

# **County Council**

**13 September 2022**

## **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 email [democracy@oxfordshire.gov.uk](mailto:democracy@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 September 2022 at 10.30 am**

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

If you wish to view proceedings, please click on this [Live Stream Link](#)  
Please note, that will not allow you to participate in the meeting.



Stephen Chandler  
Interim Chief Executive

September 2022

*Committee Officer: E-Mail: [committees.democraticservices@oxfordshire.gov.uk](mailto:committees.democraticservices@oxfordshire.gov.uk)*

In order to comply with the Data Protection Act 2018, 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.

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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.***

# AGENDA

**1. Minutes (Pages 1 - 12)**

To approve the minutes of the meeting held on 12 July 2022 (**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**

*Members of the public who wish to speak at this meeting can attend the meeting in person or 'virtually' through an online connection.*

*Requests to speak must be submitted by no later than 9am four working days before the meeting i.e. 9 am on Wednesday 7 September 2022. Requests to speak should be sent to [committees.democraticservices@oxfordshire.gov.uk](mailto:committees.democraticservices@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 9 am 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 13 - 16)**

Report of the Cabinet meeting of 19 July 2022.

## 10. Local Government Boundary Review for Oxfordshire (Pages 17 - 42)

Report by Director of Law and Governance

**Council is RECOMMENDED to establish a cross-party group with membership drawn from each political group following liaison with the Political Group Leaders. This will be supported by a technical officer group set up by the Director of Law and Governance.**

Please note that representatives from the Local Government Boundary Commission for England will make a presentation to members following the meeting.

## 11. Amendments to the Council's Constitution and its Presentation (including recommendations from the Constitution Working Group) (Pages 43 - 314)

Report by Director of Law and Governance

The Cross Party Constitution Working Group (“the CWG”) held nine meetings between November 2021 and July 2022. It was tasked with considering ways of amending the Constitution and then making recommendations. The recommendations contained in this report arise from its work and were approved by the Audit and Governance Committee at its meeting on 20 July 2022.

**Council is RECOMMENDED to approve:**

- a) **The changes to the presentation of the Constitution on the Council’s website referred to in paragraphs 4 to 8 of the report**
- b) **The video and diagram referred to in paragraphs 9 to 11 of the report for inclusion on the Council’s website**
- c) **The proposals for the incorporation of all of the current Articles into the main body of the Constitution referred to in paragraphs 12 to 14 of the report**
- d) **The proposals for amendment to the Protocol on Members’ Rights and Responsibilities, the Protocol on Member/Officer Relations, the Council Procedure Rules and the Contract Procedure Rules in the Constitution referred to in paragraphs 15 to 23 of the report**
- e) **The proposed new Part 2 of the Constitution relating to the Fire and Rescue Service referred to in paragraphs 26 to 28 of the report; and**
- f) **A delegation to the Director of Law and Governance to make textual amendments to the Constitution to address any inconsistencies or correct any cross-referencing errors arising from or as a consequence of the amendments, along with updating job and group titles if those referred to in the Constitution are obsolete (insofar as the Director of Law and Governance does not already have such a delegation)**

**Council is also recommended:**

- g) **To note that the Code of Conduct it adopted on 5 April 2022 and the Current Scheme of Allowances referred to in paragraphs 24 to 25 below will be incorporated into the Constitution.**

## 12. Proposed changes to the Constitution of the Pension Fund Committee (Pages 315 - 322)

Report by Director of Law & Governance

**Council is RECOMMENDED to endorse recommendations a) to d) agreed by the Pension Fund Committee, and endorsed by the Audit & Governance Committee, as set out below.**

- a) **That the contents of the report be noted.**
- b) **That approval be given to amend the Governance Policy to mandate all Members of the Committee to complete training in line with the Training Policy as set out in paragraph 18 of the report.**
- c) **That approval be given to only named substitutes of the Committee being allowed where they have completed training in line with the Training Policy.**
- d) **That Council mandate the Director of Law & Governance to make the appropriate changes to the Terms of Reference and Constitution of the Pension Fund Committee to formalise the new governance arrangements and**

**Council is also RECOMMENDED to endorse the following agreed by the Audit and Governance Committee:**

- e) **That when the Independent Remuneration Panel is next due to formally meet, a full review be undertaken of Members' responsibilities and commitments relating to their roles and the appropriateness of whether an additional allowance should be provided be considered in relation to specific roles.**

## **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*

## 13. Motion by Councillor Liz Brighthouse

Councils across England have seen their deficits in Special Educational Needs and Disabilities rise. It currently stands at a record £2.4b. Oxfordshire's deficit is roughly £20m and rising. Like other authorities, Oxfordshire will face catastrophic financial decisions when in 2023 the Government removes the ability of Local Authorities to keep this debt within a separate reserve budget. Unless removed by government, Oxfordshire will have to find ways to fund the deficit within its budget for 2023/24.

The deficits have built up after many years of rising demand for services and Central Government now needs to address the issue.

This Council asks the Leader to write to the Secretary of State for Education and the Chancellor asking that these debts be written off so that the reforms necessary in the Green Paper and in Oxfordshire's own SEND Strategy, which will reduce costs, can be delivered without the strain of historic deficits.

#### **14. Motion by Councillor Roz Smith**

This Council notes that:

This Government has consistently failed to address the cost of living crisis.

Oxfordshire households face spiralling costs with fuel and energy costs, especially affecting front line workers, logistics, farming and food production.

Energy & fuel rises impact on all this council's services and there is concern about budgeted schemes due to inflation, and availability of personnel and resources.

1 in 3 households reported their cost of living had risen, citing affordability of food and medicines as a major concern. Many households face a decision between "heat or eat"

This Council therefore declares a 'Cost of Living Emergency' and calls on the Government to:

Subsidise buses and trains, to ensure that people can travel for essential education and work.

Urgently review the energy cap to provide much greater protection to consumers, including a cap for off grid homes.

Immediately change taxation on fuel to transfer the risk of price changes to the Government pegged at long-term average prices.

Immediately reduce VAT to 17.5%

Restore the £20 Universal Credit supplement, previously cancelled by the Government.

Recognise Oxfordshire will need urgent additional funds to support homelessness, school transport, social care services, waste disposal, and a plethora of other council functions and programme deliveries affected by the increase in prices and inflation.

Council recommends to the Cabinet that this Council holds an urgent Cost-of-Living Summit to work towards a holistic and adaptive response to the emergency in Oxfordshire.

#### **15. Motion by Councillor Eddie Reeves**

This Council notes that the Councillors' Priority Fund policy is currently set to end on 31 March 2023 at the end of the financial year with the final tranche of members' funding needing to be committed on or before 31 January 2023.

This Council notes the successes of the Councillors' Priority Fund in ensuring that elected members can have a direct impact on their communities by facilitating community-action schemes, school safety projects, construction of pedestrian crossings and other meaningful measures.

Notwithstanding budgetary pressures and without prejudice to the Council's budget consultation exercise, this Council asks that Cabinet gives full consideration to maintaining the Councillors' Priority Fund at its current level for the forthcoming financial year.

## **16. Motion by Councillor Yvonne Constance**

This Council notes that the Leader has acknowledged the challenging market conditions faced by Oxfordshire's excellent meat and dairy farmers

This Council further notes that local authorities have an important duty to engage positively and proportionately in public discourse.

Given the privileged position in which this Council finds itself and the potentially damaging effects of its motion dated 14 December 2021, this Council resolves to offer locally produced menus at Council-catered events, including meat, dairy, and vegan options, or to make alternative provisions for members, staff, and attendees to facilitate personal choice.

## **17. Motion by Councillor Nigel Simpson**

Oxfordshire County Council has acknowledged the Climate Change Emergency.

A major contributor to excessive CO2 output are unnecessary car journeys. The proposal by Network Rail to shut the vital link between Yarnton and Kidlington by closing the rail crossing at Sandy Lane will result in a significant increase in carbon emissions.

Permanent closure would see drivers forced to use Frieze Way or Langford Lane resulting in an average extra distance travelled of nearly two miles per journey.

Based on current trends this is estimated to result in an extra 4750 miles travelled on weekdays and an additional 3800 at weekends, resulting in 1.5 million unnecessary miles per year.

The cost of such surplus miles in money is hundreds of thousands of pounds to residents and businesses who rely on their cars; and extra pollution in the form of many tonnes of carbon emissions, contrary to the Council's environmental objectives.

This would go directly against the Council's ambition to reduce CO2 output generated by transport and very significantly degrade the network of contacts that currently underpins the ancient and vital community nexus around the parishes of Yarnton, Begbroke, Kidlington and Gosford and Water Eaton.



This Council calls upon the Leader to urgently write to Network Rail to oppose the proposed closure and further to instruct her officers and relevant Cabinet colleague(s) to lobby for this vital link to be maintained with improvements, where possible, especially for cyclists and pedestrians.

#### **18. Motion by Councillor Ian Middleton**

The Home Office announcement of its intention to reopen Campsfield House Immigration Detention Centre in Kidlington ignores local and national feeling on the treatment of refugees. It's also a cruel, ineffective, and costly backwards step for this government, for our country and for the people of Kidlington, Yarnton and Begbroke.

In the years before its closure in 2018, Campsfield House was used to detain nearly 30,000 migrants. During that time there were weekly demonstrations, protests, hunger strikes, two suicides, escapes and scores of legal challenges. It was finally closed following a damning inquiry into conditions.

The UK is ranked 20th in terms of asylum applications processed, and 19th for applications accepted. Two thirds of UK asylum seekers' claims are turned down, the highest refusal rate in Europe, with 41% of those decisions overturned on appeal.

Instead of criminalising people fleeing war, oppression and persecution, who have already suffered at the hands of people traffickers, the government should focus on achieving its own targets to deal with asylum claims promptly and fairly.

This Council therefore condemns the re-opening of Campsfield House and asks the Leader to write to the Home Secretary calling for:

1. The cancellation of the reopening of Campsfield House as a detention centre.
2. The creation of safe havens and more legal routes to apply for asylum in the UK.
3. The prioritisation of prompt and fair processing of asylum claims whilst introducing appropriate safeguards to allow asylum seekers to live and work in our communities in the meantime

#### **19. Motion by Councillor Judy Roberts**

The Council has recently voted unanimously to pass the new Local Transport and Connectivity Plan. The headline goal of this policy is to reduce car journeys by 1 in 4 across Oxfordshire by 2030.

The achieving of this goal will require many residents across the county to change their everyday travel habits and behaviours.

As a Council and as councillors we lead by example. Having a free car park in front of County Hall in central Oxford is not the way to lead by example and an embarrassing relic that lies in stark contradiction to our published goals, especially when we are asking others to reduce their car use, and when there are plentiful other ways to travel

to County Hall including Park & Ride, bus, train, cycling and walking. Members of all parties have recently voiced their support for our excellent Park and Ride as well as the many other direct services to County Hall.

Therefore, the Council recommends that the Cabinet give consideration to closing the car park at the front of County Hall by Spring 2023 and repurpose the space with public realm improvements, such as green infrastructure, trees and benches. A full disability assessment should be carried out and Disabled parking bays would need to be retained for those with blue badges for access to County Hall, preferably between County Hall and the Castle complex.

## **20. Motion by Councillor Neil Fawcett**

First Past the Post (FPTP) originated when voting was restricted to property-owning men.

In Europe, only the UK and authoritarian Belarus still use archaic single-round FPTP for general elections.

Meanwhile, internationally, Proportional Representation (PR) is used to elect parliaments in more than 80 countries. Those countries tend to be more equal, freer and greener.

PR ensures all votes count, have more equal value, and those seats won more closely match votes cast. Under PR, MPs and Parliaments better reflect the age, gender and protected characteristics of local communities and the nation.

Authorities and governments that better reflect their communities lead to improved decision-making, wider participation and increased levels of ownership of decisions taken.

PR would also end minority rule. In 2019, 43.6% of the vote produced a government with 56.2% of the seats and 100% of the power. PR also prevents 'wrong winner' elections such as occurred in 1951 and February 1974.

PR is already used to elect the parliaments and assemblies of Scotland, Wales and Northern Ireland. So why not Westminster?

Council therefore resolves to write to H.M. Government calling for a change in our outdated electoral laws to enable Proportional Representation to be used for general elections and for elections to councils in England and to retain for PCC elections.

## **21. Motion by Councillor Brad Baines**

Council is concerned that the government's Adult Social Care charging reforms are potentially hugely underfunded which will put implementation at risk as well as adding to existing pressures.

The UK wide health and social care levy will raise £36 billion over the next three years but only £5.4 billion is ring-fenced for social care reforms in England.

The implication of underfunding these reforms is to put even greater pressure on unpaid carers – including young carers – to increase waiting times for assessments and further delays in the provision of care.

Oxfordshire is one of six ‘trailblazing’ Councils in England who are implementing the reforms earlier than the rest of the country and this Council needs assurances from government that when the outcomes from the ‘trailblazing’ Councils are known that government funds the reforms in line with these costs.

Consequently, this Council calls on the Leader to write to the Secretaries of State for Health and Social Care and Levelling Up and Communities to request assurances of future funding in line with the aforementioned additional cost burden.

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