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| Officer report to: | Council |
| Date: | 2 October 2017 |
| Report of: | Acting Head of Law and Governance |
| Title of Report: | Petition submitted in accordance with Council procedure rules – Don’t threaten homeless people with fines. |

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| Summary and recommendations | | |
| Purpose of report: | | To set before Council a petition meeting the criteria for debate under the Council’s petitions scheme. |
| Decision required: | | Yes |
| Corporate Priority: | | Not applicable. |
| Policy Framework: | | Not applicable. |
| Recommendations: That Council: | | |
| 1. | In line with the procedure for large petitions:   * hears the head petitioner for the petition; * debates: * the proposal to the Council contained within the petition; or * relevant motions submitted by councillors by the deadline ; and * decides the action it wishes to take. | |
|  | The petition proposes: *Homeless people sleeping rough in Oxford have been issued with threats of fines of up to £2,500 just for having their sleeping bags and possessions in shop doorways. ………..*  ***The council must withdraw these threats of fines, and stop issuing them to homeless people now.*** | |

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| Executive Board Member responsible : | Councillor Hayes, Board Member for Community Safety. |

# The petition

The text of an e-petition running on the website change.org.uk was received by the Acting Head of Law and Governance on 18 July and a list of 5055 signatures from the website was received on 22 August 2017. Further signatures have been added since then.

The petition states:

*Homeless people sleeping rough in Oxford have been issued with threats of fines of up to £2,500 just for having their sleeping bags and possessions in shop doorways. Can we get 2,500 signatures - one for every pound Oxford city council wants to fine homeless people? As an Oxford resident for almost 20 years, who also supports Shelter and Crisis, this is an issue so close to my heart, and this is a really terrible thing for the council to have done. The council's response that this is about fire safety adds fuel to the fire - dehumanising homeless people to the level of walking fire hazards.*

***The council must withdraw these threats of fines, and stop issuing them to homeless people now.***

*A clear pattern is developing in the council's attitude towards homeless people - they must stop this now, and if enough of us make a noise about this disgrace, they'll have to act. So please sign now!*

*"Homeless people putting their possessions in shop doorways in Oxford have been threatened with fines of up to £2,500.*

*Legal notices have been pinned on to bags belonging to rough sleepers, warning that they could be prosecuted by Oxford city council for being in breach of antisocial behaviour laws." - The Guardian, 26 July 2017*

*This comes in a city where funding is pulled from two important homeless shelters and the same city council is refusing to reopen Lucy Faithfull House.*

The signatures have been validated as far as is possible for an e-petition and come from a range of postcodes, including a number from outside the city and outside the UK:

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| Signatures with a full Oxfordshire postcode | 1302 |
| Signatures from Oxfordshire with a partial postcode | 216 |
| Signatures with a UK city and/or postcode (complete or partial) outside Oxfordshire | 3359 |
| Signatures from outside the UK | 178 |
| **Total** | **5055** |
| Of these, signatures providing only name and country | 118 |

The petition site, Change.org, states in its privacy policy: *We also share your first and last name and city with the person who initiated a petition you have signed, even if you select the option not to display your signature publicly.* Therefore it is not possible for the petition organiser to provide information fully in compliance with the Council’s petition scheme (which requires a name and valid postal or email address)

Not all signatories will live, work or study in the city. The Council’s petition scheme does not require any such conditions to be met before accepting a signature as valid.

As over 1500 signatures are provided with a name and both a city and postcode, the petition meets the criteria for debate at Council.

The organisers have requested a debate at Council.

# Actions for Council

The Constitution states that there is a limit of 15 minutes for dealing with each petition. Should the head petitioner speak for 5 minutes this then allows 10 minutes for debate and decision.

The action proposed for Council in the petition is: ***The council must withdraw these threats of fines, and stop issuing them to homeless people now.***

Actions open to Council include:

* note the petition
* take the action the petition requests
* not take the action the petition requests
* commission further investigation into the matter
* where the matter is one where the Executive is required to make the final decision, decide whether to make recommendations to the Executive to inform that decision.

The Head of Community Services and the Board Member have been invited to comment on this petition and their comments will be circulated in the briefing note.

# Constitution rules and procedure

The Council’s scheme for handling petitions is set out in the Constitution. The scheme specifies that petitions requesting action within the Council’s powers and containing over 1,500 signatures will be debated by Full Council. The scheme also specifies that the petition organiser can address Council for up to five minutes at the start of the debate in order to present the petition.

The motion for debate is the one set out above in paragraph 8.

An alternative substantive motion can be proposed if councillors wish to take any action other than adopting the action in the petition; not adopting the action in the petition; or deferring, referring or noting the issues raised by the petition.

If a Councillor wishes to put an alternative substantive motion on a petition then they must send this to Committee and Members’ Services by 10.00am on the working day before the full Council meeting. These are then published in the Council briefing note.

Any amendments to these must be sent to Committee and Members’ Services by 11.00am on the day of the meeting.

# Financial implications

The implications of this report will depend on Council’s recommendations, if any, and Council should be mindful of the possible costs in formulating its recommendations. Any recommendations will be considered in detail by the City Executive Board before returning to Council, should this be necessary.

# Legal issues

The implications will depend on Council’s recommendations, if any. Any recommendations will be considered in detail by the City Executive Board before returning to Council, should this be necessary.

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| Background Papers: | |
| 1 | Petition and comments from signatories available on  <https://www.change.org/p/don-t-threaten-homeless-people-with-fines> |