

County Council

24 March 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, 24 March 2015 at 10.00 am

Council Chamber - County Hall, New Road, Oxford OX1 1ND



Joanna Simons
Chief Executive

March 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 12 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. Apologies for Absence**
- 2. 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.

3. Official Communications

4. Appointments

To make any changes to the membership of the Cabinet, scrutiny and other committees on the nomination of political groups.

5. Petitions and Public Address

6. Oxfordshire Minerals & Waste Local Plan (Pages 1 - 230)

Report by the Deputy Director for Environment & Economy (**CC6**)

The County Council has a statutory duty to prepare a new Oxfordshire Minerals and Waste Local Plan, to provide an effective planning strategy and policies for the supply of minerals and management of waste in the county. The Core Strategy will form the central part of the new Plan, setting out the Council's vision, objectives, spatial strategy and core policies for the supply of minerals and management of waste in Oxfordshire to 2031. It is a strategic policy document that requires full Council approval before it is published for representations to be made and then submitted to the Government for independent examination.

The Cabinet on 25 November 2014 resolved to agree a draft of the Core Strategy in principle for recommendation to Council. A final amended draft of the Core Strategy has now been prepared. This takes into account comments received on the February 2014 consultation draft document, the outcomes of engagement under the duty to co-operate, further technical work and current national planning policy and guidance; and it should be found to be legally compliant and sound when examined by an inspector.

The County Council is also required to prepare and keep up to date a Statement of Community Involvement. This sets out how the Council will involve the community in preparing and reviewing the Minerals and Waste Local Plan and in making decisions on planning applications. It is a policy document that requires a decision by full Council to be adopted. The current Oxfordshire Statement of Community Involvement was adopted by the Council in 2006 and now needs to be revised. Following consultation on a draft earlier in 2014, the Cabinet on 25 November 2014 agreed to recommend a revised Oxfordshire Statement of Community Involvement to Council for adoption.

The Council is RECOMMENDED to:

In respect of A:

- (a) approve the Oxfordshire Minerals and Waste Local Plan: Part 1 – Core Strategy at Annex 4 for publication and submission to the Secretary of State for independent examination under Regulations 19 and 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012; and***

- (b) authorise the Director for Environment and Economy to finalise the text, tables, diagrams and plans in the Core Strategy in consultation with the Cabinet Member for Environment, and to finalise the supporting documents, provided that the strategy and policy content of the Core Strategy is not materially changed; and**
- (c) authorise the Director for Environment and Economy to publish the Core Strategy and supporting documents in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012; and**
- (d) authorise the Director for Environment and Economy to consider any representations received on the published Core Strategy in consultation with the Cabinet Member for Environment and to finalise and submit the Core Strategy and other required documents and information to the Secretary of State in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012; and**
- (e) authorise the Director for Environment and Economy to represent the Council, present evidence and respond to any comments made by other parties and any relevant changes in legislation or national policy or guidance during the examination of the Core Strategy and, in consultation with the Cabinet Member for Environment, to put forward to the Inspector any necessary changes to the Core Strategy if required during the examination.**

In respect of B:

- (a) adopt the Revised Oxfordshire Statement of Community Involvement at Annex 6 to replace the existing Oxfordshire Statement of Community Involvement adopted on 7 November 2006; and**
- (b) authorise the Director for Environment and Economy to carry out final editing and preparation of the Revised Oxfordshire Statement of Community Involvement for publication.**

7. Chief Executive & Head of Paid Service (Pages 231 - 238)

Report by the County Solicitor & Monitoring Officer (CC7)

At the Full Council meeting of the 17 February 2015, a decision was taken relating to the restructuring of the Senior Management Team of the Council resulting in the deletion of the post of Chief Executive and the resultant decision to give Joanna Simons notice of dismissal from that role by reason of redundancy, and consequently from the position of Head of Paid Service. Following that decision, a Notice of Dismissal was issued to the Chief Executive.

The rationale for the restructuring was set out in the earlier report of the County Solicitor and concerned the need to introduce a new operating model to address the serious funding challenges and embrace a more distributed model of managerial leadership.

Concerns were raised by some members regarding the legality of the process that was followed in the light of the Local Authorities (Standing Orders) (England) Regulations 2001. To address any uncertainty that may remain it is therefore

important for this matter to be revisited at Full Council so there can be confidence in the integrity and transparency of the decision and to avoid legal challenges and the resultant costs and delays. As such, and acting in my duty as the Council's Monitoring Officer under the Local Government and Housing Act 1989 , I am bringing this matter to Full Council for further consideration.

As a consequence, as this matter needs to be considered, the Leader has taken the opportunity to engage in wider consultation about the restructure proposals with a wider body of Members. This will allow the proposal to be reviewed in more detail, including consideration of any risks associated with adopting this new model of leadership.

This report therefore revisits these matters and also addresses concerns that were expressed about the procedures followed in taking the previous decision.

Council is RECOMMENDED to:

- (a) rescind the decision to issue a Notice of Dismissal to the Chief Executive and Head of Paid Service taken on the 17 February 2015;***
- (b) agree to reconsider the proposal to restructure the Senior Management Team of the Council using the proposed process set out in paragraph 16;***
- (c) agree the timeframe for reconsideration proposed in the Annex to this report;***
- (d) delegate to the Remuneration Committee the power to issue a Notice of Dismissal of the Chief Executive and the Head of Paid Service subject to the approval of that decision by Full Council.***

Pre-Meeting Briefing

There will be a pre-meeting briefing at County Hall on **Monday 23 March 2015 at 10.15 am** for the Chairman, Vice-Chairman, Group Leaders and Deputy Group Leaders