



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.

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OXFORDSHIRE COUNTY COUNCIL

MINUTES of the meeting held on Tuesday, 19 May 2015 commencing at 10.00 am and finishing at 12.15 pm.

Present:

Councillor Anne Purse – in the Chair

Councillors:

Lynda Atkins	Patrick Greene	David Nimmo Smith
Jamila Azad	Tim Hallchurch MBE	Neil Owen
David Bartholomew	Pete Handley	Glynis Phillips
Mike Beal	Jenny Hannaby	Susanna Pressel
Maurice Billington	Nick Hards	Laura Price
Liz Brighthouse OBE	Neville F. Harris	G.A. Reynolds
Kevin Bulmer	Steve Harrod	Alison Rooke
Nick Carter	Mrs Judith Heathcoat	Rodney Rose
Louise Chapman	Hilary Hibbert-Biles	Gillian Sanders
Mark Cherry	John Howson	John Sanders
John Christie	Ian Hudspeth	Les Sibley
Sam Coates	Bob Johnston	Roz Smith
Yvonne Constance OBE	Richard Langridge	Lawrie Stratford
Steve Curran	Stewart Lilly	John Tanner
Surinder Dhesi	Lorraine Lindsay-Gale	Melinda Tilley
Arash Fatemian	Sandy Lovatt	Michael Waine
Mrs C. Fulljames	Mark Lygo	Richard Webber
Anthony Gearing	Kieron Mallon	David Williams
Janet Godden	Charles Mathew	David Wilmshurst
Mark Gray	James Mills	

The Council considered the matters, reports and recommendations contained or referred to in the agenda for the meeting and decided as set out below. Except 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.

22/15 ELECTION OF CHAIRMAN FOR THE 2015/16 COUNCIL YEAR

(Agenda Item 1)

Before inviting the Solicitor of the Council to seek nominations for the office of Chairman of the Council, Councillor Anne Purse (the retiring Chairman) addressed the meeting, reflecting on her year in office, in particular the commemoration of the 1st World War, the VE day celebrations and beacon lighting and her Charity Dinner in aid of Thomley Hall. She thanked members of the Council for their support throughout the year.

She then went on to thank her sister Edna, who had been her consort for the year and her personal assistants (Sara Lenihan and Lubnor Khalid) for all their help and support during the year. She then presented Sara Lenihan with flowers as a token of her appreciation and her sister with a consort badge and some flowers.

Councillors Hudspeth, Brighthouse, Williams and Webber paid tribute to Councillor Purse, expressing their thanks for her work as Chairman and ambassador for the Council.

The County Solicitor & Monitoring Officer sought nominations for the position of Chairman of the Council.

Councillor Brighthouse proposed and Councillor Hudspeth seconded that Councillor John Sanders be elected Chairman of the Council for the 2015/16 Council Year.

There being no further nominations and no dissent, Councillor John Sanders was declared elected as Chairman for the 2015/16 Council Year. Councillor Sanders then read and signed the statutory Declaration of Acceptance of Office.

Upon signing the declaration, Councillor John Sanders expressed sadness and regret that Former County Councillor Val Smith had not been able to undertake the role of Chairman for the 2015/16 Council Year.

RESOLVED: (unanimously) that Councillor John Sanders be elected Chairman of the Council for the 2015/16 Council Year.

23/15 ELECTION OF VICE-CHAIRMAN FOR THE 2015/16 COUNCIL YEAR

(Agenda Item 2)

The Chairman called for nominations for the office of Vice-Chairman. Councillor Hudspeth proposed and Councillor Brighthouse seconded that Councillor Michael Waine be elected Vice-Chairman for the 2015/2016 Council Year. The being no further nominations and no dissent, Councillor Michael Waine was declared elected. Councillor Waine read and signed the statutory Declaration of Acceptance of Office.

RESOLVED: (unanimously) that Councillor Michael Waine be elected as Vice-Chairman for the 2015/16 Council Year.

24/15 MINUTES

(Agenda Item 3)

The Minutes of the Meeting held on 14 April 2015 were approved and signed.

25/15 APOLOGIES FOR ABSENCE

(Agenda Item 4)

Apologies for absence were received from Councillors Neil Fawcett, Jean Fooks and Zoe Patrick.

26/15 OFFICIAL COMMUNICATIONS

(Agenda Item 6)

The Chairman reported as follows:

- Council held a Minute's silence to commemorate the life of former County Councillor Val Smith. Val had stood down as a county councillor in September 2014 having served the Leys and Lye division since 2005. She was the wife of Oxford East MP Andrew Smith and had been a city councillor for many years prior to becoming a county councillor. She was held in great respect across the political divide and commanded respect among officers and councillors alike. There was great sadness at her passing. Council's thoughts were very much with her husband Andrew Smith and her family at this time.
- Zoe Patrick had decided, for personal health reasons to retire as Leader of the Liberal Democrat Group but would remain on the Council. Council agreed to send Councillor Patrick a card and flowers and congratulated Councillor Richard Webber who had been duly appointed as the new Leader of the Liberal Democrat Group.
- Council welcomed newly appointed County Councillor James Mills (Witney West & Bampton Division) and congratulated him on his appointment to the Council.
- A powerful earthquake had hit Nepal on 25 April. More than 8,000 people had been reported killed and more than 14,000 injured. A second massive earthquake struck on 12 May, killing an additional 65 people. The UN estimated that 8 million people across the country were affected - more than a quarter of the population. Over 700,000 houses had been destroyed or damaged.

An Oxfam Collection Tin would be circulated during the briefing following Council to provide clean water, toilets, hygiene kits, emergency shelter, food and seeds to the millions of people affected by the disaster. The Chairman urged members to donate.

- On Friday 8th May Oxfordshire joined locations across the country in lighting special v-shaped beacons to mark the 70th anniversary of Victory in Europe. VE Day marked the official end of Second World War hostilities in Europe, following the formal surrender of German forces. It was both an occasion of national celebration and one of sombre reflection for those who lost their lives in the six-year conflict, including 580,406 UK and Commonwealth Forces and 67,073 UK civilians. It was right that the Council continued to mark this important milestone in the country's history, and that the sacrifice, courage and determination of those who stood firm was not forgotten.

27/15 REPORT OF THE RETURNING OFFICER

(Agenda Item 9)

The Council had before them the report by the Returning Officer setting out the results of the by-election for the Witney West & Bampton Division held on 7 May 2015.

RESOLVED: (nem con) to note that James Francis Mills was accordingly elected County Councillor for the Witney West & Bampton Division.

28/15 CABINET MEMBERSHIP AND DELEGATION OF CABINET FUNCTIONS

(Agenda Item 10)

Councillor Hudspeth moved and Councillor Rose seconded the recommendations set on the face of the Agenda in relation to delegations made by the Leader of the Council with regard to the functions of the Cabinet.

Council noted that waste management and environmental management was now under the responsibility of the Deputy Leader.

RESOLVED: (nem con) to note the delegations made by the Leader of the Council with regard to the functions of the Cabinet.

29/15 COMMITTEES AND REVIEW OF POLITICAL BALANCE

(Agenda Item 11)

The Council was required by the Local Government & Housing Act 1989 to review the political balance on its committees on an annual basis. The Council had before it a report (CC11) together with additional information set out in the Schedule of Business (Annex 3) which set out how the rules operate and sought approval for adjustments which were necessary to achieve the balance across and within committees to comply with the rules.

In summary the changes necessary were:

- (a) to obtain balance across the scrutiny committees, the Green Group had a seat on the Performance & Scrutiny Committee. There were no unfilled seats;
- (b) to obtain balance across the other committees of the Council and overall the Green Group had a seat on the Remuneration Committee and the Conservative Independent Alliance Group had an additional seat on the Planning & Regulation Committee. There were no unfilled seats.

Councillor John Sanders moved and Councillor Waine seconded that the recommendations set out on the face of the Agenda and in the report be adopted.

Councillor Webber moved and Councillor Roz Smith seconded that Councillor Anne Purse be nominated as the standing substitute for Councillor Zoe Patrick on the Oxfordshire County Council Joint Consultative Committee for Uniformed Members of the Fire Service.

The motion was put to the vote and was carried by 56 votes to 1, with 3 abstentions.

RESOLVED: (nem con) to:

- (a) confirm the political balance on committees shown in Annex 2 to the report;
- (b) appoint to committees the councillors and co-opted members shown in Annex 3, subject to Councillor Les Sibley being in place of Councillor Lynda Atkins on Pension Fund Committee;
- (c) Councillor Anne Purse be nominated as the standing substitute for Councillor Zoe Patrick on the Oxfordshire County Council Joint Consultative Committee for Uniformed Members of the Fire Service.

30/15 SCRUTINY COMMITTEES - ANNUAL REPORT

(Agenda Item 12)

The Council had before them the Scrutiny Annual Report (CC12) which outlined the activity of the Council's three scrutiny committees; Performance Scrutiny, Education Scrutiny and Health Overview & Scrutiny and the Cabinet Advisory Groups. The report highlighted the work carried out by each Committee to scrutinise service activity and performance as well as Cabinet decisions taken over the past year.

The Audit and Governance Committee had reviewed this report and welcomed the positive impact that the committees had in the past year. The report had also been reviewed by the Performance Scrutiny Committee.

Councillor Brighthouse moved and Councillor Gray seconded that Council receive the Annual Report of the scrutiny committees.

Following debate, the motion was put to the vote and was carried nem con.

RESOLVED: (nem con) to receive the report.

31/15 AUDIT & GOVERNANCE COMMITTEE - ANNUAL REPORT

(Agenda Item 13)

The Council had before them the Audit & Governance Annual Report (CC13) which set out the role of the Audit & Governance Committee and

summarised the work that has been undertaken both as a Committee and through the support of the Audit Working Group in 2014.

Councillor Wilmshurst moved and Councillor Lovatt seconded that Council receive the Annual report of the Audit & Governance Committee.

Following debate, the motion was put to the vote and was carried nem con.

RESOLVED: (nem con) to receive the report.

32/15 OFFICER SCHEME OF DELEGATION

(Agenda Item 14)

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

This report highlighted some minor amendments to the Scheme of Delegation and to Article 11 principally to reflect the service areas of certain Chief Officer posts.

RESOLVED: (on a motion by Councillor John Sanders, seconded by Councillor Waine and carried nem con) to note the amendments to Article 11 and to Part 7.3 of the Constitution and to approve the Scheme of Officer Delegation (Part 7.3) as amended.

..... in the Chair

Date of signing

Division(s): N/A

COUNTY COUNCIL – 14 JULY 2015

REPORT OF THE CABINET

Cabinet Member: Leader

1. Addressing the Council's Future Challenges *(Cabinet, 26 May 2015)*

Following the General Election, the Cabinet had before them a report taking stock of both the council's financial position and its policy priorities, reflecting both local drivers and what was known of the national context and considered any changes to the Council's financial and corporate strategy that are required at this time..

2. England's Economic Heartland *(Cabinet, 26 May 2015)*

Cabinet considered a report on the emerging framework which had the flexibility to be extended to adjoining areas where there is common cause but which recognised that whilst partners chose to work together on strategic issues, they retain their own identity and their roles and responsibilities in local issues.

Cabinet endorsed the engagement and work that had taken place with Oxfordshire/Buckinghamshire/Northamptonshire County Councils and the Local Enterprise Partnerships and agreed to formation of a Strategic Leaders Board comprised of the three County Councils and three Local Enterprise Partnerships. Cabinet also agreed that a further report be submitted to Cabinet and Local Enterprise Partnership Boards once this further work had been undertaken.

3. Appointments 2015/16 *(Cabinet 23 June 2015)*

Cabinet made member appointments to a variety of bodies which in different ways support the discharge of the Council's Executive function.

Cabinet Member: Deputy Leader

4. Cabinet Business Monitoring Report for Quarter 3 *(Cabinet, 21 April 2015)*

Cabinet noted a report that provided details of performance for quarter three (2014-15) for the Cabinet to consider. The report is required so that the Cabinet can monitor the performance of the Council in key service areas and be assured that progress is being made to improve areas where performance is below the expected level.

5. Provision of HR and Finance Services by Hampshire County Council

(Cabinet, 26 May 2015)

In July 2014, Cabinet agreed to join the Hampshire partnership as an operational partner for the provision of back office support services through their Integrated Business Centre with an expected go-live date of 1 July 2015. Cabinet noted an update on the progress to date, that confirmed the services transferring and the savings that will be achieved both as a direct result of the partnership and those that are achieved as a consequence of the partnership. Cabinet also agreed that a review be held after 6 months with the information also being considered by Performance Scrutiny Committee.

6. Equalities – Annual Update

(Cabinet, 26 May 2015)

In 2012 Oxfordshire County Council launched its Equality Policy setting out how we meet obligations under the Equality Act 2010. Cabinet had before them a third annual update and agreed to the new Equality Policy Actions for 2015/16.

7. Staffing Report, Quarter 4 2014/15

(Cabinet, 26 May 2015)

Cabinet agreed a report that gave an update on staffing numbers and related activity during the period 1 January 2015 to 31 March 2015. It gave details of the agreed staffing numbers and establishment at 31 March 2015. The report also provided information on vacancies and the cost of posts being covered by agency staff.

Cabinet Member for Adult Social Care

8. Help to Live at Home – Home Care Business Case

(Cabinet, 26 May 2015)

The current model of home care in Oxfordshire will not be able to deliver the capacity and capability required to meet future needs, as providers do not have the security of future business to employ sufficient care staff.

The intention is to develop a new model of home care that will enable people to maximise their independence. Cabinet considered and approved a report setting out the proposed model for home care.

9. Section 75 Agreement

(Cabinet 26 May 2015)

Cabinet considered and approved a report seeking approval for variations to the legal agreement under Section 75 of the NHS Act 2006 that governs the existing formal joint working arrangements and pooled budgets between Oxfordshire Clinical Commissioning Group and Oxfordshire County Council from April 2015 onwards.

N.B The virements referred to in the report for approval by Council are included for consideration elsewhere on this agenda.

Cabinet Member: Children, Education & Families

10. The Council's Response to the Findings of the Serious Case Review for Children A-F and Further Action Taken in Response to Child Sexual Exploitation in Oxfordshire
(Cabinet, 26 May 2015)

Cabinet had before them a report that set out the council's response to the findings in the serious case review, which have been accepted in full, and which also provided a summary of the action that the council has taken since 2010 when Operation Bullfinch was launched.

Cabinet noted the Council's response and the further actions in progress.

11. Support for Children Looked After and Leaving Care into Employment, Education & Training
(Cabinet, 26 May 2015)

Cabinet considered and approved the Education, Training and Employment Strategy for children who are looked after and leaving care.

12. Recommendations of the Early Intervention Cabinet Advisory Group (CAG)
(Cabinet, 23 June 2015)

Cabinet considered the report of the Early Intervention CAG which provided some background into the work of the CAG and made recommendations to Cabinet for changes to the children's early intervention service in order to realise the necessary savings. Cabinet agreed to consult with potential partners on the proposals

Cabinet Member: Environment

13. Bus Service Subsidies Review
(Cabinet Member for Environment Decision – 19 March 2015)

The Cabinet Member for Environment considered and approved a review of subsidised bus services which included the Vale of White Horse and South Oxfordshire areas and some others elsewhere in Oxfordshire, which for technical reasons included some additional services which operated in both those areas.

Note: As set out under Scrutiny Procedure Rule 18(b) where delay would result in the discontinuity of service provision, this decision was exempt from Call-In.

14. Supported Transport Programme Public Consultation - Transport Hub & Subsidised Bus Services
(Cabinet, 26 May 2015)

Cabinet considered a report that outlined proposals to deliver £6.25m of savings from the Council's supported transport services by 2017/18. It's estimated that £3.69m of this can be delivered through greater efficiency, brought about by the introduction of a new Transport Hub with the remaining £2.56m being delivered by reducing subsidies to commercial bus operators, while prioritising services used by older people and people with disabilities.

Cabinet noted progress with making efficiencies through the introduction of the 'Transport Hub', and plans to make further such efficiencies, granted permission to consult on the proposals outlined in the report and agreed to consider a further consultation option to remove all bus subsidies within the County subject to meeting the Council's statutory duty.

Cabinet Member: Finance

15. 2014/15 Financial Monitoring & Business Strategy Delivery Report – February 2015
(Cabinet, 21 April 2015)

Cabinet had before them a financial report on revenue and capital spending against budget allocations, including virements between budget heads.

Cabinet noted the report and annexes; approved the return of £0.640m Supplementary Estimate relating to the Severe Weather Recovery Grant; approved the creation of the Government Initiatives Reserve and the contribution of £0.840m as set out in paragraph 77; approved the write off of part of the developer contribution for infrastructure payments relating to a planning obligation agreed in September 2010; approved changes to fees and charges; approved changes to the Capital Programme.

16. Provisional 2014/15 Revenue and Capital Outturn
(Cabinet, 23 June 2015)

Cabinet considered a report that set out the provisional revenue and capital outturn position for 2014/15 and showed how actual expenditure and income for the year compared to the budgeted position. Figures shown in the report reflect the Council's draft Statement of Accounts for 2014/15.

Cabinet in respect of the 2014/15 outturn noted the provisional revenue and capital outturn for 2014/15 along with the year-end position on balances and reserves as set out in the report. Cabinet approved the carry-forwards and virements and recommended Council to approve the virements greater than £1.0m for Children, Education & Families, Social & Community Services, Chief Executive's Office, and Environment & Economy Directorates. Cabinet agreed that where allowed by the regulations the surplus on the On-Street Parking Account at the end of the 2014/15 financial year, be carried forward in

the account to the 2015/16 financial year and agreed the use of £0.825m one off funding from Children, Education & Families reserves to offset the overspend within Children's Social Care.

Cabinet in respect of the 2015/16 revenue budget and Capital Programme approved the virements for 2015/16. Cabinet recommended Council to approve supplementary estimates of £2.0m to the Efficiency Reserve and £2.7m to the Budget Reserve. Cabinet approved the entry into the capital programme of the Riverside routes to Oxford city centre cycling scheme and release of project development budget to proceed with feasibility and preliminary design works. They approved the increase in budget of the Cutteslowe roundabout scheme and the Wolvercote roundabout scheme and contractually committed to construction of both schemes. Cabinet approved the increase in the Universal Infant Free School Meals Programme.

N.B The virements referred to above for approval by Council are included for consideration elsewhere on this agenda.

Cabinet Member: Public Health & The Voluntary Sector

17. Novation of Health Contract

(Cabinet, 23 June 2015)

A ministerial announcement on 29 January 2014 confirmed that the responsibility for the commissioning of some elements of the 0-5 Healthy Child Programme (HCP) (including health visiting), are transferring out of NHS England to Local Authorities on 01 October 2015.

Cabinet considered and approved a report to ratify the approach being taken to novate the Health Visiting contract in line with the transfer of commissioning responsibility for 0-5 public health services to local authorities from the 1st October 2015.

IAN HUDSPETH

Leader of the Council

July 2015

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Division(s): N/A

COUNCIL – 14 JULY 2015

SENIOR OFFICER APPOINTMENTS

Report by the Chief Human Resources Officer

Introduction

1. 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.
2. 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.
3. 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.
4. The appointment of a **County Returning Officer** will also be needed but the responsibility to appoint to this role has been delegated to the Audit & Governance Committee, which will make this determination at its meeting on 16 September 2015.
5. This report therefore sets out the procedural requirements in making such appointments together with the details of the recommendation(s) of the Remuneration Committee.

Context

6. The current Chief Executive will leave the service of the Council at the end of September. It is envisaged that, until the Council determines a future senior management structure, interim arrangements will involve directors taking on the Chief Executive's duties in support of a new Head of Paid Service. Proposals for any new arrangements would then be considered by Cabinet and would form part of the budget to be agreed by Full Council in February 2016.

Head of Paid Service – the role

7. Under the Local Government Act 1989 Section 4, every principal council is required to appoint a person to carry out the functions of 'the head of the paid service'. This Council, along with many others, had appointed its Chief Executive to this role. It is not a statutory requirement that the position be fulfilled by a chief executive officer. Nevertheless, under the Council's

Constitution (the Articles setting out the service areas of senior officers; and the Scheme of Delegation) the Council has linked the Head of Paid Service role to that of the Chief Executive. The appointment of a person other than the Chief Executive to the role of Head of Paid Service would require prior amendment of the Constitution.

8. The purpose of the head of paid service role is to report to Council on the manner in which the discharge of the Council's functions is co-ordinated, the number and grades of officers required for the discharge of these functions and the organisation of such officers. **Annex 1** sets out more fully the role of the head of paid service.

Head of Paid Service – recommendation of the Remuneration Committee

9. The Remuneration Committee's recommendation is that Council should appoint the Chief Legal Officer, Peter Clark, as Head of Paid Service. In the view of the Remuneration Committee, Peter Clark's legal perspective and in particular his organisational and compliance experience as Monitoring Officer over many years, aptly fit him to this role. It is the Committee's recommendation that the Chief Legal Officer be appointed as Head of Paid Service in succession to the current Chief Executive. In making this recommendation, the Remuneration Committee also recommends Council to amend the Constitution to de-couple the role of Head of Paid Service with that of the Chief Executive in the Scheme of Delegation and Articles.
10. There is however a statutory restriction that the Head of Paid Service may not also be the Monitoring Officer of the Council. The Remuneration Committee has therefore made a consequential recommendation to Council for the appointment of a new Monitoring Officer. This is in fulfilment of the Council's Constitution (Employment Procedure Rules), whereby Full Council "will approve the appointment of the Head of Paid Service and Monitoring Officer *following a recommendation as to such an appointment by the Remuneration Committee*".

Monitoring Officer – the role

11. Under the Local Government & Housing Act 1988, Section 5, each principal authority is required to appoint a person to be its Monitoring Officer. In short, the role of the Monitoring Officer includes such responsibilities as ensuring the lawfulness and fairness of the Council's decision making; promoting and maintaining high standards of conduct; reporting to Council on any instances of maladministration; and reviewing the Council's Constitution. **Annex 2** sets out the role of the Monitoring Officer.

Monitoring Officer – recommendation of the Remuneration Committee

12. As Monitoring Officer, Peter Clark has been ably supported by Nick Graham (Deputy Head of Law and Culture) who has also functioned as the Council's Deputy Monitoring Officer. In the view of the Committee, Nick Graham therefore has the legal and organisational perspective, and experience, to perform the Monitoring Officer role. The Remuneration Committee therefore recommends Council to appoint the Deputy Head of Law & Culture, Nick Graham, as Monitoring Officer.

Returning Officer

13. A successor appointment is also needed to the role of County Returning Officer for county council elections. This is a matter that has been delegated to the Audit & Governance Committee for decision, under the Council's Constitution, and the Committee will meet on 16 September to consider and determine an appointment.

Legal and procedural implications

14. The legal implications have been identified in this report. It is important to reiterate that the Council must appoint a person to be the Head of Paid Service; and that a Monitoring Officer must similarly be appointed (under the Local Government & Housing Act 1983); that a County Returning Officer must be appointed; and that the Council must have a succession of appointment to ensure continuity and compliance.
15. It is suggested that, in the interests of continuity, Council the appointments recommended in this report take effect on the cessation of the current Chief Executive's last day in office.
16. However, the procedures for appointing a person to the role of Head of Paid Service as a successor to the current Chief Executive do involve a two-stage process. The Constitutional position reflects the statutory requirement under the Local Authorities (Standing Orders) (England) Regulations 2001. In short this requires Council (as the appointer) to inform the Proper Officer of the person it intends to appoint. The Proper Officer must then supply particulars to all members of the executive who shall then have a specified period of time to inform the Leader of the Council and, through him, the Proper Officer, whether they have any objection to the appointment of the person concerned. That done, Full Council will then be informed whether any such objections have been received. At that time, Council may then proceed to make a determination, having regard to the comments received.
17. In practice therefore, Council is being asked at this meeting, and in this report, to notify the Proper Officer of the name and particulars of the persons it wishes to appoint as Head of Paid Service in succession to the current Chief Executive. At its next meeting on 8 September 2015, Council will then be furnished with the outcome of the Cabinet consultation and will be invited to make a formal decision on this appointment and, as necessary, any consequential appointment to the position of Monitoring Officer.

18. In any event, to enable flexibility in terms of who may be appointed to the role of the Council's Head of Paid Service, Council is being asked now to agree to amend the Constitution such that the person appointed as Head of Paid Service need not be the Chief Executive. Similarly, while Council has delegated authority to the Audit & Governance Committee formally to appoint a County Returning Officer, Council is asked to amend the Constitution to decouple the provision which, in practice, currently limits this to the person appointed as Chief Executive.

RECOMMENDATIONS

19. 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.

STEVE MUNN

Chief Human Resource Officer

Contact Officer: Steve Munn (01865) 815191

July 2015

**Extract from:
Oxfordshire County Council Corporate Governance Library**

Role of Head of Paid Service

- appointed under Section 4 of the Local Government and Housing Act 1989.
- statutorily responsible for reporting to the council on any of the following matters:
 - the manner in which the discharge by the council of their different functions is co-ordinated;
 - the number and grades of staff required by the council for the discharge of their functions;
 - the organisation of the council's staff; and
 - the appointment and proper management of the council's staff.

The council has to provide the Head of Paid Service with staff, accommodation and other resources as in their opinion are sufficient to allow their duties to be performed.

The appointment of the Head of Paid Service is a council function and their dismissal is subject to certain statutory procedures under the Local Authorities (Standing Orders) (England) Regulations 2001.

Other functions

The Head of Paid Service has other responsibilities under the council's Constitution, which include providing:

- support for councillors and leadership of the democratic process;
- overall responsibility for corporate management and promotion of the council's strategic objectives;
- performance management;
- strategic partnerships and the community strategy;
- media and communications.

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**Extract from:
Oxfordshire County Council Corporate Governance Library**

The Monitoring Officer

The Monitoring Officer is required to be appointed under Section 5 of the Local Government and Housing Act 1989.

The Monitoring Officer is statutorily responsible for reporting to the council on any proposal, decision or omission by the council, any committee, sub-committee, joint committee or officer which has given rise to, or is likely to or would give rise to a breach of the law or potential mal-administration.

Subject to consulting the Head of Paid Service and Chief Finance Officer in making any such report, it is a matter for the Monitoring Officer's discretion as to how they carry out their responsibilities and duties under Section 5.

The monitoring officer's duties have to be performed personally but they may appoint a deputy to act in their absence or illness.

The council has to provide monitoring officers with sufficient staff, accommodation and other resources as in their opinion are sufficient to allow their duties to be performed.

The appointment of the Monitoring Officer is a council function and their dismissal is subject to certain statutory procedures under the Local Authorities (Standing Orders) (England) Regulations 2001.

The Monitoring Officer also has responsibilities under section 28 of the Localism Act 2011 to investigate and report on allegations of a complaint against a Member.

Other functions

The Monitoring Officer has responsibilities under the council's Constitution including:

- monitoring, reviewing and (where authorised) changing the Constitution
- advising on the interpretation and application of the Constitution
- advising and determining on issues relating to the scope of the budget and policy framework procedure rules

The Monitoring Officer is the lead officer who works closely with and advises the Audit & Governance Committee. The Monitoring Officer is the lead legal adviser to the committee whose work includes:

- promoting and maintaining high standards of conduct by members
- receiving an annual report on the work of the Monitoring Officer

The Monitoring Officer provides advice generally to members and officers on matters including:

- probity and ethical issues
- issues relating to possible mal-administration
- the legality and constitutional propriety of their actions

The Monitoring Officer has a key role to play in promoting good corporate governance and has delegated authority to approve all Corporate Governance Policies in consultation with the Section 151 Officer and the Leader and Deputy Leader of the Council.

The Monitoring Officer has a key role in supporting the council's complaints procedure and providing formal legal advice throughout the process.

MEETING DATES APRIL 2016 - MARCH 2017

Year/ Month	S/ S	MON	TUES	WED	THUR	FRI	S/ S	MON	TUES	WED	THUR	FRI	S/ S	MON	TUES	WED	THUR	FRI	S/ S	MON	TUES	WED	THUR	FRI	S/ S	MON	TUES	WED	THUR	FRI	S/ S	Year/ Month	
2016 APR						1	2/3	4	5 CC	6	7	8	9/10	11 CMD: CEF; CCS PLAN	12	13	14	15	16/17	18 AG	19 CMDAS CA CMD: L, BC, DL, F	20	21 HOSC	22	23/24	25 ESC	26	27 PHVS	28 CMDE	29	30/01	APR	
MAY		2	3	4	5	6	7/8	9	10	11	12 PSC	13	14/15	16	17 CC	18	19	20	21/22	23 CMD: CEF; CCS; PLAN	24 CMDAS CA CMD: L, BC, DL, F	25 PHVS	26	27	28/29	30	31					MAY	
JUN				1	2 EMJCC	3	4/5	6	7	8	9 CMDE	10 PF	11/12	13 CMD: CEF; CCS	14	15 PHVS	16 TJC	17 FIRCC	18/19	20	21	22	23 PSC	24	25/26	27	28 CMDAS CA CMD: L, DL, BC, F	29	30 HOSC			JUN	
JUL						1	2/3	4 ESC	5	6	7	8	9/10	11 CMD: CEF; CCS; PLAN	12 CC	13 PHVS	14 HWB	15	16/17	18 AG	19 CMDAS CA CMD: L, BC, DL, F	20	21 CMDE	22	23/24	25	26	27	28	29	30/31	JUL	
AUG		1	2	3	4	5	6/7	8	9	10	11	12	13/14	15	16	17	18	19	20/21	22	23	24	25	26	27/28	29	30	31 PHVS					AUG
SEP					1 CMDE	2 PF	3/4	5 CMD: CEF; CCS; PLAN	6	7	8 EMJCC	9 FIRCC	10/11	12	13 CC	14	15 HOSC	16	17/18	19 AG	20 CMDAS CA CMD: L, BC, DL, F	21	22 PSC	23	24/25	26 ESC	27	28	29	30	1/2	SEP	

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KEY

		Time
CC	Council	10.00am
CA	Cabinet	2.00pm
CMD:	Cabinet decisions	
L	Leader	3.00pm
DL	Deputy	3.00pm
F	Finance	3.00pm
CEF	Children Education	12.00pm
CCS	Cultural & Custom	12.00pm or at the
AS	Adult Services	9.00am
BC	Business & Custome	3.00pm
PHVS	Public health & Environm ent	10.00am
E	Environment	10.00am

		Time
Scutiny Committees		
PSC	Performance	10.00am
ESC	Education	10.00 am
HOSC	Oxfordshire Joint Health	2.00pm

		Time
Council Committees		
AG	Audit & Governance	tbv
PLAN	Planning & Regulation	2.00pm
PF	Pension Fund	10.00am
HWB	Oxfordshire Health & Wellbeing Board	2.00pm

		Time
Consultative Bodies		
TJC	Teachers Joint Committee	2.00pm
EMJCC	Employees Joint	2.00pm
FIRCC	Fire Services Joint	10.00am

- = schools holidays
- = prov school
- =bank hols

Agenda Item 11

MEETING DATES APRIL 2016 - MARCH 2017

MEETING DATES APRIL 2016 - MARCH 2017

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Year/ Month	S/ S	MON	TUES	WED	THUR	FRI	S/ S	MON	TUES	WED	THUR	FRI	S/ S	MON	TUES	WED	THUR	FRI	S/ S	MON	TUES	WED	THUR	FRI	S/ S	MON	TUES	WED	THUR	FRI	S/ S	Year/ Month
OCT		3	4	5	6	7	8/9	10 CMD: CEF; CCS	11	12 PHVS	13 CMDE	14	15/16	17 PLAN	18 CMDAS CA CMD: L, BC, DL, F	19	20	21	22/23	24	25	26	27	28	29/30	31					31/1	OCT
NOV			1 CC	2	3 TJC	4	5/6	7 AG	8	9	10 HWB	11	12/13	14 CMD: CEF; CCS	15	16	17 HOSC	18	19/20	21	22 CMDAS CA CMD: L, BC, DL, F	23 PHVS	24 CMDE	25	26/27	28 PLAN	29	30			NOV	
DEC				1	2 PF	3/4	5 CMD: CEF; CCS	6	7	8 EMJCC	9 FIRCC	10/11	12 ESC	13 CC	14	15 PSC	16	17/18	19	20	21 CMD: CEF; CCS	22 CMDAS CA CMD: L, BC, DL, F	23	24	25/26	27	28	29	30	31/1	DEC	
JAN 17		2	3	4	5 PSC	6	7/8	9 AG	10	11 PHVS	12 CMDE	13	14/15	16 PLAN	17	18	19	20	21/22	23 CMD: CEF; CCS	24 CMDAS CA CMD: L, BC, DL, F	25	26	27	28/29	30	31				JAN	
FEB				1	2 HOSC	3	4/5	6	7	8 PHVS	9	10	11/12	13	14 CC	15	16	17	18/19	20	21 CMDAS CA CMD: L, DL, BC, F	22	23 TJC	24	25/26	27 CMD: CEF; CCS; PLAN	28				FEB	
MAR				1	2 CMDE	3	4/5	6 AG	7	8	9 EMJCC	10 PF	11/12	13 ESC	14 CMDAS CA CMD: L, DL, BC, F	15 PHVS	16 PSC	17 FIRCC	18/19	20 CMD: CEF; CCS	21 CC	22	23 HWB	24	25/26	27	28	29	30	31	MAR	

KEY

		Time
CC	Council	10.00am
CA	Cabinet	2.00pm
CMD:	Cabinet member decisions	
L	Leader	3.00pm
DL	Deputy Leader	3.00pm
F	Finance	3.00pm
CEF	Children Education & Families	12.00pm
CCS	Cultural & Customer Services	12.00pm or at the rising of CMDE
AS	Adult Services	9.00am
BC	Business & Customer Services	3.00pm
PHVS	Public health & the Voluntary Sector	10.00am
E	Environment	10.00am

		Time
Scutiny		
PSC	Performance	10.00 am
ESC	Education	10.00 am
HOSC	Oxfordshire Joint Health	10.00 am

		Time
Council		
AG	Audit & Governance	10.00am
PLAN	Planning & Regulation	2.00pm
PF	Pension Fund	10.00am
HWB	Oxfordshire Health & Wellbeing	2.00pm

		Time
Consultati		
TJC	Teachers Joint Committee	2.00pm
EMJCC	Employees Joint	2.00pm
FIRCC	Fire Services Joint	10.00AM

- = schools
- = prov school hols
- =bank hols

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DRAFT COUNCIL, COMMITTEE DATES 2016/17

CC – County Council

2016

Tues 10.00 am 5 April
Tues 10.00 am 17 May*
Tues 10.00 am 12 July
Tues 10.00 am 13 September
Tues 10.00 am 1 November
Tues 10.00 am 13 December

2017

Tues 10.00 am 14 February
Tues 10.00 am 21 March **
*Annual meeting
** April 2017 meeting date brought forward

CA - Cabinet

2016

Tues 2.00 pm 19 April
Tues 2.00 pm 24 May
Tues 2.00 pm 28 June
Tues 2.00 pm 19 July
Tues 2.00 pm 20 September
Tues 2.00 pm 18 October
Tues 2.00 pm 22 November
Tues 2.00 pm 20 December

2017

Tues 2.00 pm 24 January
Tues 2.00 pm 21 February
Tues 2.00 pm 14 March

CMDASC: Cabinet Member Delegated Decisions: Adult Social Care –

2016

Tues 9.00 pm 19 April
Tues 9.00 pm 24 May
Tues 9.00 pm 28 June
Tues 9.00 pm 19 July
Tues 9.00 pm 20 September
Tues 9.00 pm 18 October
Tues 9.00 pm 22 November
Tues 9.00 pm 20 December

2017

Tues 9.00 pm 24 January
Tues 9.00 pm 21 February
Tues 9.00 pm 14 March

CMD: BC, L, DL, F; Cabinet Member Delegated Decisions: Business & Communications, Leader, Deputy Leader, Finance

2016

Tues 3.00 pm* 19 April
Tues 3.00 pm* 24 May
Tues 3.00 pm* 28 June
Tues 3.00 pm* 19 July
Tues 3.00 pm* 20 September
Tues 3.00 pm* 18 October
Tues 3.00 pm* 22 November
Tues 3.00 pm* 20 December

2017

Tues 3.00 pm* 24 January
Tues 3.00 pm* 21 February
Tues 3.00 pm* 14 March

* or on the rising of Cabinet whichever is the later

CMD: CEF, CCS: Cabinet Member Delegated Decisions: Children, Education & Families, Cultural & Community Services

2016

Mon 12.00 pm 11 April
Mon 12.00 pm 23 May
Mon 12.00 pm 13 June
Mon 12.00 pm 11 July
Mon 12.00 pm 5 September
Mon 12.00 pm 10 October
Mon 12.00 pm 14 November
Mon 12.00 pm 5 December

2017

Mon 12.00 pm 23 January
Mon 12.00 pm 27 February
Mon 12.00 pm 20 March

CMDPHVS - Cabinet Member Delegated Decisions: Public Health & the Voluntary Sector

2016

Wed 10.00 am 27 April
Wed 10.00 am 25 May
Wed 10.00 am 15 June
Wed 10.00 am 13 July
Wed 10.00 am 31 August
Wed 10.00 am 12 October
Wed 10.00 am 23 November

2017

Wed 10.00 am 11 January
Wed 10.00 am 8 February
Wed 10.00 am 15 March

CMDE - Cabinet Member Delegated Decisions: Environment

2016

Thur 10.00 pm 28 April
Thur 10.00pm 9 June
Thur 10.00 pm 21 July
Thur 10.00 am 1 September
Thur 10.00 am 13 October
Thur 10.00 am 24 November

2017

Thur 10.00 am 12 January
Thur 10.00 am 2 March

PSC- Performance Scrutiny Committee

2016

Thur 10.00 am 12 May
Thur 10.00 am 23 June
Thur 10.00 am 22 September
Thur 10.00 15 December (budget scrutiny)

2017

Thur 10.00 am 5 January
Thur 10.00 am 16 March

ESC - Education Scrutiny Committee

2016

Mon 10.00 am 25 April
Mon 10.00 am 4 July
Mon 10.00 am 26 September
Mon 10.00 am 12 December

2017

Mon 10.00 am 13 March

HOSC - Joint Health Overview & Scrutiny Committee

2016

Thur 10.00 am 21 April
Thur 10.00 am 30 June
Thur 10.00 am 15 September
Thur 10.00 am 17 November

2017

Thur 10.00 am 2 February

AG - Audit & Governance Committee

2016

Mon 10.00 am 18 April
Mon 10.00 am 18 July
Mon 10.00 am 19 September
Mon 10.00 am 7 November

2017

Mon 10.00 am 9 January
Mon 10.00 am 6 March

PF - Pension Fund

2016

Fri 10.00 am 10 June
Fri 10.00 am 2 September
Fri 10.00 am 2 December

2017

Fri 10.00 am 10 March

PLAN - Planning & Regulation Committee

2016

Mon 2.00 pm 11 April
Mon 2.00 pm 23 May
Mon 2.00 pm 11 July
Mon 2.00 pm 5 September
Mon 2.00 pm 17 October
Mon 2.00 pm 28 November

2017

Mon 2.00 pm 16 January
Mon 2.00 pm 27 Feb

HWB - Oxfordshire Health & Wellbeing Board

2016

Thur 2.00 pm 14 July
Thur 2.00 pm 10 November

2017

Thur 2.00 pm 23 March

TJC - OCC & Teachers Joint Consultative Committee

2016

Thur 2.00 pm 16 June
Thur 2.00 pm 3 November

2017

Thur 2.00 pm 23 February

EMJCC - OCC & Employees Joint Consultative Committee

2016

Thur 2.00 pm 2 June

Thur 2.00 pm 8 September

Thur 2.00 pm 8 December

2017

Thur 2.00 pm 9 March

FIRCC - OCC Joint Consultative Committee for Uniformed Members of the Fire Service

2016

Fri 10.00 am 17 June

Fri 10.00 am 9 September

Fri 10.00 am 9 December

2017

Fri 10.00 am 17 March

DRAFT

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Division(s): N/A

COUNCIL – 14 JULY 2015

2014/15 - REQUESTS FOR VIREMENTS & SUPPLEMENTARY ESTIMATES

Report by the Chief Finance Officer

Virement Requests Requiring Council Approval

1. As set out in the Provisional Revenue and Capital Outturn Report to Cabinet on 23 June 2015 given the pressures in both Children's' and Adult Social Care, it is proposed that the underspends in Environment & Economy and Chief Executive's Office will be used to offset the overspends in Children, Education & Families and Social & Community Services. The balance of -£0.196m is proposed to be transferred to the Budget Reserve and be used to support the Medium Term Financial Plan. Details are set out in Annex 1.

2. Some of the virements required to offset over and underspends within and between directorates are larger than £1.0m and require approval by Council under the council's Financial Procedure Rules. A summary of the virements proposed is shown in the table below.

Service Area (2)	Directorate Variation underspend - overspend + £000 (3)	Different Budget underspend - overspend + £000 (5)	Virement of Carry Forward Other Directorate £000 (7)	Virement of Carry Forward Corporate Reserves £000 (8)
Children, Education & Families	1,550	1,550	-1,550	
Social & Community Services	171	171	-171	
Environment & Economy	-1,245	-1,245	1,049	196
Chief Executive's Office	-672	-672	672	0
Strategic Measures - Corporate Reserves				-196
Directorate Total	-196	-196	0	0

3. The report on the 'Section 75 Agreement with Oxfordshire Clinical Commissioning Group for 2015-16' to Cabinet on 26 May 2015 set out changes to the legal agreement that governs the joint working arrangements and pooled budget arrangements between Oxfordshire Clinical Commissioning Group and Oxfordshire County Council from April 2015 onwards. As part of these changes Cabinet agreed to recommend that Council approve the permanent virement of the Learning Disability Client Contribution budget for of £5.481m into the Learning Disability Pool. This will mirror the arrangements for the Older People, Mental Health and Physical Disability Pools. There is no additional risk to the County Council from this proposal.

Supplementary Estimate Requests Requiring Council Approval

4. General balances were £22.247m as at 31 March 2015. This compares to anticipated balances at the end of the financial year of £17.517m as set out in the Medium Term Financial Plan (MTFP) approved by Council in February 2015. Anticipated balances were based on the forecast outturn at end December 2014 as reported to Cabinet in February 2015. As balances are £4.7m higher than anticipated it is proposed to make contributions of £2.0m to the Efficiency Reserve and £2.7m to the Budget Reserve in 2015/16 to support the Council's MTFP.

RECOMMENDATIONS

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.**

LORNA BAXTER

Chief Finance Officer

Background papers: 2014/15 Provisional Outturn Report to Cabinet on 23 June 2015.

Contact Officers: Kathy Wilcox, Chief Accountant
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Division(s): N/A

COUNCIL – 14 JULY 2015

STATUTORY OFFICERS - CONSTITUTION

Report by the County Solicitor and Monitoring Officer

Introduction

1. 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.

Background

2. The senior officers of a council – i.e. the head of paid service, the monitoring officer and the chief finance officer – have statutory responsibilities to discharge to their councils. Since these postholders work with, and report to, elected members, they clearly work within a political environment. As a result, regulations were introduced in 2001 to afford statutory protection for these officers whereby a Designated Independent Person was to be appointed to investigate any allegation of misconduct against these senior officers. Under those regulations, no disciplinary action could be taken other than in accordance with a recommendation of a Designated Independent Person. The intention was to ensure that these officers could discharge their duties without any fear of being influenced by elected members and being dismissed without good reason.
3. Concerns that this procedure was complex, expensive and time consuming led to a review and consultation across local government. As a result, the Government has issued new regulations which seek to simplify and localise the disciplinary process for the most senior officers by removing the mandatory requirement that a DIP should be appointed. In place of the DIP, the regulations now place the decision transparently with Full Council which must consider any advice, views or recommendations from an **independent panel**.
4. Ordinarily, such Constitutional matters would also have been referred in advance to the Council's Audit & Governance Committee to enable the Committee to add any comments for Council's consideration. In this case, the requirement that every principal authority's Full Council meeting must each approve the changes to the regulations left no issue for discretion or comment. As such, the matter is therefore a procedural item for Council alone to consider.

Revised procedure – an independent panel

5. The new regulations now require full council to have regard to the advice, views or recommendations of an independent panel, the conclusions of any investigation into the proposed dismissal and any representations from the officer concerned. This intention is that councils can consider and decide the best disciplinary process that will deliver value for money whilst retaining independent scrutiny.
Setting up a panel
6. The regulations specify that when disciplinary action is proposed against of the three senior officers, the council must convene a panel in a specific manner. In short, the council must invite the independent persons appointed by it for the purposes of the members' conduct regime under Section 28(7) of the Localism Act 2011 to form an independent panel. A panel will be formed if two or more independent persons accept the invitations.
7. However, the invitations must also be issued in the following priority order:
 - An independent person appointed by the council and who is a local government elector
 - Any other independent person who has been appointed by the council
 - An independent person who has been appointed by another council or councils.
8. The purpose of this requirement is to allow local people to be involved in the disciplinary process for senior officers, making councils more accountable to the community.
9. Whilst remuneration can be made available to such independent persons, this is limited to the level of remuneration which they would normally receive as an independent person in the conduct regime, which is modest.
10. Councils are required to give effect to the new regulations in their standing orders. The Monitoring Officer has delegated power to amend the Constitution to meet statutory requirements. However, this matter is referred to Full Council for formal approval and to give visibility to the new procedures.

Legal implications

11. The Local Authorities (Standing Orders)(England)(Amendment) Regulations 2015 require the Council to adopt the provisions into the Constitution.

RECOMMENDATION

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

PETER CLARK
Chief Legal Officer and Monitoring Officer

July 2015

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