

# **County Council**

**10 September 2024**

## **Agenda**

To: **Members of the County COUNCIL**

***Notice of a Meeting of the County Council***

**Tuesday, 10 September 2024 at 10.30 am**

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

If you wish to view proceedings, please click on this [Live Stream Link](#). Please note, that will not allow you to participate in the meeting.



Martin Reeves  
Chief Executive

September 2024

*Committee Officer:*

***Colm Ó Caomhánaigh***

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# AGENDA

## 1. Minutes (Pages 1 - 10)

To approve the minutes of the meeting held on 9 July 2024 (CC1) and to receive information arising from them.

## 2. Apologies for Absence

## 3. Declarations of Interest - see guidance note

Members are reminded that they must declare their interests orally at the meeting and specify (a) the nature of the interest and (b) which items on the agenda are the relevant items. This applies also to items where members have interests by virtue of their membership of a district council in Oxfordshire.

## 4. Official Communications

## 5. Appointments

To make any changes to the membership of scrutiny and other committees on the nomination of political groups and to note any changes to the Cabinet made by the Leader of the Council.

## 6. Petitions and Public Address

Members of the public who wish to speak on an item on the agenda at this meeting, or present a petition, can attend the meeting in person or 'virtually' through an online connection. Requests must be submitted no later than 9am one working day before the meeting i.e., 9am on Monday 9 September 2024 Requests to speak should be sent to [committeesdemocraticservices@oxfordshire.gov.uk](mailto:committeesdemocraticservices@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 on the day of the meeting. Written submissions should be no longer than 1 A4 sheet.

## 7. Questions with Notice from Members of the Public

## 8. Questions with Notice from Members of the Council

## 9. Report of the Cabinet (Pages 11 - 14)

Report from Leader of the Council.

The report summarises the decisions from the Cabinet meeting on 16 July 2024.

## 10. Treasury Management Annual Performance 2023/24 (Pages 15 - 28)

Report by the Executive Director of Resources & Section 151 Officer

The Chartered Institute of Public Finance and Accountancy's (CIPFA's) 'Code of Practice on Treasury Management 2021' requires that the Council and Audit & Governance Committee receive a report on Treasury Management activities at least four times per year. This report is the final report for the financial year 2023/24 and sets out the position at 31 March 2024.

**Council is RECOMMENDED to note the Council's treasury management activity and outcomes in 2023/24.**

### EXEMPT ITEM

*It is RECOMMENDED that the public be excluded for the duration of item 11 since it is likely that if they were present during that item there would be disclosure of exempt information as defined in Part I of Schedule 12A to the Local Government Act 1972 (as amended) and specified below in relation to those items and since it is considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.*

**THE REPORT AND ANNEXES TO THE ITEM HAVE NOT BEEN MADE PUBLIC AND SHOULD BE REGARDED AS 'CONFIDENTIAL' BY MEMBERS AND OFFICERS ENTITLED TO RECEIVE THEM.**

**THIS ALSO MEANS THAT THE CONTENTS SHOULD NOT BE DISCUSSED WITH OTHERS AND NO COPIES SHOULD BE MADE.**

## 11. Proposed Leadership Restructuring - Tiers 3 and 4 (To Follow)

The information contained in the report is exempt in that it falls within the following prescribed categories:

Paragraph 1 Information which is likely to reveal the identity of an individual.

Paragraph 4 Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority,

and since it is considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, in that there is an expectation that consultation and negotiation should take place primarily away from the glare of publicity and public scrutiny in keeping with employment law.

Report of the Chief Executive

## **MOTIONS WITH NOTICE FROM MEMBERS OF THE COUNCIL**

*WOULD MEMBERS PLEASE NOTE THAT ANY AMENDMENTS TO MOTIONS WITH NOTICE MUST BE PRESENTED TO THE PROPER OFFICER IN WRITING BY 9.00 AM ON THE FRIDAY BEFORE THE MEETING*

### **12. Motion by Councillor Kate Gregory**

The Two Child limit to benefit payments was introduced by the Conservative Government in 2017 and is supported by the current Labour Government. It prevents families from claiming Child Tax Credit or Universal Credit for more than 2 children in the household.

Council notes the recent research conducted by the End Child Poverty Coalition which has found that:

- 1.5 million children in the UK live in households subject to the two-child limit on benefit payments. That is roughly one-in-ten children in the UK.
- In 2023/24 the two-child limit cost families up to £3,235 per child each year.
- Scrapping the two-child limit would lift 250,000 children out of poverty overnight, and significantly reduce the level of poverty that a further 850,000 children live in.
- Scrapping the two-child limit would cost £1.3 billion, however it is estimated that child poverty costs the economy £39 billion each year.

In Oxfordshire 10,850 children in 3050 households are currently affected by the two-child limit to benefit payments.

Council believes that the two-child limit is a cruel policy that should be scrapped.

Council resolves to:

- Ask the Leader of the Council to write to the Chancellor of the Exchequer and the Prime Minister expressing Oxfordshire County Council's strong belief that the two child limit to benefit payments should be scrapped.
- Ask the Leader to write to all MPs covering the Oxfordshire area, asking them to commit their public support

### **13. Motion by Councillor Sally Povolotsky**

In September 2023, Ofsted and the Care Quality Commission declared their judgment post inspection that the Local Area Partnership (LAP) had multiple systemic failures.

Despite the Priority Action Plan (PAP), the Council is failing to meaningfully engage with and capture the voice of the user, our young people.

Council calls on Cabinet to consider;

1. Meaningfully involving young people and youth organisations throughout all policy-making processes within SEND improvement and the PAP. Co-management and co-creation structures are the best way to ensure direct participation.
2. Any consultations or engagement with young people by this council must have a visible public follow-up to the outcomes.
3. All Council policies and frameworks that affect young people, must include an impact assessment, and ensure there are mitigation measures in place for those youth groups that might be negatively impacted by a new policy or framework.
4. Ensuring all future events, in person/online, run by or funded by OCC, especially those related to the PAP, LAP, and SEND improvement, are open to all young people with the attendance of their parent or carer.
5. Launching a rapid task force for the voice of the young person and SEND users, and task them to create a framework for a Youth Forum within 3 months of this meeting date.
6. The leader to appoint a SEND Champion to enable seldom heard voices in the SEND community to feed into SEND improvement and services, and that person to sit on the SEND Improvement board.

*Note: The motion, if passed, would constitute the exercise of an executive function in which case it will be referred to the Cabinet together with any advice the Council may wish to give, in accordance with Rule 13.5.1 (i) of the Council Procedure Rules in the Constitution.*

#### **14. Motion by Councillor Eddie Reeves**

This Council deplores the government's decision to cut Winter Fuel Payments (WFPs). Age UK estimates that the government's changes to WFPs could hit 2 million people across the country, who badly need the money to stay warm this winter.

This Council resolves to:

- Request Cabinet to launch a countywide awareness campaign working with our City and District Councils, local NHS partners, and charitable, civic and religious groups, to encourage elderly residents who are eligible for means-tested benefits such as Pension Credit to register and claim them to ensure that they continue to receive WFPs this Winter.
- Request that the Leader of the Council writes to the Chancellor of the Exchequer, urging a review of the government's precipitous decision to means-test WFPs without public consultation and asking HM Treasury to ensure that vulnerable pensioners, particularly those who are eligible for, but who do not – or cannot – claim, other benefits under current thresholds are protected from fuel poverty.
- Request that the Cabinet reprioritises monies within the Council's budget for 2024/5 held within the Budget Priority Reserve and/or within other relevant contingency funds,

with a view to establishing an Oxfordshire Winter Fuel Payment Protection Fund, akin to the Oxfordshire Resident Support Scheme, to ensure that pensioners who are in genuine hardship, but who are not eligible for other government support, are helped through the Winter.

*Note: The motion, if passed, would constitute the exercise of an executive function in which case it will be referred to the Cabinet together with any advice the Council may wish to give, in accordance with Rule 13.5.1 (i) of the Council Procedure Rules in the Constitution.*

## **15. Motion by Councillor Mark Cherry**

Council requests Cabinet to consider approving the Councils for Fair Tax declaration.

This commits Councils to

- Lead by example and demonstrate good practice in our tax conduct, right across our activities.
- Ensure IR35 is implemented robustly and contract workers pay a fair share of employment taxes.
- Not use offshore vehicles for the purchase of land and property, especially where this leads to reduced payments of stamp duty.
- Undertake due diligence to ensure that not-for-profit structures are not being used inappropriately by suppliers as an artificial device to reduce the payment of tax and business rates.
- Demand clarity on the ultimate beneficial ownership of suppliers, UK and overseas, and their consolidated profit & loss position, given lack of clarity could be strong indicators of poor financial probity and weak financial standing.
- Promote Fair Tax Mark certification especially for any business in which we have a significant stake and where corporation tax is due.
- Support Fair Tax Week events in the area, and celebrate the tax contribution made by responsible businesses that are proud to promote responsible tax conduct and pay their fair share of corporation tax.

Council also requests the Leader of the Council to write to the Chancellor of the Exchequer supporting calls for urgent reform of UK procurement law to enable local authorities to better penalise poor tax conduct and reward good tax conduct through their procurement policies.

*Note: The motion, if passed, would constitute the exercise of an executive function in which case it will be referred to the Cabinet together with any advice the Council may wish to give, in accordance with Rule 13.5.1 (i) of the Council Procedure Rules in the Constitution.*

## **16. Motion by Councillor Stefan Gawrysiak**

In December Oxfordshire County Council removed 7 beds from the Chiltern care home. These beds were removed without any consultation with the GP's who run them, Henley Town Council and the community of South Oxfordshire and Henley. This lack of consultation by the Council is unacceptable.

These beds were originally provided as NHS beds.

Following FOI requests to the Integrated Care Board Buckinghamshire Oxfordshire Berkshire West (ICB BOB) and the Council we have firmly established that these beds are NHS Beds funded by ICB, the Council and Oxford Health NHS Foundation Trust and cannot be closed without consultation.

Dr Broughton interim Chief Executive of the ICB BOB states 28<sup>th</sup> February 2024 "The beds have not 'lost NHS funding', "The beds continued to be overseen by the Oxford University Hospital Hub team."

These beds are NHS beds which cannot be removed without consultation.

This Council:

1. Deplores the removal without consultation.
2. Believes these beds which serve a population of 140,000 of South Oxfordshire should be reinstated.

This Council requests that Cabinet:

3. Asks partners to seek to reinstate the 7 Chiltern Court Beds serving South Oxfordshire.
4. Conduct a consultation if they still wish to remove the beds.

*Note: The motion, if passed, would constitute the exercise of an executive function in which case it will be referred to the Cabinet together with any advice the Council may wish to give, in accordance with Rule 13.5.1 (i) of the Council Procedure Rules in the Constitution.*

## **17. Motion by Councillor Pete Sudbury**

In 2023, this Council unanimously agreed a motion committing to have due regard to the needs of future generations whilst meeting the needs of today.

We recognise that we are currently failing that by adding to accumulated damages from legacy climate pollution, which already vastly exceeds safe limits. That overshoot has doubled in the last 15 years.

We note:

"Baked in" economic damages of close to 20% of global GDP by 2050.

Reputable scientific/ energy industry bodies recognise the need for "negative emissions"; removing CO<sub>2</sub> from the atmosphere, scaling to multiple billions of tonnes annually from the 2030s and we are alarmed at the lack of credible plans to build up the required technologies to the level of sequestration required, partly due to lack of current demand.



We also regret unavoidable negative impacts on future generations' wellbeing from the requirement to finance this removal of our waste. We agree it is unacceptable to leave our children and grandchildren with potentially an impossible, unaffordable task to avoid a ghastly future.

We take our responsibility to future generations seriously and therefore request Cabinet to commit to:

- Promoting local R&D and commercialisation of emerging negative emission technologies (NETs).
- Going beyond net zero, into negative emissions on our own account, at the earliest reasonable opportunity, in ways that have local environmental/ economic benefit and/or contribute to scaling up NETs.
- Working with our partners, suppliers and our networks to build a significant level of "demand pull", further stimulating the growth of NET supply chains.

*Note: The motion, if passed, would constitute the exercise of an executive function in which case it will be referred to the Cabinet together with any advice the Council may wish to give, in accordance with Rule 13.5.1 (i) of the Council Procedure Rules in the Constitution.*

## **18. Motion by Councillor Ian Middleton**

In 2018 this Council passed a motion stating that it was opposed to the licensing of a badger cull in Oxfordshire.

When DEFRA announced that badger culling would be phased out by 2025, many people believed that the cull had ended. Sadly, culling in Oxfordshire intensified, seemingly with the intent of shooting as many badgers as possible before the deadline. Over 50% of the county is in the killing zones.

A new DEFRA policy now allows epidemiological culling or 'epi-culling', which involves killing up to 100% of badgers across a large area in response to a new cluster of herd breakdowns. Epi-Culling was first introduced in Cumbria, and has been adopted on a trial basis in parts of England over the past five years. Oxfordshire is now being considered by DEFRA for future epi-culling programmes.

A recent scientific report shows that epi-culling is ineffective as a control measure. However, DEFRA, Animal and Public Health Agenda, the bTB Hub/NFU and British Cattle Veterinary Association, continue to advocate its use.

This Council therefore :

1. Re-affirms our opposition to badger culling and condemns the introduction of epidemiological culling which has been shown to be an ineffective control measure for bTB.
2. Asks the Cabinet to consider a specific policy that badger culling will not be permitted on Council owned land.
3. Requests that the Leader writes to DEFRA making clear our continued

opposition to the cull and any extension of it in size and scope, especially with regard to epidemiological culling.

*Note: The motion, if passed, would constitute the exercise of an executive function in which case it will be referred to the Cabinet together with any advice the Council may wish to give, in accordance with Rule 13.5.1 (i) of the Council Procedure Rules in the Constitution.*

## **19. Motion by Councillor Sally Povolotsky**

Council notes it's been 12 months since Ofsted SEND report which resulted in identification of widespread and/or systemic failings leading to significant concerns.

Council notes the undue stress and costs for families to take cases of education needs for SEND children to tribunal.

People Scrutiny in October 2023, heard that no tribunal would be sanctioned without a director's approval, yet the number of parents appealing to SEND tribunal is at a record high.

Council recognises that tribunals often put families through extreme financial and mental strain, and that working together in a trauma-informed, restorative and truly co-produced way, will help this county's young people achieve better outcomes.

Council notes that the appointment of a SEND cabinet member has been ineffective on improving the county wide provision and the role should be reviewed urgently by the leader of this council.

Council recognises that unmet need is a combination of lack of provision and the previous government's "mainstream" agenda.

Council asks the Cabinet to

1. work towards better decisions actioned early on in cases so that families don't need the tribunal service to redress the unlawful practice.
2. form a rapid task force to work with officers to investigate tribunal case numbers and seek to develop a better solution between this council and SEND families in Oxfordshire.
3. explore the expansion of EOTAS and alternative provision for neurodivergent children unable to attend school, especially whilst the SEND provision undergoes enhancements and service growth in the county.

*Note: The motion, if passed, would constitute the exercise of an executive function in which case it will be referred to the Cabinet together with any advice the Council may wish to give, in accordance with Rule 13.5.1 (i) of the Council Procedure Rules in the Constitution.*

## **20. Motion by Councillor Charlie Hicks**

Council notes the success of bus franchising in Greater Manchester, where, since bringing buses back into public control, bus use is higher and bus services are more

reliable.

Subject to the outcome of the feasibility study, Council requests Cabinet to bring buses back into public control in Oxfordshire (through bus franchising) and to create an accessible and integrated transport network for Oxfordshire.

To enable the development of an accessible and integrated transport network, Council asks the Leader to write to the Secretary of State for MHCLG asking for the greatest possible devolution of transport and spatial planning powers as part of the devolution deal.

*Note: The motion, if passed, would constitute the exercise of an executive function in which case it will be referred to the Cabinet together with any advice the Council may wish to give, in accordance with Rule 13.5.1 (i) of the Council Procedure Rules in the Constitution.*

## **Councillors declaring interests**

### **General duty**

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed 'Declarations of Interest' or as soon as it becomes apparent to you.

### **What is a disclosable pecuniary interest?**

Disclosable pecuniary interests relate to your employment; sponsorship (i.e. payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licenses for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

### **Declaring an interest**

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest. If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

### **Members' Code of Conduct and public perception**

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member 'must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself' and that 'you must not place yourself in situations where your honesty and integrity may be questioned'.

### **Members Code – Other registrable interests**

Where a matter arises at a meeting which directly relates to the financial interest or wellbeing of one of your other registerable interests then you must declare an interest. You must not participate in discussion or voting on the item and you must withdraw from the meeting whilst the matter is discussed.

Wellbeing can be described as a condition of contentedness, healthiness and happiness; anything that could be said to affect a person's quality of life, either positively or negatively, is likely to affect their wellbeing.

Other registrable interests include:

- a) Any unpaid directorships
- b) Any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority.

- c) Any body (i) exercising functions of a public nature (ii) directed to charitable purposes or (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management.

### **Members Code – Non-registrable interests**

Where a matter arises at a meeting which directly relates to your financial interest or wellbeing (and does not fall under disclosable pecuniary interests), or the financial interest or wellbeing of a relative or close associate, you must declare the interest.

In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied:

Where a matter affects the financial interest or well-being:

- a) to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest.

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.