

County Council

14 May 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, 14 May 2013 at 10.00 am

County Hall, Oxford OX1 1ND

Joanna Simons

Joanna Simons
Chief Executive

May 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 Item 3 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.

A prayer will be said by the Very Revd. Robert A Wilkes, Priest in Charge, St Michael at the North Gate, City Rector prior to the meeting at 9.50 am.

The Annual Meeting of Council will be followed by 2 Extraordinary Meetings of the Council at 2.00 pm and 2.30 pm.

AGENDA

- 1. Election of Chairman for the 2013/14 Council Year**
- 2. Election of Vice-Chairman for the 2013/14 Council Year**
- 3. Minutes (Pages 1 - 24)**

To approve the minutes of the meeting held on 2 April 2013 (CC1) and to receive information arising from them.

4. Apologies for Absence

5. 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.

6. Official Communications

7. Returning Officer's Report (Pages 25 - 34)

To receive the Returning Officer's Report (CC7) (TO FOLLOW) on the election of Councillors on 2 May 2013.

8. Constitution Review Following the Elections

Under the provisions of Part 2, Article 14 of the Constitution the Monitoring Officer will monitor and review the operation of the Constitution to ensure that its aims, principles and requirements are given full effect and make recommendations on any necessary amendments to it to the Council. In undertaking this task he shall:

- (a) observe meetings of different parts of the member and officer structure;
- (b) undertake an audit trail of a sample of decisions;
- (c) record and analyse issues raised with her/him by members, officers, the public and other relevant stakeholders; and
- (d) compare practices in the authority with those in other comparable authorities, or national examples of best practice.

The Monitoring Officer is authorised to make any changes to the Constitution which are required:

- (a) to comply with the law; or
- (b) to give effect to decisions of the Council or (so far as within their powers) the Cabinet, scrutiny committees and ordinary committees; or
- (c) to correct errors and otherwise for accuracy or rectification.

All other changes to the Constitution will only be approved by the full Council after consideration of a recommendation from the Monitoring Officer.

The Council is therefore RECOMMENDED to authorise the Monitoring Officer to make any necessary changes to the Constitution, if required, following the

Election to allow the Council to operate lawfully.

9. Officer Scheme of Delegation (Pages 35 - 36)

Report by the Monitoring Officer (CC9).

At its Annual Meeting, Council is required to agree the officer scheme of delegation within the Council's Constitution. The scheme of officer delegation is contained in Part 7.3 of the Council's Constitution. The Scheme of Delegation itself, gives delegated authority to the Chief Executive, directors and other chief officers whose titles and/or areas of responsibility are set out in Part 2, Article 11 of the Constitution.

The Scheme of Delegation itself is unchanged. However, the areas of responsibility and post titles contained in Part 2, Article 11 are in need of update by the addition of the Director of Public Health as a Chief Officer within paragraph 1(b).

Council is RECOMMENDED to note the amendment to Article 11 of the Constitution identified in paragraphs 4 & 5 above and to approve the Scheme of Officer Delegation contained in Part 7.3 of the Council's Constitution.

10. Revised Committee Dates following the Election (Pages 37 - 42)

The revised meetings schedule for 2013/14 (CC10) has been drawn up following the decision taken at Council about new governance arrangements.

Council is RECOMMENDED to agree the revised meetings schedule for 2013/14 subject to any changes agreed at the meeting.

11. Appointments (Pages 43 - 46)

(a) To make appointments to:-

- (1) The office of Leader of the Council;
- (1a) The Leader to announce appoints to the Cabinet;
- (2) The office of Leader of the Opposition.

(b) To review the political balance on Scrutiny and other committees and to appoint members to them (CC11) (**ANNEXES TO FOLLOW**).

At the conclusion of the Council's proceedings all members are asked to remain in their seats in the Council chamber while committees meet for the purpose of electing Chairman and Deputy Chairman.

Pre-Meeting Briefing

There will be a pre-meeting briefing at County Hall on **Monday 13 May 2013 at 10.15 am** for the Chairman, Vice-Chairman, Group Leaders and Deputy Group Leaders.