

County Council

15 May 2018

Schedule of Business

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OXFORDSHIRE COUNTY COUNCIL – 15 MAY 2018

SCHEDULE OF BUSINESS

Members are asked to be seated in the Council Chamber by 10.15 am if they wish to attend prayers;

A prayer will be said by the Revd W John N Durant, Vicar of Vale Benefice prior to the start of meeting at 10.20 am. Following the prayer, a second bell will be ring at 10.30 am to indicate the start of the Meeting;

AGENDA ITEM	PAGE NO.	MAXIMUM DURATION	APPROX START TIME TIME LIMIT PER DEBATE	SUBJECT	PROPOSALS (M = Motion; SEC = Seconder; Am = Amendment S = Statement; Q = Question; REC = Recommendation to be determined)
1	1	20 mins	10:30	Election of Chairman <ul style="list-style-type: none"> • Chairman’s Statement; • Vote of thanks to past Chairman; • Monitoring Officer to seek nominations; Election of Chairman; Exchange of Chains; Declaration of Acceptance.	Patrick Webber, Hudspeth, Brighouse (M) Brighouse (SEC) Hudspeth
2	1			Election of Vice-Chairman <ul style="list-style-type: none"> • Chairman to invite nominations; 	(M) Hudspeth (SEC) Webber

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				<ul style="list-style-type: none"> • Election of Vice-Chairman; • Declaration of Acceptance by incoming Vice-Chairman. 	
3	1			<p>Minutes</p> <p>Minutes of the meeting on 27 March 2018 (CC1).</p> <p>Members are asked to note that the finish time of Council should read 3.20 pm.</p>	
4	2			<p>Apologies for Absence</p>	<p>Cllr Atkins Cllr Gawrysiak Cllr Harrod</p> <p>Peter Clark</p>
5	2			<p>Declarations of Interest</p>	

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6	2			Petitions & Public Address	None.
7	2			Official Communications Former Councillor Kenneth Frere	
8	2	35 mins	11.10	Response to the Secretary of State and Independent Reconfiguration Panel Recommendations	(M) Fatemian (SEC) Cherry S Mallon S Carter S Banfield S Price S Rooke S Hannaby S Howson

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9	3	25 mins	11.45	Oxfordshire Health & Wellbeing Board Function and Governance Review Members are asked to note the attached Part 2 - Article 10 - Health & Wellbeing Board.	(M) Hudspeth (SEC) Stratford S Brighthouse S Phillips S Pressel S E Smith S Hannaby S Leffman
10	3	10 mins	12.10	Committees and Review of Political Balance	(M) Chairman (SEC) Vice Chairman S Brighthouse Please see Annex 3 to the Schedule of Business
11	3	10 mins	12.20	Cabinet Membership and Delegation of Cabinet Functions	(M) Hudspeth (SEC) Heathcoat

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12	3	10 mins	12.30	Committee Meeting Dates Members are asked to note that the start time for Education Scrutiny has been put down as a 14.00 start and should read 13.00.	(M) Chairman (SEC) Vice Chairman
13	4	15 mins	12.40	Audit & Governance Committee Annual Report to Council	(M) Carter (SEC) Ilot S Pressel S R Smith S Buckley

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14	4	5 mins	12.55	<p>Officer Scheme of Delegation</p> <p>Members are asked to note that an incorrect recommendation was printed on the face of the Agenda, the recommendation should read as follows:</p> <p>Council is RECOMMENDED to approve the Officer Scheme of Delegation (Part 7.2 of the Constitution) as in the Annex 2 to this report.</p>	(M) Chairman (SEC) Vice Chairman

ACTIONS FROM THE LAST COUNCIL MEETING

ANNEX 3

Questions	Answers
<p>In relation to paragraph 8 of the Cabinet Report (Question to Councillor Lindsay-Gale from Councillor Atkins) Councillor Lindsay-Gale gave an undertaking to provide Councillor Atkins with a written answer detailing whether out of all the payments made to Carillion, that at no point did the Council pay them for work which had not been carried out.</p>	<p>COUCILLOR LORRAINE LINDSAY- GALE, CABINET MEMBER FOR PROPERTY & CULTURAL SERVICES</p> <p>Council officers fully briefed Cllr Atkins following the meeting.</p> <p>The payment made in December 2017 was to cover work already completed as part of the final settlement to end the contract with the company. This sum did not include any future payments for services which were planned to continue as part of a managed termination.</p>
<p>In relation to paragraph 8 of the Cabinet Report (Question to Councillor Lindsay-Gale from Councillor Howson) Councillor Lindsay-Gale gave an undertaking to provide Councillor Howson with a written answer detailing whether will the new school in South West Bicester will be built under the same process as the Aureus school and UTC in Didcot, on time and within budget.</p>	<p>COUCILLOR LORRAINE LINDSAY- GALE, CABINET MEMBER FOR PROPERTY & CULTURAL SERVICES</p> <p>South West Bicester will be built using the same process as Aureus with Kier as the contractor. The project has suffered delay due to the actions of Countryside Properties concerning fill material and the whole project will be delivered by September 2020 well within the original Budget.</p>
<p>In relation to question 1 (Questions on Notice to Councillor Hibbert-Biles from Councillor Howson) Councillor Hibbert-Biles gave an undertaking to investigate whether there are extra expenses, particularly travel expenses that could be submitted to the agency due to them not delivering the school on time.</p>	<p>COUCILLOR LORRAINE LINDSAY- GALE, CABINET MEMBER FOR PROPERTY & CULTURAL SERVICES</p> <p>When projects are delivered late there is always a cost to someone. However, contracts executed under this overarching contract were agreed with Liquidated and Ascertained Damages at zero which caps the contractor's liability and exposure to these costs. Also, the contract was agreed with zero retention from contract payments meaning that OCC do not have any project financial reserve from which to deduct any costs.</p>

Health & Wellbeing Board

1. Health & Wellbeing Board

The Council must establish a Health & Wellbeing Board¹. The Board will be the principal structure in Oxfordshire with responsibility for promoting the health and wellbeing of the people of the county.

2. Role and Function

The Health & Wellbeing Board will have the following responsibilities, to be amplified within its own terms of reference:

The Board will:

- (1) The Health & Wellbeing Board will create and own a single unifying vision for the improvement of the Health and Wellbeing of Oxfordshire residents.
- (2) The Health & Wellbeing Board will create, own and monitor a comprehensive high-level health and wellbeing strategy³ for the improvement of the Health and Wellbeing of Oxfordshire residents.
- (3) The Health & Wellbeing Board will agree a suite of strategies which will be created and owned by its sub-committees. These will flow from the overarching Joint Health and Wellbeing Strategy.
- (4) The Health & Wellbeing Board will monitor the implementation of its strategy and the member organisations will hold one another to account for delivery. The Board will receive regular reports from its sub-committees based on outcome measures set by each.
- (5) Prepare a Joint Strategic Needs Assessment² to help determine the priorities and objectives for health and social care services across Oxfordshire
- (6) Oversee the joint commissioning arrangements for health & social care across the county
- (7) Maintain oversight of the commissioning intentions of both the Oxfordshire Clinical Commissioning Group and the Council;

Generally exercise the functions of the Council and its partner clinical commissioning groups under sections 116 and 116A of the Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”);
- (8) (Exercise any other functions of the Council which may be delegated

to the Board (other than the functions of the authority by virtue of section 244 of the National Health Service Act 2006);

- (9) Encourage persons who arrange for the provision of any health or social care services in that area to work in an integrated manner for the purpose of advancing the health and wellbeing of the people in its area.
- (10) Provide such advice, assistance or other support as it thinks appropriate for the purpose of encouraging the making of arrangements under section 75 of the National Health Service Act 2006 in connection with the provision of such services.
- (11) Establish and monitor Partnership Boards as required to help deliver required service change and improved outcomes.

Additionally the Board may:

- (12) Encourage persons who arrange for the provision of any health-related services in its area to work closely with the Health & Wellbeing Board.
- (13) Encourage persons who arrange for the provision of any health or social care services in its area and persons who arrange for the provision of any health-related services in its area to work closely together.
- (14) Give the Council its opinion on whether the authority is discharging its duty under section 116B of the 2007 Act.

3. Membership

The rules on political proportionality do not apply to the Health & Wellbeing Board nor to any sub-committees set up by it. The membership⁴ of the Health & Wellbeing Board will be:

¹ The Board is a committee of the Council by virtue of the Health & Social Care Act 2012 and the Local Authority (Public Health, Health & Wellbeing Boards and Health Scrutiny) Regulations 2013

^{2 3} In accordance with sections 116 and 116A of the Local Government and Public Involvement of Health Act 2007

⁴ The membership is to be interpreted as the membership specified by Section 194 of the Health and Social Care Act 2012.

- (1) Leader of the County Council – Chairman;
- (2) Clinical Chair of Oxfordshire Clinical Commissioning Group - Vice-Chair;
- (3) 2 District/City Council representatives as per the current arrangements;
- (4) Cabinet Members of the County Council with responsibility for Adult Social Care, Children & Family Services and Public Health;
- (5) Accountable Officer Oxfordshire Clinical Commissioning Group;
- (6) C/E Oxford University Hospitals NHS Foundation Trust;
- (7) C/E Oxford Health NHS Foundation Trust;
- (8) C/E Oxfordshire County Council;
- (9) A Healthwatch representative;
- (10) The Director for Children’s Services;
- (11) The Director for Adult Social Care;
- (12) The Director of Public Health;
- (13) An NHS England representative;
- (14) 1 Clinical General Practitioner provider representative from Oxfordshire’s General Practice Federations.
- (15) Such other persons, or representatives of such other persons, as the local authority thinks appropriate with the proviso that once the Board is established, the Board will be consulted before such appointments are made;
- (16) Such additional persons as the Health & Wellbeing Board may determine.

4. Chairing of Meetings

Meetings of the Board will be chaired by the Leader of the County Council and the Vice-Chair will be the Clinical Chair of the Oxfordshire Clinical Commissioning Group as notified to the Monitoring Officer. In the absence of either of these persons, the Board will elect a chairman for the duration of the meeting unless or until the Chairman or Vice-Chairman arrive, in which case the Chairman or Vice-Chairman will preside as appropriate.

5. Voting Rights

All members of the Board or of any sub-committee (or of any joint sub-committee of two or more such boards) shall be treated as voting members of the Board or sub-committee, unless the Council decides otherwise in any particular circumstance. In which case, before making such a direction, the Council must consult the Board.

Decisions will be taken by the majority of those present and voting and the Chairman of the Board (or sub-committee) will have a second or casting vote.

Notwithstanding the voting rights of members of the Board (or any sub-committee), the meeting will reach its decisions by consensus where possible.

6. Validity of Proceedings

The Health & Wellbeing Board (and any sub-committees) will operate according to this Constitution and also according to the Terms of Reference for the Board itself.

A meeting of the Health & Wellbeing Board shall not be quorate unless at least a quarter of the voting members are present for the duration of the meeting.

As a committee of the Council, the convening and conduct of meetings will be in accordance with the Council Procedure Rules approved by Council.

7. Cabinet and Scrutiny

The Cabinet may delegate functions to the Health & Wellbeing Boards and may receive recommendations from the Board.

The Health & Wellbeing Board is subject to scrutiny (but not to call-in except in respect of any functions delegated by the Cabinet) by the Council's Joint Health Overview & Scrutiny Committee and, as appropriate, the Council's Performance and Education Scrutiny Committees.

The Board may also ask a Scrutiny Committee or, with the relevant Portfolio Holder's permission, a Cabinet Advisory Group, to investigate issues relevant to both the Board and the committee or group.

The Board will make an annual report on its work to both the Council, to Cabinet and to the Joint Health Overview & Scrutiny Committee.

8. Code of Conduct

All voting members of the Board (and its sub-committees) are subject to the County Council's Members' Code of Conduct. This includes the requirement to register Disclosable Pecuniary Interests and to declare them, as appropriate at meetings. Should a member have a Disclosable Pecuniary Interest in a matter before the Board (or sub-committee), then the member (unless a dispensation has been received) should declare it and withdraw from the meeting, taking no part in the discussion or voting upon that item.

9. Substitution

Members of the Board may arrange for a named substitute to attend on their behalf. However, any substitutes should reflect the seniority and status of the member making the substitution.

Decisions should not be taken other than by the properly constituted Board; this means that at least a quarter of the original voting membership of the Board should be present when decisions are made.

10. Transparency and Openness

The Health & Wellbeing Board will meet in public at least four times a year. The Board may meet informally, and not in public, at other times e.g. for purposes of brainstorming, board learning & development and workshops.

The public's rights of access to the Board's public meetings will be subject to the Access to Information Procedure Rules (Part 8.1 of the Council's Constitution). These make provisions for the giving of public notice of meetings, access to agendas, reports and minutes, the supply of copies of such papers, the inspection and purchase of background papers and the circumstances in which the public may be excluded from meetings by virtue of the consideration of confidential or exempt information.

In addition, the Freedom of Information Act 2000 gives a general right of access to information held by public authorities and will extend to information generated by, or for, the Board and held by any public authority.

11. Sub-Committees and Informal Working Groups

In establishing Partnership Boards and a Reference Group, the Health & Wellbeing Board will be mindful of its powers to appoint one or more sub-committees to discharge of any of its functions, with certain conditions. The Board may also appoint advisory groups, working groups or informal 'task and finish groups' to make recommendations to it on any of its functions.

Annex 1 sets out the provisions relating to the appointment of sub-committees and informal working groups and therefore to the appointment of any Partnership Boards and a Reference Group.

1. Appointment of Sub-Committees

The Health & Wellbeing Board may appoint sub-committees. The Board may appoint one or more sub-committees to discharge of any of its functions, with the following conditions:

- (1) Where any functions may be discharged by the Board under 3(2) above, by virtue of section 196(2) of the Health & Social Care Act 2012, (i.e. functions that are exercisable by the authority), then unless the Council otherwise directs, the Board may arrange for the discharge of those functions by a sub-committee of the Board, or an officer, or both.
- (2) Where the Board discharges functions by virtue of any other enactment that section 196(2) of the 2012 Act, then unless the Council directs otherwise, the Board may arrange for the functions to be discharged by a sub-committee of the Board.

In addition, the Board may appoint one or more sub-committees to advise the Board with respect to any matter relating to the discharge of the Board's functions.

The membership of any sub-committees will be for the Board to determine. The sub-committees will operate according to this Constitution and also according to their Terms of Reference as established by the Board.

A meeting of the any sub-committee shall not be quorate unless at least a quarter of its voting members are present for the duration of the meeting.

As a sub-committee of the Council, the convening and conduct of meetings will be in accordance with the Council Procedure Rules approved by Council.

2. Appointment of Advisory and Informal Working Groups

The Board may appoint one or more advisory groups, working groups or other such informal task and finish groups, to assist it with any of its functions. Such groups may make recommendations to the Board (or to the Cabinet or a Scrutiny Committee as appropriate) but no formal powers or duties of the Board may be delegated to them. The membership of such advisor or working groups will be for the Board to determine.

Membership of Committees and Sub-Committees - Revised

Revisions are shown in strikethrough and italics

Audit & Governance Committee (10)

Conservative Independent Alliance (5)	Ind (0)	Labour (2)	Liberal Democrat (2)
Carter		Evans	Buckley
Corkin		McIlveen	Roz Smith
Ilott			
Mathew			
Sibley			

Non-Voting Co-opted Members (3)

Representative of the Business Community:

Dr Geoff Jones, PO Box 636, Oxford OX1 9AZ

Independent Members (Complaints handling) (2)

Dr Sadie Reynolds, c/o County Hall, New Road, Oxford OX1 1ND

1 vacancy

Appeals & Tribunals Sub-Committee* (3)

Three Councillors one of whom must be a Member of the Audit & Governance Committee

(*when hearing home to school transport appeals, the Sub-Committee consists of an elected member, an officer and an independent person.)

Appointment Sub-Committee (Variable) (6)

Six Councillors at least one of whom must be a member of the Cabinet

Fire Service Discipline Sub-Committee (3)

Three Councillors at least one of whom must be a member of the Cabinet



Oxfordshire Health & Wellbeing Board

Comprising*:

Leader of the County Council – Chairman

Clinical Chair of Oxfordshire Clinical Commissioning Group - Vice-Chair

2 District/City Council representatives as per the current arrangements

~~A Cabinet Member of the County Council~~

Cabinet Members of the County Council with responsibility for Adult Social Care, Children & Family Services and Public Health

Accountable Officer Oxfordshire Clinical Commissioning Group

C/E Oxford University Hospitals NHS Foundation Trust

C/E Oxford Health NHS Foundation Trust

C/E Oxfordshire County Council

A Healthwatch representative

The Director for Children’s Services

The Director for Adult Social Care

The Director of Public Health

An NHS England representative

1 Clinical General Practitioner provider representative from Oxfordshire’s General Practice Federations.

* Following confirmation at the Health & Wellbeing Board meeting on 10 May 2018

Pension Fund Committee (11)

	Ind (0)	Labour (2)	Liberal Democrat (1)
Conservative Independent Alliance (6)			
Bulmer		Lygo	Howson
Corkin		John	
Field-Johnson		Sanders	
Mathew			
Thompson			
Stratford			

Voting Co-opted Members (2) *District Council Representatives*

Planning & Regulation Committee (13)

Conservative Independent Alliance (7)	Ind (1)	Labour (2)	Liberal Democrat (3)
Fitzgerald- O'Connor	Gawrysiak	Phillips	Johnston
Fox Davies		Lygo	Roberts
Handley			Webber
Matelot			
Reynolds			
Thompson			
Sibley			

Remuneration Committee (7)

Conservative Independent Alliance (4)	Ind (1)	Labour (1)	Liberal Democrat (1)
Bulmer	Atkins	Brighouse	Webber
Heathcoat			
Hudspeth			
Mathew			

Pension Benefits Sub-Committee ()

**Three Councillors at least one of whom must be a member of the
Remuneration Committee**

Membership of Scrutiny Committees

Education Scrutiny Committee (7)

Conservative Independent Alliance (4)	Ind (0)	Labour (2)	Liberal Democrat (1)
Bartington		Gill	Howson
Fitzgerald- O'Connor		Sanders	
Matelot		Afridi	
Thompson		Turnbull	
Waine			

Voting Co-optees (4 vacancies)

Representing the Church of England: Vacancy

Representing the Roman Catholic Church: Vacancy

Parent Governor Representatives:

Primary: Vacancy

Secondary and Special: Vacancy

Performance Scrutiny Committee (11)

Conservative Independent Alliance (6)	Ind (0)	Labour (2)	Liberal Democrat (3)
Carter		Brighthouse	Hannaby
Fox-Davies		Phillips	Leffman
Ilott			Emily Smith
Mathew			
Waine			
Walker			

Joint Committees

Oxfordshire Joint Health Overview & Scrutiny Committee (15)

Conservative Independent Alliance (4)	Ind(0)	Labour (2)	Liberal Democrat (1)
Bulmer		Cherry	Rooke
Clarke		Price	
Fatemian			
Fox-Davies			

District Council Representatives (5)

Co-optees Members (3)

Meria Logie, Dr Alan Cohen
Dr Keith Ruddle,
Mrs A. Wilkinson,

Other Bodies

Oxfordshire Growth Board (OGB) Scrutiny Panel (3)

Conservative Independent Alliance (1)	Ind(0)	Labour (1)	Liberal Democrat (1)
<i>Carter</i>		<i>John Sanders</i>	<i>Emily Smith</i>

OGB JSSP Sub Group (1)

OGB Infrastructure Sub-Group (1): Constance

OGB Housing Sub-Group (1)

Thames Valley Police & Crime Panel (1)

**Conservative
Independent
Alliance (1)**
Mallon

**Green
(0)**

**Labour
(0)**

**Liberal
Democrat
(0)**

DRAFT

County Council Representatives on Staff Consultative Bodies

Oxfordshire County Council Joint Consultative Committee

for Uniformed Members of the Fire Service (7)

Conservative Independent Alliance (4)	Ind(0)	Labour (2)		Liberal Democrat (1)
Bartington		Cherry	*	Patrick
Griffiths		Pressel		
Handley				
Heathcoat				

Oxfordshire County Council & Teachers' Joint Committee (5)

Conservative Independent Alliance(3)	Ind (0)	Labour (1)		Liberal Democrat (1)
Fenton		Turnbull		Emily Smith
Thompson				Howson
Waine				

Oxfordshire County Council &

Employees Joint Consultative Committee (7)

Conservative Independent Alliance (4)	Ind (0)	Labour (2)		Liberal Democrat (1)
Bartholomew		Banfield	*	Webber
Handley		Price	*	
Heathcoat			*	
Reeves			*	