

County Council Decisions

These notes indicate the decisions taken at this meeting and the officers responsible for taking any resulting action. For background documentation please refer to the agenda and supporting papers circulated to all members of the Council and available on the Council's web site (www.oxfordshire.gov.uk.)

If you have a query please contact Deborah Miller (Tel: (01865) 815384; E-Mail: deborah.miller@oxfordshire.gov.uk)

COUNTY COUNCIL - TUESDAY, 24 MARCH 2015

RECOMMENDATIONS	DECISIONS	ACTION
<p>1. Minutes</p> <p>To approve the minutes of the meeting held on 17 February 2015 (CC8) and to receive information arising from them.</p>	<p>The Minutes of the Meeting were approved and signed subject to Councillor Zoe Patrick being removed from the vote on page 7 of the Minutes and to the following being added to Minute 97/14:</p> <p>“Councillor Harris raised a point of order in relation to the constitutional status of the report which was answered by the County Solicitor & Monitoring Officer at the time.”</p>	<p>HLC (D. Miller)</p>
<p>2. Apologies for Absence</p>	<p>Apologies for absence were received from Councillors Bartholomew, Gray, Hibbert-Biles, Langridge, Patrick and R. Smith.</p> <p>RESOLVED: to ask the Chairman of the Council to write to Councillor Gray with condolences for his loss.</p>	<p>HLC (A. Newman)</p> <p>CEO (Sarah Lenihan)</p>
<p>3. Declarations of Interest</p> <p>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.</p>	<p>There were none.</p>	
<p>4. Official Communications</p>	<p>The Chairman announced that she would be hosting a Charity Dinner on 15th May to raise funds for Thomley Hall in Oxford. She hoped that all members would support this event.</p>	<p>All to note</p>

<p>5. Appointments</p> <p>To make any changes to the membership of the Cabinet, scrutiny and other committees on the nomination of political groups.</p>	<p>RESOLVED: to note the following appointments, notified to the Proper Officer by the Leader of the Council:</p> <ul style="list-style-type: none"> (a) Councillor Stewart Lilly in place of Councillor Simon Hoare on Performance Scrutiny; (b) Councillor Yvonne Constance OBE in place of Councillor Simon Hoare on Audit & Governance Committee; (c) Councillor Richard Langridge in place of Councillor Yvonne Constance OBE on Education Scrutiny. <p><i>Note: Councillor Hudspeth paid tribute to Councillor Hoare.</i></p>	<p>HLC (S. Whitehead/A. Bartlett)</p>
<p>6. Petitions and Public Address</p> <p>Mrs Julie Hankey on behalf of OXAGE (Oxfordshire Against Gravel Extraction) also member of OUTRAGE (Oxfordshire Upper Thames Residents Against Gravel Extraction) and Mr John Taylor on behalf of OXAGE – Agenda Item 6.</p>		
<p>7. Oxfordshire Minerals & Waste Local Plan</p> <p>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.</p> <p>The Cabinet on 25 November 2014</p>		

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***

The amendment by Councillor Atkins was lost by 26 votes to 23, with 7 abstentions.

The Substantive motion was carried by 39 votes to 15, with 2 abstentions.

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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.*

8. Chief Executive & Head of Paid Service

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.**

The Chairman had agreed that the vote on this item will be taken in two parts, with recommendation (a) being voted on separately followed by a vote on (b), (c) and (d).

The vote on recommendation (a) was carried by 55 votes to 0.

The vote on recommendation (b), (c) and (d) was lost by 28 votes to 27.

HLC

