



To: **Members of the Pension Benefits Sub-Committee**

Notice of a Meeting of the Pension Benefits Sub-Committee

Thursday, 8 August 2013 at 10.00 am

County Hall, New Road, Oxford

Peter G. Clark.

Peter G. Clark
County Solicitor

July 2013

Contact Officer: **Sue Whitehead**
Tel: (01865) 810262; E-Mail: sue.whitehead@oxfordshire.gov.uk

Councillors

Rodney Rose

Nick Hards

Charles Mathew

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.

AGENDA

1. Election of Chairman

To elect a Chairman for the meeting.

2. Apologies for Absence and Temporary Appointments

3. Declarations of Interest - see guidance note opposite

4. Minutes (Pages 1 - 2)

To approve the minutes of the meeting held on 4 July 2013 (**PB4**) and to receive information arising from them.

5. Petitions and Public Address

EXEMPT ITEMS

It is RECOMMENDED that the public be excluded for the duration of items PB5E, PB6E and PB7E in the Agenda since it is likely that if they were present during those items 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 items 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 REPORTS RELATING TO THE EXEMPT ITEMS HAVE NOT BEEN MADE PUBLIC AND SHOULD BE REGARDED AS STRICTLY PRIVATE TO MEMBERS AND OFFICERS ENTITLED TO RECEIVE THEM.

6. Exempt Minutes (Pages 3 - 4)

To approve the exempt part of the minutes of the meeting held on 4 July 2013 (**PB6E**) and to receive information arising from them.

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.

7. Applications for Premature Retirement (Pages 5 - 14)

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

Reports **PB7E** set out four 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, 4 July 2013 commencing at 4.45 pm and finishing at 4.50 pm

Present:

Voting Members: Councillor Rodney Rose – in the Chair
Councillor Neil Owen
Councillor Nick Hards

Officers: Sue Corrigan, Sue James, Andrew Butler, Sean Collins,
Sue Whitehead

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.

12/13 MINUTES
(Agenda No. 3)

The Minutes of the meeting held on 11 April 2013 were approved and signed.

13/13 EXEMPT ITEMS

RESOLVED: that the public be excluded for the duration of items PB5E and PB6E in the Agenda since it is likely that if they were present during those items 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 items 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.

14/13 EXEMPT MINUTES
(Agenda No. 5)

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 Exempt Minutes of the meeting held on 11 April 2013 were approved and signed.

15/13 APPLICATIONS FOR PREMATURE RETIREMENT

(Agenda No. 6)

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:

- 2. *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 Remuneration 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 which set out 2 such applications. Having considered the 2 applications the Sub-Committee noted the cases for early retirement and determined the individual benefits to be paid.

..... in the Chair

Date of signing

Agenda Item 6

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

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