

To: Members of the Pension Benefits Sub-Committee

Notice of a Meeting of the Pension Benefits Sub-Committee

Thursday, 20 October 2011 at 4.00 pm

County Hall, New Road, Oxford

Peter G. Clark.

Peter G. Clark
County Solicitor

October 2011

Contact Officer: **Julie Dean**
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Membership

Chairman – Councillor Neil Owen
Deputy Chairman - Councillor A.M. Lovatt

Councillor Anne Purse

Notes:

- **Venue: Meeting Room 6**
- **Date of next meeting: 24 November 2011**

The agenda is attached

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, i.e. 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.

AGENDA

1. **Apologies for Absence and Temporary Appointments**
2. **Declarations of Interest - see guidance note opposite**
3. **Minutes (Pages 1 - 2)**

To approve the minutes of the meeting held on 22 September 2011 (**PB3**) and to receive information arising from them.

4. **Petitions and Public Address**

EXEMPT ITEMS

It is RECOMMENDED that the public be excluded for the duration of items PB5E in the Agenda since it is likely that if they were present during this item there would be disclosure of exempt information as defined in Part I of Schedule 12A to the Local Government Act 1972 (as amended) and specified in relation to the respective item in the Agenda and since it is considered that, in all the circumstances of each case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

THE REPORT RELATING TO THE EXEMPT ITEM HAS NOT BEEN MADE PUBLIC AND SHOULD BE REGARDED AS STRICTLY PRIVATE TO MEMBERS AND OFFICERS ENTITLED TO RECEIVE IT.

5. **Applications for Premature Retirement (Pages 3 - 30)**

The Democracy & Organisation Committee, as the Employing Authority, has delegated to this Sub-Committee the determination of benefits for individual applications for early retirement.

Report **PB5E** sets out 24 applications for early retirement in total.

The public should be excluded during this item because its discussion in public would be likely to lead to the disclosure to members of the public present of information in the following prescribed categories:

1. *Information relating to any individual;*
2. *Information which is likely to reveal the identity of an individual;*
3. *Information relating to the financial or business affairs of any particular person (including the authority holding that information)*

and since it is considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, in that such disclosure would infringe the rights of the individual to privacy contrary to the

general law and the duty of the authority to respect human rights and to comply with that law and contrary to the authority's duties as a fair employer.

The Sub-Committee is RECOMMENDED to note the cases for early retirement and to determine the individual benefits to be paid.

PENSION BENEFITS SUB-COMMITTEE

MINUTES of the meeting held on Thursday, 22 September 2011 commencing at 4.00 pm and finishing at 4.15 pm

Present:

Voting Members: Councillor A.M. Lovatt – in the Chair

Councillor David Wilmshurst (In place of Councillor Neil Owen)

Councillor Roz Smith (In place of Councillor Anne Purse)

Officers:

Whole of meeting Sean Collins, Strategic HR Business Partner
Sue Corrigan, Strategic HR Manager
Andrew Butler, Pensions, Insurance & Money Management
Geoff Malcolm, Committee Officer

The Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting and decided as set out below. Except as insofar as otherwise specified, the reasons for the decisions are contained in the agenda and reports, copies of which are attached to the signed Minutes.

31/11 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

(Agenda No. 1)

Apology from	Substitute
Councillor Neil Owen	Councillor David Wilmshurst
Councillor Anne Purse	Councillor Roz Smith

32/11 MINUTES

(Agenda No. 3)

The Minutes of the meeting held on 8 September 2011 (PB3) were approved and signed.

33/11 APPLICATIONS FOR PREMATURE RETIREMENT

(Agenda No. 5)

The Sub-Committee resolved that the public be excluded for the duration of item 5 in the Agenda since it was likely that if they were present during this item there would be disclosure of exempt information as defined in Part 1 of Schedule 12 A to the Local Government ACT 1972 (as amended) and specified in relation to the item in the

Agenda and since it was considered that, in all the circumstances of each case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

The Democracy & Organisation Committee, as the Employing Authority, had delegated to this Sub-Committee the determination of benefits for individual applications for early retirement.

The Sub-Committee considered a report (PB5) setting out 16 such applications.

In response to a member's question, the Strategic HR Manager confirmed that the provisions of the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) did not apply to the applications at Annexes (i) - (p) as they were not as a result of transfer of the Council's functions.

Having considered the 16 applications, the Sub-Committee:

RESOLVED: (recommendation (a) having been carried by two votes to one, Councillor Roz Smith voting against) to adopt the recommendations shown in PB5.

..... in the Chair

Date of signing

Agenda Item 5

By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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