

Agenda

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Council

Date: **Monday 14 April 2014**

Time: **5.00 pm**

Place: **Council Chamber, Town Hall**

For any further information please contact:

Mathew Metcalfe, Democratic and Electoral Services Officer

Telephone: 01865 252214

Email: fullcouncil@oxford.gov.uk

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.

Council

Membership

Lord Mayor

Councillor Dee Sinclair

Deputy Lord Mayor

Councillor Tony Brett

Sheriff

Councillor Mohammed Abbasi

Councillor Mohammed Altaf-Khan

Councillor Laurence Baxter

Councillor Elise Benjamin

Councillor Susan Brown

Councillor Jim Campbell

Councillor Anne-Marie Canning

Councillor Bev Clack

Councillor Mary Clarkson

Councillor Colin Cook

Councillor Van Coulter

Councillor Steven Curran

Councillor Roy Darke

Councillor Jean Fooks

Councillor James Fry

Councillor John Goddard

Councillor Michael Gotch

Councillor Mick Haines

Councillor Sam Hollick

Councillor Rae Humberstone

Councillor Graham Jones

Councillor Pat Kennedy

Councillor Shah Khan

Councillor Ben Lloyd-Shogbesan

Councillor Mark Lygo

Councillor Sajjad Malik

Councillor Stuart McCready

Councillor Mark Mills

Councillor Helen O'Hara

Councillor Michele Paule

Councillor Susanna Pressel

Councillor Bob Price

Councillor Mike Rowley

Councillor Gwynneth Royce

Councillor David Rundle

Councillor Gill Sanders

Councillor Scott Seamons

Councillor Craig Simmons

Councillor Val Smith

Councillor John Tanner

Councillor Ed Turner

Councillor Louise Upton

Councillor Oscar Van Nooijen

Councillor Ruth Wilkinson

Councillor David Williams

Councillor Dick Wolff

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SUMMONS

A meeting of the City Council will be held in the Council Chamber, Town Hall, on Monday 14 April 2014 at 5.00 pm to transact the business set out below.

Peter Sloman

Proper Officer

AGENDA

	Pages
1 APOLOGIES FOR ABSENCE	
2 DECLARATIONS OF INTEREST	
3 MINUTES	9 - 60
Minutes of the ordinary meetings of Council held on:	
(a) 3 rd February 2014	
(b) 19 th February 2014	
4 APPOINTMENTS TO COMMITTEES	
5 ANNOUNCEMENTS	
Announcements by:	
(1) The Lord Mayor	
(2) The Sheriff	
(3) The Leader of the Council	
(4) The Chief Executive, Chief Finance Officer, Monitoring Officer	

PART 1 - ITEMS FOR DECISION

6 PUBLIC ADDRESSES AND QUESTIONS THAT RELATE TO MATTERS FOR DECISION AT THIS MEETING

Public addresses and questions received in accordance with Council Procedure Rule 11.10 and 11.11. The full text of any address or question must be received by the Head of Law and Governance by 5.00pm on Tuesday 8th April 2014.

Full details of addresses and questions submitted by the deadline will be provided separately prior to the meeting.

OFFICER REPORTS - ITEMS 7 TO 10

7 LOCAL GOVERNMENT PENSION SCHEME (LGPS) 2014 - EMPLOYER DECISIONS ON DISCRETIONS AND REVIEW OF OTHER EMPLOYMENT POLICIES

61 - 94

The Head of Human Resources and Facilities has submitted a report. The Council is required to make decisions about various matters relating to the application of the Local Government Pensions Scheme (LGPS). These are in place for the current scheme as previously agreed by Council. As the new LGPS comes into force on 1st April 2014, these discretions need to be reviewed in that context. A number of other existing employment policies have also been reviewed in consultation with both trade unions and revisions are proposed.

Council is asked:

- (1) That the employer discretions under the LGPS and other pension related Regulations as recommended in Appendices 1 and 2 be approved with retrospective effect from 1st April 2014.
- (2) That the revisions to the employment policies as summarised in the body of the report be approved and that the Head of Human Resources and Facilities be authorised to amend the policies in accordance with those described changes and to promote/implement the revised policies on a date to be fixed by him.
- (3) That the Head of Human Resources and Facilities be also authorised to amend the policies from time to time in order to correct any factual or legal errors.

8 OXFORD CITY COUNCILS REPORT ON ITS INVOLVEMENT IN TACKLING CHILD SEXUAL EXPLOITATION

95 - 106

The Executive Director for Community Services has submitted a report the purpose of which is to report on the City Councils involvement in tackling

child sexual exploitation.

Council is asked to note the report.

9 REGULATION OF INVESTIGATORY POWERS ACT 2000 107 - 108

The Head of Law and Governance has submitted a report the purpose of which is to report to Council the application of its powers under the Regulation of Investigatory Powers Act 2000.

Council is asked to note the Council's use of its powers under the Regulation of Investigatory Powers Act 2000 (RIPA) for the period 1st April 2013 to 31st March 2014.

10 CONSTITUTION REVIEW 2014 109 - 162

The Monitoring Officer has submitted a report which recommends changes to the Council's constitution to reflect changes in the law and also to provide clarification.

Council is asked to approve the amendments to the Constitution.

11 CITY EXECUTIVE BOARD MINUTES 163 - 178

(1) Minutes of the meeting held on 12th February 2014

The following minutes were discussed at the meeting of Full Council on 19th February 2014.

- Minute 133 – Budget and Medium Term Financial Strategy 2014/15 to 2017/18 and 2014/15 Budget
- Minute 134 – Corporate Plan 2014-18 – Outcome of Consultation – Plan adoption
- Minute 135 – Treasury Management Strategy 2014/15

(2) Minutes of the meeting held on 12th March 2014

(3) Minutes of the meeting held on 9th April 2014

These minutes will be circulated separately prior to the meeting.

12 QUESTIONS ON NOTICE FROM MEMBERS OF COUNCIL

Questions on notice under Council Procedure Rule 11.9(b) may be asked of Lord Mayor, a Member of the City Executive Board or the Chair of Committee.

Questions on notice must, by the Constitution be notified to the Head of Law and Governance by no later than 1.00pm on Monday 7th April 2014.

Full details of any questions and responses will be provided separately prior to the meeting.

PART 2 - PUBLIC INVOLVEMENT AND SCRUTINY

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

Public addresses and questions received in accordance with Council Procedure Rule 11.10 and 11.11. The full text of any address or question must be received by the Head of Law and Governance by 5.00pm on Tuesday 8th April 2014.

Full details of the addresses and questions submitted by the deadline will be provided separately prior to the meeting.

14 PETITION - KEEP TEMPLE COWLEY POOLS OPEN

179 - 180

The Head of Law and Governance has submitted a report which advises on the procedure that Council needs to follow under the Council's Petitions Scheme in respect of large petitions, and to provide information specifically on the petition entitled "Keep Temple Cowley Pools Open".

Council is being recommended to follow the procedure for large petitions by hearing the head petitioner and to then debate the petition and decide how to advise the Executive.

15 OUTSIDE ORGANISATION/COMMITTEE CHAIR REPORTS AND QUESTIONS

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 to the Head of Law and Governance by 1.00 pm on Thursday 9th April 2014 to present a written or oral report on the event or the significant decision and how it may influence future events.

16 SCRUTINY COMMITTEE BRIEFING

181 - 208

The Chair of the Scrutiny Committee has submitted a report which updates Council on the activities of scrutiny and other non-executive Councillors since the last meeting of Council.

Council is asked to comment on and note the report.

PART 3 - MOTIONS REPRESENTING THE CITY

17 MOTIONS ON NOTICE

209 - 216

Council Procedure Rule 11.16 refers.

Motions received by the Head of Law and Governance by the deadline of 1.00pm on Wednesday 2nd April 2014 are attached to this agenda.

18 MATTERS EXEMPT FROM PUBLICATION

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)

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 (ie 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; licences 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.

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". What this means is that the matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

¹Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those of the member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

COUNCIL

Monday 3 February 2014

COUNCILLORS PRESENT: Councillors Sinclair (Lord Mayor), Abbasi (Sheriff), Brett (Deputy Lord Mayor), Altaf-Khan, Baxter, Benjamin, Brown, Campbell, Canning, Clack, Clarkson, Cook, Coulter, Curran, Darke, Fooks, Fry, Goddard, Gotch, Haines, Hollick, Humberstone, Jones, Kennedy, Lloyd-Shogbesan, Lygo, McCready, Mills, O'Hara, Pressel, Price, Rowley, Rundle, Sanders, Seamons, Simmons, Tanner, Turner, Upton, Van Nooijen, Wilkinson, Williams and Wolff.

75. APOLOGIES

Apologies were received from Councillors Shah Jahan Khan, Sajjid Malik, Michele Paule, Gwynneth Royce and Val Smith.

Council wished to send its best wishes to Val Smith for a speedy recovery from her current illness.

76. DECLARATIONS OF INTERESTS

None declared.

77. MINUTES

Council agreed to approve the minutes of the ordinary meeting of Council held on 25th November 2013.

78. APPOINTMENTS TO COMMITTEES

No appointments to Committees were made.

79. ANNOUNCEMENTS

The Lord Mayor, Councillor Dee Sinclair made the following announcements:

- (1) Death of Bill Baker who had been a Labour Councillor for the South and then Iffley Fields Ward on the City Council between May 1986 and May 2006, when he retired from the Council. He had also been the Leader of the Council from 1993 to 1996, Deputy Leader between 2002 and 2004 and held each Civic Office, namely Sheriff, Deputy Lord Mayor and Lord Mayor. He had worked in the car factory and was a trades unionist.

The Council's flag will be flown at half-mast on Monday 10th February 2014, the day of his funeral.

Councillors Bob Price, Elise Benjamin and Jim Campbell spoke of Bill Baker's time on the City Council and his support for the City, his constituents and community.

Council stood for a minutes silence in memory of Bill Baker.

- (2) Death of Tony Stockford who had been a Labour Councillor for the former Blackbird Leys Ward on the City Council between May 1992 and 2001. He had also been an Oxfordshire County Councillor from November 1988 to May 2001 for the former Blackbird Leys Division. He had retired from both Councils in July 2001.

Councillors Steven Curran, Elise Benjamin and Jean Fooks spoke of Tony Stockford's time on the City, County and Parish Councils and his support for Oxford and especially his work for young people.

Council stood for a minutes silence in memory of Tony Stockford.

- (3) The following honours were awarded to residents of Oxford in the New Year Honours list:

MBE – Karen Hewlett. Tutor of the Department for Continuing Education, University of Oxford. For services to building academic and cultural understanding between the UK and Russia and for her work in establishing the friendship links with PERM.

CBE – Peter Bennett Jones – For services to the entertainment industry and to charity, particularly through Comic Relief where he was Chair for 25 years.

OBE – Martin Peter Knopps – For services to Oxfam, where he was a former counsellor.

MBE – David Attlee Norman – Chair of the Governing Executive, Ruskin College – Services to adult education.

MBE – Marios Papadopoulos – Founder of Oxford Philomusica.

BME – Michele Clare Crawford – For services to young people and to charity in Oxford.

- (4) Thanked the following for their work and support during the recent floods in Oxford:

Oxford City Council
Environment Agency
Oxfordshire Fire and Rescue Service
County Council Emergency Planning, Highways and Social Services
Thames Valley Police
Volunteers, friends and neighbours

Thames Water had also commented that the partnership working in Oxford between the different bodies was the best in the country.

The Leader of the Council, Councillor Bob Price made the following announcements:

- (1) Nominations for the Civic Post Holders for 2014/15:

Lord Mayor – Councillor Mohammed Niaz Abbasi
Deputy Lord Mayor – Councillor Craig Simmons
Sheriff – Councillor Rae Humberstone

- (2) The City Deal agreement between local partners and national government was signed last week. A key element of the deal was a growth strategy for the next 5 years. The funding will boost innovation with the creation of Innovation Centres, accelerate the housing programme, provide support for new businesses, improve transport infrastructure and support apprenticeships and job creation. A report on the Strategic Economic Plan would be presented to the City Executive Board, Scrutiny and to all Members in due course.

Councillor Fooks welcomed the City Deal and congratulated Councillor Price and David Edwards for their work. Councillor Simmons echoed Councillor Fooks.

80. PUBLIC ADDRESSES AND QUESTIONS THAT RELATE TO MATTERS FOR DECISION AT THIS MEETING

Paula Maddison, Corporate Relationship Co-ordinator for Oxfordshire Mind, addressed Council. The full text of her address is appended to these minutes.

In accordance with Procedure Rule 11.10(g) the address was considered with agenda item 14(1) Motions on Notice – City Council Champion of Mental Health Issues (minutes 88 refers).

81. ELECTIONS STAFF FEES AND THE OXFORD LIVING WAGE

The Returning Officer submitted a report (previously circulated, now appended) which sought an amendment to the delegated authority for the Returning Officer to approve the scale of fees for elections held in the City.

Council agreed to amend the delegated power of the Returning Officer to agree elections fees to allow him to alter those fees where any payment to an individual would fall below the prevailing Oxford Living Wage.

82. CITY EXECUTIVE BOARD MINUTES

Council had before it minutes of the City Executive Board as follows:

- (a) 11th December 2013
- (b) 22nd January 2014

City Executive Board – 11th December 2013

- (a) Minute 106(3) – Budget and Medium Term Financial Strategy 2014/15 to 2017/18 and 2014/15 Budget – Councillor Sam Hollick asked how the Administration could justify raising the average rent by 5.42%.

In response Councillor Bob Price said that the Councils policy was to follow the Rent Equivalent Scheme and this had been built into the Housing Revenue Account Forward Plan which had been approved by Council.

- (b) Minute 108 – Air Quality Action Plan – Consultation outcome and adoption – Councillor Jean Fooks asked if a system of compliancy had been devised.

In response Councillor John Tanner confirmed that a system was in place.

- (c) Minute 108 – Air Quality Action Plan – Consultation outcome and adoption – Councillor John Goddard raised concerns on the pollution figures around Cutteslowe and Wolvercote.

In response Councillor John Tanner said that some of the figures were not good and the County Council was aware of this. With regard to the area around Wolvercote, he said that checks were made for NOX pollution from time to time and these figures were published on the website. He agreed to ask Officers to provide Councillor Goddard with details.

- (d) Minutes 110 – Community Engagement Plan 2014-17 – Draft for consultation – Councillor Craig Simmons said that this consultation had taken place over the Christmas and New Year period and asked if there was an update on the number of responses available.

In response Councillor Bob Price said he would speak with Officers and forward the information to Councillor Simmons.

City Executive Board – 22nd January 2014

- (e) Minute 121 – Northern Gateway Area Action Plan (AAP) – Options document – Councillor Jean Fooks asked for clarification on the work place parking proposals. She added that the Northern Gateway was a large site and not enough time had been given to developing this plan. A great deal of consultation was required as there were many implications for the local people and surrounding area and as such the AAP needed to do its job fully.

In response Councillor Colin Cook said that he would provide a response following the meeting which would be circulated to all Members. He further added that the AAP had a programme timetable of 18 months and that only a Councillor of Councillor Fooks length of service, with experience of the occasionally glacial rate of progress of local government, would consider an 18 month timetable as; "rushed". Councillor Cook said he considered 18 months as a reasonable length of time for the work involved.

The following response was provided after the meeting:

The current version of the Northern Gateway AAP Options Document sets out the following car parking options:

Operation of car parking:

(Note: these options are not necessarily mutually exclusive; the final choice of management approach may take the form of a combination of these options).

Option 1: Provide workplace parking in shared communal facilities for efficiency

Option 2: Encourage workplace charging across the site

Option 3: Introduce a Controlled Parking Zone within the site and in neighbouring areas

83. QUESTIONS ON NOTICE FROM MEMBERS OF COUNCIL

(1) Question to the Board Member, City Development (Councillor Colin Cook) from Councillor Ruth Wilkinson

External wall insulation planning permission

Residents have asked whether planning permission is required for external wall insulation and under what conditions, as they wish to reduce energy and save money in their solid wall houses, but feel the responses they have been given by the City Council have been inconsistent. Please can Councillor Cook supply the number of applications that have been made for each of the last four years and indicate how many have been given permission?

Response: Where a property is already rendered (or partially so), the replacement of the existing render with external insulation will NOT normally require planning permission, being “permitted development” afforded by Class A Part 1 Schedule 2 of the GPDO.

Where a property is not already rendered, planning permission WILL BE required in view of condition A.3(a) of Class A which requires that “*the materials used in any exterior work (other than materials used in the construction of a conservatory) shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse*”.

Dwelling houses located within a Conservation Area are also covered by the restriction in A.2(a) which states that development is NOT permitted by Class A if it consists of or includes “*the cladding of any part of the exterior of the dwelling house with stone, artificial stone, pebble dash, render, timber, plastic or tiles*”

Although, again, if such a property’s exterior is already rendered planning permission for its replacement, provided that the new render’s appearance was similar to that being replaced, would not be required.

Number of applications received:

2013: 8 applications (one refused). Insulation of 36 properties approved (27 Council owned, 4 Housing Association owned).

2012: 3 applications (one to vary a condition to allow external insulation). All approved (5 properties including 3 x flats).

2011: No applications.

2010: 1 application (approved). 1 property.

Additionally, there were several "Permitted Development checks" submitted over this 4 year period, some of which led to applications for planning permission being submitted. The advice given in these has been consistent.

(2) Question to the Board Member, Cleaner, Greener Oxford (Councillor John Tanner) from Councillor Graham Jones

Freight Consolidation Scheme

Would the Board Member please brief Council on progress towards a Freight Consolidation?

Response: The City Council is jointly progressing the commissioning of a freight consolidation study with the County Council to ensure the most appropriate option for consolidation is developed for Oxford.

The brief for this study is currently being finalised and subject to approval by the County and City Council prior to release. Additional work streams to address freight related emissions are being progressed through work on Air Quality, in line with the recently adopted Air Quality Action Plan.

Councillor Graham Jones in a supplementary question asked if it was desirable for the scheme to be open in time for the new Westgate. In response Councillor John Tanner agreed that it would be desirable to have the scheme open as soon as possible and essential that the Council worked with both small and large retailers. However the City Council was not in charge of the timetable.

(3) Question to the Board Member, City Development (Councillor Colin Cook) from Councillor Graham Jones

Renewables in new buildings

Is the Board Member content with the current minimum requirement for renewables in new buildings in Oxford?

Response: The adopted Oxford Local Plan 2001-2016 first introduced the Natural Resource Impact Analysis (NRIA) in November 2005. This was introduced to push forward development standards in terms of energy efficiency, water use, and the use of recycled materials, given that building regulations, at that stage, were not very challenging. Given that Oxford does not have the land available for large scale renewable energy schemes such as wind farms, the City Council also placed a requirement on small scale developments to generate an element of on-site renewable

energy.

This holistic approach to the use of natural resources was quite ground breaking at the time, and the requirement for 20% renewable energy, both of the regulated and unregulated variety, is still the highest in the UK.

The adopted NRIA Supplementary Planning Document provides more guidance on the implementation of these policies.

The requirements of the Local Plan in relation to the NRIA were reviewed and brought forward into the Oxford Core Strategy 2026 adopted by Council in March 2011.

The City Council has committed to reviewing the implementation of these policies, as it does to all of our Development Plan policies, to see if they are still fit for purpose and delivering the desired outcomes.

In relation to residential development, the NRIA was reviewed in the Sites and Housing Plan, adopted in February 2013. As part of this review we considered how the various government standards were affecting the need for the NRIA. With the move to zero carbon, and improving building control standards, we concluded the key element to take forward was the renewable energy element. The policy sets out transitional arrangements until zero carbon homes are introduced. The Plan also requires energy statements to be submitted for small residential developments which had not previously been caught by the NRIA.

The ambition nationally is that by 2016 all new residential developments will be zero carbon and all new non-domestic buildings will be zero carbon by 2019.

Officers are conscious that there are wider aspects to sustainability than those covered by the NRIA and that there may be a case for a review of that document, particularly in relation to non-residential development. However, the position has been complicated by the Government's intention to deregulate various environmental standards, (announced by the Prime Minister in a speech on January 27th this year). There has been some suggestion that the Government intends to relax planning targets and/or Building Regulation controls in relation to renewable energy, but at the current time there has been no official confirmation of what the Government proposes.

That having been said, Oxford remains at the forefront of local authority practice in relation to the requirement for renewables in new buildings. Regrettably, it is unlikely that the Government will countenance any increase in these minimum requirements at the current time.

Councillor Graham Jones in a supplementary question asked if 20% was the height of the Board Members ambition. In response Councillor Colin Cook said that the NRIA will only be able to work within the existing policy.

(4) Question to the Board Member, Cleaner, Greener Oxford (Councillor John Tanner) from Councillor Graham Jones

Recovery of recyclates from landfill

Would the Board Member say why he did not support the Scrutiny Committee recommendation to appraise the recovery of recyclates from landfill?

Response: We have considered the option of sorting residual waste to recover recyclables prior to disposal in landfill in principle, but have not explored it further because current working arrangements would make this extremely expensive for the Council. It would require the following major items of expenditure:-

Land and buildings to allow tipping of the waste, sorting and then reloading to take to the appropriate disposal sites. Additional labour to undertake the sorting and reloading. Plant and vehicles to cope with the additional operation (i.e. sorting).

In view of the fact that these costs are going to be very large, this option has not been pursued further.

The most economic option would be a pre-sort before incineration at the new County Council plant. We have asked the County Council if this will be possible and have been advised that there is no such facility at the new plant. Equally, the County Council advised that they are not aware of pre-sort arrangements operating at any of the incinerating plants operating in this country.

For these reasons, I have decided not to undertake a more detailed appraisal of this operation.

Councillor Graham Jones in a supplementary question asked if the Board Member would accept the Scrutiny Committee recommendation within the agreed costs and that the recycling rates were flat-lining.

In response Councillor John Tanner would not accept that the recycling rates were flat-lining and added that flats would soon be included in the recycling scheme in Oxford. He added that waste sorting was not a good use of resources and that while more could still be done to increase recycling, this was not the right approach.

(5) Question to the Board Member, Cleaner, Greener Oxford (Councillor John Tanner) from Councillor Graham Jones

Urban Community Energy Fund

Does the Board Member welcome the Climate Change Secretary's announcement of an Urban Community Energy Fund?

Response: DECC has launched a £10m Urban Community Energy Fund. This is a small pot which sits alongside a similar £10m fund launched last year for rural energy projects. It is an element of the Community Energy Strategy announced recently. This is a useful first step.

Councillors will be aware of the £1.2 million European funded project 'OxFutures' which the City Council leads with the aim of leveraging investment into community renewable projects. So I welcome a government initiative that is catching up with what Oxford City Council has pioneered.

Councillor Graham Jones in a supplementary question asked which schemes would be championed. In response Councillor John Tanner said that applications would be made and that he was happy to consider any suggestions for schemes.

(6) Question to the Board Member, Finance, efficiency and Strategic Asset Management (Councillor Ed Turner) from Councillor Graham Jones

Investment in renewables

Can the Board Member tell us what is the Council's current investment in renewables?

Response: Renewable energy is generally defined as energy that comes from resources which are naturally replenished on a human timescale such as sunlight, wind, rain, tides, waves and geothermal heat. Renewable energy replaces conventional fuels in a number of distinct areas: electricity generation, hot water/space heating and motor fuels.

Over the last few years the Council has undertaken a number of key projects around renewables including:

Existing Installations

1. Photo Voltaic Panels (PV) – 2 Leisure Centres: (cost £288k)
2. PV - large systems on Cardinal, Headley and Knights Houses sheltered blocks: (cost £376k)
3. PV tiles – large system on Northbrook House
4. PV- small systems on 38 individual Local Authority houses mainly in Lambourne Road:
5. Air source heat pumps: 30 individual LA houses in Lambourne Rd
6. Solar thermal on Birch Ct sheltered accommodation
7. Solar thermal: approximately 20 small systems on individual Local Authority homes installed several years ago.
8. Solar thermal: small demonstration system on shower at Hinksey Pools
9. Biomass boilers in Cardinal House and Albert Place housing blocks

The Council has also enabled community PV: on Barton NC, on West Oxford Community Centre and on West Oxford Community Primary School.

Council Planning Policy calls for 20% of energy use to be met by on-site renewable energy technology for larger developments and consequently this has resulted in continued and growing investment in renewables across the city. Regrettably this requirement may be challenged by the government's Technical Housing Standards Review.

Council has initiated “Low Carbon Oxford” to deliver progress against corporate 40% carbon reduction target – this initiative helps community groups and businesses invest in renewables (such as Osney micro hydro, Oxford Bus company solar PV roof, with more coming on stream)

There are several renewable installations planned or under investigation by the Council.

1. Biomass for Competition Pool:
2. Biomass for Town Hall
3. PV for BBL Leisure Centre
4. PV for new Rose Hill Community Centre
5. PV pilot on 5 LA houses – to inform a wider rollout - will be carried out this financial year.

Councillor Graham Jones in a supplementary question asked if the Board Member was aware that 8% could be earned in this sector. In response Councillor Ed Turner said that this was something that could be looked into, however it would have to be compared to other non-specified investments, but would be happy to look at this as part of the next refresh of the Medium Term Financial Strategy for the Council.

(7) Question to the Board Member, Finance, efficiency and Strategic Asset Management (Councillor Ed Turner) from Councillor Jean Fooks

Carbon Accounting

The Council agreed to move to carbon accounting some years ago. Progress seems to have stalled. When will the Council live up to its policy and why has it not yet happened?

Response: Carbon accounting refers generally to processes undertaken to "measure" amounts of carbon dioxide equivalents emitted by an entity

We measure our consumption of utilities, and like other Local Authorities we are obliged to report to the Department of Energy and Climate Change on our greenhouse gas emissions (Co2 plus the basket of greenhouse gases). This is derived from meter readings from across the majority estate gas, electricity and vehicle fuel. This is submitted annually by the end of July.

As per the Corporate Measure linked to the Carbon Management Plan adopted by the city Executive Board and led by Environmental Development, carbon reduction targets are based on estimated emissions from implemented measures, this is the same as The Carbon Trust Carbon Management Standard. This enables the Council to identify opportunities for energy saving measures (insulation etc.) or renewable energy (solar PV).

It is fair to say that the organisations’ move towards its own internal carbon monitoring system has not progressed as quickly as we would have liked although in mitigation this is not a process which is truly embedded in many local authorities. We have asked our internal auditors

to report back to us on suggested ways forward based on good practice from other sectors, whilst also exploring alternative ways to engage across the organisation to meet carbon targets. We obviously report annually on our carbon usage and purchase of CRC, and also provide updates through the Carbon Natural Resources Board on the usage and spend on utilities.

Councillor Jean Fooks in a supplementary question asked if the Board Member was satisfied that enough resources were being put into carbon accounting. In response Councillor Ed Turner said that while we were in a time when there were tremendous pressures on the services provided, he was happy to look at this again.

(8) Question to the Board Member, Finance, efficiency and Strategic Asset Management (Councillor Ed Turner) from Councillor Jim Campbell

Consultation Budget - Responses

In last year's Consultation Budget (2013-14) could you tell us how many comments (individual and group) were received, and could you also let us know what changes were made to the final budget in response to these comments, and to those from *Talk Back*?

Response: There was general agreement from respondents to the Budget Consultation last year on the proposals put forward and some of these were mentioned in the budget report that was presented to Council on 18th February 2013 with summary details shown below.

Table 6 Results of consultation on council tax increase

	Percentage In Favour %
Freeze council tax and make cuts elsewhere	39
Increase council tax by 2%	61

Table 7 Budget Consultation – New Investment

	Strongly agree	Agree	Neutral	Disagree	Strongly Disagree
	%	%	%	%	%
Dial a ride	43	24	18	10	5
Older peoples support grant	44	34	14	5	3
Apprenticeships	42	38	13	4	3
Grants	39	26	18	9	8
Free bulky collection	39	27	13	14	7

The Council also sought views on technical changes to council tax discounts and exemptions and there was an average of 90% agreement to the changes proposed. We have subsequently received some

feedback on the operation of these and have therefore amended arrangements this year (supported in the consultation).

Given the constrained nature of the Council's finances, as well as the fact that consultation on our main priorities occurs through means of local elections, we seek to put clearly-defined propositions to the public in the budget consultation.

Councillor Jim Campbell in a supplementary question asked if the Board Member would agree that the budget document was very long and difficult for the general public to understand, but that the shortened version while more interesting only asked for simple agree/disagree answers to questions. Would he consider at an earlier stage in the budget process reviving the practice of a citizens jury just before the figures had been decided. This would give snapshot of what ordinary people in the city saw as their priorities rather than at the end when the decisions were difficult to overturn.

In response Councillor Ed Turner said that a balance had to be struck on consultation. Consultation had tended to be focussed and used to drive the political priorities. He had looked at the results of the Citizen Jury up to 2010 and this approach could be looked at again. However he added that the more is gleaned from the other Citizens Jury, namely the election. He further added that it was not just about what went into the formal budget process.

(9) Question to the Leader of the Council (Councillor Bob Price) from Councillor Jim Campbell

Area Forums and Community Meetings

Could you let us know how many Area Forums and other Council supported Community Meetings took place during 2013, and how many members of the public attended each one?

Response: The Communities and Neighbourhoods team work with Councillors to set up meetings in areas where they wish to hold an Area Forum. The East Area Forum is running and details of meetings are on the website. North Area Councillors have decided that individual wards might consider holding a Forum if a suitable topic arose. None have yet been requested. In the other areas dates are being canvassed and Officers will help members to set up these Forums. Publicity for any Area Forums is via website, social media, production of standard posters, emailing residents on database. Records of public attendance may be kept by the members but are not recorded by Communities and Neighbourhoods.

The Community Partnerships are supported by Communities and Neighbourhoods (CAN) Officers in the regeneration areas. The 7 areas have a range of public attendance/involvement depending on how long the partnerships and local community engagement, have been supported. For example, at Barton, 169 residents took part last year (range from 4-8 at each partnership meeting, sub-group meetings) while in Littlemore or Cutteslowe Partnership meeting, very small numbers attended. Barton

has had a CAN Officer dedicated resource for a number of years whereas other areas have not.

Councillor Jim Campbell in a supplementary question said that the Area Forums were part of the community Engagement Strategy and the consultation process. At a recent Members Briefing the Head of Policy, Culture and Communication said that the City Council was a national leader in its consultation practices and procedures. Could the Board Member go on record with evidence supporting that supports this statement or endorse it.

In response Councillor Bob Price said that he would speak to the Head of Policy, Culture and Communications to provide the necessary evidence.

(10) Question to the Leader of the Council (Councillor Bob Price) from Councillor Graham Jones

Universal Suffrage

Can the Leader of the Council tell us on what grounds does he support or not support the principle of universal suffrage in local elections, regardless of nationality?

Response: Under current British law, any British, Irish, EU and Commonwealth citizen can vote in local elections. I am reliably informed that this is the widest restricted franchise in the world. No country in the world allows all residents to vote in all elections. The nearest to that are Uruguay (which requires 15 years' residence), New Zealand (which requires permanent resident status) and Malawi (which requires seven years residence).

My personal view is that the franchise should be linked to citizenship rather than residence. Hence, I would support extending voting rights to EU citizens in national and European elections, but no further.

Councillor Graham Jones in a supplementary question said that the UK was only one of three countries that denied votes to all residents in local elections and did he consider it fair that 10,000 people in Oxford were denied this vote. In response Councillor Bob Price said he would look into this further.

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

Addresses

(1) Chaka Artwell – Oxford Voice

(2) Alasdair de Voil – Concerning abuse/conflict of interest: Visit Oxfordshire

Councillor Colin Cook, Board Member, City Development responded to the address by stating that he understood that Mr de Voil had already

raised these and similar matters in correspondence both directly with the City Council and through his Member of Parliament. A written response will be sent to Mr de Voil on these matters in the near future.

(3) **Nigel Gibson – Why Oxford City Council could and should deliver the services the people of Oxford want and need**

Councillor Mike Rowley, Board Member, Leisure Services provided the following response prior to the meeting:

The Council's website contains detailed answers to these points which have already been provided to Mr Gibson.

<http://www.oxford.gov.uk/PageRender/decLP/ConsultationonLeisureFacilities.htm>

To assist members I have summarised a few key points:

The new pool costs are just over £9 million, not the stated £13 million. The £9 million figure is made up of the professional fees and constructions costs.

Temple Cowley Pools costs the council in excess of £500,000 per year. The table shown in Mr Gibson's address to council shows the estimated management fee but excludes utilities and repair and maintenance costs. Both these costs are very high at the two centres that are being replaced by the new pool at Blackbird Leys.

The management fee paid to Fusion Lifestyles is the combined net fee for all the centres. The ice rink and Ferry Centre generate a surplus which is then offset against the cost of the other centres, of which temple Cowley is by far the most costly.

Whilst Fusion are responsible for maintenance at the newer centres, the council continues to be responsible for the maintenance costs at the older sites with higher risk of failure (Temple Cowley, Blackbird Leys Pool, the Ice Rink and Hinksey outdoor pool). This is because the cost of transferring that risk to Fusion Lifestyles is prohibitively high.

The £150,000 management fee for the new pool is inclusive of all utilities and maintenance costs.

The business case and feasibility study were developed with the support of Mace. Mace are an highly respected international consultancy and construction firm who have stood by their advice throughout intense scrutiny over recent years.

Questions

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

Oxford University Old Road Campus buildings

Recently Oxford University occupied two new bio medical research buildings at the Oxford University Old Road Campus. These are the Kennedy Institute for Rheumatology, and Research Facilities building for the Nuffield Orthopaedic Department.

Oxford University was permitted to move into the buildings despite **not** meeting the requirements of the Core Strategy Policy CS 25

“That no increase in academic floor space is allowed if there are more than 3,000 students outside of accommodation provided by the relevant University ”. (1)

Every year the Universities are required to submit figures where their students live to the Council. These figures are then recorded in Oxford Annual Monitoring (AMR)

Attached are the figures for Oxford University since 2011:

Number of Oxford University students living in private accommodation whilst only 3000 students are permitted in private accommodation:

AMR 2011 (page 21/22): 3251*

AMR 2012 (page 23/24): 3401*

AMR 2013 (page 30/31): 3508**

The Question is:

Given the above figures why was Oxford University permitted to move into the new buildings on the Old Road Campus when it has not met the requirement of the CS 25, and given the above figures, will Oxford City Council enforce CS Policy 25 by not permitting Oxford University to occupy newly completed academic buildings like for example the Mathematical Institute until it has met the Policy requirements ?

* Please note that Oxford University states that it will meet its requirements the following year whilst it has not. .

** The Council cannot rely on the argument that the University say that it will reach the 3000 target the following year as the University has said this on previous occasions and this undertaking was subsequently not met.

It was accepted by Oxford University that research facilities are regarded as academic floor space (letter by Colin George to oxford City Council, 8th July 2011)

Response: Ms Boeles quotes from the October 2013 Annual Monitoring Report April 2012 - March 2013 which says that as at 31st March 2013 the University exceeded the 3,000 threshold by 508 students.

The Annual Monitoring Report is a snapshot and is based on information for the 2012-13 academic year provided to the City Council by the University in a letter received in August 2013, and from which the 2012-13 Annual Monitoring Report was compiled.

The Annual Monitoring Report itself went on to explain that although the target to have fewer than 3,000 students outside of university-provided accommodation was not met in the monitoring period, the University was expected to meet this requirement in the next monitoring period as a

result of the additional units of accommodation under construction.

Through a footnote to her question to Council Ms Boeles casts doubt on the University's ability to reach the 3,000 threshold because on previous occasions such an undertaking was subsequently not met.

However, in August last year the University anticipated completion of an extra 540 units by the start of Michaelmas Term 2013. Indeed this has been achieved now and is made up of 45 units for Corpus Christi College, 25 for Kellogg College, 11 for Linacre College, 37 for Lincoln College, 54 for St Anthony's College, 59 for St Hilda's College, and 312 for the University itself at Roger Dudman Way.

The current assessment is that there are fewer than 3,000 students living outside University of Oxford provided accommodation.

(2) Question to the Board Member, City Development (Councillor Colin Cook) from Sarah Wild

Planning consultation methods

One of the recommendations following the investigation into what happened over Roger Dudman Way is that consultation methods between the council and members of the public should be improved. This would mean that the public had optimal access to planning documents.

So why have the public been denied access to hard copy planning application documents, except for major developments, when the on-line version is unclear?

Response: Approximately 80% of all planning applications to the City Council are now submitted electronically. The City Council no longer holds a paper copy of all planning applications in the reception area at St Aldate's Chambers ready to be viewed by the public. It is Council policy to encourage customers to access Council information via its website as far as possible.

However, the City Council does not deny access to hard copies of planning application documents. It has been, and remains, willing to make a hard copy of a planning application available on request in reception if a customer makes an appointment to come and view a particular application because the on-line copy is unavailable or unclear.

Furthermore, the City Council will be reviewing its post-application guidance on planning processes in response to one of the recommendations in the Independent Report on Roger Dudman Way.

Under Procedure Rule 11.11(f), Councillor Craig Simmons, seconded by Councillor Dick Wolff requested that the question be referred to the East Area Planning Committee for further consideration. Council voted and agreed to refer the question to the West Area Planning Committee.

(3) Question to the Board Member, City Development (Councillor Colin Cook) from Alasdair De Voil

Visit Oxfordshire

Since the city council has agreed to let Visit Oxfordshire Ltd deliver tourism information services on its behalf, can you please report back on what documentation exists to demonstrate Visit Oxfordshire's remit and obligations to ensure that it delivers these services in a way which benefits local businesses and which is impartial. Please can you also report what steps exist to supervise this arrangement and to take action against Visit Oxfordshire Ltd, where it is not found to be delivering its remit appropriately?

Response: The City Council and Visit Oxfordshire Ltd entered into a co-operation agreement, with a commencement date of 1st April 2011, under which the Tourist Information service, previously provided by the City Council, was combined with a tourist information service for the remainder of Oxfordshire. Both elements of the combined service, from the commencement of the agreement, were placed under the single management control of Visit Oxfordshire Ltd. The agreement has a term of 12 years. As would be expected in an arrangement of this nature, the contract's primary aim is to seek to ensure that the combined service is delivered in an efficient and effective way, which best meets the requirements of visitors to Oxford and Oxfordshire and other customers. A number of key performance indicators were specified. Governance arrangements created by the contract ensure that the City Council is able to monitor the performance of Visit Oxfordshire Ltd. In the event that Visit Oxfordshire Ltd were to be in breach of contract, the City Council would have the right to seek appropriate contractual redress.

The Council has no legal obligation to provide a tourist information service. I understand that previously the City Council, and now Visit Oxfordshire, derive some income from providing a booking facility for the Blue Badge Tours. There is no legal obligation on Visit Oxfordshire to advertise the services of competing tours in the same way there is no legal requirement on the City Council to advertise the services of other local suppliers of the discretionary services we provide, e.g. pest control and commercial waste collection etc. If Mr de Voil thinks that he is not getting a good deal from his membership of Visit Oxfordshire, then the remedy is entirely in his own hands.

85. PETITIONS

No petitions had been previously submitted for consideration at this meeting.

86. OUTSIDE ORGANISATION/COMMITTEE CHAIR REPORTS AND QUESTIONS

(a) The Oxford Safer Communities Partnership

The Head of Environmental Development submitted a report (previously circulated, now appended) on behalf of the Board Member for Education, Crime and Community Safety, Councillor Pat Kennedy. The report

informed Council of the work of the Oxford Safer Communities Partnership.

Councillor Pat Kennedy introduced the report.

Councillors Graham Jones thanked Councillor Kennedy for her involvement in saving the Neighbourhood Action Groups (NAGS) in the City. Councillor Craig Simmons asked though what was happening with the NAGS in other parts of the City and also the Student Warden Scheme.

In response Councillor Kennedy said that the Student Warden Scheme had been expanded to include the University of Oxford with eight Wardens. She added that people had welcomed the initiative and had commented how things had improved. She acknowledged that more could be done, and wished to thank Oxford Brookes University for their work in establishing the scheme. With regard to the NAGS she said that there had been difficulty in appointing an Officer in Thames Valley Police to be responsible for the NAGS, but this had now been resolved with a new appointment.

Councillor Sam Hollick commented that there were a large number of priorities, but was there a root cause that was preventing the reduction of inequality. In response Councillor Kennedy said that it was not the role for the Safer Communities Board to cover inequality in the broader sense.

Councillor John Goddard asked if the funding was adequate and secure and what influence had the Police and Crime Commissioner (PCC) have on this. In response Councillor Kennedy said that the PCC had reduced the grant by 11% as part of the generally reduction in funding. He had visited the City and was keen to work in partnership. She added that the PCC had set a budget with an increase of 1.99% and that if this was to be reduced by central Government to 1.5% as reported, then the shortfall would be taken from reserves.

In response to further questions concerning Community Response Teams and CCTV, Councillor Kennedy said that the Community Response Teams worked closely with the Police especially on mental health issues. Regarding CCTV, each scheme was funded differently, however discussions continued on how they were funded.

(b) Statement from Councillor Oscar Van Nooijen – Chair – West Area Planning Committee

Councillor Van Nooijen said that the West Area Planning Committee had requested that he update Council on the current position if the Roger Dudman Way issue. He said that since the last time he had reported, the independent review had taken place and reported back. He thanked Councillors John Goddard and Elise Benjamin for their work and support on the cross party group that had been set up for the review purpose. Many recommendations had been made and all had been endorsed by the West Area Planning Committee and a report on their implementation would follow.

Councillor Elise Benjamin said that good progress had been made and that the review report was thorough. However there were still a number of outstanding issues which had been raised by the representative from the Save Port Meadow Group.

Councillor John Goddard said that there was still more work, discussion and action to be taken, especially on the visual impact of the building, as well as the environmental impact assessment. He asked what more could be done to speed up the resolution of these issues.

In response Councillor Van Nooijen said that a report to the West Area Planning Committee would outline what the University of Oxford was considering with regard to the buildings. He added that he had been assured everything possible was being done to resolve the issues as soon as possible.

(c) Statement from Councillor John Tanner – Oxford City Council representative on the Oxfordshire Waste and Environment Partnership

Councillor Tanner said that the City council collected the waste in the City but did not dispose of it. The Oxfordshire Waste Partnership (OWP) had managed to deal with this collection/disposal divide. However this was now under threat in 2015 due to the decision of the County Council to withdraw its funding. He felt that there was still a great deal more that could be achieved from the Partnership, and it would be a huge blow if the Partnership was to end. He felt it was a shorted sighted approach by the County Council and that it was always better to work together than not and the public expected this to happen.

Councillor Tanner said that it was right that everyone in the Partnership contributed, but some were just considering the cost rather than the policy. He further added that he would not want to see the District Council's not talking to each other as had been the case in the past.

Councillor David Williams stated that the City Council Green Group supported Councillor Tanner. He said that it was vital that the District and County Councils worked together. The OWP had been a real success and needed maintaining.

Councillor Bob Price said that there would still be a continuation of the Partnership as a set of meetings funded by the District Councils without the County Council.

87. SCRUTINY COMMITTEE BRIEFING

The Chair of the Scrutiny Committee submitted a report (previously circulated, now appended) which updated Council on the activities of Scrutiny and other non-Executive Councillors since the previous meeting of Council.

Councillor Mark Mills moved the report.

Council agreed to note the report.

88. MOTIONS ON NOTICE

Council had before it eight Motions on Notice and reached decisions as follows:

(1) **City Council Champion of Mental Health Issues – (Proposed by Councillor Ed Turner)**

Labour Group Member - Motion on Notice

This Council supports the work of MIND and the Mental Health Foundation and asks the City Executive Board to consider appointing a member of council to be a champion of mental health issues in much the same way as we have an older people's champion.

Council acknowledges it is not directly responsible for healthcare provision but believes it nonetheless has an important role to play. Council requests the City Executive Board to play a full role in the Health and Well Being Board and other partnership forums to maximise support for mental health work, and also to ensure its work providing and funding advice services is accessible to people with mental health problems.

Council believes councillors can support the wellbeing of people in their areas through both casework and their strategic role within the council. Council welcomes the practical steps set out by Mind and the Mental Health Foundation, whose new report, *Building Resilient Communities*, that can be taken to promote wellbeing, build resilience and help to prevent mental health problems – including steps that can be taken by Councillors.

Councillor Ruth Wilkinson seconded by Councillor Jean Fooks moved the following amendment:

To add at the end of the Motion the following:

Furthermore, Council wishes to meet best employer practice regarding mental health, and to encourage a commitment from all front line contractors and existing and prospective employers to follow its lead. Council requests that the Chief Executive signs MIND's Charter for Employers who are Positive About Mental Health on behalf of Oxford City Council. It also requests that the Chief Executive writes to his counterparts at the County Council, Oxford Brookes University and the University of Oxford to invite their organisations to follow the City Council's lead as a Mindful Employer to sign up to the Charter too.

The mover of the substantive Motion (Councillor Ed Turner) accepted the amendment and following a debate, Council voted and the Motion as amended by Councillor Ruth Wilkinson was adopted as follows:

This Council supports the work of MIND and the Mental Health Foundation and asks the City Executive Board to consider appointing a member of Council to be a Champion of Mental Health Issues in much the same way as we have an Older People's Champion.

Council acknowledges it is not directly responsible for healthcare provision but believes it nonetheless has an important role to play. Council requests the City Executive Board to play a full role in the Health and Well Being Board and other partnership forums to maximise support for mental health work, and also to ensure its work providing and funding advice services is accessible to people with mental health problems.

Council believes councillors can support the wellbeing of people in their areas through both casework and their strategic role within the council. Council welcomes the practical steps set out by Mind and the Mental Health Foundation, whose new report, *Building Resilient Communities*, that can be taken to promote wellbeing, build resilience and help to prevent mental health problems – including steps that can be taken by Councillors.

Furthermore, Council wishes to meet best employer practice regarding mental health, and to encourage a commitment from all front line contractors and existing and prospective employers to follow its lead. Council requests that the Chief Executive signs MIND's *Charter for Employers who are Positive About Mental Health* on behalf of Oxford City Council. It also requests that the Chief Executive writes to his counterparts at the County Council, Oxford Brookes University and the University of Oxford to invite their organisations to follow the City Council's lead as a *Mindful Employer* to sign up to the *Charter* too.

(2) Saving Community Pubs – (Proposed by Councillor Tony Brett, seconded by Councillor Mary Clarkson)

Liberal Democrat Group Member - Motion on Notice

Oxford City Council notes the possibility of submitting the following proposal to the government under the Sustainable Communities Act:

‘That the Secretary of State help protect community pubs in England by ensuring that planning permission and community consultation are required before community pubs are allowed to be converted to betting shops, supermarkets and pay-day loan stores or other uses, or are allowed to be demolished.’

This Council notes that if this power was acquired it would allow the council to determine if pubs should be demolished or converted into other uses and could save many valued community pubs.

This Council resolves to ask City Executive Board to consider and submit the proposal to the government under the Sustainable Communities Act and to work together with Local Works and the Campaign for Real Ale to gain support for the proposal from other councils in the region and across the country.

Following a debate, Council voted and the Motion was adopted.

(3) Protecting Immigrants' Access to Housing – (Proposed by Councillor Dick Wolff, seconded by Councillor Sam Hollick)

Green Group Member - Motion on Notice

Noting the Immigration Bill currently proceeding through Parliamentary Scrutiny, Oxford City Council:

- is proud of our international heritage and welcomes all people who live in our city
- notes that the Bill proposes making it compulsory for landlords and letting agents to check the immigration status of tenants,
- believes that many people living lawfully in the UK do not possess passports or other documents required to prove that entitlement,
- believes that many thousands of people living without Home Office permission in the UK (and therefore unable to produce such documents) have nonetheless applied for permission to remain, but their cases are either lost or held up in Home Office legal systems, in some cases for many years,
- notes that legal aid for such people has been terminated, making it impossible for them to pursue their applications or appeals,
- believes that each case concerning an undocumented migrant is different, and an unknown number have lived and worked in the UK, raising families born here and living as part of our communities,

and therefore:

- condemns the attempt by the Home Office to force landlords and letting agencies into policing an unjust immigration policy,
- believes that the impact of the policy will be to drive already-vulnerable people 'underground' or into destitution, overloading our support services for the homeless and vulnerable, breaking up families and creating significant knock-on effects for a variety of local services,
- resolves not to include the additional landlords' responsibilities as created under this Bill in its own conditions for licensing and accreditation of the rented sector,
- instructs the leader to write to the relevant minister and the city's two MPs expressing the council's opposition to these new requirements on landlords.

Councillor Ed Turner seconded by Councillor Mark Mills moved the following amendment

To add a seventh bullet point in the first part of the Motion as follows:

- *Believes that the requirement upon landlords to check the immigration status of prospective tenants may place citizens of a black and minority ethnic background at a disadvantage in finding accommodation*

And amend the final bullet at the end of the Motion to include the following:

"And endorses the decision not to include the additional landlords' responsibilities as created under this Bill in its own conditions for licensing and accreditation of the rented sector".

The mover of the substantive Motion (Councillor Dick Wolff) accepted the amendment and following a debate, Council voted and the Motion as amended by Councillor Ed Turner was adopted as follows:

Noting the Immigration Bill currently proceeding through Parliamentary Scrutiny, Oxford City Council:

- is proud of our international heritage and welcomes all people who live in our city
- notes that the Bill proposes making it compulsory for landlord and letting agents to check the immigration status of tenants,
- believes that many people living lawfully in the UK do not possess passports or other documents required to prove that entitlement,
- believes that many thousands of people living without Home Office permission in the UK (and therefore unable to produce such documents) have nonetheless applied for permission to remain, but their cases are either lost or held up in Home Office legal systems, in some cases for many years,
- notes that legal aid for such people has been terminated, making it impossible for them to pursue their applications or appeals,
- believes that each case concerning an undocumented migrant is different, and an unknown number have lived and worked in the UK, raising families born here and living as part of our communities,
- Believes that the requirement upon landlords to check the immigration status of prospective tenants may place citizens of a black and minority ethnic background at a disadvantage in finding accommodation

and therefore:

- condemns the attempt by the Home Office to force landlords and letting agencies into policing an unjust immigration policy,
- believes that the impact of the policy will be to drive already-vulnerable people 'underground' or into destitution, overloading our

support services for the homeless and vulnerable, breaking up families and creating significant knock-on effects for a variety of local services,

- resolves not to include the additional landlords' responsibilities as created under this Bill in its own conditions for licensing and accreditation of the rented sector,
- instructs the leader to write to the relevant minister and the city's two MPs expressing the council's opposition to these new requirements on landlords and endorses the decision not to include the additional landlords' responsibilities as created under this Bill in its own conditions for licensing and accreditation of the rented sector

(4) Inadequate flooding prevention funding – (Proposed by Councillor John Tanner)

Labour Group Member - Motion on Notice

This Council is appalled by the inadequate measures taken by the Coalition Government to help tackle Oxford's increasing flooding problems.

We call on Her Majesty's Government to allocate funding immediately for the Conveyance Channel so that floods bypass Oxford. We call on the Environment Agency and the County Council to work with the City Council to significantly improve protection for homes and to guarantee that main roads and the railway remain open even when there is flooding.

We congratulate the staff of the Environment Agency, the emergency services, and the County and City Councils, for their hard work in helping Oxford residents during the floods. We also congratulate Oxford residents for their positive outlook, co-operation and determination to keep going, during the latest floods.

Councillor Jean Fooks seconded by Councillor Graham Jones moved the following amendment:

- (1) *Replace the first paragraph with the following words:*

"This Council regrets the lack of investment in flood defences by successive governments. As climate change is leading to more frequent storm events, it is imperative that more is done to reduce the risk they pose to Oxford and its citizens."

- (2) *Replace the second paragraph with the following words:*

"We call on Her Majesty's Government to allocate funding immediately for the work to improve the flow of the River Thames at Sandford Lock. We ask that immediate attention be given to investigating what other measures will be most effective in reducing the flooding risk to Oxford citizens and properties, especially

whether major tree planting schemes upstream would reduce the flood risk as well as having great environmental advantages”

We call on the Environment Agency to work with the City and County Councils to minimise the risk of flooding to homes and to develop schemes whereby the risk of closure of main roads and railway lines is reduced as far as practically possible.’

- (3) *Retain the current third paragraph which becomes the fourth paragraph.*

The mover of the substantive Motion (Councillor John Tanner) did not accept the amendment by Councillor Jean Fooks and following a debate, Council voted and the amendment was not adopted.

Following a further debate, Council resolved under procedure Rule 11.19(d) to have a named vote. The result of the named vote was as follows:

For the Motion – Councillors Sinclair, Brett, Abbasi, Baxter, Benjamin, Brown, Canning, Clack, Clarkson, Cook, Coulter, Curran, Darke, Fry, Haines, Hollick, Humberstone, Kennedy, Shah Khan, Lloyd-Shogbesan, Lygo, Pressel, Price, Rowley, Rundle, Sanders, Seamons, Simmons, Tanner, Turner, Upton, Van Nooijen, Williams and Wolff.

Against the Motion – None.

Abstentions – Councillors Campbell, Fooks, Goddard, Gotch, McCreedy, Mills, and Wilkinson

Following the named vote the substantive Motion was adopted as follows:

This Council is appalled by the inadequate measures taken by the Coalition Government to help tackle Oxford's increasing flooding problems.

We call on Her Majesty's Government to allocate funding immediately for the Conveyance Channel so that floods bypass Oxford. We call on the Environment Agency and the County Council to work with the City Council to significantly improve protection for homes and to guarantee that main roads and the railway remain open even when there is flooding.

We congratulate the staff of the Environment Agency, the emergency services, and the County and City Councils, for their hard work in helping Oxford residents during the floods. We also congratulate Oxford residents for their positive outlook, co-operation and determination to keep going, during the latest floods.

- (5) **Control of residential lettings boards in the City – (Proposed by Councillor Ruth Wilkinson, seconded by Councillor Jim Campbell)**

Liberal Democrat Group Member - Motion on Notice

Council acknowledges that “To Let” and “Let by” signs are erected on some properties for months despite the properties being occupied. This creates visual clutter, community objection and planning enforcement complaints, highlights student-targeted areas, and police advice in other parts of the country has pointed to a strong correlation between crime levels and the properties displaying “To Let” boards.

Council notes that other authorities have tackled this issue by means of either a voluntary code or a mandatory code, and that mandatory codes have been introduced in Leeds, and also in Newcastle following a review of a previously agreed voluntary code. Council further notes the well-documented success of a mandatory code on the erection of residential lettings boards in Inner NW Leeds which led to a reduction in crime and antisocial behaviour, and improved the appearance of two predominantly student areas in the City.

Council also notes that the majority of agencies involved in letting residential properties do ensure that boards are taken down when reminded.

Council asks the City Executive Board:

- (a) To require officers to introduce a code on the erection of residential lettings boards in Oxford
- (b) To carry out a formal consultation process on whether this code should be voluntary or mandatory
- (c) To work with landlords, estate agencies which operate lettings, lettings agencies, boards agents, Oxford City Council officers and the Universities on the content of the code, taking into account the relevant regulations and ensuring that there is an agreed and clear definition of the start date of a tenancy which triggers the board erection process.

Councillor Ruth Wilkinson’s Motion on Notice was not considered as the time allowed for Motions on Notice by the Constitution had lapsed.

(6) Flood Insurance and Mitigation – (Proposed by Councillor Craig Simmons, seconded by Councillor David Williams)

Green Group Member - Motion on Notice

This Council notes that flooding incidents in Oxford are likely to increase as climate change worsens with serious effects on those whose homes and businesses are badly damaged and lives disrupted.

This Council also notes that the agreement between the UK Government and the insurance industry, the so-called ‘Statement of Principles’, which required members of the Association of British Insurers (ABI) to make insurance available for properties in areas at significant flood risk, expired last year. The outline of a new scheme, called ‘Flood Re’, has been agreed with the industry but this will not come into effect until at least 2015. Its terms, conditions and costs remain unclear.

In the interim, flood insurance is being provided on a voluntary basis with the risk that premiums and excesses will rise and new households where flooding is a risk will find getting a policy more and more difficult.

This Council therefore asks the relevant officer to write to the Secretary of State for Environment, Food and Rural Affairs expressing its concern on behalf of those at risk of flooding in the City and asks for details of any interim measures that will guarantee cover until the new arrangement are in place.

This Council also agrees to revisit its own policy on climate change adaptation working with other agencies to ensure that the City, its people and economy, are better prepared for more extreme weather events.

Councillor Craig Simmons Motion on Notice was not considered as the time allowed for Motions on Notice by the Constitution had lapsed.

(7) Roger Dudman Way – (Proposed by Councillor Elise Benjamin, seconded by Councillor Dick Wolff)

Green Group Member - Motion on Notice

Oxford City Council accepts the findings of the Independent Report into the flaws, errors and limitations in the planning processes around the approval given to the damaging and highly controversial Roger Dudman Way Oxford University graduate buildings, and resolves to work together with all bodies to ensure that the impacts on Port Meadow and William Lucy Way are reversed, and the views of the Grade 1 listed St Barnabas Tower and other views restored, for the benefit of current and future generations of residents, visitors and students in Oxford City and elsewhere.

Councillor Elise Benjamin's Motion on Notice was not considered as the time allowed for Motions on Notice by the Constitution had lapsed.

(8) Improving Access to the Register of Gifts and Hospitality – (Proposed by Councillor David Williams seconded by Councillor Elise Benjamin)

Green Group Member - Motion on Notice

This Council believes that both Councillors and officers must act, and be seen to act, in an impartial and objective way if public faith in Council processes, are to be maintained and enhanced.

There is already a requirement under the Employee Code of Conduct for each Service Area to maintain a Register of Gifts and Hospitality, but members of the public are unable to easily access this information.

Council therefore resolves that, in the interest of openness and transparency:

- (1) All Service Area Registers of Gifts and Hospitality should be made readily available to Councillors and members of the public via a link on the Council website; and
- (2) Reports on planning applications, and other quasi-judicial documents, should include reference to any related disclosures.

Councillor David William's Motion on Notice was not considered as the time allowed for Motions on Notice by the Constitution had lapsed.

89. MATTERS EXEMPT FROM PUBLICATION

Not required.

The meeting started at 5.00 pm and ended at 8.55 pm

Address to Council by Paula Maddison

Oxfordshire Mind address to the council (by Paula Maddison, Corporate Relationship Co-ordinator for Oxfordshire Mind)

Linking into the motion by Cllr Turner regarding Mental health champions, I would like to address the council regarding the work that Oxfordshire Mind does. My name is Paula Maddison and my role within Mind is that of Corporate Relationship Co-ordinator. I am responsible for linking with employees around the support we can offer to both employers and employees.

At any time, 1 in 6 people will be experiencing some kind of mental health issue. Each year, £26 billion will be lost due to employees' poor mental health. £15.1 billion lost each year through poor productivity of employees who continue to work while experiencing poor mental health. 70 million working days are lost each year.

Oxfordshire Mind's 'mission' is to ensure that anyone with a mental health problem has someone to turn for advice and support. We want to create conversations in the workplace about mental health and to reduce the stigma around accessing help and support.

The Oxfordshire Mind Information Service provides information about mental health and mental health services across Oxfordshire and is open to anyone to access. I will be leaving some cards out for people to take with details of how to contact this service.

I would be very happy to meet with any of you to discuss the work that Oxfordshire Mind does and how we could support the role of mental health champions. We offer mental health first aid training, a nationally accredited course which teaches participants the knowledge and skills to recognise the early signs of mental ill-health and support someone to seek the right help. We also offer a number of short course around 'Coping Skills' including Self-esteem, Assertiveness and Mindful Way of Living as well as shorter, 'bite-size' information sessions around mental health and wellbeing. All of these could be used to start having the conversation about mental health, both at an organisational level, as part of a workplace wellbeing strategy or on a one to one base with employees around mental health issues.

Many thanks for listening and please get in touch to discuss what we are able to offer both you and your organisation.

Paula Maddison
January 2014

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Address to Council by Chaka Artwell (Oxford Voice)

London has welcomed people seeking sanctuary for many centuries: Jean-Jacque Rousseau, Karl Marx, & Marcus Garvey have all had need to seek sanctuary in London during times of personal persecution. London has been the City of choice for many peoples seeking sanctuary and this tradition is something the English peoples should cherish.

Today in 2014 there is a man whose Whistle Blowing activities have not only saved many people in places like Iraq and Afghanistan from unlawful military attack. But this man's activities is helping to established the rights of western people not to be arbitrarily put under surveillance by the covert intelligence societies of the United States.

As a result of Mr Julian Assange's Whistle Blowing activities the world has seen an Apache helicopter fatally attacking Rueter Journalist and then attacking the Ambulance who assisted the dead and wounded. In a world governed by secrecy there is a need for brave courageous people who will speak our for truth and justice in a world full of government led wrong doings.

Oxford Voice is calling on Oxford City Councillors to support a humanitarian Petition asking the Home Office to allow this brave man to leave the Ecuadorian Embassy in order to seek sanctuary in Ecuador.

I am sure Oxford City Councillors would welcome the chance to uphold the fine tradition of sanctuary for the oppressed. Your support in this matter is much needed as offering sanctuary is a fine and noble tradition. In support of the best tradition of English freedom, please sign this Petition to free Mr Assange from confinement in Ecuadorian Embassy in London. Thank you.

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Address to Council by Alasdair de Voil

Concerning abuse/conflict of interest: Visit Oxfordshire

Please note that I have been complaining for over 2 years about how Visit Oxfordshire Ltd., which runs Oxford visitor information centre on behalf of Oxford City & County Councils, sees fit to go out of their way to undermine and disadvantage local businesses like mine- the very tourism businesses which it is supposed to be introducing information about our services to the public. Essentially, Visit Oxfordshire does the opposite of its remit and when it comes to presenting information about guided tours of Oxford (the most relevant service it offers), it does little else than sell and market only one tour (its so-called 'Official Oxford walking tour') to the almost complete exclusion of every other tour. In other words, despite receiving public funding to provide a public service on behalf of Oxford City and County Council, it actually misuses its position to run a monopoly interest on selling its own tour. How it can even be appropriate for a supposedly impartial service provider to even run its own tour, is strange in itself and represents already a conflict of interest.

I can give many examples of how it abuses its position but the most obvious is if you visit their website, nearly every single page directs people to its official tour but you'd have to look very hard to find tours like mine listed there. The website has something like 5,000 % more advertising for the official tour than it does for any other tour- despite fact the that we pay them a minimum £390 annual partnership fee and the official tour pays absolutely no such fee to be advertised!

I have also already several times pointed out to the Highways department that every day, a sign is put outside Oxford Visitor Information Centre, which doesn't comply with highways guidelines as their guidelines state that a sign board may only be left outside a business unless 50% of the advertising on display is about the business it is located outside of. Yet the sign advertises now only the so-called 'Oxford Official Walking Tour', which is according to Oxford visitor info centre, an independently operated business from their own organisation's remit. Yet when people like MP Andrew Smith and the Local Government Ombudsman and the Oxford Times have asked questions about how can the visitor centre operate impartially (while being a publicly funded and supposedly impartial service), no one has been offered a reasonable explanation of why Visit Oxfordshire is advertising and selling only one Oxford walking tour to the almost complete exclusion of performing their remit to provide a public service about all tours available.

When everyone apart from the highways department asked what is the status of the relationship between the official tours and the visitor centre, each time they were advised that the Official Oxford tour is not the visitor centre's tour but that they simply see fit to sell (only it and no other Oxford tour). They always claimed the tour is in fact run by the blue badge guild of guides. However, when the highways department asked visitor centre about the sign outside the visitor centre (advertising only the official Oxford tour), they told them the tour is the visitor centre's own tour. In other words: 1) the visitor centre is running a monopoly interest if it is their own tour (as they claim to the Highways department) but 2) it is not their own tour, when anyone

else asks them why with a remit to be impartial, they only want to advertise and sell tickets for one tour

Truth be told, tour operators like myself, only really need signage in one location and only need our advertising to be found easily and without prejudice at one location and on the one most important website which nearly all visitors to Oxford will use. The periphery of other sites and advertising sources are very secondary in importance to our opportunity to attract customers. (in last 3 years)

However, sadly the visitor information centre is so far from being either impartial or functioning with a remit to benefit businesses like mine which pay it a significant partnership fee, this in spite of the fact that Visit Oxfordshire Ltd has received almost £1 million in the last 3 years from Oxford City and County Council, to deliver a publicly funded service. Instead, it continues to see fit to directly undermine local businesses like mine- which provide the services that it exists to promote information about to the public. I have been complaining about these circumstances for over 2 years to Oxford City Council because in effect, the Council is permitting a supplier to ruin our business opportunity and is doing all this with Council funding.

This is a serious matter as the public is not getting its money spent in the fair way it should be and local businesses are being damaged. Legal advisers recommended that as the City Council is the organisation finally responsible for this abuse of a public service, if we were to elect to sue for damages, it would be easier to sue the Council than Visit Oxfordshire Ltd. However, such a prospect is completely unnecessary anyway as the Council has a duty to ensure its services are being provided in an appropriate manner. Visit Oxfordshire Ltd. doesn't even provide its partners with a description of how they will provide a fair service- despite my asking for such a statement since the day I relented to pay them my annual £390 partnership fee. The value of sales which I have had as a result of my fee and partnership is nothing like a return on investment on the fee I paid them and I have heard so many other partnership members say the same thing that they find the service they get is appalling and not a R.O.I. We see this as being the case because it is so evidently clear that Visit Oxfordshire's agenda is to market and sell the Official Oxford tour wherever possible and only then offer an alternative if they can't do so.

As nearly all visitors gravitate towards the visitor centre and its website, funnily enough, what this means as a result is that nearly all the opportunity for customers goes to the visitor centre's monopoly Official Oxford tour. This is in spite of the fact that while we pay them a partnership fee, the blue badge guild of guides pays no partnership fee at all! That's because Visit Oxfordshire receives about 50% in commission from every individual ticket they sell for the official tour.

These completely unsatisfactory circumstances have been made known to Oxford City Council for over two years but absolutely no action has yet been taken to ensure a fair marketplace and to reprimand Visit Oxfordshire Ltd. which runs the visitor centre, nor has any action be taken to conduct a review of why the City Council permits such a gross conflict of interest to continue unchecked. The result is that it forces small businesses like mine to depend on claiming welfare benefits as we simply can't make a living when we are being exploited by the very organisation and

public service which has a duty to represent and promote our interests (instead of effectively stealing what could have been our customers).

Myself and other Oxford tour operators have lost patience with these circumstances and we suggest very strongly that the City and County Council take more responsibility for the damage caused to our businesses or we will have to review what alternative paths may have to be undertaken to see that we can make a viable living by having a fair marketplace. Surely the Council is supposed to be supporting small local businesses to thrive- especially ones which develop and promote Oxford's heritage and culture. Currently, the average £300,000 annual funding which the Council is paying Visit Oxfordshire Ltd, is being used to no better effect than to force tour operators like myself into losing money just trying to operate tours. We want to make a modest living but instead in my case, I am having to work several other jobs and depend ultimately on housing benefit and working tax credit, to be able to survive. Is this all that your Council has to offer entrepreneurs like me?

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Address to Council by Nigel Gibson

Why Oxford City Council Could and Should Deliver the Services the People of Oxford Want and Need

I am here this evening to hand over these seven petitions from the people of Oxford, who are clearly expressing their wish, yet again, that you keep Temple Cowley Pools and Fitness Centre open.

I realise that many of you regard the matter of closing Temple Cowley Pools as history, as something you've made a decision on years ago and so shouldn't have to consider again. But, the people, your voters, have a very different view, and express it plainly by choosing to sign the petition. They are extremely angry that you are wasting their money and ignoring what they want.

The people of Oxford want their services for health and exercise kept open, provided in a place where they want and need them, at Temple Cowley Pools and Fitness Centre. You must recognise just how strongly people feel about this issue. The first petition presented to you in 2010 was the largest in the history of Oxford at over 12,000 signatures. We only stopped collecting signatures because you chose to ignore the petition – so we started another petition, and another, and another... The strength of feeling remains the same – people are angry now that you continue ignoring them, just as you ignored them when you carried out your so-called 'consultation' process.

But it's not just about opinion; you would have us believe that this is a matter on which people can 'reasonably differ' in their views and that as you are in power your view must prevail. But the mantra of Labour has been for many years to follow 'evidence-based' policy making. And in this case it is not just opinion that is against you, but evidence. Councillors have claimed that you took "quite a lot of persuading" before deciding to close Temple Cowley Pools. Well, despite all the claims to be following an open and transparent process, at no point have we seen any evidence to justify closure that is either persuasive or even mildly convincing. We have repeatedly asked to see any evidence of what persuaded you; our requests have been met with patronising responses along the lines of 'we must trust the experts', even though it is clear that your 'experts', your hired hands, are only interested in delivering the message you want to hear.

We have demonstrated, either using information you have provided, or using information we have had to drag out of the council using Freedom of Information requests, how all this so-called 'evidence' of yours is a combination of misleading, inaccurate, incomplete and untrue. And that is unfortunate, because as a Campaign we would rather work with you than against you. And this evening, yet again, with yet another petition (now of course the largest number of petitions on one topic ever to have been presented to this council) you have the opportunity to do the right thing.

You have decided to continue to build a 25m, non-Olympic swimming pool at Blackbird Leys. The total cost of this exercise, not just the current build cost of £9.23m, will be over £13m by the time you have finished. This is the most expensive 25m swimming pool in the UK, and probably in Europe – that is over half a million pounds for each metre!

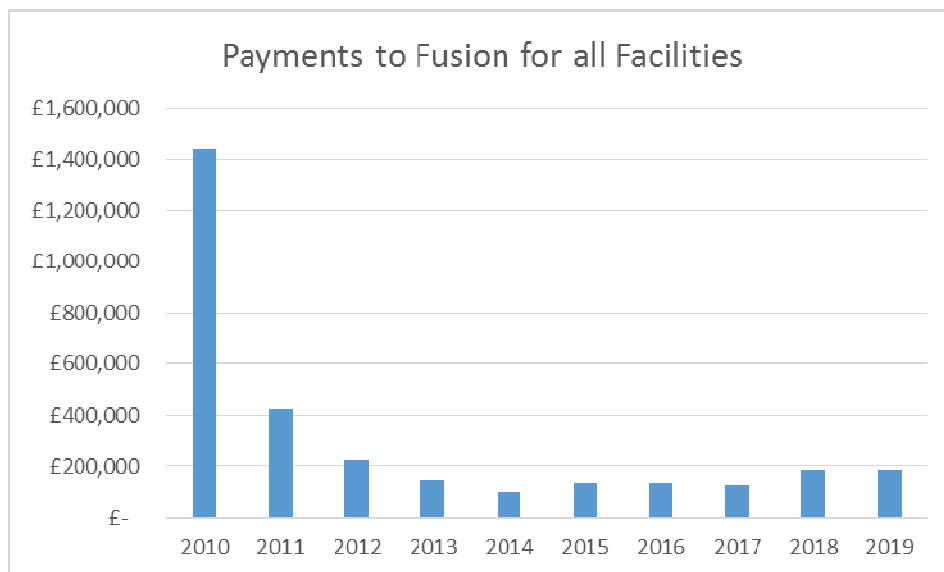
And you intend closing two sports centres in the process, despite your claims in an answer at the last City Executive Board that “there is no policy of reducing publicly funded leisure facilities” – really? I think it is clear that you are most definitely reducing facilities that people want and need, moving them away from where they want and need them. There is absolutely zero evidence of demand for a new swimming pool at Blackbird Leys – if people there really wanted more swimming, there would be a clamour for the existing pool to be open to the public much longer than the 9 hours it currently is each week.

If you had taken a different course, you could have protected all your front-line services from the swingeing cuts in your Central Government grant, and fully refurbished Temple Cowley Pools, and had done whatever you want – to keep facilities for health and fitness where they should be – in walking and cycling distance of most of the existing users. And you have chosen a different route, to proceed with your white elephant of a vanity project. But there is still time. Time to keep Temple Cowley Pools open, and do what the public wants.

I’m not going to revisit all the sound, robust and factual evidence for keeping Temple Cowley Pools open, as the Campaign has presented them to you many times before, and each time you’ve chosen to ignore them. Ignore what was the most popular leisure centre despite you actively trying to run it down, ignore that it was the most energy efficient leisure centre, ignore that it is sited in Oxford’s area of fastest population growth over the last ten years, ignore the independent conditions surveys that you commissioned and then hid because they told you there is nothing basically wrong with it.

At the heart of your desire to close Temple Cowley Pools is money, or rather, ‘you say’ saving it. We hear repeatedly that it costs us over £500,000 a year to operate the centre. You claim that the vast majority of that, £340,000 last year, is a contractual payment to the operators, Fusion, who also take all the admission money while operating a tax avoidance scam under the pretence of being a charity.

Well, you publish the annual payments from the Fusion contract on your website. Here they are, for the whole contract term:



Andyou claimedinananswerto a publicquestionat a CityExecutiveBoardmeetinglast yearthatnothing hadchanged,andthat youarenot payinganythingadditionalto Fusion. Youwillseequite clearlythat thepaymentslastyearwereunder£200,000forallourleisure centres,soclearlythere's someadding upgoingwrong inyourclaim fortheoperatingcosts ofTempleCowley.Orsomeoneislying?

Andyou cansee,quiteclearly,thattheannualpaymentstoFusionwillstaybelow £200,000 fortherestof thecontract.Andyetforthebrandnew25mnon-Olympicswimmingpool you aregoingtopayFusion£150,000ayear!Howon earthcanthisbe value for money?

Here'sasolution. Themaintenance cost of TempleCowley Poolsisunder£100,000ayear. Therealcontract'cost'toFusion foroperating thecentrecannot bemorethanabout £30,000ayear.You can bringthe divingpoolbackintousefor£60,000– the onlypublicly fundeddivingpoolinOxfordshire .Theonlymajorcostsinmaintenance,accordingtoyour own figures,aretheair handling unitsandtheroof–thesewill cost £300,000.Sohereisa realvalue-for-moneysolutionthattrumpsanythingelseyouaredoing anywhereelsein Oxford;cheapertoenactandcheapertorunthanthe newswimmingpool,offeringmore facilities that willenableandpreservethehealth,fitness,well-beingand qualityoflifeof thousandsofpeopleinOxfordandacrossthecounty.Nonemoresothantheelderly and infirm,whorelyonthishealthandfitnesscentrebeingwhereitisnowasconvenientfor themtoexerciseandmaintaintheirqualityof life,enablingthemtoremain independent andoutof thecostly clutchesof theNHS.

Andso,supportedby thesolutionIhave justdescribed,Iwouldliketopresentyou withthe seventhpetition fromthepeopleof Oxford:

"Wethe undersigned stronglyoppose Oxford CityCouncil's plan to demolish Temple CowleyPools and Fitness Centre in orderto sell publiclyowned land for housing.We believethis is a short-sighted,destructive policywhich will havedetrimental effects on health and well-being,particularlyofthe most vulnerable people,who usethe centre tomaintain their health and qualityof life,and independence from the NHSforas long as possible.We call upon OxfordCityCouncil to workimmediatelywiththe SaveTemple CowleyPools Campaign to find thebest wayto enhance and preserve the existingfacilities in Temple Cowley."

Nigel Gibson–February2014

CampaigntoSaveTempleCowley Pools &Fitness

Centresavetcp@gmail.com

www.savetemplecowleypools.webs.com

@savetcp

fb:savetcp

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COUNCIL

Wednesday 19 February 2014

COUNCILLORS PRESENT: Councillors Sinclair (Lord Mayor), Abbasi (Sheriff), Brett (Deputy Lord Mayor), Altaf-Khan, Baxter, Benjamin, Brown, Campbell, Canning, Clack, Clarkson, Cook, Coulter, Curran, Darke, Fooks, Fry, Goddard, Hollick, Humberstone, Jones, Kennedy, Lloyd-Shogbesan, Lygo, Malik, McCready, Mills, O'Hara, Paule, Pressel, Price, Rowley, Royce, Sanders, Seamons, Simmons, Tanner, Turner, Van Nooijen, Wilkinson and Williams.

90. CONDUCT OF COUNCIL BUSINESS

Council agreed to adopt the procedure (amended to these minutes) for dealing with the budget debate.

91. ANNOUNCEMENTS

The Lord Mayor made the following announcements:

- (1) The Rainbow Flag would be flown from the Town Hall flag pole on Saturday 22nd February 2014, to mark the closing of the Winter Olympic Games in Sochi.
- (2) The Commonwealth Flag will be presented to the Council and flown from the town Hall flag pole on Monday 10th March 2014.
- (3) On behalf of the Full Council, the Lord Mayor congratulated Councillor Laurence Baxter on the announcement of his engagement.
- (4) Val Howlett, was to retire having been an employee with the Council for many years, initially as a telephonist and more recently as a member of Facilities Management. Council wished to record its thanks and to wish her well in her retirement.
- (5) William Reed, Democratic Services Manager was to retire after 41 years and 8 months service with the City Council. First as an Assistant in the Information Centre in 1972, followed by positions as a trainee Committee Secretary, Committee Secretary, Principle Committee Secretary and more recently as the Democratic Services Manager.

Council noted that during his many years of service, William Reed had clerked all of the Committees appointed by Council, most notably the Full Council meeting and the former Highways and Traffic Committee.

Council thanked William Reed for his service and wished him a happy and restful retirement.

92. APOLOGIES

Apologies for absence were received from Councillors Michael Gotch, Mick Haines, Shah Jahan Khan, David Rundle, Val Smith, Louise Upton and Dick Wolff.

93. DECLARATIONS OF INTEREST

None declared.

94. PUBLIC ADDRESSES AND QUESTIONS THAT RELATE TO MATTERS FOR DECISION AT THIS MEETING

No requests to address Council or ask questions were received from members of the public.

95. REPORT OF THE COUNCIL'S CHIEF FINANCE OFFICER ON THE ROBUSTNESS OF THE 2014/15 BUDGET

The Head of Finance submitted a report (previously circulated, now appended) under Section 25 of the Local Government Act 2003 which required the Council's Chief Financial Officer report to Council on:

- (a) The robustness of the estimates made for the purposes of the calculations of the budget, and
- (b) The adequacy of the proposed financial reserves.

Council agreed to note the report.

96. MEDIUM TERM FINANCIAL STRATEGY 2014-15 TO 2017-18 AND 2014-15 BUDGET FOR CONSULTATION: A FAIR FUTURE FOR OXFORD

Council had before it the following:

- (1) Report of the Head of Finance, submitted to the City Executive Board on 12th February 2014;
- (2) Supplementary budget report of the Head of Finance, submitted to the City Executive Board on 12th February 2014, following the Government's late announcement of 'excessive Council Tax' level;
- (3) Extract from the minutes of the City Executive Board held on 12th February 2014;
- (4) Supplementary budget report of the Head of Finance, concerning a change to the recommendation of the City Executive Board of 12th February 2014, on Council Tax discounts;
- (5) Liberal Democrat Group alternative budget proposals;

(6) Green Group alternative budget proposals;

(7) A revised Green Group alternative budget proposals (revenue);

Councillor Ed Turner, seconded by Councillor Bob Price, moved and spoke to the Administration's budget.

Councillor Jean Fooks, seconded by Councillor Mark Mills, moved and spoke to the Liberal Democrat Group alternative budget.

Following a further debate, Council resolved under procedure Rule 11.19(d) to have a named vote. The result of the named vote was as follows:

For the Liberal Democrat Group amendment – Councillors Mohammed Niaz Abbasi, Tony Brett, Mohammed Altaf-Khan, Jim Campbell, Jean Fooks, John Goddard, Graham Jones, Stuart McCready, Mark Mills, Gwynneth Royce, Ruth Wilkinson

Against the Liberal Democrat Group amendment – Councillor Laurence Baxter, Elise Benjamin, Susan Brown, Beverley Clack, Mary Clarkson, Colin Cook, Van Coulter, Stephen Curran, Roy Darke, James Fry, Sam Hollick, Rae Humberstone, Pat Kennedy, Ben Lloyd-Shogbesan, Mark Lygo, Sajjid Malik, Helen O'Hara, Michele Paule, Susanna Pressel, Bob Price, Mike Rowley, Gill Sanders, Scott Seamons, Craig Simmons, Dee Sinclair, John Tanner, Ed Turner, Oscar Van Nooijen, David Williams

Abstentions – None

With more Councillors voting against than for, the Liberal Democrat Group alternative budget proposals they were not carried.

Councillor Craig Simmons, seconded by Councillor Sam Hollick, moved and spoke to the Green Group alternative budget.

Following a further debate, Council resolved under procedure Rule 11.19(d) to have a named vote. The result of the named vote was as follows:

For the Green Group amendment – Councillors Elise Benjamin, Sam Hollick, Craig Simmons, David Williams

Against the Green Group amendment – Councillors Tony Brett, Mohammed Niaz Abbasi, Mohammed Altaf-Khan, Laurence Baxter, Susan Brown, Jim Campbell, Beverley Clack, Mary Clarkson, Colin Cook, Van Coulter, Stephen Curran, Roy Darke, Jean Fooks, James Fry, John Goddard, Rae Humberstone, Graham Jones, Pat Kennedy, Ben Lloyd-Shogbesan, Mark Lygo, Sajjid Malik, Stuart McCready, Mark Mills, Helen O'Hara, Michele Paule, Susanna Pressel, Bob Price, Mike Rowley, Gill Sanders, Scott Seamons, Dee Sinclair, John Tanner, Ed Turner, Oscar Van Nooijen, Ruth Wilkinson

Abstentions – None

With more Councillors voting against than for, the Green Group alternative budget proposals they were not carried.

Amendments

Amendment 1 - Councillor Jean Fooks, Seconded by Councillor Stuart McCready, moved an amendment to the Administration's budget for an amendment to the parking fees as follows:

1. ***Remove fee of 50p from one hour's parking at Cutteslowe Park, Hinksey Park and Walton Well Road car park.***

The new fee structure for these car parks would be

Cutteslowe Park; Harbord Road and A40

0-1 hour free, but ticket required

1-3 hours £1.10

3-24 £2.20

Hinksey Park and Walton Well Road Port Meadow car parks:

0-1 hour free, ticket required

1-3 hours £1.10

3-5 hours £2.20

5-24 hours £10.20

2. ***Charge district centre fees at Alexandra Courts, with permits for tennis players***

New charges would be

Monday to Sunday (0800-20.00)

0-1 hours £1.20

1-2 hours £1.70

2-3 hours £3.20

3-4 hours £5.20

4-6 hours £13.10

6-8 hours £13.10

8+ hours £13.10

All other times £1.20

Amendment 2 - Councillor Mark Mills, seconded by Councillor Jean Fooks moved an amendment to the Administration's budget as follows:

Council resolves to release the contingency for transport for the elderly and disabled to the general fund to support Dial-a-Ride or an analogous service.

Amendment 3 – Councillor Jean Fooks seconded by Councillor Craig Simmons moved a joint amendment to the Administration's budget (details appended to these minutes)

Amendment 4 – Councillor Sam Hollick, seconded by Councillor Craig Simmons moved an amendment to the Administration's budget as follows:

Introducing an inflation cap on rent rises for council homes from 16/17

Amend the HRA budget as follows:

Additional savings

Reduce revenue contribution to capital	0	0	-700	-1300
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Additional costs

Reduce rental income to inflation Only increased for 16/17 and 17/18	0	0	600	1200
Prudential borrowing costs to finance The HRA capital programme	0	0	56	112
Transfer the balance of proposals From /(to) reserves	0	0	-44	12

Amendment 5 – Councillor Sam Hollick, seconded by Councillor Craig Simmons moved an amendment to the Administration’s budget as follows:

Extra support for homelessness – reversing the cut in officer post from the Housing Team, and extending funds available to support people facing homelessness.

This would be funded from modest other proposals already in the Council papers.

Amend the revenue budget as follows:

Extending annual increase to Park And Ride sites (in 2 * 5%)	-50	-50	-100	-100
Reverse proposed cuts in some off Street parking tariffs	-50	-50	-50	-50
Introduce district car parking charges To Alexandra Courts	-26	-26	-26	-26
Reduce Your Oxford to 1 per year	-10	-10	-10	-10
TOTAL	-136	-136	-186	-186
Reverse cut to homeless officer	36	36	36	36
Homeless Support Grant	100	100	100	100
TOTAL	136	136	186	186

Following a combined debate on all of the amendments, Council voted. All four amendments fell with more Councillors voting against than for.

Council resolved under procedure Rule 11.19(d) to have a named vote on the City Executive Board’s recommendations from its meeting on 12th February 2014 and on the amended recommendation submitted to this Council meeting. The result of the named vote was as follows:

For the City Executive Board recommendations as amended – Councillors Mohammed Niaz Abbasi, Laurence Baxter, Susan Brown, Anne-Marie Canning, Beverley Clack, Mary Clarkson, Colin Cook, Van Coulter, Stephen Curran, Roy

Darke, James Fry, Rae Humberstone, Pat Kennedy, Ben Lloyd-Shogbesan, Mark Lygo, Sajjid Malik, Helen O'Hara, Michele Paule, Susanne Pressel, Bob Price, Mike Rowley, Gill Sanders, Scott Seamons, Dee Sinclair, John Tanner, Ed Turner, Oscar Van Nooijen

Against the City Executive Board recommendations as amended – Councillors Tony Brett, Mohammed Altaf-Khan, Jean Fooks, John Goddard, Stuart McCready, Mark Mills, Gwynneth Royce, Ruth Wilkinson

Abstentions – Councillor Elise Benjamin, Sam Hollick, Graham Jones, Craig Simmons, David Williams

The following recommendations were carried:

- (a) The Council's General Fund Budget Requirement of £24.080 million for 2014/15 and an increase in the Band D Council Tax of 1.99% or £5.34 per annum as set out in Table 1 of the supplementary report of the Head of Finance, representing a Band D Council Tax of £273.53 per annum;
- (b) The continuance of the Council's Council Tax Support Scheme (formerly Council Tax Benefit) as referred to in paragraph 44 of the main report of the Head of Finance;
- (c) The Housing Revenue Account budget for 2014/15 as set out in Appendix 4 to the main report and an increase in average dwelling rent of 5.42% representing £5.25 per week and taking the annual average rent to £102.08 as set out in Appendix 5 to the main report;
- (d) The Capital Programme for 2014/15 -2017-18 as set out in Appendix 6 to the main report;
- (e) The Fees and Charges Schedule that forms Appendix 7 to the main report;
- (f) The changes to the level of exemptions and discounts on empty homes and unoccupied properties as outlined in paragraph 44 of the main report, except for Class A empty properties where the Council Tax Discount for Class A empties remains unchanged from that agreed on 1st April 2013, namely a 25% discount for a period of one year.

97. CORPORATE PLAN 2014-18

Council had before it the following (previously circulated, now appended):

- (1) Report of the Head of Policy, Culture and Communications which had also been submitted to the City Executive Board on 12th February 2014. The report detailed the outcomes of the consultation on the Corporate Plan 2014-2018
- (2) Extract from the minutes of the City Executive Board held on 12th February 2014.

Councillor Bob Price moved and spoke to the report.

Councillor Jim Campbell seconded by Councillor Mark Mills moved an amendment as follows:

In the main Corporate Plan document on page 10, under the heading of Improving Oxford's City Centre, to add a fourth bullet point as follows:

- *Working in partnership with the traders to make effective use of the findings of the Retail group's report on the Future of the Covered Market, to increase footfall in the Market, and to ensure it plays a key role in the City Centre Retail offer.*

Councillor Bob Price accepted the amendment and following a vote Council agreed:

- (a) The Corporate Plan 2014-18 as amended;
- (b) To delegate authority to the Head of Policy, culture and Communications to make minor textual amendments where necessary, in preparation for the formal publication of the Corporate Plan 2014-18.

98. TREASURY MANAGEMENT STRATEGY 2014/15

Council had before it the following (previously circulated, now appended):

- (3) Report of the Head of Finance which had also been submitted to the City Executive Board on 12th February 2014. The report presented the Treasury Management Strategy for 2014/15 with Prudential Indicators for 2014/15 – 2017/18
- (4) Extract from the minutes of the City Executive Board held on 12th February 2014.

Councillor Ed Turner moved and spoke to the report.

Following a debate, Council voted and agreed to:

- (1) Adopt the Treasury Management Strategy 2014/15, and to approve the treasury prudential indicators at paragraphs 13 – 28 of the report;
- (2) Approve the Investment Strategy for 2014/15 and the detailed investment criteria as set out in paragraphs 29 – 48 of and Appendix 1 to the report, including the changes highlighted in paragraph 9 of the report;
- (3) Approve the Prudential Indicators and limits for 2014/15 to 2017/18 as set out in paragraphs 50-51 of and Appendix 2 to the report;
- (4) Approve the Minimum Revenue Provision statement (which sets out the Council's policy on repayment of debt) at paragraphs 18 – 28 of the report.

99. COUNCIL TAX 2014/15

The Head of Finance submitted a report (previously circulated, now appended) which set out the necessary calculations to enable Council to set the 2014/15 Council Tax for Oxford City, in accordance with the Local Government Finance Acts, 1988 and 1992, as amended by the Localism Act 2011.

Councillor Ed Turner moved and spoke to the report.

Council agreed:

(a) To approve for 2014/15: -

- (1) The City Council's precept and Council Tax requirement of £11,582,179 (inclusive of Parish Precepts). Net of the Parish Precepts, the figure is £11,420,559;
- (2) The average Band D Council Tax figure (excluding Parishes) of £273.53 a 1.99% increase on the 2013/14 figure of £268.19. Including Parish Precepts the figure is £277.40, a 2.01% increase on the 2013/14 figure of £271.93;
- (3) The contribution of £10,000 to the Parish of Old Marston in recognition of the additional expenditure that the Parish incurs as a consequence of maintaining the cemetery;
- (4) The amount of £495,020 to be treated as Special Expenses;
- (5) The Band D Council Taxes for the various areas of the City (excluding the Police and County Council's additions) as follows:-

Littlemore	£293.24
Old Marston	£302.24
Risinghurst and Sandhills	£290.03
Blackbird Leys	£270.91
Unparished Area	£275.78

These figures include the Parish Precepts and special expensing amounts as appropriate in addition to the City-wide Council Tax of £261.67.

(b) To note:

- (1) Oxfordshire County Council's precept and Band D Council Tax as set out in paragraph 26 of the Officers report;
- (2) The Police and Crime Commissioner for the Thames Valley's precept and Band D Council Tax as set out in paragraph 27 of the Officers report;
- (3) The overall average Band D equivalent Council Tax of £1,646.32 including Parish Precepts.

100. MATTERS EXEMPT FROM PUBLICATION

None.

The meeting started at 5.00 pm and ended at 8.26 pm

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BUDGET DEBATE 2014/15 – COUNCIL, 19th FEBRUARY 2014 - TIMINGS AND PROCEDURE

1. **Public involvement** - Lord Mayor invites any members of the public who have asked to address Council on the Budget or to ask questions on it to do so. Addresses limited to 5 minutes. Questions limited to 3 minutes. This Stage to last for a maximum of 30 minutes.
2. **Administration** proposes and seconds its Budget (General Fund, HRA and Capital) by way of moving the recommendation to Council from the CEB meeting on 12th February. Deputy Leader presents Budget and speaks for up to 15 minutes.
3. **Liberal Democrat Group Budget presentation.** Group proposes and seconds its alternative Budget proposals as an amendment to the Administration Budget. Proposer speaks for up to 15 minutes with any unused time being added to the overall time allowance for the debate on the Liberal Democrat Budget.
4. **Liberal Democrat Group Budget debate.** Overall time limit of a maximum of 15 minutes plus any unused time from Stage 2. Speeches limited to 3 minutes. Administration response and Lib Dem summing up included within the overall 15 minute timeframe. Vote on alternative Budget.
5. **Green Group Budget presentation.** Group proposes and seconds its alternative Budget proposals as an amendment to the Administration Budget. Proposer speaks for up to 15 minutes with any unused time being added to the overall time allowance for the debate on the Green Group Budget.
6. **Green Group Budget debate.** Overall time limit of a maximum of 15 minutes plus any unused time from Stage 5. Speeches limited to 3 minutes. Administration response and Green Group summing up included within the overall 15 minute timeframe. Vote on alternative Budget.
7. Depending upon outcome of the voting on the Liberal Democrat and Green alternative Budget amendments Council will either adjourn for the Administration to review their position, or proceed to Stage 8.
8. **Administration Budget debate.** Debate on the Administration Budget with individual amendments being permitted. Any amendments must be written down and circulated before debate upon them commences. Debate on the Administration Budget and amendments to it to last for up to 60 minutes with speeches limited to 3 minutes. Vote on amendments to Administration Budget and then Budget itself.

- 9 If the Administration Budget in unamended form is voted upon and agreed, Council will move on to the next business on the agenda. If the Administration Budget in amended form is voted upon and agreed, Council can only reach an 'in principle' decision. The Leader will then indicate, either at the meeting or afterwards, if the Executive accepts the amendments. If it does, Council's decision then becomes a substantive one. If it does not, then the City Executive Board will meet to review the position on 24th February and Council will meet again on 24th February at 5.00 pm to hear from the Board. Council's decision on 24th February on the Budget will be final.

Timings

Stage 1 – 30 minutes

Stage 2 – 15 minutes

Stage 3 – 15 minutes

Stage 4 – 15 minutes

Stage 5 – 15 minutes

Stage 6 – 15 minutes

Stage 8 – 60 minutes

Stage 9 (remaining business) – say, 15 minutes

TOTAL MAXIMUM TIME – 180 minutes (3 hours)

To: Council

Date: 14th April 2014

Report of: Head of Human Resources and Facilities

Title of Report: LOCAL GOVERNMENT PENSION SCHEME (LGPS) 2014
– EMPLOYER DECISIONS ON DISCRETIONS AND REVIEW OF OTHER
EMPLOYMENT POLICIES

Summary and Recommendations

Purpose of report: The Council is required to make decisions about various matters relating to the application of the Local Government Pensions Scheme (LGPS). These are in place for the current scheme as previously agreed by Council. As the new LGPS comes into force on 1st April 2014, these discretions need to be reviewed in that context. A number of other existing employment policies have also been reviewed in consultation with both trade unions and revisions are proposed.

Executive lead member: Councillor Bob Price

Policy Framework: Corporate Plan priority 'Effective and Efficient Council'

Recommendation(s): 1) That the employer discretions under the LGPS and other pension related Regulations as recommended in Appendices 1 and 2 be approved with retrospective effect from 1st April 2014.
2) That the revisions to the employment policies as summarised in the body of the report be approved and that the Head of Human Resources and Facilities be authorised to amend the policies in accordance with those described changes and to promote/implement the revised policies on a date to be fixed by him.
3) That the Head of Human Resources and Facilities be also authorised to amend the policies from time to time in order to correct any factual or legal errors.

Introduction

1. The Council is required to confirm how it will apply certain employer discretions in relation to LGPS and other pension related Regulations. As a new scheme comes into force on 1st April 2014 it is necessary to determine new and review existing discretions and ensure they comply with the changes and continue to achieve the Council's business needs.

2. The Council's continual progression of its people management initiatives includes the periodic review of existing employment policies in consultation with trade unions. The following policies have been reviewed:-
 - Employee Code of Conduct
 - Attendance Management
 - Performance Improvement
 - Organisational Change
 - Smoking
 - Probation
 - Pay Policy Statement
3. The following paragraphs summarise the reviews and recommended decisions.

Pension Policy Discretions

4. The use of discretions is complex and in completing the review consideration has been given to:-
 - Ensuring they work effectively in relation to each other
 - Providing the right balance between flexibility and consistency, taking into account business need.
 - Reflecting the current arrangements (which have worked effectively in practice)
5. The general approach has been to minimise costs to the Council. The tables attached at Appendices 1a, 1b and 1c summarise the decisions required and the recommendations in relation to each. It should be noted that some of the recommendations are provisional as not all legislation and software solutions are confirmed.
6. The current discretions have been combined into one document, Pension and Retirement Options, which is attached at Appendix 2a. The discretions under the Discretionary Compensation Regulations 2008 (which apply to ex-employees who have retired) is attached at Appendix 2b.

Employment Policies

7. **Employee Code of Conduct:** This policy will be edited and reformatted to make it read better and delete anything superfluous. The only substantive change will be greater clarity relating to conduct ensuring that staff do not bring the Council into disrepute through activities in their private lives (e.g. being the subject of enforcement action).
8. **Attendance Management:** This policy will be amended in the following ways:

- More clarity around the Attendance Review process (i.e. the meeting held with employees when there are concerns over attendance and a consequent action plan which aims to improve attendance)
- More structure and prescription in action plans where there are concerns over staff attendance
- Confirmation of absence intervention 'trigger' scores included in action plans so that employees know where they are in relation to intervention thresholds
- More emphasis on disability adjustments being made earlier in the process
- A reduction in the existing Attendance Review intervention levels to identify and address attendance issues at an earlier stage. These levels are calculated according to the number of days and incidents of sickness an employee has and are set at a point where attendance needs addressing
- Introduction of a new Attendance Review intervention level to tie in with the corporate sickness targets i.e. 7 days off sick in any year for 14/15 and 6 days off sick in any year from 15/16

Given the Council's overall sickness has increased in 13/14 (7.8 days) over 12/13 (7.16 days) it's appropriate to have an earlier intervention to help improve attendance. Trade Unions and management agree that the Attendance Review process (which follows an employee 'triggering') is a supportive and not punitive process.

However Trade Union colleagues do not want any changes to the existing triggers and their position is that:

- They do not accept that reducing the existing intervention levels will improve attendance so they reject the lower thresholds.
- They do not accept that a breach of the corporate sickness target should result in a review of attendance.

It is also both Unions' position that they do not agree to the implementation of the proposed triggers and that they are being imposed.

Management does not concede this point as the intervention levels are merely a trigger at which management action is taken (i.e. a meeting with the employee about their attendance) and do not form part of the contract of employment. The aim of this meeting is to assist the employee improve their attendance in a variety of ways.

We will therefore extract the intervention levels from the Policy to ease future changes (which will be discussed with trade unions in advance of making any changes).

9. **Performance Improvement:** There are minor changes to give more clarity about the informal process and there are now links to the

Appraisal Process and Behavioural Framework. More emphasis is placed on employees taking personal responsibility to engage in the process to improve their performance.

10. **Organisation Change:** This policy has been reformatted to remove some significant passages of duplication and it now includes the redundancy payments policy (which was contained within a different policy making it easier to use. There are no significant changes to the procedure.
11. **Smoking:** The main change to the policy is the incorporation of e-cigarettes which are not to be used in the workplace.
12. **Probation:** All employees at the Council are required to complete a successful probation period before their employment is confirmed. This policy clarifies what happens in practice currently and ensures that employees and managers are clear of their responsibilities. The changed probation form also ties in to the Council's behavioural framework.
13. **Pay Policy Statement:** The statement has been updated to reflect the current year's data. The Council is required to update this statement annually and to publish it.

Councillor Pensions

14. It should be noted that the latest Regulations remove the Pension Scheme for Councillors. No new elected members can therefore join the scheme from 1st April 2014 and for active scheme councillor members, membership will cease with their current terms of office, even if re-elected at the next election.

Level of Risk

15. A risk register is attached at Appendix 3.

Climate Change / Environmental Impact

16. There are no climate change or environmental impacts.

Equalities Impact

17. An initial equality impact assessment is attached at Appendix 4.

Financial Implications

18. The pension discretions have been developed from the perspective of minimising cost to the Council, but retaining flexibility to meet the Council's business objectives.

19. The change in Attendance Management triggers will assist with the continued robust management of attendance. Keeping absence to a minimum reduces direct financial costs to the Council in terms of sickness pay and covering absences by agency staff and increases efficiency and staff morale.
20. There could be costs to the Council if it does not continually review and update policies as there is an increased risk of costs resulting from less effective staff management such as legal costs, costs arising from damage to the Council's reputation and costs associated with increased absence rates.

Legal Implications

21. The Council is required to have policy statements on the use of discretions. The Council would be failing in this obligation by not agreeing and publishing these policies.
22. Employment policies form part of the Council's terms and conditions of employment for all employees, requiring all staff to adhere to their contents. Managers are required to ensure consistent, fair and equitable application of these policies to meet employment law requirements and good practice.

Appendices

23. 1a – Pensions Regulations Policy Discretions Table
- 1b – Pensions Regulations Retirement Discretions Table
- 1c – Pensions Regulations Actuarial Reduction Discretions Table
- 2a – Pension and Retirement Options Statement
- 2b – Discretionary Compensation Regulations 2008 Discretions
- 3 – Risk Register
- 4 – Initial Equality Impact Assessment

Name and contact details of author:-

Name: Simon Howick Job title: Head of Human Resources and Facilities Service Area: Human Resources Tel: 01865 252547 e-mail: showick@oxford.gov.uk

List of background papers: *None*

Version number:0.2

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Pension Related Discretions

Pension Discretion	Regulations	Costs?	Employer approval required?	Comments	Recommendation on Discretion
Award of Additional Pension	2014	Yes, if payments made	Yes	This regulation is also in the current regulations and the Council's policy is not to award additional pension.	To confirm the Council's current decision not to award additional pension.
Funding Additional Pension	2014	Yes, if funding agreed	Yes	As in the current regulations when the additional pension is to make up periods of unpaid absence the Council is required to share the cost. Employees can increase pension benefits over and above this and the Council can contribute to this cost.	To confirm that the Council will not fund additional pension where it has discretion to do so. This is consistent with the decision above not to award additional pension.
Contributions Policy	2014	Yes, the amount of contributions collected will depend on the assessment method used	N/a	The Council will have a new policy explaining its approach to determining pensionable pay for the purpose of assessing pension contribution bandings within the Regulations. Our approach depends on iTrent capability. We expect it to automatically assess bandings, but this is not yet confirmed. If it can be automated this is the best approach, but if not it will have to be calculated and administered manually (giving rise to cost)	To adopt a monthly calculation and notification process if iTrent is capable. Otherwise a manual method will be necessary and the recommended approach which minimises administration is outlined below.
Injury Allowance Regulations	2011	Yes, if implement a scheme	Yes	These regulations allow employers to have a scheme awarding compensation where there has been an industrial injury. They revoke and replace previous regulations. We do not have a scheme under the previous regulations, but have generous a sick pay scheme and pension scheme options. There is no guidance about content or nature the scheme.	To confirm a decision that reflects our current position i.e. not to have such a scheme.

Continued over page

Pension Discretion	Regulations	Costs?	Employer approval required?	Comments	Recommendation on Discretion
Discretionary Compensation Regulations	2000	No	N/a	This applies to ex-employees who retired with additional pension awards up until 2008. We are required to have a statement confirming how the additional pension will be abated on re-employment into LGPS. County Pensions also have a policy for accrued pension under different Regulations. The policy was to abate, but they have changed this and no longer abate.	To note the change to County Policy in respect of accrued pension and that our statement remains the same.

Contributions Policy

If it is not possible to automatically calculate bandings monthly in iTrent then the proposal is:-

- Base the calculation on financial years.
- At 31st March each year, pay for the previous 12 months will be assessed to determine the contribution band for the next financial year.
- This assessment will be in two elements:-
 - i. Pay based on actual spinal column point and hours plus any other fixed payments such as contractual overtime and First Aid Allowance at 31st March.
 - ii. The total of all other variable pensionable pay for the 12 month period ending 31st March.
 - iii. Add in the pay award from 1 April
- These three amounts will be added together to determine total pensionable pay for banding assessment.
- Banding will only be reviewed during the year if the person changes job, pay point or hours. This assessment will be:-
 - i. Pay based on actual spinal column point and hours plus any other fixed payments such as contractual overtime and First Aid Allowance for the new job and/or hours.
 - ii. The total of all variable pensionable pay for the 12 month period ending the previous 31st March as previously calculated.

Retirement Discretions

Type of retirement	Regulations	Costs?	Employer approval required?	Comments	Recommendation on Discretion
Flexible Retirement (active members)	2014	Yes, possible if retirement before age 60	Yes	<p>Currently have a policy to consider when a minimum 40% reduction in pay and full draw down of benefits.</p> <p>Has employee relations benefits including retaining valuable skills. Not considering requests would reduce flexibility in workforce options</p>	<p>Retain policy to consider requests.</p> <p>Current policy seems effective recommend maintain 40% reduction in pay and full draw down of benefits. Add that Council will agree once so if employee re-joins LGPS they cannot submit a further request in this membership.</p>
69 Early Retirement (active and deferred members)	2014	No	No	This is an employee decision, not employer but the employer can influence the amount of pension paid by the use of discretions as identified in the next table	No discretion, but see next table.
Early Retirement (deferred members)	1997 and 2007	Yes, possible if retirement before age 60	Yes for retirements before age 60	<p>Requests are currently considered by exception on compassionate grounds.</p> <p>Employer approval is required because there could be a cost. Whereas 2014 members don't need consent because there is no cost. These members don't have a choice about the protection – it has to be applied, but the Council is unlikely to agree if a cost is involved. This creates a conflict between the schemes that so this decision and the 2014 decision need joint consideration to ensure consistency of application as far as possible.</p>	The recommendation is to consider requests only where there are compassionate grounds and specify requests are unlikely to be agreed if there is a cost.

Actuarial Reduction Discretions and '85 Year Rule' Protections for Retirements

In addition to determining discretions for agreeing early retirements the use of discretions to waive actuarial reduction needs to be determined for each retirement option. These benefit scheme members financially at cost to the Council. Assuming that the transitional regulations are agreed as proposed a decision also needs to be made about 'switching on' the 85 year rule protection for 2014 scheme retirements. This benefits the employee financially. See notes about cost to the Council.

Type of Retirement	Actuarial Reduction/ 85 Rule/ Partial Draw Down	1997 Regulations Membership up to 31.3.2008	2007 Regulations Membership from 1.4.08 to 31.3.14	2014 Regulations membership from 1.4.14	Recommendation on Discretion
Flexible Retirement (needs employer consent, may cost before age 60)	Actuarial Reduction - Employer	All or none. Only on Compassionate Grounds.	All, part or none. On any grounds.	All, part or none. On any grounds.	Active members - Not to waive at all
	Partial Draw Down - Employee	No – all has to be taken	Yes – can take all, some or none	Yes – can take all, some or none	Only consider requests for full draw down of benefits.
	85 Rule	Protection applies	Protection applies	Protection applies	N/a
Early Retirement 2014 Scheme leaver (doesn't need employer consent) 70	Actuarial Reduction - Employer	All or none. Only on Compassionate Grounds.	All, part or none. On any grounds.	All, part or none. On any grounds.	Active members - Not to waive at all Deferred members - Not to waive at all
	85 Rule	Protection from age 60. 55-59 no protection unless employer agrees	Protection from age 60. 55-59 no protection unless employer agrees	Protection from age 60. 55-59 no protection	Consider comments below table* Active members – use discretion to 'switch on', by exception when it can be demonstrated to be in the Council's interests, subject to confirmation of our current understanding of cost implications Deferred members – not to use discretion to 'switch on'
Early payment deferred member 1997 Regulations (needs employer consent and may cost before age 60)	Actuarial Reduction - Employer	All or none. Only on Compassionate Grounds.	N/a	N/a	Deferred members - Not to waive at all
	85 Rule	Protection Applies	N/a	N/a	N/a
Early payment Deferred Member 2007 Regulations (needs employer consent and may cost before age 60)	Actuarial Reduction - Employer	All or none Only on Compassionate Grounds	All or none Only on Compassionate Grounds	N/a	Deferred members – Not to waive at all
	85 Rule	Protection applies	Protection applies	N/a	N/a

* **Important - 85 Rule 'Switch On'** The actuarial information confirming the cost implications is not available. Assuming that our current understanding is correct then not allowing 'Switch On' may reduce costs in future valuations as provision has been made for the cost. However it also restricts flexibility in management decision making processes when it may be in the Council's interests to agree to the 'Switch On'.

PENSIONS AND RETIREMENT OPTIONS

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1 INTRODUCTION

Access to pension scheme is an important part of the reward package available to all employees. The Council makes a significant contribution in addition to the employee's, to ensure that adequate provision is made for themselves and their dependents in their retirement or in the event of unforeseen events such as permanent injury or illness. Most employees are automatically entered into the scheme and encouraged to remain in it and gain the benefit of this provision.

This statement sets out Council's approach to the administration and management of pensions and retirement for employees who are members of the Local Government Pension Scheme (LGPS) or are eligible to join.

It outlines the retirement and pensions options available to employees depending on individual circumstances.

It incorporates the requirements of the LGPS Regulations 2014 and confirms the Council's policies on the exercise of its discretionary powers under the various regulations.

2 RETIREMENT AGE

Employees are no longer subject to a general retirement date. Employment will therefore continue until it is ended either by the employee giving notice or action by the employer for a specified reason such as redundancy or dismissal for conduct or capability reasons.

Under the LGPS Regulations 2014 the normal pension is aligned with State Pension Age (SPA). The State pension age is increasing. Please refer www.gov.uk/changes-state-pension for details.

3 SUPPORTING EMPLOYEES THINKING ABOUT RETIREMENT

The Council recognises that it is important for employees to make decisions about when they may wish to retire and to plan accordingly

Employees should ensure they obtain the appropriate information about their financial position and pension benefits.

Employees are encouraged to discuss their retirement plans with their manager at an early stage so that the process can be managed effectively to the benefit of all parties.

We also recognise the importance for employees planning to retire of achieving a balance between work and other interests and encourage serious consideration of requests for flexible retirement, but reserve the right to refuse requests where there are sound business reasons for not agreeing.

4 PENSIONS

4.1 General

This policy applies to all employees who are members of the LGPS or are eligible to join.

Employees with a contract for at least three months, and aged between 16 and 75 will be brought into the LGPS automatically from their first day of employment. Those with a contract of less than three months and casual employees have a right to join and will need to opt in.

From the first day of employment employees will be able to elect not to be a member of the LGPS. It is not permitted to complete and return an opt-out form until after commencing employment.

Oxford City Council is legally required to auto-enrol certain employees into a pension scheme once every three years starting 1 September 2013 or when they meet certain criteria. Those affected will be informed in writing on enrolment.

4.2 Pensionable Pay

The Pension Scheme Regulations define which elements of pay are pensionable and which are not. In broad terms all salary and pay for work done is pensionable and other payments such as expenses or pay for loss of holidays are not pensionable. Compensation in consideration of loss of future pensionable payments is not pensionable therefore pay protection is not pensionable.

4.3 Employee Contributions

Employee contribution rates will be assessed as outlined below.

4.3.1 Contribution Bands

With effect from 1st April 2014 the bands for employee pension contributions are as follows: -

Band	Pensionable Pay	Percentage Contribution Rates	
		Main Scheme	50/50 Scheme
1	Up to £13,500	5.5	2.75
2	£13,501 to £21,000	5.8	2.90
3	£21,001 to £34,000	6.5	3.25
4	£34,001 to £43,000	6.8	3.40
5	£43,001 to £60,000	8.5	4.25
6	£60,000 to £85,000	9.9	4.95
7	£85,001 to £100,000	10.5	5.25
8	£100,001 to £150,000	11.4	5.70
9	£150,001 or more	12.5	6.25

Bandings are assessed on actual pensionable pay received irrespective of hours worked.

4.3.2 Assessment of Pay for Banding

A continual assessment will be made each pay period using the actual annual salary plus any pensionable payments and allowances made in the previous 12 months to determine the correct contribution rate.

4.3.4 Notification of Banding

The Council will inform employees of their banding and contribution rate in writing when they are initially appointed and subsequently with each change in pay that alters their contribution rate.

4.3.5 Multiple Employments

Employees with more than one job with the Council will be assessed separately for each individual contract of employment.

4.3.6 Review of Banding Decision

If you have a query about the contribution band you have been placed in you should contact Human Resources in the first instance to resolve it. If you still consider that your contribution rate has not been correctly assessed you must write to Human Resources for a review of the assessment. Human Resources will respond in writing. If you still consider that the policy has not been properly applied you may submit a written application for a review of the decision under the Pensions Internal Disputes Resolution Procedure outlined in Paragraph 11.

4.4 Discretions to Increase Pension Benefits

The Council will not use discretion to increase pension benefits as outlined below.

The Council will not use discretion to award additional pension to:-

- active scheme members, or
- a member who was an active scheme member who was dismissed by reason of redundancy, or business efficiency, or whose employment was terminated by mutual consent on the grounds of business efficiency.

Active scheme members may enter into an arrangement to pay additional pension contributions (APCs). The Council will not contribute to the funding of additional pension contributions other than when it is required to do so because the APC arrangement is to make up for pension rights lost during a period of unpaid absence. In these cases the request must be received by HR within 30 days of the end of the unpaid absence otherwise the employee will be required to meet the full cost.

The Council will not enter into a shared cost additional voluntary contribution (AVC) scheme.

5 RETIREMENTS

Employees may choose to retire before normal pension age. The earliest age that an employee can have their pension paid by their own volition is 55, but it will be actuarially reduced in accordance with Secretary of State Guidance.

LGPS pension benefits must be put into payment by age 75 and the LGPS provides for an actuarial increase in pension benefits if they are not put into payment until after normal pension age.

In some appropriate circumstances employees may be dismissed by the Council and receive pension payments before age 65.

These retirements are explained below.

5.1 **Voluntary Retirement**

An employee who is aged 55 or older may choose to leave employment by giving notice of their resignation and draw their pension by giving Pension Services (Oxfordshire County Council) the appropriate notice of their request for payment of their pension benefits. A minimum of 3 months' notice is required for early payment of pension benefits.

If the scheme member requests immediate payment of their pension before age 60 then all pension benefits payable (whether built up in the scheme before or after April 2014) will be subject to a full reduction. The Council will not, in any circumstance use its discretion to waive all or any part of the reduction that may apply in the early payment of a pension under this Regulation.

(This is provisional) The Council may exercise its discretion to approve 'switching on' the 85 Rule protection only when it is in the Council's interests to do so. Managers will have to provide a proposal report for all requests they support demonstrating how it meets the Council's business objectives, employee relations benefits, service delivery benefits, financial and funding considerations.

Employees should ensure they obtain information about the amounts of their pension benefits and the amounts of any reductions that apply to them before formally resigning from employment. This information is available upon request from [Pensions Services](#) at the County Council, www.oxfordshire.gov.uk.

5.2 **Flexible Retirement**

An employee who is aged between 55 and 75 may request "flexible retirement" under the LGPS Regulations. This involves continuing to work and either reducing his/her hours of work or accepting a lower paid job within the Council while receiving an immediate payment of pension benefits. These benefits may be reduced or unreduced depending on entitlement. The Council will not, in any circumstance use its discretion to waive any reduction that may apply in the early payment of a pension under this section. Requests for payment of part benefits will not be agreed.

In response to written requests (application form available) from eligible employees for flexible retirement the Council will:-

- Give consideration to the impact that the request will have upon other Council policies particularly Recruitment and Organisational Change.
- Approve requests only when it is in the Council's interests to do so. Managers will have to provide a proposal report for all requests they support demonstrating how it meets the Council's business objectives, employee relations benefits, service delivery benefits, financial and funding considerations.

A request must involve a reduction in gross salary (including contractual enhancements to pay) of at least 40%, either through reduced hours or level of responsibility (grade).

Once the Council has agreed to a request for flexible retirement it will not consider any requests from the employee to increase their hours or grade in the position for which flexible retirement has been agreed. No further requests for flexible retirement will be considered.

The employee's contract of employment will be amended by mutual agreement to reflect the new hours or grade, as agreed, and continuity of service will be preserved for terms and conditions purposes.

5.3 Retirement as a result of Redundancy or on the Grounds of Efficiency of the Service

Early retirement may be granted for employees aged 55 years and over with at least two years membership in the LGPS in the circumstances outlined below, taking into consideration the full cost to the Council and best interest of the Council.

The Council may find it necessary to dismiss an employee on the grounds of redundancy. The pension is paid without any actuarial reduction. Payment of pension benefits is in addition to any redundancy compensation under the Council's Redundancy Payment Scheme.

Alternatively there may not be a redundancy situation, but it may be necessary to dismiss an employee or mutually agree a termination of employment for other reasons on the grounds of the efficiency of the service. The pension is paid without any actuarial reduction.

These cases will normally be subject to a settlement agreement.

As specified in 4.4 above the Council will not use discretion to award additional pension in these cases.

5.4 Ill Health Retirement

Where an employee with at least two years membership of the LGPS been certified by an Independent Registered Medical Physician (approved by the Council) as being permanently incapable of discharging their duties by reason of ill health or infirmity of body or mind and having a reduced likelihood of undertaking other gainful employment the Council will consider awarding early retirement with

immediate payment of pension benefits. Ill health retirement may occur at any age. This authorisation will only be given after all alternatives have been explored.

Further information on ill health retirement is available in the Pensions Services Ill Health Retirement Guide for Members which is on their website <http://www.oxfordshire.gov.uk/cms/content/current-members-guide-lgps>.

5.5 Deferred Pension Members

If an ex-employee suffers deterioration in their health such that they consider they meet the LGPS criteria for ill health retirement they can make a request for early payment of pension benefits on health grounds. The Council will consider such requests in accordance with the appropriate LGPS regulations and if it is satisfied that the criteria are met early payment of pension benefits will be authorised.

Members with deferred benefits under the LGPS Regulations 2014 may request payment of their deferred pension from age 55 without needing employer consent. As previously stated the Council will not, in any circumstance use its discretion to waive all or any part of the reduction that may apply in the early payment of a pension under this Regulation. The Council will not use its discretion to 'switch on' the 85 Rule.

Under previous Scheme Regulations deferred pension members require employer consent for early payment of pension benefits before the age of 60. Ex-employees may make a request for early payment of pension. The Council will only consider requests on compassionate grounds, but is unlikely to agree a request if there is a cost to the Council. The Council will not, in any circumstance use its discretion to waive any reduction that may apply for the the early payment of a pension.

5.6 Re-employment in Local Government

Employees who retire from the Council may seek re-employment with the Council through the Council's normal recruitment procedures. If an employee is in receipt of a pension from the Council then re-employment with Oxford City Council or any LGPS employer may affect the pension payment. All re-employed pensioners are required to tell the Authority who pays their pension of any new employment and their pension may be reduced in accordance with LGPS and Discretionary Compensation Regulations.

If an employee is made redundant they will forfeit their right to a redundancy payment if they are offered and take up other employment with a body covered by the Redundancy Payments (Continuity of Employment in Local Government etc) (Modification) Order within 4 weeks of leaving the Council.

Any employee who receives an enhanced pension or discretionary redundancy package by virtue of the fact they have left the Council's

employment will not normally be re-employed or re-engaged to work for the Council in any capacity for a period of three years.

6 INJURY ALLOWANCE REGULATIONS

The Council will not provide a compensation scheme under the Local Government (discretionary Payments) (Injury Allowances) Regulations 2011.

7 ADMINISTRATIVE REGULATIONS

7.1 Deferred Members who become Active Members Again

If a deferred member again becomes an active member the deferred pension account is aggregated with the active pension account unless the member makes an election to retain the deferred pension account. This election must be made within 12 months of the opening of the active member account. The Council will not extend the 12-month limit unless there are exceptional circumstances.

7.2 Concurrent Employments

In the case of members who have concurrent (more than one at the same time) employments and one employment ends the deferred pension account will be aggregated with the on-going active account. If the member has more than one on-going active account they may choose which of the active accounts to join it with. The member can elect to retain the deferred pension account within 12 months of the date the concurrent employment ended, unless the account was for less than 2 years i.e. deferred refund account which must be aggregated. The Council will not extend the 12-month limit unless there are exceptional circumstances.

7.3 Inward Transfer of Pension Rights

The Council will not consider allowing requests of transfers of previous pensions outside of the 12-month time limit unless there are exceptional circumstances. If any such requests are agreed they will also be subject to the agreement of the Administering Authority.

8 AUTHORISATION

All retirements that require the Council's authorisation will be subject to the approval of a business case by the Service Head, Head of Human Resources, appropriate Director, Section 151 Officer and Monitoring Officer.

Exceptions to this requirement are:-

- Flexible Retirements where there is no cost which require Head of Service and Head of Human Resources (or nominated deputy) approval of business case.
- Ill health retirements which require the approval of the Head of Human Resources (or nominated deputy).

- Requests for early payment of deferred benefits on compassionate grounds which may involve a cost require Director and Head of Service approval.

The Head of Human Resources or Director will determine:-

- Waiving the time limit for inward transfers
- Waiving of time limit to separate membership for re-joining deferred members and concurrent employments.

9 EMPLOYEES WHO ARE NOT IN THE LGPS

An employee who has chosen not to contribute to the LGPS (i.e. not an active scheme member) will not receive pension benefits from the scheme upon retirement. If an employee has deferred pension scheme benefits from previous LGPS membership they should contact the administrators of that pension scheme for details of the benefits they have and when they might become payable. Employees may, however, choose to retire by giving the appropriate notice.

Employees who are not in the pension scheme may also apply for flexible retirement. The Council will apply the same criteria as set out in the policy statement on flexible retirement, except that there will not be any pension benefits to put into payment.

10 FINANCIAL CONSIDERATIONS AND FURTHER INFORMATION

Employees are advised to seek guidance about the financial implications of drawing their local government pension or any other pension benefits they may have either when considering retirement or a flexible retirement (i.e. where they continue to work and draw a pension).

Further information about the LGPS is available on these websites:-

- [Pension Services](#)
- www.LGPS2014.org

and information about the State Pension is available at:-

- <https://www.gov.uk/browse/working/state-pension>

If you have queries about your LGPS pension benefits please contact:-

- Pension Services
By email pension.services@oxford.gov.uk
By telephone 01865 797125 or 08165 797133
By post Pension Services, Oxfordshire County Council, Unipart House, Garsington Road, Oxford OX4 2GQ

or

- Human Resources
By email hradmin@oxford.gov.uk
By telephone 01865 252848
By post Human Resources, Oxford City Council, St Aldate's, Oxford, OX1 1DS

11 DISPUTE RESOLUTION PROCEDURE

If a member of the LGPS has a dispute regarding a decision made in respect of their pension benefits, they may wish to refer to the Pension Scheme Internal Disputes Resolution Procedure, if appropriate. Complaints must be made within six months of the date that the pension decision was made. The procedure is available on the intranet and Pension Services website and copies are available from Human Resources, St Aldate's Chambers, St Aldate's, Oxford OX1 1DS or Pensions Services, Oxfordshire County Council, Unipart House, Garsington Road, Oxford, OX4 2GQ on request. Oxford City Council's Adjudicator is the Corporate Secretariat Manager, Chief Executive's Office, St Aldate's Chambers, Oxford OX1 1DS.

If an employee wishes to raise a concern not relating to pension benefits referral to the Grievance Procedure may be appropriate.

12 REVIEW OF POLICY

In formulating and reviewing its policy, the Council

- a. has regard to the extent to which the exercise of its discretionary powers (in accordance with the policy), unless properly limited, could lead to a loss of confidence in the public service; and
- b. is satisfied that the policy is workable, affordable and reasonable having regard to the foreseeable costs.

The Regulations require the Council to keep its policy under regular review. This policy will therefore normally be reviewed every three years or earlier if deemed necessary.

If the Council decides to change its policy, it will publish a statement of the amended policy within one month of the date of its decision.

This document is not a full statement of the law. Oxford City Council retains the right to change policies at any time, this policy confers no contractual rights and the policy that is current at the time a relevant event occurs to an employee will be the one applied to that employee.

Human Resources and Facilities

Policy Statement on the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000 Discretions

This Policy Statement is only relevant to pension scheme members who were awarded compensatory added years pension upon retirement under the Regulations.

The Council stopped awarding compensatory added years to pension in 2008.

The relevant discretions are as follows:

Part VI – The Effect of New Employment on Part IV Compensation

If a member who is receiving a compensatory added years pension in accordance with Part IV of these Regulations is re-employed by a LGPS employer then the annual pension resulting from the award of a credited period will be reduced, or suspended, if the combined total of earnings from the new employment and pensions in payment exceed the value of the current rate of pay of the member's former employment.

It should be noted that this adjustment is in addition to any adjustment that may be made to the basic LGPS pension as a result of re-employment with a LGPS employer. Oxfordshire County Council has a policy, which it is required to make under other Regulations, as the administering Authority for the Oxfordshire LGPS fund, which is not to abate the pensions of re-employed pensioner members.

Part VII – The effect of Cessation of New Employment on Part IV Compensation

After ceasing the re-employment the credited period will be adjusted or stopped altogether if the resulting pension from the re-employment and the basic LGPS pension from the first employment exceed the value of the pension which could have been paid if the member had remained in the first employment until age 65.

Part VII – Awards to Surviving Spouses and Children

Where more than one current, legal spouse has survived a deceased person, the annual compensatory added years pension will be divided equally.

A spouse's pension will continue to be paid even if the spouse remarries or co-habits, unless at 1.4.98 a pension was already suspended due to remarriage.

In the very rare event of a children's compensatory added years pension being payable in circumstances not covered by the main Pension Regulations full details will be supplied to the appropriate officer for a determination.

Review

The Council will review this policy at the same time that it reviews the Pensions and Retirement Policy Statement unless it becomes necessary to review at another time.

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Appendix 3

PENSIONS AND EMPLOYMENT POLICIES

Risk Register

Risk ID	Risk						Corporate Objective	Gross Risk		Residual Risk		Current Risk		Owner	Date Risk Reviewed	Proximity of Risk (Projects/ Contracts/ Only)
Category-000-Service Area Code	Risk Title	Opportunity/Threat	Risk Description	Risk Cause	Consequence	Date raised	1 to 6	I	P	I	P	I	P			
SRR-007-PE	Employment Policy and Procedures	T	Failure to provide a suite of policies that fit for purposes of improving performance and managing risk	Managers not equipped with a revised policy and procedure	Efctive employment policies not implemented, consistently and fairly applied	1.1.2010	6	3	3	2	2	3	2	Simon Howick	13.3.13	

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Management of the Risk

Risk ID	Risk Title	Action Owner	Accept, Contingency, Transfer, Reduce or Avoid	Details of Action	Key Milestones	Milestone Delivery Date	%Action Complete	Date Reviewed
SRR-007-PE	Employment Policy and Procedures	Simon Howick	R	Develop and agree policy through internal consultation process to produce final policy documents for approval by Council. To provide appropriate guidance and training to managers and employees on new policies and procedures.	Approval of pension policy discretions and revised employment policies	14.4.14	95%	11.3.14

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Initial screening EqIA template

PENSION AND RETIREMENT OPTIONS STATEMENT INCLUDING EMPLOYER DISCRETIONS

EMPLOYMENT POLICIES – CODE OF CONDUCT, ATTENDANCE MANAGEMENT, ORGANISATIONAL CHANGE, PERFORMANCE IMPROVEMENT, SMOKING, PROBATION

Prior to making the decision, the Council's decision makers considered the following: guide to decision making under the Equality Act 2010:

*The Council is a public authority. All public authorities when exercising public functions are caught by the Equality Act 2010 which became law in December 2011. In making any decisions and proposals, the Council - specifically members and officers - are required to have **due regard** to the **9** protected characteristics defined under the Act. These protected characteristics are: **age, disability, race, gender reassignment, pregnancy and maternity, religion or belief, sex, sexual orientation and marriage & civil partnership***

The decision maker(s) must specifically consider those protected by the above characteristics:

- (a) to seek to ensure equality of treatment towards service users and employees;*
- (b) to identify the potential impact of the proposal or decision upon them.*

The Council will also ask that officers consider whether the policy, strategy or spending decisions could have an impact on safeguarding and / or the welfare of children and vulnerable adults

If the Council fails to give 'due regard', the Council is likely to face a Court challenge. This will either be through a judicial review of its decision making, the decision may be quashed and/or returned for it to have to be made again, which can be costly and time-consuming diversion for the Council. When considering 'due regard', decision makers must consider the following principles:

- 1. **the decision maker is responsible for identifying whether there is an issue and discharging it.** The threshold for one of the duties to be triggered is low and will be triggered where there is any issue which needs at least to be addressed.*
- 2. **the duties arise before the decision or proposal is made, and not after and are ongoing.** They require **advance** consideration by the policy decision maker with conscientiousness, rigour and an open mind. The duty is similar to an open consultation process.*
- 3. the decision maker must be **aware of the needs of the duty.***
- 4. the **impact of the proposal or decision must be properly understood first.** The amount of regard due will depend on the individual circumstances of each case. The greater the potential impact, the greater the regard.*
- 5. **Get your facts straight first!** There will be no due regard at all if the decision maker or those advising it make a fundamental error of fact (e.g. because of failing to properly inform yourself about the impact of a particular decision).*
- 6. What does 'due regard' entail?*
 - a. **Collection and consideration of data and information;***
 - b. **ensuring data is sufficient to assess the decision/any potential discrimination/ensure equality of opportunity;***

c. proper appreciation of the extent, nature and duration of the proposal or decision.

7. **Responsibility** for discharging can't be delegated or sub-contracted (although an equality impact assessment ("EIA") can be undertaken by officers, decision makers must be sufficiently aware of the outcome).
8. **Document the process** of having due regard! Keep records and make it transparent! If in any doubt carry out an equality impact assessment ("EIA"), to test whether a policy will impact differentially or not. Evidentially an EIA will be the best way of defending a legal challenge. See hyperlink for the questions you should consider

<http://occweb/files/seealsodocs/93561/Equalities%20-%20Initial%20Equality%20Impact%20Assessment%20screening%20template.doc>

1. Within the aims and objectives of the policy or strategy which group (s) of people has been identified as being potentially disadvantaged by your proposals? What are the equality impacts?

This is an assessment of the revised Retirement and Pensions Options Statement to comply with the new Local Government Pension Scheme with effect from 1.4.14. It is also an assessment of several revised employment policies ie Employee Code of Conduct, Attendance Management, Performance Improvement, Organisational Change, Smoking and Probation.

There are no anticipated adverse effects for groups with protected characteristics. Pensions are by their nature related to age and this is an accepted characteristic.

2. In brief, what changes are you planning to make to your current or proposed new or changed policy, strategy, procedure, project or service to minimise or eliminate the adverse equality impacts?

Please provide further details of the proposed actions, timetable for making the changes and the person(s) responsible for making the changes on the resultant action plan

Pensions

Policies have been reviewed and updated to incorporate the all current and new legislation that comes into force on 1st April 2014. These changes have been made within the context of the Council's current approach to pensions and the use of employer discretions which has not changed. Decision making and approval processes which ensure consistency of application are clearly identified.

Employment Policies

The revisions are predominantly about reformatting and providing more clarity around the procedures. These changes aid clear communication and improve consistency of application for all staff.

Revisions to the attendance management policy are intended to reinforce the supportive nature of the process and ensure that any disability issues and adjustments are considered at an early stage in the process.

3. Please provide details of whom you will consult on the proposed changes and if you do not plan to consult, please provide the rationale behind that decision.

Please note that you are required to involve disabled people in decisions that impact on them

Pensions

The changes are driven by new legislation which has to be implemented. There is therefore very limited discretion in the implementation of the changes. The Corporate Management Team has been consulted. Employees, Unite and Unison leads, members of Human Resources and Service Heads are being kept informed of the changes. The policy will go before Council on 14th April 2014 for approval.

Employment Policies

Unite and Unison leads have been consulted on all reviews. Law and Governance, members of Human Resources, Directors, Heads of Service and other relevant managers have been consulted as appropriate for each policy. The policies will go before Council on 14th April 2014 for approval.

4. Can the adverse impacts you identified during the initial screening be justified without making any adjustments to the existing or new policy, strategy, procedure, project or service?

Please set out the basis on which you justify making no adjustments

There are no adverse impacts envisaged upon those with protected characteristics.

5. You are legally required to monitor and review the proposed changes after implementation to check they work as planned and to screen for unexpected equality impacts.

Please provide details of how you will monitor/evaluate or review your proposals and when the review will take place

Policies are subject to regular reviews of any changes made to legislation or directives by central government. Any challenges to the policies that result in gaps or irregularities being found will be reviewed and amendments made. If appropriate this will be with agreement between the Council and the local trade unions, and subsequent sign off from Council (if required).

All managers receive appropriate training on policies as necessary. The HR Team and Business Partners in particular provide advice and support to managers. Feedback is used to monitor, review and evaluate the policies.

The effectiveness of the policies is also monitored through appropriate statistical analyses.

Lead officer responsible for signing off the EqIA: Simon Howick

Role: Head of Human Resources and Facilities

Date: 13th March 2014

Note, please consider & include the following areas:

- Summary of the impacts of any individual policies
- Specific impact tests (e.g. statutory equality duties, social, regeneration and sustainability)
- Post implementation review plan (consider the basis for the review, objectives and how these will be measured, impacts and outcomes including the “unknown”)
- Potential data sources (attach hyperlinks including Government impact assessments where relevant)

OXFORD CITY COUNCIL
PAY POLICY STATEMENT 2013
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OXFORD CITY COUNCIL

PAY POLICY STATEMENT

Aim

1. Oxford City Council (the Council) makes decisions on pay which are appropriate to local circumstances (such as cost of living in Oxford, the need to compete for talent in the market in challenging areas, etc.) and which deliver value for money for the community. In publishing this statement the Council wishes to give assurance and transparency in its pay decision making processes and overall policy.
2. The Council is committed to the procedures which determine the pay and conditions of employment in that they are fair, free from bias and do not discriminate unlawfully. This includes ensuring that the differences in pay between the lowest and the highest paid employees are not unduly disparate.
3. The Council also seeks to operate a pay system that is transparent and based on objective criteria.
4. The Chief Executive has delegated authority in respect of pay, in accordance with national or local pay award/review schemes other than the Chief Executive's own pay and that of any Directors. Decisions in respect of the pay of the Chief Executive and Directors are made by the Appointments Committee, which is a politically proportionate Committee of Council.

Scope

5. The Council's Pay Policy Statement covers all employees

Definitions

6. This statement makes reference to the following:

'Lowest paid employees' – for the purposes of this Statement, these are defined as: those employees paid at the prevailing Oxford Living Wage rate (on the basis these are the Council's lowest paid staff) with the exception of those identified at paragraph 20 (below). From October 2013 no Oxford City Council employee will be paid at a rate below grade 3, except those identified at paragraph 20 (below)

'Pay multiple' - the ratio between the highest paid employee and the median earnings calculated across the whole Council

'Remuneration' – includes salary, expenses, bonus, partnership payment and also severance payments

'Senior staff / most senior staff' – either directly employed or hired under a contract for services, which can mean self-employed or via an agency). Specifically these are:

- *Chief Executive*
- *Directors*
- *Heads of Service*

Legislation

7. The Council is required by the Localism Act 2011 to prepare, approve and publish a pay policy statement.

8. The Council must also have regard to the Code of Recommended Practice for Local Authorities on Data Transparency which makes a commitment to follow three principles when publishing data: responding to public demand; releasing data in open formats available for re-use; and, releasing data in a timely way. This includes data on senior salaries and the structure of the workforce.

Principles

Remuneration

9. The City Council currently remunerates all staff through the following elements:

- Salary – the Council has adopted a Living Wage where no employee earns less than £8.01 per hour (reviewable annually in line with cost of living increase). From April 2013 the lowest Council employee rate will be £8.13 (except for those employees identified in paragraph 20 (below), rising to £8.74 in October 2013)
- From April 2013 a new 5-year pay deal has been agreed which introduces a 1.5% cost of living award each year, re-introduced increments (for those on the lowest spinal column point in each grade and subject to an assessment of performance and attendance) and continues the partnership payment.
- Partnership payment - payable to all staff who achieve an acceptable level of attendance and appraisal on the assumption the Council achieves its budget requirements. The Chief Executive and Directors have voluntarily withdrawn from the payment but are nonetheless committed to its provision.
- Various allowances payable where additional duties are undertaken and payment for which is not included through normal salary ((e.g. standby, overtime). There are various rules regarding these payments such as earnings limits over which certain items cannot be claimed.
- A travel concession for all staff travelling to work by public transport and purchasing a season ticket – at a rate of 20% of the cost of the ticket or £150 per year, whichever is lower

10. All staff are automatically enrolled in the Local Government Pension Scheme and are required to specifically opt out should they so wish

11. There are a range of benefits such as flexible working, leisure concessions, childcare vouchers and various discounts on high street goods and services. The Council does not provide any benefits in kind to any staff member (such as company cars). Where required, equipment may be provided in order to assist in the performance of duties, such as a laptop, but any such items are to be returned to the Council on cessation of employment.

Variations in remuneration

12. Apart from the differences identified in paragraphs 13 & 14, there are no other distinctions made in terms of remuneration. Severance payments are made in accordance with the Council's Organisational Change Policy which applies to all staff.

Current Pay Schemes

13. Three pay schemes are operated (in agreement with trade unions) as follows:

- 1) National Joint Council (NJC) for Local Government Services. Grades 3 – 11 using NJC SCP points. This covers the majority of staff (Scheme 1)
- 2) Joint National Council (JNC) for Craft & Associated Employees. Grades. This covers approximately 150 employees (Scheme 2)
- 3) Hay grades for certain senior positions as indicated in the bi-annual executive pay review (Scheme 3)

Current Pay Schemes – more detail

14. Staff are appointed at the bottom of the grade unless there are exceptional circumstances which must be agreed by the Head of Human Resources & Facilities Management. The schemes in more detail are as follows:

Scheme 1 – the principal scheme which is appropriate for the majority of staff and introduced as a result of Single Status and by agreement with trade unions. It consists of 9 grades and was based on the national spinal column points at the point the Council entered a local pay agreement. It is based on an analytical job evaluation scheme with a pay line set at broadly median market rate. Those employees on the bottom of each grade are eligible for bi-annual progression based on an assessment of performance and attendance. In sales related jobs, there is a documented bonus scheme in place payable as a result of new business opportunities realised.

Scheme 2 – the Council has an agreement with trade unions whereby it adopts the national scheme for skilled craft workers with a productivity element determining progression. The scheme recognises the nature of progression through apprenticeships and then once skilled, the reasonably high yet static level of competence needing to be maintained to perform safely and effectively.

Scheme 3 – like many other public sector organisations, the Council uses the Hay job evaluation scheme and industry leading independent consultants to recommend pay for the Chief Executive, Directors, Heads of Service, and a small number of key corporate roles. Whilst the NJC job evaluation scheme represents best practice in determining relativities between posts for the majority of staff, the scheme does not include the appropriate breadth to include the responsibility factors of senior posts such as corporate leadership, reputation management, major programme delivery, etc. Other than for the Chief Executive and Directors (that process being outlined in paragraph 4 above), senior officer pay is reviewed every 2 years by independent external review and the recommendations considered by the Chief Executive.

There are separate grades for senior officers as follows:

Chief Executive

Executive Directors
Heads of Service (4 different grades according to level of responsibilities and market factors)
Corporate Lead Officers (in Finance and Planning)

Progression is based on an assessment of competency and performance. The manager in each case determines progression within grades apart from the Chief Executive and Directors which is as set out in paragraph 4.

For all 3 schemes (except for Directors and the Chief Executive) an annual Partnership Payment is payable to eligible staff (i.e. those not receiving an increment) subject to the Council achieving its budget and an acceptable level of individual performance and attendance.

Returning Officer

15. The Council's Returning Officer (for the purposes of elections) is paid a separate fee in addition to normal salary in accordance with the prescribed fee for each election.

Leavers, Re-engagement, Pensions

16. In accordance with the Council's normal arrangements regarding termination and severance payments, no employee leaving under a compromise agreement with a redundancy payment can be re-employed by the Council within a period of 36 months.

17. The same arrangements apply to ex-employees seeking engagement as Chief Officers under a contract for services.

18. The Council will apply the agreed approach on abatement (as outlined in its Discretionary Payments Policy) relating to pensions for all employees working for the authority and already in receipt of a local government pension.

19. In accordance with the Council's Discretionary Payments Policy, the Council does not augment pensionable service for leavers.

Lowest Paid Employees

20. The Council adopted a Living Wage in 2009. In January 2012 the London Living Wage was £8.30, the National Living Wage is £7.20, the Oxford Living Wage is £8.01. No Council employee* will be paid less than this, apart from JNC Craft Worker apprentices (who are paid in accordance with the JNC Craft and Associated Employees scheme) who initially commence their apprenticeship below the Oxford Living Wage but rapidly progress to rates well in excess of it. The 2013 – 2018 pay deal gives further attention to the lowest paid by increasing the lowest spinal column point to £8.77 per hour from October 2013 (for Council staff only – this is not a new Oxford Living Wage).

** No agency worker will be paid less than the prevailing Oxford Living Wage (the hourly rate calculation can include payment in lieu of holiday pay)*

Pay Multiple

21. The Oxford City Council pay multiple is 1:7 which is considered to be appropriate in the context of achieving a reasonable balance between increasing the standard of living for the lowest paid employees (and their having to meet the expense of living in Oxford), and ensuring we attract and retain the skills and experience required at the most senior level to meet the challenges the City faces.

Equal Pay

22. The Council will periodically undertake an equal pay review in agreement with trade unions.

Communication & Data Publication

23. The Council will publish its annual Pay Policy Statement on its website on or before 31 March each year for the following financial year.

24. Any changes to the Pay Policy Statement may be made by resolution of the Council (including during the financial year to which it relates). Any changes will be publicised on the Council's website as soon as possible after revision.

25. The Council will also publish data annually relating to senior officer remuneration as outlined in the Code of Recommended Practice for Local Authorities on Data Transparency.

Monitoring/Review

26. The Chief Executive, as the Head of Paid Service, has overall responsibility for employees and therefore annual publication of the Pay Policy Statement and pay data produced in relation to it.

To: City Executive Board
Council

Date: CEB - 12th March 2014
Council – 14th April

Report of: Executive Director, Community Services

Title of Report: Oxford City Council's report on its involvement in tackling child sexual exploitation

Summary and Recommendations

To report on Oxford City Council's involvement in tackling child sexual exploitation.

Report Approved by:

Finance: Emma Burson
Legal: Jeremy Franklin

Policy Framework: Strong and Active Communities

The City Executive Board and Council are recommended to:

- i) Note the report**

Overview of the report

1. A paper on Child Sexual Exploitation in Oxfordshire was considered by the County Council's Cabinet on November 26 2013. Subsequently Local Authority Chief Executives in Oxfordshire agreed to report to their executive committees the role their organisations play in responding to child sexual exploitation.
2. Oxford City Council has played a significant role in the identification of, and development of services to support victims of, child sexual exploitation. From raising the issue back in 2009 to writing and delivering training materials on behalf of the Oxfordshire Safeguarding Children Board, the council has been committed to bringing these heinous crimes to the attention of statutory services and the public. The council's recent external review of our Section 11, Children Act 2004 requirements found that the city council, as a second tier local authority, has a robust response to safeguarding.
3. Oxford City Council takes seriously the findings of the Home Affairs Select Committee's second report into child sexual exploitation and response to localised grooming. The report states that district councils have an important role to play in tackling child sexual exploitation, particularly in terms of sharing information and concerns from frontline workers, and in their strategic roles as housing and licensing authorities.

4. The report of Oxford City Council's involvement in tackling child sexual exploitation provides an overview of the work the council has been involved in, before and after, Operation Bullfinch. The latter led to the conviction of seven men for a variety of sexual offences against children. The report has four sections that describe:
 - Child Sexual Exploitation in Oxfordshire and the national context.
 - Key areas of activity by Oxfordshire County Council and the Oxfordshire Children Safeguarding Board.
 - Oxford City Council's contribution to tackling child sexual exploitation in Oxfordshire.
 - Conclusion
5. For further information on the nature, extent and activities in response to child sexual exploitation, the Oxfordshire County Council Cabinet report can be found here:

<http://mycouncil.oxfordshire.gov.uk/ieListDocuments.aspx?CId=115&MId=3571>

Financial Implications

6. There are no financial implications in the report.

Legal Implications

7. There are no legal implications in the report.

Climate Change/environmental impact

8. There is no significant climate-change or environmental impact issues related to this report.

Equalities Impact Screening

9. An Equalities Impact Screening assessment is contained within the CEB report elsewhere on this agenda; Children and Young People's Plan 2014-17 (as the overarching Children's Plan for the Council).

Recommendations

10. The Committee is recommended to:
 - i. Note the report.

Name and contact details of report author:
Richard Adams
Environmental Protection Service Manager

Background Papers:

Appendix One: Report: Oxford City Council's involvement in tackling child sexual exploitation

Oxford City Council's response to Child Sexual Exploitation in Oxfordshire

Background

A paper on Child Sexual Exploitation in Oxfordshire was considered by the County Council's Cabinet on November 26 2013. Local Authority Chief Executives in Oxfordshire agreed to report to their executive committees on the role their organisations play in responding to child sexual exploitation.

As highlighted in the Home Affairs Select Committee's second report into child sexual exploitation and response to localised grooming, district councils have an important role to play, particularly in terms of sharing information and concerns from frontline workers, and in their strategic roles as housing and licensing authorities. This report describes the activities Oxford City Council has undertaken in response to child sexual exploitation, within the wider context of activities led by Oxfordshire County, Thames Valley Police, Oxfordshire Safeguarding Children Board and other partners.

Oxford City Council is a Responsible Authority on the Oxford Safer Communities Partnership, a statutory partnership responsible for tackling Oxford's community safety priorities. In 2010, the partnership developed an action plan to respond to reports from front-line practitioners of child sexual exploitation in the city. The focus of the action plan centred on training and raising awareness for professionals, support for organisations that were dealing with potential victims and developing pathways for referrals. The investigation and enforcement activities that became Operation Bullfinch were kept out of the action plan and led by the police and social services.

The report covers four sections:

1. Child Sexual Exploitation in Oxfordshire and the national context.
2. Key areas of activity by Oxfordshire County Council and the Oxfordshire Children Safeguarding Board.
3. Oxford City Council's contribution to tackling child sexual exploitation in Oxfordshire.
4. Conclusion

For further information on the nature, extent and activities in response to child sexual exploitation, the Oxfordshire County Council Cabinet report can be found here:

<http://mycouncil.oxfordshire.gov.uk/ieListDocuments.aspx?CIId=115&MIId=3571>

Section one: Child Sexual Exploitation in Oxfordshire and the national context

1. The 2013 Operation Bullfinch trial involving Oxfordshire victims of child sexual exploitation and defendants has been one of the most high profile of a series of similar recent cases across the country. In May 2013 seven men were found guilty of a total of 59 counts including rape, conspiracy to rape, rape of a child, sexual activity with a child, using an instrument to procure a miscarriage, facilitating child prostitution, conspiracy to facilitate child prostitution and supplying class A drugs. The men are now sentenced to a total of 95 years of imprisonment, including five life sentences.
2. The model used by the Operation Bullfinch perpetrators is known as 'street grooming'. This involves offenders deliberately targeting their young victims with affection, alcohol and drugs; isolating them from friends and family, and then subjecting them to extreme violence, sexual abuse and trafficking. The trial highlighted the local aspects of what is now recognised as a national issue and a not uncommon offence.
3. Operation Bullfinch has demonstrated that victims do not always understand that they are being exploited. Social workers and other staff had tried hard to address difficult behaviour. However the prevailing culture some five to six years ago meant that all agencies working with these children did not always understand the grooming process or recognise it as sexual abuse.
4. In recent years there has been a change in the understanding of, and response to child sexual exploitation, seeing the young people at the heart of the issue much more as victims rather than chaotic individuals who are difficult to manage. This paradigm shift has been central to the change in approach by social services and the police across the UK.
5. Child sexual exploitation is a national issue. Over the past few years there have been a number of high profile trials in the Midlands and north of England. In May an investigation by the Daily Mirror identified more than 50 active police investigations across the country and a number of trials underway.
6. In December 2010 a report was written by the Oxford Safer Communities Partnership on child sexual exploitation, based on a survey of 23 frontline practitioners. The report contained 13 recommendations to address the four initial findings of the survey:
 - No data collection of children and young people who are 'at risk' or who are affected by sexual exploitation
 - No specific child sexual exploitation training for professionals
 - Care pathways are generic and do not address specific concerns for children and young people who are being sexual exploited
 - No specialist service which can offer support to those at risk, victims and/or parents/carers.
7. The report was sent to Facelt managers within Oxfordshire County Council Children and Young People Service, to ensure their staff were aware of the challenges of child sexual exploitation. The Oxford Safer Communities Partnership continued to deliver their action plan based on the findings of the report.

Section two: Key areas of activity by Oxfordshire County Council and the Oxfordshire Children Safeguarding Board.

Serious Case Review

8. The Oxfordshire Safeguarding Children Board has commissioned a Serious Case Review that will examine the robustness of the professional responses and whether appropriate local and national policies and professional standards were followed. The serious case review is unlikely to be completed before the end of 2014.

The Kingfisher Team

9. In November 2012, Oxfordshire County Council, Children's Social Care and Thames Valley Police set up a special joint team called Kingfisher, with support from the local health service and other statutory and voluntary agencies, to prevent, protect and prosecute cases of child sexual exploitation. A peer review of the early impact of the Kingfisher team by the Local Government Association in March 2013 identified it as good practice. The review also commented on strong co-operation between Kingfisher and secondary schools.
10. We are building on the work of the Kingfisher team to develop a new Multi-Agency Safeguarding Hub (MASH) - one of the recommendations of the Home Affairs Select Committee report into child sexual exploitation.
11. Since September 2012, Oxford City Council's Human Exploitation Coordinator has been working with the Oxfordshire Safeguarding Children Board to support their work on tackling child sexual exploitation. The officer spends one day per week working with the Kingfisher team and developing and delivering training sessions on behalf of the Board.

Oxfordshire Safeguarding Children Board Strategy

12. The Oxfordshire Safeguarding Children Board is responsible for the co-ordination of the work of agencies responsible for safeguarding children. Its role is not operational but is about assurance that all agencies have appropriate arrangements in place and work together effectively. It is an independent body, with an Independent Chair.
13. The Board has produced a strategy for tackling child sexual exploitation that seeks to outline a tailored response to different models of exploitation and protect all young people. The strategy has five key strands; Oxford City Council is mostly involved in the first, third and fifth strands:
 - Raising awareness to improve early identification of sexual exploitation
 - Improve statutory responses and the provision of services
 - Improve the evidence base
 - Improve prosecution procedures
 - Disruption activity
14. Awareness-raising amongst professionals of the "warning signs" of child sexual exploitation is a critical area for the Board, who have responded with a new screening tool.

15. Child protection training for staff working with children now includes a designated section on spotting the signs of, and responding to, child sexual exploitation. To date this training has been delivered to more than 3,500 multi-agency staff in Oxfordshire, including all frontline staff working with children.
16. Oxford City Council and the Oxford Safer Communities Partnership activities to tackle child sexual exploitation contribute to the OSCB overarching strategy.

Securing resources to tackle child sexual exploitation

17. Oxfordshire County Council has increased its children's social care budget from £24m in 2006/7 to £48m in 2013/14, an increase of 80% in real terms. The county council spent in excess of £3m during Operation Bullfinch on social work and other support to the investigation. In 2013-14 county councillors agreed to provide an additional £1.4m to enable the recruitment of an additional 21 child protection social workers.
18. The county council has committed to building four new children's homes in the county to keep children closer to home.
19. Thames Valley Police has also invested substantial additional resources and money into safeguarding children in the Child Abuse Investigation Units.

Absconding and placements

20. Actions to prevent absconding include strong management oversight and high expectations of school attendance and attainment; ensuring that social workers are immediately aware if a child fails to attend school and that immediate action is taken.
21. The Oxfordshire Safeguarding Children Board Inter-agency Procedure for Children Missing from Home or Care has been updated to reflect the latest guidance. The monthly Missing Persons Panel tracks and monitors all young people at highest risk within the county.
22. The county council is also seeking to improve the packages of support that are available to support children to keep their placements. This involves more integrated work with mental health and youth offending services.

Work with schools

23. The county council has briefed head teachers and chairs of governors across the county on child sexual exploitation.
24. The Kingfisher team has developed a model for regular multi-agency forums on child sexual exploitation which have a dual function: awareness raising and practice development of all agencies, including schools; and intelligence gathering on children of concern.

Improving behaviour and attendance include:

25. Notifying carers of looked-after children immediately if the child fails to turn up for school.
26. Ensuring that looked-after children who are placed in Oxfordshire from outside the county are immediately placed on a school roll at the County Council's Pupil Referral Unit and provided with tutor support.

27. Work with schools to help children understand the risks that they may face and alert them to the types of child sexual exploitation. Earlier in 2013 all Oxfordshire state school year 8 and 9 children saw a play about sexual exploitation called Chelsea's Choice. It has now been seen by around 12,000 secondary school children in Oxfordshire. This was complemented by a letter and leaflet for parents.
28. A youth mentoring project is in development focused on preventing young men from getting involved in sexual offending. A parents' worker post is being created within a local voluntary sector organisation to support parents whose children are or have been at risk of sexual exploitation.
29. Foster carers have also received targeted training on identifying potential warning signs of child sexual exploitation.

Working with communities

30. The county council is working closely with the police to liaise with community leaders and faith groups and taking action as needed. For example, work focused on families of potential perpetrators and targeted youth mentoring projects.
31. Multi-agency funding has been secured to employ a national charity, Street UK, to identify young people and their families 'at risk' in hard to engage communities in relation to child sexual exploitation.

Working with partners

32. Oxfordshire Health and Wellbeing Board has included tackling child sexual exploitation as a priority in the new Joint Health and Wellbeing Strategy.
33. The Oxfordshire Safer Communities Partnership (OSCP) and the District Community Safety Partnership (CSPs) are bringing together key players to share intelligence and take appropriate actions to prevent and tackle child sexual exploitation.
34. Police and Crime Commissioner funding will be used to raise awareness about how to recognise the signs of potential abuse.
35. The health service has a key role to play in terms of identifying potential victims of this abuse and supporting their health needs, which can often be complex.
36. There is support within the criminal justice system for the introduction of specialist child sexual abuse courts and further protection and support for victims, including offering video-recorded cross examination, and for the recommendation to limit repeated cross-examination by multiple defence barristers when witnesses give evidence.
37. The county council has reviewed its approach to commissioning housing services for children, families and vulnerable adults to ensure that risks are minimised.

Section Three: Oxford City council's response to CSE

38. Oxford City Council has played an active role in raising the profile of and development of services to prevent and support victims of child sexual exploitation principally as a key member of the Oxford Safer Communities Partnership.
39. The council's recent external review of our Section 11, Children Act 2004 requirements found that the city council, as a second tier local authority, has a robust response to safeguarding.
40. The review demonstrates that Oxford City Council has responded effectively to the findings of the Home Affairs Select Committee's second report into child sexual exploitation and response to localised grooming. The report states that district councils have an important role to play in tackling child sexual exploitation, particularly in terms of sharing information and concerns from frontline workers, and in their strategic roles as housing and licensing authorities.
41. Oxford City Council has contributed through management reviews and a number of current and former staff have been interviewed as part of the process to the Serious Case Review of Operation Bullfinch, instigated by the Oxfordshire Safeguarding Children Board. The publication of the review is due in summer 2014.

Governance and accountability

42. Oxford City Council's Executive Director, Community Services, chairs the Oxford Safer Communities Partnership. The partnership has funded a Human Exploitation Coordinator to lead on the local response to child sexual exploitation since 2009. The officer is a member of the Oxford City Council Community Safety Team, works to the partnership's action plan and is the principal professional advisor to Oxford City Council and partners.
43. The Oxford Safer Communities Partnership is accountable to the Oxford Strategic Partnership, delivering on its aim to tackle people's concerns about crime, and to reduce crime and prevent people becoming victims of crime
44. The Director and the Board Member for Education, Crime and Community Safety, are both members of the Oxfordshire Community Safety Partnership. This board coordinates community safety activities that cross district council boundaries and comprises representatives from Oxfordshire's four district Community Safety Partnerships.
45. This approach is supported by the Oxfordshire Safeguarding Board who encouraged all community safety partnerships in Oxfordshire to raise awareness among its membership about how it plans to prevent child sexual exploitation. The Oxford Community Safety Team was asked to present their action plan to the other Oxfordshire CSPs, and to encourage them to adopt relevant actions. This was completed and child sexual exploitation is now on the agenda of all community safety partnerships in Oxfordshire.
46. The Director is Oxford City Council's strategic lead for safeguarding and plays a key role embedding safeguarding responsibilities across the organisation.
47. Oxford City Council's representation on the Oxfordshire Safeguarding Children Board is the Partnerships Manager within Policy, Culture and Communications.

Training and awareness-raising

48. In the autumn of 2010, the Human Exploitation Coordinator became a member of the National Working Group for Sexually Exploited Children and Young People. The network of 109 projects/organisations is UK wide and includes practitioners, policy makers and researchers working with children and young people who are at risk of, or who experience, sexual exploitation.
49. In January 2011, the Oxford Safer Communities Partnership presented a child sexual exploitation scoping report to the Oxfordshire Safeguarding Board, summarising the findings of a survey of frontline practitioners. The Board welcomed the report and asked their Oxfordshire Sexual Violence Strategy Group to lead on the issue.
50. In September 2011, members of Oxford City Council's Community Safety Team met with the Children's Commissioner to discuss child sexual exploitation.
51. The Human Exploitation and the Domestic and Sexual Abuse Coordinators have written the Oxfordshire Safeguarding Children Board's one-day child sexual exploitation training course for front-line practitioners, and are currently delivering numerous training events. In addition, a half-day, two-hour and 20-minute "buzz" session have been written for those who don't require an in-depth understanding of the issue.
52. These sessions are being delivered internally, most recently to 50 housing staff. Other teams who have, or will be receiving the training, include the Community Response Team, Anti-Social Behaviour Investigation Team, Positive Futures Teams, General Licensing and Miscellaneous Licensing teams, other critical staff and members.
53. The training course complements the Generalist Safeguarding Children training that all relevant staff are in the process of attending. A principal part of this training is an understanding of the referral procedure and an embedding of the ethos that, if an officer is in any doubt whether to refer, then the referral should be made.
54. The Human Exploitation Coordinator contributed to the "Say Something If You See Something" toolkit for frontline employees within the taxi and entertainment industries. The toolkit was launched in Parliament in the summer, and will be rolled out in Oxfordshire. Financial support has been given by the Police and Crime Commissioner, via the Oxford Safer Communities Partnership to deliver this toolkit to local communities and businesses.
55. Oxford City Council's Community Safety Team developed a sexual consent campaign that was launched in September 2013. The Thames Valley-wide campaign highlights the issues of consent and healthy relationships.

Information sharing

56. Through the safeguarding children training, staff are made aware of how to refer to social care and who to speak to for advice if they have a concern.
57. The need for speedy and robust information sharing has been tested recently within the city council and all departments involved have come across no barriers to information exchange. Examples include the exchange of information from various housing teams, the Anti-Social Behaviour Investigation Team, Direct Services, taxi and alcohol licensing teams, Environmental Health and the Community Response Team, to the police and social care.
58. Since November 2012 informal meetings have been held between the interim Head of Children's Social Care, Kingfisher staff, the police and, from Oxford City Council, the Director of Community Services and Environmental Protection Service Manager. These continue on a regular basis to ensure that relevant operational and strategic issues are addressed and incorporated into the local Community Safety Partnership Action Plan. Oxford City Council uses its statutory powers in the areas of taxi licensing, landlords, publicans and housing management to protect public safety

Licensing Authority duties

59. Oxford City Council is undertaking, on behalf of the Oxfordshire Safeguarding Children Board, research into best practice relating to the licensing of regulated entertainment and taxis. A number of areas in the country have introduced licensing measures in response to child sexual exploitation including mandatory customer care courses and training. Appropriate measures will be introduced to Oxford and the city will encourage the other Oxfordshire Licensing Authorities to adopt similar measures.
60. The council's taxi Licensing Authority function works with the other Oxfordshire local authorities to exchange information relevant to the transportation of vulnerable people.
61. The council will be working with Thames Valley Police to train organisations in the "Say Something if you See Something" toolkit for the retail, transport and hospitality industries who have a vital role in identifying those at risk of sexual exploitation and trafficking.

Housing placements

62. The Chief Executive has requested that Oxfordshire local authority housing services inform him of all housing placements in the city. The city council will then be in a position to challenge inappropriate housing allocations.

Diversions activities for young people

63. Oxford City Council's holiday programme and Positive Futures Programme provide young people with positive activities that keep them engaged and out of risk. Where young people are identified as being at risk by frequenting places that put them at risk, the Positive Futures team run an outreach service to engage with the young people and direct them into available activities. The team are also trained to identify behaviours that signal a potential risk and will make a safeguarding referral.
64. Financial support has been given by the Police and Crime Commissioner, via the Oxford Safer Communities Partnership, to the voluntary sector to engage

with young people in the city and the county, educating them in the risk of child sexual exploitation.

Safeguarding Annual Audit: Section 11, Children's Act 2004

65. Oxford City Council completes an annual assessment of its safeguarding duties under Section 11 of the Children's Act 2004. In December 2012 the Council submitted Section 11 Self-Assessment to the Oxfordshire Safeguarding Children's Board. Informal feedback was that the City Council has effective policies and procedures in place and no further actions were identified as being necessary. However, the Council decided to seek independent and specialist advice to ensure that it is working to best practice and that it is embedded throughout the organisation.
66. In October 2013 the Council commissioned an Independent Review to ensure compliance with Section 11 Audit , with a particular focus on:
- Leadership and Accountability
 - Partnership Working
 - Safe workforce
 - Policies and procedures
67. The Review identified that the Council shows clear ambition from the top to improve outcomes for vulnerable children and their families; that it makes a valuable contribution to the work of the Oxfordshire Safeguarding Board; has a comprehensive training programme for staff and its recruitment processes comply with statutory requirements and best practice.
68. However a number of areas for improvement were identified and an Action Plan has been developed, in conjunction with the Oxfordshire Safeguarding Board.
69. A full report on the Independent Review and Action Plan is elsewhere on this agenda.

Section four: Future direction - longer term strategic issues identified by the county council

70. The Oxfordshire County Council Cabinet report identified a number of longer term strategic risks and issues relating to child sexual exploitation. A selection of the issues is set out below and it is expected that these will be supplemented by the formal recommendations arising from the Serious Case Review when it reports in 2014. For more information on the proposed responses to these issues, please refer to the Oxfordshire County Council Cabinet Report, using the web link on the first page of this report.

- How to best work with vulnerable adolescents who may demonstrate challenging behaviours?
- How to support victims who are currently being abused and do not recognise what is happening to them, or want to be supported?
- How to look for patterns 'horizontally' rather than 'vertically'?
- How to work as effectively as possible with the police and other agencies?
- What is the role of the Oxfordshire Safeguarding Children Board?
- What else is needed for an effective prevention strategy?
- What more is needed to work as effectively as possible with partners, including district councils, health, the criminal justice system, schools, the voluntary and community sector?
- How can the county council best use commissioning arrangements to keep children safe?
- Should the county council bring safeguarding approaches within children and adults services closer together?
- What can other areas learn from Oxfordshire?

To: Council

Date: Monday 14th April 2014

Report of: Head of Law & Governance

Title of Report: Regulation of Investigatory Powers Act 2000

Summary and Recommendations

Purpose of report: To report the Council's application of its powers under the Regulation of Investigatory Powers Act 2000

Key decision? No

Executive lead member: Councillor Price

Report approved by: Head of Law & Governance

Policy Framework: Not applicable

Recommendation:

Council is asked to note the Council's use of its powers under the Regulation of Investigatory Powers Act 2000 (RIPA) for the period 1st April 2013 to 31st March 2014.

Introduction

1. This report relates to the Council's use of the Regulation of Investigatory Powers Act 2000 (RIPA) for the period April 2013 to March 2014. The three investigatory powers available to the Council are, directed covert surveillance, the interception of communications data and the use of Covert Human Intelligence Sources (CHIS). The Council has only ever authorised directed covert surveillance.

The Council's use of Covert Surveillance

2. There were no authorisations for the period 1st April 2013 to 31st March 2014.

Name and contact details of author:

Jeremy Franklin

Supervising Lawyer, Law and Governance

Tel: 01865 252412 email: jfranklin@oxford.gov.uk

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To: Council

Date: 14th April 2014

Report of: Monitoring Officer

Title of Report: Constitution Review 2014

Summary and Recommendations

Purpose of report: This report recommends changes to the Council's constitution to reflect changes in the law and also to provide clarification.

Report Approved by:

Finance: David Watt

Legal: Jeremy Thomas, Head of Law and Governance

Policy Framework: An effective and efficient Council

Recommendation(s): Council is RECOMMENDED to approve the amendments to the Constitution outlined in:-

Appendix 1 – Contract Procedure Rules;
Appendix 2 – Planning Code of Practice;
Appendix 3 – Other Committee procedures;
Appendix 4 – Miscellaneous proposed changes; and
Appendix 5 – Access to Information and key decision procedures

Appendices

Appendix 1 – Contract Procedure Rules
Appendix 2 – Planning Code of Practice
Appendix 3 – Other Committee procedures
Appendix 4 – Miscellaneous proposed changes
Appendix 5 – Access to Information and key decision procedures

Summary of report

1. This report proposes changes to the Council's Constitution following a review. The changes that are recommended have been discussed between Group Leaders. The opportunity has also been taken to clarify parts of the Constitution, to put right clerical errors and to make the Constitution follow the law. I have delegated authority to make such changes (Procedure Rule 2.5).
2. The report is in three parts. The first part proposes changes to the Contract Procedure Rules. Revised Rules (track changed) forms **Appendix 1**. The second part proposes changes to the Planning Code of Practice and to planning procedures. A revised Code and procedures, (track changed) form **Appendices 2 and 3**. The third part proposes miscellaneous changes. Where it aids clarity these changes are shown in **Appendix 4**. Otherwise the changes are described in the report. **Appendix 5** shows (track changed) the proposed changes to the Access to Information and Key Decisions Section of the Constitution.

Contract Rules (Appendix 1)

3. The changes to the Contract rules are proposed to comply with
 - The changes to the EU rules
 - Transparency guidance by Central government
 - Best practice in procurement

Planning – Code of Practice and Procedures (Appendices 2 and 3)

4. Paragraph 24.3(b) (Declaring Interests) sets the requirement to declare a Code interest in the context of the Code as a whole. Paragraph 22.5 of the Code says that 'the matter of interests must be viewed within the context of the Code as a whole and regard should be paid to the perception of the public'. Paragraph 22.5 of the Code appears here as a footnote¹.
5. The third paragraph of paragraph 24.5 (Need for councillors to make up their minds at committee) is deleted because we are proposing that no member of the area planning committee that determined a planning

¹ **22.5 Members' code of conduct and public perception**

Even if a councillor does 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 a member "must not place yourself in situations where your honest and integrity may be questioned". What this means is that the matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

application called in to the Planning Review Committee may substitute for a member of that committee. This addresses paragraph 22.5 of the Code as it relates to public perception.

6. The additional words in paragraph 24.8(a) (Lobbying by councillors) reflects the expectations that councillors should have of officers, as contained (in particular) in paragraph 23.3 of the Code on Councillor-Officer Relations (councillors can expect of officers 'professional advice, not influenced by political issues or preference').
7. The additional wording in paragraph 24.8(b) (Lobbying of councillors) recognises that on occasions councillors may express an opinion on an application before it falls to be determined. It sets out how councillors should caveat expressions of opinion.
8. The rewording of paragraph 24.10 (Planning applications by the Council) removes the rather opaque reference to the Council following 'Government guidance' in dealing with its own planning applications. It makes the consideration position clear and sets out the one exception to that position.
9. The new paragraph on member briefings (paragraph 24.13) sets out the purpose and limitations of briefings. These briefings are a recent initiative for the Council.
10. The rewording of the preamble to paragraph 24.14 (Site visits) provides clearer reasons why a site visit might be necessary.
11. The rewording of paragraph 24.15 (Officers' reports to committee) reflects what planning reports actually contain.
12. Paragraphs 24.16 – 24.20 say how planning committees should operate in respect of public speaking and involvement; and consideration and determination of an application; and how to proceed when the committee decides additional conditions should be imposed or if the committee decides to refuse a planning application against officer advice.
13. The rewording of parts of the Code of Practice summary that is reproduced with planning committee agenda deal with administrative practice in relation to planning committee meetings.

Miscellaneous Changes (Appendices 4 and 5)

14. Procedure Rule 2.8 (Publishing the Constitution) says that paper copies of the Constitution will be placed in Council offices 'and other places where the public can look at it'. In practice a paper copy is available only in the Town Hall reception and in the Customer Services reception area. The words underlined above are proposed for deletion.

The Constitution is of course generally available to view and to download on our website.

15. Procedure Rule 4.5 lists the responsibilities of the Board. The Leader has agreed these changes to those responsibilities:-

- Appointing representatives to outside bodies – the Leader will make any in year changes, after letting Group leaders know of vacancies. The annual review and appointment of representatives to outside bodies will continue to be the responsibility of the Board.
- Setting fees and charges – the Board’s responsibility for this will only be engaged to the extent that the budget has not set fees and charges. The Board will remain responsible for agreeing the strategy for setting fees and charges.

16. Procedure Rules 5.4 to 5.7 say that the licensing committees are responsible for setting licence fees. Council sets fees and charges at Budget time. The report recommends that the references to the licencing committees setting fees are deleted.

17. In Procedure Rule 7.8 (Powers and Duties of the Standards Committee) the report recommends an additional power, namely ‘To receive reports from and advise the Monitoring Officer on training for members on ethical issues’. This then ties up with Procedure Rule 9.4(b) (Role of the Monitoring Officer – Leading on Ethical Issues) which says that the Monitoring Officer shall advise the Standards Committee on the need for training for councillors on ethical issues.

18. In Procedure Rule 11.10 (h) (Addresses that are not about something that is for decision at the meeting) there is an inconsistency in that there no time limit by when a reply to an address by a member of the public should be provided. A 10 working day time limit would be consistent with time limits elsewhere.

19. Procedure Rules 11.10 to 11.12 (Addresses and Questions by the Public at Council Meetings) are silent on whether questions and addresses on personal circumstances are permitted. Clearly it is inappropriate for anyone’s personal circumstances to be raised and discussed at Council meetings. The Procedure Rules referred to are proposed to be reworded as shown in Appendix 4 to make it clear that the personal circumstances of an individual may not be the subject of an address or a question at Council. A similar change is recommended in respect of questions asked at the Board (Procedure Rule 12.7 refers).

20. Council receives reports on the work done by partnerships upon which the Council is represented. There is no Procedure Rule relating to this. Appendix 4 contains such a Rule.

21. Procedure Rule 11.18 (k) combines the procedure for adjourning a motion with the procedure for adjourning a meeting. It would aid clarity if the procedures were separated.
22. Recent Government Regulations require all councils to have a recorded vote on any decision relating to the Budget or Council Tax. Appendix 4 contains wording proposed to be added to Procedure Rule 11.19(d) (Voting at Council Meetings) to facilitate this.
23. The Head of Paid Service wishes to reserve to himself approval of any staffing changes that could give rise to severance payments, early retirement, redundancy or pay re-grading for officers. The report recommends an addition to paragraph 9.3 of the Constitution, such that the Head of Paid Service must approve all such changes, in Appendix 4.
24. The Head of Paid Service also wishes to reserve to himself the approval (or otherwise) of the entering into a contract other than a contract of employment for the appointment of an officer. This is to prevent an officer being engaged by way of a private service contract for example. The report recommends an addition to paragraph 9.3 of the Constitution to effect this change in Appendix 4.
25. Section 15 of the Constitution is reproduced, with track changes, in its entirety as Appendix 5. The changes shown reflect the provisions of the Executive Regulations (Meetings and Access to Information) Regulations 2012. In particular the Section has been changed because publication of a Forward Plan is no longer a legal requirement. However, it is a legal requirement for 28 days' notice to be given of the taking of a key decision and of the taking of a report in part or in whole in private. This is done by notification in the monthly executive work programme which, for convenience, we call the forward plan.

Name and contact details of author:-

Emma Griffiths
Supervising Lawyer
Law & Governance
Tel: 01865 252208
e-mail: egriffiths@oxford.gov.uk

Background papers: none

Version number: 1

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19. CONTRACT RULES

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19.1 When do these Rules Apply?

These rules apply when the Council expects to give or receive money or payments in kind. They apply to both capital and revenue and cover:

Contracts for goods, works or services

Acquisitions and disposal of land or buildings.

The Board can waive any of these rules after seeing a report from the Head of Service giving reasons. (But it must always comply with national and EU law).

These rules do not apply to grant giving – the rules for this are in the Council's grants prospectus.

19.2 Other Relevant Guidance, Rules and Law

Attention should also be paid to:

The Finance Rules (See 18)

The budget and policy framework procedures (see 16)

Section 4 of this Constitution (Who Carries out Executive Responsibilities?) and Section 5 (Who Carries out Council Responsibilities?)

National and EU procurement law and guidance.

Heads of service must consider the corporate governance arrangements and legal issues when entering contracts and must ensure the risks are fully assessed.

19.3 Responsibility to Follow these Rules and Relevant Law

These rules apply to officers and anyone else managing or supervising contracts on behalf of the Council. Heads of Service must make sure their staff follow them.

The Council may take disciplinary and/or legal action against anyone who breaks these rules or the relevant national or EU law.

19.4 Interests of Councillors and Officers in Contracts

(a) Avoiding Conflicts of Interest

Councillors, officers and anyone acting for the Council must avoid conflicts of interest.

(b) Councillors' Interests

Councillors must follow the members' code of conduct (see 22). In addition it is a criminal offence for a Councillor not to declare a financial interest in a contract.

(c) Officers' Interests

Officers must declare interests in contracts. It is a criminal offence for an officer not to declare a financial interest in a

contract. This does not apply to an officer's own contract of employment or their tenancy of a Council house.

The Head of Law and Governance will record officers' financial interests in a book that Councillors can look at during office hours.

(d) Officer Reports and Advice

If an officer writes a report for a meeting on something they have an interest in, they must give a brief description of the interest in a separate paragraph at the beginning of the report.

If an officer advises full Council or the Board or a committee on something they have declared an interest in, they must make reference to their interest.

19.5 Before a Contract is Agreed

Contracts can only be agreed if they comply with these contract rules and:

They will help a service area to achieve its service transformation plan

the Council has the legal power to enter into the contract

there is a budget to cover the cost

project approval has been obtained where appropriate – see 18.12

the total contract value has been calculated – see 19.6

the contract gives best value for the Council

19.6 Total Contract Value

The total contract value is the total amount (minus VAT) that is expected to be paid to the supplier as a result of the contract award during the whole of the contract. It includes:

the value of anything the Council is getting free of charge as part of the contract or which is charged on to a third party.

any amount that could be paid by extending the contract (if there is a contractual right to extend it).

If the length of a contract is unspecified, its total value will be calculated on the basis of the contract having a duration of 48 months.

A single contract must not be artificially split into smaller contracts to get around these contract rules or the law.

19.7 Sub-contracting

Where in a particular contract the main contractor intends to appoint one or more sub-contractors to discharge some or all of its contractual obligations, the main contractor must be placed under an obligation to so inform the Council, and the Council's Head of Finance shall consider whether in each case a collateral warranty from the sub-contractor in favour of the Council is required.

19.8 Format of Contracts

All contracts must be in writing.

Contracts with a total contract value over £100,000 must be sealed (see 21.3). Contracts under £100,000 must be signed by two officers – the relevant head of service (or an officer authorised by the head of service) and a member of the Procurement Team.

Contracts over £100,000 must be in a form approved by the Head of Law and Governance.

Contracts over the EU threshold must comply with relevant EU procurement law and guidance.

19.9 Clauses that must be Included in all Contracts

Contracts must:

say what is to be supplied or done, the timescale for performance and standards of performance required.

say how much is to be paid and include any terms for deductions, discounts or penalties

Give the period of the contract

require contractors to meet any standards set by the head of service and any appropriate British Standard or EU equivalents. EU standards must be included if the total contract value is over the EU threshold

require contractors to follow all appropriate codes of practice.

Require the contractor to hold appropriate insurance cover – the level of indemnity will be set by the head of service after assessing the risk and consulting with the Council’s insurance officer if necessary. However this cover must include a minimum of £5 million public liability insurance, unless a lower level of cover has been agreed by the Head of Finance.

include any other conditions and terms that have been agreed.

19.10 Clauses that must be included in contracts over £100,000

Contracts over £100,000 will include all the following clauses unless the Head of Law and Governance thinks they are inappropriate:

- (a) a clause allowing the Council to cancel the contract and recover any resulting losses from the contractor if it discovers that:

the contractor or its employees have given, offered or promised anything to influence how the Council awarded or managed the contract

the contractor or its employees have committed an offence under the Prevention of Corruption Acts 1889-1916

the contractor or its employees have given anything that Section 117(2) of the Local Government Act 1972 forbids officers from accepting

- (b) a clause requiring the contractor to:

provide at least £5,000,000 public liability insurance indemnity or any other level of cover recommended by the Head of Finance

provide £5,000,000 employer liability insurance indemnity or any other level of cover recommended by the Head of Finance

provide £1,000,000 professional insurance or any other level of cover recommended by the Head of Finance

produce proof of insurance (for example copies of the insurance certificates) if the head of service thinks it necessary

provide a bond (or other suitable form of guarantee) for 10 per cent of the contract value if the Head of Finance thinks it necessary

- (c) a clause saying who will supervise the contract on behalf of the Council and deal with any necessary changes to its terms
- (d) a clause requiring the contractor to protect the health and safety of anyone affected by its work
- (e) a clause requiring the contractor to comply with data protection laws and help the Council to comply with the Freedom of Information Act
- (f) a clause requiring the contractor to get the Council's permission before subcontracting or transferring any of the contract
- (g) a clause giving the Council the right to end the contract if the contractor does not meet the Council's standards and timescales and to bill the contractor for:

the administrative costs of finding and appointing a new contractor,
and

any amount by which the new contract exceed the old one.

- (h) if the head of service considers it necessary, a clause saying what damages must be paid if the contractor breaks the contract and explaining how the amount of damages was reached – the head of service will consult the Head of Law and Governance on the amount of the damages and what should trigger them.
- (i) [a clause seeking commitment from the contractor to pay its employees at least the Oxford living wage; this includes \(where appropriate\) any employees engaged by a sub-contractor in fulfilling the contract.](#)
- (j) [a clause indicating that the Council is required to publish all new contracts on its website, and will do so in accordance with its obligations, subject to any operative exemptions, within the applicable local government transparency regulations.](#)

19.11 Thresholds for quotes and tenders

The Council is seeking to ensure that all purchases made are undertaken through a single electronic tendering system ("the Selected System"). The Head of Business Improvement and Technology will provide details of the Selected System and any changes to it. All purchase of goods, services or works with a value in excess of £1,000 must, therefore, be undertaken through the Selected System. All such purchases shall also comply with the thresholds for quote and tender provisions as set out below. Exemption from using the Selected System can only be obtained with the consent of the Head of Business Improvement.

For all contracts over £100,000 a financial appraisal will be undertaken by the Head of Finance. The relevant head of service must not commission any work from the supplier until the contract has been approved by the Head of Finance and a named contract manager has been appointed,.

Heads of Service must consider advertising all contracts up to £100,000.

Total value of contract	Quotes or tendering
>1,000 < = £10,000	Seek at least two quotes, at least one of which must be from a local supplier ¹
>£10,000 < = £50,000	Seek at least three quotes, at least one of which must be from a local supplier
>£50,000 < = £100,000	Seek <u>at least four</u> and <u>receive get</u> at least <u>threefour</u> quotes, at least one of which must be from a local supplier
Over £100,00	Tendering (EU procurement law and guidance must be followed for contracts over EU thresholds)

Heads of Service seeking quotations from potential suppliers for a contract with a value below £100,000 shall (subject to the following provisions) comply with requirements set out in the above table.

All quotes must be held by the head of service for 12 months after the renewal of the contract.

¹ 'Local supplier' means a supplier who provides significant local benefits to the community, particularly through employing staff. An example would be a locally owned and independent enterprise.

19.12 When is there no need to seek quotes or tenders?

(a) Emergencies

If there is an emergency or a disaster, the Chief Executive can approve spending outside these rules after consulting the Head of Finance. The leader must be told as soon as possible.

(b) Written approval of Head of Finance and Head of Business Improvement and Technology

Heads of service do not have to seek or obtain quotes for contracts with a value of £100,000 or less if, after submitting an explanatory report to the Head of Finance and the Head of Business Improvement and Technology, these officers have given their written approval to waive the requirement to seek or obtain quotes on the basis that to do so would create no overall economic benefit to the Council.

(c) Purchasing consortiums

Heads of service do not have to get quotes or go out to tender if they have used a purchasing consortium that can show it follows the law and good procurement practice.

19.13 Tendering of contracts over £100,000

If the total contract value is over £100,000 tenders must be sought. Tenders can also be sought for lower contract values. Tendering Tenders will be sought in accordance with the requirements of and the best practice specified by the EU Procurement Regulations. Clauses 19.14 and 19.15 set out the principal tendering methods but alternative methods may be used provided that they are compliant with the EU Procurement Regulations and the Head of Business Improvement and Technology has given express agreement. ~~can be by open tendering (19.14), restricted tendering (19.15), negotiated tendering (19.16) or other EU procurement methods (19.17).~~ Whichever method of tendering is selected paragraphs 19.19, 19.20, 19.21 and 19.22 will apply.

19.14 Tendering by standing list Open Tendering

- (a) A Head of Service can decide to get tenders for a contract by open competition.

- (b) The Council will publish a public notice:
on the council's website and e tendering portal

if the total contract value is above the relevant EU threshold, in the Official Journal of the European Union – the notice will need to comply with EU regulations.
- (c) The notice will:

say what the contract is for

describe how to express interest in tendering

give the deadline for tenders

The notice must be published at least 14 days before the deadline for tenders. If the total contract value is above the EU threshold, EU rules must be followed. These require the notice to be published at least 52 days before the deadline for tenders.

19.15 Restricted tendering

- (a) A head of service can decide to limit the right to tender to people and organisations on a shortlist.
- (b) In order to compile the shortlist the Council will publish a notice:

on the council's website and e tendering portal

if the total contract value is above the EU threshold, in the Official Journal of the European Union – the notice will need to comply with EU regulations.
- (c) The notice will:

say what the contract is for

describe how to express interest in tendering

give the deadline for tender

The notice must be published at least 14 days before the deadline for expressions of interest. If the total contract value is above the EU threshold, EU rules must be followed. These require the notice to be published at least 37 days before the deadline for expressions of interest.

- (d) After the deadline for expressions of interest, invitations to tender will be sent to:

at least five people or organisations who expressed an interest in tendering – these will be selected by the head of service, either generally or for a particular contract or category of contracts

if fewer than five people or organisations are considered suitable by the head of service, all the ones that are considered suitable.

19.16 Negotiated tendering

(a) Total contract value below the EU threshold

For contracts below the EU threshold that have been tendered, the Head of Finance ~~may~~ allow a head of service to negotiate with one or more contractors on terms.

(b) Total contract value above the EU threshold

The EU negotiated procedure can only be used in very limited circumstances and in the main has been replaced by the competitive dialogue process.

19.17 Other EU Procurement methods

The following procedures can be used for individual contracts if the Head of Business Improvement and Technology agrees:

(a) Competitive dialogue

This can be used for complex contracts. It allows the Council, through dialogue with providers, to develop the optimum contract valuation.

(b) Framework agreements

These are arrangements between the Council and providers that set terms for any contracts between them. Framework agreements are for a set period and should not normally be for more than four years.

(c) eAuctions and eProcurement

E Auctions are electronic auctions where providers bid against each other to offer the lowest price. They are open to any provider that meets certain conditions and include all tenders that meet

the specification. E Procurement covers a range of electronic procurement methods.

(d) Framework agreement or one-off contract set up by another public organisation

This can be used if the public organisation has been the lead organisation in setting up the framework agreement or contract and has acted within national and EU law and the Council can properly join the contract.

(e) Public auction

This can be used for buying or selling land.

(f) Purchasing consortiums

Purchasing consortiums must be able to show that they follow EU procurement rules.

19.18 Acquiring and disposing of land and buildings

(a) This rule applies to acquisitions and disposal of:

freeholds or leaseholds with a consideration or premium over £500,000

leases with a rental value over £125,000 per annum

freeholds and leases for less than best consideration except when the acquisition or disposal is made:

under a legal duty

under a confirmed compulsory purchase order

under a scheme that has already been agreed by the Board for acquiring or disposing of more than one piece of land or more than one building.

(b) Before any tenders are invited for disposals or any provisional agreement is reached in negotiations or acquisitions or disposals, a report must go to the Board covering:

the Council's present or most recent use of the land or buildings,

other uses the Council could make of the land or buildings

other uses a buyer could make of the land or buildings

the estimated value of the land or buildings

how the land or buildings will be disposed of.

- (c) Tenders for acquisition or disposal of property are not required to be submitted through the Council's e-tendering portal but must be held securely until after the tender deadline and opened after the deadline by two Officers nominated by the Regeneration and Major Projects Manager
- (d) After a provisional agreement has been reached on an acquisition or disposal, another report must go to the Board covering the terms of the disposal or acquisition and how the land or buildings will be used. If a disposal is for less than best consideration, the report must say why and whether consent is needed from the Secretary of State.

19.19 Submitting a tender

- (a) Every tender must include a declaration that the tenderer has not:
 - told anyone except the Council the amount of the tender
 - changed the amount of the tender as part of an agreement with anyone
 - lobbied councillors or officers about the tender.
- (b) Invitations to tender must be submitted via the Council's e-tendering portal

19.20 Council's Handling of Tenders Received through Portal

- (a) Each tender received via the portal is automatically date and time stamped. The tender cannot be accessed until after the tender deadline.
- ~~(b) Tenders will be opened by an authorised member of the Procurement Team and passed to the relevant head of service who invited them.~~
- (c) If a tender includes a condition that was not in the tender documents and accepting the condition would give the tenderer an unfair advantage over other tenderers, the tenderer must remove the condition or withdraw the tender.
- ~~(d) If there seems to be a mistake in a tender, the tenderer will be asked to confirm that there is no mistake or withdraw the tender. This does~~

~~not apply to arithmetical errors, which can be corrected by the head of service.~~

~~(e) The Council must not negotiate with any tenderer outside the negotiated tendering procedure (19.16).~~

(f) Documents from unsuccessful tenderers must be kept by the head of service who invited them for 12 months after the start of the contract.

19.22 Accepting quotes and tenders

(a) Total contract value less than £150,000

The head of service or Director ~~may~~ accept ~~the lowest or the~~ most economically advantageous quote or tender if the Council is the buyer, or the highest if the Council is the seller, as long as:

the spending is included in the Council's capital or revenue budget

project approval has been obtained

any key decisions have been included in the forward plan

any organisation the Council is acting as agent for agrees.

(b) Total contract value of £150,000 or over but less than £500,000

A Director ~~may~~ accept the ~~lowest or~~ most economically advantageous tender if the Council is the buyer, or the highest if the Council is the seller, as long as:

the spending is included in the Council's capital or revenue budget

budget approval has been obtained

any key decisions have been included in the forward plan

any organisation the Council is acting as agent for agrees

the Executive Director Organisational Development and Corporate Services, the Monitoring Officer and the Chief Executive have been consulted.

(c) Total contract value £500,000 or over

Tenders of £500,000 or over can only be accepted by the Board after considering a written report.

19.23 Copies of contracts and register of contracts

(a) Keeping copies of old contracts

If the total contract value is over £10,000 the Head of Business Improvement and Technology will keep the contract in a secure place:

for a least seven years from its end date if it was signed

for a least 13 years from its end date if it was sealed,

but the head of service who invited the contract will still be responsible for managing it.

(b) Keeping a register of contracts

The Head of Business Improvement and Technology will keep a central register of contracts over £10,000.

All Heads of Service are required to provide the original of all contracts over £10,000 to the Head of Business Improvement and Technology.

(c) What will the register record?

For each contract, the register will record:

what the contract is for

the total contract value

the name of the contractor

the start and end dates

the procurement method used

whether the contract can be extended and how.

(d) Access to the register of contracts and contract documents

Members of the public have the right to see the register of contracts. [A copy of all awarded contracts which commence in or after June 2014 will be made available on the Council's website \(subject to any applicable exemptions\).](#)

(e) Register of certified contracts

The Monitoring Officer will keep a register of all certificates issued under the Local Government (Contracts) Act 1997.

19.24 Legal claims relating to contracts

Claims by contractors will be considered promptly by the Head of Service. Heads of service must consult the Head of Law and Governance before agreeing to anything that could make the Council liable for more than £5,000 or unable to collect damages of more than £5,000.

19.25 Varying contracts

Contracts can only be varied when the contract allows and by a written instruction from the head of service or an officer they have appointed to manage the contract. Where such a variation would have a material impact on the nature of the contract or would materially alter its risk profile, advice must be sought and received from both Law and Governance and the Procurement team before such variation is put into effect. Where the contract provides for an extension, the head of service may exercise the option to extend the contract up to the specified maximum period if satisfied that the extension of the contract provides best value.

~~Any important changes to a contract may need to be agreed by the Board and must be recorded in writing. In an emergency, they can be made by a Director and reported to the next Board meeting.~~

Variations must not break any of the contract rules or any terms of the contract.

19.26 Interpreting the contract rules

Questions about the contract rules and any related guidance will be dealt with by the Head of Business Improvement and Technology or the Head of Law and Governance.

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24 PLANNING CODE OF PRACTICE

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24.1 What does this code apply to?

This code applies to all planning decisions, whether they are taken by officers, area planning committees or the planning review committee. ~~Further guidance for dealing with planning applications at committee meetings is attached to this code but is not a part of the constitution. It also applies to the preparation of the Local Plan and other planning policy documents.~~

24.2 Training for Councillors

Councillors are required to attend training, in planning at least once a year and will be told about any changes to the law or the Council's procedures.

24.3 Preparation of Planning Policy documents – Public Meetings

At public meetings Councillors should be careful to be neutral and to listen to all points of view. They should take care to express themselves with respect to all present including officers. They should never say anything that could be taken to mean they have already made up their mind.

24.3.4 Councillors' interests in planning applications

a. Registering and declaring interests

The members' code of conduct requires Councillors to register interests. See 22.4.

b. Declaring interests

~~Section 22.4(d) states The members' code of conduct says what Councillors must do if they have an interest in an item. See 23.15 to 23.18.~~

All matter of interests must be viewed within the context of the Members' Code of Conduct as a whole and regard given to the perception of the public. If Members' have concerns about a potential interest, they should seek advice from the Monitoring Officer.

c. Avoiding perception of bias

Councillors must listen to the advice of the Monitoring Officer if they may be perceived as having made up their minds in advance or having closed their minds to opposing ~~view points~~viewpoints.

If a member is a Board member or represents the Council on an outside body and the Council or the outside body is the applicant then particular care should be taken by the member to avoid the perception of bias.

24.45 Gifts and Hospitality

Councillors and officers should avoid receiving gifts or hospitality from anyone involved with a planning application. If gifts or hospitality are unavoidable, they should be kept to the minimum.

~~Under the members' code of conduct, gifts or hospitality worth more than £25 that are linked to being a Councillor must be recorded in the register of interests within 28 days.~~

Officers should declare offers of gifts or hospitality in the ~~relevant service area's~~Council's hospitality register as soon as possible, whether they accept them or not. Officer hospitality registers will be reviewed annually by the Monitoring Officer.

24.56 Need for Councillors to make up their minds at committee

When a planning application comes to committee, Councillors must weigh up all the relevant facts and make their decision at the meeting. They must not have already decided how to vote.

This means that Councillors need to be careful about anything they say before the committee meeting. Although they can start to form a view, they should never say anything that could give the impression they have already made up their minds. Councillors should not sign letters or petitions that support or oppose an application.

~~If a Councillor is involved in deciding the same application at both an area planning committee and the planning review committee, they must weigh up all the relevant facts again at the planning review committee and make a fresh decision.~~

24.6-7 When Councillors go public

If a Councillor has publicly supported a particular outcome, it will be very difficult for them to appear to make up their mind at committee and they should not vote. This is not the same as the need to declare a a personal or a personal prejudicial disclosable pecuniary interest. That is a separate requirement of the members' code of conduct. See 22.4 of the constitution.

24.7-8 Lobbying

a. Lobbying by Councillors

Councillors should not lobby each other on planning applications. Nor should they put pressure on officers to make a particular recommendation or do anything which compromises, or is likely to compromise, the officers' impartiality or professional integrity.

b. Lobbying of Councillors

When they are lobbied, Councillors should be careful not to say anything that could give the impression they have already made up their mind. They should stick to advising on procedures and suggesting that the person writes to the Head of City Development with their views in order that the comments may be reflected in the officer's report.

If councillors do express an opinion to objectors or supporters, they should make it clear that they will only be in a position to take a final decision after having heard all the relevant arguments and taken into account all relevant material and planning considerations at committee.

~~c. Lobbying of Councillors~~

~~When they are lobbied, Councillors should be careful not to say anything that could give the impression they have already made up their mind. They should stick to advising on procedures and suggesting that the person writes to the~~

~~Head of City Development with their views in order that the comments may be reflected in the officer's report.~~

24.8-9 Whipping

Political groups must not whip planning decisions. Councillors must use their individual judgement when deciding how to vote.

24.9-10 Planning applications by Councillors and officers

a. Officers not to act as agents

Officers must not act as agents for planning applications to the Council.

b. Council's handling of applications

If a Councillor or an officer or any relation of theirs puts in a planning application to the Council, they must declare their relationship on the application form and not be involved in deciding it or try to influence it improperly. The same goes for applications where a Councillor is the agent.

If a Councillor is the applicant or the agent, they are likely to have a disclosable pecuniary interest and should take no part in the determination of the application.

The Head of City Development will tell the Monitoring Officer about any applications by Councillors or officers and any applications where a Councillor is the agent. These applications will always be decided by an area planning committee, or if called in, the planning review committee, not by the Head of City Development. The committee report should be able to say that the Monitoring Officer confirms the application has not had any special treatment.

24.10-11 Planning applications by the Council

Applications by the Council will not get special treatment: the Council will decide them on planning grounds and will not take into account how it could gain from giving or refusing permission. Council applications will always be decided by an area planning committee or if called in, the planning review committee, not by the Head of City Development.

The only exception to this is applications for prior approval under identified permitted development rights (see 5.3(b)) ~~where~~ which have a 42 day deadline for the local planning authority to oppose. If ~~insertion~~ incorporating a prior approval application ~~into~~ the committee ~~structure~~ takes longer than 42 days for the application to be determined, then this will ~~may~~ result in

the development being allowed to proceed by default regardless of what the committee decides. In those circumstances the Head of City Development will determine the application

~~The Council will follow the government guidance for councils dealing with their own planning applications. These applications will always be decided by an area planning committee or, if called in, the planning review committee, not by the Head of City Development. Applications by the Council will not get special treatment: the Council will decide them on planning grounds and will not take into account how it could gain from giving or refusing permission.~~

24.11-12 Discussions before an application is decided

The following applies to discussions with an applicant before an application is put in or before it is decided. These include discussions over the phone, as well as meetings.

- a. It should be made clear at the start that the discussion will not bind the Council.
- b. Anyone taking part in the discussion should make it clear whether they are likely to be the decision taker.
- c. Advice should be unbiased and consistent. It should be based on the local development framework and relevant facts.
- d. A note should be made of any meeting, which ~~Councillors should be entitled to see~~will be included on the application file.
- e. If the applicant so requests a follow-up letter should be sent, confirming what has been discussed.
- f. At least two officers should attend any meetings that are likely to be contentious.
- g. If Councillors have a meeting, they should take a planning officer with them. Meetings involving Councillors or officers should be recorded on the applicant's file.
- h. Councillors should not approach applicants to try to achieve planning gain or get a planning application changed.
- i. Councillors should never say anything that would give the impression that they have already made up their minds in to relation the matter.

24.12-13 Public meetings

At public meetings Councillors should be careful to be neutral and to listen to all points of view. They should never say anything that could be taken to mean they have already made up their mind.

24.14 Members Briefings

For complex Council applications it might be appropriate to hold a members' briefing before the application is determined by committee. Members' briefings will be open to all councillors and the public and will be used by the applicant (ie Council as landowner) to brief the members and contextualise the application (provide information. Briefings will not be led by planning officers but will be run by the Regeneration team

The purpose and limitations of the briefing are to be made clear at the outset and a full note of the meeting will be taken and placed on the application file and provided as part of the report to the decision making committee. Any discussion at a members' briefing does not bind the council (as local planning authority) to make a particular decision and the views expressed by councillors are to be considered personal and provisional as not all information may be available has no more standing than any other pre-decision discussion. Such briefings are not part of and do not substitute for any part of the decision making exercise to be undertaken by the relevant committee.

24.1315 — Site visits

A site visit by a planning committee is only likely to be necessary if:

- the impact of the proposed development is difficult to visualise from the plans and any supporting material, including photographs taken by officers

OR

] I don't know what this means] • [This is no justification for a site visit. The only real justification is those truly exceptional circumstances where issues relevant to the determination of the application can only be properly understood by seeing the site.]

When a site visit is requested from by a councillor or member of the public the 'substantial benefit' of exceptional justification for visiting the site should be judged on the criteria above.

The reasons why the site visit is requested will be recorded and kept on the file.

A site visit by an area planning committee or the planning review committee will only occur if it is necessary to inspect a site to gain a factual understanding of a site's location, physical characteristics and relationship to

~~neighbouring properties or land use, before making a formal decision on a planning application. No decisions may be made on site.~~

Site visits will only be attended by members of the relevant committee and supporting officers. ~~Third parties~~Other people such as applicants, owners or members of the public will not be invited to attend site visits. Applicants or owners will only be present if they are required to give access to a site. Applicants or owners present should not be directly engaged by Councillors and all Councillor —questions should be addressed to the accompanying officer.

Councillors should not seek or accept representations, either as a committee or as individual members, during the visit. Councillors should not comment on the application and will not take any decisions during a site visit but may ask questions of the officer or seek clarification, particularly about the layout of the site or the development and its surroundings, but not in relation to the merits of the application. The members' code of conduct applies to site visits.

Beyond attendance, no formal notes will be recorded of a site visit.

Members of an area planning committee ~~or the planning committee~~ or the planning review committee who do not attend a site visit are not precluded from taking part in the determination of the planning application to which it relates. A site visit is not a meeting of the committee and no decision may be made upon the application at a site visit.

24.1416 Officers' Reports to Committee

Reports should cover all the relevant points, including:

a. material ~~objections~~ considerations

b. what ~~relevant parts of the local development framework says~~ the development plan

c. the relevant planning history of the site.

Reports should have a recommendation and a technical/professional assessment that clearly justifies it.

If the recommendation ~~goes against the local development framework~~is contrary to the development plan clear reasons must be given identifying material considerations justifying that development plan departure.

Oral reports should be rare and carefully minuted.

24.17 Committee members speaking in the public speaking slot

Committee members can choose to speak during the public speaking slot but they must notify the chair of their intentions before the meeting begins. They cannot participate in determining the application but can appoint a substitute for the item. Once a decision is made the matter has been concluded, the member can re-join the committee.

24.18 Members of the public passing messages to Members during the meeting

Messages should never be passed to individual committee members from the public once the meeting has started.

24.19 Determining an application

Committee members can only determine an application if they have been present throughout the whole presentation and debate. Members that arrive late or leave the room during the deliberation of an application can sit at the committee table but cannot participate in the debate or vote on the application.

–When an application is considered over two meetings, only members that attend both meetings can vote on the application.

24.1520 Planning conditions added at the meeting

When Councillors suggest planning conditions that were not in the report, their wording should be settled ~~should be and~~ drafted prior to the relevant decision being made. Conditions are an integral part of a grant of permission and should be imposed only where lawful and compliant with national policy; an officer should draft them. These should be delegated to officers but may, exceptionally, be brought back for approval if the committee wishes.

24.2116 Decisions ~~that go against the local development framework~~that depart from the development plan or officers' recommendations

If the officers recommend making a decision contrary to the development plan~~going against the local development framework~~, they should give full reasons in the report.

If a committee is considering voting against the officers' recommendations, officers should be asked to explain any effect it might have.

If a committee goes against the officers' recommendation, it must be for planning reasons and these must be clear and convincing. The personal circumstances of the applicant are rarely enough. The reasons must be established prior to the decision motion being voted on. ~~predicated by those~~

| ~~reasons being made.~~ A detailed minute of the reasons should be made and placed on the application file.

| **24.1722** **Complaints and record keeping**

The Council has a complaints procedure, which is on the website.

Complaints that a Councillor has broken the members' code of conduct can be made to the standards committee. A failure to adhere to this code may result in and may be cited as evidence of a breach of the members' code of conduct.

To make complaints easy to investigate, records need to be complete and accurate. Every planning file should contain an account of events from beginning to end. It is important to record reasons for decisions, especially when they are taken by officers and there is no committee report.

The Head of City Development will monitor the quality of the Council's planning records.

| **24.1823** **Responsibility for this code**

The Head of City Development and the Monitoring Officer have overall responsibility for this code. They will review how the code is working.

**CODE OF PRACTICE FOR DEALING WITH PLANNING APPLICATIONS
AT AREA PLANNING COMMITTEES AND PLANNING REVIEW
COMMITTEE**

Planning controls the development and use of land in the public interest. Applications must be determined in accordance with the Council's adopted policies, unless material planning considerations indicate otherwise. The Committee must be conducted in an orderly, fair and impartial manner.

The following minimum standards of practice will be followed.

~~A full Planning Code of Practice is contained in the Council's Constitution.~~

1. All Members will have pre-read the officers' report. Members are also encouraged to view any supporting material and to visit the site if they feel that would be helpful

2. At the meeting the Chair will draw attention to this code of practice. The Chair will also explain who is entitled to vote.

3. The sequence for each application discussed at Committee shall be as follows:-

- a. the Planning Officer will introduce it with a short presentation;
- b. any objectors may speak for up to 5 minutes in total;
- c. any supporters may speak for up to 5 minutes in total;
- d. Speaking times may be extended by the Chair, provided that equal time is given to both sides. Any non-voting City Councillors and/or Parish and County Councillors who may wish to speak for or against the application will have to do so as part of the two 5-minute slots mentioned above;
- e. voting members of the Committee may raise questions (which shall be directed via the Chair to the lead officer presenting the application, who may pass them to other relevant Officer/s and/or other speaker/s); and
- f. voting members will debate and determine the application.

4. Public requests to speak

Members of the public wishing to speak must notify the Chair or the Democratic Services Officer before the beginning of the meeting, giving their name, the application/agenda item you wish to speak on and whether they are objecting to or supporting the application. Notifications can be made via email or telephone, to the Democratic Services Officer (whose details are on the front of the committee agenda) or given in person before the meeting starts.

5. Written Statements from the public

Members of the public and councillors can send the Democratic Services Officer written statements to circulate to committee members, the head planner and the caseplanning officer prior to the meeting. Statements are accepted and circulated up to 24 hours before the start of the meeting.

Material received from the public at the meeting will not be accepted or circulated, as Councillors are unable to give proper consideration to the new information and officers may not be able to check for accuracy or provide considered advice on any material considerations arising.

6. Exhibiting Models and Displays at the Meeting

Applicants or members of the public can exhibit models or displays at the meeting as long as they notify the Democratic Services Officer of their intention at least 24 hours before the start of the meeting so that members can be notified.

7. Recording Meetings

~~4. Members of the public wishing to speak must send an e-mail to planningcommittee@oxford.gov.uk before 10.00 am on the day of the meeting giving details of your name, the application/agenda item you wish to speak on and whether you are objecting to or supporting the application (or complete a 'Planning Speakers' form obtainable at the meeting and hand it to the Democratic Services Officer or the Chair at the beginning of the meeting)~~

Members of the public are reminded that the recording of the meeting (audio or visual) is not permitted without the consent of the Committee, which should be sought via the Chair

8. Meeting Etiquette-

All representations should be heard in silence and without interruption. The Chair will not permit disruptive behaviour. Members of the public are reminded that if the meeting is not allowed to proceed in an orderly manner then the Chair will withdraw the opportunity to address the Committee. The Committee is a meeting held in public, not a public meeting,

69. Members should not:-

- a. rely on considerations which are not material planning considerations in law;
- b. question the personal integrity or professionalism of officers in public;
- c. proceed to a vote if minded to determine an application against officer's recommendation until the reasons for that decision have been formulated; and
- d. seek to re-design, or negotiate amendments to, an application. The Committee must determine applications as they stand and may impose appropriate conditions.

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14. OTHER COMMITTEE PROCEDURES

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14.1 Which committees do these procedures apply to?

These procedures apply to the:

- appointments committee
- area planning committees
- audit and governance committee
- disciplinary committee for chief executive, directors and heads of service
- general purposes licensing committee
- hackney carriages and private hire licensing sub-committee
- licensing and registration sub-committee
- licensing and gambling acts committee
- licensing and gambling acts casework sub-committee
- planning review committee
- standards committee

•

14.2 Appointment and membership of committees

Full Council is responsible for appointing and dissolving committees and for agreeing their membership and roles. Committees are responsible for appointing any sub-committees. Apart from the licensing and gambling acts committee and any sub-committees it appoints the number of members from each political group on committees will be in proportion to the size of the group.

There must always be at least one scrutiny committee and a committee that carries out responsibilities under the Licensing Act 2003 and the Gambling Act 2005.

14.3 ~~_____~~ Quorums and substitutes

Committee	Size	Quorum	Substitutes
Appointments committee	5	3 including at least one member of the Board	Permitted
Area planning committee <u>(East and West)</u>	9	5	Permitted
Audit and governance committee	7	3	Permitted
Disciplinary committee for chief executive, directors and heads of service	4	3 including at least one member of the Board	Permitted
General purposes licensing committee	10	4	Permitted
Hackney carriages and private hire licensing sub-committee	3	2	Permitted
Licensing and registration sub-committee	4	2	Permitted
Licensing and	15	5	Not permitted

gambling acts committee			
Licensing and gambling acts case work sub-committees	3	3	Only from the licensing and gambling acts committee
Planning review <u>Review</u> committee	9	5	Permitted <u>but members that have determined the application at the Area Planning Committee cannot be a substitute.</u>
Standards Committee	7 Councillors 1 non-voting co-opted member representing the Oxford Parish Councils	3	Permitted

If quorum cannot be made 15 minutes after the advertised start of the meeting, the meeting is cancelled.

14.4 Vacancies on committee

a. ~~(a)~~ Procedure when a Councillor resigns from a committee

~~a.~~

A Councillor can resign from a committee by writing to the head of law and governance. A replacement will be appointed at the next full Council meeting.

b. ~~(b)~~ Procedure when someone stops being a Councillor

~~b.~~

If someone stops being a Councillor, any replacement committee member will be appointed at the next full Council meeting.

14.5 Chair and vice chair

a. ~~(a)~~ Election of chair and vice chair

~~a.~~

The chair and vice chair are elected each year at the first meeting after annual Council.

The chair and vice chair of all the committees must be Councillors.

~~b.~~ (b) — If the chair and vice chair are absent

~~b.~~

If the chair and vice chair are absent, a committee can elect another Councillor to chair the meeting. If the chair or vice chair arrives part of the way through the meeting, the acting chair will finish the agenda item they are on and hand over the chair.

~~c.~~ (c) — Resigning as chair or vice chair

~~c.~~

If a Councillor wants to resign as chair or vice chair, they must write to the head of law and governance. A new chair or vice chair will be elected at the committee's next ordinary meeting.

14.6 Meetings of committees

~~a.~~ (a) — Cancelling a meeting

~~a.~~

If a committee has nothing to do at one of its fixed meetings, the head of law and governance can cancel it after consulting the chair.

~~b.~~ (b) — Special meetings

~~b.~~

The head of law and governance can arrange a special meeting after consulting the chair.

Special meetings will only deal with the business they have been called to deal with.

14.7 Substitutes

Substitutes are not permitted for the licensing and gambling acts committee.

For other committees, members can send other Councillors as substitutes. These will have the powers of an ordinary member of the committee.

Substitutions must be for the whole meeting. A member cannot take over from their substitute or hand over to them part of the way through. There is one exception to this: substitutes at the area planning committees and the planning review committee can attend for just a single item.

Substitutes on Planning Review Committee cannot have been a voting member at the meeting of the Area Committee that determined the application before it was called in to Planning Review.

Substitutes cannot appoint substitutes of their own.

If a member wants to send a substitute, they must tell the head of law and governance before the meeting.

14.8 Speaking on agenda items

Where the press and public are not excluded any member of the public and any city Councillor can speak on any agenda item for up to five minutes if the chair agrees.

14.9 Area planning committees and planning review committee

- (a) ~~No~~Councillors ~~can be~~ ~~may be~~ a member of more than one area planning committee. ~~A member of or~~ the planning review committee. ~~may not be a member of an area planning committee. These rules shall not apply to substitutes.~~
However any member that determines an application at an Area Planning Committee cannot re-determine the same application at the Planning Review Committee.
- (b) The ~~east~~East area~~Area planning~~Planning Committee shall be responsible for reaching decisions on the matters in 5.3 within the following wards –
- Barton and Sandhills, Blackbird Leys, Churchill, Cowley, Cowley Marsh, Headington, Headington Hill and Northway, Littlemore, Lye Valley, Marston, Northfield Brook, Quarry, Risinghurst and Rose Hill and Iffley
-
- (c) The ~~west~~West area~~Area planning~~Planning Committee shall be responsible for reaching decisions on the matters in 5.3 within the following wards:
- Carfax, Hinksey Park, Holywell, Iffley Fields, Jericho and Osney, North, St. Clement's, St. Margaret's, St. Mary's, Summertown, Wolvercote.
-

14.10 Gaps in these procedures

If there is a gap in these procedures, the chair will decide what to do.

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CONSTITUTION REVIEW 2014 – MISCELLANEOUS CHANGES

1. Addresses and questions by the public at Council meetings

Council Meetings

11.10 Addresses by the public

(i) Personal attacks and individual personal circumstances

Addresses must not contain personal attacks nor must they relate to individual personal circumstances. If an address contains a personal attack or if individual personal circumstances are mentioned, the lord mayor will ask the speaker to stop. If the personal attack or reference to individual personal circumstances continues, the lord mayor will ask the speaker to leave. If the speaker refuses to leave straight away, the lord mayor can halt the meeting until they do.

11.11 Questions by the public

(a) Asking questions at full Council

Members of the public can ask questions at ordinary meetings. These can be addressed to the leader or other Board member. Questions must be about something the Council is responsible for, something that directly affects people in the city or something for decision at the meeting. Questions that relate to individual personal circumstances will not be allowed.

11.12 Rejecting addresses and questions

The Head of Law and Governance can reject a public address or question on notice or a question on notice by a councillor, and the lord mayor can reject a question or statement without notice, if:

- it is not about something the Council is responsible for or about something that directly affects people in the City or about a matter for decision at the meeting
- it is defamatory, frivolous, trivial or offensive
- it requires the Council to make public exempt or confidential information (see 15.4)
- it relates to individual personal circumstances.

If a question or statement is rejected, reasons must be given.

Board Meetings

12.7 Order of business

- when the chair agrees, questions from the public for up to 15 minutes – these must be about the items for decision at the meeting (excluding the minutes) and the full text of any question must have been given to the Head of Law and Governance by 9.30 a.m. at least one clear working day before the meeting. [Questions by the public on individual personal circumstances will not be permitted.](#) No supplementary questions or questioning will be permitted. Questions by the public will be taken as read and, when the chair agrees, be responded to at the meeting.

2. Reports to Council on partnerships

11.14 Reports and questions about organisations on which the council is represented

— [Each meeting of Council shall receive a written report concerning the work of one of the partnerships upon which the Council is represented](#)

3. Recorded votes on the Budget

11.19 Voting

(d) Named votes

- [Any ten councillors present at the meeting can ask for the minutes to name who voted for, who voted against and who abstained on a vote.](#)
- [When full Council is voting upon setting the Council's Budget or setting the Council Tax a named vote must be taken¹.](#)

4. Employment matters to be dealt with by the Head of Paid Service

¹ Regulation 2 of the Local Authorities (Standing Orders) (England)(Amendment) Regulations 2014 provides that after any "budget decision meeting" the names of the persons who cast a vote for the decision or against the decision or who abstained from voting must be recorded. A "budget decision meeting" means a meeting of the relevant body at which it—

(i) [makes a calculation \(whether originally or by way of substitute\) in accordance with any of sections 31A, 31B, 34 to 36A, 42A, 42B, 45 to 49, 52ZF, 52ZJ of the Local Government Finance Act 1992; or](#)

(ii) [issues a precept under Chapter 4 of Part 1 of that Act,](#)

[and includes a meeting where making the calculation or issuing the precept as the case may be was included as an item of business on the agenda for that meeting](#)

9.3 Role of Head of Paid Service

- (d) The Head of Paid Service must approve any staffing change which could give rise to a severance payment, early retirement, redundancy or a pay re-grading for an officer.
- (e) The Head of Paid Service must approve any contracts other than a contract of employment when an officer is appointed.

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15 ACCESS TO INFORMATION AND KEY DECISION PROCEDURES

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15.1 Meetings affected by these procedures

The key decision procedures (see 15.14 to 15.19) apply to executive decisions.

The rest of the procedures in this section apply to full Council, Board and committee meetings.

15.2 Other rights to information

These procedures do not affect any other rights to information under the law and this Constitution.

15.3 Public's rights to attend meetings

The public can attend meetings, except when confidential or exempt information is being discussed (see 15.4).

15.4 Exceptions to public's right to attend meetings

(a) Confidential information – ~~Council~~ must meet in private

The ~~Council meeting~~ must meet be conducted in private when confidential information is likely to be discussed.

Confidential information is information that is prevented from being made public by court order or a government department that has provided the information.

(b) Exempt information – ~~Council~~ can meet in private

The ~~Council meeting~~ can meet be held in private when exempt information is likely to be discussed provided that 28 days' notice has been given of that meeting in the forward plan on the Council's website.

The notice must include a statement of the reasons for the meeting to be held in private.

Any representations made and the Council's response must be included in the agenda for the meeting.

If notice of a private meeting has not been given in the manner specified it can still take place providing:-

- the chair of the relevant scrutiny committee (or the Lord Mayor or the Lord Mayor's deputy in their absence) agrees; and
- it is included in the forward plan at the earliest opportunity and reasons are given as to why the decision to be made in private cannot wait.

Information is exempt if it would not be in the public interest to publish it and it falls into one or more of the categories set out below identified in Schedule 12A to the Local Government Act 1972:

- Information about individuals

Information relating to any individual (paragraph 2, Schedule 12A, Local Government Act 1972)

Information which is likely to reveal the identity of an individual (paragraph 2).

- Information about someone's finances or business

_____ Information relating to the financial or business affairs of any particular person (including the authority holding that information) (paragraph 3)

- Labour relations information

_____ 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 (paragraph 4)

- Information that could be considered legally privileged

_____ Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings (paragraph 5)

- Information about legal action

_____ Information which reveals that the authority proposes:

- (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
- (b) to make an order or direction under any enactment (paragraph 6)

- Information about action to deal with a crime

_____ Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime (paragraph 7)

(c) Disorderly conduct – exclusion of members of the public

A member or members of the public can be excluded from the meeting in order to maintain orderly conduct or prevent misbehaviour.

15.5 Reports that are expected to be considered in private

If the Monitoring Officer expects that a report will be considered in private under 15.4, it will not be made available to the public. It will be marked “not for publication” and will say what category of information is involved.

15.6 Notice of meetings

At least five clear working days before each meeting, the Council will post details of the meeting at the town hall and on the Council's website subject to copies being made available to members of the decision-making body first.

15.7 Background papers

Each report will include a list of background papers if there are any. Background papers are papers that have been relied on when writing the report. They do not include published works or documents that contain exempt or confidential information (see 15.4). [All background papers will be published on the Council's website.](#)

15.8 Access to meeting papers before a meeting

The agenda and reports will be available at the town hall at least five clear working days before a meeting subject to copies being made available to members of the decision making body first. If an item or report is added later, it will be made available as soon as it is added.

Copies of the agenda, reports and background papers will be available for public inspection. The agenda, ~~and~~ reports [and background papers](#) will also be available on the Council's website. Members of the public may register for email alerts of the publication of an agenda and accompanying reports. They may also subscribe annually for paper copies subject to payment of a charge.

Councillors will get the papers in advance for any meetings they are going to attend.

15.9 Access to meeting papers after a meeting

For six years after a meeting, the Council will make available:

- ~~The agenda~~ [and](#), reports ~~and background papers~~
- ~~The minutes~~ (except for items that were considered in private because they were exempt or confidential). These will be made available within 10 working days of the meeting and, for executive decisions, they will record the reasons for the decision, any alternatives considered and any interests declared
- ~~A summary of any business that was not open to the public if the minutes available to the public do not give a reasonable record.~~

For four years after the meeting the Council will make available the background papers to a report.

15.10 Summary of the public's rights

A summary of the public's rights to attend meetings and to inspect and copy documents will be available at the town hall.

15.11 Access to documents by members of scrutiny committees

Members of scrutiny committees have a right to copies of any documents seen or controlled by the Board that are relevant to decisions taken by the Board or key decisions taken by officers except for:

- Advice given by a political assistant
- Exempt or confidential information (unless it is relevant to something being scrutinised)
- Any ~~drafts of reports to be considered by the Board~~document in draft form (draft documents approved by the Board for consultation are available for members of scrutiny committees).

15.12 Extra rights of access to information for councillors

Any Councillor can look at any documents seen or controlled by the Board that are relevant to:

- Decisions to be taken by the Board in public
- Decisions taken by the Board in private
- Key decisions taken by officers.

But this does not apply to:

- Information about individuals
- Information about the possible terms of a contract the Council is negotiating
- Labour relations information
- Information that could be considered legally privileged

- Information about action to deal with a crime
- Advice given by a political assistant
- Any document in draft form (except for draft documents approved by the Board for consultation).

This right is additional to any other rights the Councillor has.

15.13 Councillors' duty not to pass on confidential or exempt information

Councillors must not pass on exempt information that has not been made public or confidential information (see 15.4). If they do this, they may be breaking the members' code of conduct (see Section 22).

15.14 Key decisions

A key decision is an executive decision likely to:

- Have a significant effect on people living or working in a least two wards or
- Involve spending or saving a significant amount – whether an amount is significant depends on the Council's total budget for the service involved. For this Council 'significant' in budgetary terms is £500,000 or greater.

15.15 Procedures before taking key decisions

When a key decision is taken, it must have been published in the forward plan (see 15.16) for a period of 28 days before the decision is taken, unless it is urgent (see 15.17).

If a key decision is taken by the Board or a single executive member, the report must say that it is a key decision.

15.16 The forward plan

(a) Period of forward plan

The ~~leader~~ Head of Law and Governance will prepare a forward plan ~~each at least every~~ month. Each plan will start with the first day of the next month and cover four months.

(b) What is in the forward plan?

The forward plan will list:

- ~~Any~~ key decisions that are going to be taken
- ~~Any decisions that are going to be taken by the Board -~~
- Any decisions that are going to be taken by the Board where the report, in whole or in part, will be taken in private

For each decision, ~~it~~ the forward plan will say:

- ~~What the decision is about~~
- ~~Who will take the decision~~
- ~~When the decision will be taken~~
- ~~Who will be consulted and how~~
- How to comment and when by

~~Which document the decision takers have been given to consider.~~

~~(c)~~ **Publishing the forward plan**

~~The forward plan must be published at least 14 days before the start of the period it covers.~~

~~At least once a year, the head of law and governance will publish a notice in at least one local newspaper saying that:~~

~~The Council take key decisions~~

~~The forward plan will be prepared each month with information about the key decisions (the notice will give the dates for the following year when each forward plan will be published)~~

~~Each forward plan will cover the next four months~~

~~The public can come to the Council offices and look at the forward plan—this will not cost them anything and they will be able to do it during office opening hours.~~

~~Each plan will list the documents given to decision takers to consider (the notice will give the address where the public can see any documents that are not confidential or exempt—see 15.4)~~

~~Other documents may be given to decision takers (the notice will describe how members of the public can ask for details of these as they become available).~~

~~(d) — Exempt and confidential information~~

~~Exempt information need not be included in the forward plan. Confidential information cannot be included.~~

15.17 Urgent key decisions

~~(a) — Procedure for taking urgent key decisions~~

~~If a key decision has not been included in the forward plan for 28 days, it can still be taken if it is not practicable to put it in the next plan and wait until the start of the first month in that plan 28 days before the decision is taken.~~

~~Before taking a key decision that has not been included in the forward plan, the Hhead of Llaw and Ggovernance must write to the chair of the relevant scrutiny committee (or each member of the committee if there is no chair) and make copies of the letter available to the public at the Council's offices and publish it on the Council's website.~~

~~The decision cannot normally be taken until five clear days after the chair is told. But the decision can be taken before that if the chair (or the lord mayor if there is no chair) agrees that it is not reasonable to defer it.~~

~~As soon as possible after the authority to take the urgent key decision has been obtained the Head of Law and Governance shall make available to the public at the Council's offices and publish on the Council's website a notice saying why 28 days notice has not been given.~~

~~(b) — Three-monthly reports to full Council on urgent key decisions~~

~~The leader will report to full Council every three months on any urgent decisions that have been taken.~~

15.18 Reports to full Council on decisions that were not in the forward plan

~~— The relevant scrutiny committee or its chair or any five of its members can require the Board to report to full Council if a key-decision has been taken that the committee considered should have been treated as a key decision, explaining the reasons for it and why the Board considered the decision not~~

~~to be key that was not in the forward plan (unless it was an urgent decision under 15.17).~~

Normally the Board will report to the next ordinary full Council meeting. But if the next meeting is within seven days of the request for a report, the Board will report to the next meeting after that. ~~The report will say what the decision was and who took it.~~

At least once a year the Leader must report to the Council on the number and nature of key decisions taken under 15.17.

15.19 Key decisions taken by officers

When an officer takes a key decision, notice of it must be given in the forward plan as required in 15.15. The officer must ~~they will~~ produce a record of it as soon as possible. The record will then be published by Democratic Services and the deadline for call in will be as soon as possible within two working days of the decision being published. ~~Theis~~ record of the decision will include the reasons for the decision, any alternatives considered and any interest declared by any Board member they have consulted. Information does not have to be made public under this rule if it is exempt or confidential – see 15.4. ~~A key decision taken by an officer may be called in – see 17.~~

15.20 Executive decisions taken by officers

When an officer takes an executive decision that is not a key decision they must as soon as possible afterwards produce a record of it. This will include the reasons for the decision, any alternatives considered and any interest declared by any Board member they have consulted. Information does not have to be made public under this rule if it is exempt or confidential – see 15.4. The record of the decision taken and any associated reports must be available to the public and published on the Council's website.

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CITY EXECUTIVE BOARD

Wednesday 12 February 2014

COUNCILLORS PRESENT: Councillors Price (Leader), Turner (Deputy Leader), Brown, Cook, Curran, Kennedy, Lygo, Rowley, Seamons and Tanner.

128. APOLOGIES FOR ABSENCE

There were no apologies for absence.

129. DECLARATIONS OF INTEREST

No declarations of interest were received

130. PUBLIC QUESTIONS

No public questions were submitted.

131. SCRUTINY COMMITTEE REPORTS

The following reports from Scrutiny were submitted and are appended to the relevant minutes.

- Budget and Medium Term Financial Strategy 2014/15 to 2017/18 and 2014/15 Budget
- Treasury Management Strategy 2014/15
- Covered Market Strategy
- Educational Attainment Programme – Progress

The reports were taken with this minute but for completeness are attached and referred to under the related minutes 133, 135, 137 and 142.

132. COUNCILLOR ADDRESSES ON ANY ITEM FOR DECISION ON THE BOARD'S AGENDA

With the agreement of the Chair, Councillors Campbell, Fooks, Hollick and Simmons addressed the Board on the subject of minute 133 (Budget and Medium Term Financial Strategy 2014/15 to 2017/18 and 2014/15 Budget), minute 135 (Treasury Management Strategy), minute 137 (Covered Market Strategy), minute 138 (Town Hall Strategy) and minute 142 (Educational Attainment Programme – Progress). A summary of the addresses is contained in the relevant minutes.

133. BUDGET AND MEDIUM TERM FINANCIAL STRATEGY 2014/15 TO 2017/18 AND 2014/15 BUDGET

The Head of Finance submitted a report (the main report) (previously circulated, now appended) and a supplementary report (also previously circulated, now appended). The Board also had before it a Scrutiny report (previously circulated, now appended). With the agreement of the Chair, Councillor Simmons addressed the meeting and spoke to the Scrutiny report and generally.

Resolved:-

(1) To RECOMMEND Council to approve:-

- (a) The Council's General Fund Budget Requirement of £24.080 million for 2014/15 and an increase in the Band D Council Tax of 1.99% or £5.34 per annum as set out in Table 1 of the supplementary report of the Head of Finance, representing a Band D Council Tax of £273.53 per annum;
- b) The continuance of the Council's Council Tax Support Scheme (formerly Council Tax Benefit) as referred to in paragraph 44 of the main report of the Head of Finance;
- c) The Housing Revenue Account budget for 2014/15 as set out in Appendix 4 to the main report and an increase in average dwelling rent of 5.42% representing £5.25 per week and taking the annual average rent to £102.08 as set out in Appendix 5 to the main report;
- d) The Capital Programme for 2014/15 -2017-18 as set out in Appendix 6 to the main report;
- e) The Fees and Charges Schedule that forms Appendix 7 to the main report;
- f) The changes to the level of exemptions and discounts on empty homes and unoccupied properties as outlined in paragraph 44 of the main report;

(2) To adopt a retail relief scheme for business rates on the terms set out in paragraph 19 of the main report and to delegate the authority to administer the Retail Relief Scheme to the Head of Customer Services in conjunction with the Section 151 Officer;

(3) On the recommendations from Scrutiny:-

- a) To agree recommendation 1, 3, 4, 6, 11 and 13;
- b) Not to agree recommendations 5, 7, 9 (noting that the supplementary report of the Head of Finance dealt with the Government's announcement on 'excessive council tax' levels and the setting of the Council Tax), 10 and 12, all for the reasons set out in the Board Member's response as contained in the Scrutiny report;

- c) On the five parts of recommendation 2, to agree parts 2, 4 and 5; on part 3 to note that an additional £25,000 for the low carbon Oxford budget line was proposed to be added and that no further budget provision was felt to be necessary; and on part 1, not to agree for the reasons given in the response to the recommendations as contained in the Scrutiny report;
- d) On recommendation 8, to record that officers would be seeking to develop good quality outcome monitoring for 2014/15 from the Council's involvement in youth activities.

134. CORPORATE PLAN 2014-18 - OUTCOME OF CONSULTATION - PLAN ADOPTION

The Head of Policy, Culture and Communications submitted a report (previously circulated, now appended). The Board also had before it a Scrutiny report (previously circulated, now appended).

Resolved to:-

- (1) Agree, in the light of consultation amended copy and targets for the Corporate Plan 2014-2018;
- (2) RECOMMEND Council to agrees the Corporate Plan 2014-2018;
- (3) Delegate authority to the Head of Policy, Culture and Communications to make minor textual amendments where necessary, in preparation for formal publication of the Corporate Plan 2014-2018.

135. TREASURY MANAGEMENT STRATEGY 2014/15

The Head of Finance submitted a report (previously circulated, now appended). With the agreement of the Chair, Councillor Simmons addressed the meeting and spoke to the Scrutiny report and generally.

Resolved to RECOMMEND Council to:-

- (1) Adopt the Treasury Management Strategy 2014/15, and to approve the treasury prudential indicators at paragraphs 13 – 28 of the report;
- (2) Approve the Investment Strategy for 2014/15 and the detailed investment criteria as set out in paragraphs 29 – 48 of and Appendix 1 to the report, including the changes highlighted in paragraph 9 of the report;
- (3) Approve the Prudential Indicators and limits for 2014/15 to 2017/18 as set out in paragraphs 50-51 of and Appendix 2 to the report;
- (4) Approve the Minimum Revenue Provision statement (which sets out the Council's policy on repayment of debt) at paragraphs 18 – 28 of the report;

- (5) On the recommendations from Scrutiny, to respond to them in the terms set out in paragraphs 7-10 of the Scrutiny report.

136. COMMUNITY AND VOLUNTARY ORGANISATIONS - GRANT ALLOCATIONS 2014/15

The Head of Customer Services and the Head of Leisure, Parks and Community Services submitted a report (previously circulated, now appended).

Resolved, subject to Council agreeing the grants budget on 19th February 2014, to approve:-

- (1) The recommendations for the commissioning programme as listed in Appendix 1 to the report, noting that at the Board's meeting on 9th October 2013 it had agreed that 2014/15 would be a one year funding programme with a three year commissioning cycle from April 2015 (minute 80 refers);
- (2) The recommendations as amended and listed in Appendix 2 to the report for the Arts and Culture commissioning theme;
- (3) The recommendations for the applications received to the grants 2014/15 open bidding programme as set out in Appendix 3 to the report.

137. COVERED MARKET STRATEGY

The Regeneration and Major Projects Team Manager submitted a report (previously circulated, now appended). The Board also had before it a Scrutiny report (previously circulated, now appended). Councillor Campbell and Fooks addressed the meeting. In summary they referred to the need for a clear positioning of the Council in respect of its responsibility for the Covered Market and that this should be made clear in the Asset Management Strategy; that a market manager should be appointed as soon as possible and work should then commence as a priority with the traders to develop the Covered Market for the future and to improve trust between the traders and the Council; and that the physical development of the Covered Market on the Market Street frontage was important.

Resolved to:-

- (1) Note the consultants' recommendations and the responses to the public consultation on the consultants' report;
- (2) Instruct the officers to prepare a detailed, costed action plan and programme, that plan to consider, among other things, the content of Scrutiny recommendations 5-8 and to emphasise the importance of a market committee to facilitate this, among other purposes;
- (3) Subject to funds being available in the Council's Budget, to be agreed by Council on 19th February, to endorse the appointment of an interim market manager;

- (4) On Scrutiny recommendations 1, 3 and 4, generally to endorse them; and on recommendation 2, that a market manager would be appointed subject to funds being available in the Council's Budget (resolution (3) above refers).

138. TOWN HALL STRATEGY

The Head of Human Resources and Facilities submitted a report (previously circulated, now appended). With the agreement of the Chair, Councillor Hollick as member for the Ward in which The Town Hall was located addressed the meeting. Councillor Fooks also addressed the meeting with the Chair's agreement.

In summary, Councillor Hollick referred to the unavailability of the Town Hall toilets when the Town Hall was closed on a Sunday because no events were taking place; that there needed to be transparency in terms of community interest group status (paragraph 5.8 of the report refers); that the average annual percentage increase figures in Appendix 1 to the report were, in his view, understated; and that the Town Hall staff restructure, as he saw it, had caused stress and anxiety to the staff involved. Councillor Fooks referred to the viability of the Town Hall café and also to the Town Hall staff restructure.

In response the Leader said that the Town Hall could not be open simply to keep the toilet facility available when otherwise there were no activities in the Town Hall; that in terms of fees and charges increases, the Council's proposed charges compared favourably with competitors as set out in paragraph 5.4; and that there would be member oversight of the use of Town Hall accommodation by community interest group. As to the Town Hall staff restructure, this was a separate issue. It had been carried out under the Council's change management policy agreed by Council (in other words Council had agreed a policy within which restructures were carried out by officers).

Resolved to:-

- (1) Note progress on the operational plan and the commissioning of an options appraisal for future utilisation of the Town Hall;
- (2) Agree the proposed opening times as set out in Section 4 of the report;
- (3) Agree the charging arrangements set out in Section 5 of the report and that those charges be incorporated into Appendix 7 of the main Budget report considered at minute 133;
- (4) Agree the changes to the budgeted income as set out in the table in Section 6 of the report.

139. LEISURE FACILITIES DEVELOPMENT AND MANAGEMENT CONTROL - REVIEW

The Head of Leisure, Parks and Communities submitted a report (previously circulated, now appended). The Board also had regard to a not for publication

annex to the report that contained a consultants' report on a review of the delivery of leisure services for the Council.

Resolved to:-

- (1) Agree that the contract for the development, management and operation of the City's leisure centres with Fusion Lifestyle be extended for a five year period to April 2024;
- (2) Delegate authority to the Director of Community Services to conclude negotiations and complete the necessary contract arrangements;
- (3) To thank Lucy Cherry (Leisure, Parks and Communities) for her work in managing the Fusion contract.

140. ROSE HILL COMMUNITY CENTRE DEVELOPMENT - NEXT STEPS

The Head of Leisure, Parks and Communities and the Regeneration and Major Projects Team Manager submitted a report (previously circulated, now appended).

Resolved to:-

- (1) Approve the project to progress the construction of a new community hub in Rose Hill;
- (2) Grant authority to the Executive Director, Community Services to approve the award of the construction contract for the building of the Rose Hill Community Centre, subject to tenders being within budget.

141. RED BRIDGE WASTE RECYCLING CENTRE

The Regeneration and Major Projects Manager submitted a report (previously circulated, now appended). The Board also had before it a not for publication appendix relating to costings.

Resolved that the Council enter into an agreement with Oxfordshire County Council whereby a rent of £20,000 per annum is agreed in respect of the review due on December 2011, and that the earlier outstanding reviews are not pursued by the City Council on the basis that the County Council for its part will not activate the annual rolling break, and will be committed to operating the waste recycling centre for a period of five years from the date of the agreement, unless an alternative site approved by the City Council is located and made operational.

142. EDUCATIONAL ATTAINMENT PROGRAMME - PROGRESS

The Head of Policy, Culture and Communications submitted a report (previously circulated, now appended). The Board also had before it a Scrutiny report (previously circulated, now appended). With the agreement of the Chair, Councillor Campbell addressed the meeting. In summary he expressed concern at the large turnover of staff at schools participating in the programme; that

comparison with schools in other local authority areas was important; and he commented on the KRM and 'digitally excluded' programmes.

In response on staff turnover, the Leader said that this was not untypical of schools.

Resolved to note the progress outlined in the report.

143. FUTURE ITEMS

Nothing was raised under this item.

144. MINUTES

The minutes of the meeting held on 22nd January 2014 were approved as a correct record and signed by the Chair.

The meeting started at 5.00 pm and ended at 6.37 pm

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CITY EXECUTIVE BOARD

Wednesday 12 March 2014

COUNCILLORS PRESENT: Councillors Price (Leader), Turner (Deputy Leader), Brown, Cook, Curran, Kennedy, Lygo, Rowley, Seamons and Tanner.

145. APOLOGIES FOR ABSENCE

None given

146. DECLARATIONS OF INTEREST

No declarations of interest were received

147. PUBLIC QUESTIONS

There were no public questions.

148. COUNCILLOR ADDRESSES ON ANY ITEM FOR DECISION ON THE BOARD'S AGENDA

Councillors Fooks, Goddard and Simmons asked to address the Board.

It was agreed that they would be heard when the appropriate item on the agenda was reached.

149. SCRUTINY COMMITTEE REPORTS

The following Scrutiny Reports were submitted:-

- Finance, Performance and Risk – Q3 progress;
- Local Enterprise Partnership – Strategic Economic Plan

It was agreed that they would be considered when the appropriate item on the agenda was reached.

150. FINANCE, PERFORMANCE AND RISK - QUARTER 3 PROGRESS 2013/14

The Head of Finance and the Head of Business Improvement and Technology submitted a report (previously circulated, now appended) concerning Finance, Performance and Risk – Quarter 3 progress.

Councillor Ed Turner, Board Member for Finance, Efficiency and Strategic Asset Management, presented the report to the Board and provided some background and context.

Councillor Craig Simmons, on behalf of the Scrutiny Finance Panel, addressed the Board concerning the Panel's recommendation to explore the use of Framework Agreements to provide project management and delivery of Capital Programme schemes.

Councillor Jean Fooks addressed the Board concerning the provision of Dial-A-Ride services in Oxford and her views on the Budget underspend. In response, Councillor Turner indicated that discussions with Oxfordshire County Council about Dial-A-Ride services were ongoing, and that it was anticipated that the underspend would be used within the coming year. Councillor Price, added that Council services had in fact increased despite that fact that an underspend had been achieved.

Resolved to:-

- (1) Note the financial position and performance of the Council for the third quarter of 2013/14, and also the position of risks outstanding as at 31st December 2013;
- (2) Approve in principle the earmarking of any year-end General Fund savings specifically to fund the Council's Capital programme;
- (3) Note the response from the Director and Board Member to the Scrutiny recommendation concerning Framework Agreements.

151. GRANT ALLOCATION - PREVENTING HOMELESSNESS AND HOMELESSNESS SERVICES

The Head of Housing and Property submitted a report (previously circulated, now appended) concerning the proposed allocation of Homelessness Prevention Funds, with the purpose of meeting the objectives of the Homelessness Strategy. Councillor Seamons, Board Member for Housing, presented the report to the Board and provided some background and context. He added that Oxfordshire County Council planned to cut 38% from their budget for this type of work in 2015/16 and 2016/17, and it was hard, at this stage, to say with certainty how this would impact on the quality and quantity of services for the homeless within Oxford.

Councillor Jean Fooks addressed the Board, observing that she found many good things within the report, particularly on the allocation of the budget, and she spoke also about maximising the use of Discretionary Housing Payments (DHP).

In response, Councillors Turner and Brown indicated that there was no predictability about year on year DHP funding from the Government. There was an issue too that people may not apply for DHP funding as soon as they needed it, and it was, in any case, supposed to be a temporary measure.

It was also observed that many private landlords were unwilling to accept as tenants people in receipt of benefits, and that many of them were unable to compete in the private rented sector as a result.

Resolved to:-

- (1) Allocate the Homelessness Budget for 2014-2015 referred to in paragraph 21 of the report;
- (2) Delegate to the Head of Housing and Property in consultation with the Board member the authority to allocate the balance of the Preventing Homelessness Funds.

152. FINANCIAL INCLUSION STRATEGY

The Head of Customer Services submitted a report (previously circulated, now appended) concerning the Council's proposed strategy for financial inclusion. Councillor Susan Brown, Board Member for Benefits and Customer Services presented the report to the Board and gave some explanation of it. It was important for many reasons to develop a financial inclusion strategy, but especially so in the light of a rise in debt and the use of food banks within the City. It was intended that the report would go out for consultation, and then return to the Board in July, along with an Action Plan for its implementation.

It was noted, with concern, that Oxfordshire County Council probably would not continue its system of crisis loans beyond next year. It was further noted that the consultation had been informed by discussion with advice centres in Oxford, and that delivery of the strategy would be in partnership with others.

Resolved to approve the Financial Inclusion Strategy for consultation.

153. CUSTOMER CONTACT STRATEGY

The Head of Customer Services submitted a report (previously circulated, now appended) concerning the Council's Customer Contact strategy. Councillor Susan Brown, Board Member for Benefits and Customer Services, presented the report to the Board and highlighted its key points. She thanked staff working at the Customer Contact Centre for their hard work, noting that responses about the service had been positive.

Councillor Brown informed the Board, in response to questions, that quite a high percentage of people would be happy to make and accept contact by telephone and email, however there was a view that the website could be much more user friendly. Internet contact was significantly cheaper than other methods. People were happy too with face-to-face contact, but there was no appetite at all for video conferencing (as previously suggested by the Scrutiny Committee), and therefore this option would not be pursued.

Resolved to approve the Customer Contact Strategy.

154. LOCAL ENTERPRISE PARTNERSHIP - STRATEGIC ECONOMIC PLAN

The Executive Director, City Regeneration and Housing, submitted a report (previously circulated, now appended) that provided an update on the progress

of the Oxfordshire Strategic Economic Plan. Councillor Bob Price, Board Member for Corporate Governance, Strategic Partnerships and Economic Development, and Leader of the Council, introduced the report and explained the background to it.

Councillor Price indicated that timescales were tight, as bids for the Local Growth Deal had to be submitted by the end of March. Thanks were due to Mr Nigel Tipple, the Chief Executive of the Local Enterprise Partnership, for his work; and also to the University of Oxford which was now working much more closely with the City Council and the Local Enterprise Partnership.

Resolved to:-

- (1) Formally support the overarching focus of the Oxfordshire Strategic Economic Plan;
- (2) Delegate to the Executive Director, City Regeneration and Housing, in consultation with the Council Leader, authority to make any necessary editorial changes, and to endorse the final Strategic Economic Plan prior to its submission to Government;
- (3) Delegate to the Executive Director, City Regeneration and Housing, in consultation with the Council Leader, authority to lead on negotiations with partners and Government on any invitation to enter into a Local Growth Deal;
- (4) Thank Councillor Price and David Edwards (Executive Director, City Regeneration) for all their hard work on this issue;
- (5) Agree the recommendations from the Scrutiny Committee as follows:-
 - (a) For all members to see the finalised Oxfordshire Strategic Economic Plan as submitted to Government and kept in touch with the outcomes from this bid;
 - (b) To provide a “governance structure” below the Board Member representative on the Local Strategic Partnership that can deliver on the aim of keeping all members of Council informed and engaged in the detail of progress against selected projects and the likely outcomes for the City and its residents;
 - (c) The Board Member and Officers to do all they can to reflect the City’s ambition of reducing inequality in strategic planning for all themes;
 - (d) The Board member and Officers to do all they can within the Innovative Place theme to produce excellent links to schools at a very early stage to support good quality advice on educational choices and career planning;

155. OXFORDSHIRE STRATEGIC HOUSING MARKET ASSESSMENT 2014

The Head of City Development submitted a report (previously circulated, now appended) concerning the Oxfordshire Strategic Housing Market assessment for 2014. Councillor Colin Cook, Board Member for Housing, presented the report to the Board and gave some background and context.

Councillor Cook observed that the housing need of the City is beyond the City's physical and environmental ability to accommodate it; and that the case for outward expansion becomes ever more compelling. While the local authorities in Oxfordshire have a legal duty to co-operate, they do not necessarily have to agree, and that has the potential to create problems.

Adrian Roche (Team Leader, Planning Policy) confirmed that the Council would obtain an independent consultant's verification of the Oxford Land Supply figure, and an indication of the constraints upon the City. Councillor Price agreed it was important that the City Council obtained an independent view of unmet housing need.

Councillor John Goddard addressed the Board on this issue. He stressed that Oxford City Council, Oxfordshire County Council and the other District councils needed to work together on this matter to ensure housing needs county-wide were met. Oxfordshire was a very rural county, and just 1% of the Oxford Green Belt could accommodate 13,000 houses.

Resolved to:-

- (1) Note that the City Council will continue to apply the housing requirement figure from Policy CS22 of the Core Strategy for the purpose of calculating Oxford's five-year housing land supply;
- (2) Endorse the general approach to accommodating Oxford's unmet housing need set out in the report;
- (3) Note that a further report will be presented to council setting out the forecast level of Oxford's unmet housing need that will need to be met by the other Oxfordshire districts.

156. CHILDREN AND YOUNG PEOPLE'S PLAN 2014-2017

The Head of Policy, Culture and Communications submitted a report (previously circulated, now appended) concerning the Children and Young People's Plan for 2014-17. Councillor Curran, Board member for Youth and Communities presented the report to the Board and provided background information to it.

Councillor Curran explained that it was important to ensure that the voice of young people was heard in the City. Oxfordshire County Council had cut its expenditure on services for the young, but Oxford City Council wanted to make this a world-class city for young people. However he was aware that the City Council needed to work with partners to broaden the scope of activities for young people. Councillor Curran was especially pleased to report that a number of activities aimed at young women were going very well. He praised City Council staff for stepping in, often at the last moment, when County Council staff were

unable to attend events for the young. Councillor Curran asked that the Board approve his signing off a forward to the report written by some young people, as he felt that their input into the report was very important.

Councillor Jean Fooks addressed the Board. She was in favour of the five priorities outlined in the report but asked that Cutteslowe be included more often when any activities were planned.

Resolved to:-

- (1) Approve the Oxford City Council Children and Young People's Plan 2014-17;
- (2) Thank Val Johnson and City Council staff for their hard work with this report, and for the young generally;
- (3) Agree that Councillor Curran can sign off an introduction to the Children and Young People's Plan that is written by young people.

157. CHILD SEXUAL EXPLOITATION

The Head of Policy, Culture and Communications submitted a report (previously circulated, now appended) concerning the Council's involvement in safeguarding against child sexual exploitation. Councillor Pat Kennedy, Board Member for Education, Crime and Community Safety presented the report to the Board and explained the background to it.

Councillor Kennedy explained that the prevention of child sexual exploitation was priority for the Health and Wellbeing Board. Oxford City Council had been one of the first to produce a plan concerning this topic, now other Councils were doing so too. Oxfordshire County Council had produced a report to its Cabinet on this issue.

Councillor Susan Brown observed that the play "Chelsey's Choice" had been seen by many young people during the last year, and had been useful in that it had raised awareness of the issue and had brought forward some young people who felt they were at risk. She asked what was being done this year. Tim Sadler, Executive Director, Community Services, explained that colleagues at Oxfordshire County Council were considering a continuation of this work, and as it was important to get into schools early, would be looking at a wider package of measures. The Board felt that it was important to keep up to date on this issue.

Resolved to note the report.

158. INDEPENDENT REVIEW OF OXFORD CITY COUNCIL'S SAFEGUARDING CHILDREN - SECTION 11 SELF-ASSESSMENT

The Head of Policy, Culture and Communications submitted a report (previously circulated, now appended) concerning the independent review of the outcome of the Council's self-assessment of its Safeguarding Children arrangements. Councillor Pat Kennedy, Board Member for Education, Crime and Community

Safety, presented the report to the Board and provided some background and context.

Councillor Kennedy commented that, overall, the outcome of the independent review is good news for the City Council. An action plan has now been drafted and is shown in the report.

Councillor Curran observed that the sexual exploitation of minors, and their safeguarding, was not just a City issue – it was one for the District Councils as well.

Val Johnson, Policy and Partnerships Manager, suggested that the City Council should now carry out a review of safeguarding for vulnerable adults, for which the Board expressed support.

Resolved to:-

- (1) Note the findings of the Independent Review of Oxford City Council's Safeguarding Children Section 11 self-assessment;
- (2) Agree the proposed action plan as set out in Annexe;
- (3) Congratulate Councillor Kennedy and Council Officers for their achievements in this important area.

159. FUTURE ITEMS

Nothing was raised under this item.

160. MINUTES

Resolved to confirm as a correct record the minutes of the meeting held on 12th February 2014.

161. MATTERS EXEMPT FROM PUBLICATION

None.

The meeting started at 5.00 pm and ended at 6.45 pm

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To: Council

Date: 14th April 2014

Report of: Head of Law and Governance

Title of Report: PETITIONS SCHEME – KEEP TEMPLE COWLEY POOLS OPEN

Summary and Recommendations

Purpose of report: To advise on the procedure that Council needs to follow under the Council's Petitions Scheme following receipt of the petition entitled 'Keep Temple Cowley Pools Open'.

Report Approved by: Jeremy Thomas, Head of Law and Governance

Policy Framework: Not applicable

Recommendation(s): Council is RECOMMENDED to follow the procedure for large petitions in the Council's Petitions Scheme by hearing the head petitioner for the petition entitled "Keep Temple Cowley Pools Open", debating the petition and deciding whether to make any recommendations to the Executive.

1. A petition entitled "Keep Temple Cowley Pools Open" was handed in by Mr Nigel Gibson at the Council meeting on 3rd February 2014. The petition contains 1,587 signatures. The petition reads as follows:-

"We the undersigned strongly oppose Oxford City Council's plan to demolish Temple Cowley Pools and Fitness Centre in order to sell publicly owned land for housing. We believe this is a short-sighted, destructive policy which will have detrimental effects on health and well-being, particularly of the most vulnerable people who use the centre to maintain their health and quality of life, and independence from the NHS, for as long as possible. We call upon Oxford City Council to work immediately with the Save Temple Cowley Pool Campaign to find the best way to enhance and preserve the existing facilities in Temple Cowley".
2. Council has adopted a Petitions Scheme. The scheme says that petitions containing over 1,500 signatures will be debated by full Council. A sufficient number of signatures to achieve the 1,500 mark have

accompanying names and addresses. It is not of course possible to check whether any signatories from outside Oxford work or study in the City.

3. The Petitions Scheme provides that the petition organiser will be given five minutes at Council to present the petition and that Council will then debate the petition. There are no minimum requirements in law or in the Council's Petitions Scheme as to the format, quality or duration of the debate. Where the subject matter of a petition is an Executive function then any recommendations flowing from the debate must be made to the Executive. The subject matter of this petition is an Executive function.

Name and contact details of author:

Mathew Metcalfe
Democratic and Electoral Services Officer
Oxford City Council
Town Hall
Oxford
OX1 4BX
Tel 01865 252214
Email address mmetcalfe@oxford.gov.uk

Background papers: Petition entitled "Keep Temple Cowley Pools Open"

Version number: 1

To: Council

Date: 14th. April 2014

Report of: Chair of the Scrutiny Committee.

Title of Report: Scrutiny Briefing

Purpose of report: To update Council on the activities of scrutiny and other non executive councillors since the Committee was appointed in May.

Introduction

1. As this will be my last report to Council as Chair of Scrutiny Committee, I thought I would share some thoughts on the Committees work. Hopefully these will give other members and especially next year's committee something to mull over.

The transition to a single committee

2. Having one rather than two scrutiny committees has produced a number of benefits. Having a more select group of members sitting on the main Committee has resulted in an uptick in engagement. We no longer have members who go whole meetings without contributing. This is obviously a plus for the quality of discussion.
3. The extra emphasis placed on panels has produced some excellent work. I would particularly highlight the extraordinary efforts of Cllrs Campbell, Benjamin, Clarkson and Fooks to deliver an excellent report on the Covered Market.

The structure of individual meetings

4. As previously mentioned our meetings are getting longer. This is a product not just of the number of items we look at but also of the fact that a more engaged committee has more to say. This has drawbacks;

discussion at the end of a two and a half hour meeting is generally less illuminating or constructive than at the start.

5. The obvious option of delegation has its limits. There are many issues that deserve consideration by scrutiny but which cannot practically be dealt with by a panel or are not substantial enough to merit that option.
6. I would suggest that you consider imposing a time limit on each agenda item. As well as containing the lengths of meetings, this would also make it easier for people coming for items later on in the agenda, to know when they should arrive.

The use of surveys

7. Much of the evidence that comes before the committee comes from surveys. We need to ask how meaningful these are. They often produce a large number of statistics based on small samples that are not representative of the larger population. They may very well be statistically valid but we ought to perhaps ask whether these responses represent the experiences of anyone other than the survey respondents themselves.
8. If we are going to be working with small groups of respondents then I would suggest that a qualitative approach might be a more appropriate way of handling them.

Thanks

9. Many people have contributed to the work of the committee over the past year and there are a number to whom I wish to record my gratitude.
10. I would like to thank all the members who have sat on the committee or on a panel, and City Executive Board members who have discussed their portfolios with us. I owe a particular debt to Cllr Sanders for her work as my Vice Chair.
11. One of the encouraging facts about our work has been that so many members of the public have sought to contribute to our discussion. Their contributions are most welcome and I hope they will continue to come forward to assist us.
12. The Committee could not function without support from officers. Over the past year, dozens of them have stayed after hours to give us evidence. Even more important has been the sterling work of officers who directly contribute to the running of the Committee: Lois Stock and, most especially, Pat Jones.

Current Activity

13. The current programme is coming to an end and I attach the document containing all the recommendations from the year's work. This shows a high success rate for recommendations and serves to practically illustrate the hard work and good will of all.

Councillor Mark Mills – Chair of the Scrutiny Committee

Email: cllrmills@oxford.gov.uk

Tele: 07525751584

Contact detail Pat Jones – Principal Scrutiny Officer

Email: phjones@oxford.gov.uk

Tele: 01865 252191

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Scrutiny Recommendation 2013 – 2014

All recommendations

Oxfordshire Strategic Economic Plan		
Scrutiny Committee 4th. March		
Recommendation	Outcome	Considered by
Recommendation 1 For all members to see the finalised Oxfordshire Strategic Economic Plan as submitted to Government and kept in touch with the outcomes from this bid.	Agreed	City Executive Board 12 th . March 2014
Recommendation 2 To provide a “governance structure” below the Board Member representative on the Local Strategic Partnership that can deliver on the aim of keeping all members of Council informed and engaged in the detail of progress against selected projects and the likely outcomes for the City and its residents.	Agreed	City Executive Board 12 th . March 2014
Recommendation 3 The Board Member and Officers to do all they can to reflect the City’s ambition of reducing inequality in strategic planning for all themes.	Agreed	City Executive Board 12 th . March 2014
Recommendation 4	Agreed	City Executive Board

The Board member and Officers to do all they can within the Innovative Place theme to produce excellent links to schools at a very early stage to support good quality advice on educational choices and career planning.		12 th . March 2014
Qtr. 3 Spending		
Finance Panel 3rd. March 2014		
Recommendation	Outcome	Considered by
To explore the use of Framework Agreements to provide project management and delivery of Capital Programme schemes.	Agreed with amendment. Principle agreed but a review of the current position is taking place.	City Executive Board 12 th . March 2014
Employment of staff from BME groups		
Scrutiny Committee – 4th. February 2014		
Recommendation	Outcome	Considered by
To support the use in job adverts of a variety of brandings and styles, rather than the rigorous application of the “Corporate Brand”, in an effort to engagement widely with target groups. To provide money within the Human Resources budget to support this and test the effectiveness of these methods.	Refused – will provide little added value.	Board Member
For the Council to offer a greater number of meaningful work experiences places focused on BME groups to allow potential	Agreed	Board Member

applicants to build a better understanding of the Council and be better prepared for selection processes.		
To build on the success of appointing a significant number of apprentices from BME groups and use these staff as mentors and ambassadors. For this work to be part of the training offer as a development opportunity.	Agreed	Board Member
To consider and bring forward ideas to break down the perception of some BME groups that “the City Council is not for us”. To consider within this how current employees can be used within outreach.	Agreed	Board Member
To show our commitment to addressing the anomalies within the selection process by providing some initial investment money to prepare candidates or potential candidates from BME groups for the selection process. To consider outcomes from this to support future investment in this area.	Agreed	Board Member
Educational attainment Investment Progress		
Scrutiny Committee – 4th. February 2014		
Recommendation	Outcome	Considered by
To welcome the continued investment and work in this area and to see both the evaluation of the Leadership programme and the Key Stage results as soon as they are available.	Noted	City Executive Board 12 th . February 2014

Covered Market Review		
Scrutiny Committee- 4th. February 2014		
Recommendation	Outcome	Considered by
<p>Recommendation 1 The Council should articulate its role in the Covered Market. The Panel believes that this should provide for greater emphasis on the civic importance of the Market and its contribution to the City.</p>	Agreed	City Executive Board 12 th . February 2014
<p>Recommendation 2 The Council should appoint a Market Manager who will be based in the Market and accessible to the traders. The role should include the following:</p> <ul style="list-style-type: none"> • Working with the Council and traders to develop the Market for the future, including discussions on the leasing structure and strategy, and the balance of trades • Spending the Councils allocated budget for the Market and commissioning services delivered within that • Promoting the market • Offering training and support for traders • Reviewing the website and keeping it up to date. 	Agreed	City Executive Board 12 th . February 2014
<p>Recommendation 3 In the longer term to evaluate all the options for the management of the market around criteria to be developed by the Market Manager, traders and the City Council.</p>	Agreed	City Executive Board 12 th . February 2014

<p>Recommendation 4 That early negotiations take place between the Council and traders to determine the best rental and licensing structure with the aim of moving as quickly as possible to a clearer and more flexible leasing and licensing arrangement needed to improve relationships and provide the flexibility needed for success.</p>	Agreed	City Executive Board 12 th . February 2014
<p>Recommendation 5 That the Council moves as quickly as possible to improvements to the Market Street entrance to the Market, and begins negotiations with traders on their loading and unloading requirements with the aim of freeing space for the extension of outdoor trading. This should also include discussions on the provision of extra cycle parking.</p>	Agreed	City Executive Board 12 th . February 2014
<p>Recommendation 6 To come forward with temporary arrangements for more visible signage for the Market on High Street including options using the buildings above and free standing signs.</p>	Agreed	City Executive Board 12 th . February 2014
<p>Recommendation 7 To provide money as soon as possible for the improvement of the Market Avenues from High Street.</p>	Agreed	City Executive Board 12 th . February 2014
<p>Recommendation 8 The Council move to commission design options for changes to the Covered Market and for these to include better use of the service yard.</p>	Agreed	City Executive Board 12 th . February 2014

<p>Recommendation 9 That Council actively promotes and includes the Covered Market in their communications and event planning to take the opportunity to highlight the Market as a key destination and also attract a more diverse range of people into it.</p>	<p>Agreed</p>	<p>City Executive Board 12th. February 2014</p>
<p>Budget and MTFS Review 14/15 to 16/17</p> <p>Scrutiny Finance Panel – 27th. January 2014</p>		
<p>Recommendation</p>	<p>Outcome</p>	<p>Considered by</p>
<p>Recommendation 1 To welcome the changes in the methodology for calculating contingencies for the non-achievement of savings, efficiencies and income and change the ratings as proposed in the tables above. To leave the overall total as currently proposed in the budget.</p>	<p>Agreed</p>	<p>City Executive Board 12th. February 2014</p>
<p>Recommendation 2 To adjust the budget as follows:</p> <ul style="list-style-type: none"> • Remove the £110k pressure for additional waste disposal costs because the Head of Service is no longer expecting these to be incurred. • To add an additional saving line for Housing and Property of £35k for supplies and services which is available to replace a saving that is very likely to be achieved. 	<p>Agreed with the exception of the first bullet point which is refused. The low carbon omission is £50k.</p>	<p>City Executive Board 12th. February 2014</p>

<ul style="list-style-type: none"> • To add an amount of at least £25k to the new investment “Low Carbon Oxford” budget line. • To reinstate at least half of the total of deleted community development grants to provide confidence of funding for the expected new initiatives in 14/15. • To keep under review the expected self-financing of the Design Review Panel. 		
<p>Recommendation 3 For City Executive Board to require the Chief Executive to set a clear process, criteria and expectation for invest to save bids and challenge the organisation to be more imaginative in this area.</p>	Agreed	City Executive Board 12 th . February 2014
<p>Recommendation 4 Investment is made in a market analysis of trading opportunities and the skills needed to take advantage of these. For the Trading Group to use this information to refocus the Council’s trading and investment work.</p>	Agreed	City Executive Board 12 th . February 2014
<p>Recommendation 5 That the impact of budget proposals on jobs is set within agreed criteria and then reconsidered within this MTFS.</p>	Refused. Only 1 omission which will be amended in the final budget proposals.	City Executive Board 12 th . February 2014
<p>Recommendation 6 The reporting and control of post reductions is reconciled more effectively to provide an accurate picture of the effects of budget changes in our establishment now and for the future.</p>	Agreed	City Executive Board 12 th . February 2014

<p>Recommendation 7 That a strategic “health check” is provided to ensure that the staff skill and experience level across the whole authority is maintained at high levels. For this to be reported at the beginning of each year.</p>	<p>Not agreed This Isn't the best strategic measure are we delivering against objectives? Operationally this is something management are constantly appraising through the Council's performance management system.</p>	<p>City Executive Board 12th. February 2014</p>
<p>Recommendation 8 To express concern at the absence of good quality outcome monitoring from the Council's investment in Youth Activities. To note that some better quality information is expected but, as this programme goes into its third year, to require this before the end of 13/14.</p>	<p>Agreed with amendment. Has already been recognised by officers.</p>	<p>City Executive Board 12th. February 2014</p>
<p>Recommendation 9 That the Council to take the Council Tax Freeze Grant should the Council Tax increase referendum trigger be set below 1.49%.</p>	<p>Refused. Would erode the base budget.</p>	<p>City Executive Board 12th. February 2014</p>
<p>Recommendation 10 That the prudent approach to the likely withdrawal of Revenue Support Grant is applied to the Housing Benefit Administration Grant and judgements are made and reflected in the budget of the likely loss of some grant between 15/16 and 17/18.</p>	<p>Refused. Specific grant so will reduce spending within the same profile as reducing grant.</p>	<p>City Executive Board 12th. February 2014</p>
<p>Recommendation 11 During the coming year to reappraise the current and likely trends within homelessness and related issues, to provide a</p>	<p>Agreed</p>	<p>City Executive Board 12th. February 2014</p>

clearer view of the capital and revenue effects and the need for and scale of reserves.		
Recommendation 12 To review procurement within the Capital Programme to remove some risk and ensure value for money. In particular to consider the merits of Framework Contracts.	Refused Framework Contracts are already used. Slippage is more about project management.	City Executive Board 12 th . February 2014
Recommendation 13 As investment with property funds increase to keep under review the need for provisions in the accounts for increases and reductions in property values.	Agreed	City Executive Board 12 th . February 2014
Treasury Management Strategy 14/15		
Scrutiny Finance Panel – 27th. January 2014		
Recommendation	Outcome	Considered by
Recommendation 1 To include a commentary on Community Infrastructure Levy income and spending within the Treasury Management Strategy.	Refused Too early to state the CIL level. A report will be coming forward to CEB but this is not a matter for the Treasury Management Strategy.	City Executive Board 12 th . February 2014
Recommendation 2 To adjust the reporting of Prudential Borrowing between internal and external borrowing.	Agreed with amendment. This can be determined from the report but clearer labelling will be provided in future.	City Executive Board 12 th . February 2014
Recommendation 3		City Executive Board

To provide for the Scrutiny Committee in March information on the risks and opportunities presented by the upward trend of accumulated balances within the HRA.	Agreed with amendment. Will provide but not until end of year reporting.	12 th . February 2014
Recommendation 4 To keep under review provisions reflecting increasing and reducing property values and report to the Scrutiny Committee the “triggers” for a change in the current approach.	Agreed.	City Executive Board 12 th . February 2014
Improving Quality in the Private Rented Sector		
Scrutiny Housing Panel 15th. January 2014.		
Recommendation	Outcome	Considered by
That it is not appropriate for the Council to establish a Local Lettings Agency with the purpose of driving up housing standards in the Private rented Sector in the City.	Agreed	Board Member.
That the Council should further consider alternative approaches to this, that would seek to achieve the same policy objective through different means.	Agreed	Board Member
Satisfaction with Parks		
Scrutiny housing Panel 15th. January 2014		
Recommendation	Outcome	Considered by

That actual users of the Parks should be consulted rather than using the Talk Back Panel, for example football clubs.	Agreed with amendment. This is done once a year	Head of Leisure Parks and Communities.
That Parks Friends/User groups should be surveyed on their satisfaction with their parks, groups that were established to work with the Council to improve parks and green spaces in the City.	Agreed with amendment. They have the opportunity to complete the annual satisfaction survey and sometimes volunteer to interview customers. Friends are also involved in the annual review of Park Management plans and help to set priorities for improvement.	Head of Leisure Parks and Communities.
That following the increased investment in parks, especially in play areas, this should be monitored to ensure that these facilities are maintained.	Agreed with amendment. This is monitored through CORVU	Head of Leisure Parks and Communities.

Community Engagement Plan		
Scrutiny Committee – 3rd. December 2013.		
Recommendation	Outcome	Considered by
To provide a clear statement in the Plan, supported by guidance to services, of the need for all engagement to link in order to deliver the overall aims of the Community Engagement Plan.	Agreed	City Executive Board 11 th . December 2013.
To ensure that the guidance and Tool Kit are fit for purpose for	Agreed	City Executive Board

the many diverse groups the Council is seeking to engage with.		11 th . December 2013.
To consider in the Community Engagement Plan the role played by councillors, how this is supported through advice and training and is linked into democratic processes.	Agreed	City Executive Board 11 th . December 2013.
In order to improve engagement in the consultation process of this document to include: <ul style="list-style-type: none"> • A simple questionnaire built around the main areas of consideration. • Examples of good and poor engagement activities. 	Awaiting	City Executive Board 11 th . December 2013.
To emphasis and give more weight in the Plan to looking for and encouraging engagement at a very local level to ensure communities can help shape decisions and issues that matter to them.	Agreed	City Executive Board 11 th . December 2013.
To recognise within the Plan and Tool Kit the importance of defining what might constitute a Hard to Reach Group as broadly as possible and on a case by case basis.	Agreed	City Executive Board 11 th . December 2013.
Housing Strategy – Refresh		
Scrutiny Housing Panel – 5th. December 2013.		
Recommendation	Outcome	Considered by
That the implementation of a new Landlord and Lettings Agencies Accreditation Scheme be publicised as widely as	Agreed	City Executive Board 11 th . December 2013.

possible to achieve the greatest impact and that the number of Landlords in the scheme be maximised.		
<p>Opportunities for young people that are NEAT</p> <p>Scrutiny Committee – 3rd. December 2013.</p>		
Recommendation	Outcome	Considered by
To look at the essential requirements for entry level jobs to ensure that there are no barriers to employment that aren't necessary or could be delivered through training, support or mentoring . When we are doing this to be prepared to take some chances in an effort to provide employment opportunities to those who would otherwise not be considered.	Agreed Will review essential criteria and report results to April meeting.	Head of Human Resources and Facilities.
<p>Treasury Management – Qtr. 2</p> <p>Scrutiny Finance Panel – 7th. November 2013.</p>		
Recommendation	Outcome	Considered by
The Finance Scrutiny Panel has serious concerns about the Co-operative Banks current position and their recent statements. The Panel wishes to see an urgent review of their position as the Council's in-house bank to allow for more informed choices to be made.	Agreed with amendment. Will retender at the end of the current contract – April 2015	City Executive Board 11 th . December 2013.

Should a change of in house bank prove prudent or necessary; to ensure that ethical standards and investment remain part of the specification.	Agreed	City Executive Board 11 th . December 2013.
To provide to the Panel in 6 months time a review of the performance of the Council's non specified investments considering in particular, diversity and mix, returns and a benchmark across the public sector for the percentage of funds allocated to this type of investment. To provide options based on this to increase returns. <input type="checkbox"/>	Agreed	City Executive Board 11 th . December 2013.
Oxpens Site Master Plan		
Scrutiny Committee 5th. November 2013.		
Recommendation	Outcome	Considered by
To support the Oxpens Site Master Plan noting the concerns made by some committee members.	Agreed with amendment. The Board commented that this an outline Master Plan and these concerns will be considered in more detail as we move forward through the planning process.	City Executive Board 13 th . November 2013.
Riverside Land Aquisition		
Scrutiny Committee 5th. November 2013		

Recommendation	Outcome	Considered by
To support the proposals in the report and ask the City Executive Board to note the offer of residents.	Agreed. Officer will talk directly to residents about their offer.	City Executive Board 13 th . November 2013.
<p>Waste and Recycling Strategy</p> <p>Scrutiny Committee 5th. November 2013</p>		
Recommendation	Outcome	Considered by
That the strategy reflects in its vision the view that waste is a resource and a commodity from which the Council can generate income, and that the Council should continually be looking for further opportunities to benefit financially from the waste that the City produces.	Agreed	City Executive Board 13 th . November 2013.
That CEB investigate and cost opportunities to pre-sort and divert recyclables from household waste collection before sending it to landfill.	Refused The Board Member agreed that this was needed within the County but the County Council has decided on incineration. Any consideration of an MRF provided by the City would be unaffordable. We are tackling these issues using other solutions.	
That the City Executive Board provide to the Scrutiny Committee more detailed information on the costing and	Agreed	

feasibility for the options to recycle food from flats that have been considered alongside the details of the current capital bid		
That CEB more actively use the penalty at its disposal to convince residents who do not present waste in the manner required.	Agreed	
That CEB investigate, through the Oxfordshire Waste Partnership, local opportunities to reduce excess packaging and reduce the use of plastic bags.	Agreed	
That CEB take all opportunities to promote the benefits of food waste separation to commercial customers and investigate opportunities to offer incentives to new business customers.	Agreed	
Performance Indicator LP106		
Scrutiny Committee – 1st. October 2013		
Recommendation	Outcome	Considered by
The Committee is pleased to see improvements in participation amongst target groups and looks forward to reviewing this data in more detail at the end of the year. The overall target improvement of 5% is consistently overachieved so the Committee want to see a more challenging target set to ensure that we are challenging the provider to do the best they can in this important community development area. The target should be at least that achieved in the previous year.	Refused RESPONSE: "While leisure usage by target groups continues to increase, we'd like to do better still. We're looking at why the increase in usage by target groups appears to have slowed down last quarter, including	Board Member for Leisure Services. Recommendation sent 8 th . October 2013.

	<p>the way usage is measured, the effect of weather conditions, and the deteriorating state of Temple Cowley Pool, as well as what more we could do to publicise what's available and make it more attractive.</p> <p>"The Council and Fusion remain determined to meet and exceed the 5% target, as we have in previous years. However, until the reasons for last quarter's performance have been determined and we have a slightly longer indication of trend to work with, I don't think it would be helpful to adjust the target. We will of course keep this under review."</p>	
<p>Operation of Neighbourhood Action Groups (NAGs)</p> <p>Scrutiny Committee – 1st. October 2013</p>		
Recommendation	Outcome	Considered by
<p>As a follow up, I have been asked to remind you that members of the Scrutiny Committee would be very grateful if you could reflect their views when next you contact the local Police Commander; and in particular if you could ask the Commander where he/she sees the role of NAGS – what is their priority in</p>	<p>Agree.</p> <p>Response from Cllr. Kennedy on the agenda.</p>	<p>Board Member for Education, Crime and Community Safety.</p> <p>Recommendation sent</p>

Police work?		2 nd . October 2013.
Grants Commissioning Review		
Scrutiny Committee – 1st. October 2013		
Recommendation	Outcome	Considered by
That a member of the Scrutiny Committee has a seat on the Welfare Reform Members Panel. This would be Councillor Coulter until May 2014.	Agreed with amendment. Scrutiny Councillor to have observer status on the Welfare reform Members Panel.	City Executive Board 9 th . October
City Deal Bid		
Scrutiny Committee – 1st. October 2013		
Recommendation	Outcome	Considered by
For the expected future reports (recommendation 4 in the report) to establish the principle of public scrutiny through Local Authority Scrutiny Committees and discuss how this might work.	Agreed	City Executive Board 9 th . October
In developing the ambitions and programmes within the “Skills “ heading for Joint Committee Members to ensure that education, training and apprenticeship programmes are accessible to all through local schools and other educational	Agreed	

bodies with an emphasis on early advice and guidance to young people so they are “work ready” for real jobs. For the emphasis of these programmes to be in areas of highest deprivation.		
Customer Contract Strategy		
Scrutiny Committee – 5th. September 2013		
Recommendation	Outcome	Considered by
To ensure that separate arrangements for consultation with the Business Community are included in the information gathering to inform the final Strategy.	Agreed	City Executive Board 11 th . September
To explore the use of Skype as a communication tool within this Strategy.	Agreed with Amendment Will explore Skype as a communication tool along with other methods rather than in isolation.	
To ensure that any service developments are evaluated financially around clear value for money principles.	Agreed	
Budget Spending – Qtr. 1		
Finance Scrutiny Panel – 6th. September 2013		
Recommendation	Outcome	Considered by

To express concern about the availability of resources to deliver the Capital Programme.	Noted – arrangements already being considered	City Executive Board 11 th . September
To reconsider the reporting of the Commercial Property rental measure using dates that align to produce a more accurate picture of performance.	Agreed	
That the City Executive Board bring forward their strategy for the provision of contingencies with the forthcoming medium Term Financial Strategy to the next meeting of the Panel in November.	Noted – will happen as part of the MTFS in December	
Treasury Management – Qtr. 1		
Finance Scrutiny Panel – 6th. September 2013		
Recommendation	Outcome	Considered by
To raise the non-specified investment limits from their current levels and redefine what is grouped in this area to manage risk, in an effort to encourage investment diversity and higher rates of return.	Refused	City Executive Board 11 th . September
Wherever it provides for good value for money to consider using investment funds for internal borrowing in order to avoid prudential borrowing.	Noted this is already done	
Allocation Scheme Review		
Housing Scrutiny Panel – 3rd. September 2013		

Recommendation	Outcome	Considered by
A Communication Strategy should be in place to explain the scheme as agreed, what it means for applicants alongside some general information on the likelihood of being housed. Communication should include the opportunity for feedback on the scheme itself and the understandability of it.	Agreed	City Executive Board 11 th . September
Youth Ambition Strategy		
Scrutiny Committee – 2nd July		
Recommendation	Outcome	Considered by
To provide now a set of concrete outcome measures focused on the direct effects on the ambitions and pathways of the young people involved in this work.	Agreed	City Executive Board 10 th . July
To monitor and revisit regularly the type of activity provided to ensure that it is flexible, contemporary and engaging the right numbers, in the right place, at the right time.	Agreed	City Executive Board 10 th . July
To express the need for the provision of safe spaces for young people to express themselves as an overarching priority for all the schemes, actions and outcomes within this Strategy.	Agreed	City Executive Board 10 th . July
Low Emission Strategy and Air Quality Action Plan		
Scrutiny Committee – 2nd. July		

Recommendation	Outcome	Considered by
To support the setting of the Low Emissions Strategy and ambitions but for the City Executive Board to require early reference of the document to the Carbon and Natural Resources Members Board so that gaps on data, resources and financing can be discussed and a robust action plan produced.	Agreed	City Executive Board 10 th . July
Discretionary Housing Payments		
Scrutiny Committee – 4th. June 2013		
Recommendation	Outcome	Considered by
To organise a general campaign of clear advice through as many agencies, partnerships and offices as possible making it clear the temporary nature of Discretionary Housing Payments and the requirements to engage in more sustainable solutions.	Agreed	City Executive Board 12 th . June 2013
To extend current out reach work to include benefit take-up to maximise benefits to current and potential claimants.	Agreed with amendment. Clarity in some aspects of Welfare reform is needed.	City Executive Board 12 th . June 2013
To keep the Discretionary Housing Payment Policy under review and in particular to revisit it once regulations on further Welfare Reform are clear.	Agreed	City Executive Board 12 th . June 2013

For the Scrutiny Committee to be included in the monitoring arrangements for this policy in both financial and outcome terms. To see this at the September Scrutiny Committee.

Agree

City Executive Board
12th. June 2013

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MOTIONS ON NOTICE – Green, Labour, Liberal Democrat

(1) **Oxford Housing Crisis Summit – (Proposed by Councillor Sam Hollick, seconded by councillor Craig Simmons)**

Green Group Member – Motion on Notice

Council notes that Oxford's housing is the most unaffordable in the UK, that there is a large shortage of affordable and council homes compared to the local housing list, rough sleeping is on the increase, and that people are being moved out of the city as housing benefit won't cover the cost of private rents.

Council recognises that Oxford has a housing crisis.

In light of this, Council resolves to hold a Housing Crisis Summit to explore innovative solutions to Oxford's housing crisis. This should involve a wide range of stakeholders including Council and private sector tenants, those on housing benefit and otherwise in housing need as well as third sector organisations, political representatives and housing providers from within the City and from surrounding areas.

(2) **Isolation and loneliness in our City – (Proposed by Councillor Anne-Marie Canning, seconded by Councillor Rae Humberstone)**

Labour Group Member – Motion on Notice

This Council notes that:

- Loneliness and isolation can have negative effects on our residents and communities here in Oxford.
- It is estimated one in ten people of pensionable age living in our City are likely to be classed as lonely or severely lonely.
- Loneliness and isolation can be a major threat to health and wellbeing. Being chronically lonely is equivalent to smoking 15 cigarettes a day.
- Almost 5 million older people say that the television is their main form of company (Harrop and Jopling, 2009).
- That social isolation can affect anyone but that the elderly and/or infirm can be more at risk.

This Council believes that:

- Councillors and the authority as a whole can play a key leadership role in ensuring Oxford is a City in which people maintain and forge social connections.

- All Councillors can assist in alleviating loneliness and isolation in their communities by having an awareness of the issue and by connecting people with relevant organisations.
- There are a number of organisations in Oxford, including the City Council, working to alleviate the suffering caused by social isolation from the long-running AgeUK Oxfordshire, Archway Foundation and the newly-started student-led project, Linkages.

This Council resolves:

- Become a supporter of the Campaign to End Loneliness, a network of national, regional and local organisations and people working together through community action, good practice, research and policy to create the right conditions to reduce loneliness in later life.
- Write to the Leader of the County Council to encourage him to undertake a self-assessment using the toolkit provided by the Campaign to End Loneliness and the Local Government Association to identify areas in which we can improve the experiences of socially isolated people in our City and in the wider county, and offering support in doing this.
- Encourage the County Council to involve those at risk of, or experiencing loneliness in drawing up an action plan to reduce loneliness and isolation and develop meaningful indicators to track progress, and offer support in doing this.

(3) Control of residential lettings boards in the City – (Proposed by Councillor Ruth Wilkinson, seconded by Councillor Jim Campbell)

Liberal Democrat Group Member - Motion on Notice

Council acknowledges that “To Let” and “Let by” signs are erected on some properties for months despite the properties being occupied. This creates visual clutter, community objection and planning enforcement complaints, highlights student-targeted areas, and police advice in other parts of the country has pointed to a strong correlation between crime levels and the properties displaying “To Let” boards.

Council notes that other authorities have tackled this issue by means of either a voluntary code or a mandatory code, and that mandatory codes have been introduced in Leeds, and also in Newcastle following a review of a previously agreed voluntary code. Council further notes the well-documented success of a mandatory code on the erection of residential lettings boards in Inner NW Leeds which led to a reduction in crime and antisocial behaviour, and improved the appearance of two predominantly student areas in the City.

Council also notes that the majority of agencies involved in letting residential properties do ensure that boards are taken down when reminded.

Council asks the City Executive Board:

- (a) To require officers to introduce a code on the erection of residential lettings boards in Oxford
- (b) To carry out a formal consultation process on whether this code should be voluntary or mandatory
- (c) To work with landlords, estate agencies which operate lettings, lettings agencies, boards agents, Oxford City Council officers and the Universities on the content of the code, taking into account the relevant regulations and ensuring that there is an agreed and clear definition of the start date of a tenancy which triggers the board erection process.

(4) Children's Xmas Lantern Parade – Proposed by Councillor Craig Simmons, seconded by Councillor Sam Hollick

Green Group Member – Motion on Notice

This Council notes the popularity of the Christmas Light Festival – the focal point of which was the Childrens Xmas Lantern Parade along with the fairground and market in St. Giles.

According to the Council's own data, last year 100,000 people attended with 84% of those surveyed rating the atmosphere as 'Good' or 'Excellent'

This Council therefore regrets the Council's decision to scale back the outdoor elements of the Festival, including cancelling the Lantern Parade and deciding not to close St. Giles, and asks the City Executive Board to reconsider this decision.

(5) Unmet housing need in Oxford – (Proposed by Councillor Bob Price, seconded by Councillor Scott Seamons)

Labour Group Member – Motion on Notice

Council notes the very significant scale of unmet housing need in the city in the Strategic Housing Market Assessment, and regrets the serious social and economic problems that the pressure on the existing housing stock is creating. It also notes that the result of the South East Regional Plan inquiry in 2007 was a recommendation for a review of the Green Belt designation of the land to the south east of the city with a view to a significant urban extension in that area.

Council calls on the other District Councils and the County Council to take forward the findings of the Housing Market Assessment through the 'duty to cooperate' that is at the heart of the NPPF, and to identify sites that will

provide sustainable housing growth on a sufficient scale that will meet the needs of the city and the county for the next two decades.

(6) A City of In – Oxford backing Britain’s EU Membership – (Proposed by Councillor Mark Mills, seconded by Councillor Jim Campbell)

Liberal Democrat Group Member - Motion on Notice

Council notes:

1. The widespread discussion of a referendum on Britain’s continuing membership of the European Union.
2. That the Centre for Economics and Business Research estimates that around 1 in 9 jobs in the South East of England is reliant on trade with the European Union (1)
3. That the presence of the German based BMW’s Plant Oxford is estimated to contribute more that £200 million to the local economy(2)
4. Statements by Ian Robertson, global head of sales at BMW that “the UK not only has to be part of Europe. It has to be a fundamentally active part of Europe.”(3)
5. That according to the Higher Education Statistics Agency there are 3,355 EU students studying at Oxford Brookes University and the University of Oxford(4) They are estimated to contribute almost £40 million to the local economy.(5)
6. That in addition they employ many staff from the rest of the EU and that these staff play an important role in producing high quality research.
7. That £1.2m from the EU’s Intelligent Energy Europe fund was used to kick-start OxFutures and the Low Carbon Hub.

Council believes:

1. That the European Union embodies values of peaceful international co-operation, the rule of law, transnational social solidarity, and a market economy which are important to the people of Oxford.
2. That the European Union has produced enormous benefits across out continent and that Oxford has shared in these benefits.
3. That the free movement of goods, services, capital and people throughout the Union is significantly to Oxford’s economic advantage.
4. That the presence of citizens of other member states in Oxford represents a social and cultural gain for the city.

5. That as a result of the beliefs stated above it is in the interests of Oxford, the UK and Europe for Britain to remain in the European Union.
6. That is imperative that elected representatives from all parties speak out strongly and clearly against isolationist and protectionist voices.

Council resolves:

1. That it is the considered view of the Councillors of Oxford City Council that continued membership of the EU is in Britain's interest.
2. That the Chief Executive will write to the Prime Minister, the Leader of the Opposition and Oxford's MP's explaining why it so important for Oxford that Britain stays in the EU, and exhorting them to be more forthright in explaining the benefits of Britain's membership.

¹ <http://www.cebr.com/reports/british-jobs-and-the-single-market/>

² Figure based estimate of BMW group's direct spending in the UK found at <http://tinyurl.com/pkn24zw> multiplied by Plant Oxford's share of BMW group's total employment in the UK

³ <http://www.telegraph.co.uk/finance/newsbysector/industry/9813184/Ford-and-BMW-warn-against-UK-exit-from-EU-as-David-Cameron-readies-historic-speech.html>

⁴ <http://www.hesa.ac.uk/dox/dataTables/studentsAndQualifiers/download/Institution1213.xlsx>

⁵ Figures based on estimate of the average subsistence spending by a University of Birmingham student contained in: <http://tinyurl.com/pzj722j>

(7) Flood Insurance and Mitigation – (Proposed by Councillor Craig Simmons, seconded by Councillor David Williams)

Green Group Member – Motion on Notice

This Council notes that flooding incidents in Oxford are likely to increase as climate change worsens with serious effects on those whose homes and businesses are badly damaged and lives disrupted.

This Council also notes that the agreement between the UK Government and the insurance industry, the so-called 'Statement of Principles', which required members of the Association of British Insurers (ABI) to make insurance available for properties in areas at significant flood risk, expired last year.

The outline of a new scheme, called 'Flood Re', has been agreed with the industry but this will not come into effect until at least 2015. Its terms, conditions and costs remain unclear.

In the interim, flood insurance is being provided on a voluntary basis with the risk that premiums and excesses will rise and new households where flooding is a risk will find getting a policy more and more difficult.

This Council therefore asks the relevant officer to write to the Secretary of State for Environment, Food and Rural Affairs expressing its concern on

behalf of those at risk of flooding in the City and asks for details of any interim measures that will guarantee cover until the new arrangement are in place.

This Council also agrees to revisit its own policy on climate change adaptation working with other agencies to ensure that the City, its people and economy, are better prepared for more extreme weather events.

(8) Proliferation of Betting Shops – (Proposed by Councillor Michele Paule, seconded by Councillor Ed Turner)

Labour Group Member – Motion on Notice

Council notes that:

- The Tory and LibDem coalition government's extension of permitted development rights has allowed for an increase in betting shops (Geofutures, 2012). For planning purposes betting shops are now placed in the same category (A2) as banks, building societies, estate agents and employment agencies. Furthermore, a change of use from a restaurant, cafe, pub or a takeaway to a betting shop is also allowed without planning permission.
- Betting shops have been shown to harm the diversity of local shopping zones and discourage other businesses. (Landman Economics report, 2013).
- The Campaign for Fairer Gambling has mapped the locations of betting shops nationally and finds that they are concentrated in the poorest areas. There are an estimated 24 betting shops in Oxford, the majority of which are to be found in the areas of most disadvantage. Compare this to the mere 7 in the Prime Minister's more affluent West Oxfordshire District.
- Local people are increasingly concerned about the establishment of new betting shops in their neighbourhoods

Council believes that:

- Betting shops make profit from the most vulnerable and add to existing social problems (Campaign for Fairer Gambling, 2013).
- The extension of permitted development rights is in contravention of the government's stated commitment to localism, and is proving harmful in other areas as well, such as the conversion of offices to housing.
- The concerns of local people should be attended to in granting permission to establish new betting shops

Council resolves:

- To make representations to the Secretary of State on the need for a new use class of planning permission for the establishment of betting shops giving councils the power to refuse them in any area where it is believed their presence will be detrimental to well-being.
- To work with local people in attempting to limit the opening of new betting shops where there are justified concerns.
- To monitor closely the impact of existing betting shops

(9) Improving access to the Register of Gifts and Hospitality – (Proposed by Councillor David Williams, seconded by Councillor Elise Benjamin)

Green Group Member – Motion on Notice

This Council believes that both Councillors and officers must act, and be seen to act, in an impartial and objective way if public faith in Council processes are to be maintained and enhanced.

There is already a requirement under the Employee Code of Conduct for each Service Area to maintain a Register of Gifts and Hospitality, but members of the public are unable to easily access this information.

Council therefore resolves that, in the interest of openness and transparency:

- (1) All Service Area Registers of Gifts and Hospitality should be made readily available to Councillors and members of the public via a link on the Council website; and
- (2) Reports on planning applications, and other quasi-judicial documents, should include reference to any related disclosures.

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