

County Council

13 December 2016

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 contact Glenn Watson on **07776 997946** or glenn.watson@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.

To: Members of the County Council

Notice of a Meeting of the County Council

Tuesday, 13 December 2016 at 10.00 am

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



P.G. Clark
County Director

December 2016

Contact Officer: **Deborah Miller**
Tel: 07920 084239; E-Mail: deborah.miller@oxfordshire.gov.uk

In order to comply with the Data Protection Act 1998, notice is given that Items 3, 7 and 12 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.

A buffet luncheon will be provided

AGENDA

1. Minutes (Pages 1 - 28)

To approve the minutes of the meeting held on 1 November 2016 (**CC1**) and to receive information arising from them.

2. Apologies for Absence

3. **Declarations of Interest - see guidance note**

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

4. **Official Communications**

5. **Appointments**

Members are asked to note that Councillor Hudspeth had given notice of the following changes to portfolio responsibilities Council Procedure Rules Part 4.2 Para 1.2.4, to take effect from Tuesday 8 November:

Cabinet Member for Children, Education and Families to be renamed as Cabinet Member for Children and Family Services with the main areas of responsibility being Statutory Lead Member for Children's Services.

New Cabinet Post: Cabinet Member for Education with responsibility for Education - Councillor Harrod

To make any changes to the membership of the Cabinet, scrutiny and other committees on the nomination of political groups.

Members are asked to agree the following appointment:

Councillor Sandy Lovatt in place of Councillor Steve Harrod on the Performance Scrutiny Committee.

6. **Petitions and Public Address**

7. **Questions with Notice from Members of the Public**

8. **Questions with Notice from Members of the Council**

9. **Brunel Pension Grouping (Pages 29 - 78)**

Report by Chief Finance Officer and Chief Legal Officer (**CC9**)

The report recommends the Council to approve the full business case for the establishment of the Brunel Pension Partnership.

The Council is RECOMMENDED to approve the following resolution:

In its capacity as the Administering Authority for the Oxfordshire County Council Pension Fund, and having received and reviewed this report and the Business Case

attached to it, the Council **HEREBY RESOLVES** to enter into investment pooling with respect to the Oxfordshire County Council Pension Fund.

Such Resolution is made on and subject to the following terms and conditions:

- **THAT** the Brunel Pension Partnership investment pool be developed, funded and implemented substantially in accordance with the terms and provisions described in the said Business Case, and more particularly that:
 - a FCA regulated company to be named Brunel Pension Partnership Limited be established, and that the company be operated with all necessary and appropriate arrangements as to its ownership, structure, governance and services capability.
 - a new supervisory body comprising representatives of the Council and all other participants in the Brunel Pension Partnership be established to ensure oversight of the Council's investment and participation in the Brunel Pension Partnership.
- **THAT** the Pensions Committee be authorised and granted delegated powers to undertake such tasks as it thinks appropriate to progress implementation of investment pooling, and to take such decisions and do all other things deemed necessary in order to promote the interests of the Council with respect to pooling, which without limitation shall include agreeing and authorising any documentation, contracts, terms of reference, financial expenditure or investment that may be required consequential upon the Council's participation in the Brunel Pension Partnership.
- **THAT** the Chief Finance Officer and Chief Legal Officer be similarly authorised and granted delegated powers to undertake such tasks as they think appropriate to progress implementation of investment pooling, and to take such decisions and do all things deemed necessary in order to support the Pensions Committee and to promote the interests of the Council with respect to pooling, which without limitation shall include informing and advising the Pensions Committee on the continued viability and suitability of investment pooling in light of any developments, financial or otherwise, in the period up to the establishment of the Brunel Pension Partnership.
- **THAT** subject to the above, all such matters be carried out with the aim of achieving a target date for investment pooling of 1 April 2018, and otherwise subject to such intermediate steps and timescales as may be considered appropriate and necessary by the Pensions Committee.
-

10. National Scheme for Auditor Appointments (Pages 79 - 84)

Report by the Chief Finance Officer (**CC10**).

The report sets out the proposals for appointing an external auditor to the Council for the 2018/19 accounts and beyond, as the current arrangements only cover up to and including 2017/18 audits.

The Audit and Governance Committee considered the proposals at its meeting on 9 November 2016 and supported the recommendation in the report, to accept the offer to "opt in" to the sector led option for the appointment of external auditors.

The Council is RECOMMENDED to accept Public Sector Audit Appointments' (PSAA) invitation to 'opt in' to the sector led option for the appointment of external auditors for five financial years commencing 1 April 2018.

11. Senior Management Review (Pages 85 - 102)

Report by the County Director (**CC11**)

This report asks County Council to note progress made with the Senior Management Review and to approve the proposed recommendations including a new structure. County Council are asked to approve the re-designation of the post of County Director to Chief Executive. Views from County Council will be considered by Cabinet on the 20 December in advance of final decisions at that meeting. The report references associated work carried out on the unitary debate as well as transformation of services and identifies potential savings to be gained from reductions in senior management posts.

The County Council is RECOMMENDED to:

- (a) note the progress made to date on the Senior Management Review;***
- (b) endorse the Senior Management Review recommendations and proposed structure;***
- (c) agree in principle that the post of County Director should be made permanent and re-designated Chief Executive;***
- (d) notify the Proper Officer of the Council's intention to appoint Peter Clark as the Council's Chief Executive on a permanent basis with a view at its next meeting to:***
 - receiving the outcome of the Proper Officer's consultation with members of the Cabinet on this proposal in accordance with Part 8.4(4) of the Council's Constitution;***
 - determining whether to proceed with the appointment;***
- (e) agree that pending those further decisions Peter Clark is appointed Interim Chief Executive.***

12. Treasury Management Mid Term Review (2016/17) (Pages 103 - 118)

Report by Chief Finance Officer (**CC12**).

The report sets out the Treasury Management activity undertaken in the first half of the financial year 2016/17 in compliance with the CIPFA Treasury Management Code of Practice. The report includes Debt and Investment activity, Prudential Indicator monitoring and forecasts for interest receivable and payable for the financial year.

The Cabinet considered and endorsed the report at their Meeting on 22 November

2014.

Council is RECOMMENDED to note the Council's Mid-Term Treasury Management Review 2016/17.

13. Report of the Cabinet (Pages 119 - 122)

Report of the Cabinet Meeting held on 22 November 2016 (CC13).

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 From Councillor Arash Fatemian

“Council notes the recent media coverage and casework of Councillor’s concerning the pressures on parking at the John Radcliffe Hospital in Oxford.

Council finds the present situation unsatisfactory and is dismayed at the knock-on effect this is having on those who need to visit the John Radcliffe. Council further notes that these pressures have already been, and will be further exacerbated by the centralisation of services from local hospitals, such as maternity services from the Horton Hospital in Banbury to the John Radcliffe. As the transport authority, it is the wish of Oxfordshire County Council that no further services are centralised from any local hospitals across the county until such time as suitable measures have been put in place to mitigate the distressing parking circumstances.

Council further calls on the Health Overview Scrutiny Committee and the Clinical Commissioning Group to take this into account in their deliberations and outcomes.”

15. Motion From Councillor Glynis Phillips

“Oxfordshire County Council is deeply concerned about the Buckinghamshire, Oxfordshire and Berkshire West (BOB) Sustainability and Transformation Plan (STP). In particular we are concerned about the implications for Adult Social Care in the County, and for our infrastructure as Hospitals close and services are centralised. The Consultation with Oxfordshire has been derisory with the full plan not having been made public during the numerous meetings which have been held. This Council therefore asks the Leader to write to the Secretary of State for Health asking him:

- (a) How the area was decided? BOB covers 14 Local Authorities with 5 having responsibility for Adult Social Care;
- (b) What consideration has been given to the implications of putting increased pressure on the fragile coalitions across this area as plans are delivered?
- (c) What evidence is there that this approach to delivering savings of the magnitude required will work? Particularly in relation to reduced activity and the

- need during transformation to run 2 systems. What will happen if it doesn't?
- (d) Why the NHS workforce, the public and politicians have not been involved in shaping the plan?
 - (e) Given that local government, in relation to Adult Social Care has unrivalled insight into how services can be transformed. Why is the process so NHS centric?

16. Motion From Councillor Bob Johnston

"This Council believes that the decision of the Railway Minister to "shelve" the electrification of the Didcot Parkway to Oxford railway line, possibly until 2024, is short sighted. It will amongst other things condemn Oxfordshire residents to use elderly and polluting diesels for most of the journeys between Oxford, Didcot, Reading and London or having to change at Didcot. The Decision will make many of the rail objectives as set out in LTP4 difficult if not impossible to achieve. New bespoke electric rolling stock currently being built could be left in store. Council therefore resolves to ask the Leader of the Council to:-

- (a) Lobby by all possible means the Department for Transport in general and the Rail Minister in particular to get this decision reviewed;
- (b) approach the Growth board to see if there is funding which might be unlocked to advance the project to an earlier and more acceptable timetable."

17. Motion From Councillor Mark Cherry

"This Council calls on the Leader of Oxfordshire County Council to give urgent consideration of the Bankside link road and for this to be prioritised in the Banbury area strategy in LTP4.

This road is needed urgently if the town is to avoid total gridlock on its roads. Oxfordshire is a net contributor to the National Economy and the North of the County continues to grow with the construction of 8000 houses and the construction of HS2. Therefore more businesses and more vehicles are inevitable. This issue has been talked about for over 30 years and it is now time for action."

18. Motion From Councillor Sam Coates

"Oxfordshire County Council recognises that new housing developments suggested by the Strategic Housing Market Assessment will lead to the generation of substantial increases in traffic throughout Oxfordshire. This has been further compounded by obvious additions such as the new Oxford Westgate development

In consequence, the County Council calls on the Cabinet to collaborate with Oxfordshire's District Councils, the City of Oxford, the Local Economic Partnership, landowners such as Oxford University and developers in commissioning a transport impact assessment for the current range of housing proposals for the whole of Oxfordshire covering the period up to 2031. The study to focus on Oxford City and the likely congestion in the various market Towns

resulting from new housing developments.

The County Council's case for more resources for cycling, walking, bus and rail investments may be considerably enhanced by such an Assessment, given the scale of possible traffic impacts likely to result from planned new housing.”

19. Motion From Councillor Sam Coates

“Given that an increasing number of services are becoming ever more reliant on voluntary efforts and partnerships with charities the County Council should undertake a 'capacity survey' of charities and volunteers which may be engaged in the support of a wide variety of County services in the future.

The intention of the review would be to determine which services may be sustained via voluntary efforts, and where costs and the need for specialist workers make services unsustainable with third sector partners.”

20. Motion From Councillor John Howson

“Across Oxfordshire small primary schools serve an important purpose in creating an education system where the school is firmly located within its community. Children can walk or cycle to school and these school form a vital hub for many communities.

This Council wishes to ensure that any proposed new funding formula for schools devised by the government does not destroy schools with fewer than 250 pupils unintentionally as a result of making them financially unviable. This would be the case if the sole method of funding were to be based upon a fixed sum per pupil with no grant towards the cost of the overheads of the school. One head teacher association has calculated that a third of primary schools in Oxfordshire might be at risk from such a formula. These schools have been part of the education scene in Oxfordshire for more than 150 years.

This Council asks the Cabinet Member for Education to write to the Secretary of State for Education to ascertain that the proposed consultation on the new formula will not lead to the wholesale closure of small schools, especially as any increase in transport costs would fall on the council tax payers of Oxfordshire.”

Pre-Meeting Briefing

There will be a pre-meeting briefing at County Hall on **Monday 12 December 2016 at 10.15 am** for the Chairman, Vice-Chairman, Group Leaders and Deputy Group Leaders