

To: Council

Date: 8 February 2016

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

Introduction

This document sets out eight motions received by the Head of Law and Governance in accordance with Council Procedure Rule 11.17 by the deadline of 1.00pm on 27 January 2016, 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 Liberal Democrat, Green, Labour groups in that order.

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

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

All-party Labour, Liberal Democrat and Green member motion

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

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

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

1. Continue to offer FAIRTRADE Marked food and drink options internally and make them available for internal meetings.

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

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

Liberal Democrat member motion

Council notes

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

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

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

Amendment proposed by Councillor Hollingsworth, seconded by Councillor Rowley

Add further (points) under "Council notes"

- *that work has begun on a new Local Plan, taking forward Oxford's planning policies to 2036*
- *that the commitment to the provision of social housing for rent, which has the considerable merit of actually being affordable unlike so-called 'affordable housing' as defined by the current Government, is a fundamental part of both our existing and future planning and housing policies*
- *that proposals to replace social housing requirements with 'key worker' housing while making no adjustment to the 'market' element on large sites runs counter to the spirit and letter of this Council's planning policies, and should not be supported*
- *that major employers who are also major landowners who seek to provide housing for their employees can and should bring forward proposals that do so without the entire removal of social housing requirements from these sites*
- *that at this time of great uncertainty caused by the rapid and incoherent evolution of Government policy, albeit an evolution underpinned by an ideological desire to destroy the social housing sector entirely, the resources of the Council are best used by planning for a range of different eventualities rather than by taking precipitate action that is likely to prove nugatory*

Delete Sentence beginning "Nevertheless...."

Amend final sentence to read:

Council therefore ask the Executive Board to continue to develop the new Local Plan, to work with major public and private employers to develop balanced schemes for housing development, and also to explore, in the light of Government policy, options that will support the continued and increasing provision of genuinely affordable social housing for rent, permanently affordable housing for purchase or shared ownership and an appropriate number, range and balance of all housing tenures in Oxford, and to regularly report to and engage with all Councillors on these efforts.

Motion as amended then reads:

Council notes

- the increasing inability of people on low and middle incomes to be able to afford to buy or rent in or near the city, and that this is hampering the efforts to attract or keep key workers such as nurses, teachers, social workers, junior university staff and other essential employees
- that there are examples of innovative approaches and solutions to this problem in other parts of the country. Examples include the partnership between Pocket Homes and the Mayor of London and the creative policy of Cambridge City Council to assist the university to house employees in housing they can afford as the 'affordable housing' element of a development
- the work in hand to consider setting up a Local Housing Company and welcomes the work being done to encourage Oxford University and the Hospital Trust to plan to provide housing for their staff.
- *that work has begun on a new Local Plan, taking forward Oxford's planning policies to 2036*

- *that the commitment to the provision of social housing for rent, which has the considerable merit of actually being affordable unlike so-called 'affordable housing' as defined by the current Government, is a fundamental part of both our existing and future planning and housing policies*
- *that proposals to replace social housing requirements with 'key worker' housing while making no adjustment to the 'market' element on large sites runs counter to the spirit and letter of this Council's planning policies, and should not be supported*
- *that major employers who are also major landowners who seek to provide housing for their employees can and should bring forward proposals that do so without the entire removal of social housing requirements from these sites*
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Council therefore ask the Executive Board to continue to develop the new Local Plan, to work with major public and private employers to develop balanced schemes for housing development, and also to explore, in the light of Government policy, options that will support the continued and increasing provision of genuinely affordable social housing for rent, permanently affordable housing for purchase or shared ownership and an appropriate number, range and balance of all housing tenures in Oxford, and to regularly report to and engage with all Councillors on these efforts.

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

Green member motion

This Council notes that:

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

This Council further notes that:

- Letting agencies contribute to the high cost of renting by charging up-front fees, and benefit from short-term tenancies which maximise revenue.
- Neither landlords nor tenants are best served by this arrangement
- There is overwhelming popular support for rent control measures (59% for, 7% against)
- Rent control is common in many cities and the benefits of certain types of rent control are well-researched (for example, see the recent study commissioned by Camden Council in 2014)

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

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

This letting agency should adhere to ‘third generation’ rent controls coupled with strong contractual rights (including first refusal rights on the next tenancy and flexibility for landlords wishing to occupy/sell and so on)
3. The Council should also offer accreditation to other agencies wishing to operate under this standard.

Amendment proposed by Councillor Rowley, seconded by Councillor Hollingsworth

Under "Council notes", third bullet point, delete "*the high turnover of tenants in the City*" and substitute "*the Thatcher and Major governments' introduction of the Assured Shorthold Tenancy as the default legal standard, combined with the effect of a high transient population*".

Under "Council further notes", first bullet point, insert "*especially to students who are often asked to pay a retainer up to a year before moving in*".

Under "Council further notes", fourth bullet point, delete "*many cities...*" to end and substitute "*many other EU Member States, and indeed there are calls to strengthen these controls to combat housing insecurity.*"

Delete "*This Council therefore asks...*" to end of clause and substitute:

"This Council notes the efforts already being made to tackle the lack of affordable private rented housing in Oxford, including the Real Lettings project approved by CEB which seeks to make accommodation available at LHA rates, and our proposed "rent guarantee" scheme which we hope will increase the number of private rented properties available via Home Choice and secure tenants' rights by giving the Council a role in the management of the property.

This Council is sympathetic to the principle of rent controls, and our policy representations will bear this in mind. However, we note that current proposals, such as the study commissioned by Camden Council in 2014, rely on a voluntary agreement between the Council and selected landlords. Experience of Oxford's housing bubble suggests that the feasibility of this may be very limited. Council does not therefore believe that, in the current legislative climate, setting up such a scheme should be a priority in our work to expand the availability of affordable housing in our City.

Council asks the City Executive Board to proceed with its existing plans, and also in the longer term to take into consideration:"

Under point 1 following, delete "either as part of the Housing Company or separately".

Under point 2(a), add "to tenants".

Under point 2(b), add "where appropriate".

In sentence following, after "*This letting agency should*" delete "*adhere to*" and substitute "*look at the feasibility of voluntary agreements involving*".

After "*third generation rent controls*" add in parentheses "*inflation-linked rent stabilisation*".

Under point 3, delete "*should also offer*" and substitute "*may also consider offering*".

Motion as amended then reads:

This Council notes that:

- Oxford's housing is the most unaffordable in the country
- the Private Rented Sector is a significant (>25%) and growing part of the market
- the Thatcher and Major governments' introduction of the Assured Shorthold Tenancy as the default legal standard, combined with the effect of a high transient population, contributes to the higher rents
- the current Government's housing policies are only likely to make the housing situation in Oxford worse

This Council further notes that:

- Letting agencies contribute to the high cost of renting by charging up-front fees, especially to students who are often asked to pay a retainer up to a year before moving in, and benefit from short-term tenancies which maximise revenue.
- Neither landlords nor tenants are best served by this arrangement
- There is overwhelming popular support for rent control measures (59% for, 7% against)
- Rent control is common in many other EU Member States, and indeed there are calls to strengthen these controls to combat housing insecurity.

This Council notes the efforts already being made to tackle the lack of affordable private rented housing in Oxford, including the Real Lettings project approved by CEB which seeks to make accommodation available at LHA rates, and our proposed "rent guarantee" scheme which we hope will increase the number of private rented properties available via Home Choice and secure tenants' rights by giving the Council a role in the management of the property.

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Council asks the City Executive Board to proceed with its existing plans, and also in the longer term to take into consideration:

1. Setting up a new letting agency owned and operated by the Council
2. Operating this letting agency according to best practice by:
 - (a) charging no fees to tenants
 - (b) offering longer tenancies where appropriate
 - (c) publishing and promoting fair rent levels

This letting agency should look at the feasibility of voluntary agreements involving "third-generation" rent controls (inflation-related rent stabilisation) coupled with strong contractual rights (including first refusal rights on the next tenancy and flexibility for landlords wishing to occupy/sell and so on)

3. The Council may also consider offering accreditation to other agencies wishing to operate under this standard.

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

Labour member motion

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

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

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

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

It further believes that this latest proposal, which will leave the most vulnerable people in our society – those with longstanding physical and mental health problems, often stemming from service in our armed forces or from childhood trauma and abuse – literally on the streets without support, to be completely incompatible with the basic tenets of a civilised society.

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

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

Green member motion

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

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

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

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

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

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

Amendment proposed by Councillor Sinclair, seconded by Councillor Price

To delete the last two paragraphs from '*The legislation*'... to '*with local communities as appropriate*' and replace with:

'This council seeks to set the balance between the need to safeguard vulnerable people, prevent and detect crime with peoples' human rights through our investigatory powers policy, which is subject to an annual review by an independent commissioner and our data protection policies.

This council will remind our officers of these policies and of the need to strike an appropriate balance in the application of this legislation'

Motion as amended then reads:

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:

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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.

This Council seeks to set the balance between the need to safeguard vulnerable people, prevent and detect crime with peoples' human rights through our investigatory powers policy, which is subject to an annual review by an independent commissioner and our data protection policies.

This Council will remind our officers of these policies and of the need to strike an appropriate balance in the application of this legislation

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

Labour member motion

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

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

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

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

This Council asks the Council Leader to write to Oxford's Members of Parliament to express our dissatisfaction with the abolition of grants and make representations to the Prime Minister and Secretary of State for Education about the

impact of the loss of grants on students at our city's universities, particularly those from poorer backgrounds.

Amendment proposed by Councillor Brandt, seconded by Councillor Thomas

Add the following before the final paragraph and add the words

"The Council also notes that, ultimately, it is the existence of tuition fees which is the bigger block to achieving equality in higher education and therefore urges the national Labour Party, who is currently reviewing its policy on tuition fees , and the Government, to abolish them."

Add the following in the final paragraph after 'loss of grants'

"and the imposition of fees"

Motion as amended then reads:

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

Accordingly, this Council notes with concern the Government's plan to scrap maintenance grants for up to 500,000 of the poorest university students, including those attending our city's universities. This Council further notes that the poorest 40% of university students in England will graduate with an extra £12,500 of debt for a three-year course, according to research by the Institute of Fiscal Studies.

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

The Council also notes that, ultimately, it is the existence of tuition fees which is the bigger block to achieving equality in higher education and therefore urges the national Labour Party, who is currently reviewing its policy on tuition fees, and the Government, to abolish them.

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

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

Green member motion

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

For example:

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

This Council is committed to playing its part in global efforts to limit the extent of future climate change, and local efforts to respond to the impacts of climate change on residents, businesses and the local environment. It recognises that, in cities like Oxford which it is predicted will suffer from increased flooding due to climate change, inaction carries a real human and economic cost.

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

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

Green member motion

1. This Council believes that the essence of community work is not so much the delivery of services but the building of stronger, more cohesive and more resilient neighbourhood communities.
2. Recognising that the Council's proposed Tier 1 'community hubs' may also be places where a wide range of services are delivered, Council recognises the danger that the community work objectives may be sidelined or even undermined.
3. Council therefore welcomes the statement in the Community Centres Strategy (currently out for public consultation) "The Council's preferred position is that robust, sustainable community organisations manage the centres".
4. Council believes that independent and locally accountable Community Associations should have a key role in ensuring that all the Council centres deliver on the key community work objective described in para 1.

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