

County Council

14 July 2015

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 Glenn Watson on (01865) 815270 or glenn.watson@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 July 2015 at 10.00 am in the Council Chamber

County Hall, Oxford OX1 1ND



Joanna Simons
Chief Executive

July 2015

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 Items 3, 7 and 8 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

AGENDA

1. Minutes (Pages 1 - 6)

To approve the minutes of the meeting held on 19 May 2015 (**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

7. Questions with Notice from Members of the Public

8. Questions with Notice from Members of the Council

9. Report of the Cabinet (Pages 7 - 12)

Report of the Cabinet meetings held on 19 March 2015, 21 April 2015, 26 May 2015 and 23 June 2015 (**CC9**).

10. Senior Officer Appointments (Pages 13 - 20)

Report by the Chief Human Resources Officer (**CC10**)

As a result of the current Chief Executive leaving the Council at the end of September 2015, it is necessary for statutory roles to be re-appointed to ensure succession, principally the role of Head of Paid Service.

Under the Council's Constitution, the Remuneration Committee has made a recommendation to Full Council as to the appointment of Head of Paid Service to succeed the current Chief Executive. If Council accepts this recommendation, it will also be necessary for the Council to appoint a Monitoring Officer, as explained in paragraph 11 below. The Remuneration Committee has also followed its Constitutional role in making a recommendation on that eventuality.

This report therefore sets out the procedural requirements in making such appointments together with the details of the recommendation(s) of the Remuneration Committee.

Council is RECOMMENDED to agree to:

- (a) amend the Constitution's Scheme of Delegation and Articles (Officers) to reflect that the role of Head of Paid Service may be performed by any officer legally nominated by Council following a recommendation of the Remuneration Committee;**
- (b) amend the Constitution's Scheme of Delegation to reflect that the role of Returning Officer may be performed by any officer legally nominated by the Council; AND consequently;**
- (c) notify the Proper Officer of Council's intention to appoint the Chief Legal Officer as the Head of Paid Service with a view, at its next meeting, to:**
 - (i) receiving the outcome of the proper consultation with members of the Cabinet on this proposal and;**
 - (ii) determining whether to proceed with the specified appointment.**

11. County Council Meeting Dates (Pages 21 - 30)

The report of the Monitoring Officer containing the schedule of meeting dates proposed for the 2016/17 Council Year is attached (**CC11**).

The schedule has been drawn up to reflect the various rules about frequency of meetings set out in the Council's Constitution. Attention is drawn to the following proposed changes to previous patterns:

It is proposed that from April 2016 Education Scrutiny Committee and Audit & Governance Committees meet on a Monday rather than Thursday and Wednesday respectively. Education Scrutiny Committee because Thursdays are extremely congested for meetings and Audit & Governance Committee because their meetings are becoming very busy and will sometimes require an all-day meeting which is not possible on a Wednesday.

Please note that the meeting dates in February and March 2017 are spaced to try and avoid the need for meetings, particularly Scrutiny Committee meetings in April as it is a County Council election year. On the suggestion of the Chief Finance Officer the February budget meeting is proposed for the second rather than the third Tuesday in February.

In addition It is proposed that the April 2017 Council meeting be brought forward to before the start of the restricted period. This would mean that there is one extra Council meeting in 2016/17 and there would be one less in 2017/18.

Council is RECOMMENDED to agree the schedule of meeting dates for the 2015/16 Council Year and in particular to waive Rule 2.1 of the Council Procedure Rules to allow the February 2017 budget meeting of full Council to be held on 14 February and the April 2017 full Council meeting to be held on 21 March 2017.

12. Virements to Council (Pages 31 - 32)

Report by the Chief Finance Officer (CC12)

Council is RECOMMENDED to:

- (a) **approve the virements greater than £1.0m for Children, Education & Families, Social & Community Services, Chief Executive's Office, and Environment & Economy Directorates as set out in Annex 1;**
- (b) **approve supplementary estimates of £2.0m to the Efficiency Reserve and £2.7m to the Budget Reserve as set out in paragraph 3;**
- (c) **approve the permanent virement of £5.481m income into the Learning Disability Pool in respect of Learning Disability client contribution budgets.**

13. Statutory Officers - Constitution (Pages 33 - 36)

Report by the County Solicitor and Monitoring Officer (CC13).

The Government has issued Regulations to change the procedures which must be followed if a Council wishes to discipline or dismiss its statutory officers – that is, the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer. As such, councils are required to adopt the new procedures no later than the first ordinary meeting of the Council in the current Council year.

This report outlines the changes in procedure and asks Council formally to note the statutory requirements and to ask the Monitoring Officer to amend the Constitution accordingly.

Council is RECOMMENDED to note the changes to the statutory procedure and to ask the Monitoring Officer to amend the Council's Constitution accordingly.

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

14. Motion From Councillor Richard Webber

“The Government's desire to increase the rate of house building has been supported by the National Planning Policy Framework. The NPPF has certainly reduced many obstacles and delays to planning approvals. House building is now steaming ahead, at least in the South of England.

New Homes Bonus was designed to encourage planning authorities to allow more house building, but with the arrival of the NPPF the role of NHB has been secondary in achieving growth. With the NHB allocation of 80% to District Councils and 20% to County Councils, District Councils in the South East, have seen their finances

transformed. However, the resultant need for high cost infrastructure, such as roads and schools falls to County Councils with only a 20% allocation of NHB. The increasing disparity between ever wealthier Districts and ever more financially stressed Counties is almost entirely the result of the 80:20% split of NHB.

This Council requests that the Leader and CEO together write to the LGA and CCN expressing the Council's concern and urging them to persuade central government to revisit the issue of NHB allocation."

15. Motion From Councillor Kevin Bulmer

"This Council, as traffic authority for oxfordshire asks that the government should in this parliamentary session enact legislation or changes to regulations to make it compulsory for HGV to have commercial satellite navigation and use of personal satellite navigations are to be banned. The regulations need to make sure that the satellite navigation system is to be kept up to date with the latest agreed HGV routes and to include appropriate fines. This council believes this change could become part of the current HGV inspection & enforcement process with little to no additional cost.

The rural areas of Oxfordshire are being particularly effected by HGVs using inappropriate routes and causing both delays & excessive damage to rural roads which are not capable of sustaining this traffic. Personal satellite navigation which take you on the shortest route are not suitable for HGV and are leading to excessive economic damage to the economies of the Towns, Villages & Rural areas of Oxfordshire. The increased use of routeing agreements for minerals and waste developments will be made even more effective by this measure and put all HGV's on the same footing."

16. Motion From Councillor James Mills

"Foster carers play a vital role in the community. They care for some of our most vulnerable children and work as part of a team of professionals to help transform their lives.

The council needs to recruit more local foster carers so that: the increasing number of children coming into the care system can remain close to their schools, friends and support network; young people can remain in foster care beyond the age of 18 under 'Staying Put' arrangements; and we can replace those carers who cease fostering each year. By reducing our reliance on fostering agencies we can reduce the cost of placements to the taxpayer.

To assist in this work the Council calls on local organisations and employers to sign up to a fostering friendly 'Covenant'.

The Covenant sets out ways in which employers and organisations can demonstrate their support to staff or members who foster, and how they can promote the role in order to create encouragement, and to help boost foster carer recruitment numbers.

As a signatory, the County Council has increased benefits for staff that foster for the Council, introduced new incentives for all staff to recruit foster carers, and launched

new initiatives to increase support to foster carers.

Oxfam, Oxford Health, Oxford City Council, Home for Good and the Bishop of Dorchester have all pledged their support for this campaign. The Council urges Directors, other employers and organisations to join us to help make Oxfordshire the most 'fostering-friendly' county in the country."

17. Motion From Councillor Sam Coates

"This Council is concerned at the recent announcement of a further £13billion pounds worth of cuts in the benefits budget and at the continued additional local Government cuts announced in the recent Chancellor's Budget which would mean approximately £60million more budget reductions in Oxfordshire. This comes on top of the already draconian £88m planned reductions to be implemented over the next 3 years (in addition to £204m savings delivered between 2010/11 and 2014/15).

The Council believe that such cuts, targeted as they are on those on the lowest income are morally wrong and will further damage the economy and the social fabric of Oxfordshire and the rest of the Country. For Oxfordshire further reductions in adult social care may take the service into the realms of an unsafe provider and consequently put lives at risk.

Oxfordshire County Council calls on the Government to drop the façade of 'Austerity Economics' and adopt a policy of supporting public services instead of incrementally dismantling the welfare state.

Council asks the Leader of the Council to write directly to the Prime Minister to inform him of Oxfordshire County Councils stance on this issue."

18. Motion From Councillor David Williams

"In the Queen's speech the Government announced it would bring forward proposals for a Bill of Rights to replace the Human Rights Act. Given that many of the decisions taken and services provided by Oxfordshire County Council must take account of human rights legislation, this Council asks the Leader to make representations to the Government and to the Lord Chancellor that the County Council would wish to be consulted about any such proposals which may affect the Council's delivery of services to the people of Oxfordshire."

19. Motion From Councillor David Williams

"This Council notes with dismay the continued expansion of the Academy and Free Schools programme recently announced and the resulting diversion of funds away from LEA schools in Oxfordshire. The Council calls on the Secretary of State for Education to follow the example of the Swedish Government and end this experiment in Governance and return all schools to democratic control and accountability with clear universal professional standards, commitment to a similar curriculum, non-selective criteria and general equity in funding. Oxfordshire County Council is also concerned at the loss of large areas of school grounds worth

hundreds of millions of pounds that once belonged to the County Council to independent sponsors.

The Council is concerned at the billions of pounds that have been diverted from mainstream education in the County to try to make Academies and Free Schools work and the dramatic impact this has had on LEA schools funding locally . This massive in balance in expenditure is still being undertaken with very little to show in terms of real improvements to educational outcomes.

The Council is concerned that the obvious advantages in collectively improving the quality of local education provision provided in Oxfordshire via the LEA are being wasted in the fragmentation and atomisation that Academies and Free Schools generate.

Council asks the Leader of the Council to forward copies of this motion to the Prime Minister and the Secretary of State for Education.”

Pre-Meeting Briefing

There will be a pre-meeting briefing at County Hall on **Monday 13 July 2015 at 10.15 am** for the Chairman, Vice-Chairman, Group Leaders and Deputy Group Leaders.