

Agenda

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Council

Date: **Monday 8 February 2016**

Time: **5.00 pm**

Place: **Council Chamber, Town Hall**

For any further information please contact:

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Officer**

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Council

Membership

Lord Mayor	Councillor Rae Humberstone	
Deputy Lord Mayor	Councillor Colin Cook	
Sheriff	Councillor Sajjad Malik	
Members	Councillor Mohammed Abbasi	Councillor Chewe Munkonge
	Councillor Mohammed Altaf-Khan	Councillor Michele Paule
	Councillor Farida Anwar	Councillor Susanna Pressel
	Councillor Elise Benjamin	Councillor Jennifer Pegg
	Councillor Ruthi Brandt	Councillor Bob Price
	Councillor Susan Brown	Councillor Mike Rowley
	Councillor Bev Clack	Councillor Gwynneth Royce
	Councillor Mary Clarkson	Councillor Gill Sanders
	Councillor Van Coulter	Councillor Christine Simm
	Councillor Roy Darke	Councillor Craig Simmons
	Councillor Jean Fooks	Councillor Dee Sinclair
	Councillor James Fry	Councillor Linda Smith
	Councillor Andrew Gant	Councillor John Tanner
	Councillor Stephen Goddard	Councillor Richard Tarver
	Councillor Michael Gotch	Councillor Sian Taylor
	Councillor Mick Haines	Councillor David Thomas
	Councillor Tom Hayes	Councillor Ed Turner
	Councillor David Henwood	Councillor Louise Upton
	Councillor Sam Hollick	Councillor Oscar Van Nooijen
	Councillor Alex Hollingsworth	Councillor Elizabeth Wade
	Councillor Pat Kennedy	Councillor Ruth Wilkinson
	Councillor Ben Lloyd-Shogbesan	Councillor Dick Wolff
	Councillor Mark Lygo	

The quorum for this meeting is 12 members.

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SUMMONS

A meeting of the City Council will be held in the Council Chamber, Town Hall, on Monday 8 February 2016 at 5.00 pm to transact the business set out below.

Peter Sloman

Proper Officer

AGENDA

	Pages
PART 1 - PUBLIC BUSINESS	
1 APOLOGIES FOR ABSENCE	
2 MINUTES	17 - 30
Minutes of the ordinary meeting of Council held on 7 December 2015. Council is asked to approve the minutes as a correct record.	
3 DECLARATIONS OF INTEREST	
4 APPOINTMENT TO COMMITTEES	
Any proposed changes will be circulated with the briefing note.	
5 ANNOUNCEMENTS	
Announcements by: (1) The Lord Mayor (2) The Sheriff (3) The Leader of the Council (4) The Chief Executive, Chief Finance Officer, Monitoring Officer	
6 PUBLIC ADDRESSES AND QUESTIONS THAT RELATE TO MATTERS FOR DECISION AT THIS MEETING	
Public addresses and questions to the Leader or other Board member received in accordance with Council Procedure Rule 11.11 and 11.12 relating	

to matters for decision on this agenda.

The request to speak accompanied by the full text of the address or question must be received by the Head of Law and Governance by 5.00pm on 2 February.

The briefing note will contain the text of addresses and questions submitted by the deadline, and written responses where available.

A total of 45 minutes is available for both public speaking items. Responses are included in this time. Up to five minutes is available for each public address or question.

CITY EXECUTIVE BOARD RECOMMENDATIONS

7 PROPOSED FREEHOLD PURCHASE OF THE OLD SCHOOL, GLOUCESTER GREEN

31 - 36

The Executive Director of Regeneration and Housing submitted a report to the City Executive Board on 17 December 2015 requesting approval for the principle of acquiring the long leasehold interest in The Old School, Gloucester Green.

The proposed acquisition price and the positive impact on the return profile of the investment portfolio is set out in the confidential Appendix 1 circulated with the City Executive Board papers.

The relevant draft minute of the City Executive Board meeting is attached later in the agenda.

The Board Member will move the recommendations.

Recommendation

The City Executive Board recommends Council to increase the budget within the Council's capital programme by the requisite amount in 2015/16.

COMMITTEE RECOMMENDATIONS

8 REVIEW OF THE STATEMENT OF LICENSING POLICY 2016 - 2021

37 - 132

The Head of Community Services submitted a report presenting the revised Statement of Licensing Policy, to the Licensing and Gambling Acts Committee on 26 January 2016.

The minutes (Minute 18) of that meeting state

The Licensing Manager presented the report. He informed the Committee that approximately 1000 licensed premises or associations had been contacted about the consultation. The Licensing Authority had received just 4 consultation responses and no changes had been requested. He said that Thames Valley Police had confirmed that they wished the Special Saturation Policies to be continued without any changes to boundaries or scope.

The Committee resolved to:

- 1. NOTE the comments received on the revised draft Licensing Policy Statement; and*
- 2. RECOMMEND COUNCIL to resolve to adopt the revised Licensing Policy Statement at its meeting on 8 February 2016.*

The Committee Chair will move the recommendation.

Recommendation

Council is recommended to adopt the revised Licensing Policy Statement attached to this agenda.

OFFICER REPORTS

9 OXFORD FLOOD ALLEVIATION SCHEME – DELEGATION OF PLANNING POWERS TO OXFORDSHIRE COUNTY COUNCIL

133 - 136

The Head of Law and Governance has submitted a report outlining the proposed Oxford Flood Alleviation Scheme (“the Scheme”) and seeking approval for the delegation to the Oxfordshire County Council of any planning responsibilities that would otherwise be exercised by the Oxford City Council in relation to the Scheme.

The Board Member for Planning, Transport and Regulatory Service will move the recommendations and the Head of Law and Governance will be available to answer questions.

Recommendations: Council is recommended to:

1. delegate the discharge of the District Planning Authority functions of the Oxford City Council to the Oxfordshire County Council, in connection with the processing and determination of the expected planning application for the Oxford Flood Alleviation Scheme, under section 101 of the Local Government Act 1972;
2. authorise the Head of Planning and Regulatory Services, in consultation with the Head of Law of Governance, to negotiate and agree a Memorandum of Understanding with the Oxfordshire County Council to determine the operational arrangements of the delegation of the Oxford City Council’s planning functions in relation to the Scheme;
3. agree that a long stop date be placed on the delegation such that the delegation will be revoked if any Scheme application is not determined by the 18th February 2019.

10 COUNCIL AND COMMITTEE PROGRAMME MAY 2016 TO MAY 2017

137 - 144

The Head of Law and Governance has submitted a report which sets out a programme of Council, Committee and other meetings for the 2016/17 council year (May 2016 to May 2017 inclusive) following a review agreed by

Council in December.

The Leader of the Council will move the recommendations and the Head of Law and Governance will be available to answer questions.

Recommendations

That Council resolves to:

1. approve the programme of Council, Committee and other meetings attached at Appendix 1 for the council year 2016/17; and
2. delegate the setting of dates for the Standards Committee to the Head of Law and Governance.

QUESTIONS

11 CITY EXECUTIVE BOARD MINUTES

This item has a time limit of 15 minutes.

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

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|----------|---|-----------|
| a | Minutes of meeting Thursday 17 December 2015 | 145 - 156 |
| b | Minutes of meeting Thursday 14 January 2016 | 157 - 160 |
| c | Minutes of meeting Thursday 21 January 2016 | 161 - 164 |

12 QUESTIONS ON NOTICE FROM MEMBERS OF COUNCIL

Questions on notice from councillors received in accordance with Council Procedure Rule 11.10(b).

Questions on notice may be asked of the Lord Mayor, a Member of the City Executive Board or a Chair of a Committee. One supplementary question may be asked at the meeting.

The full text of questions must be received by the Head of Law and Governance by no later than 1.00pm on 1 February.

The briefing note will contain all questions submitted by the deadline, and written responses where available.

PART 2 - PUBLIC INVOLVEMENT AND SCRUTINY

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

Public addresses and questions to the Leader or other Board member received in accordance with Council Procedure Rule 11.11 and 11.12 and not related to matters for decision on this agenda.

The request to speak accompanied by the full text of the address or question must be received by the Head of Law and Governance by 5.00pm on 2 February.

The briefing note will contain the text of addresses and questions submitted by the deadline, and written responses where available.

A total of 45 minutes is available for both public speaking items. Responses are included in this time. Up to five minutes is available for each public address or question.

14 OUTSIDE ORGANISATION/COMMITTEE CHAIR REPORTS AND QUESTIONS

165 - 168

1. On behalf of Councillor Price the Economic Development Manager has submitted a report on the work of the Oxfordshire Local Enterprise Partnership including its changing role, recent strategic developments, and impact on funding attraction and delivery.

Council is invited to comment on and note the submitted report.

2. Each ordinary meeting of Council shall normally receive a written report concerning the work of one of the partnerships on which the Council is represented.

The programme of reporting at future meetings will be:

- April 2016: Oxfordshire Growth Board
- July 2016: Community Safety
- September 2016: Environmental and Waste

3. Members who are Council representatives on external bodies or Chairs of Council Committees who consider that a significant decision or event has taken place, will give notice to the Head of Law and Governance **by 1.00 pm on Thursday 4 February** that they wish present a written or oral report on the event or the significant decision and how it may influence future events.

15 SCRUTINY COMMITTEE UPDATE REPORT

169 - 196

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

Council is invited to comment on and note the report.

PART 3 - MOTIONS REPRESENTING THE CITY

16 MOTIONS ON NOTICE

This item has a time limit of 60 minutes.

The full text of motions received by the Head of Law and Governance in accordance with Council Procedure Rule 11.17 by the deadline of 1.00pm on 1.00pm on 27 January is below. Motions will be taken in turn from the Liberal Democrat, Green, and Labour groups in that order.

Substantive amendments to these motions must be sent by councillors to the Head of Law and Governance by no later than 1.00pm on 4 February. The briefing note will list amendments submitted before its publication.

Council is asked to consider the following motions:

The first motion is a formal all-party motion. The Leader will propose suspending standing orders for the first motion only in order to formally adopt this and then move onto the 60 minutes allotted for the debate of the remaining motions.

1. Fairtrade Mark (proposed by Councillor Price, seconded by Councillors Fooks and Simmons)

All-party Labour, Liberal Democrat and Green member motion

Oxford City Council, as an important consumer and opinion leader, should continue to support and facilitate the promotion and purchase of foods with the FAIRTRADE Mark as part of its commitment to the pursuit of sustainable development and to give marginalised producers a fair deal.

Oxford City Council resolves to continue to contribute to the campaign to increase sales of products with the FAIRTRADE Mark by supporting the campaign to achieve the recertification of FAIRTRADE status for Oxford.

To this end, Oxford City Council resolves to ask the Executive to:

1. Continue to offer FAIRTRADE Marked food and drink options internally and make them available for internal meetings.
2. Promote the FAIRTRADE Mark using Fairtrade Foundation materials in refreshment areas and promoting the Fairtrade Towns initiative in internal communications and external newsletters.
3. Use its influence to urge local retailers to provide Fairtrade options for residents.
4. Engage in a media campaign to publicise the recertification of Oxford as a Fairtrade Towns initiative.
5. Nominate a Council representative to sit on the Fairtrade Steering Group.
6. Support on-going work to promote Fairtrade.
7. Continue to support organised events and publicity during national Fairtrade Fortnight – the annual national campaign to promote sales of products with the FAIRTRADE Mark

2. Affordable private housing (proposed by Councillor Gant, seconded by Councillor Wade)

Liberal Democrat member motion

Council notes

- the increasing inability of people on low and middle incomes to be able to afford to buy or rent in or near the city, and that this is hampering the efforts to attract or keep key workers such as nurses, teachers, social workers, junior university staff and other essential employees
- that there are examples of innovative approaches and solutions to this problem in other parts of the country. Examples include the partnership between Pocket Homes and the Mayor of London and the creative policy of Cambridge City Council to assist the university to house employees in housing they can afford as the 'affordable housing' element of a development
- the work in hand to consider setting up a Local Housing Company and welcomes the work being done to encourage Oxford University and the Hospital Trust to plan to provide housing for their staff.

Nevertheless, Council considers the need to be so great that, despite uncertainties in future Government policy which may prevent some desirable measures, it is urgent to explore all possible means of addressing the shortfall of essential affordable housing to rent or buy. I

Council therefore asks the Executive Board to ask officers to investigate with the utmost urgency what changes are needed in the city's policies to enable new models of housing and tenure to be allowed in new developments to help to meet this need. Council requests a report back to the April Council on the progress made.

3. Tackling Oxford's unaffordable private rented sector (proposed by Councillor Hollick, seconded by Councillor Thomas)

Green member motion

This Council notes that:

- Oxford's housing is the most unaffordable in the country
- the Private Rented Sector is a significant (>25%) and growing part of the market
- the high turnover of tenants in the City contributes to the higher rents
- the current Government's housing policies are only likely to make the housing situation in Oxford worse

This Council further notes that:

- Letting agencies contribute to the high cost of renting by charging up-front fees, and benefit from short-term tenancies which maximise revenue.
- neither landlords nor tenants are best served by this arrangement
- there is overwhelming popular support for rent control measures (59% for, 7% against)

- rent control is common in many cities and the benefits of certain types of rent control are well-researched (for example, see the recent study commissioned by Camden Council in 2014)

This Council therefore asks the City Executive Board to do what it can, using its influence and existing powers, to tackle unaffordability in the private rented sector in Oxford. Measures to include:

1. Setting up a new letting agency, either as part of the proposed housing company or separately, owned and operated by the Council
2. Operate this letting agency according to best practice by:
 - (a) charging no fees
 - (b) offering longer tenancies
 - (c) publishing and promoting fair rent levels

This letting agency should adhere to ‘third generation’ rent controls coupled with strong contractual rights (including first refusal rights on the next tenancy and flexibility for landlords wishing to occupy/sell and so on)

3. The Council should also offer accreditation to other agencies wishing to operate under this standard.

4. LHA and Supported Housing (proposed by Councillor Hollingsworth, seconded by Councillor Rowley)

Labour member motion

This Council notes that the provision of services to homeless and vulnerable adults in Oxford is already threatened by Oxfordshire County Council’s proposed cuts to budgets that support those services, at a time when the number of people either sleeping on the streets or at risk of sleeping on the streets is increasing sharply.

This Council therefore opposes absolutely proposals put forward by the Government in the 2015 Autumn Statement to cap Housing Benefit at the Local Housing Allowance (LHA) level on all tenancies, including supported accommodation, from 2018. The effect of this cap will be to make supported social housing such as homeless hostels, housing for vulnerable adults, the sick and the elderly, immediately financially unviable.

Housing Associations and charities have described the impact of this proposal as catastrophic. Even though the scheme does not come into effect for two years, already new sheltered and supported housing schemes are being put on hold or cancelled because it is not clear that the organisations running them will be able to afford to do so after 2018.

This Council believes that this Government, through this and other legislative and regulatory changes announced since the 2015 General Election, is committed to the wholesale destruction of all forms of social housing.

It further believes that this latest proposal, which will leave the most vulnerable people in our society – those with longstanding physical and

mental health problems, often stemming from service in our armed forces or from childhood trauma and abuse – literally on the streets without support, to be completely incompatible with the basic tenets of a civilised society.

This Council therefore supports the campaign led by the National Housing Federation and others against the proposed changes to the Housing Benefit cap, and asks the Leader of the Council to write urgently to both of Oxford's MPs asking them to oppose these proposals in the strongest possible terms and to instead support the properly funded provision of support for sheltered and supported accommodation for all vulnerable people in Oxford.

5. The Counter Terrorism and Security Act 2015 (proposed by Councillor Benjamin, seconded by Councillor Wolff)

Green member motion

This Council notes potential impact of implementing the 'Counter Terrorism and Security Act 2015', the Counter Extremism Strategy and the Investigatory Powers Bill on local authorities delivering frontline services, as well as those in the local community, such as landlords and religious leaders.

For example, a recent LGiU briefing highlighted, with reference to the Investigatory Powers Bill that:

“Advances in data capture, storage and analysis mean that local authorities now keep more bulk personal datasets, matching up data from a range of local services. This has enabled them to better understand customers need and target resources. Local Authorities will need to be mindful that such information could be used for security purposes and of the implications of this for their communities.”

There is a challenge for specified authorities, including local authorities, schools, the police, health and others, to implement new legal obligations in the exercise of their functions, in order to have 'due regard to the need to prevent people from being drawn into terrorism' and, especially for schools to promote 'British values', in order to ensure the protection of vulnerable adults and young people at risk of radicalisation.

The legislation, like all laws based on 'suspicion' could breach free speech and professional confidentiality and with its legal obligations places responsibilities on officers of the Council that may be deemed unfair. There is also the fear that a network of false accusations could arise wasting precious police time and stigmatising specific young people. However, these fears and challenges need to be balanced with ensuring that vulnerable people are safeguarded from exploitation by extremists.

This Council therefore asks the Executive Board to work collaboratively and sensitively with officer, professional groups, schools, trade unions, local faith groups and others to ensure that implementation of the new duty is done constructively and in consultation with local communities as appropriate

6. Scrapping of student grants and curbing of access to higher education for disadvantaged young people (proposed by Councillor Hayes, seconded by Councillor Hollingsworth)

Labour member motion

This Council supports fair access and widening participation in higher education, and believes that these are important for making society more equal, in Oxford and across the country.

Accordingly, this Council notes with concern the Government's plan to scrap maintenance grants for up to 500,000 of the poorest university students, including those attending our city's universities.

This Council further notes that the poorest 40% of university students in England will graduate with an extra £12,500 of debt for a three-year course, according to research by the Institute of Fiscal Studies.

This Council is concerned that scrapping grants risks putting many young people off applying to university, including many from disadvantaged backgrounds. A 2014 study by the Institute of Education has shown that a £1,000 rise in grants created a nearly 4% increase in participation.

This Council asks the Council Leader to write to Oxford's Members of Parliament to express our dissatisfaction with the abolition of grants and make representations to the Prime Minister and Secretary of State for Education about the impact of the loss of grants on students at our city's universities, particularly those from poorer backgrounds.

7. Climate Change and Government Policy (proposed by Councillor Brandt, seconded by Councillor Simmons)

Green member motion

In the light of the recent COP 21 Paris Summit which included, for the first time, a global agreement on stabilising and reducing damaging greenhouse gas emissions, this Council calls upon the government to reconsider policy changes which have made it more difficult for the Council and other local authorities to take action to help tackle climate change.

For example:

- Reductions in government subsidies for solar panels and other green energy sources;
- The discontinuation of Green Deal funding for loans to homeowners and private landlords to install insulation and other energy efficiency measures;
- Recent changes to planning policy, which make it more difficult for Councils to require developers to build new homes to high environmental standards.

This council is committed to playing its part in global efforts to limit the extent of future climate change, and local efforts to respond to the impacts of climate change on residents, businesses and the local environment. It recognises that, in cities like Oxford which it is predicted will suffer from

increased flooding due to climate change, inaction carries a real human and economic cost.

This Council therefore calls upon the Council Leader, in collaboration with other Group Leaders, to write to Oxford's MPs asking them to lobby the Government to live up to the commitments it made at COP 21 and invest more in tackling climate change.

8. Community Involvement in Community Centres (proposed by Councillor Wolff, seconded by Councillor Simmons)

1. This Council believes that the essence of community work is not so much the delivery of services but the building of stronger, more cohesive and more resilient neighbourhood communities.

2. Recognising that the Council's proposed Tier 1 'community hubs' may also be places where a wide range of services are delivered, Council recognises the danger that the community work objectives may be sidelined or even undermined.

3. Council therefore welcomes the statement in the Community Centres Strategy (currently out for public consultation) "The Council's preferred position is that robust, sustainable community organisations manage the centres".

4. Council believes that independent and locally accountable Community Associations should have a key role in ensuring that all the Council centres deliver on the key community work objective described in para 1.

17 MATTERS EXEMPT FROM PUBLICATION AND EXCLUSION OF THE PUBLIC

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

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

UPDATES AND ADDITIONAL INFORMATION TO SUPPLEMENT THIS AGENDA ARE PUBLISHED IN THE COUNCIL BRIEFING NOTE.

Additional information, councillors' questions, public addresses and amendments to motions are published in a supplementary briefing note. The agenda and briefing note should be read together.

The Briefing Note is published as a supplement to the agenda. It is available on the Friday before the meeting and can be accessed along with the agenda on the council's website.

DECLARING INTERESTS

General duty

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

What is a disclosable pecuniary interest?

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

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest.

If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members’ Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members’ Code of Conduct says that a member “must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself” and that “you must not place yourself in situations where your honesty and integrity may be questioned”. What this means is that the matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

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