

County Council

28 March 2023

Agenda

To: **Members of the County COUNCIL**

Notice of a Meeting of the County Council

Tuesday, 28 March 2023 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.



Martin Reeves
Chief Executive

March 2023

Committee Officer: **Chris Reynolds**
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In order to comply with the Data Protection Act 2018, 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 - 6)

To approve the minutes of the meeting held on 14 February 2023 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. To facilitate 'hybrid' meetings we are asking that requests to speak are submitted by no later than 9am on the day before the meeting i.e., 9am on Monday 27 March 2023. 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. Report of the Cabinet (Pages 7 - 14)

Report of the Cabinet meetings of 20 December 2022 & 24 January and 21 February 2023.

10. Annual Report of Director of Public Health (Pages 15 - 68)

Report of the Corporate Director of Public Health and Community Safety

Directors of Public Health have a statutory duty to publish an annual report on a subject of their choice that they feel demonstrates the state of health within their community. The purpose of this item is to share the report for 22/23

Council is RECOMMENDED to

Note the Director of Public Health Annual Report and to take every opportunity to support actions and initiatives that will progress related work.

11. Amendments to the Council's Constitution (Pages 69 - 112)

Report by the Director of Law and Governance and Monitoring Officer

Council is RECOMMENDED to approve:

The proposals for amendment to the Employment Procedure Rules Part 8.4 in the Councils Constitution – Annex 2.

12. Appointment of Interim Executive Director, People, Transformation and Performance (Pages 113 - 122)

Report of the Interim Director of Human Resources and Organisational Development

Following induction exercises, conversations with senior colleagues, and the Leader, the new Chief Executive has determined that the senior leadership structure has a gap in strategic capacity.

As a result, the Chief Executive has taken steps to make a temporary appointment to a role to provide additional strategic capacity in the senior leadership team. The temporary role is Interim Executive Director for People, Transformation & Performance.

The Council is RECOMMENDED to

Approve a spot salary designation of £167,000 for the post of Interim Executive Director, People, Transformation & Performance

13. Councillor Allowances 2022-23 (Pages 123 - 126)

Report by the Director of Law and Governance and Monitoring Officer

The Council is RECOMMENDED

To increase the Basic Allowance and Special Responsibility Allowances by 5.3%

in line with the percentage rise in employee costs for Oxfordshire County Council arising from the 2022-23 Local Government pay award

14. Electoral Review : Division Patterns

Report by the Director of Law and Governance and Monitoring Officer **(To Follow)**

The Council is RECOMMENDED

To submit the attached report on Division patterns to the Local Government Boundary Commission for England. This sets out proposed boundaries and names for the County Divisions in each of the five District areas: Cherwell, Oxford City, South Oxfordshire, Vale of White Horse and West Oxfordshire.

15. Treasury Management - Quarter 3

Report by the Director of Finance **(To Follow)**

Council is RECOMMENDED to note the council's treasury management activity in the third quarter of 2022/23.

MOTIONS WITH NOTICE FROM MEMBERS OF THE COUNCIL

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

16. Motion by Councillor Charlie Hicks

Council believes that it is vital to consider the wellbeing of Future Generations in all decision-making in the Council, as set out in the Alliance's guiding principles.

Therefore, Council requests the Cabinet to undertake the following as soon as reasonably practicable:

- Review how all decision-making and commissioning of services will consider the wellbeing of future generations and put in place appropriate internal controls to ensure this happens,
- Consider the need for any additional internal roles to support this work (e.g. a future generations commissioner for Oxfordshire)
- Implement a 'Future Generations impact assessment' section in all officer reports for elected decision-makers, and
- Set up an Oxfordshire Youth and Future Generations Advisory Council

- Requests that the Future Council Governance Group, as part of its remit, develop recommendations on how to structure political decision-making in the council in a way which best considers the impact of decisions on future generations, including exploring the role of deliberative and participatory processes (including citizens' assemblies) as part of routine council governance and decision-making.

- Asks that all of the above be done in consultation with people and organisations who have experience of delivering future generations work in UK political institutions, including the application future generations principles, defined as "acting in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs", and the development of wellbeing goals, with a view to creating equivalent goals for Oxfordshire.

17. Motion by Councillor Calum Miller

The government recommitted in the 2022 Autumn Statement to the delivery of East West Rail (EWR). In 2021, EWR consulted on a series of proposals to address the fact that increased train frequency would, in due course, require the level crossing at London Road, Bicester, to be closed. The Chief Executive of EWR told a meeting of local elected representatives on 13 January that EWR would publish its proposals for the whole line by June.

This Council:

- Strongly supports East West Rail as it will increase opportunities for lower carbon travel and support sustainable growth and jobs;
- Notes that the closure of the London Road would sever the road connection between the south-east of Bicester and the town centre;
- Believes that it must be a priority, working with Cherwell District Council and East West Rail, to find a sustainable, funded solution that continues to provide suitable rail crossings for cars, cycles and pedestrians at or near London Road;
- Recognises that the next three months are critical to ensuring that this solution is adequately funded by EWR and national government, given that the new line is of national importance while the negative impact of closing London Road would fall on the local community in Bicester;
- Resolves to ask the Leader to write to the Chief Executive of East West Rail, stating this Council's support for new railway crossings at or near London Road, suitable for cars, cycles and pedestrians.

18. Motion by Councillor Liam Walker

This Council recognises the deep concerns around the recent information that it did not release specific traffic impact data in relation to the Oxford bus filters consultation.

Given this revelation this Council now calls on the Cabinet to authorise officers to conduct a new six-week consultation for the Oxford bus filters trial with all information

made available to the public, including a clear 'support or oppose' question.

19. Motion by Councillor Eddie Reeves

Oxfordshire's Spare Seats programme has offered children a safe and affordable bus to school for c. 35 years.

This Council apologises unreservedly for its decision to send 'withdrawal' letters to parents under its Spare Seats scheme without parental or wider public consultation. The wording of its withdrawal letters caused significant anxiety and distress to parents in predominantly rural areas, with up to 235 children affected in the short term and as many as 1,384 students in the medium term.

To date, the Council has defended its decision on the basis that it has no legal obligation to operate the scheme, adding that its continuation: *"reinforces children travelling to schools further away than their nearest school"*.

This Council restates its commitment to the Spare Seats scheme and to the underlying principles of safeguarding parental choice, tackling climate change, encouraging social mixing and ensuring children's safety.

This Council requests the Cabinet to write to all parents/guardians whose children benefit from the scheme to reassure them that this Council is giving active consideration to improving Spare Seats and/or encouraging replacement community transport services to ensure that there is no loss of services to parents and pupils.

This Council requests the Cabinet to provide a written explanation to members of this Council surrounding the withdrawal letters and to work with the Chair(s) of relevant committee(s) to ensure that members can discharge their democratic duties as scrutineers of Council policy.

20. Motion by Councillor Donna Ford

This Council supports reasonable steps to mitigate the harmful effects of anthropogenic climate change, on which there exists considerable cross-party consensus in Oxfordshire.

This Council welcomes certain of the Council's investments passed at its budget-setting meeting on 14 February 2023, including the £600,000 investment in mitigating flood risks. However, mindful of the administration's approval of £3 million of expenditure on tree-planting in its most recent budget, this Council accepts in principle that it would be wrong to pass financial liabilities, over which there is no agreement at present, down to our county's Parish and Town Councils without due consultation.

Accordingly, this Council resolves to refer the matter to Cabinet with a view to clarifying where responsibility towards, and liability for, planting and maintenance of such trees lies pursuant to such expenditure.

This Council further resolves to ask Cabinet to write to the Council's Parish and Town

Council partners to ensure that agreements surrounding ongoing liabilities are put in place in a timely manner.

21. Motion by Councillor Freddie van Mierlo

Publishing the voting and attendance records of elected representatives is critical for democratic accountability. It allows residents to make informed decisions during elections and hold elected representatives to account. This council therefore requests the Director of Law and Governance to publish the attendance records and individual votes of members made at full council on the Oxfordshire County Council website at the earliest possible date. Votes taken by show of hands at the Chair's discretion will be not require individual votes to be published. The Director of Law and Governance is not required to retrospectively publish voting or attendance records, but to do so going forwards

Councillors declaring interests

General duty

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

What is a disclosable pecuniary interest?

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

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

Declaring an interest

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

Members' Code of Conduct and public perception

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

Members Code – Other registrable interests

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

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

Other registrable interests include:

- a) Any unpaid directorships

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

Members Code – Non-registrable interests

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

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 registrable interests, then you must declare the interest.

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

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

- a) to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- 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.