

## COUNCIL

Monday 24 June 2013

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

### 11. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Jones, Malik, Paule, Rundle and Wilkinson.

### 12. DECLARATIONS OF INTEREST

There were no declarations of interest from Councillors present at the meeting.

### 13. MINUTES

- (1) The Minutes of the Ordinary meeting of Council held on 22<sup>nd</sup> April 2013 were agreed as a correct record and signed by the Lord Mayor.
- (2) The Minutes of the Annual meeting of Council held on 20<sup>th</sup> May 2013 were agreed as a correct record and signed by the Lord Mayor.

### 14. APPOINTMENTS TO COMMITTEES

There were no appointments to committees.

### 15. ANNOUNCEMENTS

#### (1) Lord Mayor

The Lord Mayor made four announcements as follows:-

- (a) A request to film the proceedings of Council had been received from a member of the public. Councillors discussed the request. Views ranged from noting that the meeting was filmed already and the outcome was placed on the Council's website, through concern that private filming could result in extracts of that exercise being edited and used out of

context to the view that council meetings should generally be fully opened to public scrutiny.

The Lord Mayor noted that the request to film has only that day been received and the matter had not been discussed by the political groups.

Councillors then voted upon the request to film but this was not approved, 7 members voting in favour and 30 members voting against.

- (b) Mathew Metcalfe (Democratic and Electoral Services Officer and Clerk to Council) had undergone medical tests and was currently receiving treatment as a result. Council asked that its best wishes be sent to him for a full recovery.
- (c) The Lord Mayor had attended a number of mayoral engagements since being elected Lord Mayor. The Lord Mayor's Parade had gone well. She had already met many visitors from various parts of the world.
- (d) On behalf of Council the Lord Mayor expressed congratulations to Councillor Turner and his partner on the recent birth of their son, Freddie.

(2) Sheriff

The Sheriff reported upon the Sheriff's annual Inspection of Port Meadow and Aunt Sally match between the Lord Mayor's team and the Freeman and Commoners that had taken place on Friday, 21<sup>st</sup> June. The inspection had included a visit to the Trap Grounds allotments and to Burgess Field Nature Reserve. The Sheriff had also observed the University Graduate accommodation newly built in Roger Dudman Way. As to the Aunt Sally match, the Lord Mayor's team had not been successful this year.

(3) Leader

The Leader made four announcements as follows:-

- (a) To congratulate the Customer Services Contact Team in being accredited recently with the Customer Service Excellence Standard. The Team had met all 57 inspection criteria. 90% of the calls to the Contact Centre were resolved at first call. In excess of 250,000 calls were dealt with in a year.
- (b) The Legal Services Team and the Corporate Property Team had been short listed for the Municipal Journal Legal Team of the Year and Public/Private Initiative of the Year respectively. Whilst neither Team had gained the final award, it was to their credit that they had been included on the national short list.
- (c) The Member / Officer Protocol update referred to in resolution (d) of Minute 154 (Governance Review) in the Minutes of Council of 22<sup>nd</sup> April would be the subject of an item for a Cross-Party Working Group meeting agenda in the near future.
- (d) The Leader congratulated the City Councillors who had been elected to the County Council at the May 2013 County Council elections.

## **16. PUBLIC ADDRESSES AND QUESTIONS THAT RELATE TO MATTERS FOR DECISION AT THIS MEETING**

Mr Jack Bloomer addressed Council on the matter of a financial transactions tax. The full text of the address forms Appendix I of the signed minutes of this Council meeting.

In accordance with Procedure Rule 11.10(g) the address was considered with the Motion on the same matter (Minute 22 refers).

## **17. CITY EXECUTIVE BOARD RECOMMENDATIONS**

Council had before it the following:-

- (a) Report (previously circulated now appended) of the Head of Finance and the Head of Improvement and Technology concerning the Fourth Quarter financial and non-financial performance monitoring that had been considered by the City Executive Board on 12<sup>th</sup> June.
- (b) The related minute of the City Executive Board of 12<sup>th</sup> June 2013 circulated at minute 19 of this Council meeting.

Councillor Simmons seconded by Councillor Fooks moved opposition to the recommendation. Following a debate, Council voted on the proposition to oppose the recommendation, but this was not carried, 14 Members voting in favour and 26 Members voting against. The recommendation of the City Executive Board was then agreed by general assent.

## **18. CONSTITUTION - CHANGES**

The Head of Law and Governance submitted a report (previously circulated now appended).

Council agreed that the proposed changes to the Council's Constitution in respect of the Whistleblowing Policy and the Council's scheme of delegation in relation to permitted development rights be approved with immediate effect.

## **19. CITY EXECUTIVE BOARD MINUTES**

Council had before it the Minutes (previously circulated, now appended) of the City Executive Board meetings held on 22<sup>nd</sup> April 2013, 7<sup>th</sup> May 2013 and 12<sup>th</sup> June 2013.

Questions were asked and responded to on the Minutes as follows:-

- (a) Councillor Simmons, noting that the 22<sup>nd</sup> April meeting had taken place on the same day as the last Ordinary Council Meeting, asked in relation to that meeting, when the benchmark data concerning the Covered Market referred to in the answer to question 12 in Minute 158 (Questions on Notice from Members of Council) would be available.

In reply Councillor Cook said that the information was commercially sensitive but that in any case he did not believe such data from other places was meaningful. What was meaningful however was comparable evidence in relation to retail properties in Oxford.

- (b) Councillor Simmons, noting that the 22<sup>nd</sup> April meeting had taken place on the same day as the last Ordinary Council meeting asked, in relation to that meeting, when the air quality data referred to in the answer to question 21 in Minute 158 (Questions on Notice from Members of Council) would be available.

In reply Councillor Tanner said that he was still awaiting the data himself but would be meeting officers shortly on the matter.

- (c) Councillor Fooks on Minute 6 of the minutes of the Board meeting on 12<sup>th</sup> June 2013 (End of Year Integrated Performance Report 2012-2013) asked about the level of contingencies, on transport for people with disabilities and on Westgate.

In reply Councillor Turner said that Service Heads were encouraged to be bold in their savings initiatives. The savings contingency was a safeguard against those bold savings not fully being realised. On transport for people with disabilities he had sought a meeting with the County Council on the matter. He was optimistic that better arrangements would be achieved by the end of the financial year. On Westgate, he said it was too soon to be able to apportion the contingency.

- (d) Councillor Hollick on Minute 11 of the minutes of the Board meeting of 12<sup>th</sup> June 2013 (Outside Bodies – Appointment of Representatives 2013/2014) asked which members had been appointed to which bodies. Councillor Fooks expressed concern that the appointments had been made on party political lines. Councillor Benjamin asked why the City Executive Board had decided that the Council should no longer be involved in the bodies referred to in resolution (4).

In reply, the Leader said that Councillor Hollick would be sent the list of appointments. On the bodies to which the City Executive Board had decided no longer to appoint, the relevant Board members said that for the two of the bodies the

appointee had not been invited to attend meetings. The reasons why the Council was no longer to be involved were included in the report to the City Executive Board.

## **20. QUESTIONS ON NOTICE FROM MEMBERS OF COUNCIL**

17 questions on notice were submitted to Council. Those questions, the replies to them and any supplementary questions and answers to them are set out below:-

### **1 Question to Board Member for Youth and Communities (Councillor Bev Clack) from Councillor David Williams**

#### **Donnington Recreation Ground**

Would the Board Member care to elaborate what plans she has for the development of Donnington Recreation Ground and the supposed rebuilding of the Community Association building in a new grandiose format.

Could she give details of the planned leasing arrangements with the Community Association for the management of this grand pavilion and indicate how much will be spent and where the money is coming from?

Could the Board Member also explain why the plans for this new venture have only been discussed in private with former Labour Councillor Bill Baker and the Chair of the present Community Association and why the local Councillors for the area (myself and Councillor Elise Benjamin) have been excluded from these discussions?

Further to the point could the Board Member give a precise timescale for the implementation of this project with a clear commitment that a period of local consultation will be included in the proposal?

#### **Reply**

The Committee of the Donnington Community Association has been pressing for some time for improvements to the site and to their building, and discussions had taken place over the past year with the Chair and the Secretary about the scope for partially funding an improved centre from additional housing. No plan has yet emerged from those discussions, and there would be a strategic review this coming year of our community centres that would include Donnington. The Chair and Secretary at Donnington were also the main officers of the Federation and I have had discussions with them about this review since taking on this portfolio.

In a supplementary question, Councillor Williams asked that local members be involved in the development. He asked where the money was coming from for the development and when the plans would be available for public inspection.

In reply Councillor Clack referred to her reply to the initial question in which she said that a strategic review of community centres would be taking place.

**2 Question to Board Member for City Development (Councillor Cook) from Councillor Elise Benjamin**

**Covered Market rent rises.**

Will the Portfolio Holder please provide an update on negotiations with the Covered Market traders, who are fighting the Council's attempt to increase rents by up to 70%?

**Reply**

Five reviews are currently going to arbitration. The outcome of the arbitration is expected in July. At the request of the Covered Market Tenants' Association (CMTA), the Council had agreed to a separate consolidated arbitration in respect of the CMTA reviews with the same arbitrator. The respective agents are in contact regarding the consolidated arbitration to agree the process going forward.

**3 Question to Board Member for City Development (Councillor Cook) from Councillor Elise Benjamin**

**Covered Market Charter**

Will the Portfolio Holder please reassure the Council that, unlike his predecessor, he will ensure that the Covered Market Charter is followed, and that no more chain stores are allowed into the Covered Market, thus preserving its character?

**Reply**

I am not aware of the document Councillor Benjamin refers to. If Councillor Benjamin is referring to the Covered Market Leasing Strategy I can reassure her that all lettings have been, and will continue to be, in compliance with that Strategy.

**4 Question to Board Member for Corporate Governance, Strategic Partnerships and Economic Development (Councillor Bob Price) from Councillor Craig Simmons**

**Supporting Oxford's Turkish Community**

Will the Labour and Liberal Democrat leaders join me in supporting Oxford's Turkish community who recently staged a vigil in Cornmarket Street in support of those peaceful protesters in Gezi Park and Taksim Square, suffering violence at the hands of the Erdogan Government?

**Reply**

I am sure that all members of Council will support the right of the Turkish people to express peaceful opposition to the policies of the current

government, and will deplore the use of violence leading to some deaths in breaking up these protests.

**5 Questions to the Board Member for Corporate Governance, Strategic Partnerships and Economic Development (Councillor Bob Price) from Councillor Dick Wolff.**

**Castle Mill development, Roger Dudman Way**

**(a) Regarding the planning process for the Castle Mill development:-**

Could the Leader confirm that the construction of the Oxford University buildings on the former railway siding at Roger Dudman Way not only went ahead but that the structural works were completed without carrying out the required land contamination surveys and resulting remediation prior to the start of development, despite the fact that both officers and applicants believed the land to be contaminated (as minuted in a meeting between officers and developers on February 5th 2011) and the Phase 1 Environmental Review (dated July 2011) recommended that “the presence of . . . historical contamination should be investigated in detail”?

Could he also confirm that the Planning Committee was not informed, that the University had not only failed to research contamination adequately and supply the necessary information within the required time, but had also erroneously declared on their application dated 1st Nov 2011 that contamination was *not* “suspected for all or part of the site” when both officers and applicant knew this to be incorrect?

Would the Leader confirm that it is therefore not possible to justify the claim (made by both City Council and University developers) that correct planning process was followed with respect to this application?

Given the persistent claims being made that the planning process was *not* flawed, would the Leader therefore agree with the MP for Oxford West & Abingdon that an independent inquiry into the whole handling of this application by Oxford City Council “may be the only way we will get to the bottom of it”, and would he agree that the very fact that this statement has been so publicly made by a local MP brings our Council into disrepute?

**Reply**

The report to West Area Planning Committee in February 2013 advised that there were a number of conditions, including number 16, where details were still required to be formally submitted and agreed. It did not advise Members that information required by part of condition 16 had not been received in a timely manner as the University was seeking to remedy this. Officers gave a verbal assurance that the conditions were being complied with, in good faith. A subsequent review of the evidence shows that in the case of one of the conditions

(Condition 16) the University was late in submitting information and the Council has requested additional analyses, so the condition is not discharged. It is open to the University to remedy this, which it has been doing through further analyses and reports. The University had completed a risk assessment before commencing development, but had not agreed the content of the report and submitted this to the Council prior to starting on site.

If there has been a breach of a part of this condition it is open in the first instance to the University to remedy this after the event. Retrospective compliance is a possibility in view of the nature of the breach and its timing. While the matter is still under investigation there is no ground for litigation or pursuing the partial demolition of the development.

(b) Regarding the *potential environmental hazard* presented by the Castle Mill development :

Would the Leader confirm that the builders of the Castle Mill development have chosen, against the recommendations of the ground investigation undertaken by the Frankham Consultancy Group to set the buildings on piles, to set the buildings on spread foundations some 2m below ground level and below the water table by a depth of between 2m and 4m, and that this use of excavated deep foundations (as opposed to piles) made a completed contaminated land risk assessment even more important prior to building?

Could he also confirm that the developer has still not satisfied the Council or the Environment Agency that the development does not represent an environmental hazard?

Will the Council, given the risk to public health and environment, consider issuing a stop notice as for 10 months the University has been given the opportunity to deal with the breach of condition retrospectively without resolving this serious matter?

**Reply**

It was agreed some time ago that there would be an enquiry that would review the planning processes and would seek to identify lessons to be learnt and potential changes to future procedures for handling planning applications. The structure and terms of reference of that enquiry are under discussion and it is of course intended to be thorough.

Councillor Wolff in the supplementary questions pursued his question about the development representing an ongoing environmental hazard. He asked where the soil that had been removed from the contaminated site had gone. He also asked about progress on a landscape mitigation survey.

In reply the Leader referred to his answer to part (c) of Councillor Wolff's questions in relation to the landscape mitigation survey



commissioned by the University. The Leader said that a report was due to be submitted soon on contamination including soil removal.

(c) Regarding the visibility of the Castle Mill development :

Would the leader confirm that, contrary to the wording in the planning proposal “will not be visible from the majority of Port Meadow”, that the Roger Dudman Way buildings are in fact highly visible from most of Port Meadow even as far as Wolvercote and from the other side of the river, as well as from every other vantage point (Oxford Canal, railway station etc.)?

Therefore would the Leader please suggest any measures which could be taken to restore the views of the ‘Dreaming Spires’ and Grade I listed St Barnabas’ tower from Port Meadow, which would not involve lowering the roofs of the buildings? And if unable to do so would he agree that in order to restore the view the roofs must be lowered?

Does he believe that the choice of white painted walls and reflective roofs is the best choice for minimising the visibility of the buildings? If he does not, would he agree that the developer appears to have made not the slightest effort to minimise their visual impact?

## Reply

The officers’ report to West Area Planning Committee of 15<sup>th</sup> February 2012 referred at some length to the matter of its built form and visual impacts, including views from Port Meadow. Paragraphs 7 to 18 of that report in particular referred to these issues and concluded by indicating that a judgement had to be made by members of the committee:

“...as to whether the degree of change to the views and landscape setting in this direction which would result from the proposed development is sufficient to warrant refusal of planning permission, taking into account other benefits and objectives to be weighed in the balance. Certainly it is not the case that the development would be entirely hidden from view from Port Meadow or that there would be no impact from the development on the landscape setting and on public views. Rather officers have come to a conclusion, on balance, that with the mitigation described in place then in similar fashion to the extant permission the impact is not such that taken in context with the benefits of the development in providing much needed purpose built student accommodation at an allocated site, that planning permission should be denied.”

The report to committee included views of Oxford from the Port Meadow “View Cone” at Wolvercote with advice on the character and significance of the view so that the officers’ recommendation could be understood and Members could in turn weigh in the balance the

positive and negative impacts with an understanding of the heritage significance of the view.

Members were not misled about the height of the development. The report clearly stated that the development would not be screened from view from Port Meadow, though the intended mitigation would assist in the development sitting more comfortably within its wider context. Rather, in this view it would sit between a line of trees and greenery set along the edge of Willow Walk in front of it and a second line of trees and greenery along the eastern side of the railway line set behind it. An image was submitted with the planning application which showed the intended position of the development compared with the extant 2002 planning permission. This constituted a suitable representation of the intended development to assist committee in coming to its decision on the application.

In addition attached to the report to the Committee in Feb 2013 was an image taken on 24th January 2013 of the development as built. These and other images were displayed at the committee and showed that the tree line and the 'red line' photograph were accurate.

The Head of City Development submitted a report to the West Area Planning Committee on 7<sup>th</sup> February 2013 which reviewed the 2012 planning permission (reference 11/02881/FUL). The Committee resolved:-

- To instruct the Head of City Development to negotiate with the University of Oxford in order to ameliorate the size and impact of the development given planning permission under 11/02881/FUL
- To instruct the Head of City Development to submit a report back to this Committee at the earliest opportunity on the progress of his negotiations, and by the scheduled April 2013 meeting at the latest
- To establish a working party to recommend to the Council any changes to procedures or policies which the process of handling and determining the application 11/02881/FUL (including the pre-application and consultation stages) might suggest would be desirable.

The University has commissioned consultants, LDA Design, to prepare a Landscape Mitigation Strategy. This will consider a wide range of options for mitigation, including options on the buildings, on site, near but off site and also further afield.

- (d) Regarding the legacy of the building, is the Leader content that the Castle Mill development should stand in its present form as a

permanent memorial to his term of office as Leader of Oxford City Council?

If so, will he encourage the Council's tourism officer to build on the little stream of people currently visiting Port Meadow in order to wonder at this example of contemporary "environmentally sensitive" (sec. Longcross builders) architecture by promoting such visits and including views of the development in the city's tourism literature?

If he is not so content, what remediation measures does he believe could be undertaken that might restore his pride, and what steps has his administration taken so far in this direction?

### **Reply**

Development Control is not an executive function and hence is not determined by the policies of the administration. The planning process is regulated in a quasi-judicial manner through the application of Council approved policies, and, in particular, the Core Strategy. The West Area Planning Committee will no doubt be able to comment on the mitigation measures proposed by the University of Oxford, as the developers of this scheme.

## **6 Question to Board Member for Finance, Efficiency and Strategic Asset Management (Councillor Ed Turner) from Councillor Craig Simmons**

### **Council Tax exempt houses**

Can the Board Member please tell me how frequently the Council checks that properties with Council Tax exemptions are still eligible?

### **Reply**

With the exception of student exemptions, all awards of Council Tax discounts and exemptions are reviewed on an annual rolling review basis.

Student exemptions are awarded to the end date of the course they are attending or end of the tenancy, whichever is the sooner.

In a supplementary question Councillor Simmons asked if Scrutiny could consider the matter. He felt that more checks conducted with greater rigour would result in more Council Tax revenue for the Council.

Councillor Turner said that he supported generally work undertaken by Scrutiny. If members individually had reason to suppose that a property was not eligible for Council Tax exemption, they should report the details to the officers.

## **7 Question to the Board Member for Youth and Communities (Councillor Bev Clack) from Councillor Dick Wolff**

### **Communities and Neighbourhoods Team**

Can the Board Member please explain how a reduction in the Communities and Neighbourhoods Team will impact on support for area fora?

### **Reply**

The original restructure documents were agreed by a cross-party group. There is no reduction in the Communities and Neighbourhoods Team in terms of full time equivalent posts. What we have done is to realign resources to focus on council priorities especially for areas of greatest need. The Communities and Neighbourhoods Team will provide the following resource to Area Forums:

- There will continue to be a co-ordinated support service to the organisational aspects of Area Forums;
- Support to the annual planning meeting for agreeing Area Forums topic/location etc;
- Publicising meetings and minutes via the website, using social media, production of standard posters and emailing residents on database;
- The Communities and Neighbourhoods Team will administer the booking of venues for Area Fora up to a total cost of £150 per annum (Additional costs will have to be met through ward members' budgets);
- We have also developed an Area Support Officer post within the new structure which is currently being advertised. This post will carry out the organisational aspects for the Area Fora. In the meantime the planning meetings for the Area Fora have been arranged and are taking place;
- In addition each Area Forum meeting will be attended by a member of the council's Corporate Management Team to provide a strategic oversight and deal with any service issues/questions arising.

In a supplementary question, Councillor Wolff said, by way of information, that whilst his Group knew about the restructure, he had not agreed to it at the cross-party working group. He asked if the restructure would result in a complete withdrawal of all community work on the ground.

In reply, Councillor Clack said that the aim of the restructure was to achieve a more directional nature of working for the Communities and Neighbourhoods Team.

### **8 Question to Board Member for Housing (Councillor Scott Seamons) from Councillor Craig Simmons**

#### **Council House Rent Increases**

In the light of the unexpected £1million surplus in the Housing Revenue Account reported to CEB on 12<sup>th</sup> June, will the Board Member re-consider the above inflation rent (average 4.6%) and service charge (average 3/6%) increases it had levied on Council house tenants this year?

### **Reply**

I think it is important to make clear that the £1.2m benefit to the HRA wasn't unexpected but couldn't be guaranteed. It was a result of our prudent accounting which made provision to cover the risk of an adverse result of a rent review at Southfield Park and a successful negotiation that meant that the provision was not needed. The Council tonight will be asked to confirm a CEB decision to allocate some of this money for service improvements such as tenancy fraud and environmental works on estates and a much needed stock survey that will enable us to have even more effective targeting of our housing investment programmes.

I think it is also important to point out that this was a one off benefit and if used to effectively reduce rents then that would erode the income base of the HRA going forward and would restrict our abilities to provide excellent services, invest in our existing housing and continue to build new housing for those most disadvantaged in the City. The City Council with average rents of £96.83 continues to offer good value for money when compared with other social housing providers and certainly the private rented sector. Indeed in a recent survey 77% of our tenants thought this was the case.

In a supplementary question Councillor Simmons asked why service charges had been increased above inflation. Councillor Seamons said that he would ask officers to prepare a full note for all councillors on the matter.

**9 Question to Board Member for Housing (Councillor Scott Seamons) from Councillor Sam Hollick**

**Re-classifying spare rooms**

In response to the Government's appalling new bedroom tax, will the Board Member consider the approach taken by Leeds Council to help vulnerable tenants and look into the possibility of re-classifying "spare" rooms as "non-specific" rooms in Council housing?

**Reply**

There is an assumption in the question that is not correct. As one of the leading authorities in a national pilot in welfare reform we have examined a whole range of measures that will mitigate the impact of the changes on our residents including the actions that Leeds and other authorities have taken. Clearly Oxford is in a very different situation to Leeds in not having lots of difficult to let stock and in already having a classification system that is much tighter in its interpretation. The reclassification is not as simple as it sounds and could carry with it risks of retrospective claims for reductions. The net effect would be a reduction in the income base which would impact negatively on our HRA Business Plan and put at risk our continuing aspiration to provide excellent services, a well maintained stock and new council housing going forward. Our strategy to mitigate the impact of welfare reform agreed by Council is to target resources to help people on a case by case basis with exchanging homes, moving homes and helping people get back to work.

In response to a supplementary question from Councillor Hollick, Councillor Seamons referred to a recent letter from the Department for Work and Pensions which said that housing authorities could lose housing benefit if room classifications were made on a blanket basis.

**10 Question to Board Member for Housing (Councillor Scott Seamons) from Councillor Sam Hollick**

**Container Housing**

Has the Board Member considered any innovative solutions to meeting the City's housing crisis, for example the provision of high quality "container" housing, which the Public Sector and Local Government magazine called "a cost effective and sustainable approach to building design"?

**Reply**

This Council cannot be accused of lacking in innovation given our ground breaking joint venture with Grosvenor Estates to build 350 new Council homes to a very high standard and for social rent, and our own new build programme that will provide 112 new units over the next 2 years. Our main problem of course is the availability of land and we will explore all opportunities to maintain a supply programme going forward.

**11 Question to Board Member for Housing (Councillor Scott Seamons) from Councillor Sam Hollick**

**Houses in Multiple Occupation (HMOs)**

The Board Member will be aware of the case brought to councillors' attention in an email on 15th June, where the Council's policy on HMOs is requiring people to move out of a house where they are living as a family, because they are not considered a family by the definition of the policy. Could the Board Member explain what options they are considering to prevent Council policy from causing disruption to people's lives as in this case?"

**Reply from Councillor Ed Turner**

Firstly, it is not the Council's policy that defines a house in multiple occupation and what constitutes a family; this is defined in national legislation made under the Housing Act 2004.

The Council has a policy of licensing houses in multiple occupation, which clearly needs to be applied consistently, but with appropriate flexibility.

The situation in this case is rather more complicated than it would appear: although the person affected has raised it in both the press and with many councillors, I do not think it is appropriate to divulge personal details in this forum, but am happy to speak with the councillor about the details outside the meeting, and will also be writing to the person affected.

In a supplementary question, Councillor Hollick suggested that the Council had not developed flexible enough options to address cases such as the one he had referred to in his question.

In reply Councillor Turner said that the Council was bound by the terms of the Housing Act 2004. He considered that officers were as flexible as they could be within the constraints of the law.

**12 Question to the Board Member for Cleaner, Greener Oxford (Councillor John Tanner) from Councillor Craig Simmons**

**Electric vehicle charging points**

Will the Board Member please explain the reason for the delay in the installation of electric vehicle charging points, and when we can expect to see the promised number installed?

**Reply**

The City Council has provided charging points at car parks as we said we would. ChargeMaster has responsibility for any increase in the numbers of electric charging points.

The existing network was installed by Scottish and Southern Energy (SSE) now owned by ChargeMaster and consists of dual charging points at each of the following Council owned car parks:

- Pear Tree, Redbridge and Seacourt Park and Ride
- Headington Car Park
- Summertown Car Park
- Union Street
- Westgate Car Park
- Worcester Street Car Park

Usage figures for June 2011 to December 2012 (79 charging sessions in total).

Westgate	9
Worcester Street	36
Summertown	19
St Clements	5
Headington	0
Unions Street	1
Peartree	1
Seacourt	1
Redbridge	7

In response to a supplementary question by Councillor Simmons pursuing the matter of charging points, Councillor Tanner said that this was a matter for Chargemaster and not the Council.

**13 Question to Board Member for Finance, Efficiency and Strategic Asset Management (Councillor Ed Turner) from Councillor Jim Campbell**

**Oxford Pound**

Following recent interest in the media and the apparently successful introduction of the Bristol Pound in collaboration with the Bristol Credit Union, will you consider looking into the feasibility of introducing the Oxford Pound in this City?

**Reply**

This is an interesting idea, and I understand one which is currently taken up by 0.2% of Bristol's population (although arguably one with some pitfalls, for instance in the appropriate payment of tax!). However, given the savage cuts imposed upon Oxford City Council by the Tory / Lib Dem coalition, and recent reports of at least a further 10% average to be hacked off government grant, I do not think I should ask finance officers to prioritise the promotion of such a scheme when there are more urgent priorities. However, if another organisation were to take on the promotion of this, or if the Scrutiny Committee decided it should be a priority, I am sure we would look at such work with interest.

In response to a supplementary question from Councillor Campbell urging that the matter be pursued, Councillor Tanner said that, given officers' other priorities, he did not consider that priority could be given to the matter.

**14 Question to Board Member for Cleaner, Green Oxford (Councillor John Tanner) Cllr Jean Fooks**

**Charging point for electric vehicles in North Oxford**

Oxford is committed to reducing its carbon footprint each year for the foreseeable future. One way to do this is to encourage electric vehicles. North Oxford is trying to set up an e-car club, which needs charging points for the vehicles. There is a charging point in the Diamond Place car park but it is not reserved for electric vehicles so is not always available – and an allocated space is needed. Apparently the Council is claiming that to reserve this space for electric vehicles would lose the city £3,500 per year so it is not being progressed.



This seems totally at odds with the aims of the City Council – why is the Council not supporting this venture? Is the £3,500 figure really accurate?

### **Reply**

I am continuing to pursue this issue with officers and I will advise Cllr Fooks when I have made satisfactory progress.

## **15 Question to the Board Member for Finance, Efficiency and Strategic Asset Management (Councillor Ed Turner) from Cllr Jean Fooks**

### **Westgate Temporary Car Park**

The administration is proposing to put almost the entire underspend of £3.3m for 2012/13 towards temporary car parking to facilitate the Westgate development. How was this figure arrived at? Where can Council and the public see the itemised costs?

### **Reply**

In advance of completion of the revised legal documentation for the Westgate redevelopment between the Council and the Westgate Oxford Alliance, an informal report was considered by the Cross Party Working Group on 13<sup>th</sup> May 2013 in relation to Westgate which, amongst other things, set out suggested proposals for both temporary car and coach parking during the scheme of redevelopment. The estimate of the costs of the works quoted was based on professional knowledge and enquiry but with only limited information on site conditions and the like that was available at the time. Following completion of the conditional development documentation with the Alliance full design has now been commissioned, detailed investigations are taking place and detailed costs are being produced. Clearly the final cost will depend both on the outcome of the investigations and also the extent of provision which is necessary, so no breakdown can yet be given.

The intention is that a report will be presented in September to seek approval to the inclusion of the scheme within the Council's capital programme. Pending that approval, the Council has prudently established a suitable earmarked reserve to cover the cost of these works. The Council's support in this matter is set in the overall context of the investment and the outcomes of the Scheme, and the desire by the Council to endeavour to protect, to the extent possible during the construction phase, the prosperity of Oxford and the City Centre. I would also note that, were the Westgate not to proceed, we would need to earmark substantial investment to bring the existing Westgate car park up to scratch.

In response to a supplementary question from Councillor Fooks suggesting that the matter was taking a long time, the Leader disagreed. He said that there was likely to be special City Executive Board in August to reach decisions on the issue.

**16 Question to Board Member for Cleaner, Green Oxford (Councillor John Tanner) from Councillor Jean Fooks**

**Bulky Waste Collection service**

What kinds of domestic waste can be collected by the Bulky waste collection service?

**Reply**

Bulky waste refers to items that are too large to be taken away with the normal refuse collection. This can mean items such as furniture, beds and mattresses, white goods, fridges and freezers.

We collect the following white goods.

- a. Washing Machines
- b. Dish Washers
- c. Microwaves
- d. Cookers
- e. Hobs
- f. Tumble Dryers

We also collect televisions, computers and screens from residential properties.

Due to WEEE regulations we are not able dispose of small electrical items in landfill. Examples of items covered by the WEEE regulations are deep fat fryers, electric fires, fans and fan heaters, Hi-Fi's, hoovers, irons, kettles, lamps, printers, speakers, and stereos. Some of the Bring Bank sites around the city offer small electrical recycling facilities.

We are unable to collect the following items through the Bulky Waste Collection Service as they cannot be disposed of at landfill sites.

Asbestos	Laminate Flooring
Air Conditioning Units	Lawn Mowers (Electric & Petrol)
Baths	Mirrors from built in wardrobes - this does not included mirrors on wardrobe doors. These types of mirrors and wall hanging mirrors must be wrapped in newspaper and taped down to prevent shattering when crushed.
BBQ's - Gas, Electrical and drum BBQ's	Oil - Cooking Oil, Car, Diesel
Black Bags - must specify what is in a bag, collection of general rubbish is not allowed on the Bulky Service.	Paint
Boilers	Paving Slabs

Bricks	Photo Copiers
Building Rubble	Pianos
Car Parts	Planks of Wood
Cardboard - large amounts must be flat packed and placed out on the blue box collection day	Polystyrene
Ceiling/Plaster Board	Radiators
Cast Iron items / Iron made	Roof guttering/down pipes
Carpet or carpet underlay	Rubbish Bags - must specify what is in a bag, collection of general rubbish is not allowed on the Bulky Service.
Concrete	Sheds
Copper Piping	Sun Tanning Beds
Doors - internal or external	Sinks - kitchen or bathroom
Down Pipes	Storage Heaters - only if the heating bricks are removed, we will not collect the bricks
Electrical Items - Due to WEE regulations we are not able to dispose of electrical items in landfill. Examples of items covered by the WEE regulations - Deep Fat fryers, Electric fires, Fans & Fan Heaters, Hi-Fi's, Hoovers, Irons, Kettles, Lamps, Printers, Speakers, Stereos.	Tiles - wall or floor
Exercise equipment - depending if it is made of aluminium or steel and if it can be lifted	Toilets
Fencing Panels	Tyres
Gas Bottles	Water Heating Boilers
Garden Waste - more than what will fit into a garden bag i.e. trees or bushes	Windows
Garages and Garage Doors	Wooden Flooring
Heating Boilers	
Kitchen Work Tops or Units	
Ladders	

We aim to recycle as much of the bulky waste we collect as possible, but if it is not suitable for reuse or recycling then it will go to landfill. Each household is entitled to 2 free collection visits per year of up to 3 items per visit.

In response to a supplementary question about the exclusion of lawn mowers from the bulky waste collection service and the response given by the Council when a constituent of Councillor Fooks asked how the item could be disposed of, Councillor Tanner acknowledged that the response, (namely to take the lawnmower) on a bus to the Redbridge waste disposal site) was perhaps odd at first sight. He went on to say that for some household items, retailers were required to remove the old items that were being replaced, either free of charge or at a small cost.

**17 Question to the Board Member for Corporate Governance, Strategic Partnerships and Economic Development (Councillor Bob Price) from Cllr Jean Fooks**

**Email messages to Councillors**

We have recently discovered that messages sent by officers to all councillors have not been getting through - they have disappeared into the ether. How did this happen and will all 'lost' messages be resent? What measures are being taken to ensure that the new electronic system provides Councillors with all the reports and attachments they need?

**Reply**

The "Councillor all members" e mail address is limited to be used by only certain groups of officers to avoid Councillors being included in group e mails that are only relevant to a smaller group of Councillors.

Officers are being reminded that if they wish to send an "all Councillor" e mail that this needs to be sent via either;

- The Democratic Services Team
- The Communications Team
- Their Service Head

Any other officer that uses this e mail address will receive an automatic e mail advising that their e mail has not been sent as they do not have the authorisation to do this.

The officer that sent an e mail to all councillors which raised the concern that e mails to councillors were not getting through the e mail system did not spot the automatic e mail he received after sending the e mail advising him that his e mail had not got through as he was not authorised to send e mails to this e mail address.

Officers attaching a copy of an earlier e mail within any message to a Councillor have been advised that they must attach this as a word document or PDF so that this can be read on an iPad.

**21. CHANGE TO ORDER OF BUSINESS**

At this point Council agreed under Procedure Rule 11.6 to change the order of business in order to deal with the Motion on Notice on a Financial Transactions Tax.

**22. MOTION ON NOTICE - FINANCIAL TRANSACTIONS TAX**

Councillor Price seconded by Councillor Fry moved the following Motion:-

“This Council declares its support for the introduction of a Financial Transactions Tax across the European Union and G12 economies as an important contribution by the banking and finance sector for the funding of public investment in education, housing, infrastructure and social security”.

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

For the Motion: the Lord Mayor (Councillor Sinclair) the Deputy Lord Mayor, (Councillor Brett), the Sheriff (Councillor Abbasi), Councillors Altaf-Khan, Baxter, Benjamin, Brown, Canning, Clack, Clarkson, Cook, Coulter, Curran, Darke, Fry, Haines, Hollick, Humberstone, Kennedy, Khan, Lloyd-Shogbesan, Lygo, O’Hara, Pressel, Price, Rowley, Sanders, Seamons, Simmons, Smith, Tanner, Turner, Van-Nooijen, Williams and Wolff.

Against the Motion: no Councillors voted against.

Abstentions: Councillors Armitage, Campbell, Fooks, Gotch, McCready, Mills and Royce.

The Motion was therefore adopted, 35 members voting in favour, no members voting against and 7 abstentions. Council agreed upon a subsequent suggestion by Councillor Tanner that the adoption of the Motion be brought to the attention of Oxford’s two MPs and to the attention of the MEPs for the South East Region.

## **23. PUBLIC ADDRESSES AND QUESTIONS THAT DO NOT RELATE TO MATTERS FOR DECISION AT THE COUNCIL MEETING**

The following public addresses and questions that did not relate to matters for decision at the meeting were made and asked at Council. All of the addresses are attached to the signed minutes of Council as Appendix II. The questions and replies are set out below:

### **(1) Mark Stone, Motor Neurone Disease Charter – Address**

Following the address, the Leader proposed on behalf of Council that the Council should sign the Charter and support the five principles of it. Council agreed the Leader’s proposal by general assent.

### **(2) Fran Ryan – Community Led Homes in Oxford – Address**

Following the address, Councillor Seamons said that although in terms of land it was unlikely the Council could help, he would be happy to convene a meeting to discuss the matters raised in the address.

### **(3) William Clark – The Consultation Process – Address**

Following the address, Councillor Rowley said that the matter of the swimming pool had undergone full consultation and had been fully debated by Council.

Council had decided that a new swimming pool be provided at Blackbird Leys. That decision would not be changed. It was for these reasons that he had chosen not to enter into a dialogue with members of the public.

**(4) Nigel Gibson – Openess and Transparency – Address**

The following response (which had been circulated in advance) was given to the address:-

In July 2011 CEB delegated authority to the Executive Director Community Services, in consultation with the Monitoring Officer, to award a contract for the build of the new pool. That report recognised that legal challenges may mean that the contract would not "go live" for some time. After a procurement exercise was completed the contract was let in March 2012 to Willmott Dixon. Due to legal challenges and anticipating further delays that contract contained two conditions precedent relating to the dismissal or withdrawal of two legal challenges - the request for Judicial Review of the Council's decision making process by Nigel Gibson and the a request for Judicial Review by Mrs Zani of the County Council's decision to reject an application to have Blackbird Leys Park declared a Town Green.

On satisfaction of these two conditions precedent, the contract by definition became unconditional, and therefore active.

Mr Gibson applied for Judicial Review of the CEB's July 2011 decision in regard to closing the Temple Cowley pool, but after twice failing to obtain consent from the Administrative Court, he finally discontinued his application in March 2013.

Mrs. Zani's application to have the County's decision judicially reviewed has now been withdrawn and therefore the County Council's decision not to register the land as a Town Green stands.

From the above it can be seen that the conditions precedent in the contract have been met, and as a consequence the contract is now active. There has been no material change in the relevant circumstances concerning the need for the facility or the Council's ability to pay for it, and preparations to commence on site are therefore now well advanced.

**(5) Rowen Smith – Full Circle and Charity Mentors – Address**

Following the address, Councillor Clack said that she would be happy to meet with the speaker.

**(6) Question to the Board Member for Leisure (Councillor Mike Rowley) from Andrew Brough (the questioner was not present at the meeting)**

It is very important that children living in the vicinity of rivers and waterways are able to learn to swim and have proper swimming pool facilities near to where they live, to avoid the tragedies that have happened in recent years. When there is only one pool in Blackbird Leys, instead of the existing two pools in Blackbird Leys and Temple Cowley, how will the Council make sure that children still have the same amount of time for learning to swim?

When Temple Cowley Pool was completely rebuilt in 1987, the Oxford Branch of

the British sub-aqua club was unable to regain their training session slots on Wednesday and Friday evenings. The existing Blackbird Leys Pool has many small group users. Examples have included canoe safety training and aqua aerobics. How will all these groups be accommodated when the two pools in Blackbird Leys and Temple Cowley are replaced by one in Blackbird Leys?

### **Reply**

The new pool has a teaching pool, splash water and an eight lane 25m pool. The eight-lane pool also has a moveable floor that enables greatly improved programming for both swimming lessons and mobility water sessions. We have also continued to offer free swimming and targeted free swimming lessons to young people in the city.

### **(7) Question to the Board Member for Leisure (Councillor Mike Rowley) from Sue Brough (the questioner was not present at the meeting)**

Could you please give full details (dates, names of people present, points discussed, any outcomes or action points, etc.) of the public consultation meeting(s) which took place before the City Council decided to spend £9.2 million building one new 25m pool in Blackbird Leys, closing the two existing pools and selling off the Temple Cowley site; and has the decision been reviewed since the latest Census Data from 2011 became available?

### **Reply**

While we would not provide names, the Council's web pages contain the detailed consultation information.

### **(8) Question to the Leader of the Council (Councillor Bob Price) from Cathy Wheeler, Oxford Voice (the questioner was not present at the meeting)**

I am increasingly concerned at how Oxford City Council is profiting from selling or donating land and retreating from providing services, particularly in East Oxford; this is bewildering to the hard-pressed Council Tax payers of Oxford.

It is imperative for the open and transparent local authority democracy at Oxford City to be able to effectively hold our elected councillors and the overly financially rewarded executive officers to account for their decisions, and that the governance structure is properly understood.

Can you please explain the legal and corporate status of Oxford City Council: for example, is Oxford City Council a for profit corporation? If Oxford City Council is a corporation, what is the trading name, and what happens to the profits? Is Oxford City Council a co-operative? Is Oxford City Council a Public Limited Company? Or is Oxford City Council a Company limited by shares? If Oxford City Council has shareholders, who are these shareholders?

### **Reply**

Oxford City Council is a local authority with powers regulated by the various Local Government Acts. All financial and other monitoring information about the Council's policies and services to the people of the City can be found on the Council's website.

**(9) Question to the Leader of the Council (Councillor Bob Price) from Sietske Boeles (the questioner was not present at the meeting)**

Regarding the potential risk to public health and the environment posed by the Castle Mill development, could the Leader confirm:-

- (i) that the Council has allowed this development to go ahead on land which it knew to be contaminated with highly toxic pollutants such as asbestos and polycyclic aromatic hydrocarbons (PAHs), which are linked to birth defects and cancer; and elevated levels of metals such as lead which are linked to brain abnormalities in children;
- (ii) that the Council's environmental health officer identified in December 2012 that adjacent allotments may be at risk and requested further surveys to assess risk on surrounding sites;
- (iii) that surveys submitted recently on behalf of the developers have shown that groundwater is contaminated with PAHs, that these are well above safe levels, and that the Environment Agency has required further surveys.

In view of the above, what reassurances can the Leader offer the people of Oxford that this development has not posed, and does not continue to pose, a risk to public health and the environment? Specifically, can the Leader confirm:-

- (i) that no contaminants, including contaminated dust, has spread outside the development site;
- (ii) that it is safe for people to visit Cripsey Meadow allotments, and consume the food produced there;
- (iii) that an assessment has been carried out to determine whether any damage has been caused, or is being caused by the development to Port Meadow, which is both a SAC and SSSI.

If the Leader cannot offer the above reassurances, will the Council issue an immediate stop notice or explain why it does not believe that this is necessary?

**Reply**

The Planning Committee imposed a condition as part of the planning permission for the development which required the developer to undertake tests and produce data and reports which would indicate whether any significant risk exists and what, if any, steps might be taken to address that risk. That condition has not yet been discharged.

Interim results were received and this led the Council, working in conjunction with Environment Agency (EA), to require a detailed quantitative risk assessment



in accordance with model procedures. This has just been completed and the results are now being analysed by the EA and the Council.

There are no data or reports that demonstrate an unacceptable risk exists to public health on the allotments. Site investigations were carried out between 2008 and 2011 and levels of contaminants were below the threshold for determining the site as contaminated land. Precautionary advice was given to allotment holders which included washing hands before eating and washing/peeling vegetables grown on the site before consumption. This advice remains sound today.

No assessment has been made to determine whether any damage has been caused or is being caused by potential contamination on the land of the Castle Mill development. This is because such an assessment has not been requested by Natural England or the EA as the statutory consultees and because Port Meadow is separated from the development site by the allotments and the Castle Mill Stream.

**(10) Question to the Board Member for Leisure Services (Councillor Mike Rowley) from Jane Alexander**

The Oxford City Council Summer 2013 'Your Oxford' paper had a small article within it which headlined 'Better Access to Leisure Facilities'. Does Oxford City Council accept this as an oxymoron because:-

- (i) You are actually closing two swimming pools and replacing them with one and removing a gym which is open from 6am until 10pm and replacing it with a gym that cannot be open to the general public in school hours;
- (ii) Individuals with the concessions membership scheme will be unable to use this facility;
- (iii) Without canvassing those who already regularly use the Temple Cowley pool and fitness centre it is unclear how many people will want to attend a school to use the gym, especially one that will be open for a much shorter period and that will be busy in terms of mechanical and pedestrian traffic at very particular times (excluding some morning use if it was offered) and that is in a poorly lit area at night.

And how will the Council either remedy this inaccurate article or actually improve in real terms access to leisure facilities inside the ring road in East Oxford, for example by keeping Temple Cowley Pools open?

**Reply**

The article is entirely accurate. The new pool is a City-wide facility and when it opens the east of Oxford will for the first time have a top-quality, modern, integrated leisure centre to compare with what North Oxford has in Ferry Leisure Centre. The partnership with Oxford Spires Academy will help to ensure that Temple Cowley continues to have a good local leisure offer.

Our approach to leisure is detailed in the City's leisure strategy, and it is a continuing success. Since 2006 the City has had the third highest increase in activity nationally with 27.8% of adults now doing at least 3 x 30 minute

sessions of exercise each week. This puts Oxford City Council in the top 20 Councils in England for leisure participation.

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

Re: Red line photo montages, dated December 21, 2011 and now available on the planning portal, regarding the Roger Dudman Way development.

Can the Board Member confirm that these photo montages, including the red line, were submitted by the developer and if so when? And when were they made available to (a) the public and (b) councillors? Were they submitted with the wirelines?

There are 13 of them in total and presumably they were all loaded at the same time?

Were these photo montages available to councillors when they determined the planning application in February 2012?

**Reply**

The photographs including the 'red line' plan or wireline were submitted by the Applicant, the University of Oxford.

The photographs from Port Meadow indicating the location of the development were received and uploaded to the website on 21st December 2011. They were available to be viewed by the public and councillors from this date.

The red and white wirelines were mounted up on the website at a later date, on 8th February 2012, having been received a day or two earlier. The planning committee met on 15th February 2012 and all these images were available to Councillors when they met.

**24. PETITIONS**

There were no petitions to debate at this meeting of Council.

**25. OUTSIDE ORGANISATION REPORTS AND QUESTIONS**

The Leader proposed that for the future, under this item, there should be a report back upon the work of one or two of the 'outside organisations' by the representatives appointed to those bodies. Council concurred and the Leader asked officers to draw up a schedule of such reporting for consideration by the Cross-Party Working Group

**26. SCRUTINY COMMITTEE - REPORT FROM THE CHAIR**

The Chair of the Scrutiny Committee submitted a report (previously circulated, now appended).

Discussion ensued on Scrutiny staffing capacity. A number of councillors suggested that Scrutiny staff were stretched to capacity, thus militating against reviewing and scrutinising to any greater extent. Members recognised that staff resources for scrutiny had not been cut but that to expand resources would require additional financing for which there was no currently no budget.

## **27. SCRUTINY COMMITTEE RECOMMENDATIONS**

There were no Scrutiny recommendations for Council to consider.

## **28. MOTIONS ON NOTICE**

### **(1) Community Budgets**

Councillor Fooks, seconded by Councillor Campbell proposed the following Motion:-

“Public sector cuts would have been made whichever party was in national government (as the former Labour Chief Secretary to the Treasury put it, “There is no money left”) and all parties have to work together to find a solution to this problem.

This Council is facing increasing pressures on available budgets due to the cuts in Government funding and the extra burdens placed on it by the welfare cuts. Staff are working to help those affected by cuts in benefits with advice and support but are limited by the particular local situation of an acute shortage of affordable homes and the highest rents outside London.

Council recognises that the whole-place Community Budget pilots have shown the potential for delivering better services at less cost by the approach to transforming public services by integration and demand reduction. It believes that Oxford would benefit hugely from such an approach.

Council notes that the Local Government Association commissioned Ernst and Young to review the potential for the aggregation of whole place community budgets. The report notes that community budgets have the potential to deliver better outcomes and realise substantial financial benefits; with the potential of a net benefit of five years of between £9.4bn and £20.6bn.

Council also recognises that the current government has been working with councils across the country on the Troubled Families programme, with an additional £448 million to support this work. Council urges the government to build on this cross departmental working and extend Community Budgets

Council therefore asks the Leader to write to the Oxford MPs asking them to support the LGA’s call for Community Budgets to be extended nationally as the

preferred local delivery mechanism for government departments, with appropriate support to local areas to ensure that the maximum benefits are felt from the change”.

Following a debate, the Motion was voted upon but this was not carried, 10 members voting in favour of the Motion and 30 members voting against.

## **(2) Tar Free Oxford**

Councillor Hollick seconded by Councillor Benjamin proposed the following Motion:-

**“This council notes that:** Canada’s tar sands are the biggest energy project in the world. Already, millions of barrels of tar sands oil have been extracted from the Canadian wilderness, decimating the landscape and producing 3.2 to 4.5 times more greenhouse gas emissions than conventional oil extraction (as calculated for example by the US Government’s National Energy Technology Laboratory). Nearby First Nations communities are also being devastated by the loss of their traditional lands and access to food and medicine. In 2008, Alberta Health confirmed a 30 per cent rise of cancer rates between 1995 – 2006 in Fort Chipewyan, a nearby community.

Although tar sands oil hasn’t yet arrived in the UK in significant quantities, its large-scale import is highly likely as Canada attempts to find new markets for export. Opening up Europe and the UK to tar sands would be a green light for more reckless expansion of this huge industry.

**This council also notes that** the City Council’s Carbon Management Plan states that the council “places environmental sustainability and carbon reduction at the heart of everything that the Council does”, and believes that an important part of the city’s responsibility in “provid[ing] wider leadership...in reducing the overall carbon footprint of the City” is rejecting tar sands for the carbon-intensive fuel that they are.

**This council therefore resolves to:**

1. Rejects tar sands as an acceptable source of liquid fuel, and declare Oxford a ‘Tar Free City’;
2. Include measures in its future liquid fuels procurement policies which will ensure that tar sands will not be part of the fuel mix it purchases for its vehicle and plant fleet”.

Following a debate the Motion was voted upon and was carried out by general assent.

## **29. SUSPENSION OF COUNCIL PROCEDURES**

At this point, the 60 minutes time permitted in the Council’s Constitution for dealing with Motions on Notice having been fully used, Councillor Simmons proposed that the time permitted for Motions be extended for a further 30 minutes to enable the remaining four Motions to be debated. Council voted upon this proposition, but this was not carried. The following four Motions were not

debated and therefore fell unless they were reintroduced at a future Council meeting:-

- (1) Supermarket Levy
- (2) Supporting Youth Employment
- (3) Impartiality of Planning Process
- (4) Supporting the Robin Hood Tax

**The meeting started at 5.00 pm and ended at 8.29 pm**

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

Relates to: Item 16 – Motions on Notice

### **1 Supporting the Financial Transactions Tax- Jack Bloomer**

We the undersigned are writing to ask you to show Oxford City councils' support for the introduction of a Financial Transaction Tax (FTT) otherwise known as the Robin Hood Tax.

Many of us students in Matthew Arnold school live in the city and West Oxford which is why we decided to approach the Oxford City Council through the local councillor for West Oxford – Susanna Pressel.

As students from Matthew Arnold's sixth's form we believe that the impact of the cuts is making the country more unfair and unequal, restricting our future opportunities, and making it a place that we do not want to grow up in. Three issues of particular concern to us, as students and teenagers, are the abolition of EMA, the increase in university of tuition fees, and lack of funding to combat climate change

We recognize that this has largely been due to the actions of central government in cutting grants to local authorities, but we believe this Council could be doing more to stand up for our country's future by speaking up for alternatives to the austerity approach of central government.

With unemployment at 2.5 million, growth stagnant across the country, frontline public services strapped for resources, and lack of action on climate change, we believe that without an alternative approach the world that the youth of this country will inherit looks bleak. This is why we think the Council should take a formal stand against this – and the FTT would be an important step in doing so.

An FTT would raise up to £20bn a year in the UK. It would see wealthy people and institutions in the financial sector help clear up the mess they caused, rather than today's youth paying with our futures and ordinary people paying with their jobs, frozen or lower wages, and declining public services . Local government has felt the cuts more than most, and should be at the forefront of the fight back against these centrally-imposed measures.

I write to ask you to bring forward a motion calling on the government to introduce an FTT, and secure formal backing for it from this Council. In doing so, you would be making a real, and popular, contribution to our collective future.

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## **PUBLIC ADDRESSES AND QUESTIONS THAT DO NOT RELATE TO MATTERS FOR DECISION AT THE COUNCIL MEETING.**

### **Part 1: Public Addresses.**

#### **1 The MND Charter – Mark Stone**

Thank you very much for allowing me to speak to you about how Oxford City Council can demonstrate its support for Oxfordshire residents who are living with Motor Neurone Disease by signing the MND Charter.

MND is a rapidly progressive and terminal condition. It can affect any adult at any time - it attacks the motor neurones that send messages from the brain to the muscles, leaving people unable to walk, talk or feed themselves. In Victorian times, it was known as 'creeping paralysis' and that still serves as a good description of what happens.

The cause of the disease is unknown and there is no known cure. Around 5,000 people in the UK have MND at any one time, with half of people with the disease dying within 14 months of diagnosis. It kills five people every day in the UK.

I was diagnosed with MND in January of last year at the John Radcliffe Hospital, after going to my GP about a slight limp in my right foot. As I am sure you can imagine, the diagnosis was an unexpected – and a totally devastating piece of news.

I have lived in Oxford for more than 20 years – originally in Jericho, but now in East Oxford, off the Cowley Road. My wife is a professional cellist and we have two daughters, Emma and Isabel, both of whom were born at the JR & both of whom are at local schools.

Since my diagnosis, I have had the honour of being elected as a Trustee of the MND Association, the national charity, whose vision is a world free of MND.

The Association funds and promotes research to understand what causes MND, how to diagnose it and, most importantly, how to treat it so that it no longer devastates lives. It provides support and care for people living with MND, their families and their carers, both nationally – and locally, through its branch network of volunteers.

I come here supported by

- Rachael Marsden, a specialist nurse and Care Co-ordinator of the Oxford MND Care and Research Centre at the John Radcliffe Hospital
- Lynda Wigley, volunteer and chair of the Oxfordshire Branch of the MND Association
- Moira McIver, person living with MND, who has lived in Oxford for more

than 20 years, first in East Oxford and now in Cumnor.

The Charter is a simple five-point document, created by the Association, to ensure that people with MND receive the right care, in the right place, at the right time.

Since its publication in May last year, the Charter has won widespread support including from:

- **national organisations** like the Royal College of GPs, the Royal College of Nursing, Rare Diseases UK, the British Association of Occupational Therapists and the Association of Directors of Adult Social Services
- **local organisations** like Gloucestershire Care Services, Wiltshire Council, South Warwickshire NHS Trust and Royal Devon & Exeter NHS Trust
- **prominent individuals** like Professor Stephen Hawking, Terrence Higgins, Baroness Susan Greenfield and Lord Antony Giddens.

Last month I attended a workshop at the Royal Society, hosted by HRH Princess Anne, which focused specifically on the MND Charter.

At the event, leaders from the Royal College of GPs, the Royal College of Nursing, the National Council for Palliative Care, the Association of Directors of Adult Social Services and the Carers Trust all spoke about the importance of the Charter – and how they supported its adoption both nationally and locally. Indeed the representative from ADASS spoke of how he would like to see the Charter adopted by every council in the country.

Here in Oxford, it has been signed by Oxford University Hospitals Trust, the Bishop of Oxford John Pritchard, Sir Roger Bannister, Professor Colin Blakemore and Oxford MPs Andrew Smith & Nicola Blackwood. Indeed more than a dozen of you here have signed the Charter, representing all three parties in the City Council.

With its internationally renowned MND Care and Research Centre, Oxford is recognized as a centre of excellence for both MND care and for MND research. Its team of specialists, including Rachael Marsden, who is supporting me here – is almost unparalleled. I know that some of you went to the inaugural lecture by Professor Kevin Talbot in Nov 2011 – who has the first Professorship of Motor Neuron Biology in the UK.

In March 2012, the Parliamentary Public Accounts Committee produced a devastating report on Services for People with Neurological Conditions. Introducing the report, the Chair, Margaret Hodge MP, said: “individual care is often poorly coordinated and the quality of services received depends on where you live.”

With the structural changes in the last 2 years to public services – and particularly to the NHS - local authorities like Oxford City Council have an increasingly important role to play, alongside the NHS, in the support and care of people with long-term and neurological conditions like MND.

The MND Charter is an important tool for raising awareness of MND across both the general public and those in the health and social care professions. It helps raise standards and demonstrates publicly an organisation's support for those living with MND, their families and their carers.

Each of its 5 points addresses specific issues. For example, 'People with MND have the right to early diagnosis and information' speaks to the difficulty of diagnosing MND and the lack of accurate information & awareness, particularly amongst those providing care and support.

Diagnosis can take months or even years, with inappropriate referrals common (as happened to myself) – and it is common to find care professionals who have no realization of the seriousness of the condition and speed of progression. When life expectancy after diagnosis can be measured in months, any delay in providing essential support or equipment is not merely an inconvenience – but may have a devastating impact on somebody's last few months.

For all the above reasons, I hope you will agree that it is entirely appropriate that the City of Oxford should sign the MND Charter in support of its citizens living with Motor Neurone Disease.

I would therefore like to propose, with the support of a number of Councillors, including Councillors Bob Price, Bev Clack, Graham Jones and Elise Benjamin, that:

**“Oxford City Council shows its support for people living with Motor Neurone Disease by affirming the five principles of the MND Charter:**

- 1. People with MND have the right to an early diagnosis and information**
- 2. People with MND have the right to access quality care and treatments**
- 3. People with MND have the right to be treated as individuals and with dignity and respect**
- 4. People with MND have the right to maximise their quality of life**
- 5. Carers of people with MND have the right to be valued, respected, listened to and well-supported.**

**The City Council demonstrates its affirmation for the above principles by signing the MND Charter on behalf of the City of**

**Oxford."**

On behalf of all of us living with this devastating condition, I hope that you will support this proposal.

Thank you.

## 2. Building Community Led Homes in Oxford – Fran Ryan, Oxford Co-Housing

### INTRODUCTION

Would you like to live where you know all your neighbours, where your children can play outside safely and where there's always someone to watch out for you as you get older? Where you have the privacy of your own home and also access to shared facilities such as gardens, dining room, workshops? This is cohousing. We are a group of Oxford residents who believe that by pooling our resources we can build such a community. It won't just be for ourselves, but to invite others to join.

We will each have our own front door but we will support each other and share our skills. Crucially we will reduce our carbon footprint and our demands on public services.

We know it can be done. There are long established cohousing developments in Dorset and Gloucestershire, and in the last twelve months two new ones in Lancaster and Leeds.

Here in Oxford we face great challenges, but with your help we can succeed.

### SO WHO ARE WE?

We are a diverse group but most of us have houses to sell to fund the project. We started planning about three years ago. We have set up a Company Ltd by Guarantee and we have local support from both councillors and Oxford residents. We have been looking for land within the ring road to build 20-40 homes including the usual quota of affordable ones. But we're having to compete with developers who have deeper pockets than ours. So we're finding it really hard.

### WHY WOULD COHOUSING BE GOOD FOR OXFORD?

Lots of benefits with cohousing: energy efficient homes with small gardens and shared green space. Car sharing, so we'll need less land for parking. Bulk purchase of food will ensure high quality even for people on £53 a week.

Cooperating with each other and being good neighbours helps meet our social needs. We already have several members with a disability and that is a critical strand in our thinking as some of us are feeling our age. All can be involved in joint activities such as cooking and shared meals. We know that such cooperatively run housing reduces demand on local services, and leads to greater wellbeing, citizenship and happiness.

Our scheme will be a good place for children to play together or join in with adults, such as when they are gardening and maintaining the site. Everyone in a cohousing community feels more secure.

We could say much more now but instead invite you to read more by looking at the attached leaflet or visiting us via our website (see end).

## HOW YOU CAN HELP

We invite you to join us but even more to support our enterprise. You could make Oxford City a leading edge council in supporting community-led housing projects.

There are three specific things we'd like you to do:

**1. LAND: Help us find land:** We need 1½ acres or so within the ring road. But most of all we need some kind of preferred bidder status because we can't raise money as quickly as the big developers. For example having some extra time between contract and completion would help us raise the cash to pay for land. If we buy at a below-market price we will lock in the benefit to keep the homes permanently affordable.

**2. POLICY: Enable this project by being flexible with your policies.**

**2.1 Planning:** It may be that the only suitable land is not currently designated for housing. We may need flexibility around parking (we'd want fewer cars than is usual). We may want higher density homes to keep land for gardens.

**2.2 Nominations:** We will need flexibility around nominations. We want a mixed community. If nearly half our residents are going to come from the Housing Needs Register we need to think about how best to do this so as not to compromise the social viability of the project. We want people who will commit to our cooperative way of working and put time into our project. So we need to find them early to **participate** in our planning process. Several officers and councillors have already shown openness to this. We need a firm agreement in principle now, pending formalizing it in the planning legal agreement. There needs to be a double hurdle for access to the cohousing social rented homes: people being nominated for social homes must show not just evidence of housing need but also commitment to the project.

**2.3 Local lettings:** We want to benefit people from our immediate area: if we build in Wolvercote we would want some social rented homes to go to people with a Wolvercote connection. Your current policy doesn't allow this.

**2.4: Existing council tenants:** We want members who already live in social rented homes to be able to move into cohousing. Currently there is no provision for that without downsizing.

**3. PROJECT WORKER:** Take the lead and joint-fund a project worker with us to support community-led homes including cohousing. No other city has done this.

We have some cash to fund a project worker. Meet us half way and help us to do this.

**AND FINALLY...**

Picture a future in which you have enabled us to set up several supportive mixed tenure communities in the city. And a model for others to follow across the UK.

(Contact: Fran Ryan, Oxford Cohousing, June 14<sup>th</sup> 2013 07889 209448 [fran@peopleincharge.co.uk](mailto:fran@peopleincharge.co.uk))

### **3 The Consultation Process - William Clark**

I was heartened by the last meeting to hear the encouraging words coming from the opposition benches on the topic of consulting with groups who are opposed to the new swimming pool on Blackbird Leys. However the councillor on this side said it would be a clear waste of his time and effort. Well let me refer him to a national statesman who lies only a few miles north of Oxford in Bladon and he stated "it is better to jaw jaw than to war war" and he should know as he endured both activities.

It does make me wonder just what the Labour group are all about! I thought "naively" it was to support all members of a parish/district not just those who voted them into office.

I can see the Liberal Democrats, Greens and Independents have a system which allows for a free vote whatever the topic, unless I'm missing something" As for the Labour group I am ashamed to say your idea of democracy leaves a lot to be desired. I have been attending this place for a good few meetings and witnessed a fair few votes taken and it strikes me that if the leader puts his hand up they all do just like good little puppies. Well let me tell you something for free you are creating the perfect storm scenario, you have alienated countless residents and groups across the city and as my grandmother used to say, [wise old lady she was] "as you sow the wind so you reap the whirlwind" which will come sooner rather than latter which will see large chunks of this chamber turned to other colours other than red. And what about the Conservative party they own all areas outside Oxford City but there is not one representative on this council, so who will support the Tory voter if not you, where is their voice in this chamber.

It's my view you don't care about the voter who put you here, you don't care about the lives you have blighted with accommodation blocks or swimming pools. Let's just examine the last statement again, "who is affected most by the closure of the Blackbird Leys swimming pool – the elderly and the young – why because it is a nice warm pool suitable for their bodies. Who will be affected most by the creation of your white elephant – the elderly and the young – why the population facing the green space is predominantly pensionable age who only want a quiet life not this noisy thing they will get, and the young – why at the moment the other residents living along Pegasus Road want their children to play safe and the park opposite offers that choice, after all said and done they can't play on the green outside their house because you have erected signs saying no ballgames so it has to be across the road and into the playing field. I do think there is more than a touch of discrimination in this chamber as you only appear to be looking after yourselves and always toe the party line.



But what do I know I am only one of the ageing population who had to earn respect the hard way by doing what is right and treating people fairly which brings me right back to the councillor responsible for leisure why won't you talk with us, is it too much of an effort to fit into your busy schedule or have I been speaking the truth all along and you are afraid your leader will use the whip on you?

#### **4 Openness and Transparency – Nigel Gibson.**

At the last Full Council Meeting on the 22nd of April, I gave an address introducing the latest petition from the Save Temple Cowley Pools Campaign. Over 1,500 people had signed the petition, asking you to explain openly and transparently, in complete contrast to how you have responded before, your reasons for removing a leisure centre from Temple Cowley, the focus of so many communities across East Oxford and beyond, and key to many thousands of people maintaining their fitness and quality of life. We were extremely disappointed that the then Labour CEB Member for Leisure Services refused to engage, and we were all left wondering, as articulated by Green Councillor Benjamin, “What have you got to hide?”

The lack of transparency was only underlined by the reference to the minutes of the meeting between the Campaign and the MACE architects. I have clearly demonstrated, it seems endlessly, that all the information from the Council concerning the proposed new swimming pool and the close of Temple Cowley Pools is a combination of misleading, inaccurate, incomplete and untrue, and the minutes of this meeting are an exemplar. The meeting between the Campaign and the MACE architect was authorised by one of your Executive Directors, Tim Sadler, at the public meeting in August 2010 when MACE presented their plans for the proposed new swimming pool in Blackbird Leys. It seems a long time ago, but it is the only meeting that we have had with council representatives. The minutes, as you like to call them, were taken without reference to the Campaign, we have never been asked to check or validate them, and they completely misrepresent what actually happened. They were incorrectly used in Planning meetings, and were again incorrectly referenced at the last Council Meeting.

This lack of openness and transparency in the Council’s dealing with the public has been a theme running through the Campaign over nearly four years, and is becoming increasingly pervasive in your dealings with other campaigns as well, where members of the public quite rightly expect their council to properly explain what is going on.

In my address at the last meeting, I explained that any local authority has a public law obligation to review its decisions if circumstances change. I further explained that circumstances had changed significantly in relation to your decision to close Temple Cowley Pools, taken back in July 2011. I expected that the Council would respond, but I heard nothing. So I then wrote to our Chief Executive, Peter Sloman, and asked him, very clearly, to provide the Council’s position on two points:

- Does Oxford City Council acknowledge that there is an obligation on local authorities to review their decisions, and if so,

- Will Oxford City Council review its decision to close Temple Cowley Pools given that circumstances have changed?

These were not trick questions, just very simply trying to find out the Council's position. Bizarrely, Mr Sloman's response was firstly to not answer the question and secondly to dismiss my enquiry as vexatious. Now, I have many better things to do with my time than try and annoy a Council Chief Executive.

And this refusal to deal with the public is becoming a very worrying trend within Oxford City Council. When I challenged Cllr Rowley, the new CEB Member for Leisure Services, with evidence that his interviews were misleading the public, he also refused to respond. And we learn recently that your legal department's advice to councillors, which apparently you have to follow, is not to meet with members of the Campaign. Is it any Campaign, or just this one, we wonder?

No explanation. No openness. No transparency. What have you got to hide?

Well, we're going to try again to find out. There are several stages to a Judicial Review. The first is to try and resolve things without going to law. I've done that, and Mr Sloman, for reasons that are unclear and in a response that will be seen in an unfavourable light by a court, has refused to respond positively. The next stage is a pre-action protocol – this is where I formally set out why I think the Council should be reviewing its decision to close Temple Cowley Pools. The Council can then respond, and if I am satisfied with the answer, the matter goes no further.

The final stage is then moving formally to an application for a Judicial Review. You have a choice. If you commit funds while this process is going on, in the knowledge that you may lose a Judicial Review, then you are not only wasting public funds but are also guilty of maladministration. Or, you have the opportunity to resolve matters now, by stopping any more work on the proposed new pool, while establishing clearly, openly and transparently why you won't review your decision.

The choice is yours.

### **Response**

*In July 2011 CEB delegated authority to the Executive Director Community Services, in consultation with the Monitoring Officer, to award a contract for the build of the new pool. That report recognised that legal challenges may mean that the contract would not "go live" for some time. After a procurement exercise was completed the contract was let in March 2012 to Willmott Dixon. Due to legal challenges and anticipating further delays that contract contained two conditions*

*precedent relating to the dismissal or withdrawal of two legal challenges - the request for Judicial Review of the Council's decision making process by Nigel Gibson and the a request for Judicial Review by Mrs Zani of the County Council's decision to reject an application to have Blackbird Leys Park declared a Town Green.*

*On satisfaction of these two conditions precedent, the contract by definition became unconditional, and therefore active.*

*Mr Gibson applied for Judicial Review of the CEB's July 2011 decision in regard to closing the Temple Cowley pool, but after twice failing to obtain consent from the Administrative Court, he finally discontinued his application in March 2013.*

*Mrs. Zani's application to have the County's decision judicially reviewed has now been withdrawn and therefore the County Council's decision not to register the land as a Town Green stands.*

*From the above you will see that the conditions precedent in the contract have been met, and as a consequence the contract is now active. There has been no material change in the relevant circumstances concerning the need for the facility or the Council's ability to pay for it, and preparations to commence on site are therefore now well advanced.*

**5 Oxford University Students Union Charities and Community – Daniel Tomlinson and Sarah Santhosham**

Thank you for allowing us to address you today. My name is Sarah Santhosham and I am the outgoing Vice President for Charities and Community at Oxford University Student Union. A year ago I came along to Full Council to introduce myself and outline my vision for the year by working with you to achieve a stronger community. I'm here today to outline what we have achieved by working in partnership and to introduce my successor, Daniel Tomlinson, whom I hope you will work with over the year ahead to continue the progress we have made.

Over the last year we have made a lot of progress in a number of areas, through our new initiatives and projects, the representation of students in the community and through our charitable fundraising. The permanent establishment of our Community Warden scheme has made a lot of difference to the relationship between students and residents on the ground; the wardens visit households to foster good relations and spread useful information, and they are well equipped to deal with the new intake of students next term. Another project I have been pleased to work on is a scheme to foster partnerships between local primary schools and College sports grounds; we have worked with a number of local organisations, including the Council's Leisure and Parks Department, to lay the groundwork and I am confident that this will translate into actual schemes next year. I am particularly grateful to City Councillors for part funding the first Oxford Volunteering Showcase earlier this year; the event attracted 47 stall holders and provided a good opportunity for students and permanent residents to interact around shared activities, from community volunteering, to environmental work, and educational volunteering in the City.

On the representation front, the Oxford Student Community Partnership Group, a group which brings together stakeholders from across the city to discuss matters affecting students as residents, has been going strong, and I am grateful to the Councillors who have made a valuable contribution to this group over the year. We have also continued to represent students through area forums, NAGs and police groups. One of the highlights of my year has been the ability to work with and direct Oxford RAG, the main student fundraising groups in the University. Since April 2012 we have raised around £109,000 for a range of charities, including the local charities Jacari, Helen & Douglas House, Crisis Skylight Oxford and the Oxford Food Bank; hearing how this money will be used for the benefit of the local community has been a real privilege and Oxford RAG is in a good place to be able to raise even larger amounts next year.

It has been a pleasure to work with students at the University to effect change, and in particular with the City Council and individual Councillors this year. This year has taught me how much can be achieved when organisations work together on issues that affect us all

and I hope that the partnership we have as a student union with Councillors and the City Council will remain strong in the future.

(Daniel Tomlinson)

I will be taking on Sarah's role as Vice-President for Charities and Community at the Oxford University Student Union for the next academic year.

I plan on continuing many of the projects that Sarah, and yourselves, have worked on up to this point. Notably, in the 'community' part of my role I will continue to work on:-

- The Community Wardens Scheme
- The project to open up Oxford Colleges Playing Fields to Local Schools
- The Living Wage Campaign

I also want to thank you for assisting with funding the Oxford Volunteering Showcase and hope that we will be able to work together in similar ways over the next year.

Further to the projects that Sarah, and OUSU, already work on I hope that we will be able to work together on 3 further issues:-

- Increasing student engagement with the issue of homelessness in our city
- Increasing cycle safety and reducing cycle theft
- Making the University and its buildings more accessible to the local community

If you would like to contact me you should be able to find my contact details in the agenda. Over the summer I plan to meet with a large number of partners such as yourselves and I look forwards to working with you over the next year.

Daniel Tomlinson, Vice President (Charities & Community), Oxford University Student Union ([charities@ousu.org](mailto:charities@ousu.org))

## **6 Full Circle and Charity Mentors – Rowen Smith**

### About Full Circle

Full Circle is a charitable organisation which began working in Oxfordshire in 2000. Currently based in primary and secondary schools, it brings children and older people together on a weekly basis, with the aim of nurturing friendship and understanding between generations.

### About Charity Mentors

Charity Mentors supports charity and social enterprise managers to improve the all round performance of services. It provides mentors who can help clarify goals, consider options and plan outcomes. The mentoring is free. All the mentors have had senior leadership roles and experience, in the voluntary sector.

What we can do – the innovation of the project and how it can benefit Councillors?

## **Part 2: Public Questions**

### **Q1 Question to the Board Member for Leisure (Councillor Mike Rowley) from Andrew Brough**

It is very important that children living in the vicinity of rivers and waterways are able to learn to swim and have proper swimming pool facilities near to where they live, to avoid the tragedies that have happened in recent years. When there is only one pool in Blackbird Leys, instead of the existing two pools in Blackbird Leys and Temple Cowley, how will the Council make sure that children still have the same amount of time for learning to swim?

When Temple Cowley Pool was completely rebuilt in 1987, the Oxford branch of the British sub-aqua club was unable to regain their training session slots on Wednesday and Friday evenings. The existing Blackbird Leys Pool has many small group users. Examples have included canoe safety training and aqua aerobics. How will all these groups be accommodated when the two pools in Blackbird Leys and Temple Cowley are replaced by one in Blackbird Leys?

#### **Reply**

*The new pool has a teaching pool, splash water and an eight lane 25 meter pool. The eight-lane pool also has a moveable floor that enables greatly improved programming for both swimming lessons and mobility water sessions. We have also continued to offer free swimming and targeted free swimming lessons to young people in the city.*

### **Q2 Question to the Board Member for Leisure (Councillor Mike Rowley) from Sue Brough**

Could you please give full details (dates, names of people present, points discussed, any outcomes or action points, etc.) of the public consultation meeting(s) which took place before the City Council decided to spend £9.2 million building one new 25m pool in Blackbird Leys, closing the two existing pools and selling off the Temple Cowley site; and has the decision been reviewed since the latest Census Data from 2011 became available?

#### **Reply**

*While we would not provide names, the council's web pages contain the detailed consultation information.*



**Q3 Question to the Leader of the Council (Councillor Bob Price) from Cathy Wheeler, Oxford Voice.**

I am increasingly concerned at how Oxford City Council is Profiting from Selling or donating land and retreating from providing Services, particularly in East Oxford; this is bewildering to the hard-pressed Council Tax payers of Oxford.

It is imperative for the open and transparent local Authority Democracy at Oxford City to be able to effectively hold our elected councillors and the overly financially rewarded Executive Officers to account for their decisions, and that the governance structure is properly understood.

Can you please explain the Legal and Corporate Status of Oxford City Council: for example, is Oxford City Council a for profit Corporation? If Oxford City Council is a Corporation, what is the Trading Name, and what happens to the Profits? Is Oxford City Council a Co operative? Is Oxford City Council a Public Limited Company?

Or is Oxford City Council Company limited by Shares?

If Oxford City Council has shareholders, who are these Shareholders?

**Reply**

*Oxford City Council is a local authority with powers regulated by the various Local Government Acts. All financial and other monitoring information about the Council's policies and services to the people of the City can be found on the Council's website.*

**Q4 Question to the Leader of the Council (Councillor Bob Price) from Sietske Boeles**

Regarding the *potential risk to public health and the environment* posed by the Castle Mill development, could the Leader confirm:-

- (i) that the Council has allowed this development to go ahead on land which it knew to be contaminated with highly toxic pollutants such as asbestos and polycyclic Aromatic Hydrocarbons (PAHs), which are linked to birth defects and cancer; and elevated levels of metals such as lead with are linked to brain abnormalities in children;
- (ii) that the Council's environmental health officer identified in December 2012 that adjacent allotments may be at risk and requested further surveys to assess risk on surrounding sites;
- (iii) that surveys submitted recently on behalf of the developers have shown that groundwater is contaminated with PAHs, that these

are well above safe levels, and that the Environment Agency has required further surveys.

In view of the above, what reassurances can the leader offer the people of Oxford that this development has not posed, and does not continue to pose, a risk to public health and the environment ?

Specifically, can the leader confirm:-

- (i) that no contaminants, including contaminated dust, has spread outside the development site;
- (ii) that it is safe for people to visit Cripsey Meadow allotments, and consume the food produced there;
- (iii) that an assessment has been carried out to determine whether any damage has been caused, or is being caused by the development to Port Meadow, which is both a SAC and SSSI.

If the leader cannot offer the above reassurances, will the Council issue an immediate stop notice or explain why it does not believe that this is necessary.

### **Reply**

*The Planning Committee imposed a condition as part of the planning permission for the development which required the developer to undertake tests and produce data and reports which would indicate whether any significant risk exists and what, if any, steps might be taken to address that risk..*

*That condition has not yet been discharged.*

*Interim results were received and this led the Council, working in conjunction with Environment Agency (EA), to require a detailed quantitative risk assessment (DQRA) in accordance with model procedures. This has just been completed and the results are now being analysed by the EA and the Council.*

*There are no data or reports that demonstrate an unacceptable risk exists to public health on the allotments. Site investigations were carried out between 2008 and 2011 and levels of contaminants were below the threshold for determining the site as contaminated land. Precautionary advice was given to allotment holders which included washing hands before eating and washing/peeling vegetables grown on the site before consumption. This advice remains sound today.*

*No assessment has been made to determine whether any damage has been caused or is being caused by potential contamination on the land of the Castle Mill development. This is because such an assessment has not been requested by Natural England or the Environment*

*Agency as the Statutory Consultees and because Port Meadow is separated from the development site by the allotments and the Castle Mill Stream.*

**Q5 Question to the Board Member for Leisure Services (Councillor Mike Rowley) from Jane Alexander**

The Oxford City Council Summer 2013 'Your Oxford Paper' had a small article within it which headlined 'Better Access to leisure facilities'. Does Oxford City Council accept this as an oxymoron because:-

1. You are actually closing two swimming pools and replacing them with one and removing a gym which is open from 6am until 10pm and replacing it with a gym that cannot be open to the general public in school hours;
2. Individuals with the concessions membership scheme will be unable to use this facility;
3. Without canvassing those who already regularly use the Temple Cowley pool and fitness centre it is unclear how many people will want to attend a school to use the gym, especially one that will be open for a much shorter period and that will be busy in terms of mechanical and pedestrian traffic at very particular times (excluding some morning use if it was offered) and that is in a poorly lit area at night.

And how will the council either remedy this inaccurate article or actually improve in real terms access to leisure facilities inside the ring road in East Oxford, for example by keeping Temple Cowley Pools open?

**Reply**

*The article is entirely accurate. The new pool is a city-wide facility and when it opens the East of Oxford will for the first time have a top-quality, modern, integrated leisure centre to compare with what North Oxford has in Ferry Leisure Centre. The partnership with Oxford Spires Academy will help to ensure that Temple Cowley continues to have a good local leisure offer.*

*Our approach to leisure is detailed in the city's leisure strategy, and it is a continuing success. Since 2006 the city has had the third highest increase in activity nationally with 27.8% of adults now doing at least 3 x 30 minute sessions of exercise each week. This puts Oxford City Council in the top 20 Councils in England for leisure participation.*

**Q6 Question to the Board Member for City Development (Councillor Colin Cook) from Adrian Arbib**

Re: Red line photo montages, dated December 21, 2011 and now available on the planning portal, regarding the Roger Dudman Way development.

Can the portfolio holder confirm that these photo montages, including the red line, were submitted by the developer and if so when? And when were they made available to (a) the public and (b) councillors? Were they submitted with the wirelines?

There are 13 of them in total and presumably they were all loaded at the same time?

Were these photo montages available to councillors when they determined the planning application in February 2012?

**Reply**

*The photographs including the 'red line' plan or wireline were submitted by the Applicant, the University.*

*The photographs from Port Meadow indicating the location of the development were received and uploaded to the website on 21st December 2011. They were available to be viewed by the public and councillors from this date.*

*The red and white wirelines were mounted up on the website at a later date, on 8th February 2012, having been received a day or two earlier. The committee met on 15th February 2012 and all these images were available to Councillors when they met.*