

To: Council

Date: 7 December 2015

Title of Report: Motions received in accordance with Council Procedure Rule 11.17, as amended

Introduction

This document sets out motions received by the Head of Law and Governance in accordance with Council Procedure Rule 11.17 by the deadline of 1.00pm on 25 November 2015, as amended by the proposers.

All substantive amendments sent by councillors to the Head of Law and Governance by publication of the briefing note also included below.

Motions will be taken in turn from the Labour, Liberal Democrat and Green groups in that order.

1. Housing and Planning Bill (proposed by Councillor Rowley)

Labour member motion

This council notes:

- that the Housing and Planning Bill is currently being debated in Parliament, and if passed would threaten the provision of affordable homes for rent and buy through forcing "high-value" council homes to be sold on the open market, extending the "right to buy" to housing association tenants, and undermining section 106 requirements on private developers to provide affordable homes;
- that there is no commitment in the Bill that affordable homes will be replaced like-for-like in the local area - indeed, in Oxford it is very difficult to see how this could work financially;
- that whilst measures to help first-time buyers are welcome, the "starter homes" proposals in the Bill will be unaffordable to families and young people on ordinary incomes in most parts of the country, will not preserve the taxpayer investment, and will be built at the expense of genuinely affordable homes to rent and buy;
- that the Bill undermines localism by taking yet more new wide and open-ended powers for the Whitehall over councils and local communities - including the ability to override local plans, to mandate rents for social tenants, and to impose a levy on stock-holding councils, violating the terms of the housing revenue account self-financing deal; and
- that the Bill, whilst introducing some welcome measures to get to grips with rogue landlords, does not help with the high rents, poor conditions and insecurity affecting many private renters, in an expanding sector which now houses more

than one in four households in Oxford, and does nothing to help arrest the recent rise in homelessness.

This Council:

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

This Council therefore resolves to ask the Executive Board:

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

2. Procurement and tax (proposed by Councillor Fooks)

Liberal Democrat member motion

Original text

Council notes that

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

Council further notes

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

In early 2015 new regulations required public bodies, including councils, to ask procurement qualification questions of all companies for tenders over £173,000 for

service contracts and £4m for works contracts. However, these questions are not as detailed as the PPN 03/14.

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

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

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

Amendment proposed by Councillor Price

Delete the penultimate paragraph; and amend the final paragraph to read;

Council asks the CEB to commission officers to investigate whether and how this policy could be effectively included in the Council's Procurement Procedures.

Motion as amended then reads:

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Council asks the CEB to commission officers to investigate whether and how this policy could be effectively included in the Council's Procurement Procedures.

3. Reforming Local Government Finance (proposed by Councillor Simmons)

Green member motion

Original text

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

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

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

Amendment proposed by Councillor Turner:

delete the third, fourth and fifth bullet points.

The amended motion will then read:

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4. Network Rail (proposed by Councillor Gotch)

Liberal Democrat member motion

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

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

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

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

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

Green member motion

This Council notes the disastrous affect that the proposals in George Osborne's summer budget will have on the Council's ability to fund new social housing and retain existing properties. In addition, the so-called 'pay to stay' measures will cause hardship to many low paid households as identified by organisations including Defend Council Housing.

This Council:

- calls for additional funding to be made available to address the housing crisis in Oxford
- opposes right-to-buy including the extension to housing association properties and agrees to look at alternative housing models that could mitigate the worst impacts of the current RTB proposals
- opposes 'pay to stay' but, if it is to be introduced, agrees to ask for the threshold to be raised to the same as London.

This Council therefore agrees to do all it can to resist these changes and asks the Leader to write to the relevant Ministers making known the Council's views.

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

Green member motion

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

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

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

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

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

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