

County Council

23 March 2021

Agenda

*If you wish to view proceedings, please click on this [live stream link](#).
However, that will not allow you to participate in the meeting.*

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, 23 March 2021 at 10.00 am

Virtual



Yvonne Rees
Chief Executive

March 2021

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

Due to the current guidelines regarding social distancing this meeting of the County Council will be held remotely. Normally requests to speak at a public meeting are requested by 9 am on the preceding day to the published date of a meeting. However, during the current situation and to facilitate these new arrangements we are asking that requests to speak are submitted by 9am four working days before the meeting i.e. 9 am on Wednesday 17 March 2021 together with a transcript of your presentation emailed to deborah.miller@oxfordshire.gov.uk

If you wish to view proceedings, please click on the live stream link on the front page of the Agenda. However, that will not allow you to participate in the meeting.

In order to comply with the Data Protection Act 1998, notice is given that this 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.

AGENDA

1. Minutes (Pages 1 - 8)

To approve the minutes of the meeting held on 9 February 2021 (**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

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

This Council meeting will be held virtually in order to conform with current guidelines regarding social distancing. Normally requests to speak at this public meeting are required by 9 am on the day preceding the published date of the meeting. However, during the current situation and to facilitate these new arrangements we are asking that requests to speak are submitted by no later than 9am four working days before the meeting i.e. 9 am on 17 March 2021. Requests to speak should be sent to Deborah.miller@oxfordshire.gov.uk together with 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 9 am 2 working days before the meeting.

Where a meeting is held virtually and the addressee is unable to participate virtually their written submission will be accepted.

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 9 - 12)

Report of the Cabinet Meetings held on 15 December 2020, 19 January 2021 and 23 February 2021 (**CC9**).

10. Governance Review (Pages 13 - 18)

Report by the Director of Law & Governance and Monitoring Officer (**CC10**).

Under the Constitution, the Monitoring Officer is required to monitor and review the operation of the Constitution to ensure that its aims, principles and requirements are given full effect. This includes making recommendations to Council on any necessary amendments. The report before Council seeks the approval of one change. It also seeks approval for a proposed way forward for reviewing the Constitution.

Council is RECOMMENDED to approve:

- (a) the proposed amendment (at paragraph 8) to bring the definition of a Key Decision into the main body of the text with the addition of consultation arrangements for Key Decisions taken by officers;***
- (b) the proposal that the Monitoring Officer should bring forward proposals to the Audit & Governance Committee, after the May 2021 County Council elections, in the 4th cycle of the meetings for that Committee, for achieving a full review of the structure and content of the Constitution.***

11. Changes to Constitution of the Pension Fund Committee (Pages 19 - 22)

Report by Director of Finance (**CC11**).

As part of an Independent Governance Review of the Pension Fund, Hymans Robertson recommended changes to the constitution of the Pension Fund Committee. The main driver for the recommended changes was to improve the representation of Scheme Employers on the Fund, whilst maintaining the majority position of the County Council as the Administering Authority. This is consistent with best practice guidance from the LGPS Scheme Advisory Board. The changes also result in a reduction of 2 in the total membership which should facilitate ensuring all Committee members have the requisite skills and knowledge to undertake their responsibilities on the Committee and improve the effectiveness of the Committee. The Pension Fund Committee at its meeting supported the proposals and recommended that these should be in place before the formation of the new Pension Fund committee following the May elections.

Council is RECOMMENDED to agree the changes to the constitution of the Pension Fund Committee as follows:

- 5 County Council Representatives selected in accordance with the political balance of the Council. These would form the only voting members of the new Committee***
- 2 Academy School Representatives – non-voting***
- 1 Oxford Brookes University Representative – non-voting***
- 1 District Council Representative – non-voting***
- 1 Scheme Member Representative – non-voting.***

12. Health Scrutiny Arrangements for Oxfordshire (Pages 23 - 38)

Report by the Director for Law & Governance and Monitoring Officer (**CC12**).

In 2020 both Oxfordshire Joint Health Overview and Scrutiny Committee and Oxfordshire's Council approved in principle Terms of Reference for a new health overview scrutiny committee which will scrutinise system-wide health issues across the Buckinghamshire, Oxfordshire and Berkshire West (BOB) area.

The report seeks Council's approval of revisions to those Terms of Reference, which were proposed jointly at a meeting of HOSC Chairs and scrutiny officers in the relevant 5 BOB local authorities on 5 February 2021. The revised Terms of Reference were approved by the Oxfordshire Joint Health Overview and Scrutiny Committee at its meeting on 12 March 2021.

The Council is RECOMMENDED to approve:

- (a) ***the revisions to the draft Terms of Reference for a health scrutiny committee for health system-wide issues across the Buckinghamshire, Oxfordshire and Berkshire West (BOB) area;***
- (b) ***a delegation from Council to enable the Monitoring Officer, in consultation with the Chairman and Deputy Chairman of the Oxfordshire Joint Health Overview and Scrutiny Committee, to make minor changes to the Terms of Reference after 23 March 2021 should other BOB councils request them as part of their own approval process.***

13. Interim Arrangements for taking Emergency Decisions immediately following the County Council Elections (Pages 39 - 40)

Report by the Director for Law & Governance and Monitoring Officer (**CC13**).

The report seeks approval to a temporary variation to the delegated powers of the Chief Executive to aid effective decision making in the period between the retirement of councillors following the elections in May and the Annual Council meeting on 18 May 2021.

Council is RECOMMENDED to agree a temporary variation to Part 7.1 of the Constitution Specific Powers and Functions of Particular Officers with effect that from 10 May to 18 May 2021 paragraph 6.3 (c) is to be read as follows:-

“(c) Any function of the Cabinet or of a Council committee or sub-committee, after consultation with the appropriate Director and thereafter with the Chairman and Vice-Chairman of the Council and the Leader, as appropriate.”

14. Members Code of Conduct - Decision Notice (Pages 41 - 44)

Report by the Director for Law & Governance and Monitoring Officer (**CC14**).

The report notifies Full Council of a decision by the then Interim Monitoring Officer on the outcome of a Member Code of Conduct complaint, following the meeting of a Members' Advisory Panel in December last year.

The Council is RECOMMENDED to note the decision of the Interim Monitoring Officer with regard to a Members' Code of Conduct Complaint concerning Cllr Liam Walker.

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

15. Motion by Councillor Deborah McIlveen

“This Council notes that the National Domestic Abuse Helpline received over 40,000 calls and contacts during the first three months of the Covid-19 lockdown [BBC July 2020].

Domestic Violence is common and overwhelmingly impacts women and girls globally, nationally and in Oxford as well as children and men. Domestic violence impacts on workplaces and communities and is a significant cost to the public purse.

This Council recognises that:

- The Covid pandemic, lockdowns and restrictions make it more difficult for survivors to seek help;
- Local authorities have a duty of safety to their employees and residents using services and are working to stop domestic violence.

This Council resolves to:

- Review the Corporate Domestic Violence Policy that applies to service delivery and employment for Oxfordshire County Council, support implementation with training and monitor and review annually.
- Work with partner agencies, communities and trade unions to promote measures to increase the safety of those experiencing domestic violence.
- Provide information on how to help friends, family and colleagues experiencing domestic abuse.
- Campaign and lobby for increased sustainable funding from central government for organisations working with victims and survivors, especially services for BAME communities that are underfunded.”

16. Motion by Councillor Richard Webber

“The Council’s Procurement procedures have been the subject of concern for some time. At the latest Audit and Governance Committee meeting, the subject of a claim made over a breach of Procurement procedures by the Council was considered. This breach of procedure has cost the Council, and hence Oxfordshire taxpayers, £1.6 million in compensation and legal costs.

Council notes that the role of the Audit & Governance Committee is to ensure that the Council's procedures are robust, that taxpayer's money is controlled properly and

that it is spent wisely.

The timeline provided to the Audit and Governance Committee meeting on this matter shows that the Portfolio Holder and the Chair of Audit and Governance were both aware of the breach and cost of court settlement in February 2020, but the Committee was only informed in January 2021. Council believes that by withholding this information from the Audit and Governance Committee for 11 months, the Executive failed to act in the interest of Oxfordshire taxpayers.

Council commits to ensuring that, in future, in the interests of transparency and good governance, any breaches of procedure are made known to members of the Audit and Governance Committee as soon as they are known to the Executive, and that committee members are allowed to see any reports relating to such breaches of procedure (redacted as necessary), following any reasonable request from members of that committee and assuming there is no legal reason why such documents should be with-held.

17. Motion by Councillor Eddie Reeves

“This Council fully recognises the value of the much-loved Horton General Hospital to the residents of Banbury and its surrounding catchment area, which uniquely covers four counties.

Local efforts to retain acute services at the Horton have been welcomed by Councils at all tiers in recent months and by community groups and residents alike. This Council’s position has always been that the Horton’s future should be as a fully functioning General Hospital complementing the world-class services at both the John Radcliffe Hospital and Churchill Hospital so as to build on Oxfordshire’s enviable reputation – both nationally and internationally – as a centre for excellence in healthcare. That remains unequivocally the case today.

This Council is encouraged that Oxford University Hospitals NHS Foundation Trust (OUHFT) and the Oxfordshire Clinical Commissioning Group (OCCG) have listened to the strong representations of residents, Councillors and community groups (notably, Keep the Horton General) in recent years and those of Victoria Prentis MP and this Council welcomes steps taken by both OUHFT and OCCG to develop a masterplan for the Horton without delay.

For its part, this Council resolves to do all it can to support the advancement of this vision and commits to reviewing options with Councils at other tiers with a view to supporting OUHFT and CCG-led redevelopment plans so as to deliver an improved facility on the hospital’s existing site or at a new and improved one within the Banbury area that is accessible to residents across the Horton’s unique four-county catchment area.”

18. Motion by Councillor Stephan Gawrysiak

“The County Council will consider environmental weight restrictions across the County, particularly areas which are subject to significant levels of HGV traffic, prioritising the towns of Burford, Chipping Norton and Henley-on-Thames. However,

the county council is very unlikely to have any funding available for this in the coming years so any schemes would need to be funded through development and/or by local communities, businesses and town/parish councils.

This policy clearly states that Henley is subject to significantly high levels of HGV traffic. Henley is also an AQMA area which means we have significant pollution.

Council calls upon the Corporate Director for Environment and Place to complete the necessary studies in the event that funding to cover the whole cost is secured through development and/or by local communities, businesses and town/parish councils and would not fall on the OCC.”

19. Motion by Councillor Susanna Pressel

“Officers are currently developing a small scheme for a workplace parking levy (WPL) across one section of East Oxford. If that scheme is approved, the revenue it generates will be spent on just one new bus route to serve only those commuters who would otherwise drive to work in that “eastern arc”.

This is a step in the right direction, but we need to be far more ambitious. A larger scheme would do far more to help us achieve our climate action goals; it would do far more to reduce congestion and improve air quality; and crucially it would generate far more ring-fenced revenue to spend on better public transport to benefit all our residents as well as just a few commuters.

The WPL in Nottingham has so far raised more than £75 million (at least £10m each year), which the council has spent on public transport, including an electric bus network.

The Transport Act 2000 says that the regulations for WPLs are designed to be flexible. The only restriction on WPLs is that “a scheme may only be made if it facilitates the policies set out in the Local Transport Plan (LTP)”. As a Standard Note from the House of Commons Library puts it: the regulations “aim to create maximum flexibility as to how and where the money raised is spent”.

This Council requests that the Corporate Director Environment & Place give consideration to expanding the WPL scheme through the development of a business case for Connecting Oxford that covers a much wider area and not just the “eastern arc”.

20. Motion by Councillor Damian Haywood

“It is a sad reality that up and down the country, roads around schools have become plagued with a surge of traffic concentrated over a 50-minute period at drop off and pick up times. This results in increased risks of collisions with vulnerable road users and other motorists, unlawful parking, traffic jams, road rage. People on foot and cycling are left with the feeling that roads are no place for them. This has implications for everyone especially children.

Statistics from the Department of Transport reveal that 14% of children killed on

Great Britain's roads in 2018 were during the morning school run (7-9am) and 23% after school between 3-5pm. Furthermore, Kings College London found that children are exposed to levels of NO₂ five times higher when travelling to school in the morning than while at school.

For the past 30 years, children have been progressively removed from the roads which have been abandoned to motor vehicles. This created a vicious circle: traffic makes the roads unsafe so parents will drive their children everywhere.

It's time to create a virtuous circle by supporting families to switch to active travel by making it easier for parents and children to get to school in more environmentally friendly ways by restricting non-essential vehicles from roads surrounding schools at the start and finish of the school day. This Council asks the Corporate Director Environment and Place to develop a rolling programme of school streets across the County."

21. Motion by Councillor Arash Fatemian

"This Council was profoundly disappointed to hear the view of Liberal Democrat MP Layla Moran who, when asked on BBC Question Time (18 February) about curbs on free speech in our universities, claimed that it "should not be a priority right now" only days after moderate academics had written compellingly about professional attacks suffered by them.

As a county with a number of first-class schools and colleges, excellent public libraries and two leading universities, and with a great many residents employed by this Council and others in the Education profession, this Council:

- i) Publicly deplores the position held by the MP for Oxford West and Abingdon;
- ii) reaffirms in the strongest possible terms that it believes in freedom of speech everywhere, particularly in our schools, colleges, public libraries and universities;
- iii) believes that students – whether at school, college or university – should be taught how to think, not what to think;
- iv) offers reassurance to students, teachers and academics throughout this county that we will continue to work with our schools, public libraries and other educational institutions to ensure that views can be expressed without fear of retribution or persecution;
- v) asks the Leader to write to all local MPs, schools, public libraries and higher and further education establishments in Oxfordshire clearly outlining this Council's stance;
- vi) asks the Leader to write to the MP in question, inviting her to reconsider the insensitive implications of her remarks, which serve only to condone abuse, rather than promote open, liberal and diverse debate."

Pre-Meeting Briefing

There will be a pre-meeting briefing on **Monday 22 March at 10.15 am** for the Chairman, Vice-Chairman, Group Leaders and Deputy Group Leaders