

MINUTES OF THE COUNCIL

Monday 7 December 2015

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COUNCILLORS PRESENT: Councillors Humberstone (Lord Mayor), Cook (Deputy Lord Mayor), Abbasi, Altaf-Khan, Anwar, Benjamin, Brandt, Brown, Clarkson, Coulter, Darke, Fooks, Fry, Gant, Goddard, Gotch, Haines, Hayes, Henwood, Hollick, Hollingsworth, Kennedy, Lygo, Munkonge, Paule, Pegg, Pressel, Price, Rowley, Royce, Sanders, Simm, Simmons, Sinclair, Smith, Tanner, Tarver, Taylor, Thomas, Turner, Upton, Van Nooijen, Wade, Wilkinson and Wolff.

Council heard tributes and observed a minute's silence in memory of former Councillor and Lord Mayor Betty Standingford and former Chair of the Bonn Link Harold Williams.

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53. APOLOGIES FOR ABSENCE

Councillors Clack, Lloyd-Shogbesan and Malik submitted apologies.

54. MINUTES

Council agreed to approve the minutes of the ordinary meeting held on 23 September 2015 as a true and correct record.

55. DECLARATIONS OF INTEREST

Councillors Clack, Lloyd-Shogbesan and Malik submitted apologies.

56. APPOINTMENT TO COMMITTEES

Council agreed to appoint with immediate effect:

- Scrutiny Committee - Councillor Pegg to replace Councillor Upton with immediate effect.

57. ANNOUNCEMENTS

The Lord Mayor informed Council of;

- His official visit to Perm
- An official visit from representatives from Leiden
- The lighting of the Menorah in Bonn Square
- The death of John Thompson, former tree officer of the Council and responsible for planting 10,000 trees.

Councillor Fooks spoke about his work.

The Leader of the Council:

- announced the Civic Office holders for the 2016 municipal year would be:
 - o Lord Mayor – Councillor Altaf Khan
 - o Deputy Lord Mayor – Councillor Humberstone
 - o Sheriff – Councillor Brown
- and gave an update on the devolution bid.

The Lord Mayor welcomed newly elected councillor Jennifer Pegg to the Council.

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

There were no addresses or questions in this section.

59. NORTHWAY AND MARSTON FLOOD ALLEVIATION SCHEME PROJECT

Council considered a report to the City Executive Board on 12 November seeking project approval for the Northway and Marston Flood Alleviation Scheme.

Council resolved to:

include the additional budget of £928,000 for the Northway and Marston Flood Alleviation Scheme in the Capital Programme (£2,196,000 financed from external funding, £400,000 financed from Council capital).

60. OXPENS DELIVERY STRATEGY

Council considered a report to the City Executive Board on 15 October which provides an update and seeks approval for an amendment to the Oxpens Delivery Strategy and budgetary adjustments.

The Board Member undertook to build in time to allow full scrutiny of the joint venture company plans.

Council resolved to:

approve the establishment of a capital budget of £8.4m to progress the project through the next stages.

61. REVIEW OF THE STATEMENT OF GAMBLING LICENSING POLICY

The Lord Mayor certified this as an urgent item under S100B (4) of the Local Government Act 1972.

The reason for urgency is that the consultation closed on 26 November and the report was not added to the agenda until the Chair and Vice-Chair had reviewed the comments. This was after the publication date of 27 November.

Council considered a report which detailed the revised Statement of Gambling Licensing Policy. The Statement was unchanged from that approved by the Licensing and Gambling Acts Committee for consultation at its meeting on 14 September.

Council resolved to:

adopt the Statement of Gambling Licensing Policy as attached to the agenda effective from 31 January 2016.

62. LOCAL GOVERNMENT PENSION SCHEME - REVIEW OF FLEXIBLE RETIREMENT DISCRETIONS

Council considered a report presenting for approval two revisions to the Council's Flexible Retirement Policy.

Council resolved to:

1. approve two revisions to the Flexible Retirement Policy (incorporated within the existing Pension & Retirement Options Statement attached at Appendix 1) with effect from 8th January 2016, namely:

- a) to permit employees to choose a 'partial draw-down' of benefits; and**
- b) reduce the minimum level of salary/hours reduction from 40% to 20%**

2. authorise the Corporate Lead for HR & Organisational Development in conjunction with the Head of Law and Governance and Director for Organisational Development and Corporate Services to amend the policy from time to time in order to correct any factual or legal errors.

63. CONSTITUTION AMENDMENTS - CONTRACT RULES

Council considered a report recommending changes to the contract rules in Section 19 of the Council's constitution.

Council noted that the rules included the requirements for contractors to fit sidebars where practicable, in accordance with the motion adopted on 1 December 2014.

Council resolved to:

approve, with immediate effect, the amendments to the Constitution as set out outlined in the report and in Appendix 1.

64. COUNCIL AND COMMITTEE PROGRAMME MAY 2016 TO MAY 2017

Council considered a report proposing the programme of Council and committee meetings for the 2016/17 council year (May 2016 to May 2017 inclusive).

The Leader proposed adopting this as a working document for subsequent amendment to avoid where possible school holidays and religious festivals; and produce a final draft when all comments had been absorbed.

Council resolved to:

adopt the draft programme of meetings as a working document for subsequent amendment to avoid where possible school holidays and religious festivals; and produce a final draft when all comments had been absorbed .

65. CITY EXECUTIVE BOARD MINUTES

Council had before it the minutes of the City Executive Board meetings of 15th October and 12th November 2015

On Minute 93, Councillor Fooks asked if the guidance on planning rules for conservation areas was published and if the impact of pre-application advice charges could be monitored to check for any adverse effects of charging for householder applications

The Board Member said he would check if the advice was published; and there would be monitoring.

On Minute 113 Councillor Fooks asked when the meeting for members and officers to discuss further matters relating to Indicator 22 would take place.

The Board Member replied this would be held as soon as practicable.

66. QUESTIONS ON NOTICE FROM MEMBERS OF COUNCIL

Members of Council submitted 37 written questions to Board Members and the Leader of the Council. Written answers and summaries of supplementary questions and responses are in the supplement to these minutes.

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

Council heard addresses from members of the public. The full text of the addresses where these were delivered as submitted; and questions and responses are in the supplement to these minutes.

1. Judith Harley, on behalf of herself, Nigel Gibson and Sarah Lazenby who had submitted addresses on the same topic, addressed Council about Save Temple Cowley Pools Campaign's request to stop demolition of the building.

The Chief Executive and Councillor Turner reiterated the Council's role as freeholder of the site and referred to the response set out in the supplement.

2. Dr Judy Webb, of the Friends of Lye Valley, addressed Council about a petition to ask Councillors, should they decide not to develop the space at Warren Crescent Site 60, to preserve it as Local or Public Access Green Space.

Councillor Hollingsworth responded that the planning committee would determine the extant planning application its merits and he appreciated the important points about the Lye Valley regardless of the outcome of the application.

3. Colin Aldridge, of East Oxford Community Centre, addressed Council asking them to put the management of EOCC back in the hands of the community and help them improve the centre.

Councillor Simm responded that community centres must meet the community's needs and be well used, and be well maintained and improved to good standards, and outlined the plans for the East Oxford centre. She said that consultation on the draft community centre strategy would start shortly.

4. Benny Wenda, of the Free West Papua campaign, addressed Council thanking members for the ongoing support shown for the campaign.

Councillor Price thanked Benny Wenda for his speech and conveyed the good wishes of the Rt Hon Andrew Smith MP.

5. Nigel Gibson, Save Temple Cowley Pools campaign, asked the Board Member 'Will you recognise your core strategy policy obligations under CS21 and tell Catalyst to defer demolition until after a successful planning application for their proposed new development?'

Councillor Turner responded that a written answer was available in the published supplement.

6. Rosemary Harris asked the Board Member 'Will the Council ensure that Network Rail removes this requirement from its noise insulation package and provide extra acoustic glazing to all affected houses if the operational noise is higher than predicted for non-statutory insulation?'

Councillor Hollingsworth responded that the planning permission includes provisions for noise levels to be predicted in an approved way, then for noise mitigation to be offered where appropriate. They include a requirement to check the performance of noise mitigation measures (including noise insulation) and correct them if found to be defective in construction or performance. Once these provisions are met the conditions of the permission are discharged and the Council could not, therefore, require Network Rail to offer further insulation packages to cover a change in the circumstances of buildings. And since it has approved the noise predictions, as contained within the relevant Noise Scheme of Assessment, it could not require further measures if these proved to be under-estimates. However, our officers see no reason for this situation to occur, given the robustness of those predictions and the adequacy of mitigation measures.

The Lord Mayor thanked those speaking.

68. PETITIONS SCHEME - PETITION ASKING FOR SUPPORT FOR REFUGEES AND ASYLUM SEEKERS

Council considered a petition meeting the criteria for debate under the Council's petitions scheme.

The text of the petition reads: *To Oxfordshire County Council, Cherwell District Council, Oxford City Council, South Oxfordshire District Council, Vale of White Horse District Council & West Oxfordshire District Council: Give shelter, support and a fair hearing to refugees and asylum seekers in our community. Work with existing organisations like Oxford City of Sanctuary, Refugee Resource & Asylum Welcome to help those who are already here and to take in more who are desperately in need.*

The head petitioner, Ms Emma Jones, addressed the meeting in support of the petition.

After debate, the recommendations below were moved, seconded, and agreed on being put to the vote.

Council resolved to:

- 1. ask the City Executive to continue to work with the coordination group and organisations and do as much as possible to help refugees who come through any route;**
- 2. ask officers to look at the interpretation of 'no local connection' in terms of refugees and not apply transient status to them when considering applications for housing support;**

3. **look at helping Asylum Welcome and other related organisations with their core staffing and funding to increase capacity**
4. **follow through on the commitment to be a City of Sanctuary and consider the status as a City of Sanctuary in law and reality.**

69. PETITIONS SCHEME - EAST OXFORD COMMUNITY CENTRE

Council considered a petition meeting the criteria for debate under the Council's petitions scheme.

The text of the petition reads: *Help Stop Labour controlled Oxford City Council takeover of East Oxford Community Centre. We the undersigned hereby demonstrate our support for keeping the management of EOCC under the control of the people of East Oxford.*

The head petitioner, Mr Artwell, addressed the meeting in support of the petition.

Councillor Simmons circulated in writing a proposed recommendation: that Council instructs officers to work with members of the East Oxford Community Association on a plan to bring the Community Centre back under community governance with the necessary officer support.

Councillors Simm and Tanner proposed an amended recommendation: to ask the City Executive Board to instruct officers to maintain ongoing communications with members of the East Oxford Community Association and provide necessary officer support

After debate, the amended recommendation was moved, seconded, and agreed on being put to the vote.

Council resolved to:

ask the City Executive Board to instruct officers to maintain ongoing communications with members of the East Oxford Community Association and provide necessary officer support.

70. OUTSIDE ORGANISATION/COMMITTEE CHAIR REPORTS AND QUESTIONS

Council had before it the report of the Leader of the Council outlining the work of the Oxfordshire Strategic Partnership.

Councillor Price moved the report.

Council noted the report without comment

Council had before it the report of Councillor Turner outlining the work of the Oxfordshire Health Improvement Board.

Councillor Turner moved the report, highlighting health inequalities, transparency in contracts, and public health funding.

In response to questions he said:

through the Health Improvement Board we have had useful discussions about how GPs can make referrals to us where we have enforcement powers or people can access homelessness services or energy efficiency help, but there is limit to what the board can do. The board was looking at commissioning and funding for homelessness hostels and involving the CCGs and county council in these discussions.

Council noted the report.

71. SCRUTINY COMMITTEE UPDATE REPORT

Council had before it the report of the Scrutiny Committee Chair.

Councillor Simmons moved the report and highlighted the work of the committee and the review panels.

Council noted the report.

72. MOTIONS ON NOTICE

Council had before it six motions on notice and amendments submitted in accordance with Council procedure rule 11.17, and reached decisions as set out below.

1. Housing and Planning Bill

Councillor Rowley proposed his submitted motion, seconded by Councillor Price.

After debate and on being put to the vote the motion was declared carried.

Council resolved to adopt the motion set out below:

This Council notes:

- that the Housing and Planning Bill is currently being debated in Parliament, and if passed would threaten the provision of affordable homes for rent and buy through forcing "high-value" council homes to be sold on the open market, extending the "right to buy" to housing association tenants, and undermining section 106 requirements on private developers to provide affordable homes;***
- that there is no commitment in the Bill that affordable homes will be replaced like-for-like in the local area - indeed, in Oxford it is very difficult to see how this could work financially;***
- that whilst measures to help first-time buyers are welcome, the "starter homes" proposals in the Bill will be unaffordable to families***

and young people on ordinary incomes in most parts of the country, will not preserve the taxpayer investment, and will be built at the expense of genuinely affordable homes to rent and buy;

- that the Bill undermines localism by taking yet more new wide and open-ended powers for the Whitehall over councils and local communities - including the ability to override local plans, to mandate rents for social tenants, and to impose a levy on stock-holding councils, violating the terms of the housing revenue account self-financing deal; and*
- that the Bill, whilst introducing some welcome measures to get to grips with rogue landlords, does not help with the high rents, poor conditions and insecurity affecting many private renters, in an expanding sector which now houses more than one in four households in Oxford, and does nothing to help arrest the recent rise in homelessness.*

This Council:

- congratulates those involved in the Council's statistical research, which presents a clear picture of Oxford to the public and greatly helps us as Members to argue the case for Oxford; and*
- thanks officers for the work they have done in preparing a robust response to the Government's consultation on the Bill.*

This Council therefore resolves to ask the Executive Board:

- 1. to analyse and report on the likely impact of the forced sale of council homes, the extension of right-to-buy and the "starter homes" requirement on the local availability of affordable homes, and any further impacts of the Bill on our City;*
- 2. to support the Leader of the Council in writing to the Secretary of State with our concerns about the Bill;*
- 3. to ask for urgent meetings for the Leader of the Council, the Chief Executive and relevant Board Members and Officers, with our two local MPs, and with the relevant Minister in the DCLG; and*
- 4. to make public our concerns by publishing this Motion prominently on the Council's website, and by promoting our concerns through the local and, if possible, national press;*
- 5. to set up an urgent meeting between the Leader of the Council , Board Member for Housing and the Chief Executive with the local Members of Parliament to raise our concerns;*
- 6. to make public our concerns, including by publishing the above information on the council's website and promoting through the local press.*

2. Procurement and tax

Councillor Fooks proposed her submitted motion, seconded by Councillor Wilkinson:

Council notes that

- *Corporate tax evasion and avoidance are having a damaging impact on the world's poorest countries, to such a level that it is costing them far more than they receive in aid*
- *this is costing the UK as much as £30bn a year*
- *this practice also has a negative effect on small and medium-sized companies who pay more tax proportionately*

Council further notes

- *that the UK Government has taken steps to tackle the issue of tax avoidance and evasion by issuing Procurement Policy Note 03/14, applying to all central government contracts worth more than £5m*
- *the availability of independent means of verifying tax compliance, such as the Fair Tax Mark*

In early 2015 new regulations required public bodies, including councils, to ask procurement qualification questions of all companies for tenders over £173,000 for service contracts and £4m for works contracts. However, these questions are not as detailed as the PPN 03/14.

Oxford City Council currently requires companies to have ethical and social policies. Council believes that it should also require bidders for Council contracts to account for their past tax record, using the standards in PPN 03/14, rather than the lower standards in the recent regulations.

Council therefore calls for the new procurement procedures, currently being drawn up, to be amended to require all companies bidding for council contracts to self-certify that they are fully tax-compliant in line with central government practice, this to apply to all contracts worth over £173,000 for service contracts and above £4m for works contracts.

Council asks the Executive Board to publicise this policy and requests a report on its implementation to be presented to Council annually for the next three years.

Councillor Price proposed an amendment, seconded by Councillor Hollingsworth. This was accepted by Councillor Fooks:

Delete the penultimate paragraph; and amend the final paragraph to read;
Council asks the City Executive Board to commission officers to investigate whether and how this policy could be effectively included in the Council's Procurement Procedures.

Councillor Simmons proposed a minor amendment to the original motion, submitted in writing and then amended in the light of the above.

insert *'Taking into account the need not to unfairly prejudice small businesses'*
after *'...included in the Council's Procurement Procedures'*

Councillor Fooks and Councillor Price accepted this amendment.

After debate and on being put to the vote the motion as amended was declared carried.

Council resolved to adopt the motion set out below:

Council notes that

- **Corporate tax evasion and avoidance are having a damaging impact on the world's poorest countries, to such a level that it is costing them far more than they receive in aid**
- **this is costing the UK as much as £30bn a year**
- **this practice also has a negative effect on small and medium-sized companies who pay more tax proportionately**

Council further notes

- **that the UK Government has taken steps to tackle the issue of tax avoidance and evasion by issuing Procurement Policy Note 03/14, applying to all central government contracts worth more than £5m**
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Oxford City Council currently requires companies to have ethical and social policies. Council believes that it should also require bidders for Council contracts to account for their past tax record, using the standards in PPN 03/14, rather than the lower standards in the recent regulations.

Council asks the City Executive Board to commission officers to investigate whether and how this policy could be effectively included in the Council's Procurement Procedures, taking into account the need not to unfairly prejudice small businesses

3. Reforming Local Government Finance

Councillor Simmons proposed his submitted motion, seconded by Councillor Hollick:

This Council notes the recent exchange of correspondence between the Leader of the County Council and the MP for Witney. This Council regrets the damaging social effects of the Government's austerity measures. In particular, it is concerned about the cuts to local Government finance which are affecting Oxford City and Oxfordshire County Council's at a time when local Government is facing increasing demands on its services.

This Council therefore asks the Leader to write to Oxfordshire's MPs asking them to lobby for the following changes to local Government financing for the City and County:

- *Remove the 2% Council Tax cap.*
- *Give the Council the freedom to extend Council Tax bands.*
- *Remove the ring-fencing restrictions on some Council budgets.*
- *Re-direct some funding from the various economic development quangos to the Council.*
- *Give Councils the freedom to set their own Council house rent levels.*
- *Allow for higher levels of prudential borrowing.*
- *Reverse the cuts to the local Government funding and instead invest in a better, brighter future for the people of Oxfordshire.*

Councillor Turner proposed an amendment:

To delete the third, fourth and fifth bullet points.

On being put to the vote the amendment was declared carried.

On being put to the vote, the amended motion was declared carried.

Council resolved to adopt the motion set out below:

This Council notes the recent exchange of correspondence between the Leader of the County Council and the MP for Witney. This Council regrets the damaging social effects of the Government's austerity measures. In particular, it is concerned about the cuts to local Government finance which are affecting Oxford City and Oxfordshire County Council's at a time when local Government is facing increasing demands on its services.

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- ***Remove the 2% Council Tax cap.***
- ***Give the Council the freedom to extend Council Tax bands.***

- ***Allow for higher levels of prudential borrowing***
- ***Reverse the cuts to the local Government funding and instead invest in a better, brighter future for the people of Oxfordshire.***

4. Network Rail

Council agreed to suspend standing orders to permit the conclusion of debate on this item.

Councillor Gotch proposed his submitted motion, seconded by Councillor Goddard.

After debate and on being put to the vote the motion was declared carried.

Council resolved to adopt the motion set out below:

Residents of Upper Wolvercote have been frequent complainants, for 6 months or so, to Oxford City Council and Network Rail during construction of the new east/west rail link. Reasons include excessive noise, fumes , and vibrations causing damage to nearby houses, and by the felling of nearly all mature trees on embankments – in spite of Network Rail's claim to be an environmentally conscious and sensitive organisation .

Network Rail has exercised its statutory right to carry out engineering operations on railway land without external sanction.

The Public Inquiry Inspector recommended conditions, endorsed by the Secretary of State, that are mainly concerned with rail service operations, not construction, and the City has not found them useful in monitoring or preventing poor practice during construction.

Council, therefore, calls on central government to pass legislation removing all permitted development rights for projects on railway land, and requiring railway operators to apply to the local planning authority for detailed planning permission for engineering operations on railway land – as with any other landowner. Landscaping issues would need to be included in any application, as well as good construction practice details. Administration costs and costs of officers' time and consultants' services would be paid by applicants, and exemptions would be safety related projects.

5. Disastrous changes to housing policy (proposed by Councillor Hollick)

This motion was not considered due to a lack of time. (as set out in Procedure Rule 11.17(d))

6. Implementing the Counter Terrorism and Security Act 2015 (proposed by Councillor Benjamin)

This motion was not considered due to a lack of time. (as set out in Procedure Rule 11.17(d))

The meeting started at 5.00 pm and ended at 9.45 pm

Council 7 December 2015

Minute number: 66

Questions on Notice from members of Council and responses from the Board Members and Leader, including supplementary questions and responses.

Introduction

1. Questions submitted by members of Council to the Board members, Leader of the Council, by the deadline in the Constitution are listed below in the order they were taken at the meeting.
2. Written responses, supplementary questions and verbal response to these are included.

Questions and responses

Board Member for Customer Services and Corporate Services

1. From Councillor Fooks to Councillor Brown

Can you tell Council why on ringing the Council main number of 01865 249811 at 1040 on Thursday November 26th, my call was not answered but the voicemail said 'the centre is closed for training between 1030 and 11; you can look online for information'? Do you think this is a satisfactory response to a phone call from someone who may or may not have access to the internet, wanting to speak to a Council officer?

Response

The contact centre has very high levels of customer satisfaction which are measured all the time. In order to maintain this, staff training is a vital part of the picture. The half an hour every Thursday morning is an invaluable way for staff to be jointly trained and updated on key messages. Managers in the contact centre instigated this after feedback from staff. Up until this point, no negative feedback from customers has been received about this training period. Online and face to face services remain open to customers and the message customers hear makes it clear the exact period that the centre is unable to take calls. The message is as follows:

We are sorry but the Contact Centre is closed for training this morning between 10.30 and 11 o'clock. You can visit our website at www.oxford.gov.uk where you may find an answer to your query. Alternatively please call again later to speak to a member of our team. Please accept our apologies for any inconvenience caused.

Supplementary question

Why is the training not staggered to maintain cover?

Response

There have been no complaints apart from this one and whole-team training was instigated to improve the overall service.

2. From Councillor Fooks to Councillor Brown

Following the decision to appoint SEC to provide the bulk of the City Council's ICT, involving the disaggregation of the city/county partnership in March 2016, how much extra funding has been set aside for the salary costs of covering the increased in-house responsibilities?

Written Response

The City/County Council partnership agreement is due to expire on 31 March 2016, after the County Council served notice on the City. As part of the new arrangements the City Council's ICT Operations Team will increase by four FTE's and the Team Manager role has been re-graded to take account of the extra responsibilities. These costs were all factored into the original budget proposal and the new arrangements are still better value for money than the previous contract. The exact increased salary cost factored into the budget is £210k per annum.

3. From Councillor Fooks to Councillor Brown

How much capital will be spent on the transition from the County to the SEC-managed service?

Written Response

The SCC (Specialist Computer Centres) transition cost is £118K, as per the publicly available report to the City Executive Board on 30 July 2015.

4. From Councillor Fooks to Councillor Brown

I am surprised to see that the budget for ICT is expected to rise from £3,138,213 in 2015/16 to £3,161,611 in 2016/17.

Why are these figures given to me on October 2nd in response to an FOI request different, in fact less, from those given to me on August 17th 2015?

What savings are predicted to materialise in 2017/18 and beyond?

Written Response

The current ICT budget position and medium term financial plan which show the proposed savings are as follows as at 02.12.15:

	2015/16	2016/17	2017/18	2018/19	2019/20
Total Budget	3,007,581	3,004,150	2,859,150	2,794,150	2,794,150
Proposed Savings/Bids:					
Replacement of the County ICT contract and optimisation of the Cloud		(150,000)			
Idox contract			(70,000)		
Contractual Inflation		5,000	5,000		
Revised Budget		2,859,150	2,794,150	2,794,150	2,794,150

Note on assumptions:

- 1) The 16/17 budget is as at this point in time and is subject to changes before Final Approval in February.
- 2) These are the savings/bids currently on Appendix 3 at this point in time and are also subject to change.
- 3) Figures include ICT applications and staff/running cost centres
- 4) Figures are based on controllable budgets only.

The different information provided in the October request to the August request is explained by the fact that some costs included in the August figures are now accounted for in a different department following the council's restructure and the telephony costs were included in answer to the first question but not included in answer to Councillor Fooks' second question.

The 2015/16 Budget given in August – £3,420,103 – included staffing, running costs, licenses and telephony

The 2015/16 Budget given in October – £3,138,213 – included staffing, running costs and licenses but excluded telephony and £35k which was of a consultancy budget that was transferred to Finance for ICT consultancy costs

A further reduction of £70K pa is planned from 2017/18 following reducing costs of the contract.

Supplementary question

Why are there so many answers to the same question?

Response

The answer depends on the specific question asked at the time.

5. From Councillor Thomas to Councillor Brown

When will the Council be increasing staff pay to the Oxford Living Wage – which was increased in November 2015 by 19p per hour?

Written Response

The Council always implements any required Living Wage changes in the following April so that we can make provision for the increase in the following year'. Changes apply to employees, agency workers and large contractors. All Council employees are currently paid more than the Oxford Living Wage. We will write to agencies and contractors to ensure the changes are made for April 2016.

6. From Councillor Brandt to Councillor Brown

Will the City Council consider adopting the London Living wage level (£9.40 per hour) as a policy to advocate in Oxford due to the high housing costs here?

Written Response

Approximately two years ago Members agreed a policy to set the Oxford Living Wage at 95% of the London Living Wage. This calculation was set in the context of the high cost of living in Oxford and ensured an automatic link with the London Living Wage. However, the rate also recognised a differential to London prices and helped make the payment more affordable. At this stage there are no proposals to move to the London Living Wage but the situation will be kept under review.

Board member for Climate Change and Cleaner, Greener Oxford

7. From Councillor Goddard to Councillor Tanner

Can Cllr Tanner give details of biodiversity surveys, city-wide or localised, carried out by the City Council and where the results of such surveys can be found?

Written Response

Biodiversity surveys are undertaken at the Council's parks. The results and records are shared through the Thames Valley Environmental Records Centre. The public can view the boundaries of notable sites of value for nature conservation in the city on the Council's website on LocalView at:

www.oxford.gov.uk/PageRender/decVanilla/LocalView.htm

Oxford is particularly fortunate in having such a broad range of biodiversity on our doorsteps and there is more information about this at:

www.oxford.gov.uk/PageRender/decEH/Biodiversity.htm

The Council also commissions biodiversity surveys to accompany its own development schemes, and these are published and available to view on the planning portal. The City Council requires developers to undertake biodiversity surveys. We also work with voluntary groups, such as the Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT) which surveys some of Oxford's biodiversity.

Supplementary question

Where can surveys be found and can residents get in touch with officers to get copies?

Response

I am happy to facilitate finding these if they are available.

Board member for Crime, Community Safety and Licensing

8. From Councillor Thomas to Councillor Sinclair

Will Councillor Sinclair be holding meetings with the likes of Crisis to discuss monitoring the impact of the city centre PSPO on highly vulnerable individuals engaged in the city's street culture?

Written Response

Multi-agency meetings have been in place for many years to coordinate the support needs of vulnerable individuals, and monitor the impact of legal actions. Relevant actions taken under the PSPO will be brought to the attention of agencies supporting the individual. The scrutiny committee is leading on the monitoring of the PSPO and views will be taken from all parties.

Supplementary question

Will a date be set in early 2016 to meet with Crisis to discuss monitoring the impact of the PSPO?

Response

I will ask but have had no contact from them on this as yet.

9. From Councillor Thomas to Councillor Sinclair

Given that the City have written to Oxford University stating that no PSPO signs will go up on University land unless requested by the University, how will users of that land be made aware of the offences listed under the PSPO?

Written Response

A cross-party working group met on the 23rd November to discuss signage and other forms of communication about the PSPO. The law requires sufficient signage and information to be held on the council's website. The group agreed that signage will be kept to a minimum, focussing on hot spot areas. Officers will have with them a tear-off information pad that will be given to people who want more information on the PSPO.

Board member for Housing

10. From Councillor Wolff to Councillor Rowley

Is the portfolio holder aware that a Syrian family of 5 were turned away by the housing department last month and ended up sleeping in a garage?

Would the leader join me in thanking our Chief Executive for responding quickly, once the matter was raised with him, to the case of a Syrian family who have since been housed outside of the City?

Written Response

I am aware, but I am not prepared to discuss individual cases. When any individual approaches the Council for Housing Options advice, they are given the very best advice available, tailored to their specific case. Due to the extreme housing pressures in Oxford, it is clearly not possible to accommodate everyone that approaches the Council in housing need, and indeed homelessness legislation does not expect that to be the case.

11. From Councillor Thomas to Councillor Rowley

When and where will the affordable homes contribution from the Westgate development be used to provide homes?

Written Response

The affordable homes contribution from the Westgate development is due to be paid prior to the occupation of 50% of the dwellings on site and will be used to provide affordable homes in Oxford. Whilst there is no specific site or location identified to which the provision is tied, it is hoped the homes will be provided close to the Westgate development. Regard will be had to the City Council's housing strategy in respect of where and when the homes are to be provided.

Supplementary question

Is it acceptable that we do not know where and how this will be spent?

Response

The contribution will be paid and will be used in the best way available to us at the time.

12. From Councillor Thomas to Councillor Rowley

In light of changes to government policy on social and affordable houses, how many new affordable-for-sale and social homes does he estimate will be built in Oxford over the next 10 years under his current housing strategy?

Written Response

The trajectory published in the Annual Monitoring report in November, estimates that around 6104 (net) homes will be built over the next 10 years (2015/16 to 2024/25). In the same period, assuming the continuation of current affordable housing policies, we would estimate in the region of 2200 social homes to be built on qualifying sites of 10 or more dwellings; comprising 1760 homes for social rent and 440 homes for shared ownership or other type of intermediate housing to buy (or made available as affordable rent). These figures should be treated as a guide only and are subject to change depending on factors such as site viability and changes in the Government's housing and planning policies.

Whilst the Housing and Planning Bill has set out proposals to secure delivery of more starter homes for sale as a form of affordable housing, we are waiting for further guidance and detail of how these proposals are to be implemented. Therefore it is not possible to estimate at this stage how the Government proposals will affect the actual number and provision of housing for those in the greatest housing need.

Supplementary question

How can you deliver 2200 in the next 10 years given the lack of delivery in the past 10 years?

Response

Our policy is to deliver social housing but the government's policy seems to be designed to stop us. This is the policy we have in place and we will do our best to deliver it.

13. From Councillor Hollick to Councillor Rowley

How many Council houses have been sold off (either by the Council or through right-to-buy) in the last three years?

What are officers estimating will be the figure over the next few years following the recent disastrous changes to social housing policies?

Written Response

Under the Right to Buy, the Council sold 46 properties in 2013/14, 46 in 2014/15 and 19 in 2015/16 up to the end of October. A further two properties have been sold on the open market as they were unsuitable for use as local authority housing stock.

The details of many of the proposed changes are not yet known but in terms of the "Pay to Stay" policy, we have assumed that an additional 5 tenants per year will exercise the Right to Buy as a result, increasing our annual estimate of Right to Buy sales to 45 per year. The other key policy change affecting stock is the sale of high value voids to fund the extension of the Right to Buy to Housing Associations and we are currently estimating that the Council's payment to Government will equate to the sale of 95 Council homes each year as a result.

Supplementary question

Can the Board Member confirm that there is a 250% increase in the current estimate of sales and how can we mitigate this? Will you speak to Housing Panel about this?

Response

Yes I will speak to the Housing Panel.

14.From Councillor Hollick to Councillor Rowley

Is it acceptable for a tenant to be moved into a Council property with single glazed windows, some with rotting frames?

Written Response

Prior to re-letting all properties they are repaired to meet the Councils void standard. This question relates to a particular property which has very recently been the subject of an enquiry from Cllr Benjamin to which a detailed response has been provided. The property in question met the standard with temporary repairs being carried out, but it was recognised that it would benefit from the provision of double glazed new windows and on that basis it was placed in the 15/16 window replacement programme. The delivery of that programme has unfortunately been delayed against the original programme due to procurement taking longer than anticipated but is now underway. The current position is that we are awaiting confirmation from the tenant of an appointment date so that the contractor can carry out detailed measurements prior to manufacture. Attempts have been made between August to September for this to happen but it hasn't been successful. The neighbouring flats were measured up in September. Now that we are aware urgent steps are being taken to make these arrangements so that the works can be carried out as soon as possible

Supplementary question

If the council was a private landlord would it not have been taken to court over the failure to do the repairs, and will these be completed soon?

Response

I don't believe this would have resulted in court action and we are committed to completing repairs as soon as possible.

15.From Councillor Hollick to Councillor Rowley

After a winter where a tenant had to resort to emergency credit to keep her 3 young children warm and assurances that her windows would be replaced by March this year, is it acceptable for that tenant to still be waiting for those windows in December?

Written Response

Prior to re-letting all properties they are repaired to meet the Councils void standard. This question relates to a particular property which has very recently been the subject of an enquiry from Cllr Benjamin to which a detailed response has been provided. The property in question met the standard with temporary repairs being carried out, but it was recognised that it would benefit from the provision of double glazed new windows and on that basis it was placed in the 15/16 window replacement programme. The delivery of that programme has unfortunately been delayed against the original programme due to procurement taking longer than anticipated but is now underway. The current position is that we are awaiting confirmation from the tenant of an appointment date so that the contractor can carry out detailed measurements prior to

manufacture. Attempts have been made between August to September for this to happen but it hasn't been successful. The neighbouring flats were measured up in September. Now that we are aware urgent steps are being taken to make these arrangements so that the works can be carried out as soon as possible

16. From Councillor Gant to Councillor Rowley

Would the leader of the council join us in noting that stock-owning councils in Wales have the power to apply to the Welsh government to suspend right-to-buy, that Swansea and Carmarthenshire have already done so, and Flintshire is actively considering it?

Would he agree with the leader of Flintshire Council that "It is common knowledge that there is a shortage of affordable housing across Wales and the rest of the UK. Every property that the council sells through the right to buy reduces our ability to provide affordable social housing to meet local need, so the suspension of right-to-buy in Flintshire would be sensible, welcome and long over-due."

Would he agree with us that it is notable that where stock-owning councils can opt out of this policy, they are choosing to do so, and make every effort to lobby central government in England to reverse this regressive and damaging policy?

Written Response

I do indeed agree with the leader of Flintshire Council; what he says reflects the pressures we are also experiencing in Oxford. By contrast to the Tory government at Westminster, the Labour-controlled Welsh Assembly has adopted a pragmatic and localist approach that has enabled Councils to ease housing pressures significantly.

The City Council will of course continue to point out the negative effects of Government policy on Oxford people who are struggling to find anywhere to live in their own City. We have been arguing for many years for greater flexibility in the application of right to buy policies, and we are putting together a reasoned case for exemption from the worst effects of the Government's potentially disastrous new housing policies.

It remains to be seen whether the Government's response will be determined by pragmatism and localism, or by ideology and the Westminster political agenda.

Supplementary question

When will councillors have sight of the Council's case for exemption?

Response

This is being drafted and will be in good time for the April submission deadline but is not complete.

Board member for Planning, Transport and Regulatory Service

17. From Councillor Wolff to Councillor Hollingsworth

Preamble

In April of this year, and following consultation with a number of interested groups in the city, Alan Baxter Associates published a formal response on behalf of this City Council to Oxfordshire County Council's consultation on its draft 'Oxford Transport Strategy' (part of its LPT4 strategy).

In it (p.54) they/we said :

The Strategy does not consider the contribution that Oxford's waterways might make to cycling from the north and south along the Oxford Canal and River Thames. Although it would not be appropriate and there would not be capacity for these waterways to carry significant volumes of cyclists, they could provide useful connections, particularly for less confident riders. The Strategy should set out an approach to the waterways.

The stretch of the towpath between Donnington Bridge and Folly Bridge is in poor condition. This is the most important stretch serving as it does as the route for rowers, coaches and spectators for OUBC and as a major tourist and residential route. The quality of this path negatively impacts those with impaired mobility, stopping them accessing the river and the path to Iffley. The other pinch point which is dangerous to all users of this route is by the turning to Grand Pont Nursery, where the path is collapsed and presents a risk of slipping into the river.

Although pedestrians and cyclists share this heavily-used path reasonably comfortably, there has to be a lot of 'give and take' as it is not wide or well-maintained enough, and safety is an issue. The same consultants' document also said

Complete or semi-segregation will be provided wherever possible (otherwise mandatory cycle lane markings will be used)

which suggests that a towpath wide enough for segregation of cyclists should be considered.

The path is not under the control of the County Council but since the County should be developing a continuous cycle network it should nonetheless take an interest in it as part of a general approach to the waterways.

Question

- a) Could Cllr Tanner confirm that a consultant — possibly the same Alan Baxter Associates — has been engaged to produce a formal response to the now-adopted County strategy on our behalf?
- b) Could he tell us what their brief is in more detail, what their time scale is and whether they have been asked to consult with interested groups such as (in this context) the City Cycling Forum?
- c) Would he agree to ask the consultants, in the course of their work, to examine this river route in more detail and make recommendations both to City and County?

Written Response

- a) There is no intention to engage a consultant to further respond to the adopted County strategy. As the Strategy is now adopted, and no longer open to consultation, it would not be a good use of public money to further respond as it is unlikely any practical outcome would be achieved from such an exercise.
- b) A brief was prepared for the consultant's response to the County Council Local Transport Plan 4 and Oxford Transport Strategy, which was fully met and the work completed by the consultant within the agreed timescales and budget. A copy of the brief will be provided to the questioner separately. Discussions were held between the consultants, all City Council Members, the County Council, and the two largest bus operating companies in Oxford, as well as internal consultation within the Council, which included the Environmental Sustainability Team responsible for the Oxford Cycle Strategy. The City Cycling Forum did not formally exist at the time of

the consultation, however cycling and other transport user groups had the opportunity to feed into the County Council consultation on LTP4 and the OTS.

c) See answers to (a) and (b) above – the consultant project is now completed.

Supplementary question

Where does this leave the inclusion of riverside routes for cyclists; does this leave us back in charge; and given there is no uncommitted budget available for this would he encourage the cycling forum to draw up ideas o get these routes up to standard?

Response

We need to look at how the County Council works with us. The cycling panel needs to concentrate on deliverables as it is better to do what is possible than to concentrate on matters outwith our remit. We will do what we realistically can.

18.From Councillor Fooks to Councillor Hollingsworth

The City Council is responsible for many trees on pavements on unclassified roads in the city. Sometimes these trees cause nuisance, either taking light from houses or interfering with phone lines of nearby residents. Why does the city council take no responsibility for this, when any good landlord would be expected to take care not to cause such problems to their tenants?

Written Response

Following on from the tragic incident in Gloucester Street where a member of the public lost their life, and following a detailed investigation a number of recommendations were made. One of these was that Oxford City Council should form a tree policy which outlined how it discharged its duty of care to the public.

In order to carry out its duty of care sufficiently, the tree policy details how the Council should deploy its resources to efficiently and effectively deal with issues relating to trees and their safety to the public, whilst balancing the benefits that urban trees bring.

Due to the number of complaints and enquiries that the city receives each year in relation to trees including that of loss of light, the policy was drafted using both case and statute law. It should also be noted that Oxford City Council is no different from other City Councils in the way it follows the same principles of how it manages its trees in relation to legal precedents.

Excessive pruning of urban trees does not benefit them, as this puts unnecessary pressure on the trees resources making them more liable to pests and diseases amongst the other pressures that exist like pollution and climate change. This human impact can have long ranging effects on trees especially coupled with the long time periods for a tree to reach maturity.

I'd like to extol – very strongly – the virtues of street trees. As a country we are no longer planting enough of the large and long-lived street trees that are a crucial part of the urban design of our cities; the shape of our city streets was formed by the far sighted choice of trees planted to line them, and it is very important that our generation follows that lead and leaves for the generations that follow a similarly successful combination of trees and buildings.

Street trees bring many benefits including:-

- Supporting a wide range of wildlife, in particular birds and insects
- Seasonal interest including flowers, fruit and autumn colour.

- Contributes to clean air by both absorbing and trapping pollution on leaves.
- Calms traffic flows.
- Provides urban cooling by mitigating against the urban heat island effect.
- Provide an informal organic balance to urban landscapes.
- Contribute to enhanced mental wellbeing to urban communities.
- Provide added flood mitigation through water absorption.

In order to gain these benefits we must reach a compromise and in order to that we need to have guidelines which determine what we will and won't do. Having a tree policy does it allow us to determine what is and isn't a nuisance, and that can only be done by following what has been set in law. The policy*, which has been in place since 2008 and was reviewed in 2011, makes clear the reasons for removing a tree, and interference to light or telecommunications are clearly stated as not sufficient reasons for removal. The policy makes clear the process for a householder or ward councillor to challenge any decision made by the tree officer with regard to an individual tree made under the policy.

*<http://www.oxford.gov.uk/Library/Documents/Parks/Tree%20Management%20Policy.pdf>

Supplementary question

Does the Council take responsibility for its trees and respond appropriately to complaints where trees are causing nuisance

Response

There is a budget for tree works but we are not going to chop down trees without good reason. I will follow up these concerns with officers.

19. From Councillor Thomas to Councillor Hollingsworth

Have central government written to the Council asking them to look again at their Core Strategy, and if so what is the review process?

Written Response

No. The Council wrote to the Secretary of State following the sending of a letter on this topic from Vale of White Horse to Ministers, which we have not seen. Our letter pointed out that we have a full range of up to date planning policy documents and an adopted Local Plan. The letter also pointed out that successive Planning Inspectors in recent examinations and inquiries have found our Core Strategy sound, and there was no requirement to review our Core Strategy. This position was also confirmed earlier this year by a senior Planning Inspector acting as a critical friend to the Oxfordshire Councils' Post SHMA process.

Supplementary question

Should the Core Strategy be reviewed?

Response

There is a report coming to the City executive Board setting out the timetable for reviewing planning policies to take the authority through to 2036 and we are holding discussions with neighbouring local authorities on meeting our housing needs.

20. From Councillor Gant to Councillor Hollingsworth

We note with interest the recent announcement of a "working assumption" of housing need reached with neighbouring district councils. In welcoming this measure of cooperation, could we ask the leader and the board member to brief council on the implications for Oxford, in particular:

- a) Why have they now undertaken to review Oxford's local plan, when they have declined requests to do so in the past?
- b) What will be the timing and scope of this review, particularly in relation to the expiry of the current plan and associated other policies?
- c) Will the council take the opportunity to review other aspects of the plan, including for example policies around key worker housing, affordable housing, agreements around student housing, and innovative design models?

Written Response

- a) Demands that the City Council review planning documents, including the Core Strategy (see answer given above) ahead of schedule have failed to make the case that policies needed review because they were not up-to-date. The City Council has rejected this argument and successfully defended its planning policies at examination and S78 inquiries. The Core Strategy is compliant with the NPPF. Policies are successfully continuing to deliver crucial development and growth in the City in terms of housing and economic growth. However, it is best practice and good project management to review strategic planning policy documents periodically, to ensure policies continue to remain up-to-date and responsive to local needs and national guidance.
- b) The Local Development Scheme will be taken to City Executive Board in January, and includes the work programme and scope of the Local Plan 2036 in more detail. The intention is that the Local Plan 2036 will be adopted in 2019. The Local Plan 2036 will replace the saved policies of the Local Plan 2001-2016, the Core Strategy and the Sites and Housing Plan. Saved policies of the Local Plan 2001-2016 can still be used beyond 2016; they do not 'expire'.
- c) The City Council will review all planning policy documents (other than the AAPs), in order to include all policies in one place. As part of this process all aspects of planning policy – including affordable housing, key worker housing, agreements around student housing, design - will be considered as part of the review process. It is important to note that considering a policy as part of a review process may mean retaining existing policies that will continue to best serve the interests of the current and future citizens of Oxford.

Supplementary question

Is no change envisaged in advance of this timetable?

Response

No change is planned unless there is challenge. All policies will be reviewed together and in context.

21.From Councillor Benjamin to Councillor Hollingsworth

The recent planning monitoring report shows that we have created no new residential moorings in the City since this started to be measured three years ago. What plans are in place to remedy this?

Written Response

Background work to the Sites and Housing Plan (adopted 2013) identified that there are only limited opportunities for creating new residential boat moorings within the City boundaries while - as set out in the Sites and Housing Plan - supporting in principle the creation of residential moorings in appropriate locations. The City Council therefore has been and remains open and receptive to proposals coming forward through the development management process.

22.From Councillor Benjamin to Councillor Hollingsworth

Does the Council still own the Temple Cowley Pool site and is there an agreed planning application for development of the site?

Written Response

On 24th December 2014 Catalyst Housing Association was granted a 999 year lease to the development site. The Council holds only the residual freehold, which it is contractually obliged to transfer to Catalyst on the granting of substantive planning permission. Only in the context of Catalyst failing to obtain planning permission for the housing development will a material interest in the site revert to the Council. Catalyst have not yet submitted a planning application.

Supplementary question

Is the application premature?

Response

No.

23.From Councillor Benjamin to Councillor Hollingsworth

Given the high level of planning applications for change of use to HMOs in the City, will the portfolio holder agree that in order to assist planning officers in processing these applications a site plan showing HMOs within 100m of an application site would be helpful?

Will he ensure that this is requested as part of the application and that this becomes standard practice as an aid to officers when making recommendations to committee or delegated decisions?

Written Response

Whilst an applicant can provide information on HMOs in support of their planning application, planning officers will still have to check the Council's data available at the time of the assessment prior to making recommendations or taking a decision. Such a site plan should not therefore be a formal requirement on the applicant to submit with their application.

Information on HMOs is available on the Council's Public Access service, but Council officers are currently exploring options for providing a map-based solution for known HMOs that will help both applicants and members of the public to obtain a clearer picture on HMOs in any particular area within the City.

24. From Councillor Wolff to Councillor Hollingsworth

What are the Council doing to actively oppose the dualling of the A40 and support a staged re-opening of rail links Witney to Oxford, through to Hinksey, Cowley and Wheatley as a series of steps to provide alternatives to car use in the Oxford area in the long-term?

Written Response

The City Council responded to the County Council's consultation 'Investing in the A40' by letter dated 6th November 2015. Regarding the option of a dual carriageway, the City Council expressed its view as:

"This option [A40 dualling] does not support the over-arching national objective of reducing trips by the private car. This option is not supported."

The County consultation included an option for a Witney-Oxford train line. However the City Council is concerned that the proposal shown in the consultation report would result in some destruction of the Oxford Meadows SAC (Cassington Meadow), so any scheme would need to demonstrate that the benefits of the project outweighed the costs and damage to the Oxford Meadows in construction. Overall, given the high costs (financial and potentially environmental), and the evidence that trips originating in West Oxfordshire and ending in Oxford are predominantly heading for Summertown, Headington and the centre of Cowley – none of which would be conveniently served by the proposed rail route - the City Council concluded:

"Currently this scheme not supported as there is insufficient evidence to demonstrate how real benefits would come forward."

In the response provided earlier in the year to the County Council's Oxford Transport Strategy and Local Transport Plan 4 recommended that rail should play a more prominent part in the long-term transport strategy for Oxford, for example by more supporting infrastructure improvements to facilitate a passenger rail service to the south-eastern part of the City using the Cowley Branch Line.

25. From Councillor Wolff to Councillor Hollingsworth

Will the City Council oppose the creation of expanded road links on the Oxford to Cambridge route in favour of restoring a non-stop rail service?

Written Response

The Government has announced its intention to review the so-called "Oxford Cambridge Expressway" as part of its post-2020 Road Investment Strategy. At present there is no detail of the scope of the review, and whether it will look at existing roads or new ones.

Oxford City Council has pursued policies based on restraining car-based traffic since the late 1960s, and those policies – focusing on placing housing and employment on existing public transport corridors and networks or within walking or cycling distance of one another, as well as restricting car parking and road space in the city centre - have meant that Oxford has seen some of the lowest growths in car travel of any city in the UK during that period.

In the mid 1990s, this Council opposed plans to build the Newbury bypass, arguing that the result would be a huge and unsustainable increase in traffic on the A34, which forms part of Oxford's ring road. Unfortunately that view was ignored, and the result has been exactly as I and others who moved the motion of opposition at that time said it

would be – a massively overloaded road network where the slightest incident has the potential to cause chaos across the city and the county.

While there are no specific plans yet as a result of the Government's announcement, it seems highly likely that any such expressway will create further knock on pressure on the road system of Oxford, particularly the A34. It is my view, and that of the Council, that investment would be better made on public transport links such as East-West rail, and on supporting the sustainable expansion of Oxford to provide jobs and homes close to one another so that public transport is always a better option than car travel.

26. From Councillor Gant to Councillor Hollingsworth

Does Oxford City Council plan to join other councils and sign up to the #Planning4People coalition, launched jointly by the Town and Country Planning Association and the Webb Trust, with the stated aim "to put people back at the heart of planning"?

<http://www.tcpa.org.uk/pages/planning4people.html>

Written Response

Yes. I am already a signatory in a personal capacity as a TCPA member.

27. From Councillor Brandt to Councillor Hollingsworth

When commenting on planning applications on the Council website – you must provide a title with the only options being Lord, Lady, Doctor, Mr, Mrs, Ms, Miss. Will the portfolio holder agree to change this list to a more egalitarian set of choices that also respects gender diversity?

Written Response

The system used to capture comments on planning applications is called Public Access and is part of a software suite called Uniform. This is thought to be used by the majority of local authorities for managing planning applications. What customers see is what is provided by Public Access rather than something we have devised, and as such we do not have direct control over the style of questions asked

In terms of good practice we would normally defer to the Government Design Manual (developed by the Government Digital Service) which has a helpful page on this issue:

<https://www.gov.uk/service-manual/user-centred-design/resources/patterns/gender-and-sex.html>

In short, the principle is to avoid asking questions about gender and sex unless required, and not to require titles in forms. The gender/title of respondents to planning consultations does not, in my opinion, fall into an area which such information is required.

It therefore appears that Public Access is out of step with national practice, and we will raise this as an issue with Uniform to see if we they will incorporate the changes to their product.

At the same time, we are reviewing all of our online forms based on customers' needs and will be proposing changes to our policies to reflect current best practice.

Deputy Leader of the Council, Board Member for Finance, Corporate Asset Management and Public Health

28. From Councillor Thomas to Councillor Turner

How much brownfield land does the council own which might be suitable for building affordable homes?

Written Response

The Strategic Housing Land Availability Assessment (SHLAA) is a city-wide assessment to consider the potential suitability of sites for housing. The last update in December 2014 identified several sites as potentially suitable for housing which the City Council is in ownership of (full or in part). These are estimated to have potential capacity for in the region of 600 new homes over the next 15 years.

All sites would of course be subject to usual planning policy requirements and other planning considerations; the SHLAA does not affect whether or not the site planning permission will be granted, nor does its assessment indicate any intention to redevelop the site.

29. From Councillor Simmons to Councillor Turner

On 12 November, CEB agreed a deal to split up City Farm in Garsington and sell off the buildings and agricultural land. Recognising that the report stated that the agricultural land was unsuitable for development but that agricultural land is an important asset nonetheless, has the portfolio holder explored other options for generating a revenue stream from the land rather than selling it off?

Written Response

We extensively weighed different options for this land, and the proposal adopted by CEB represents the best way of securing a capital receipt and avoiding a substantial maintenance liability.

Supplementary question

Would it be better to retain the land and generate value rather than losing it?

Response

Because of liabilities and low returns retaining this site was not financially viable, although some interest was retained in case of there was future development potential.

Leader of the Council, Board Member for Corporate Strategy and Economic Development

30. From Councillor Fooks to Councillor Price

At the recent Business breakfast meeting, you told the meeting that potential sites for housing to help meet Oxford's need had been agreed with Cherwell District Council. Can you tell the City Council where they are?

Written Response

The Inspector for the Cherwell DC local Plan Inquiry required Cherwell to make suitable provision for a proportion of Oxford's unmet housing need. Subsequent discussions with Cherwell have been very positive and they will shortly be publishing proposals for consultation. Cllr Fooks will sadly have to abide her soul in patience until that happens.

31.From Councillor Fooks to Councillor Price

I understand that there is backlog of HMO licence work, due to a failure to appoint anyone who could authorise notices or licences when John Copley retired. Can you tell Council how many notices and licences have been affected by this failure, and when you expect that the backlog will be cleared?

Written Response

No statutory notices were delayed; the scheme of delegation allows for Directors to sign notices and in some cases the authorised officer is required to sign the notice. The HMO Licensing Scheme is delivered 100% electronically and changing all the templates created a backlog. There are 445 licences that have been affected and it is anticipated that the backlog will be cleared by the end of February 2016.

The steps that are now being taken to eliminate the backlog include:

- Training additional resources across the new Applications team in Business Improvement and a reduction in the reliance on temps
- A new online applications system is due to go live as a pilot in January 2016 and will have a significant impact on the speed of processing new applications
- Monthly performance monitoring
- A detailed review of the applications process to further reduce processing time and to provide a more customer-focused service.

Supplementary question

Have there been delays in making appointments or in implementing the admin review that we were unaware of?

Response

The Council is suffering difficulties in recruiting and retaining staff, but while there were delays in appointments there were no delays in the administration as a direct result of this.

32.From Councillor Fooks to Councillor Price

At the September Council you reminded Council that the Mental Health Panel was established to oversee the implementation of the Oxford City Council Mental Health Action Plan. You also stated that the outcome of the review of the Action Plan, due in October 2015, would be reported to December Council as part of the regular partnership slot on the agenda.

Can you explain to Council why the Panel has not met to review progress, and why there is no report to Council in this Council's agenda?

Written Response

Thank you for raising this point. Cllr Rowley chairs the Mental Health Panel. Since he took over as the Board Member for Housing, he has been heavily committed to the strategic issues arising from the damaging changes in government policy, and it has not proved possible to arrange a meeting to review the work on the Action Plan before the December Council meeting. Cllr Rowley has discussed the matter with me and a Panel meeting has now been arranged for 18th January 2016.

33.From Councillor Thomas to Councillor Price

What steps is the Leader taking to preparation for the huge cuts in the provision of child services and homelessness services in Oxford?

Written Response

The County proposed budget cuts are of great concern and we have been actively engaging with the County as they consider options for delivering a further £50 million reductions over the next four years. Whilst recognising the difficult choices faced by the County Council in adjusting their services to fit within the massively reduced budget imposed on them by Tory Government cuts, and the increasing pressure on social care and children's services; the options being considered will have significant and detrimental impacts on the most vulnerable people in our city and are bound to increase cost pressures on other public bodies, including this Council. I have raised these concerns both informally and directly in our bilateral meetings with the Leader of the County Council, and the City Council has submitted a formal Written Response to the County's consultation. The impact of the proposed closure of children's centres, the withdrawal of housing related support grants, the reductions in funding for services to support older people and services provided by the voluntary and community sector are the areas that we have highlighted as particular concerns. We have urged the County Council to engage with all its partners to properly evaluate the impacts and options for different delivery models that could ensure that essential services are maintained and avoid shunting costs onto other organisations. The County Council has agreed to work jointly with us to assess options in a number of areas, including the children's centres and housing related support. Officers will be reporting to me and Cllr Hudspeth on progress with this work in early January.

Supplementary question

Can you expand on the proposals for joint working?

Response

There are a number of options including directly providing services being considered as a fall-back but some are more affordable or feasible. Our fundamental position is opposition to these cuts.

34.From Councillor Simmons to Councillor Price

What will the portfolio holder do to ensure that the Nolan principles are more rigorously applied by the Local Economic Partnership?

Written Response

The Oxfordshire LEP is a company limited by guarantee and therefore subject to company law. However, the Leaders of all the Oxfordshire councils are Board members and are responsible for ensuring that the decisions and activities of the LEP conform to that legal framework and conform to statutory requirements as regards equalities, environmental, and other EU legislative requirements. The LEP is currently seeking to appoint a new Board Chairman and I will ensure that the recruitment process and role specification are consistent with the Nolan principles. The Board's governance and accountability arrangements are set out in the LEP Assurance Framework, published on the LEP website.

Supplementary question

Should these operate with the same principles as local authorities?

Response

We need to be clear on the remit of these bodies and the government is clearly going to continue to use these but they are set up as LLPs not councils and their operating principles are therefore going to be different.

35. From Councillor Benjamin to Councillor Price

Will the City Council ensure that White Poppies as well as Red are available for sale through Council outlets next year and in all subsequent years?

Written Response

I will ask the appropriate officers to find out how the Council could source and make these poppies available in future years.

Supplementary question

Councillor Benjamin said she could supply details of where to source these.

36. From Councillor Wolff to Councillor Price

Can the Leader provide an update on what measures and practices have been put in place following the Council motion on refugees?

Written Response

Following the Council motion agreed on 23rd September the City Council has been working with neighbouring councils, health services and voluntary groups to develop arrangements for accommodating refugees under the Government's Syrian Resettlement Scheme. The City Council has agreed with government our proposals to accommodate an initial 10 households under the scheme in the coming months to test systems and help to develop a longer term county-wide offer. We now have all the appropriate policies and procedures in place to meet the requirements and implement the scheme. We will be resettling families as from December. In developing these arrangements we have worked closely with the voluntary, community and faith groups to build on their experience and expertise in developing arrangements for refugees and coordinate support and services. A full report updating on progress will be discussed by Council Executive Board on 17th December.

Supplementary question

What happens to Syrian families arriving through other routes; is there an a regularised partnership; and do specific officers liaise with other organisations?

Response

The assistant chief executive is working on the issues around the new scheme for resettlement and on the issues around refugees. Non-scheme arrivals would however have to go through the normal processes.

37. From Councillor Brandt to Councillor Price

Will the Leader ask officers to request that County Emergency Planning organise a presentation to City Councillors and relevant staff on nuclear safety with respect to the nuclear convoys that we know travel through the County?

Written Response

In its role as a category one responder within the Thames Valley Local Resilience Forum, Oxfordshire County Council has ensured that the risks associated with nuclear convoys have been identified and there are sufficient preparations and planned

responses to deal with an accidental or deliberate release of a radiological substance as the result of any incident within Oxfordshire.

These include:

- Multi-Agency Procedures-Emergencies
- Evacuation and Shelter Protocol
- Mass Fatalities Management Plan
- Mass Casualties Framework
- Humanitarian Assistance Framework & OCC Supporting People Plan
- Recovery Plan
- CBRN and Hazmat Plan
- Site Clearance Plan
- Communications Plan - Warning and Informing
- Strategic Roads Plan

In addition to these plans, National Operational Guidance is available for Fire and Rescue Services when attending incidents relating to the release of chemical, radiological and biological and nuclear substances through an accidental release. Oxfordshire County Council also provides off-site plans for key fixed sites within the county, which include planning, training and exercising.

There is also national guidance from the Ministry of Defence (MoD) for dealing with the transportation of nuclear weapons which set out the levels of protection and the MoD response to an incident that has occurred whilst being transported by road. It lays out the specialisms with the convoy team, which includes fire fighting and radiological monitoring, as well as the MoD response and assistance to the local emergency services and local authorities. The guidance can be accessed via the following link;

<https://www.gov.uk/government/publications/local-authority-emergency-services-information>

Whilst there has never been an accident involving defence nuclear material which has led, or come anywhere near leading to a release of radiological material to the environment, the County Council, Thames Valley LRF and the emergency services within Oxfordshire have ensured that they are fully prepared and have resilient and exercised plans to deal with any such event. These plans have been exercised across the Thames Valley with the National Ambulance Resilience Unit on the last two regional exercises and the next planned exercise in Oxfordshire is in September 2016.

If additional information is required, Carol MacKay, the County's Principal Emergency Planning Officer, will try to assist. She can be contacted on 01865 323763.

Supplementary question

Can a briefing be arranged so that we can understand the issues and ask questions?

Response

If there is enough interest a briefing can be arranged or councillors can contact the officer directly.

To: Council
Date: 7 December 2015
Title of Report: Public addresses and questions that do not relate to matters for decision – as delivered at the meeting

Introduction

Addresses made by members of the public to the Council, and questions put to the Board members or Leader, registered by the deadline in the Constitution, are attached. Any written responses available are also attached.

Addresses in part 2

1. Address by Nigel Gibson, Judith Harley, and Sarah Lasenby, Save Temple Cowley Pools (response under Question 5)
2. Address by Dr Judy Webb, Friends of Lye Valley
3. Address by Colin Aldridge, East Oxford Community Centre
4. Address by Benny Wenda, Free West Papua

Question in part 2

5. Question from Nigel Gibson, Save Temple Cowley Pools
6. Question from Rosemary Harris, Network Rail

Notes after the meeting:

Address 1: Judith Harley made her address. Nigel Gibson and Sarah Lasenby did not make their submitted addresses and these are not reproduced in the minutes.

Address 1 and Question 5: Written responses were published before the meeting with the briefing note and are included here.

Question 6: The written response given after the meeting is included in this appendix to this document published with the minutes.

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ADDRESS TO COUNCIL FOR MONDAY 7th DECEMBER

From Judith Harley

Lord Mayor, Councillors,

I wish to address you today on the moral and legal matters raised by the proposed demolition of Temple Cowley Pools and Fitness Centre.

Last Monday, 30th November, the City Council's Planning Department gave permission for the method of demolition of Temple Cowley Pools and Fitness Centre. The application was submitted by, and permission was given to, Catalyst Housing Limited.

According to the site notices supplied by Catalyst, the demolition is scheduled to begin "from approximately 8th December", which is tomorrow. This is despite the fact that no planning application has been submitted for development of the site, and despite the fact that the City Council still own the site.

I am asking you to, as freeholders of the site, to deny Catalyst permission to access your land to demolish Temple Cowley Pools and Gym.

The City Council has a webpage headed "Consultation on Leisure Facilities". The November 2015 update, dealing with the Sale of land at Temple Cowley, has the question "Do the City Council own the land that TCP is built on?" Under this is the answer: "Yes, the council have a freehold for the land.". This page was "last updated 19 November 2015". This ownership information is borne out by Land Registry searches which consistently identify Oxford City Council as freeholders of the Temple Cowley Pools site. For the past 12 months, since December 2014, City Councillors have repeatedly told the press and public that the site has been sold to Catalyst. This is remarkable misinformation. In case you missed it I'll repeat the City Council webpage information - an update from 19th November says "Yes, the council have a freehold for the [Temple Cowley Pools] land.".

The same City Council webpage links to "a copy of the contract between Catalyst Housing and Oxford City Council in relation to the disposal and development for residential purposes of the Temple Cowley Pool site." This document begins "Contact for the sale of freehold land with vacant possession conditional on planning permission at Land at Temple Cowley". Let me repeat the most significant part of this – "conditional on planning permission". If Catalyst do not get their planning permission they will not buy the site.

Section 10.3 of the contract states: "The Buyer shall in consultation with the Seller deliver a programme of community engagement in relation to the Planning Application". Sellers – how long do you need for this delivery? The Community awaits such engagement with anticipation. Some six months ago Catalyst held a single planning consultation. We have heard nothing further on this. No planning application for development has been submitted, and there is no indication of when such an application will be submitted, despite the fact that the contract for sale requires Catalyst to obtain planning consent as soon as practically possible. There is no guarantee that a Planning Application will be approved as any Planning Application will be robustly contested, on Planning Policy grounds, by local residents. Indeed, the contract for sale anticipates problems in obtaining planning permission, as Section 7 states: "The Buyer shall pursue a Planning Appeal unless Counsel provides a written opinion advising that a Planning Appeal would have less than a 65% chance of success". Section 10.2 states, somewhat prejudicially, "The Seller shall give all reasonable assistance to the Buyer in pursuing a Planning Appeal".

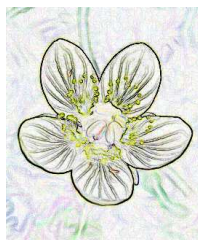
Demolition should not occur on this site without an associated planning application for development having been approved. Demolition should not occur on this site **until the ownership of Temple Cowley Pools and Fitness Centre passes from Oxford City Council to Catalyst**. If demolition occurs prior to this change of ownership then Oxford City Council would be party to the actions of persons with a potential interest in the land causing malicious damage in order to render their building uninhabitable.

Temple Cowley Pools has been recognised by the City Council as being an Asset of Community Value. Asset status reinforces the argument for not demolishing the Pools until an alternative development proposal has been submitted AND APPROVED.

Demolition is therefore not appropriate for this site at this time. It is far better to be left with an intact building, which could be brought back into public use when Catalyst's planning application fails, than a razed, unsightly 'wasteland' which would be detrimental to the Temple Cowley Conservation Area and the adjoining public Library and Primary School.

If you permit this demolition to go ahead without a specific planning application for development on the site being approved, you are showing immeasurable disdain and contempt for the many residents of Cowley and further afield who are most unhappy with the closure of this site and the way in which the City Council has ignored their democratic wishes.

Councillors – On behalf of the residents of Temple Cowley and further, I am making a perfectly reasonable, rational, and democratic request to you, as landowners of Temple Cowley Pools, to be democratically responsible and legally accountable. Will you show careful, considered judgement and deny Catalyst permission to access your land to demolish Temple Cowley Pools and Gym? According to the contract between Catalyst and the Council, the freehold will pass to Catalyst when they have obtained their planning permission. That should be the time for any demolition, not before.



ADDRESS TO FULL CITY COUNCIL 7 December 2015

Lord Mayor and Councillors, my name is Dr Judy Webb, Chair of the Friends of Lye Valley. I am a professional ecologist with a special interest in plants, invertebrates and fungi, especially those of fen wetlands and pollinators of all types. In a voluntary capacity I record species and advise the Council on the management of many of their wildlife sites and on their Pollinator Strategy. Since 2007 I have advised both the Council and Natural England on management of the 8,000 year-old Lye Valley tufa-forming, valley-head spring-fen wetland. This is part SSSI, part Local Wildlife Site and is adjacent to the Site 60 proposed for development off Warren Crescent, known locally as Warren Meadow, a crucial rainwater catchment and infiltration area for the Lye Valley fen.

The rareness and national importance of the remaining wetland fen habitat in the Lye Valley cannot be overstated. National losses have been great. Recent figures show that the Lye Valley SSSI fen has **1.5 of only 19 hectares of this rare flower-rich M13 habitat left in all England**. I can stand in the fen in summer and looking around me I can see 20 species of plants now rare in Oxfordshire, including 1000 nationally scarce marsh helleborine orchids and flowers which are glacial relicts, have survived in situ for 10,000 years since the last ice age. Fourteen plants in the valley are on the New England Red list. There are a large total number of insects recorded, including seven with Red Data list status and 27 Nationally Scarce. It is surely the wildlife jewel in the Council's crown – valued by expert botanists since the 1600s, along with both Universities' geologists, ecologists, wildlife experts and students.

It is to the credit of the Oxford City Council, who hold and manage this land in trust for residents, that this fen's biodiversity is now increasing each year, so there is now nearly as much area of quality M13 fen in the Lye Valley as in Cothill Fen, southwest of Oxford, which is designated a Special Area of Conservation, and thus of European importance. So the Lye Valley fen is equal to a site of European importance.

In the 1980s, it was David Steel, then Council Countryside Officer, who first recognised the neglected and overgrown Lye Valley fen's importance and kick-started its recovery. Now thanks, to the Council and armies of volunteers from the Friends of Lye Valley, BBOWT, Oxford Conservation Volunteers and Council Countryside Volunteers, species thought lost have returned from the seed bank, so biodiversity is increasing.

But this site is under threat – from pollution, changes to hydrology, arson, development and fly-tipping. Councillors may not realise that Natural England's views on this proposed Warren Crescent development are coloured by the fact that its powers have been watered down over the last 10 years by Government policy to

promote development, meaning that (in our view) there is now insufficient regard to protection of such highly important parts of the natural environment.

We were astonished by the description in documents of Warren Crescent Site 60, as *'a patch of grass ...with very little amenity value'*. Friends of Lye Valley consulted local people. It was clear the description was very economical with the truth.

The result was a petition to ask Councillors, should they decide not to develop the space, to preserve it as Local or Public Access Green Space. The petition has received over 175 signatures online – despite enormous difficulties with the website crashing twice for several days, bugs in the software, and counter-intuitive instructions. In addition there are over 475 signatures in writing – almost half being from residents of Town Furze estate itself.

In view of this, do councillors consider that the National Planning Policy Framework Section 8, Point 74, requirements have been met that:

'Existing open space, and land, including playing fields, should not be built on unless:

- **an assessment has been undertaken which has clearly shown the open space, or land to be surplus to requirements; or**
- **the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or**
- **the development is for alternative sports and recreational provision**

We are unaware of any evidence demonstrating that this land is 'surplus to requirements'. The Council have not proposed replacement public access green space. Nor is the land proposed for alternative recreational provision.

Given these NPPF requirements have not been met, should Town Furze estate lose this valued local amenity? – almost the only one it has!

Councillors, you are the guardians of this rich natural heritage site in the Lye Valley, for the benefit of present and future generations. We ask that, should you decide not to develop the Warren Meadow land, to take into account this petition's request from local people. Friends of Lye Valley would like to work with the Council, local schools and nurseries to enhance its biodiversity, in line with the Council's Pollinator Strategy, increasing wildflowers which would support the rare insects of the adjacent SSSI fen and, in the process, provide education and enjoyment for local young people.

Dr Judith A Webb
Chair, Friends of Lye Valley

Address by Colin Aldridge

Good evening all

Last time I raised the issue of our removal from east oxford community centre management which I feel was not resolved to my satisfaction, but I am here today to ask you to listen to the people of this beautiful city. This is only one item of concern for me. You have been given a petition to ask that East Oxford Community Centre be given back to the local people to manage.

The fears of a local authority any centre are : raised costs which have already started by lock up fee and added security costs, lack of late night events, raised room hire and rent increases when reviewed for April, as it costs the council more to run the centre.

Since the council took over there have been some improvements. The majority of these were previously asked for by the association and we told no for a variety of reasons. Since then we and others have experienced rudeness and an attitude of belittlement almost of being junior employees of the council. "Consultation" seems to be that the council decide what is best, then goes to public consultation, then do what they have already decided. They don't consider the views of the community.

EOCA have worked tirelessly and voluntary for 4 decades which if put into financial terms would have cost the council millions of pounds. We have been offered absolutely nothing to acknowledge this work done by past volunteers. The only offer is 100 free hours for fixtures, fittings and equipment (material things)

In recent years EOCA have had some challenges which have now been put behind us without help although council officers were asked. These improvements have been ignored. When met with council officers we were told and I quote "the dye was cast some 2 years ago" It does not make any difference how we improve as the council will carry on regardless.

I fear this has set a trend for other community centres in Oxford. Once you lose the support of the local people the centres will become irrelevant to the people they are for. What happens when the centres are not used? Are they turned into flats?

As you the councillors have been elected to your office, you are given the privilege and responsibility of governing this city. Please listen to the people who have elected you. Instruct your employees, the council officers, to right the wrong and put the management of EOCC back in the hands of the community and help us improve the centre.

Thank you for listening.



OFFICE OF BENNY WENDA

Dear Oxford City Council and the Oxford community,

This year marks the 10th anniversary of the official launch of the Free West Papua Campaign in the Oxford Town Hall in 2005.

On behalf of the people of West Papua, I would like to offer you our most sincere and heartfelt gratitude for the incredible support you have continued to show us over the last decade.

Oxford was the birthplace of the Free West Papua Campaign and thanks to the incredible support and solidarity shown to us by the city authorities and people of Oxford, it has grown into a truly International Campaign which now has worldwide influence and a worldwide supporter base.

I remember with great emotion seeing the West Papuan Morning flag first flown high above the Town Hall, on December 1st 2005. Back then we had strong hopes for the future of the Campaign, but no-one could have anticipated the incredible effects of international solidarity for the freedom struggle that continues to gain strength and momentum day by day. We have grown from a volunteer organisation to a widespread international movement, now with permanent offices in the Netherlands, Papua New Guinea, Australia and South Africa, as well as here on Oxford's Cowley Road.

The West Papuan flag itself, known to West Papuans as the Morning Star, is a powerful symbol of our struggle and represents the undying unity as one people among the many tribes of West Papua. In West Papua we do not have the freedom to raise our national flag and doing so can result in a 15 year jail sentence. So it fills our hearts with hope to see the flag flying here, in this great city and reminds us that we are not alone and not forgotten.

Oxford Town hall has set a real precedent and now the West Papuan flag is being raised atop town and city halls in countries all around the world.

I would therefore like to thank you all for the deeply valued, ongoing support shown for the West Papuan people. All the cross party representatives at Oxford City Council continue to show true spirit and unity in helping my people to be free from the ongoing illegal occupation of the country and the ongoing West Papuan genocide ;in which over 500,000 West Papuan people have already been killed.

I would also like to give special thanks to our long term supporters in Oxford such as Councillor Elise Benjamin, Andrew Smith MP and Lord Harries, former Bishop of Oxford. Together with many other notable figures and with the Oxford Community, you have made us West Papuans feel truly welcome and safe in this open-hearted

city where we can express our opinions freely. I have come to think of Oxford as being like my village as it is a home away from home for myself, my family and the West Papuan struggle. We will continue to campaign from this city until West Papua is finally free at last.

Today we symbolically give the West Papuan struggle back to the people of Oxford, reasserting the enormous trust we have in you all in continuing to advocate on our behalf for our freedom.

I look forward to keep walking arm in arm with yourselves and with my people as we continue walking down the long road to freedom.

We West Papuans feel that this Campaign is very safe in the hands of the people of Oxford. From this city and from all around the world, we are making West Papua's history and one day the people of West Papua will be sure to pay our forever enduring gratitude and thanks to you all of again when West Papua is finally free at last. Oxford will forever be in our hearts and minds.

Once again, thank you all very much and my warmest regards to you all.

Benny Wenda

West Papuan Independence Leader

www.bennywenda.org

www.freewestpapua.org

Two Questions to the Leader of Council and Board Members

5. Question from Nigel Gibson

Policy CS21 in Oxford City Council's Core Strategy states quite clearly that "Planning permission will only be granted for development resulting in the loss of existing sports and leisure facilities if alternative facilities can be provided and if no deficiency is created in the area. Alternative facilities should be provided in a location equally or more accessible by walking, cycling and public transport..."

Oxford City Council still owns the Temple Cowley Pools site – ownership will not transfer to Catalyst Housing until you grant Catalyst Housing planning permission for housing that is twice your permitted housing density, and they pay you £3.6m. Up to that point, you have an obligation through your policy CS21, to keep the building standing so that if a planning application fails there remains the possibility of the community actually getting what it wants, health and fitness facilities where we want and need to use them.

Will you recognise your core strategy policy obligations under CS21 and tell Catalyst to defer demolition until after a successful planning application for their proposed new development?"

Response from Councillor Ed Turner to addresses 1a, 1b, 1c and question 5

An application for approval of the process for the demolition of the structure located at the old Temple Cowley pool site was made to the Council (as Local Planning Authority) by Catalyst Housing. In making this application, Catalyst relied on permitted development rights granted by the Secretary of State. The only matters which an LPA can properly consider in regard to such an application relate to the method of the demolition proposed and site restoration. The Council's policy CS21 has no bearing on Catalyst Housing's application for approval of the process of demolition of the old Temple Cowley pool building on Catalyst's development site. This was not a substantive planning application for their proposed housing development, and the consideration of factors such as the availability of alternative sports and leisure facilities would fall entirely outside the Council's proper considerations – which are constrained to matters concerning the demolition process and site restoration. If, therefore, the Council had refused to approve the demolition application on grounds that relied on policy CS21, the Council would be acting improperly, and the decision would be open to challenge. Policy CS21 applies to the consideration of whether or not to grant planning permission. It does not provide the Council with any general power to prevent the demolition of buildings.

After considering Catalyst's application, the Council has now approved the demolition process proposed.

As from 24th December 2014. Catalyst was granted a 999 year lease to the old Temple Cowley pool site. Since that date Catalyst has been the sole occupier of the site and has sole control over the site. The Council is not in a position to grant or withhold access to the site, as it holds only the residual freehold interest, which it will transfer to Catalyst on the granting of substantive planning permission. By way of the December 2014 agreement, a "Long Stop Date" of 31st December 2017 was agreed with Catalyst, for obtaining substantive planning consent for the site. It is expected that Catalyst will submit a substantive planning application in the first few months of 2016.

In April 2014 the old Temple Cowley pool building was registered as an asset of community value, and as a result of holding such status, the sale of the site was delayed to allow time for any interested community group to submit a bid to acquire the site. In this case a bid was submitted by a community group, but it fell far short of the bids received from other bidders, in regard to capital receipt, design and housing unit numbers, and the Council (as land owner) took the decision, after a competitive selection process, to enter into an agreement with Catalyst, whose offer best met all of the Council's requirements. For the avoidance of doubt, the old pool building holds no additional protection from demolition due to its having been granted asset of community value status in 2014.

It is very pleasing to note that the Council's new, competition standard swimming facility at the Leys Pool and Leisure Centre has had a very successful first year. Not only has usage exceeded target, but user numbers have significantly exceeded the combined previous usage of the Temple Cowley pool and the Blackbird Leys pool. Some 90% of Temple Cowley pool members requested transfer to the new facility. In addition, the Council has been very active in creating leisure and fitness opportunities in and around the area of the old Temple Cowley pool site. There has been significant investment in the gym at the Oxford Spires Academy, and the East Oxford Community Centre, Cowley Marsh Park and other sites have been improved and made available for community use. Furthermore, Oxford University's Iffley Road facility offers community access to their sports facilities.

6. Question from Rosemary Harris

With reference to the East West Rail/Chiltern Railways noise mitigation, if residents accept a noise insulation package, residents have to waive their right to claim for future acoustic glazing for any additional window, including those Network Rail claims do not require acoustic glazing, even if the actual noise from operating trains is higher than predicted. This means that Network Rail will avoid providing the proper level of compensation required under Condition 19, should its noise predictions turn out to be too low. Will the Council ensure that Network Rail removes this requirement from its noise insulation package and provide extra acoustic glazing to all affected houses if the operational noise is higher than predicted for non-statutory insulation?

Response from Councillor Hollingsworth given at the meeting, and in writing below.

In summary; the planning permission includes provisions for noise levels to be predicted in an approved way, then for noise mitigation to be offered where appropriate. They include a requirement to check the performance of noise mitigation measures (including noise insulation) and correct them if found to be defective in construction or performance. Once these provisions are met the conditions of the permission are discharged and the Council could not, therefore, require Network Rail to offer further insulation packages to cover a change in the circumstances of buildings. And since it has approved the noise predictions, as contained within the relevant Noise Scheme of Assessment, it could not require further measures if these proved to be under-estimates. However, our officers see no reason for this situation to occur, given the robustness of those predictions and the adequacy of mitigation measures.

In full:

The eligibility for a noise insulation package for properties near the East West Rail Route arises from two places.

- The Noise Insulation (Railways and Other Guided Transport Systems) Regulations 1996 require the proposer to offer noise insulation in a prescribed form to the occupiers of buildings where predicted noise levels exceed relevant levels set out in regulations.*
- The Noise and Vibration Mitigation Policy ("The Policy"), approved at Public Inquiry and incorporated into the planning permission granted by the Secretary of State for Transport, contains the provisions for noise insulation offered by the proposer (now Network Rail). These apply to properties at predicted noise levels which are lower than those set by the Regulations. They also apply where peak noise levels (as opposed to overall day/night levels) are above agreed trigger levels – something not contained in the Regulations.*

Condition 19 of the planning permission covers operational noise. It requires the Policy to be applied, as approved. The intention of the Policy is that noise mitigation measures, including insulation will be installed prior to the track being brought into use. It also includes a commitment to monitor the effectiveness of noise mitigation measures, first at 6 months then at 18 months after commencement. In the words of the Policy:

"If any defects in construction or performance are found in the (first or second) survey, these will (also) be corrected in a timely manner by the contractor"

The prediction of future noise levels is a fundamental part of the Noise Scheme of Assessment (NSoA), one of which is required to be submitted for each Track Section. As a check on the validity, or robustness, of predictions each NSoA is to be accompanied by a report from an Independent Expert, approved by the Council as Planning Authority. Each SoA also must contain measure sto mitigate noise where it is predicted to exceed the trigger levels contained in The Policy.

Since the Council must determine each application, it has to consider whether the predictions and the mitigation measures are robust. If it agrees and approves them it must discharge that part of the condition. Once discharged the condition may not be revisited. There is, therefore, no mechanism by which the Council could require further noise insulation packages to be offered once the condition has been fully discharged.