

# Council Briefing Note

Date: **Monday 22 April 2013**

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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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The meeting will also be 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.



## SOUND SYSTEM- THE COUNCIL CHAMBER

Audio engineers have inspected the sound system in the Council Chamber and have concluded that the interference is caused by mobile phone signals and by iPads that are not connected to our WIFI. WIFI itself usually causes no problems with the sound system or the hearing loop.

Councillors and Officers are asked to note the following:

- Switch off all mobile phones or set them to flight mode
- Ensure iPads are defaulting to WIFI
- When speaking, Members/Officers to switch on the microphone and ensure it is on before speaking
- When standing, Members to address the Lord Mayor by turning their head if necessary and not the body to the point that it interferes with the sound field
- To avoid banging the benches as the loop is set up to counteract sudden sharp noises by cutting out momentarily

## CONDUCT OF COUNCIL BUSINESS

- (1) Members should switch off mobile devices unless:-

*They are expecting an urgent call, in which case they should use the vibrate mode for incoming calls and messages*

*They are using a mobile device to read the Council agenda*

- (2) Members should treat each other with mutual respect, should listen to what Members say and should not interrupt or disrupt Member speeches or addresses or questions by members of the public.
- (3) Council Business should be conducted through the Lord Mayor.
- (4) When the Lord Mayor stands to speak, all Members should sit down.
- (5) Members when speaking, should speak directly into the microphone and refrain from moving around when speaking as this affects the audibility of their voice, and they should also consider sitting when speaking.

## ORDER OF BUSINESS FOR COUNCIL ON 22<sup>ND</sup> APRIL 2013

The Lord Mayor will ask Council to agree that it take agenda item 11 (Governance Review) immediately after the break for Council tea (it is about 7.00pm).

***To be signed as a correct record by the Lord Mayor. The Constitution does not permit any “matters arising”***

See pages 1-38 of the main agenda.

## **2 DECLARATIONS OF INTEREST**

Guidance on this is contained within the main agenda. Members’ attention is drawn to Section 22 of the Constitution.

If Members have queries about possible interests, would they please discuss them with the Monitoring Officer before the meeting commences.

## **3 APOLOGIES**

## **4 APPOINTMENTS TO COMMITTEES**

## **5 LORD MAYOR'S ANNOUNCEMENTS**

***Questions and statements may be made on any announcements by the Lord Mayor***

## **6 SHERIFF'S ANNOUNCEMENTS**

***Questions and statements may be made on any announcements by the Sheriff***

## **7 ANNOUNCEMENTS BY THE LEADER**

- Blackbird Leys Stadium
- Covered Market

## **8 ANNOUNCEMENTS BY THE CHIEF EXECUTIVE, THE CHIEF FINANCE OFFICER AND THE MONITORING OFFICER**

## **9 ADDRESSES BY THE PUBLIC**

***NOTE: for items 9 and 10 combined, the Constitution sets a time limit of 45 minutes. If there is insufficient time to take all of the questions, the Constitution says that a written response will be given.***

The following members of the public have submitted requests to address Council along with the text of their address and have **up to 5 minutes each** to make their address.

- (1) Ian Smith (Chair of City of Oxford Swimming Club) – Temple Cowley

Pools

- (2) Peggy Seeger – Temple Cowley Pools
- (3) Sushila Dhall – Campaign to Protect Port Meadow

A note detailing comments by officers is also attached.

- (4) William Clark – Town Green Application Judicial Review
- (5) Sietske Boeles – Surplus Student Accommodation in East Oxford

## **10 QUESTIONS BY THE PUBLIC**

15 - 18

Details of the questions are attached to this Briefing Note.

### **City Executive Board recommendations – items 11 to 12**

## **11 GOVERNANCE REVIEW**

19 - 22

See pages 39 to 100 of the main agenda.

Proposed Green Group amendments to the recommendations listed in the main agenda report are attached to this Briefing Note.

## **12 ANNUAL LETTINGS PLAN - ALLOCATIONS PERCENTAGES 2013/14**

See pages 101 to 120 of the main agenda.

## **13 EXECUTIVE BOARD RECOMMENDATIONS (MINUTES) AND SINGLE EXECUTIVE MEMBER DECISIONS (MINUTES)**

See pages 121 to 132 of the main agenda.

## **14 RECOMMENDATIONS AND REPORTS FROM SCRUTINY COMMITTEES**

None submitted.

## **15 QUESTIONS ON NOTICE FROM MEMBERS OF COUNCIL**

23 - 30

### **(a) Questions notified in time for replies to be provided with this Briefing Note**

Details of these questions and responses are attached to this Briefing

Note.

**(b) Questions notified by the deadline in the Constitution (replies to be given orally at Council)**

Details of these questions are attached to this Briefing Note.

**16 STATEMENTS ON NOTICE FROM MEMBERS OF COUNCIL**

Councillor Oscar Van Nooijen, Chair of the West Area Planning Committee will make a Statement to Council.

**17 PETITION - 'TO BENEFIT THE PEOPLE OF OXFORD'**

See pages 133 to 134 of the main agenda.

**18 PETITION - 'SAVE R&R DANCE STUDIOS - HOME OF DANCE CONNECTION'**

See pages 135 to 138 of the main agenda.

**19 MOTIONS ON NOTICE**

*The Constitution provides for a total time of 90 minutes for this agenda item. Members' speeches are subject to a maximum of 3 minutes.*

See pages 139-144 of the main agenda.

**20 REPORTS AND QUESTIONS ABOUT ORGANISATIONS THE COUNCIL IS REPRESENTED ON**

**21 COLLECTIVE AGREEMENT ON PAY AND PAY POLICY STATEMENT**

See pages 145 to 174 of the main agenda.

**22 REGULATION OF INVESTIGATORY POWERS ACT 2000**

See pages 175 to 176 of the main agenda.

**23 MATTERS EXEMPT FROM PUBLICATION**



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## **Address to Council from Ian Smith – Chair of City of Oxford Swimming Club**

Thank you for the opportunity to speak to you today.

My name is Ian Smith and I am here in my capacity as Chair of City of Oxford Swimming Club to explain the necessity for the new swimming pool at Blackbird Leys to progress.

We have heard much over the past 3 years regarding delays due to legal objections to the project and I firmly believe that the Council should now hear some alternative to the views that have been so widely publicized.

The council now needs to understand that these delays are starting to put the very future of the Club, and the quality of swimming provision in Oxford, at risk.

Considering that there has been an Oxford Swimming Club since 1909 it would be an absolute tragedy if we had to move elsewhere or even folded. It would be an even greater tragedy if swimming provision was affected, reducing the ability of the public to partake and opportunities for children to learn to swim.

At a time when a large number of swimming clubs are experiencing problems the Club is currently growing and becoming more successful. This time last year there was a total of 296 swimmers and 202 Associate members. To date this year we have a total 344 swimmers, an increase of 16%. This has been achieved through the hard work of volunteers, giving their own time to promote swimming (both as a sport and a past time).

I state these figures as it is worth noting that the Club is many times the combined size of the Save Temple Cowley group and the Blackbird Leys group.

We are an inclusive Club and our swimmers cover a large age range, we have 7 year olds entering our Academy squads whilst we have swimmers aged 18 to 70 plus in our very successful Masters Squad. Our disability swimmers have in the past included Danielle Watts – Para Olympian and currently include Rosie Bancroft who is on the Road to Rio programme. Additionally, we are the disability hub club for Oxfordshire which means that if people with disabilities wish to take up swimming, they come through us and we assist at schools and through the club with a wide range of swimmers who have learning as well as physical disabilities.

COSC is also not just about competitive swimming. Many of the swimming teachers in Oxford and the surrounding area have connections past and present with COSC (COSC used to run the council's learn to swim programme). Our Head Coach also helps with schools learn to swim in a voluntary capacity.

We further support schools swimming by running Primary School and Secondary School Galas in cooperation with Oxford Sports Partnership and also assist Fusion with their Swim Fit programme.

As a Club we rely on having a competition pool (8 lanes 25m with spectator seating) to hold our events and raise funds and we would not be viable without such a facility. After all, where would a football club be without a football pitch?

We also currently rely on Temple Cowley pool heavily for our training using upwards of 110 lane hours per week and spending a large amount of money in the process. Pool time is in short supply and closure without a replacement would be devastating.

Our concerns would not be so great should recent experiences not have led us to believe that Temple Cowley's functional lifespan is severely limited. Whilst the building is still open the pool is rapidly becoming unsuitable for use and we have been forced to cancel a number of training sessions.

Opposition to the Blackbird Leys plan, whilst vociferous, originates from a small number of people with a great desire to protest but with little interest or involvement in swimming (certainly at Temple Cowley).

Whilst well organized, their arguments are disjointed and sometimes hypocritical with their leaders:

- Campaigning that swimming provision should stay within the ring road, whilst using Barton pool.
- Decrying the Blackbird Leys project as too expensive, whilst saying that their preferred option would be a new build at Cowley Marsh (which would cost more).
- Not using the facility or only visiting Temple Cowley for a convenient gym visit when there's a photo shoot.
- Encouraging the Blackbird Leys Town Green campaign and saying that the swimming club are 'elitist' whilst conducting a 'campaign of snobbery' regarding the reasoning for not wanting the move to Blackbird Leys to go ahead.
- Misleading people who sign their petitions. Initially some of our members even signed the petition not realizing that this related to the closure of Temple Cowley and a move to a new pool (which was often conveniently omitted from the request).

Having read their blog I am puzzled what the group's real motivation is. A desire for a greater involvement in local politics perhaps? Or aiming for revenge in a well-publicized dispute with a local politician?

It certainly has nothing to do with future leisure provision for the City!

The group claim that a full refurbishment could be achieved for £3m. They don't say how they arrived at this figure, what it would achieve, but do say it would last for 25 years?

Meanwhile:

- The City Council
- The County Council
- COSC
- Two High Court judges
- Fusion Lifestyle
- The ASA (who's raison d'être is to encourage and facilitate participation in swimming!)

All say that the Blackbird Leys plan is sound, just and should proceed.

Let us be honest here! Temple Cowley is a 1930's building, and not one of particular architectural interest!

The current pool perches rather precariously on the previous incarnation and is frankly past its sell by date. Large amounts of money will be required over the next few years to keep it functional.

The City needs to move forward with the development of leisure provision and has put plans in place to do so.

The tragedy is that a small, well motivated, but ultimately misguided group has been able to delay the development for 18 months.

Sadly, this has brought things to a crisis point and benefited no one except lawyers.

I therefore implore Oxford City Council (on behalf of the swimming community (present and future) who actually use Temple Cowley pool!) to proceed with building its replacement without haste, before we are left without a pool at all!

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## Peggy Seeger Council Address

Once upon a time ... eight Oxford city children went to the swimming pool at the Radley School. November 9, 2012. The occasion was a video shoot. The children were popeyed with wonder. They'd never been in a pool like this. You should have seen them on the two diving boards! There is a diving board at their own pool – Temple Cowley – but it was closed 6 years ago due. Lack of maintenance.

Also, in their pool, many of the lockers don't work, tiles are falling off, paintwork is peeling. Lack of maintenance that would seem to be deliberate for their council has given their pool a very very low budget compared to similar Oxford facilities. But soon these children will have no swimming pool at all because their council has voted to close it, along with the gym, the exercise rooms and the adjacent library. It's a fairy tale with no happily-ever-after.

My name is Peggy Seeger. I'm a singer and songwriter, North American by birth. I settled in the UK in 1956. I've become part of this country, working both for and against various issues. I moved to Oxford in 2010. This year I've identified specifically with the Temple Cowley Pools Campaign. It's my pool too and we've made a song for it. Google it – those children sang in the video along with a dozen other Oxfordians of all ages.

I'm not going to spend my time here talking about the campaign issues. You know all about that. It's because of this Council's attitude towards, and its duplicitous relationship with, such issues that I've decided to come here today. I've joined the Labour Party three times even though my political stance is far left of the Party. I've left the Labour Party twice, each time betrayed by its double-dealing, its conservative policies and the behaviour of its leaders. To me the word labour has positive connotations, among them honest work, democratic practices, community action, listening to others. To all others. I've heard enough about this essentially Labour council, your unilateral decision-making, your overweening ambitions, your statistic-falsifying, your disrespect and actual rudeness to constituents in this council chamber. It's disgraceful.

As I said, I've joined the Labour Party three times and left twice. I've just left for the third time and I'm not ever joining again. This council, this issue, has convinced me that the Labour Party is not worth MY trouble. Does that matter to you? Probably not. If I were Adele, an ex-Spice Girl, Jessica Ennis, then it might. I'm well-known in my field but I'm not a household name so no, I reckon I don't matter.

But then, it seems that there is a lot that doesn't matter to you. It is apparently of no concern to you that an enormous number of Oxford citizens not only don't want a number of your election-driven projects but that they haven't even been consulted before BANG! big old trees come down, SMASH! historic buildings and community facilities are demolished for student residences and questionable commercial ventures. SUPRISE! lovely old Oxford, the unique essence of Port Meadow, is gone, essentially (quote) *developed* (unquote) out of existence.

It also probably doesn't matter to you that the public has the perception that some of your leading members seem to have a conflict of interest in the instigation of many of these new projects - but we won't go into that. Right now.

I have come to the conclusion that this Labour-heavy Council is a law unto itself, rather like a priesthood. One must have faith to support it. I have never supported anything by faith alone. We put you where you are and we are angry – very angry.

A chain is as strong as its weakest link and this council is a very weak link in the Labour Party. I do still care what the Party does but this time I'll watch it from a safe distance and work in the Green Party, where I feel visible and useful. It's a time for Green Grass Growing anyway, for roots strengthening and joining from underneath – witness the Occupation movement. You're going to be left behind, swept away – and you know it, or you wouldn't be trying so hard to stay on top – at any cost.

## **Sushila Dhall – Campaign to protect Port Meadow – Address to Council**

You will recall that I addressed your December meeting about the outrage and upset that people feel about the vandalism to the views of the Dreaming Spires, and most particularly the Grade I listed St Barnabas spire from the unique common land that is Port Meadow. A most exceptionally beautiful view has been needlessly destroyed. You listened with what mostly appeared to be sympathy and understanding, (with a couple of notable exceptions who think the Roger Dudman Way buildings look fine), and referred the matter to WAPC, who agreed to ask Oxford University to work on ameliorating the height and mass of the buildings in order to restore the damaged views for current and future generations. However these fine words have led to nothing, and now it turns out that WAPC do not have a mandate to request officers to hold such talks with Oxford University. In addition very many irregularities in the planning process have been brought to light, not by this Council but by members of the public who have trawled through background documentation using FOI requests. To name but a few: uncompromising heritage advice from within this Council was ignored and suppressed, the apex of roofs being very minimally lowered in order to justify this being shocking and unacceptable, soil contamination surveys were not carried out, trees are said to be able to be planted where they will not be, and anyway trees will never hide these ugly tall blocks, the view cone has been destroyed, consultation that was said to have taken place did not, numbers of rooms have been fudged, and still not EIA has taken place, meaning that the impact of light pollution from these buildings, amongst other things, has not been assessed. A figure of £20 million to rectify the situation has been bandied about without basis as scaremongering to try to get people to react against our campaign, and has not yet been clearly stated by Oxford City Council as a figure without basis. These things have made us lose faith in the workings of this City Council, and we therefore support the legal challenge which is ongoing. However there is still a chance to redeem yourselves, by accepting things have not gone as they should have, and applying to the Sec of State for revocation of this planning permission. You know it is the right thing to do.

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## Sushila Dhall – Campaign to protect Port Meadow – Address to Council

### Officer comments

#### West Area Planning Committee (WAPC) mandate

Council asked the Head of City Development (HoCD) to bring forward as soon as possible in the New Year, a report to WAPC, setting out any general lessons that need to be learned from the handling of this application and an assessment of the scope for further measures that are legally possible and that would contribute in the long and the short term to mitigate the impact on the views looking south from Port Meadow.

The HoCD submitted a report to the 7 February 2013 meeting of WAPC. The meeting resolved to

- (1) instruct the HoCD to negotiate with the University of Oxford in order to ameliorate the size and impact of the development
- (2) instruct the HoCD to report back to on the progress of those negotiations (by the April meeting at the latest;
- (3) establish a working party to recommend to the Council any changes to policies or procedure which the process of handling and determination of the application (including the pre-application and consultation stages) might suggest would be desirable

(1) and (2) are intrinsic to assessing the scope for further measures as referred to in the resolution of Council

(3) is intrinsic to establishing general lessons to be learned as referred to in the resolution of Council

Officers are therefore content that WAPC did not exceeded the scope of its authority

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## **William Clark – Address to Council**

I have been told by certain people the only reason we are pursuing this case is to block the development of your state of the art swimming facility to ensure the survival of the Temple Cowley pool, well that's not true. Had you stuck with your original plan you would probably be swimming in it now but then you go and change the location so its facing Pegasus road, that's the reason we are opposing you and have continued to lay before you countless reason why this is a bad idea, but you still continue to heap more onto the ever growing cost by trying to defend your inability to get things right.

I read in the Oxford Mail the other day a letter from a member of this chamber who had a birthday and was looking forward to good news about the town green application to celebrate this momentous occasion. Well for your information it's just started to rain on your parade and by now you will be aware that the town green application has been granted a judicial review and even if you don't think so there is still a long way to go until you can dig up our green space.

May I advise the member if and when he has recourse to tell the public of his desires he must get his facts right and not feed the public with half truths made to confuse and not inform and as my grandmother used to say "never count your chickens until they are hatched"

On Tuesday 16<sup>th</sup> April the barrister representing the city council in the Royal Courts of Justice stated "we are running down certain swimming pools" was this intentional or was I just hearing things? Also I did notice in the local paper that the development of the Oxpens will not see the ice rink altered or moved, at this time. Can I please ask what your intention is for this structure as your legal team also referred to ice rink in his address, will we see this too placed on the valuable green space called Blackbird Leys Park?

We have not been idle and continue to pursue this action and at its present time scale could easily last until the New Year. Can you afford to wait that long, will your contractor loose his nerve and pull out or perhaps your finances will falter.

It's good news for us as we will do all we can to make you see sense and try to inform you, again, there are alternatives to the scheme you are proposing. Your budget of 13 million pounds could go even higher at this rate. Where is your financial cap which makes the structure unviable? Or perhaps we have already passed it and you are sticking it out in the hope you are successful and can persuade the public it was a great deal and they only need to pay for it for the next 25 years before it breaks even.

When will you see sense and yield to the inevitable will of the public and listen to what we are saying before you charge off like a bull at a gate with the same result, a headache.

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## **Sietske Boeles – Address to Council**

My name is Sietske Boeles. I am speaking on behalf of East Oxford Residents Associations Forum about the surplus of student accommodation in East Oxford particularly since Brookes University has reported an unexpected high drop in its full time student numbers by 800. As result OBU reported to have 250 empty units (including graduate accommodation) on its Headington Hill campus site. We understand there are more empty rooms in the Paul Kent Halls in Temple Cowley and at Harcourt Hill campus.

East Oxford Residents Association Forum has repeatedly warned that the Council has approved too many planning applications for student housing in our area. We are angry and frustrated that the Planning Department and some councillors have refused to listen to the local residents who now have to suffer the consequences of bad decision making.

We are in particular angered at the granting of planning permission for the student housing development at St Clement's Car park which is likely to damage local businesses by taken away a well- used public car parking provision This site also offered an opportunity to build much needed affordable housing in East Oxford , as we believe that since 2008 not one not one affordable house was built in one of the three East Oxford wards .

The council needs to acknowledge that it has made a major mistake in permitting this student housing development, needs to understand the impact on the local community and change its policy to make sure this never happens again .

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## 10. QUESTIONS BY THE PUBLIC

**NOTE: Questions and answers to them cannot, by the Constitution, take longer than 3 minutes.**

**(1) Question to the Board Member, City Development  
(Councillor Colin Cook) from Adrian Arbib**

Roger Dudman Way - Photomontages

Can you please clarify which photomontages in relation to the controversial Roger Dudman Way development (11/02881/FUL) were first available on the City Council website? The Briefing note by Michael Crofton Briggs (April 2013) refers to photo montages dated November 21 2011. However there are no photo montages up on the Council website for that date but only ones dated 21 December 2011 and referred to as additional information.

Can you confirm that these 21 December 2011 photo montages were uploaded on the Council's website at the time of consultation and determination of the planning application?

**Response:** To be given orally at the meeting

**(2) Question to the Board Member, City Development  
(Councillor Colin Cook) from Sushila Dhall**

Roger Dudman Way – Officer advice

Can Oxford City Council clarify if the West Area Planning Committee acted ultra vires when it instructed the Head of City Development to negotiate with Oxford University to ameliorate the height and mass of the Roger Dudman Way Development? If WAPC has acted ultra vires, then who in the City Council has the executive power to take this forward?

**Response:** Council asked the Head of City Development (HoCD) to bring forward as soon as possible in the New Year, a report to WAPC, setting out any general lessons that need to be learned from the handling of this application and an assessment of the scope for further measures that are legally possible and that would contribute in the long and the short term to mitigate the impact on the views looking south from Port Meadow.

The HoCD submitted a report to the 7 February 2013 meeting of WAPC. The meeting resolved to

- (1) instruct the HoCD to negotiate with the University of Oxford in order to ameliorate the size and impact of the development

- (2) instruct the HoCD to report back to on the progress of those negotiations (by the April meeting at the latest;
- (3) establish a working party to recommend to the Council any changes to policies or procedure which the process of handling and determination of the application (including the pre-application and consultation stages) might suggest would be desirable

(1) and (2) are intrinsic to assessing the scope for further measures as referred to in the resolution of Council

(3) is intrinsic to establishing general lessons to be learned as referred to in the resolution of Council

Officers are therefore content that WAPC did not exceed the scope of its authority

**(3) Question to the Board Member, City Development (Councillor Colin Cook) from Richard Luff**

Roger Dudman Way design specifications

What is the size of the Roger Dudman Way development (11/02881/FUL)

- in m2 of floor space
- in m2 as its external building footprint
- in elevation (metres above sea level) of each of the 8 buildings
- of overall height of each of the buildings from external ground level to apex of roof (I understand there will be two heights, one for the 2 buildings lower in height and one for the other 6 buildings)

**Response:** To be given orally at the meeting.

**(4) Question to the Board Member, Leisure Services (Councillor Van Coulter) from Nigel Gibson**

Oxford Spires Academy Gym - Funding

Council recently announced their subsidy of £200,000 to Oxford Spires Academy for a gym, revealed by Cllr Coulter in a newspaper article as a replacement for Temple Cowley Pools, and without any previous notice to the public. What consultation has the Council carried out to establish that this part-time facility is what the public inside the ring road really want as a replacement, and is Cllr Coulter aware that you can't swim in a gym?



**Response:** I am aware that you cannot swim in a gym. But I am also aware you cannot dive in a pool that's not fit for purpose - as has been the case for the dive pool at Temple Cowley Pools since 2002.

It's consideration of the options reviewed in September 2010, a commitment was made by the City Council's Executive Board to provide alternative leisure facilities within the Cowley locality as a result of the community consultations carried out by the City Council.

**(5) Question to the Board Member, Leisure Services  
(Councillor Van Coulter) from Jane Alexander**

Temple Cowley Pools running costs

In an interview with BBC Radio Oxford last Wednesday morning, Councillor Coulter admitted that the annual running costs of Temple Cowley Pools is not over half a million pounds as the Council has maintained previously, but about one hundred thousand pounds. He then went on to say that the running costs of the proposed new pool in Blackbird Leys would be "much lower". Can the councillor please explain this statement, given that the Council has previously published that the annual payment to Fusion for the proposed new pool will be in the region of £130,000-150,000?

**Response:** In my comments to the BBC, I stated that costs for maintenance and repairs at The Temple Cowley facility averaged over £100,000 for each of the past five years.

There are sets of additional expenses aside from maintenance and repair costs and I remain confident that the Council is fair in asserting that Temple Cowley Pools and Gym has cost the council tax payer's of Oxford half a million pounds a year to run.

**(6) Question to the Board Member, Finance and Efficiency  
(Councillor Ed Turner) from Sietske Boeles**

Student Council Tax exemptions

How many properties are currently exempt from paying Council Tax due to being occupied by students. Can you please give a breakdown of N and M categories? How does these figures for the N properties compare to the previous year for the same period?

**Response:** To be given orally at the meeting.

(7) **Question to the Leader of the Council (Councillor Bob Price) from Ruth Fox**

Advertisements

Many of the buses in Oxford carry advertisements for 'Choose Life', a campaign run by the organisation Christian Concern. The aim of this campaign, according to their website, is to 'make abortion history'. 'Choose Life' advertises itself as a pregnancy advisory service: they ask 'Pregnant? Worried? Don't know what to do?' The response below: 'We can help. Choose life'.

Women who are unsure whether to continue a pregnancy should be offered impartial, medically sound advice on the options available to them. The 'choose life' campaign will, on the contrary, be offering advice to women with the aim of fulfilling its ambition to 'make abortion history'. Women will almost certainly be discouraged from seeking an abortion, and very likely misled about what it will involve. A campaign such as 'choose life' does not have the best interests of women at heart; rather, it is an attempt to restrict women's freedom of choice, by convincing them to continue with a pregnancy that they may not want or which may have negative consequences for their physical and mental wellbeing.

My question to the council is: how can we allow the display of such adverts in a city which, I would like to think, places value on women's freedom of choice and right to determine the course of their own lives? I would like to request that the council take whatever action it can to ensure these advertisements are removed from the buses.

**Response:** The Council is responsible for advertisement control under the Town and Country Planning Act 1990. An advertisement displayed on a (normally moving) vehicle is however exempted from the Council's control. Even where adverts are subject to the Council's control, the purposes for which advertisement control can be exercised are prescribed. The Council can act only in the interests of amenity and public safety. Where advertisement consents are granted the Council is prohibited from imposing any limitation or condition relating to the subject matter, content or design of what is to be displayed. The Council is not able to use advertisement control to exercise a censorship function. The Advertising Standards Authority may be able to assist where the content of an advertisement is considered to be problematic.

## **Green Group proposed amendments to Governance Review (agenda item 11)**

### **Amendment 1 – Committee Structure**

The Council will establish an executive function via Full Council and a feeder committee structure reporting to Full Council for approval. The Committee structure will reflect the service areas of the Council and be composed of Councillors in proportion to their political group numbers (A full report on adoption this Committee system to be prepared by officers to illustrate the detailed operation of this system) and that Council does not adopt recommendations in the report that conflict with this one.

### **Amendment 2 – To recommendation A1 – Single Executive Member Arrangements**

Add the following amendment: All decisions identified in Annex 1, shall be delegated to the Board without exception.

If the amendment is approved, the amended recommendation would read:

*That the single executive member arrangements for decision-making be discontinued and to RECOMMEND the Board that the responsibilities of single members all be allocated to the Board*

### **Amendment 3 – To recommendation A2 – Board Addresses**

Delete the following words “where the chair agrees” in the proposed new wording for procedure rule 12.9 (Annex 3)

If the amendment is approved, the amended procedure rule 12.9 would read as follows:

*City Councillors may address the Board on an item for decision on the agenda (other than on the minutes). The member seeking to make an address must notify the Head of Law and Governance by no later than 9.30am on a day so that there is at least one working day before the meeting. An address may last for not more than three minutes. If an address is made, the Board member who has political responsibility for the item for decision may respond or the Board will have regard to the points raised in reaching its decision.*

### **Amendment 4 – To recommendation A3 – Scrutiny Committees**

To retain the current two Scrutiny Committees based on the themes already established, namely the Value and Performance Scrutiny Committee and the Communities and Partnership Scrutiny Committee.

### **Amendment 5 – To recommendation A4 – Council Procedures**

- (a) With regard to public questions and addresses:
- A maximum of 90 minutes will be made available to take public questions and addresses. If a question or address is not taken within the time allowed the Chief Executive is authorised to provide a written answer.
- (b) With regard to Motions:
- Substantive amendments to Motions must be submitted no later than 1.5 working days before the meeting so that they may be circulated with the briefing note
  - Minor technical or limited wording amendments may be submitted during the meeting but must be written down and circulated.
- (c) With regard to members reporting to Council;
- to delete the wording in Procedure Rules 11.14 and 11.15 and replace with the following wording:
- Members who are Council representatives on external bodies or Chairs of Council Committees who consider that a significant decision or event has taken place, will give notice of up to 1.5 working days prior to the Council meeting to present a written or oral report on the event of significant decision and how it may influence future events. All Council members will be able to ask for a report to be given at Council by the Council representative on a significant change or important event if they lodge their request up to 4.5 days prior to the Council meeting.*
- (d) With regard to special meetings of Council:
- to delete “any twelve Councillors” may call a special meeting and replace with “10% of the Council representatives may call a special meeting”.

### **Amendment 6 – To recommendation B1 – Programme of Council and Committee Meetings**

Add the following words:

There shall be 9 meetings of Full Council in a year - in May (Annual), early June, September, October, November, December, January, February (Budget) and March. There shall be no meeting of Council in August and in April each year. Meetings of the City Executive Board should be organized to present their decisions to subsequent Full Council meetings. A detailed report on these decisions to be produced by officers with a new structure of dates to be established.

If the amendment is approved the amended recommendation would read as follows:

*That the programme of Council and Committee meetings for 2013/14 and 2014/15 be approved subject to there being 9 meetings of Full Council in a year - in May (Annual), early June, September, October, November, December, January, February (Budget) and March. There shall be no meeting of Council in August and in April of each year. Meetings of the City Executive Board should be organized to present their decisions to subsequent Full Council meetings. A detailed report on these decisions to be produced by officers with a new structure of dates. .*

**Amendment 7 – Public engagement**

To delete the whole of Annex 5 to the report and replace with the following wording:

*That City Council officers prepare a report on the logistical arrangements for returning to a locally devolved democratic structure based on Area Committees. These Committees to have control of a range of Council services that are locally delivered, powers over planning and to set a devolved budget related to their size.*

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## 15. QUESTIONS ON NOTICE FROM MEMBERS OF COUNCIL

### (a) Question notified in time for replies to be provided with this Briefing Note

#### (1) **Question to the Board Member City Development (Councillor Colin Cook) from Councillor Jean Fooks**

##### Dial-a-Ride bus service

When will the City Council contract with the County Council Integrated Transport Unit for the provision of a second Dial-a-Ride bus for the elderly and less mobile citizens of Oxford?

**Response:** To be given orally at the meeting.

#### (2) **Question to the Leader of the Council (Councillor Bob Price) from Councillor Graham Jones**

##### Break the bag habit campaign

Will the Leader kindly inform us if replies have been received from our MPs Andrew Smith and Nicola Blackwood in response to the Council's unanimous motion on the issue of plastic bags?

**Response:** To be given orally at the meeting.

#### (3) **Question to the Leader of the Council (Councillor Bob Price) from Councillor Jean Fooks**

##### Town Hall café

The story of the Town Hall café has been an embarrassment to the City Council. How much has been spent on the several refurbishments to date, how many months has it actually been operational since it first opened?

**Response:** The Town Hall Café first opened in 2006 and was fully operational until November 2011. In October 2011, the contract with the caterers (Fosters) came to an end which provided an opportunity to look at the café provision. A procurement exercise was undertaken and this resulted in the appointment of a new caterer (Ambassador) to run the café. Ambassador proposed changes to the café offer, with an increased space, longer opening hours, higher quality food and a desire to host evening events. A refurbishment was agreed as part of this exercise (£37k allocated from the budgeted Town Hall repairs and maintenance programme) which would

give a return on investment based given on new rental figures within 3 years.

The café was closed in November 2011 whilst the procurement exercise and refurbishments were being progressed. A pop-up café operated in the space for 6 months in 2012. The refurbished café opened in October 2012. This long period of closure arose because of contractual, design and construction issues.

Unfortunately the new café suffered operating difficulties and was closed for a month in March 2013 whilst another contractor was identified. Lemon Zest now operate the facility successfully on behalf of the Council.

## 15. QUESTIONS ON NOTICE FROM MEMBERS OF COUNCIL

### (b) Questions notified by the deadline in the Constitution (replies to be given orally at Council)

#### (4) **Question to the Board Member, City Development (Councillor Colin Cook) from Councillor Jim Campbell**

##### Covered Market - Consultants

Can you tell us how much was paid to the Council's consultants to draw up the terms of the Council's 2012 Rent Review?

#### (5) **Question to the Board Member, City Development (Councillor Colin Cook) from Councillor Jim Campbell**

##### Covered Market – Rent increase

Can you as the portfolio holder explain to us how some proposed rents in the 2012 Rent Review have increased by more than 50% to cover a 5 year period when inflation was less than 20% and at a time of a severe economic downturn?

#### (6) **Question to the Board Member, City Development (Councillor Colin Cook) from Councillor Jim Campbell**

##### Covered Market – Arbitration expenses

Following the last Rent Review in 2007 the Council paid out £80,000 in arbitration expenses. Can you tell us how much has been paid so far following the 2012 Review, and how much the final sum is likely to be?



- (7) Question to the Board Member, City Development (Councillor Colin Cook) from Councillor Jim Campbell**

Covered Market - Tenancies

Can you please tell us how many new tenancies have been granted in the last five years to *independent local* traders?

- (8) Question to the Board Member, City Development (Councillor Colin Cook) from Councillor Jim Campbell**

Covered Market – Performance enhancement

In January 2012 a report on the Future of the Covered Market contained a list of 12 recommended next steps. In November it was decided to identify consultants who would prepare a Strategy for Performance Enhancement in the Covered Market. Why has this taken so long?

- (9) Question to the Board Member, City Development (Councillor Colin Cook) from Councillor Jim Campbell**

Covered Market – Market traders

You were quoted in the *Oxford Mail* of October 18<sup>th</sup> as saying that the crisis facing the Covered Market is partly due to “the age of some of the traders who are looking to retire and cash in their chips”. Do you accept that you made this remark and do you still stand by it?

- (10) Question to the Board Member, City Development (Councillor Colin Cook) from Councillor Elise Benjamin**

Support for Covered Market traders

Will the Portfolio Holder join me in supporting the Covered Market traders in their campaign to save the market from excessive rent rises?

**(11) Question to the Board Member, City Development (Councillor Colin Cook) from Councillor Elise Benjamin**

Covered Market – Rent increases of 50%

Does the Portfolio Holder agree that rent increases in the Covered Market in excess of 50% are inappropriate in the current economic climate and will place a large number of traders at risk of losing their businesses and their livelihoods, threatening the existence of the historic market?

**(12) Question to the Board Member, City Development (Councillor Colin Cook) from Councillor Elise Benjamin**

Covered Market – Benchmark data

Can the Portfolio Holder provide benchmark data from other local authorities to justify the average 50%, and in some cases as much as 70% proposed increases in Covered Market rents?

**(13) Question to the Board Member, City Development (Councillor Colin Cook) from Councillor Elise Benjamin**

Covered Market – Rent rise justification

Can the Portfolio Holder explain the thinking behind such extreme rent rises in the current economic climate?

**(14) Question to the Board Member, City Development (Councillor Colin Cook) from Councillor Elise Benjamin**

Covered Market – Precedent of rent rises

Is the Portfolio Holder aware of the precedent such rent rises will set and how worried other independent traders in Oxford are that if the Covered Market rent rises go ahead other landlords will increase rents at similar levels?

**(15) Question to the Board Member, City Development (Councillor Colin Cook) from Councillor Elise Benjamin**

Covered Market - Petition

Will the Portfolio holder be recommending to members of his group that they show support for local independent traders by signing the Covered Market petition?

**(16) Question to the Board Member, Leisure (Councillor Van Coulter) from Councillor Elise Benjamin**

Temple Cowley Gym replacement

Can the Portfolio Holder explain the difference between the £200,000 allocated in the budget to replace Temple Cowley Gym with new facilities at Oxford Spires, and the contribution towards the £200,000 cost reported in the recent Oxford Mail article about the new gym.

**Response:** The investment in OSA is not linked to the repair budget at Temple Cowley Pools. It is part of our commitment to support the provision in Cowley and to deliver the Leisure Strategy. The Leisure Strategy (2009) states; The City also needs to work more closely with schools to increasingly open up their sites to the community..... less than one minute drive from Temple Cowley is Oxford Community School. The school site is already open until 10.00pm offering commendable community access.....

**(17) Question to the Board Member, Leisure (Councillor Van Coulter) from Councillor Elise Benjamin**

Opening hours of the Gym at Oxford spires School

Can the Portfolio Holder inform me of the planned opening hours for the new Gym at Oxford Spires School, how this will fit in with the school timetable, and how this will differ from the current opening hours of the Temple Cowley Gym that it will apparently replace.

**Response:** The gym project is at an early stage and the opening hours have not been developed.

**(18) Question to the Board Member, Leisure (Councillor Van Coulter) from Councillor Elise Benjamin**

Oxford Spires Academy Gym and public safety

Can the Portfolio Holder explain what plans are in place to safeguard school children at Oxford Spires Academy once the gym is open to the public.

**Response:** This is not a new matter for the school and they have effectively used the school as a community facility for many years. They will of course review their safeguarding arrangements as the plans for the facility progresses.

**(19) Question to the Board Member, Housing (Councillor Scott Seamons) from Councillor Craig Simmons**

Community co-owned housing – Barton development

Will you consider including community owned co-housing in the Barton development and/or look for suitable sites in Oxford where co-housing could be sited?

**(20) Question to the Board Member, Housing (Councillor Scott Seamons) from Councillor Craig Simmons**

Rogue Landlord prosecutions

Will the portfolio holder join with me in welcoming tough action on rogue landlords. But could he also explain what went wrong in the recent prosecution of an East Oxford 'slum landlord' that resulted in him being given a lighter sentence because Oxford City Council failed to inform magistrates he had previous convictions.

**(21) Question to the Board Member, Cleaner Greener Oxford (Councillor John Tanner) from Councillor David Williams**

Air quality measurement

Measuring air quality is an important function of the local Authority. A few years ago the authority moved from just measuring the quality of the air in the obvious centres such as Carfax to also monitoring standards in numerous other hot spots around the City such as the Plain , Summertown Shops , Weirs Lane and Headington Shops.

The reported failure of the UK to hit targets set by the EU on air quality will very soon become a major issue with perhaps the Government passing on the fine they face to local authorities and holding them responsible for

their failure to meet the EU health standards.

Could the Portfolio holder confirm that the local authority has been monitoring the local hot spot away from the City Centre. Could he give the measurements taken at those localities and the dates and time of the testing.

Could the Portfolio holder also give an assurance that Oxford has met the EU standards and will not be involved in any dispute with central government about meeting targets.

**(22) Question to the Leader of the Council (Councillor Bob Price) from Councillor Craig Simmons**

Cycle King shop fire – Fire Service

Will the Leader join me in congratulating the fire service for their prompt action in tackling the serious fire at Cycle King on the Cowley Road on 31st March which was contained without loss of life or serious injury.

**(23) Question to the Leader of the Council (Councillor Bob Price) from Councillor Craig Simmons**

Cycle King shop fire – Compensation for other traders

Will the Leader consider what can be done to compensate those businesses either side of Cycle King who were forced to close due to the fire - many of whose trade remains affected by the pavement closure.

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