and Health Scrutiny) Regulations 2013 to appoint a joint committee for the purposes of providing independent scrutiny to activities delivered at system level (as detailed below) by the Buckinghamshire, Oxfordshire and Berkshire West Integrated Care System.
5. The Kings Fund published a report in April 2020 “Integrated Care Systems explained: making sense of systems, places and neighbourhoods” which says that NHS England and NHS Improvement has adopted the terminology used in some systems to describe a three tiered model – System, Place and Neighbourhood:
 - System - typically covering a population of 1–3 million people. Key functions include setting and leading overall strategy, managing collective resources

and performance, identifying and sharing best practice to reduce unwarranted variations in care, and leading changes that benefit from working at a larger scale such as digital, estates and workforce transformation.

- Place – a town or district within an ICS, typically covering a population of 250-500,000. This is where the majority of changes to clinical services will be designed and delivered and where population health management will be used to target intervention to particular groups. At this level, providers may work together to join up their services through alliances and more formal contractual arrangements.
- Neighbourhood – a small area, typically covering a population of 30-50,000 where groups of GPs and community-based services work together to deliver coordinated, pro-active care and support, particularly for groups and individuals with the most complex needs. Primary Care Networks and multi-disciplinary community teams form at this level.

6. In addition, a fourth Locality tier operates below the 'Place' tier, but only within Berkshire West. These Localities coincide with the individual local authorities of Reading Borough Council, West Berkshire Council and Wokingham Borough Council and reflect the geography of their Health and Wellbeing Boards and Public Health, Adult Services and Children's Services functions. Joint working with Health Services also takes place at this level, e.g. through Locality Integration Boards.
7. Activities at Place, Locality and Neighbourhood would be scrutinised by the relevant local authority through their existing health scrutiny arrangements.
8. The purpose of the mandatory JHOSC across Buckinghamshire, Oxfordshire, Reading, West Berkshire, Wokingham is to:
 - a. make comments on the proposal consulted on
 - b. require the provision of information about the proposal
 - c. gather evidence from key stakeholders, including members of the public
 - d. require the member or employee of the relevant health service to attend before it to answer questions in connection with the consultation.
 - e. Refer to the Secretary of State only on where it is not satisfied that:
 - consultation on any proposal for a substantial change or development has been adequate in relation to content or time allowed (N.B. the referral power in these contexts only relates to the consultation with the local authorities, and not consultation with other stakeholders)
 - the proposal would not be in the interests of the health service in the area
 - a decision has been taken without consultation and it is not satisfied that the reasons given for not carrying out consultation are adequate.

9. Notwithstanding point (e) above, Member authorities have the right to refer an issue to the Department of Health if the joint health scrutiny committee does not collectively agree to refer an issue.
10. With the exception of those matters referred to in paragraph 2 above responsibility for all other health scrutiny functions and activities remain with the respective local authority Health Scrutiny Committees.
11. The process for determining the appropriate level of scrutiny – i.e. System or Place/Locality/Neighbourhood will be in accordance with an agreed toolkit which will set out the process for initiating early dialogue between ICS Leads and the Members of the JHOSC. All constituent authorities will be notified of the outcome of those discussions.
12. No matter to be discussed by the Committee shall be considered to be confidential or exempt without the agreement of all Councils and subject to the requirements of Schedule 12A of the Local Government Act 1972.

Governance

13. Meetings of the JHOSC will be conducted under the Standing Orders of the Local Authority hosting and providing democratic services support and subject to these terms of reference.

Frequency of meetings

14. The JHOSC will meet at least twice a year with the Integrated Care System Leads to ensure oversight of key priorities and deliverables at system level.

Host authority

15. The JHOSC would be hosted by one of the named authorities. The role of host authority would be undertaken by the chairing authority for the same time period (24 months).

Membership

16. Membership of the JHOSC will be appointed by Buckinghamshire, Oxfordshire, Reading, West Berkshire, Wokingham that have responsibility for discharging health scrutiny functions.
17. Appointments to the JHOSC have regard to the proportion of patient flow. The Joint Committee will therefore have 19 members, consisting of 6 from Buckinghamshire, 7 from Oxfordshire, 2 from Reading, 2 from West Berkshire, 2 from Wokingham.
18. Appointments by each authority to the JHOSC will reflect the political balance of that authority.

19. The quorum for meetings will be 6 voting members, comprising at least one member from each authority. Member substitutes from each authority will be accepted.
20. The JHOSC shall reserve the right to consider the appointment of additional temporary co-opted members in order to bring specialist knowledge onto the committee to inform specific work streams or agenda items. Any co-opted member appointed will not have a vote.
21. The five Healthwatch organisations shall be recognised as key stakeholders and a standing item will be included on the JHOSC agenda to allow the organisations to report back on patient and public views from across the ICS.

Chair & Vice Chair

22. The Chair of the JHOSC shall be drawn from the members of it and will normally be filled by the member whose authority is hosting the Committee for a period of 24 months.
23. The Vice Chair of the JHOSC shall be drawn from members on the Committee and elected every 24 months.

Task & Finish Groups

24. The Committee may appoint such Working Groups of their members as they may determine to undertake and report back to the Committee on specified investigations or reviews as set out in the work programme. Appointments to such Working Groups will be made by the Committee, ensuring political and geographical balance as far as possible. Such panels will exist for a fixed period, on the expiry of which they shall cease to exist.

Committee support

25. The work of the JHOSC will require support in terms of overall coordination, setting up and clerking of meetings and underpinning policy support and administrative arrangements.
26. Meetings of the committee are to be arranged and held by the host authority.
27. Should a press statement or press release need to be made by the JHOSC, this will be approved by all authorities before being signed off by the Chair.

Divisions Affected – N/A

COUNCIL 5 APRIL 2022

CODE OF CONDUCT

Report by the Director of Law and Governance

RECOMMENDATION

1. **The Council is RECOMMENDED to adopt the revised Councillors' Code of Conduct at Appendix 1 for implementation from the 1st May 2022.**

Executive Summary

1. Section 27(2) of the Localism Act 2011 requires that a local authority must adopt 'a code dealing with the conduct that is expected of members and co-opted members of the authority when they are acting in that capacity.'
2. The revised Councillors' Code of Conduct was considered and approved by the Audit and Governance Committee on the 16th March 2022. Oxfordshire County Council having previously adopted the Member's Code of Conduct on 10th July 2012, it forms part of the Constitution.
3. All Oxfordshire local authorities are covered by a single, jointly-agreed Code of Conduct which ensures that councillors who are members of multiple authorities within the area, are covered by a single code providing clarity and consistency. The same Members' Code of Conduct has been adopted by many town and parish councils in Oxfordshire.

Local Government Association Model Code of Conduct

4. In 2018 the Committee on Standards in Public Life ("the CSPL") undertook a review of local government ethical standards. CSPL considered that robust standards arrangements are needed to safeguard local democracy, maintain high standards of conduct, and to protect ethical practice in local government.
5. The CSPL published the Local Government Ethical Standards report ("the Report") on 30 January 2019. The Local Government Association ("the LGA") then released a draft Model Member Code of Conduct on 8 June 2020 and sought views on it. The LGA published a Model Member Code of Conduct in December 2020 which was updated in January and May 2021.
6. The LGA Model Code is said to "have been designed to protect our democratic role, encourage good conduct, and safeguard the public's trust and confidence in the role of councillor in local government. While it sets out the minimum standards of behaviour expected, together with the guidance, it is designed to encourage councillors to model the high standards expected of councillors, to

be mutually respectful even if they have personal or political differences, to provide a personal check and balance, and to set out the type of conduct that could lead to complaints being made of behaviour falling below the standards expected of councillors and in breach of the code. It is also to protect councillors, the public, local authority officers and the reputation of local government."

7. Oxfordshire Monitoring Officers working with the Oxfordshire Association of Local Councils have drafted an amended Councillors' Code of Conduct which will be considered by each of the Oxfordshire Authorities for approval. The proposed draft is contained in Appendix1 to this report, and it is intended that all of the Oxfordshire Authorities adopt the Code for implementation from May 2022 onwards.

Differences in the Code

8. The LGA Model Code does not differ significantly in content from the local code already in operation in Oxfordshire, although some of the language used is different
9. The draft Code sets out general principles of conduct expected of all Councillors as well as specific obligations in relation to standards of conduct. The fundamental aim of the draft Code is to create and maintain public confidence in the role of the Councillor and in Local Government.
10. The Code of Conduct will apply to each Councillor as soon as they sign the declaration of acceptance of the office of Councillor or attend their first meeting as a co-opted member and continues to apply until the role as a Councillor ceases.

Draft Oxfordshire Code

11. The draft Oxfordshire Code applies to members acting in their capacity as a Councillor which may include when:
 - the position as a Councillor is misused; or when
 - the impression is given to a reasonable member of the public with knowledge of all the facts that an individual is acting as a Councillor.
12. The draft Oxfordshire Code applies to all forms of communication and interaction, including at face-to-face meetings, at online or telephone meetings, in written communication, in verbal communication, in non-verbal communication and in electronic and social media communication, posts, statements and comments.
13. The draft Oxfordshire Code includes the following standards and obligations, with guidance given for each obligation to help explain the reasons for the obligations and how they should be followed:
 - (1) Respect
 - (2) Bullying, Harassment and Discrimination
 - (3) Impartiality of Officers of the Council

- (4) Confidentiality and access to information
- (5) Disrepute
- (6) Use of position
- (7) Local authority Resources and Facilities
- (8) Compliance with the Code of Conduct
- (9) Gifts and Hospitality

14. The draft Oxfordshire Code sets out the obligations for councillors in relation to the registration/declaration of interests including Disclosable Pecuniary Interests (DPI) and other registrable interests.

15. The draft Oxfordshire Code contains guidance on the steps that must be taken if a Councillor has an interest in a matter that is under consideration by the Council, including when it relates to a non-registrable interest. Where a matter arises at a meeting which directly relates to a Councillor's financial interest or wellbeing (and does not fall within the definition of disclosable pecuniary interests), or the financial interest or wellbeing of a relative or close associate, it is a non-registrable interest.

Corporate Policies and Priorities

16. This report takes forward the Council's Strategic Plan 2022-225 by promoting a vibrant and participatory local democracy. The proposed Code of Conduct ensuring alleged breaches are dealt with fairly and with due process, the code is enforced, and member interest are dealt with appropriately.

Financial Implications

17. There are no financial implications associated with this report.

Legal Implications

18. Section 27(2) of the Localism Act 2011 says that a local authority must adopt 'a code dealing with the conduct that is expected of members and co-opted members of the authority when they are acting in that capacity.

19. Adoption of the draft Code of Conduct will ensure continued statutory compliance and uniformity across the Oxfordshire.

Comments checked by: Sukdave Ghuman, Head of Legal Services

Staff Implications

20. There are no staffing implications associated with this report.

Equality & Inclusion Implications

21. There are no direct equality and inclusion implications associated with this report.

Sustainability Implications

22. There are no sustainability implications associated with this report.

Risk Management

23. There are no risk management implications associated with this report.

Consultations

24. There are no consultation implications associated with this report.

Anita Bradley, Director of Law and Governance and Monitoring Officer

Annex: Appendix 1 Councillors' Code of Conduct

Background papers: Audit and Governance Committee 16th March 2022, Item 10 "Code of Conduct".

Contact Officer: Sukdave Ghuman, Head of Legal Services
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March 2022

Oxfordshire Councils' Councillor Code of Conduct 2022

Draft

Version 5: 8th February 2022

1.0 Introduction

The Council has a duty to promote and maintain high standards of conduct by members and co-opted members of the Council, and formally adopt a code of conduct, in accordance with the *Localism Act 2011*.

2.0 Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a Councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow Councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all Councillors and your specific obligations in relation to standards of conduct. The fundamental aim of the Code is to create and maintain public confidence in the role of the Councillor and in Local Government.

3.0 Definitions

For the purposes of this Code of Conduct, a "Councillor" means a member or co-opted member of the local authority. A "co-opted member" is defined in the *Localism Act 2011 Section 27(4)* as "a person who is not a member of the authority but who

- 3.1 is a member of any committee or sub-committee of the authority, or;
- 3.2 is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee".

4.0 General Principles of Councillor Conduct

Everyone in public office and all who serve the public or deliver public services, including Councillors and local authority officers, should uphold the Seven Principles of Public Life, also known as the Nolan Principles, (see Appendix A).

Building on these principles of selflessness, objectivity, accountability, openness, honesty and integrity and leadership, the following general principles have been developed specifically for the role of Councillor.

In accordance with the public trust placed in Councillors, on all occasions a Councillor shall:

- act with integrity and honesty
- act lawfully
- treat all persons fairly and with respect; and
- lead by example and act in a way that secures public confidence in the role of Councillor.

- impartially exercise their responsibilities in the interests of the local community
- not improperly seek to confer an advantage, or disadvantage, on any person
- avoid conflicts of interest
- exercise reasonable care and diligence; and
- ensure that public resources are used prudently in accordance with the local authority's requirements and in the public interest.

These general principles have been incorporated into the obligations of the Code of Conduct as set out below.

5.0 Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of Councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a Councillor.

This Code of Conduct applies to you when you are acting in your capacity as a Councillor which may include when:

- you misuse your position as a Councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a Councillor;

The Code applies to all forms of communication and interaction, including at face-to-face meetings, at online or telephone meetings, in written communication, in verbal communication, in non-verbal communication and in electronic and social media communication, posts, statements and comments.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish Councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

6.0 Standards of Councillor Conduct

This section sets out the obligations (in bold below), which are the minimum standards of conduct required of a Councillor. Should a Councillor's conduct fall short of these standards, a complaint may be made against them, which may result in action being taken.

Guidance is also included below each obligation to help explain the reasons for the obligations and how they should be followed.

6.1 Respect

A Councillor:

- 6.1.1 Shall treat everyone, including other Councillors and members of the public with respect.**
- 6.1.2 Shall treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.**

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a Councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in Councillors.

In return, you have a right to expect respectful behaviour from everyone. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the relevant social media provider and/or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

6.2 Bullying, Harassment and Discrimination

A Councillor:

- 6.2.1 Shall not bully any person.**
- 6.2.2 Shall not harass any person.**
- 6.2.3 Shall promote equalities and not discriminate against any person.**

Bullying is offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Legislation places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

6.3 Impartiality of Officers of the Council

A Councillor:

- 6.3.1 Shall not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the**

local authority.

Officers work for the local authority as a whole and must be politically neutral, (other than political assistants where applicable). They should not be coerced or persuaded to act in a way that would undermine their neutrality. A Councillor may question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, a Councillor must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

6.4 Confidentiality and access to information

A Councillor:

- 6.4.1 Shall not disclose information either given to them in confidence by anyone or acquired by them which they believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. They have received the consent of a person authorised to give it; or**
 - ii. They are required by law to do so; or**
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - iv. the disclosure is reasonable and in the public interest; and also made in good faith and in compliance with the reasonable requirements of the local authority and consultation with the Monitoring Officer has taken place prior to its release.**
- 6.4.2 Shall not improperly use knowledge gained solely as a result of their role as a Councillor for the advancement of themselves, their friends, family members, employer or business interests.**
- 6.4.3 Shall not prevent anyone from getting information that they are entitled to by law.**
- 6.4.4 When making decisions on behalf of, or as part of, the Council shall have due regard to any professional advice provided by the Council's Officers.**

6.5 Disrepute

A Councillor:

- 6.5.1 Shall not bring their role or local authority into disrepute.**

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other Councillors and/or your local authority and may lower the public's confidence in your or your local authority's ability to discharge your/its functions.

6.6 Use of position

A Councillor:

6.6.1 Shall not use, or attempt to use, their position improperly to the advantage or disadvantage of anyone.

A Councillor should not take advantage of opportunities, responsibilities and privileges to further their own or others' private interests or to disadvantage anyone unfairly.

6.7 Local authority Resources and Facilities

A Councillor:

6.7.1 Shall not misuse council resources.

6.7.2 Shall, when using the resources of the local authority or authorising their use by others, act in accordance with the local authority's requirements; and ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which they have been elected or appointed.

A Councillor may be provided with resources and facilities by the local authority to assist them in carrying out their duties as a Councillor. Examples may include office support, stationery, equipment such as phones, computers and transport and access and use of local authority buildings and rooms.

6.8 Compliance with the Code of Conduct

A Councillor:

6.8.1 Shall undertake Code of Conduct training as required by the local authority.

6.8.2 Shall cooperate with any Code of Conduct assessment, investigation, hearing and/or determination.

6.8.3 Shall not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

6.8.4 Shall comply with any sanction imposed on them following a finding that they have breached the Code of Conduct.

It is extremely important for a Councillor to demonstrate high standards, to have your actions open to scrutiny and not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with the Monitoring Officer.

7.0 Registering and Declaring Interests

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know

early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

7.1 Disclosable Pecuniary Interests

A Councillor must, within 28 days of taking office as a member or co-opted member, notify the Council's Monitoring Officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State (see Appendix B), where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners. Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

You must disclose the interest at any meeting of the Council at which you are present, where you have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest'. If it is a 'sensitive interest', you must disclose the fact that you have an interest but do not have to disclose the nature of it. (A sensitive interest is an interest which, in the opinion of the Monitoring Officer, if disclosed, could lead to the Councillor, or a person connected with them, being subjected to violence or intimidation.) You are personally responsible for deciding whether or not you should disclose an interest in a meeting.

Following any disclosure of an interest not on the Council's register, or the subject of pending notification, you must notify the Monitoring Officer of the interest within 28 days beginning with the date of disclosure.

Unless dispensation has been granted, by the Monitoring Officer, you may not participate in any discussion of, or vote on, or discharge any function related to any matter in which you have a disclosable pecuniary interest. You must withdraw from the room or chamber when the meeting discusses and votes on the matter.

Where you have a disclosable pecuniary interest on a matter to be considered or being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

You must ensure that your register of interests is kept up to date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in Appendix B is a criminal offence under the Localism Act 2011.

7.2 Other Registerable Interests

You must also register your other registerable interests with the Monitoring Officer within 28 days of taking office and ensure these are kept up to date by notifying any changes within 28 days.

Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in Appendix C), you must

disclose the interest. 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. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise 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. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Where you have an Other Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

7.3 Non-Registerable 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 at 7.1 above), or the financial interest or wellbeing of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise 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. If it is a sensitive interest you do not have to disclose the nature of the interest.

Where a matter arises at a meeting which **affects** your own financial interest or wellbeing, a financial interest or wellbeing of a relative or close associate or a financial interest or wellbeing of a body included under Other Registerable Interests as set out at 7.2 above and appendix C you must disclose 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;
- b. 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. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Where you have a Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

8.0 Gifts and Hospitality

A Councillor:

- 8.1 Shall not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**

- 8.2 Shall register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**
- 8.3 Shall register with the Monitoring Officer any significant gift or hospitality that they have been offered but have refused to accept.**

The presumption should always be not to accept significant gifts or hospitality but there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered.

You do not need to register gifts and hospitality which are not related to your role as a Councillor.

It is appropriate to accept normal expenses and hospitality associated with your duties as a Councillor.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B: Discloseable Pecuniary Interests

"Discloseable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in the table below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

This table sets out the explanation of Discloseable Pecuniary Interests as set out in the [Relevant Authorities \(Discloseable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
Corporate tenancies	Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where— (a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and (b) either— (i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners have a beneficial interest exceeds one hundredth of the total issues share capital of that class.

* ‘Director’ includes a member of the committee of management of an industrial and provident society.

* ‘securities’ means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Appendix C: Disclosure of Other Registrable Interests

You must register as an Other Registrable Interest:

- 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

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Divisions Affected – CHALGROVE AND WATLINGTON

FULL COUNCIL MEETING ON 5 APRIL 2022

REPORT REGARDING FUTURE MANAGEMENT OF THE CHARLOTTE COXE TRUST

RECOMMENDATION

Council is RECOMMENDED to

1. Establish a Committee of Council to which responsibility for all decision making in connection with the Charlotte Coxe Trust is delegated, which is to be known as the “Charlotte Coxe Trust Committee”.
2. Appoint the five members to the Committee.

Executive Summary

3. The Charlotte Coxe Trust is currently managed by the Director of Law and Governance on her own on behalf of the Council under 6.4(e) of the Scheme of Delegation (“acting as trustee on behalf of the Council in respect of any matter whereon he/she considers such action to be appropriate”). This arrangement is considered unsatisfactory for various reasons (detailed below) and creating the Committee resolves this.

Background to the Charlotte Coxe Trust

4. Since 1949, the Council has managed land and money “for the benefit of the inhabitants of Watlington” that was given to it by Laura Charlotte Coxe. The Charlotte Coxe Trust is a registered charity and the Charity assets comprise cash funds (currently around £80,000) and freehold land at 33/35 High Street, Watlington. 33 High Street is a vacant two storey house, which has been empty for some years and 35 High Street has Watlington Library on its ground floor.
5. The Council’s library service is the tenant of the Library.
6. The Director of Law and Governance in her trust management role is currently working closely with members of the community and Watlington Parish Council to bring 33 High Street back into use for the community.
7. The Committee, were it to assume this role in exercising the decisions in relation to the Trust, will need to consider the following:
 - (a) whether trusteeship should be transferred by the Council to an external body such as Watlington Parish Council;

- (b) what should be done regarding 33 High Street in the short and long terms; and
- (c) what terms should be incorporated in the lease of the Watlington Library (having taken professional advice).

Current governance arrangements

8. Currently the Director of Law and Governance has de facto responsibility for “running” the Trust for the Council, although there is no written definition of those responsibilities.
9. The Director of Law and Governance recently sought external advice on this and was advised that such an arrangement was not “fit for purpose” as:
 - (a) there is vagueness over the extent of her responsibilities;
 - (b) there is no accountability or transparency;
 - (c) there is no duty to debate and discuss; and
 - (d) she is exposed to allegations of conflict of interest.
10. To address the concerns detailed above, it is recommended that a new Committee is established as set out below. It is envisaged that the Member for Chalgrove and Watlington would be a member of the committee, but in doing so, in common with all members of the committee, they would need to be alert to any potential conflicts of interest between Watlington as a whole and the interests of the Trust.

The new Committee

It is recommended

- 11.1 That the remit of the Committee is (inter alia) to:
 - (a) consider the options for the future management of the Trust and decide which should be implemented and then instruct officers to implement them; and
 - (b) make operational decisions on behalf of the Trust (in particular over the management of 33 High Street and the Watlington Library lease).
- 11.2 That the Committee has 5 members and is politically proportional, making decisions by majority voting and with a quorum of 3.
- 11.3 That the Committee elects a chair from its members.
- 11.4 That the Committee membership is established. It is proposed that there are a total of 5 seats on the Committee. Apportioning political balance translates to the following numbers of seats per political group

Committee Name	Frequency of Meetings	Number of Places	Nominations
Charlotte Coxe Trust Committee	Ad hoc	(2) – Liberal Democrat / Green Alliance (2) – Conservative / Independent Alliance (1) – Labour and Cooperative	To be confirmed by Group Leaders and reported to the Council Meeting

Financial Implications

12. Trust building assets are held separately from the Council's own. Cash is currently held as an identifiable part of the Council's overall cash balance. There are no immediate financial implications for the Council. This is likely to change depending on the future course of action decided upon, but these could be met from existing charitable funds.

Legal Implications

13. Setting up a statutory committee of the type proposed is within the Council's statutory powers and is consistent with the provisions of the Trust documents.

Comments checked by:

Richard Hodby, Solicitor, Law and Governance
richard.hodby@oxfordshire.gov.uk

Staff Implications

14. A new Committee will add to the work of the Council's Committee Services Team.
15. If the Committee was to decide to transfer trusteeship to a third party it is possible that its work might be substantially completed within a year and therefore any additional work burden would not be permanent.

Anita Bradley, Director of Law and Governance

Annex: Nil

Background papers: Nil

Contact Officer: Richard Hodby, Solicitor, Law and Governance
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28 March 2022

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