

# County Council

**17 May 2022**

## 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.**

**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, 17 May 2022 at 10.30 am**

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

If you wish to view proceedings, please click on the link on the website. Please note, that will not allow you to participate in the meeting. If you still wish to attend this meeting you must contact the Committee Officer by 9am four working days before the meeting.

Requests to speak should be sent to [chris.reynolds@oxfordshire.gov.uk](mailto:chris.reynolds@oxfordshire.gov.uk)

In line with current government guidance all attendees are asked to consider wearing a face covering



Stephen Chandler  
Interim Chief Executive

May 2022

Committee Officer: **Chris Reynolds**  
Tel: 07542 029441; E-Mail: [chris.reynolds@oxfordshire.gov.uk](mailto:chris.reynolds@oxfordshire.gov.uk)

In order to comply with the Data Protection Act 2018, notice is given that the meeting 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.

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***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.***

# AGENDA

1. **Election of Chair for the 2022/23 Council Year**
2. **Election of Vice-Chair for the 2022/23 Council Year**
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. **Minutes** (Pages 1 - 18)

To approve the minutes of the meeting held on 5 April 2022

6. **Official Communications**
7. **Petitions and Public Address**

*Members of the public who wish to speak at this meeting can attend the meeting in person or 'virtually' through an online connection. In line with current Government advice, those attending the meeting in person are asked to consider wearing a face covering. Normally requests to speak at this public meeting are required by 9am on the day preceding the published date of the meeting. However, during the current situation and to facilitate 'hybrid' meetings we are asking that requests to speak are submitted by no later than 9am four working days before the meeting i.e. 9am on Wednesday 11 May 2022. Requests to speak should be sent to [chris.reynolds@oxfordshire.gov.uk](mailto:chris.reynolds@oxfordshire.gov.uk) . If you are speaking 'virtually', you may submit a written statement of your presentation to ensure that if the technology fails, then your views can still be taken into account. A written copy of your statement can be provided no later than 9am 2 working days before the meeting. Written submissions should be no longer than 1 A4 sheet.*

8. **Report of the Cabinet** (Pages 19 - 20)

Report of the Cabinet Meeting held on 26 April 2022

9. **Audit and Governance Annual Report** (Pages 21 - 36)

Report by the Chair of the Audit & Governance Committee

The Annual Report sets out the role of the Audit & Governance Committee and summarises the work that has been undertaken both as a Committee and through the support of the Audit Working Group 2021/22

***Council is RECOMMENDED to receive the report***

## **10. Committees and Review of Political Balance**

Report by the Director of Law & Governance & Monitoring Officer. **REPORT TO FOLLOW**

The Council is required by the Local Government & Housing Act 1989 to review the political balance on its committees on an annual basis. The report sets out:-

- a) how the rules operate and seeks approval for adjustments which are necessary to achieve the balance across and within committees to comply with the rules
- b) the appointment of members to the scrutiny and other committees of the Council as required by any changes necessary as a result of applying the proportionality rules, and subject to any changes on the nomination of the political groups.

## **11. Committee Dates 2022/23 (Pages 37 - 40)**

A schedule of meeting dates for the 2022/23 Council Year is attached. These were approved by Council at its meeting on 2 November 2021 and are reproduced here as a reminder to members.

***Council is recommended to note the dates of meetings for the 2022/23 Council Year***

## **12. Cabinet Membership and Delegation of Cabinet Functions**

Report by the Leader of the Council – to be published with the Schedule of Business

***Council is RECOMMENDED to note the delegations made by the Leader of the Council with regard to the functions of the Cabinet***

## **13. Dispensations (Pages 41 - 46)**

Report by Director of Law and Governance

This report proposes that Council approve a number of general dispensations under the Localism Act 2011, such dispensations to remain in force for a period of three years, in the interests of good governance and the effective conduct of public affairs. It also recommends that the power to grant individual dispensations be delegated to the Monitoring Officer

**The Council is RECOMMENDED to**

- a) approve, under Section 33 of the Localism Act 2011, the general dispensations, listed at paragraph 7 of this report, for all elected and co-opted voting Members of Oxfordshire County Council;**
  - b) agree that those general dispensations should remain in force for a period of three years;**
  - c) agree that the granting of individual dispensations under Section 33 of the Localism Act 2011 and the Code of Conduct be delegated to the Monitoring Officer**
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## OXFORDSHIRE COUNTY COUNCIL

**MINUTES** of the meeting held on Tuesday, 5 April 2022 commencing at 10.30 am and finishing at 3.40pm

**Present:**

Councillor John Howson – in the Chair

Councillors:

Susanna Pressel	Donna Ford	Calum Miller
Juliette Ash	Andrew Gant	Jane Murphy
Brad Baines	Stefan Gawrysiak	Michael O'Connor
David Bartholomew	Andy Graham	Glynis Phillips
Felix Bloomfield	Kate Gregory	Sally Povolotsky
Liz Brighthouse OBE	Jenny Hannaby	Eddie Reeves
Kevin Bulmer	Damian Haywood	G.A. Reynolds
Nigel Champken-Woods	Charlie Hicks	Judy Roberts
Mark Cherry	Tony Illott	David Rouane
Andrew Coles	Bob Johnston	Geoff Saul
Yvonne Constance OBE	Liz Leffman	Les Sibley
Ian Corkin	Nick Leverton	Nigel Simpson
Imade Edosomwan	Dan Levy	Roz Smith
Duncan Enright	Dr Nathan Ley	Dr Pete Sudbury
Mohamed Fadlalla	Mark Lygo	Bethia Thomas
Neil Fawcett	Kieron Mallon	Michael Waine
Ted Fenton	Ian Middleton	Liam Walker
Nick Field-Johnson	Freddie van Mierlo	Richard Webber

*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.*

### **13/21 MINUTES**

(Agenda Item 1)

The Minutes of the Meeting of 8 February 2022 were amended as follows:-

### **1/22 Minutes**

Councillor Donna Ford added to the list of those present and signed as an accurate record

**7/22 Oxfordshire County Council and Cherwell District Council Section 113 Agreement**

At the request of Cllr Corkin, the Chair to agree additional wording in the 7<sup>th</sup> paragraph to clarify the future joint working arrangements between the two authorities

and approved and signed as a correct record

**14/21 APOLOGIES FOR ABSENCE**

(Agenda Item 2)

Apologies for absence were received from Cllrs Bennett, Bearder, Banfield, Fatemian, Hanna and Snowdon.

The Chair reported dispensations for Cllrs Paule and Rooke

**15/21 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE**

(Agenda Item 3)

Cllrs Bartholomew declared an interest in Item 16 – Motion by Councillor Freddie van Mierlo – as a member of South Oxfordshire District Council – and left the meeting during consideration of this item.

Cllr Rouane declared an interest in Item 18 – Motion by Councillor Bob Johnston – as a member of the Oxford Nature Partnership

**16/21 OFFICIAL COMMUNICATIONS**

(Agenda Item 4)

Council received the following communications: -

- 1 A statement by the Chair on the current situation in Ukraine
- 2 Advice from the Corporate Director of Public Health and Wellbeing on Covid precautions
- 3 Information on the appointment of Mark Beard as High Sheriff

The Council then paid tribute to the late Councillor Gill Sanders and observed two minutes' silence in her memory

**17/21 APPOINTMENTS**

(Agenda Item 5)

Council noted the following appointments



### **Remuneration Committee**

Cllr Corkin to replace Cllr Murphy

### **Shadow Cabinet**

Deputy Leader – Cllr Corkin to replace Cllr Murphy

Children, Education and Young People’s Services – Cllr Simpson to replace Cllr Bloomfield

Adult Social Care – Cllr Leverton to replace Cllr Murphy

Public Health and Equalities – Cllr Mallon to replace Cllr Leverton

Travel and Development Strategy – Cllr Snowdon to replace Cllr Bulmer

## **18/21 PETITIONS AND PUBLIC ADDRESS**

(Agenda Item 6)

Council received the following Petition and Public Address

### **Public Address**

Ian Hill addressed the Council in support of Agenda Item 13 (Future Management of the Charlotte Coxe Trust) speaking on behalf of Watlington Parish Council. He said that the Parish Council supported the proposals in the report and the measures that would be needed to bring the building at 33 High Street, Watlington, back into use.

Anni Byard addressed the Council regarding Agenda Item 14 (Motion by Cllr Sally Povolotsky). She was pleased to see the motion had been amended from that proposed previously. She said there was no evidence that trans gender people are at any more disadvantage than any other group with protected characteristics when accessing services. She said that the law affords transgender people with the same rights as any other section of society. She asked whether the Council could define transphobia. While she supported the Council providing equal access to all groups, she said this should not involve the removal of single sex spaces.

Hannah Massey addressed the Council in support of Agenda 14 (Motion by Cllr Sally Povolotsky). She referred to campaigns and propaganda to encourage transphobia in society including those in the media. She referred to medical and psychological treatments that transgender people had to undergo. She said there was no place for transphobia in society and thanked members of the Council for what she hoped would be their support

Chrissie Chevasuut addressed the Council in support of Agenda 14 (Motion by Cllr Sally Povolotsky) said she worked for St Columba URC Church in Oxford on a project supporting the trans gender and non-binary community.

She explained her own experience as a transgender person. She gave examples where transgender people had died in tragic circumstances and referred to schools which had refused to accept the identity of transgender pupils. She said that trans-hate crime had risen by 300% in the last five years. In early 2020 the Christian group Safe Schools Alliance forced the County Council to withdraw the trans-affirming guidelines and resources in schools. It was important than transgender people had the support of local government

Paul Boone addressed the Council in support of Item 16 (Motion by Councillor Freddie van Mierlo) He said he represented the Chalgrove Airfield Action Group. He said that the site was isolated which relied on car transport. There were no rail services or plans for a viable bus service. He said that there were proposals for bypasses and inadequate cycle routes, insufficient employment opportunities. The plans to use the airfield for ejector seat tests would result in carbon footprint and safety implications for the nearby housing and school. The proposals did not meet the NPPF sustainability tests, climate emergency or OCC climate reduction targets and urged members to support the motion on the agenda.

A statement by Debbie Proctor regarding Item 16 (Motion by Cllr Freddie van Mierlo) was read as she was unable to connect to the meeting via Teams. The statement referred to announcements by Homes England on their plans for the Chalgrove Airfield site, and representations by the County Council for good cycle routes and active travel links. She said that any infrastructure would only support journeys by car which would mean it would be less likely that the County Council would meet its carbon reduction targets.

### **Petition**

Linda Goodhead presented a petition regarding the withdrawal of the Stagecoach S8 and Oxford Bus Company X13 bus services at Hinksey Hill and requesting that one bus service per hour be reinstated

## **19/21 QUESTIONS WITH NOTICE FROM MEMBERS OF THE COUNCIL**

(Agenda Item 8)

16 Questions with Notice were asked. Details of the questions and answers and supplementary questions and answers will be set out in the Annex to the minutes.

In relation to question 1, (Question from Cllr Yvonne Constance to Cllr Tim Bearder), Cllr Enright (on behalf of Cllr Bearder who was absent) said that a written response would be provided on how parishes could request the introduction of 20 mph limits via the Council's website

In relation to question 2 (Cllr Eddie Reeves to Cllr Liz Leffman) Cllr Leffman reiterated that the 4 complaints against the Cabinet member for Travel and Development Strategy were all on the same issue which had been resolved

In relation to question 3, (Cllr Eddie Reeves to Cllr Liz Leffman) Cllr Leffman said that the future governance arrangements in Oxfordshire would be a matter of discussion between the County, City and district councils and it was not appropriate for her to state her personal preference

In relation to question 4, (Cllr Eddie Reeves to Cllr Liz Leffman) Cllr Leffman said that the Liberal Democrats had proposed a greater number of new homes than the Conservatives but that the priority was to provide more affordable homes, and this was to be considered by all authorities and agencies in the County

In relation to question 6 (Cllr Les Sibley to Cllr Duncan Enright) Cllr Enright referred to the need to re-examine methods of transportation in light of the climate emergency and to the significant challenges in reducing carbon emissions.

In relation to question 7 (Cllr Kieron Mallon to Cllr Neil Fawcett), Cllr Fawcett explained the consultation arrangements for members of the Fire and Rescue service and that the zero emissions zone should not prevent these staff from carrying out their jobs. Cllr Hannaby confirmed that similar assurances would be given to adult care staff.

In relation to question 8, (Cllr Donna Ford to Cllr Duncan Enright), Cllr Enright undertook to provide a further written response to all members following consultation with officers

In relation to question 9 (Cllr Donna Ford to Cllr Neil Fawcett), Cllr Fawcett said that he was not aware of any incidents of harassment but that he would refer to officers to check that was the case and confirm the position in a written response

In relation to question 10 (Cllr Donna Ford to Cllr Glynis Phillips), Cllr Phillips reiterated that it was necessary to balance the competing views received in consultation responses

In relation to question 11 (Cllr Nick Field-Johnson to Cllr Tim Bearder), Cllr Enright (in Cllr Bearder's absence) said the results of the trial of GiPave would be reported to members in due course

In relation to question 12 (Cllr Stefan Gawrysiak to Cllr Calum Miller), Cllr Miller said that officers were in the process of providing a full overview of the assets of the County Council and undertook to provide a further written answer on the plans for the repair of various council properties

In relation to question 14 (Cllr Ian Corbin to Cllr Liz Brighthouse), Cllr Brighthouse said that the priority of the Council and, in particular, social

workers, were to ensure that children were kept as close to their families as possible

In relation to question 15 (Cllr Sally Povolotsky to Cllr Liz Brighthouse), Cllr Brighthouse reminded members that the Council was not responsible for direct provision of childcare places

## **20/21 DISPENSATION FROM ATTENDING MEETINGS**

(Agenda Item 9)

Council had before it a report by the Director of Law and Governance recommending an extension to the dispensation granted to Cllr Alison Rooke

**RESOLVED** (on a motion from Cllr Leffman and seconded by Cllr Brighthouse and carried nem con) to:-

a) approve an extension of the dispensation for Cllr Alison Rooke from the statutory requirement to attend a meeting of the Council within a six-month period from the last noted attendance.

b) approve that the dispensation last up to and including 30 September 2022

## **21/21 REPORT OF THE CABINET**

(Agenda Item 10)

Council received the report of the Cabinet.

In relation to paragraph 1 of the report (Question from Cllr Andy Graham to Cllr Liz Leffman) Cllr Leffman said that the lessons learned during the pandemic would help this Council, working with other local authorities and partners, to deliver support to refugees from Ukraine and she called on the government to provide more support in this work.

In relation to paragraph 3 of the report (Question from Cllr Andy Graham to Cllr Liz Brighthouse) Cllr Brighthouse updated the Council on progress with youth offer development.

In relation to paragraph of the report (Question from Cllr Freddie van Mierlo to Cllr Liz Brighthouse) Cllr Brighthouse said that she had taken into account the needs of children in endorsing the Council's policy transport provision for children with special educational needs.

In relation to paragraph 5 of the report (Question from Cllr Ted Fenton to Cllr Jenny Hannaby) Cllr Hannaby said that the wording of the report was correct

In relation to paragraph 5 of the report (Question from Cllr Nick Leverton to Cllr Jenny Hannaby) Cllr Hannaby confirmed that the Health Overview and Scrutiny Committee (HOSC) would stay in place.

In relation to paragraph 7 of the report (Cllr Yvonne Constance to Cllr Pete Sudbury) Cllr Sudbury confirmed that the final response had been submitted and shared her concerns about the process.

In relation to paragraph 7 of the report (Cllr Sally Povolotsky to Cllr Pete Sudbury) Cllr Sudbury agreed that digital exclusion was an important factor to consider in the conduct of consultations to ensure that all residents were able to respond effectively

In relation to paragraph 12 of the report (Cllr Eddie Reeves to Cllr Glynis Phillips) Cllr Phillips confirmed that all County Council staff not located in the workplace were either working from home or on sick leave

In relation to paragraph 14 of the report (Cllr Ian Middleton to Cllr Calum Miller), Cllr Miller said that in view of the Council's financial contingency measures, he was confident that the Council could continue to maintain essential services. He referred to the work with district partners in supporting those in financial need and called on the Government to provide more help to households in the difficult financial climate

In relation to paragraph 14 of the report (Cllr David Bartholomew to Cllr Calum Miller), Cllr Miller reiterated his previous response that the Council would continue to deliver services despite inflationary pressures

In relation to paragraph 20 of the report (Cllr Dan Levy to Cllr Duncan Enright, on behalf of Cllr Tim Bearder) Cllr Enright confirmed the assurances made by Cllr Bearder at Cabinet regarding parking in West Oxfordshire

In relation to paragraph 18 of the report (Cllr Andrew Gant to Cllr Duncan Enright, on behalf of Councillor Tim Bearder) Cllr Enright agreed that there was a need to ensure connectivity of Local Cycling and Walking Infrastructure Plan (LCWIP) sites and the Council will be considering much better protected active travel routes

In relation to a question from Cllr Kieron Mallon, Cllr Duncan Enright, on behalf of Cllr Tim Bearder, said that over 70 parishes had applied to be considered for 20 mph speed limit zones and he would ask Cllr Bearder to provide a written update on progress with the scheme, and on the position in Banbury in particular

In relation to paragraph 20 of the report (Cllr Andrew Coles to Cllr Duncan Enright, on behalf of Cllr Tim Bearder), Cllr Enright said that the County Council would work very closely with West Oxfordshire District Council on continuing to provide a seamless parking service to all residents

In relation to paragraph 20 of the report (Cllr Liam Walker to Cllr Duncan Enright), assured members that the Council would not consider introducing charges for on street parking except in cases where communities had requested it.

In relation to a question from Cllr Freddie van Mierlo, Cllr Enright said that there were a number of groups which would be consulted on the future strategy for public transport in the County

In response to a question from Cllr Nick Field-Johnson to Cllr Enright, on behalf of Councillor Tim Bearder, Cllr Enright said he would ask Cllr Bearder to provide a written reply on the progress with the introduction of 20mph speed limit zones

In relation to paragraph 25 of the report, Cllr Richard Webber to Cllr Duncan Enright, Cllr Enright updated the Council on the establishment of the Cabinet Advisory Group (CSAG) on HIF1

In relation to paragraph 25 of the report (Cllr David Rouane to Cllr Duncan Enright), Cllr Enright said he would provide an update to the Council on progress with development of the Didcot Transport master plan

In relation to paragraph 18 of the report, (Cllr Ian Middleton to Cllr Duncan Enright), Cllr Enright explained the options for funding, and referred into the priorities for segregated cycle routes

In relation to paragraph 27, (Cllr David Bartholomew to Cllr Calum Miller), Cllr Miller said there was no impact on the Council's financial savings following the change to the structures of the County Council and Cherwell District Council

**22/21 APPOINTMENT TO THE BERKSHIRE, OXFORDSHIRE AND BUCKINGHAMSHIRE JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE**

(Agenda Item 11)

Council had before it a report by the Director of Law and Governance recommending the appointment of representatives to the Berkshire, Oxfordshire and Buckinghamshire Joint Overview and Scrutiny Committee.

**RESOLVED** (on a motion by the Chair and seconded by the Vice-Chair and carried nem con) to appoint the following councillors to the Berkshire, Oxfordshire and Buckinghamshire Joint Overview and Scrutiny Committee:-

**Liberal Democrat / Green Alliance**

Cllrs Hanna, Ley and van Mierlo

**Conservative / Independent Alliance**

Cllrs Leverton and Champken - Woods

**Labour and Cooperative**

Cllrs Edosomwan and Haywood

**23/21 CODE OF CONDUCT**

(Agenda Item 12)

Council had before it a report by the Director of Law and Governance recommending the adoption of a revised Code of Conduct in accordance with Section 27(2) of the Localism Act 2011

Councillor Glynis Phillips, Cabinet member for Corporate Services, presented the report.

Councillor Kate Gregory spoke regarding the public's perception of councillors and her concerns about some councillors' behaviour towards other members. She emphasised the importance of councillors treating each with respect, particularly on social media. She proposed that a protocol on the use of social media by councillors be added to the code of conduct.

A number of members then spoke on recent incidents of abusive language and incorrect information posted on social media and welcomed the introduction of the revised code of practice. They suggested that training for members should be developed to cover these issues.

Councillor Phillips welcomed the comments made by members and agreed that it was appropriate for a separate social media protocol to be included within the code.

**RESOLVED** (on a motion by Cllr Glynis Phillips and seconded by Cllr Roz Smith and carried nem con) to:-

1. adopt the revised Councillors' Code of Conduct at Appendix 1 for implementation from 1<sup>st</sup> May 2022
2. ask the Audit and Governance Committee to consider a separate social media protocol to be incorporated in the Code of Conduct and submit recommendations to the Council in due course

**24/21 FUTURE MANAGEMENT OF THE CHARLOTTE COXE TRUST**

(Agenda Item 13)

Council had before it a report from the Director of Law and Governance recommending the establishment of a Committee of Council to take responsibility for all decision making in connection with the Charlotte Coxé Trust.

Cllr Liz Leffman, Leader of the Council, presented the report and thanked the Director of Law and Governance and the Legal services Team for their hard work in making the arrangements for the establishment of the Committee.

Cllr Freddie van Mierlo, the local councillor for Watlington, welcomed the proposals for bringing the property back to use.

**RESOLVED** (on a motion from Cllr Leffman and seconded by Cllr van Mierlo and carried nem con) to:-

- a) Establish a Committee of Council to which responsibility for all decision making in connection with the Charlotte Coxe Trust is delegated, which is to be known as the "Charlotte Coxe Trust Committee".
- b) Ask the Group Leaders to inform the Director of Law and Governance of the five nominations of members to serve on the Committee

## **25/21 MOTION BY COUNCILLOR SALLY POVOLOTSKY**

(Agenda Item 14)

Cllr Sally Povolotsky moved and Cllr Duncan Haywood seconded the following motion:-

Transgender and non-binary people face significant disadvantage in society, vulnerable to violence, isolation, homelessness, and lack of access to suitable healthcare provision.

Council believes that:

1. All UK law should clearly recognise that trans rights are human rights.
2. Transgender and non-binary people deserve respect and autonomy.
3. It's therefore our duty as community leaders who seek to create an open and tolerant society to speak out against transphobia and discrimination in all its forms.

Council therefore resolves to:

1. Ensure that all Council services, both directly provided and through partners, are fully accessible, regardless of their sexuality or gender identity.



2. State publicly that trans rights are human rights and affirm the legal rights of all protected groups under the 2010 equality act.
3. To work with healthcare providers to remove barriers transgender and non-binary people face when accessing medical care.
4. Work to provide at least one gender inclusive bathroom (accessible) where possible in every public building owned or operated by the Council.
5. Ensure that the Council's constitution, policies, forms, and all internal and external communications are;
  - a. Reducing the amount of gender information collected unless absolutely necessary,
  - b. Respecting the pronouns individuals use for themselves,
  - c. Providing opportunities for self-identification beyond the binary "man" and "woman".
6. Encourage and support a network of informal LGBTQIA+ allies across officers and councillors.
7. Support and embrace the development of a LGBTQIA+ guidance within OCC for employees and contractors."

Councillor Eddie Reeves moved and Councillor Kieron Mallon seconded the following amendment to the Motion as shown in bold italics and strikethrough below

"Transgender and non-binary people face significant disadvantage in society and can be, vulnerable to violence, isolation, homelessness, and lack of ~~access to suitable~~ healthcare provision.

Council believes that:

1. All ~~The~~ UK law ~~should clearly~~ leads the world in recognising that trans and other important minority rights are human rights.
2. Transgender and non-binary people deserve respect ~~and autonomy~~.
3. It ~~is therefore~~ our duty as community leaders ~~who seek to create an open and tolerant society~~ to speak out against transphobia, misogyny and all forms of discrimination ~~in all its forms~~.

Council therefore resolves to:

1. Ensure that all Council services ~~\_, both directly provided and through partners,~~ are fully accessible compliant with the Equality Act 2010, regardless of ~~their sexuality or gender~~ residents' identity.
2. State publicly that trans and women's rights are human rights and affirm the legal rights of all protected groups under the ~~2010 e~~ Equality Act 2010.
3. To work with healthcare providers to remove barriers transgender and non-binary people face when accessing medical care.
4. Work to provide at least one gender inclusive and one women's only bathroom ~~(accessible)~~ where possible in every public building owned or operated by the Council.
5. Ensure that the Council's constitution, policies, forms, and all internal and external communications ~~are~~ seek to:
  - a. ~~Reducing~~ Reduce the amount of gender information collected unless absolutely necessary,
  - b. ~~Respecting~~ the pronouns individuals use for themselves without requiring that they be declared,
  - c. ~~Providing~~ Provide opportunities for self-identification beyond the binary "man" and "woman", whilst respecting those who prefer to do so-
6. Encourage and support a network of informal LGBTQIA+ allies across officers and councillors.
7. Support and embrace the development of a LGBTQIA+ guidance within OCC for employees and contractors."

Following debate, the amendment by Councillor Eddie Reeves was put to the vote and was lost by 33 votes to 21

The substantive motion was carried with 36 votes in favour, 17 abstentions and no votes against.

Following receiving advice from the Monitoring Officer that under Council Procedure Rule 13.5.1 the Motion was an executive function, Council referred the Motion to Cabinet for consideration.

**RESOLVED** (by 33 votes to 21):-

Transgender and non-binary people face significant disadvantage in society, vulnerable to violence, isolation, homelessness, and lack of access to suitable healthcare provision.

Council believes that:

1. All UK law should clearly recognise that trans rights are human rights.
2. Transgender and non-binary people deserve respect and autonomy.
3. It's therefore our duty as community leaders who seek to create an open and tolerant society to speak out against transphobia and discrimination in all its forms.

Council therefore resolves to:

1. Ensure that all Council services, both directly provided and through partners, are fully accessible, regardless of their sexuality or gender identity.
2. State publicly that trans rights are human rights and affirm the legal rights of all protected groups under the 2010 equality act.
3. To work with healthcare providers to remove barriers transgender and non-binary people face when accessing medical care.
4. Work to provide at least one gender inclusive bathroom (accessible) where possible in every public building owned or operated by the Council.
5. Ensure that the Council's constitution, policies, forms, and all internal and external communications are;
  - a. Reducing the amount of gender information collected unless absolutely necessary,
  - b. Respecting the pronouns individuals use for themselves,
  - c. Providing opportunities for self-identification beyond the binary "man" and "woman".
6. Encourage and support a network of informal LGBTQIA+ allies across officers and councillors.
7. Support and embrace the development of a LGBTQIA+ guidance within OCC for employees and contractors."

**26/21 MOTION BY COUNCILLOR DONNA FORD**

(Agenda Item 15)

With the consent of Council, Councillor Sally Povolotsky moved and Councillor Jane Murphy seconded the following motion amended by the suggestion of Councillor Roz Smith as follows:

This council is committed to ensuring that active travel is inclusive all year round.

In accordance with its statutory responsibilities this council commits to maintaining Oxfordshire's publicly maintainable footpaths and cycle ways thereby making active travel safer and encouraging greater use

This council resolves to ensure that wherever possible all overgrowth is cleared from publicly maintainable rights of way including footpaths and cycleways. When budgets allow this council resolves to installing additional suitable lighting along active travel routes where anti-social behaviour has been reported.

This council agrees to engage actively with stakeholders, including Network Rail, landowners and businesses to ensure that they comply more fully with their obligations to clear vegetation on private land and keep public rights of way open.

Following debate, the motion as amended was put to the vote and was carried by 50 votes to 0 (unanimously)

**RESOLVED** (unanimously):-

This council is committed to ensuring that active travel is inclusive all year round.

In accordance with its statutory responsibilities this council commits to maintaining Oxfordshire's publicly maintainable footpaths and cycle ways thereby making active travel safer and encouraging greater use

This council resolves to ensure that wherever possible all overgrowth is cleared from publicly maintainable rights of way including footpaths and cycleways. When budgets allow this council resolves to installing additional suitable lighting along active travel routes where anti-social behaviour has been reported.

This council agrees to engage actively with stakeholders, including Network Rail, landowners and businesses to ensure that they comply more fully with their obligations to clear vegetation on private land and keep public rights of way open.

**27/21 MOTION BY COUNCILLOR FREDDIE VAN MIERLO**

(Agenda Item 16)

With the consent of Council, Councillor Freddie van Mierlo moved and Councillor Pete Sudbury seconded the following motion amended by the suggestion of Councillor Robin Bennett as follows:

In 2020, South Oxfordshire District Council was directed by the then Conservative Secretary of State for Housing, Robert Jenrick MP, to progress a local plan through examination and adoption that included Chalgrove Airfield as an allocated site. **At the time, it was argued that it should not be included due to its highly rural location and the distances required to travel by future residents to employment centres by private motor vehicle.**

In November 2021, Homes England restated its desire to develop Chalgrove Airfield with 3,000 new homes, despite having previously withdrawn its outline planning application, following significant concerns as to the suitability and safety of the site being raised by the Civil Aviation Authority.

~~The County Council notes that a massive and unprecedented package of infrastructure would be required to serve new dwellings in this remote and rural location, with no rail connection and uncertainty around viability of bus services. The construction of a large, car dependent community, distant from major employment centres and in a rural setting, runs contrary to the County Council's goals on climate emergency and biodiversity.~~

-

~~Without prejudice to the County Council's role as statutory consultee in the planning application process, the Council expresses reservations in the strongest terms as to the suitability of the site and its compatibility with climate change goals.~~

**Various reports, most recently "Garden Villages and Garden Towns: Visions and Reality" by Transport for New Homes have repeatedly highlighted the failure nationally to prevent car-dependent developments, despite clear Government guidance on this topic.**

**This Council notes the parallel failure, nationally and locally to make any significant reduction in transport emissions over the past 20 years and that 90% of Oxfordshire's road transport emissions come from rural transport**

**The Leader is requested to write to Homes England and the Secretary of State for Levelling Up, Housing and Communities (DLUHC) & the Department for Transport to question how this development aligns with**

**the stated environmental aims of the government and inform the minister as to how as a county we are working towards sustainable communities and reduced, not increased, car dependency.**

Following debate the motion amended was put to the vote and lost (23 votes to 18)

**28/21 MOTION BY COUNCILLOR KATE GREGORY**  
(Agenda Item 17)

With the consent of Council, this item was withdrawn from the agenda

**29/21 MOTION BY COUNCILLOR BOB JOHNSTON**  
(Agenda Item 18)

The time being 3.40 pm, this Motion was considered dropped in accordance with Council Procedure Rule 13.5.8

**30/21 MOTION BY COUNCILLOR EDDIE REEVES**  
(Agenda Item 19)

The time being 3.40 pm, this Motion was considered dropped in accordance with Council Procedure Rule 13.5.8

**31/21 MOTION BY COUNCILLOR NIGEL SIMPSON**  
(Agenda Item 20)

The time being 3.40 pm, this Motion was considered dropped in accordance with Council Procedure Rule 13.5.8

**32/21 MOTION BY COUNCILLOR IAN CORKIN**  
(Agenda Item 21)

The time being 3.40 pm, this Motion was considered dropped in accordance with Council Procedure Rule 13.5.8

**33/21 MOTION BY COUNCILLOR LIAM WALKER**  
(Agenda Item 22)

The time being 3.40 pm, this Motion was considered dropped in accordance with Council Procedure Rule 13.5.8

..... in the Chair

Date of signing .....



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**Divisions-N/A**

## **COUNTY COUNCIL – 17 MAY 2022**

### **REPORT OF THE CABINET**

#### ***Cabinet Member: Climate Change Delivery & Environment***

##### **1. Tree Policy for Oxfordshire**

*(Cabinet, 26 April 2022)*

Cabinet considered a new Tree Policy putting the emphasis on ‘Presumption in favour of trees’ to maximise canopy cover opportunities and address the Climate Emergency across the Oxfordshire Landscape and Streetscape. The new policy has been created and framed in a clear and concise document to enable the County Council’s vision and ambition to be easily shared, understood and implemented.

Cabinet approved the updated Tree Policy and the inclusion of related matters into the Street Design Guidance. Cabinet also supported the ‘Application of Tree Policy Guidance’ document.

#### ***Cabinet Member: Travel and Development Strategy***

##### **2. A40 HIF2 Smart Corridor- Compulsory Purchase and Side Road Orders**

*(Cabinet, 26 April 2022)*

Cabinet had before it a report to seek approval of the Statement of Reasons and Orders Plans and approval to make the Compulsory Purchase and Side Road Orders for the A40 HIF2 Smart Corridor Scheme. This is a Housing Infrastructure Fund funded highway and transport improvement scheme that includes three key highway enhancement elements, as follows:

- A40 Dual Carriageway Extension from east of Witney to Eynsham Park and Ride Site;
- A40 Integrated Bus Lane (Between Eynsham Park and Ride Site and Duke’s Cut Bridges);
- A40 Duke’s Cut Bridge Works.To.

Cabinet approved the officers’ recommendations.

##### **3. Highway Works Bond for Development with Public Bodies**

*(Cabinet, 26 April 2022)*

Recently, it had become apparent when working with public bodies, that securing a bond or security deposit is not always appropriate or possible. Applying the standard bond or security deposit to public bodies means that there is a cost to the public purse. Therefore, flexibility was sought through delegated powers to negotiate and put in place alternative arrangements and vary the standard conditions without requiring referral to Cabinet. This will provide process agility and save

Cabinet agreed to delegate powers such powers to the Corporate Director for Environment and Place in consultation with the Director of Finance.

**LIZ LEFFMAN**

Leader of the Council

May 2021

**Audit & Governance Committee  
Annual Report**

**Report of the work of the Audit & Governance  
Committee during 2021-22**

## Contents

<b>Section</b>	<b>Page</b>
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Role of the Audit and Governance Committee	4
Key Activities	5

## Appendix

1. Audit and Governance Committee Functions (extract from the Council's Constitution)
2. Audit Working Group Terms of Reference

## **Chair's Introduction**

Having been appointed the Chair of the Audit and Governance Committee in May 2021, I am very pleased to present this annual report which sets out the role of the Audit & Governance Committee and summarises the work we have undertaken both as a Committee, and through the support of the Audit Working Group during the financial year 2021/22.

The Committee operates in accordance with the good practice guidance produced by the Chartered Institute of Public Finance Accountancy (CIPFA) in 2018. The Committee is operating effectively in accordance with the standards, providing an independent and high-level resource which supports good governance and strong public financial management.

The Committee continues to be well supported by Officers, providing a high standard of reports and presentations. I would like to thank the Internal Audit, External Audit, Law and Governance and Finance teams for their input.

I should like to take this opportunity to give my personal thanks to all the officers, Dr Geoff Jones, Chair of the Audit Working Group, the Deputy Chair Councillor Brad Baines and all fellow Committee members who have contributed and supported the work of the Committee in such a meaningful and positive way throughout the past year.

### **COUNCILLOR ROZ SMITH**

Chair, Audit & Governance Committee

## Role of the Audit & Governance Committee

The Audit and Governance Committee operates in accordance with the 'Audit Committees, Practical Guidance for Local Authorities' produced by the Chartered Institute of Public Finance and Accountancy (CIPFA) in 2018. The Guidance defines the purpose of an Audit Committee as follows:

1. Audit committees are a key component of an authority's governance framework. Their function is to provide an independent and high -level resource to support good governance and strong public financial management.
2. The purpose of and Audit Committee is to provide to those charged with governance independent assurance on the adequacy of the risk management framework, the internal control environment and the integrity of the financial reporting and annual governance processes. By overseeing internal and external audit it makes an important contribution to ensuring that effective assurance arrangements are in place.

The key functions of the Audit and Governance Committee are defined within the Council's Constitution; the relevant extract is attached as Appendix 1 to this report. In discharging these functions, the Committee is supported by the Audit Working Group, their terms of reference are attached as Appendix 2 to this report.

## How the Committee has discharged its responsibilities during 2021/22

Key A&G Committee Activities	June 21	July 21	Sept 21	Nov 21	Jan 22	March 22
<b>Financial Reporting</b>						
Review of statement of accounts – narrative statement 2020-21	•					
2020-21 Annual Statement of Accounts - updates		•	•	•	•	
Review of Treasury Management Outturn 2020-21	•					
Treasury Management 2021-22 mid-term review				•		
Treasury Management Annual Investment Strategy 2022-23					•	
Treasury Management industry update briefing from Link					•	
Financial Management Code Compliance Assessment 2021-22					•	
Government measures to improve local audit delays						•
<b>Internal Audit</b>						
Annual Report of the Chief Internal Auditor 2020-21	•					
Internal Audit Strategy and Plan 2021-22	•					
Reports from Audit Working Group	•	•	•	•	•	•
Review of Internal Audit Reports and monitor of in-year progress	•		•		•	
Review of Internal Audit Charter and Quality Assurance Programme		•				
<b>External Audit</b>						
External audit progress updates and technical updates	•		•	•	•	
External Auditor appointments				•		
Update re: Audit Results Report 2020-21				•		
Pension Fund Audit Results Report 2020-21				•		
<b>Governance &amp; Risk Management</b>						
Approval of Annual Governance Statement (AGS) for 2020-21	•					
Review of AGS action plan				•		
Oxfordshire Fire & Rescue Statement of Assurance				•		
Provision Cycle					•	

<b>Key A&amp;G Committee Activities</b>	<b>June 21</b>	<b>July 21</b>	<b>Sept 21</b>	<b>Nov 21</b>	<b>Jan 22</b>	<b>March 22</b>
Surveillance Commissioner's Inspection and Regulation of Investigatory Powers Act			•			
Local Government Ombudsman annual report			•			
Monitoring Officer annual report			•			
Annual Report of A&G committee						•
Scale of election fees and expenditure						•
Whistleblowing Policy				•		
Appointment of Independent Persons					•	
Constitution Review			•	•	•	
Oxfordshire Code of Conduct						•
<b>Counter-Fraud</b>						
Approval of Counter-Fraud Strategy and plan for 2021-22		•				
Anti-fraud and corruption strategy		•				
Counter-Fraud Plan update				•		•
Update on CF investigation						•

The Committee is supported by the Audit Working Group (AWG):

<b>Key AWG activities</b>	<b>April 21</b>	<b>June 21</b>	<b>Sept 21</b>	<b>Oct 21</b>	<b>Dec 21</b>	<b>Jan 22</b>
<b>Internal Audit &amp; Counter-Fraud</b>						
Internal Audit and Counter-Fraud update, including review of Internal Audit Reports and monitoring of progress with implementation of agreed management actions	•		•		•	
Review of Audit of Adults Direct Payments and implementation of management actions		•				
Review of Audit of Childrens Placements and implementation of management actions			•			
<b>Governance &amp; Risk Management</b>						
Review of corporate risk management arrangements, including Leadership Team Risk Register		•		•		
Review of directorate risk management arrangements		•				



Key AWG activities	April 21	June 21	Sept 21	Oct 21	Dec 21	Jan 22
including risk register – Customers, OD and Resources						
Risk Management Reporting arrangements to A&G/AWG			•			
Oxfordshire Fire & Rescue Statement of Assurance				•		
Whistleblowing policy				•		
Review of risk management processes in relation to HIF (Housing Infrastructure Fund) programmes.					•	•

### 2021/22 Key Achievements:

- The Committee and AWG have continued to review, and monitor material weaknesses identified from the internal audit reports with Senior Managers attending to provide assurance on how the issues were being addressed. This has supported the implementation of the actions plans to deliver the required improvements in key areas for the Council.
- A continued focus for the AWG has been monitoring the improvement actions agreed following the audit of Adults Direct Payments 2020/21, which was graded Red, due to the significant weaknesses identified. The committee / AWG are now pleased to note the significant progress that has now been made to effectively address the weakness identified and implement the agreed improvement actions.
- The Committee is pleased to note through review of the Internal Audit reports and monitoring by the Committee & AWG, of the agreed management actions that significant weaknesses in the system of internal control are being prioritised and addressed.
- The Committee has provided effective scrutiny of the treasury management strategy and policies. Receiving regular reports of activity, reviewing the treasury risk profile and adequacy of treasury risk management processes has contributed to good performance in this area.
- The Committee and AWG continue to consider key topics / areas of risk, seeking assurance from lead officers in the relevant areas that robust processes are in place. Areas considered during 2021/22 have included the Implementation of the Provision Cycle and also the Risk management processes for the Housing Infrastructure Fund programme.

## **Our work in 2021/22**

The key activities of both the Committee and AWG are captured in the tables above. In summary:

### **Financial Reporting**

The Committee is responsible for the review and approval of the annual statement of accounts on behalf of the Council. In line with many councils the external audit of 2020/21 accounts has not yet been completed. The Committee has received regular updates on progress from the external auditors and officers.

The Committee receives reports from the Treasury Management Team three times a year, exercising its stewardship role. The Committee reviewed the Treasury Management Outturn Report 2020/21, the Treasury Management Mid-term Performance Report 2021/22 and the Treasury Management Strategy Statement and Annual Investment Strategy 2022/23. The committee members attended an industry update briefing from Link, the Council's advisors, to help inform the review of the 2022/23 Treasury Management Strategy.

### **Internal Audit**

The Committee approved the Internal Audit Strategy for 2021/22, including the annual audit plan.

The Committee receives regular progress reports from the Chief Internal Auditor, including summaries of the outcomes from Internal Audit work. Through the Audit Working Group, the Committee monitors the progress with the implementation of management actions arising from audit reports.

In response to Internal Audit reports the Committee/Audit Working Group, has looked in detail at the following areas: Adults Direct Payments (overall conclusion graded red) and Childrens Placements (overall conclusion graded amber).

The review of the effectiveness of the system of Internal Audit, commissioned by the Committee was reported and considered in March 2019. Overall, the results are very favourable and demonstrated a strong level of satisfaction about the nature and effectiveness of the service. There were no issues as regards the integrity, or capability, of any of the officers of Internal Audit; the comments continue to reflect that the service is well-regarded. The next review will be scheduled for 2022.

The Committee has continued to monitor the resourcing of Internal Audit. The Committee recognise the challenges in recruitment in this area and continue to be updated regarding the recruitment and retention strategies being adopted, which includes the introduction of an Audit Apprentice post within the team.

The completion of the Internal Audit Plan and the annual statement of the Chief Internal Auditor is produced for the Committee at the end of the financial year. Based on the evidence of the reports presented to the Audit Working Group and the Committee, the team continues to provide an effective challenge and therefore

assurance on the key risk activities.

The Committee also met with the Chief Internal Auditor in a private session during September 2021 and are satisfied Internal Audit are free to carry out their duties without restrictions.

The Committee approve the Internal Audit Charter on an annual basis, this was approved at the July 2021 meeting.

## **External Audit**

The Council's external auditors, Ernst and Young, attended all the committee meetings during 2021/22, providing regular updates on their work plan and any matters arising.

The Committee met with the external auditors in a private session in September 2021. The Committee is satisfied that they are free to carry out their duties without restrictions. We are also assured that if identified they would bring any material issues to the attention of the Committee.

## **Governance & Risk Management**

The Committee approved the Annual Governance Statement (AGS) for 2020/21. This included improvement actions for 2021/22, within the following areas; Provision Cycle and Review of post covid governance arrangements.

The Committee and AWG receives and considers updates from officers on key topics/areas of risk such as the Provision Cycle, seeking assurance that robust risk management, governance and internal control processes are in place.

The Committee, through the Audit Working Group, has continued to receive risk management updates, which included detailed review of the Leadership risk register. The Audit Working Group is satisfied from their review that the process for reporting, escalating, and managing Leadership level risks is being maintained and acknowledge the ongoing work to improve and properly embed risk management as a routine part of OCC's everyday work.

The Committee and Audit Working Group also considered the annual report of the Monitoring Officer; the annual report of the Local Government Ombudsman; the use of the Regulation of Investigatory Powers Act 2000 (RIPA); review of scale of election fees; and the Fire and Rescue Service Annual Statement of Assurance. There were no material issues or concerns arising.

The Committee approved the scope for a review of the Constitution and agreed to the appointment of an informal cross-party Working Group and its terms of reference. The purpose of the Working Group is to make recommendations to this Committee on potential changes to the Constitution. The Committee receive regular updates on progress made with the review.

## **Counter-Fraud**

The Audit & Governance Committee receive annually the Counter Fraud Strategy and work plan. The Committee are regularly updated on progress on delivery of the work plan for counter fraud.

The Committee and Audit Working Group receive regular updates from the Chief Internal Auditor on any reported matters of suspected fraud, including investigations. Outcomes of investigations are reported to and monitored by the Audit & Governance Committee. The Committee plays a key role in monitoring the effectiveness of the Council's counter fraud arrangements.

The Committee received a report on Whistleblowing from the Monitoring Officer, that highlighted there have been very few cases.

The Committee were updated at the March meeting regarding the outcome of a fraud investigation that had recently been concluded, including actions taken to address the issues identified and control improvements now implemented.

## Appendix 1

### Audit & Governance Committee Terms of Reference

#### Statement of purpose

1. The Audit & Governance Committee is a key component of Oxfordshire County Council's corporate governance framework. It provides an independent and high-level focus on the adequacy of the risk management framework, the internal control environment, the integrity of the financial reporting and governance processes. By overseeing internal and external audit it makes an important contribution to ensuring that effective assurance arrangements are in place.

#### Generally

2. To draw to the attention of the appropriate scrutiny committee, or Cabinet or any other committee, as appropriate any issues which in the Committees view would benefit from a scrutiny review or Cabinet's or a committee's further investigation.

#### Governance, risk and control

3. To review the council's corporate governance arrangements against the good governance framework, including the ethical framework and consider the local code of governance.
4. To review the AGS (Annual Governance Statement) prior to approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account internal audit's opinion on the overall adequacy and effectiveness of the council's framework of governance, risk management and control.
5. To ensure compliance with relevant legislation, guidance, standards, codes and best practice, whether external or internal;
6. To consider the council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.
7. To consider the council's framework of assurance and ensure that it adequately addresses the risks and priorities of the council.
8. To monitor the effective development and operation of risk management in the council.
9. To monitor progress in addressing risk-related issues reported to the committee.
10. To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.
11. To review the assessment of fraud risks and potential harm to the council from fraud and corruption.
12. To monitor the counter-fraud strategy, actions and resources.
13. To review the governance and assurance arrangements for significant partnerships or collaborations.

## Internal audit

14. To approve the internal audit charter.
15. To review proposals made in relation to the appointment of external providers of internal audit services and to make recommendations.
16. To approve the risk-based internal audit plan, including internal audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources.
17. To approve significant interim changes to the risk-based internal audit plan and resource requirements.
18. To make appropriate enquiries of both management and the head of internal audit to determine if there are any inappropriate scope or resource limitations.
19. To consider any impairments to independence or objectivity arising from additional roles or responsibilities outside of internal auditing of the head of internal audit. To approve and periodically review safeguards to limit such impairments.
20. To consider reports from the head of internal audit on internal audit's performance during the year, including the performance of external providers of internal audit services. These will include:
  - updates on the work of internal audit including key findings, issues of concern and action in hand as a result of internal audit work
  - regular reports on the results of the QAIP (Quality Assurance Improvement Programme)
  - reports on instances where the internal audit function does not conform to the PSIAS, (Public Sector Internal Audit Standards) considering whether the non-conformance is significant enough that it must be included in the AGS.
21. To consider the head of internal audit's annual report:
  - The statement of the level of conformance with the PSIAS – this will indicate the reliability of the conclusions of internal audit.
  - The opinion on the overall adequacy and effectiveness of the council's framework of governance, risk management and control together with the summary of the work supporting the opinion – these will assist the committee in reviewing the AGS.
22. To consider summaries of specific internal audit reports as requested.
23. To receive reports outlining the action taken where the head of internal audit has concluded that management has accepted a level of risk that may be unacceptable to the authority or there are concerns about progress with the implementation of agreed actions.
24. To contribute to the QAIP and in particular, to the external quality assessment of internal audit that takes place at least once every five years.
25. To consider a report on the effectiveness of internal audit to support the AGS.
26. To provide free and unfettered access to the audit committee chair for the head of internal audit, including the opportunity for a private meeting with the committee.

## External audit

27. To support the independence of external audit through consideration of the external auditor's annual assessment of its independence and review of any issues raised by PSAA (Public Sector Audit Appointments) or the authority's auditor panel as appropriate.
28. To consider the external auditor's annual letter, relevant reports and the report to those charged with governance.
29. To consider specific reports as agreed with the external auditor.
30. To comment on the scope and depth of external audit work and to ensure it gives value for money.
31. To advise and recommend on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies.

## Financial reporting

32. To review the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the council.
33. To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.

## Accountability arrangements

34. To report to those charged with governance on the committee's findings, conclusions and recommendations concerning the adequacy and effectiveness of their governance, risk management and internal control frameworks, financial reporting arrangements, and internal and external audit functions.
35. To report to full council on a regular basis on the committee's performance in relation to the terms of reference and the effectiveness of the committee in meeting its purpose.
36. To publish an annual report on the work of the committee.

## Treasury Management

37. To be responsible for ensuring effective scrutiny of the treasury management strategy and policies. Receiving regular reports of activity, reviewing the treasury risk profile and adequacy of treasury risk management processes.

## Ethical Governance

38. To promote high standards of conduct by councillors and co-opted members.
39. To grant dispensations to councillors and co-opted members from the requirements relating to interests set out in the code of conduct for members
40. To receive a report from member-officer standards panels appointed to investigate allegations of misconduct under the members' code of conduct.
41. To advise the Council as to the adoption or revision of the members' code of conduct.

## Elections

42. To appoint the County Returning Officer for the purposes of county council elections
43. To carry out other relevant electoral functions under Section D of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, including the annual setting of the scale of fees for County Council elections.

## Appeals & Tribunals Sub – Committee

44. The Committee will appoint an Appeals & Tribunals Sub-Committee which will have the following responsibilities and membership:

### Responsibilities:

- (i) The determination of appeals against decisions made by or on behalf of the authority as specified in Paragraph 2 of Schedule 2 to the Functions Regulations.
- (ii) To hear and determine appeals in cases where the relevant procedure rules require this function to be performed by a formally constituted committee or sub-committee.
- (iii) To hear and determine appeals in other cases under the relevant procedure rules.

### Membership:

The Appeals & Tribunal Sub-Committee will meet as needed and its membership will be:

- (i) A member of the Audit & Governance Committee (or substitute)
- (ii) Two other members of the Council (one being a Cabinet member in the case of Fire Discipline issues)

November 2019.



## **AUDIT WORKING GROUP TERMS OF REFERENCE**

### **Membership**

The Audit Working Group shall consist of:

The independent member of the Audit and Governance Committee who will chair the Group, together with four members of the Audit and Governance Committee, one of whom shall be the Chair of the Committee. There will also be up to four named members of the Audit and Governance Committee who will deputise as required. Where the Chair of the Audit and Governance Committee cannot attend the Audit Working Group, the Deputy Chair of the Audit and Governance Committee will be the named deputy. (The position of Chair of the Audit Working Group is subject to review upon changes of membership)

The Director of Finance and/or Assistant Director of Finance Officer, Director of Law and Governance (& Monitoring Officer), and the Chief Internal Auditor, or their representatives shall attend the Group meetings.

Members of the Group and their deputies should have suitable background and knowledge to be able to address satisfactorily the complex issues under consideration and should receive adequate training in the principles of audit, risk and control.

All members of the Audit and Governance Committee can attend Audit Working Group Meetings as observers.

### **Role**

The Audit Working Group shall:

- act as an informal working group of the Audit and Governance Committee in relation to audit, risk and control to enable the Committee to fulfil its responsibilities effectively in accordance with its terms of reference.
- undertake a programme of work as defined by the Audit and Governance Committee.
- consider issues arising in detail as requested by the Audit and Governance Committee.
- receive private briefings on any matters of concern.

### **Reporting**

The Director of Finance will report to the Audit and Governance Committee on matters identified by the Group following consultation with the Chair and members of the Group.

### **Meeting**

The Group shall meet when required, as requested by the Audit and Governance Committee. The Group may invite any officer or member of the Council to attend its meetings to discuss a particular issue and may invite any representative of an external body or organisation as appropriate.

### **Confidentiality**

The Group will meet in private to allow full and frank consideration of audit, risk, and control issues.

All matters discussed and papers submitted for the meetings including minutes of the previous meeting must be treated as confidential. Papers will be circulated in advance to all members of the Audit and Governance Committee for information whether attending the Group or not.

Where any other member wishes to inspect any document considered by the Group and believes that s/he has a "need to know" as a County Councillor, the procedure in the Council's Constitution relating to Members Rights and Responsibilities (Part 9.3) shall apply.

Updated .....March 2022

Review Date.....March 2023

Officer Responsible:  
Sarah Cox, Chief Internal Auditor  
sarah.cox@oxfordshire.gov.uk

Oxfordshire County Council Calendar of Meetings 2022/23<sup>1</sup>

Council	Cabinet	Cabinet Member Decisions for Leader; Deputy Leader and Children, Education & Young People's Services; Community Services & Safety; Corporate Services; and Finance	Cabinet Member Decisions for Climate Change Delivery & Environment	Cabinet Member Decisions for Adult Social Care; Cabinet Member Decisions for Public Health & Equality	Cabinet Member Decisions for Highway Management	Cabinet Member Decisions for Travel & Development Strategy
Tues 10.00am	Tues 2.00pm	Tues at 3.00 pm or on the rising of Cabinet	Thurs at 2.00 pm	Tues at 9.00am	Thurs at 10.00am	Wed at 10.00am
<b>2022</b> 17 May – Annual Council – 12 Jul 13 Sept 1 Nov 13 Dec <b>2022</b> 14 Feb 28 Mar <sup>2</sup> - <b>2022/23</b> 16 May 2023 – Annual Council	<b>2022</b> 24 May 21 Jun 19 Jul 20 Sept 18 Oct 15 Nov 20 Dec <b>2023</b> 24 Jan 21 Feb 21 Mar 18 Apr	<b>2022</b> 24 May 21 Jun 19 Jul 20 Sept 18 Oct 15 Nov 20 Dec <b>2023</b> 24 Jan 21 Feb 21 Mar 18 Apr	<b>2022</b> 26 May 23 Jun 21 Jul 8 Sept 13 Oct 17 Nov 8 Dec <b>2023</b> 26 Jan 23 Feb 23 Mar 27 Apr	<b>2022</b> 7 Jun 5 Jul 6 Sept 4 Oct 8 Nov 6 Dec <b>2023</b> 17 Jan 21 Feb 21 Mar 25 Apr	<b>2022</b> 26 May 23 Jun 21 Jul 8 Sept 13 Oct 17 Nov 8 Dec <b>2023</b> 26 Jan 23 Feb 23 Mar 27 Apr	<b>2022</b> 8 Jun 6 Jul 7 Sept 5 Oct 9 Nov 7 Dec <b>2023</b> 11Jan 22 Feb 22 Mar 26 Apr

Oxfordshire County Council Calendar of Meetings 2022/23<sup>1</sup>

Performance & Corporate Services Overview & Scrutiny Committee	Place Overview & Scrutiny Committee	Joint Oxfordshire Health Overview & Scrutiny Committee	People Overview & Scrutiny Committee	Audit & Governance Committee	Planning & Regulation Committee	Pension Fund Committee	Health & Wellbeing Board	Remuneration Committee
Fri 10.00am	Weds 1.00pm	Thurs 10.00am	Thurs 10.00 am	Weds 2.00pm	Mon 2.00pm	Friday 10.00am	Thurs 2.00pm	Fri 4.00pm
<b>2022</b> 17 Jun 9 Dec <b>2023</b> 27 Jan 28 Apr	<b>2022</b> 15 Jun 16 Nov <b>2023</b> 25 Jan 26 April	<b>2022</b> 9 Jun 22 Sept 24 Nov <b>2023</b> 8 Feb 20 Apr	<b>2022</b> 16 Jun 10 Nov <b>2023</b> 12 Jan 30 Mar	<b>2022</b> 20 Jul 21Sept 23 Nov <b>2023</b> 18 Jan 15 Mar 10 May	<b>2022</b> 6 Jun 18 Jul 5 Sept 17 Oct 28 Nov <b>2023</b> 16 Jan 27 Feb 17 Apr	<b>2022</b> 10 Jun 9 Sept 2 Dec <b>2023</b> 3 Mar	<b>2022</b> 30 Jun 6 Oct 1 Dec <b>2023</b> 16 Mar	<b>2022</b> 13 Jan

**Oxfordshire County Council Calendar of Meetings 2022/23<sup>1</sup>**

Teachers Joint Consultative	Employees Joint Consultative	Fire Service Joint Consultative	Thames Valley Police & Crime Panel	Local Pension Board
Thurs 2.00pm	Thurs 2.00pm	Friday 10.00am	Fri, 10.00am	Fri, 10.30am
<p><b>2022</b></p> <p>7 Jul</p> <p>3 Nov</p> <p><b>2023</b></p> <p>2 Mar</p>	<p><b>2022</b></p> <p>9 Jun</p> <p>29 Sep</p> <p>25 Nov</p> <p><b>2023</b></p> <p>2 Feb</p>	<p><b>2022</b></p> <p>24 Jun</p> <p>23 Sept</p> <p>9 Dec</p> <p><b>2023</b></p> <p>10 Mar</p>	<p><b>2022</b></p> <p>24 Jun</p> <p>16 Sept</p> <p>18 Nov</p> <p><b>2023</b></p> <p>27 Jan</p> <p>24 Mar</p>	<p><b>2022</b></p> <p>8 Jul</p> <p>21 Oct</p> <p><b>2023</b></p> <p>20 Jan</p> <p>5 May</p>

**Notes**

<sup>1</sup> Dates are subject to change. The website will be updated and Members notified accordingly.

<sup>2</sup> April Council meeting brought forward to avoid Easter

<sup>3</sup> February Council meeting brought forward to aid District Council budget setting

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**Divisions Affected - None**

**COUNCIL  
17 May 2022**

## **DISPENSATIONS**

**Report by Director of Law & Governance**

### **RECOMMENDATION**

1. The Council is **RECOMMENDED** to
  - a) approve, under **Section 33 of the Localism Act 2011**, the general dispensations, listed at paragraph 7 of this report, for all elected and co-opted voting Members of Oxfordshire County Council;
  - b) agree that those general dispensations should remain in force for a period of three years;
  - c) agree that the granting of individual dispensations under **Section 33 of the Localism Act 2011** and the Code of Conduct be delegated to the Monitoring Officer

### **Executive Summary**

2. This report proposes that Council approve a number of general dispensations under the Localism Act 2011, such dispensations to remain in force for a period of three years, in the interests of good governance and the effective conduct of public affairs. It also recommends that the power to grant individual dispensations be delegated to the Monitoring Officer

### **Background**

3. The Localism Act 2011 ('the Act') made significant changes to the Standards regime. Under the Act the Council has a statutory duty to promote and maintain high standards of conduct by both its Elected Members and co-opted Members. The Council is obliged to adopt a Code of Conduct setting out the conduct expected of elected and co-opted voting Members whenever they act in their official capacity as a Member

4. On 5 April 2022 the Council adopted a Member Code of Conduct ('the Code of Conduct') which was recommended by the Local Government Association.
5. The Act prevents Members from participating in any business of the Council where they have a Disclosable Pecuniary Interest (DPI) unless they have sought a dispensation under Section 33 of the Act. Applications must be made in writing and dispensations may be sought for a period of up to four years.
6. Dispensations may be sought on the following grounds:
  - a) That so many Members of the decision making body have a disclosable pecuniary interest in a matter that the business of the meeting would be impeded
  - b) Without a dispensation the representation of different political groups on the body would be so upset as to alter the outcome of any vote
  - c) The dispensation is in the interests of persons living in the area
  - d) No Member of the Cabinet would be able to participate on the matter without a dispensation
  - e) It is otherwise appropriate to grant a dispensation.

### **General Dispensations**

7. It is proposed that general dispensations to speak and vote on the following items are granted to all Oxfordshire County Council Members and co-opted voting Members and that those dispensations remain in force until the next Council elections:
  - Determining an allowance (including special responsibility allowances), travelling expense, payment or indemnity given to Members
  - Housing Benefit/ Universal Credit: where the Councillor (or spouse or partner) receives housing benefit or universal credit;
  - Any Ceremonial Honours given to Members;
  - Setting the Council Tax precept under the Local Government and Finance Act 1992 (or any subsequent legislation).

### **Council Tax**



8. Guidance issued by the Department for Communities and Local Government (DCLG) in 2012 (updated September 2013): Openness and transparency on personal interests stated in summary that the DCLG view was that Members did not need a dispensation to take part in the business of setting the council tax or precept or local arrangements for council tax support because this is a decision affecting the generality of the public in the area rather than Members as individuals.
9. If granted, the dispensation for council tax relates to a Member's DPI and does not affect a Member's obligation under Section 106 of the Local Government Finance Act 1992 to declare and not vote if they are 2 months or more in arrears with their council tax when voting on setting the Council's budget.
10. Historically the Council has relied on this DCLG guidance and has not sought dispensations for Members to speak and vote on matters relating to council tax. However, as the DCLG guidance is not statutory and has not been tested in court, the Monitoring Officer considers it prudent and transparent to include council tax in the general dispensation.

### **Delegation to the Monitoring Officer**

11. Council could be requested to grant individual dispensations, but to address concerns about the timely consideration of an application for a dispensation it is recommended that the granting of dispensations to an individual member under Section 33 of the Act be delegated to the Monitoring Officer on application in writing.
12. Such delegation would operate on the following basis:
  - The Monitoring Officer would be the sole decision taker but would act in consultation with the Chief Executive
  - The delegation would apply to applications from an individual Member only.

### **Code of Conduct**

13. The Code of Conduct also requires councillors not to speak or vote where a matter directly relates to, or significantly affects, the financial interest or well-being of one of their Other Registrable Interests, or directly relates to, or significantly affects, a non-registrable interest of a councillor, relative or close associate and in all cases to leave the room. A proviso is made that they may speak but only if members of the public are allowed to speak on the matter. Although not included in s33, the Code refers to the Monitoring Officer being able to grant dispensations to allow Councillors with such interests to speak and vote. It is recommended that Council authorise the Monitoring Officer to grant dispensations on the basis described in paragraph 12 above.

### **Corporate Policies and Procedures**

14. This report supports the Council's Strategic Plan 2022-25 of promoting a vibrant and participatory local democracy. The proposed dispensations and the ability of the Monitoring Officer to grant individual dispensations seek to promote participation by Councillors in matters where otherwise they would be unable to speak and vote, and unable to represent their constituents.

### **Legal Implications**

15. Any legal implications arising from the legislation (The Localism Act 2011, Section 33) are set out in the body of this report.

### **Financial Implications**

16. None

### **Staff Implications**

17. There are no staffing implications associated with this report

### **Equality & Inclusion Implications**

18. There are no direct equality and inclusion implications associated with this report.

### **Sustainability Implications**

19. There are no sustainability implications associated with this report

### **Risk Management**

20. Not putting in place the recommended general dispensations would mean that every Member would need to apply for a personal dispensation when the relevant matters arose. Not putting in place the recommended delegation would mean that it might not be possible for applications for a personal dispensation to be considered and acted upon in a timely manner. This would not be an efficient use of the Council's resources or in the public interest

### **Consultations**

21. There are no consultation implications associated with this report

Anita Bradley  
Director of Law & Governance

Contact Officer: Michael Bowness, Interim Head of Governance

May 2022

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