

County Council

10 September 2013

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 Rachel Dunn on (01865) 815279 or Rachel.dunn@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, 10 September 2013 at 10.00 am

County Hall, Oxford OX1 1ND

Joanna Simons

Joanna Simons
Chief Executive

August 2013

Contact Officer: **Deborah Miller**
Tel: (01865) 815384; 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 10 September 2013 (**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. Appointments

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

5. Official Communications

6. Petitions and Public Address

7. Questions with Notice from Members of the Public

8. Treasury Management 2012/13 Outturn (Pages 29 - 48)

Report by Assistant Chief Executive & Chief Finance Officer (**CC8**).

The report sets out the Treasury Management activity undertaken in the financial year 2012/13 in compliance with the CIPFA Code of Practice. The report includes Debt and Investment activity, Prudential Indicator Outturn, changes in Strategy, and interest receivable and payable for the financial year.

Council is RECOMMENDED to note the Council's Treasury Management Activity in 2012/13.

9. Partnership Update Report (Pages 49 - 72)

Report by the Assistant Chief Executive & Chief Finance Officer (**CC9**).

The report provides an update on the Oxfordshire-wide partnerships which are critical in progressing key countywide priorities and which have support from our partners.

Council is RECOMMENDED to note the report.

10. County Council Meeting Dates 2014/15 (Pages 73 - 80)

The report of the Monitoring Officer containing the schedule of meeting dates proposed for the 2014/15 Council Year is attached (**CC10**).

The schedule has been drawn up to reflect the various rules about frequency of meetings set out in the Council's Constitution. Council agreed that the Health & Wellbeing Board meet 3 times per year and attention is drawn to the suggested dates that follow last year's meeting pattern. The due date under the Constitution for Council in July 2014 would be 8 July 2014 which clashes with the Local Government Conference and you are asked to agree to waive Council Procedure Rule 2.1 to allow the meeting to go ahead on 1 July 2014.

Council is RECOMMENDED to agree the schedule of meeting dates for the 2014/15 Council Year and to waive Council Procedure rule 2.1 with regard to the full Council meeting in July 2014.

11. Criminal Record Checks for Councillors (Pages 81 - 84)

Report by County Solicitor & Head of Law and Culture (**CC11**).

The Protection of Freedoms Act 2012 made changes to the regime of vetting and barring individuals from working with children and vulnerable adults. This had the effect of significantly reducing the number of positions and circumstances in which persons would need to be the subject of a criminal records check. This has significance for County Councillors. Prior to the change in legislation on 10 September 2012, it had been the Council's policy that all County Councillors should undergo a criminal records check following their election unless they had had such a check in the 12 months prior to their election.

Changes to the legislation now mean that there is no legal requirement for any councillor to undergo such checking by virtue only of their position as an elected member. This therefore becomes a policy matter for determination by the Council itself. This report therefore sets out the current legal position and invites the Council formally to decide its policy on criminal records checks for councillors and to determine which (if any) posts should be the subject of a check.

Council is RECOMMENDED to:

- (a) note that criminal records checks should continue to be made in any case for members of Fostering and Adoption Panels;***
- (b) agree the approach for criminal record checking for Councillors having regard both to the options at paragraph 13 and the Monitoring Officer's comments at paragraph 16 to the report.***

12. Report of the Cabinet (Pages 85 - 88)

Report of the Cabinet Meeting held on 16 July 2013 (**CC12**).

13. 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

14. Motion From Councillor Kieron Mallon

“This Council recognises that it is important to be accessible to all residents of Oxfordshire either physically or by electronic methods. To avoid wasting taxpayers money on an electronic system that might not prove acceptable, this Council wishes to try a system already in place.

This Council would welcome the opportunity to hold the April Council meeting at Bodicote House and therefore asks the Director for Environment & Economy to conduct a feasibility study into this possibility with a report back to Council with a recommendation in terms of a trial and to consider whether this requires a suspension of the Council Procedure Rules.”

15. Motion From Councillor Jean Fooks

“Council notes that many Oxfordshire roads suffer from congestion, which causes serious delays and inflicts pollution on residents. As one of the best and simplest ways to reduce congestion would be to encourage more cycling to replace car journeys where possible, also bringing health benefits to the cyclists, Council calls upon the Cabinet to consider the following:

- (a) that a high quality bid is submitted every time the government, the EU or other organisations make money available for cycling measures;
- (b) whether to require cycle-friendly measures to be incorporated into all new road schemes and new housing developments;
- (c) whether to draw up and consult on a new Cycling Strategy, to be appended to the LTP, which will work closely with partners (district councils, hospitals, the universities and others) and will have ambitious targets and timescales.”

16. Motion From Councillor John Christie

“This Council, in demonstrating its commitment to fulfilling its legal duty to advance Equality of Opportunity under the Equality Act 2010, will respect the use by Councillors of gender neutral and inclusive titles in addressing and referring to those who chair meetings of the Council and its Committees.

Council therefore requests the Monitoring Officer to bring a report back to the next meeting of the Council outlining proposals to amend the Constitution accordingly.”

17. Motion From Councillor David Williams

“Given that youth unemployment is now an extremely serious issue with damaging long term social and personal consequences, Oxfordshire County Council should seek to establish from its suppliers that they have employees drawn from all age cohorts and do not neglect young people.

Numerous themes for contract compliance already exist but the County Council as a part of its financial and budgetary and social responsibility asks the Cabinet to strengthen its commitment to youth employment by considering ways by which the County Council can secure that any contracting organisation or company has a firm commitment to ensuring a reasonable proportion of the its workforce are under the age of 23. (applicable to all concerns with a workforce of 25 or more) and to seek ways to achieve a performance of at least 5% by those contractors.”

18. Motion From Councillor Charles Mathew

“This Council will need to make significant further savings in very many areas and directorates, in order to balance the Budget from 2014/5. This Council believes that it is therefore reasonable to review all expenditure, including our Home to School Transport Policy” in achieving this unenviable task.”

19. Motion From Councillor Stewart Lilly

“Our highway engineers are always consulted by the district council planning officers regarding the highway implications and views on new planning applications for building and development. Officers usually visit the application site for all major developments, and thereafter submit their report back to the planning authority. Frequently County Council members can come under scrutiny by public & Parish Councils within their wards. It is frequently the case that the local member has not been advised of the officers recommendation until after the event.

This Council requires all highway officers to submit a copy of the email they return to the local relevant planning authority also directly to the local member for that members information on all applications. This is easily done by inserting the Councillors email in the "cc" address at the head of our email page. By this simple method of communication, the local elected member is aware of local issues for which he/she may be confronted or questioned, or may not have previously been aware. Communication is a key part of this Councils directives and effectiveness.”

20. Motion From Councillor Stewart Lilly

“That the Director for Environment and Economy carries out a full evaluation as to the economic advantages, or otherwise, of installing solar panels to create electricity on Council owned/leased properties in an demonstration not only of its green credentials, but in its continuing drive to economise on its electrical consumption and thus drive down costs to the Council wherever possible. A full cost evaluation is then presented to the Cabinet for full debate and decision.”

