

# Briefing Note

(republished after the minutes publication to remove items now included in the minutes pack)

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## Council

Date: **Thursday 29 September 2016**

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Time: **5.00 pm**

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Place: **Council Chamber, Town Hall**

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For any further information please contact:

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This briefing note forms part of the Council agenda papers and should be read alongside these.

The Council meeting is available via a webcast. This means that people may choose to watch all or part of the meeting over the internet rather than attend in person. The webcast will be available to view on the City Council's website after the meeting.

PART 1 - PUBLIC BUSINESS		Pages
1	<b>APOLOGIES FOR ABSENCE</b>	Main agenda
2	<b>DECLARATIONS OF INTEREST</b>	
3	<b>MINUTES</b>  Minutes of the ordinary meeting of Council held on 25 July 2016. Council is asked to approve the minutes as a correct record.	
4	<b>APPOINTMENT TO COMMITTEES</b>  There are no proposed changes to committee memberships.	
5	<b>ANNOUNCEMENTS</b>  Announcements by: a) The Lord Mayor b) The Sheriff c) The Leader of the Council (including a statement from Councillor Rowley) d) The Chief Executive, Chief Finance Officer, Monitoring Officer	
6	<b>PUBLIC ADDRESSES AND QUESTIONS THAT RELATE TO MATTERS FOR DECISION AT THIS MEETING</b>  There are no speakers for this item.	
CITY EXECUTIVE BOARD RECOMMENDATIONS		Main agenda
7	<b>SUBMISSION TO ERDF INNOVATION CALL FOR OXFORDSHIRE</b>  The Board member, Councillor Price, will move the recommendation.  <b>The City Executive Board recommends Council</b> to approve the required match funding to deliver the capital (£33,939) and revenue (£45,000) elements of the projects detailed in this report.	

**8 QUARTERLY INTEGRATED PERFORMANCE 2016/17 - Q1**

The Board member, Councillor Turner, will move the recommendation.

**Main  
agenda**

**The City Executive Board recommends that Council** approve the additional budget of £0.118 million and £0.399 million for Super Connected Cities and Disabled Facilities Grant expenditure (*respectively*) to be financed from external grant funding in accordance with paragraph 12 of the report.

**9 REVIEW OF BUILDING CONTROL FEES AND CHARGES 2016**

The Board member, Councillor Hollingsworth, will move the recommendation.

**Main  
agenda**

**The City Executive Board recommends Council to approve** the proposed Building Control application fees and charges to take effect from 30 September 2016.

**10 TREASURY MANAGEMENT ANNUAL REPORT 2015/2016**

The Board member, Councillor Turner, will move the recommendation.

**Main  
agenda**

**The City Executive Board recommends that Council** approve the amendment to the Specified Investments list attached at Appendix 1 and paragraphs 35 – 37 of the report.

**COMMITTEE RECOMMENDATIONS**

**11 HACKNEY CARRIAGE & PRIVATE HIRE: PROPOSALS TO AMEND THE CRITERIA AND CONDITIONS APPLICABLE - SAFEGUARDING**

The Chair of the General Purposes Licensing Committee, Councillor Clarkson, will move the recommendation.

**Main  
agenda**

**The General Purposes Licensing Committee recommends that Council** adopt the amendments to the criteria applicable to the Hackney Carriage and Private Hire trades as set out in the report and appendix.

## OFFICER REPORTS

### 12 APPOINTMENT OF MONITORING OFFICER AND RETURNING OFFICER

The Leader, Councillor Price, will move the recommendations.

**Main  
agenda**

**Council is recommended to**

1. Approve the appointment of Peter Sloman, Chief Executive as the Council's Returning Officer and Electoral Registration Officer
2. Approve the designation of the Lindsay Cane, Acting Head of Law & Governance as the Council's Monitoring Officer.

### 13 ATTENDANCE MANAGEMENT POLICY AND PROCEDURE

The Board member, Councillor Brown, will move the recommendations and the Chief Executive will answer any questions.

**Main  
agenda**

**Council is recommended to**

1. Approve the Attendance Management Policy and Procedure attached at Appendix 1 with immediate effect.
2. Delegate authority to the Head of Business Improvement to amend the policies to reflect administrative changes and to correct any factual or legal errors.

## QUESTIONS

### 14 CITY EXECUTIVE BOARD MINUTES

This item has a time limit of 15 minutes.

Councillors may ask the Board Members questions about matters in these minutes.

**Main  
agenda**

**Minutes of meeting Thursday 14 July 2016 of City Executive Board**

**Minutes of meeting Monday 8 August 2016 of City Executive Board**

**Minutes of meeting Thursday 15 September 2016 of City Executive Board**

### 15 QUESTIONS ON NOTICE FROM MEMBERS OF COUNCIL

**Minutes  
pack**

Questions on notice from councillors received in accordance with Council Procedure Rules

The briefing note contains 29 questions submitted by the deadline and written responses.

## PART 2 - PUBLIC INVOLVEMENT AND SCRUTINY

### 16 PUBLIC ADDRESSES AND QUESTIONS THAT DO NOT RELATE TO MATTERS FOR DECISION AT THIS COUNCIL MEETING

Minutes  
pack

A total of 45 minutes is available for this item. Responses of up to three minutes are included in this time.

Two public addresses and two questions to Board members received in accordance with Council Procedure Rules and not related to matters for decision on this agenda are attached. Written responses are included below each question.

Up to five minutes is available for each public address and three minutes for each question.

### 17 OUTSIDE ORGANISATION/COMMITTEE CHAIR REPORTS AND QUESTIONS

Councillor Tanner will present a report on the work of the Oxford Environment Partnership.

Main  
agenda

Council is invited to note the report

There are no other reports to Council.

### 18 SCRUTINY COMMITTEE ANNUAL REPORT

The Vice Chair of the Committee, Councillor Hayes, and the Chair of the Committee for 2015/16, Councillor Simmons, will introduce this report and answer questions.

Main  
agenda

Council is invited to comment on and note the report.

## PART 3 - MOTIONS REPRESENTING THE CITY

### 19 MOTIONS ON NOTICE

attached

This item has a time limit of 60 minutes.

Council is asked to consider the motions and amendments set out in the attached report:

1. Local Government reorganisation (proposed by Councillor Gant, seconded by Councillor Fooks)

Six motions were received by the Head of Law and Governance by the deadline. Substantive amendments

2. Banning Glyphosate (proposed by Councillor Brandt, seconded by Councillor Thomas)
3. Housing Benefit (proposed by Councillor Hollingsworth.)
4. Refugees and Immigration (proposed by Councillor Landell Mills, seconded by Councillor Goddard)
5. EUchoose: Oxford's future within the EU (proposed by Councillor Simmons, seconded by Councillor Wolff)
6. Re-introduction of Grammar Schools (proposed by Councillor Sanders, seconded by Councillor Kennedy)

submitted  
before  
publication of  
this briefing  
note are  
included in the  
attached  
report

## 20 **MATTERS EXEMPT FROM PUBLICATION AND EXCLUSION OF THE PUBLIC**

If Council wishes to exclude the press and the public from the meeting during consideration of any aspects of the preceding agenda items it will be necessary for Council to pass a resolution in accordance with the provisions of Section 100A(4) of the Local Government Act 1972 specifying the grounds on which their presence could involve the likely disclosure of exempt information as described in specific paragraphs of Part 1 of Schedule 12A of the Act if and so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

(The Access to Information Procedure Rules – Section 15 of the Council's Constitution – sets out the conditions under which the public can be excluded from meetings of the Council)

(a)  
(b)

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**To: Council**

**Date: 29 September 2016**

**Title of Report: Motions and amendments received in accordance with Council Procedure Rule 11.17**

Councillors are asked to debate and reach conclusions on the motions and amendment listed below in accordance with the Council's rules for debate.

The Constitution permits an hour for debate of these motions.

## **Introduction**

This document sets out six motions received by the Acting Head of Law and Governance in accordance with Council Procedure Rule 11.17 by the deadline of 1.00pm on Monday 19 September, as amended by the proposers.

All substantive amendments sent by councillors to the Acting Head of Law and Governance by publication of the briefing note are also included below.

Unfamiliar terms are explained in the glossary or in footnotes.

**Motions will be taken in turn from the Liberal Democrat, Green, Labour, groups in that order.**

## **1. Local Government reorganisation (proposed by Councillor Gant, seconded by Councillor Fooks)**

### Liberal Democrat member motion

Council notes that government is still open to practical suggestions for local government reorganisation. Council notes that the benefits are far more likely to be achieved if council leaders in Oxfordshire are serious about reaching a consensus.

Council also notes that both of the recently-commissioned reports identified strengths and weaknesses in each proposal, and made recommendations for addressing them.

Council believes these recommendations are capable of forming the basis for further discussion.

Council therefore:

- Calls on all council leaders in the county to resume talks about a workable model of local government reorganisation, with the express intention of reaching a workable consensus, and with the primary objective of achieving the best outcomes for the people of Oxford in terms of service delivery and efficiencies, while ensuring local accountability is retained or enhanced.
- Calls on the leader of Oxford City Council to play a full and constructive part in such talks.

**Amendment proposed by Councillor Price and seconded by Councillor Tanner**

Sentence 1: replace '*local government reorganisation*' with '*devolution of funding and powers to local government*'

Sentence 2: replace everything after '*notes that*' with '*the government have made it crystal clear that devolution deals will only be agreed with groups of local authorities that make unified and consensual proposals to government*'

In the section after Council therefore: replace '*local government reorganisation*' with '*devolution*'.

**Motion as amended then reads:**

Council notes that government is still open to practical suggestions for *devolution of funding and powers to local government*. Council notes *the government have made it crystal clear that devolution deals will only be agreed with groups of local authorities that make unified and consensual proposals to government*.

Council also notes that both of the recently-commissioned reports identified strengths and weaknesses in each proposal, and made recommendations for addressing them.

Council believes these recommendations are capable of forming the basis for further discussion.

Council therefore:

- Calls on all council leaders in the county to resume talks about a workable model of *devolution*, with the express intention of reaching a workable consensus, and with the primary objective of achieving the best outcomes for the people of Oxford in terms of service delivery and efficiencies, while ensuring local accountability is retained or enhanced.
- Calls on the leader of Oxford City Council to play a full and constructive part in such talks.

**2. Banning Glyphosate (proposed by Councillor Brandt, seconded by Councillor Thomas )**

Green member motion

This Council notes that there is growing evidence that glyphosate is a higher health risk than previously assumed, and that the World Health Organisation has recently upgraded glyphosate to 'probably carcinogenic to humans'\*.

It further notes that other local councils in Britain - Hammersmith & Fulham being the most recent - have already decided to ban the use of glyphosate and other chemicals

from all their own operations. This is in the wake of large cities all over the world - such as Barcelona, Hamburg and Paris - who have already decided on a ban, and the Netherlands and Denmark, which have banned the use of glyphosate in urban areas.

In light of the known risk to human health, this Council resolves to ask the City Executive Board to follow the precautionary principle and:

1. Pledge to cut out the use of glyphosate completely from all its in-house operations (including in Parks, and Streetscene) within one year.
2. Consider the one year period until the ban takes effect as a testing period, during which the council will test non-chemical and mechanical alternatives to glyphosate. Banning glyphosate will not result in increased use of other chemical weed-killers.
3. Use the opportunity of the end of the current weed spraying contract in April 2017 to request the contractor ceases to use glyphosate, or find another local contractor who will abide by a glyphosate ban.
4. Grant an exception to the above ban regarding the control of Japanese knotweed, or other invasive species, where there are currently no effective mechanical techniques available. However, in this case glyphosate will only be stem-injected, rather than sprayed, to reduce its spread in the environment.

*\* "The IARC Working Group that conducted the evaluation considered the significant findings from the US EPA report and several more recent positive results in concluding that there is sufficient evidence of carcinogenicity in experimental animals. Glyphosate also caused DNA and chromosomal damage in human cells, although it gave negative results in tests using bacteria." (International Agency for Cancer Research (IACR), WHO, Monograph Volume 112: evaluation of five organophosphate insecticides and herbicides, 20th May 2015. <http://www.iarc.fr/en/media-centre/iarcnews/pdf/MonographVolume112.pdf>)*

### **3. Housing Benefit (proposed by Councillor Hollingsworth)**

#### Labour member motion

Council notes that the government has made a statement about the future of housing benefit in supported accommodation. Council believes that while the government's proposed delay in the restriction of housing benefit to the level of the Local Housing Allowance until 2019/20 is welcome, this change still runs the risk of jeopardising the future of hostels and other services such as refuges. Council believes that the proposed restriction of rents to the LHA level, with the remainder funded by a "top up" of funds locally, relies upon making an adequate level of funding available locally, and also giving certainty to supported accommodation providers to allow them to plan and invest. Council regrets the decision to insist upon a 1% rent reduction in supported housing for each of the next three years, and believes that, at a time of cuts to other public funding, this will impose unacceptable pressure upon hostel providers in Oxford and elsewhere. Council resolves to ask the Leader and Chief Executive to make appropriate representations to our local MPs, and also respond robustly to the forthcoming government consultation on this issue.

#### **4. Refugees and Immigration (proposed by Councillor Landell Mills, seconded by Councillor Goddard) – amended by the proposer**

##### Liberal Democrat member motion

This motion is amended by its proposer. This amended version below now forms the original motion for debate. Changes and additions are in italics.

##### Council notes:

1. The refugee crisis over the summer including refugees from Syria but also from other countries; the publication of a House of Lords report on unaccompanied migrant children in July 2016 and the visit by a delegation of senior local government figures to the Calais 'jungle' migrant camp in August 2016.
2. That an estimated 88,000 unaccompanied children are believed to be travelling through continental Europe, falling prey to exploitation and abuse.
3. and celebrates the generous response of Oxford residents at the 'Refugees Welcome' event last September and the excellent ongoing work of Asylum Welcome and other refugee organisations, and confirms its commitment to build on that spirit of welcome.
4. that Coventry City Council initially undertook to accommodate 50 of the most vulnerable Syrian refugees, and now houses around 250 refugees.
5. *The significant work of council officers in coordinating a county wide group to welcome refugees, and this week's announcement of a further 10 families*

##### Council believes and agrees:

1. That the UK must welcome its fair share of refugees to ease this crisis including unaccompanied refugee children.
2. That Oxford, as a city of sanctuary, should be at the forefront of the effort to promote safety and inclusion to people seeking refuge and sanctuary.
3. That refugees contribute a huge amount to local communities throughout the UK.
4. That, the whole process of resettlement - from assessment overseas, through placement with individual councils, to accessing essential services – must be rooted in the best interests of the child and adequately resourced.
5. That central Government should make additional funding available to local authorities to help with this and to build capacity, recognising pressures on housing and schools.
6. That, working together, local and central government can provide safety, stability and support to children in desperate need.
7. With the comments of David Simmons, Chair of the Local Government Association's Asylum, Refugee and Migration task group, that councils require more funding to cope with the resettlement challenges.

##### Council therefore:

1. Welcomes the central Government's commitment in the Immigration Act 2016 to create a resettlement scheme to bring unaccompanied refugee children from continental Europe to safety in the UK, *but notes the very slow progress*

*that has been made in implementing a scheme to cater for this highly vulnerable group.*

2. *It calls council members to sign Liberty's statement of support, pressuring central government to honour its commitment without delay (<https://www.liberty-human-rights.org.uk/campaigning/protect-refugee-children>).*
3. *Recognises the important role that the City Council and residents of Oxford have been playing in caring for children and their families seeking sanctuary, and the excellent liaison with the County Council that has been developed over the past 18 months in caring for unaccompanied minors.*
4. *Urges central Government, by writing to appropriate Ministers, to work closely with local government to ensure that councils have the funding and support to build the essential regional infrastructure necessary to secure the placement and support of children across the country, especially in relation to housing provision, educational needs, and English language provision, and help us build them a brighter, safer future.*
5. *Endorses the proposal to accommodate a further ten families under the SVPRS in 2017, that has been lodged with the Home Office and the Regional Partnership.*

## **5. EUchoose: Oxford's future within the EU (proposed by Councillor Simmons, seconded by Councillor Wolff) – amended by the proposer**

### Green member motion

This motion is amended by its proposer. This amended version below now forms the original motion for debate. Changes and additions are in italics.

On 23rd June the people of Oxford expressed a strong preference for remaining within the EU. As a City Council, we believe it is right and proper that we do our utmost to represent the views of our electors to those ministers negotiating the UK's exit.

On the assumption that the UK Government are intending to push ahead with Brexit, we ask the Leader to write on behalf of the Council to the relevant ministers reminding them of the city's strong views on EU membership and asking them to *seek to negotiate a revised Treaty relationship with the EU which would preserve the undoubted benefits that Oxford and our local economy have gained from the free movement of labour within Europe and from the common standards attaching to product certification and common environmental standards.*

For example, a negotiated settlement could offer UK residents e-citizenship of the EU (similar to the service Estonia is already offering) *or EU or dual citizenship could be available to those who meet certain criteria (as is already permitted in several countries).* It could allow certain companies who agreed to be bound by EU legislation preferential access to the single market

(Remaining text of original deleted and replaced with)

*The City Council will seek to adopt into its own practices and regulatory standards, those aspects of EU legislation which currently or in future provide better social and environmental protection to our citizens eg on air quality, pollution and family rights.*

**6. Reintroduction of Grammar Schools (proposed by Councillor Sanders, seconded by Councillor Kennedy)**

Labour member motion

This Council deplores the proposal put forward by Oxfordshire County Council's Cabinet Member for Children, Education and Families to put Oxfordshire forward to be one of the first counties in the country to re-introduce Grammar Schools.

This council declares its wholehearted opposition to this proposal and particularly before consultation with schools, teaching unions and other interested parties takes place.