

County Council

27 March 2018

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 **07776 997946** 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, 27 March 2018 at 10.30 am

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



P.G. Clark
Chief Executive

March 2018

Committee Officer: **Deborah Miller**
Tel: 07920 084239; 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 13 February 2018 (**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

Council are asked to note the following appointment:

Councillor Lawrie Stratford in place Councillor Carman Griffiths on Pension Fund Committee.

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 - 10)

Report of the Cabinet Meetings held on 19 December 2017, 23 January 2018, 12 February 2018 and 27 February 2018 (CC9).

10. Constitution Review (Pages 11 - 16)

Under the Constitution, the Monitoring Officer is required to monitor and review the operation of the Constitution to ensure that its aims, principles and requirements are given full effect. This includes making recommendations to Council on any necessary amendments. The Monitoring Officer is authorised to make any changes to the Constitution which are required to:

- Comply with the law
- Give effect to the decisions of Council (or Cabinet, Committees etc.)
- Correct errors and otherwise for accuracy or rectification

Other changes will only be made by Full Council, following a recommendation of the Monitoring Officer. This report sets out one change for the Council to approve; and also sundry amendments to note which have already been made by the Monitoring

Officer under his delegated powers to give effect to previous Council decisions.

Council is RECOMMENDED to:

- (a) endorse the proposed change to the Part 2, Article 6 ('The Cabinet') set out in paragraph 6 of this report; and**
- (b) note the changes made to the Constitution by the Monitoring Officer under delegated powers since the last annual Constitution Review report to Council (as outlined in Annex 1).**

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

11. Motion from Councillor Bob Johnston

"Investment, environmental, social and governance (ESG) issues are now rising rapidly up the Agenda. This is evidenced, for example by the recent decision of the Norwegian Sovereign Wealth Fund to cease investment in oil and gas. The Oxfordshire Local Pension Fund has an obligation to review its investment strategy, when the present 3-year framework expires. Council therefore calls upon the Pension Committee to incorporate the latest and best advice available on ESG matters when reviewing its policies and drawing up the next 3-year investment strategy."

12. Motion from Councillor Liz Brighthouse

"There is now much greater emphasis on Equality with the Equality Act 2010 putting requirements on Local Authorities in relation to understanding Gender Equality.

The world has moved on from one where those carrying out a function were referred to by their gender and this Council is doing fantastic work in many areas, but particularly in the Fire and Rescue Service, to overcome the stereotype of male dominated jobs. This Council applauds this work and believes that to reflect our commitment to inclusion and gender equality those Charing meetings of the Council should be able to be called by the title Chairman, Chairwoman or a gender-neutral title such as Chairperson or Chair.

The Council requests that the Monitoring Officer report to the Audit & Governance Committee with proposals to amend the Constitution to reflect these arrangements and for those changes to ratified at a further Full Council meeting."

13. Motion from Councillor Mike Fox-Davies

Many approvals for planning permission are granted, subject to routeing agreements, (normally for HGV traffic). These form a contract with the applicant. If these

agreements are not followed, there is limited power of enforcement. Once granted the permission cannot be removed, the only enforcement process is for the applicant to be pursued through the civil court.

This is currently embedded in planning law. Whilst many applicants will abide by the legal agreements, there is no easy deterrent for applicants who flout them.

As a rural Council with many villages affected by HGV movements, we feel strongly that the law in this area needs to be amended. This Council requests that the Planning & Regulation Committee strengthen the existing OCC planning protocols to include measures to enable easy redress following persistent breaches such as the retention of a financial performance bond, with the necessary mechanism for any persistent breaches of the routeing agreements.

Additionally, this Council asks that the Leader of the Council Lobby every MP in Oxfordshire to support this change and raise a back-bench motion in Parliament, to strengthen the UK planning law to allow local authorities more redress when conditions or legal agreements entered by contractors are persistently breached.

14. Motion from Councillor John Sanders

"This Council, while appreciating the government's recent grant to this Council of an extra £1m for pothole repairs now points out that resurfacing the County's roads in the council's maintenance backlog will cost in the region of £150m and asks the Cabinet Member for Environment to write to the Secretary of State for Transport and the Chancellor of the exchequer to ask them for sufficient funds to repair our roads and put a halt to their managed decline."

15. Motion from Councillor Liz Leffman

GWR and Network Rail recently attended a public meeting convened to address issues on the Cotswold Line service. The line runs through the County from Oxford to Hanborough, Charlbury and Kingham. At that meeting, representatives from GWR admitted that as long as parts of the line remain single track, they could not guarantee a regular service, and asked members of the public to make this point in the recent consultation.

Delays and cancellations of trains on this line are not just a problem for West Oxfordshire residents. As all the trains pass through Oxford and on to Reading, any delays and cancellations on the Cotswold Line directly impact train services to and from Oxford, and also impact trains running from the north through Banbury.

Since the opening of Oxford Parkway station, passenger numbers at Charlbury have declined by 10%. This is because people prefer to travel to Oxford Parkway which offers a more frequent and reliable service. However, this has led to an increase in road traffic through Woodstock and Kidlington.

With the increased numbers of homes planned across Oxfordshire, there is a growing need for frequent and reliable train services across the County's whole network.

This Council therefore asks the Leader to write to the Secretary of State for Transport, and to Mark Carne, Chief Executive of Network Rail, requesting that they re-evaluate the need to dual the track along the entire length of the Cotswold Line, in the light of proposed development.

Pre-Meeting Briefing

There will be a pre-meeting briefing at County Hall on **Monday 26 March 2018 at 10.15 am** for the Chairman, Vice-Chairman, Group Leaders and Deputy Group Leaders