

County Council

2 November 2010

Agenda

Declarations of Interest

This note briefly summarises the position on interests which you must declare at the meeting. Please refer to the Members' Code of Conduct in Part 9.1 of the Constitution for a fuller description.

The duty to declare ...

You must always declare any "personal interest" in a matter under consideration, ie where the matter affects (either positively or negatively):

- (i) any of the financial and other interests which you are required to notify for inclusion in the statutory Register of Members' Interests; or
- (ii) your own well-being or financial position or that of any member of your family or any person with whom you have a close association more than it would affect other people in the County.

Whose interests are included ...

"Member of your family" in (ii) above includes spouses and partners and other relatives' spouses and partners, and extends to the employment and investment interests of relatives and friends and their involvement in other bodies of various descriptions. For a full list of what "relative" covers, please see the Code of Conduct.

When and what to declare ...

The best time to make any declaration is under the agenda item "Declarations of Interest". Under the Code you must declare not later than at the start of the item concerned or (if different) as soon as the interest "becomes apparent".

In making a declaration you must state the nature of the interest.

Taking part if you have an interest ...

Having made a declaration you may still take part in the debate and vote on the matter unless your personal interest is also a "prejudicial" interest.

"Prejudicial" interests ...

A prejudicial interest is one which a member of the public knowing the relevant facts would think so significant as to be likely to affect your judgment of the public interest.

What to do if your interest is prejudicial ...

If you have a prejudicial interest in any matter under consideration, you may remain in the room but only for the purpose of making representations, answering questions or giving evidence relating to the matter under consideration, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

Exceptions ...

There are a few circumstances where you may regard yourself as not having a prejudicial interest or may participate even though you may have one. These, together with other rules about participation in the case of a prejudicial interest, are set out in paragraphs 10 – 12 of the Code.

Seeking Advice ...

It is your responsibility to decide whether any of these provisions apply to you in particular circumstances, but you may wish to seek the advice of the Monitoring Officer before the meeting.

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, 2 November 2010 at 10.00 am

County Hall, Oxford

Joanna Simons

Joanna Simons
Chief Executive

October 2010

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 10 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.

The civic party will process into the Council Chamber at 9.58 am.

A buffet luncheon will be provided.

AGENDA

2. Minutes (Pages 1 - 32)

To approve the Minutes of the meeting held on 2009 (CC1) to receive for information any matters arising therefrom.

3. Apologies for Absence

4. 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.

5. Official Communications

6. Appointments

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

7. Petitions and Public Address

8. Questions with Notice from Members of the Public

9. Report of the Cabinet (Pages 33 - 36)

10. Format of County Council Meeting & Review of the Constitution (Pages 37 - 42)

11. Questions 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

MOTIONS WITH NOTICE FROM MEMBERS OF THE COUNCIL

12. Motion from Councillor Nick Carter

“This Council warmly welcomes the publication of Lord Young of Graffham’s Report on Health & Safety entitled *Common Sense – Common Safety*. In particular, the Council applauds the recognition of local government’s clear role in reducing administrative burdens, making the system simpler and freeing it from bureaucracy without unnecessarily risking injuries or lives.

Council welcomes

- (a) the proposals for simplifying processes applying to Oxfordshire schools;
- (b) the clear statement concerning the legal position of individuals who, for example, clear snow from around their homes or business premises during adverse weather conditions; and
- (c) the proposals to simplify procedures for low-hazard workplaces which will significantly reduce bureaucratic burdens on many of Oxfordshire's small and medium-sized businesses.

Council instructs:

- (a) The Leader of the Council to write to the Prime Minister accordingly and
- (b) Officers to review all Health and Safety measures currently in place to ensure they comply with the spirit of Lord Young's Report and to identify what relaxations will be possible when the Report is implemented to reduce burdens on our own service areas and on businesses in Oxfordshire generally."

13. Motion by Councillor Jean Fooks

"Council notes:

1. That at present only 0.01% of electricity in England is generated by local authority-owned renewables, despite the scope that exists to install projects on their land and buildings. In Germany the equivalent figure is 100 times higher.
2. That at present local authorities are able to put any renewable electricity they generate to local use, and to benefit from the associated feed-in tariff for projects smaller than 5MW. But they are restricted from selling any excess renewable electricity into the grid.
3. That other Councils have taken action to develop renewable energy schemes, such as Cornwall County Council who have put solar panels on their County Hall.

Council welcomes the Government's announcement of its intention to allow local authorities to sell excess energy that they generate back to the National Grid and notes that the steps that are now being taken to extend the rights of Councils could mean up to £200m a year in income for local authorities across England and Wales.

Council requests the Cabinet to ask officers to explore the potential to expand renewable energy generation, and to report back to both Cabinet and Full Council on the potential environmental and financial benefits to Oxfordshire of this new government policy within six months."

14. Motion by Councillor John Tanner

“This County Council believes the Cabinet is mistaken in signing a 25 year multi-million pound contract with Viridor for a waste incinerator at Ardley. The decision fails to recognise the 10% reduction in residual waste in the last two years. It commits £25 million a year of taxpayers’ money at a time of Government austerity. It will create a blot on the Oxfordshire countryside and make our county the recipient of other people’s rubbish for years to come. We call on the Cabinet to think again and pursue a policy of waste reduction and Mechanical & Biological Treatment (MBT) instead.”

15. Motion by Councillor John Sanders

“This Council regrets its decision to raise charges for Controlled Parking Zones by 25% without adequate consultation. It recognises that, in 2006, as part of the Council's lengthy consultations surrounding the CPZs, the Council promised that parking charges would be raised only in line with the Retail Price Index every three years (equating to approximately 7% over that period). In order to ensure that future commitments and promises made by this Council are considered to be credible it is essential that Cabinet be requested to undertake a further process of consultation in which all affected residents and local groups are written to .”

16. Motion by Councillor Liz Brighthouse

“This Council believes, in view of the level of cuts being made to services, that there should be full consultation with groups which are affected early on in the process and in particular asks the Cabinet to ensure it consults fully with Oxfordshire Unlimited when any changes are proposed which affect people with disabilities.”

17. Motion by Councillor Sarah Hutchinson

“This Council:

- (a) Deeply regrets its failure to provide the necessary level of social care to ensure that patients in local hospitals are discharged in a timely manner
- (b) Wishes to formally apologise to those who have been affected by this failure, some of whom have been in hospitals 4 months longer than they should have been
- (c) Notes that the lack of provision has meant that the Council will be fined a significant amount by the Royal Berkshire NHS Foundation Trust
- (d) Welcomes the approximately £750,000 of extra funding made available to the PCT by the government to deal with this problem
- (e) Requests the Cabinet to ensure that adequate resources are committed in the budget so that pressures in this area are more expeditiously alleviated
- (f) Calls on the Cabinet Member for Adult Social Care to report back to Council on additional measures being taken to prevent such high levels of delayed discharge in

the future”

18. Motion from Councillor A M Lovatt

“This Council recognises that there is a need for fundamental reform of the relationship between central and local government if we are to reduce public spending, tackle entrenched social, economic and environmental problems and rebuild trust in democratic accountability. It commends the detailed proposals for place-based budgets drawn up by the Local Government Association (LGA). These would bring together different streams of public spending in Oxfordshire into a single budget at the local level.

Council believes that these proposals would:

- (a) save public money;
- (b) cut waste and bureaucracy;
- (c) allow immediately for better decisions to be made transparently and accountably by implementing place-based budgets throughout England and Wales; and
- (d) increase local communities’ control over spending in Oxfordshire.

Council recommends that the Government begins the process of reform and instructs the Leader of the Council to write to the Prime Minister accordingly.”

19. Motion from Councillor Charles Mathew

“This Council asks that Cabinet and Council Members should convey to the County’s Members of Parliament and the present Coalition Government their desire that the voluntary Debt Advice service should be funded by a compulsory annual charge from all credit institutions and the like, to ensure that the citizens of Oxfordshire and elsewhere are able to obtain complementary financial advice ,when in need. This will also benefit those same institutions when they find themselves faced with creditors who do not know where to turn when faced with a debt mountain; such advice should assist in finding a solution without needing extreme measures and would allow this sector to pursue its vital role without constant concern over its own funding.”

20. Motion by Councillor Alan Armitage

“This Council resolves that, in common with many other councils, Oxfordshire County Council should publish on its website information about Freedom of Information requests it receives. The information to include the date received, the date when a response is due, the details of the request, the source of the request

and a link to the response given.

Council requests the Chief Executive to take action to implement this resolution and report progress to Cabinet within 6 months.”

Pre-Meeting Briefing

There will be a pre-meeting briefing at County Hall on **Monday 1 November 2010 at 10.00 am** for the Chairman, Vice-Chairman, Group Leaders and Deputy Group Leaders