

# County Council

**14 June 2011**

## Agenda

## **Declarations of Interest**

This note briefly summarises the position on interests which you must declare at the meeting. Please refer to the Members' Code of Conduct in Part 9.1 of the Constitution for a fuller description.

### **The duty to declare ...**

You must always declare any "personal interest" in a matter under consideration, ie where the matter affects (either positively or negatively):

- (i) any of the financial and other interests which you are required to notify for inclusion in the statutory Register of Members' Interests; or
- (ii) your own well-being or financial position or that of any member of your family or any person with whom you have a close association more than it would affect other people in the County.

### **Whose interests are included ...**

"Member of your family" in (ii) above includes spouses and partners and other relatives' spouses and partners, and extends to the employment and investment interests of relatives and friends and their involvement in other bodies of various descriptions. For a full list of what "relative" covers, please see the Code of Conduct.

### **When and what to declare ...**

The best time to make any declaration is under the agenda item "Declarations of Interest". Under the Code you must declare not later than at the start of the item concerned or (if different) as soon as the interest "becomes apparent".

In making a declaration you must state the nature of the interest.

### **Taking part if you have an interest ...**

Having made a declaration you may still take part in the debate and vote on the matter unless your personal interest is also a "prejudicial" interest.

### **"Prejudicial" interests ...**

A prejudicial interest is one which a member of the public knowing the relevant facts would think so significant as to be likely to affect your judgment of the public interest.

### **What to do if your interest is prejudicial ...**

If you have a prejudicial interest in any matter under consideration, you may remain in the room but only for the purpose of making representations, answering questions or giving evidence relating to the matter under consideration, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

### **Exceptions ...**

There are a few circumstances where you may regard yourself as not having a prejudicial interest or may participate even though you may have one. These, together with other rules about participation in the case of a prejudicial interest, are set out in paragraphs 10 – 12 of the Code.

### **Seeking Advice ...**

It is your responsibility to decide whether any of these provisions apply to you in particular circumstances, but you may wish to seek the advice of the Monitoring Officer before the meeting.

**If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.**

To: Members of the County Council

## ***Notice of a Meeting of the County Council***

**Tuesday, 14 June 2011 at 10.00 am**

**County Hall, Oxford OX1 1ND**

*Joanna Simons*

Joanna Simons  
Chief Executive

June 2011

Contact Officer: **Deborah Miller**  
Tel: (01865) 815384; E-Mail: [deborah.miller@oxfordshire.gov.uk](mailto:deborah.miller@oxfordshire.gov.uk)

In order to comply with the Data Protection Act 1998, notice is given that Items 3, 7 and 14 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.

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***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.***

***The civic party will process into the Council Chamber at 9.58 am.***

***A buffet luncheon will be provided.***

***A meeting of the Democracy & Organisation Committee will be held following the conclusion of the Council meeting. To be followed by:***

***a briefing session on Adult Safeguarding for all Members***

## **AGENDA**

### **1. Minutes (Pages 1 - 26)**

To approve the Minutes of the meeting held on 17 May 2011 (**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**

- (a) to appoint Councillor Tony Crabbe in place of Councillor Ray Jelf on the Audit Committee.
- (b) 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**

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

**8. Standards Committee - Annual Report 2010/2011 (Pages 27 - 32)**

Report by the Chairman of the Standards Committee (**CC8**)

This report from the independent chairman of the Standards Committee summarises the work of the Standards Committee over the last year. It also gives consideration to the changing context of the Committee's work and future in light of the Coalition Government's proposals for the standards regime. The Committee endorsed the report at its meeting on 26 May 2011.

***The Committee is RECOMMENDED to receive the report.***

**9. The Future of BBC Oxford (Pages 33 - 36)**

Report by Head of Strategy and Communications (**CC9**).

As part of the BBC's need to make £89m of cuts from its national BBC Journalism budget, managers at the corporation are considering withdrawing three regional TV news outlets in Oxford, Cambridge and the Channel Islands.

The cuts to BBC Journalism are part of wider cost-savings across the BBC that stem from the freezing of the TV licence for five years. The BBC has not made any

formal decision on these proposals to date. Any firm proposals in coming months would be subject to the ratification of the BBC Trust, which would wish to hear the views of local people and organisations before making a final decision.

There are also suggestions that the BBC is looking at transferring some daytime broadcast time at all of its local radio stations to BBC Five Live. Such moves would not be unique to BBC Oxford.

***The Council is RECOMMENDED to:***

- (a) ***record that it believes that a cessation of the local TV service and dilution of the local radio service would deny the people of Oxfordshire a truly local and comprehensive television news service and that local communities could lose their voice and the council could lose an important channel of communication;***
- (b) ***ask the Leader of the Council to write to the Chairman of the BBC Trust, the Director General of the BBC and to respond to any consultation on the proposals expressing the Council's concern and opposition;***
- (c) ***ask the Leader of the Council to write to all six local MPs and the Culture Secretary to express these concerns and ask for their support against the proposals.***

**10. Report of the Cabinet (Pages 37 - 42)**

Report of the Cabinet Meetings on 19 April 2011 and 24 May 2011 (CC10).

**11. Scrutiny Committees - Annual Report (Pages 43 - 52)**

***Council is RECOMMENDED to receive the report.***

**12. Cabinet Scheme of Delegation (Pages 53 - 56)**

Report by the Monitoring Officer (CC12)

The report addresses two issues related to the Council's Constitution, as considered recently by the Council's Cabinet. Firstly, it proposes a change to the Scheme of Delegation for Individual Cabinet Member Decisions to allow greater flexibility for the Leader to nominate any other member of the Cabinet to take the place of an appointed member, if the relevant delegated decision maker is unavailable.

Secondly, it proposes that the current circulation of hard copies of the Council's Constitution be ended in favour of a single electronic master copy on the Council's website. The Cabinet is recommending Council to approve both of these changes.

***The Cabinet RECOMMENDS Council to:***

- (a) ***amend Part 4.4 of the Council's Constitution to effect the***

***changes to the 'Delegated Decisions by Individual Cabinet Members' referred to in paragraph 8 above;***

- (b) agree that the website copy of the Constitution should be the master copy, that the routine circulation of hard copies should cease and that the Monitoring Officer be asked to amend the Constitution to make clear that the website copy is the definitive version.***

**13. Amendments to the Financial Procedure Rules- Change to Constitution (Pages 57 - 66)**

Report of the Chief Finance Officer and the Monitoring Officer (**CC13**)

The Financial Procedure Rules provide the framework for management of the Authority's financial affairs. They are part of the means by which the Council seeks to achieve excellence in corporate governance and demonstrates high standards of financial integrity in the delivery of its services. This report presents proposed amendments to the Financial Procedure Rules' capital approval processes in light of the Council's new organisational structure and its revised capital governance arrangements.

***Council is RECOMMENDED:***

- (a) to agree the proposed amendments to the Financial Procedure Rules, as outlined in paragraph 4 above and as detailed in Annex 1;***
- (b) to ask the Monitoring Officer to amend the Council's Constitution accordingly.***

**14. County Council Meeting Dates (Pages 67 - 70)**

The schedule has been drawn up to reflect the various rules about frequency of meetings set out in the Council's Constitution. A change is being suggested to the pattern of Council meetings with the June meeting being moved to July to even out the frequency of meetings.

The report of the Monitoring Officer containing the schedule of meeting dates proposed for the 2011/12 Council year is attached (**CC14**).

***Council is RECOMMENDED to:***

- (a) Agree the principle of the June Council meeting being replaced by a meeting in the second Tuesday in July;***
- (b) agree the schedule of meeting dates for the 2011/12 Council Year; and***
- (c) instruct the Monitoring Officer to make the necessary consequential amendments to the Council Procedure Rules in respect of the dates of Council meetings.***

## 15. Questions with Notice from Members of the Council

### **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*

## 16. Motion From Councillor Arash Fatemian

“This Council welcomes the news that this week, 13th-19th June 2011, is National Carers Week which seeks to draw public attention to and support the work of the UK’s six million Carers.

This County Council always has and will continue both to recognise and be very grateful for the enormously valuable contribution made by Carers of all ages across Oxfordshire. Supporting Carers as well as we are able to will always be a core element of our strategy.

The new Carers strategy adopted by this council seeks to support and improve this recognition. A recognition that many Carers across the county, whose enormous contribution is vital to Oxfordshire and greatly under-appreciated, are not receiving any support at all. It is important to help identify Carers so that we can provide them with the support that they so greatly need.

This Council therefore:

- (i) welcomes National Carers Week and supports its aims in highlighting the work of Carers and helping to identify hidden Carers of all ages and provide them with help and support;
- (ii) agrees to publish information about Carers Week on the County Council Website for the remainder of this week;
- (iii) asks all Councillors to consider signing the ‘Carers Wall’ in support of the work of all Carers, of all ages, across Oxfordshire.”

## 17. Motion From Councillor Janet Godden

“Council is dismayed to learn of the adverse Care Quality Commission report on a private care home in Oxfordshire where this authority places clients. Care plan processes, dietary needs, medicines management, activities for residents, staff training, and quality monitoring fell short of the required standards.

Council also notes with concern:

- (a) the recent LINKs report on Oxfordshire care homes (JOHSC, 19 May item 8c) where some of the same deficiencies are mentioned, and which concludes that ‘it is vital to consider whether value for money is given in all cases and whether the care received by residents is always as good as it can

be'; and

- (b) that new responsibilities for inspection and monitoring are likely to be placed upon the Council under the Localism Bill.

Council therefore requests that:

- (i) Cabinet review the fees structure for care homes to ensure that the Council is both paying a reasonable going rate and receiving good value for money;
- (ii) The Director for Social & Community Services keeps members informed about the outcome of inspection reports on all care homes;
- (iii) Clients are not placed in care homes that cannot demonstrate good internal care monitoring processes, together with a reliable complaints system for use by relatives as well as by residents; and
- (iv) a post-Council briefing is arranged on current inspection regimes, and the anticipated new responsibilities of local authorities and the role of Healthwatch in this respect."

## **18. Motion From Councillor Jean Fooks**

"Council welcomes the Coalition Government's announcements on the replacement for Educational Maintenance Allowance to support young people over 16 to stay on at school or college. It is understood that the new scheme should be in place for the forthcoming academic year. It will be better targeted and continue to support those currently receiving the allowance. This demonstrates the Government's commitment to helping young people stay longer in education.

Breaking the cycle of deprivation' is one of the Council's overriding priorities. Enabling young people to stay at school is one way to meet this, yet eligible pupils are unlikely to learn of these allowances by themselves. Council therefore asks the Cabinet Member for Schools Improvement to ensure that targeted groups of pupils (such as those in care, care leavers, those with severe disabilities) are aware of the scheme and to alert schools to the scheme and the importance of doing all they can to ensure that all other eligible pupils (such as those recognised by their schools as facing specific barriers to participation such as transport costs or the cost of necessary equipment for their courses) are made aware of the substantial support that will be available to them from schools.

Council requests that all reasonable steps are taken to gather information about the effective take up of these supports and that the matter is referred to Children's Services Scrutiny Committee for further consideration."

## **19. Motion From Councillor Richard Stevens**

"This Council welcomes the abandonment of the Cabinet's proposals of 26 November 2010 to cease funding 20 of our 43 public libraries in Oxfordshire, and the recognition in the Council's announcement of 27 May 2011 that fulfilling the statutory duty to provide a comprehensive and efficient library service under the Public Libraries and Museums Act 1964 requires a community needs-based



assessment of library provision.

This Council further:

- (i) acknowledges the concern of members of the public throughout Oxfordshire who mounted successful campaigns to save their local libraries, and regrets the uncertainty generated by the proposals of 26 November 2010; and
- (ii) calls on the Cabinet to explain in detail how funding for volunteers will be put in place for the 21 libraries whose staffing would, under the new proposals, be dependent upon or would incorporate volunteer library staff, so as to ensure the long-term viability of such libraries."

## 20. Motion From Councillor Val Smith

"This Council values highly the work of youth workers and the youth service in Oxfordshire.

We believe that the youth service can:

- increase young peoples' participation as active citizens and volunteers
- engage them in education
- increase personal and social skills
- improve access to health information.

We, therefore, urge the Cabinet to bring forward plans to ensure there are trained youth workers in the HUBS able to deliver youth work in communities to reflect both the 1996 Education Act and the guidance which was embedded in the Education and Inspections Act 2006."

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### Pre-Meeting Briefing

There will be a pre-meeting briefing at County Hall on **Monday 13 June 2011 at 10.15 am** for the Chairman, Vice-Chairman, Group Leaders and Deputy Group Leaders