# Council 2 October 2017 Agenda item 15

Further amendments proposed by the deadline of 11am today.



# Motion to be considered with petition: Fair treatment for homeless people

Original motion proposed by Councillor Gant, and as amended by the proposer.

Seconded by Councillor Thomas

*This replaces the previous version of this motion as the proposer can amend their own motion without debate.*

1. This Council believes that all Oxford residents, whether living in houses, in hostels or on our streets, have the right to be treated with dignity and without discrimination.
2. Council notes the good work done by Council officers and voluntary organisations to support homeless residents in this city but believes that the recent issue of Community Protection Notices is a retrograde step.
3. Council takes note of the Petition signed by more than 1,800 people, calling for the reopening of Lucy Faithfull House and accepts that the Petition shows a powerful concern by Oxford citizens for community cohesion and for a better way of life for those on our streets.
4. Council acknowledges that, whether or not Council intends to use it, the sanction is used, Community Protection Notices specifically include the sanction of court action, leading to a criminal conviction.

**Amendment proposed by Councillor Gant, seconded by Councillor Thomas**

**After paragraph 4, replace original paragraph 5 with:**

*Council believes the use of an instrument containing this sanction is inappropriate, and asks the City Executive Board to instruct officers to cease the practice with immediate effect, with the following proviso: there may be circumstances where issuing a CPN is necessary.*

*In order to provide sufficient checks and balances in the future, this Council requests that the City Executive Board instruct officers:*

* *No CPN can be issued by a Council employee (or contracted staff) without a dual sign-off, one from either the Chief Executive, Deputy Chief Executive or a Director, and the other from the Head of Law and Governance; and that*
* *Before signing, the signatories must satisfy themselves that the CPN is considered, appropriate, proportional, and humane and that all other reasonable courses of action have been explored.*

**Further amendment proposed by Councillor Hayes by the deadline of 11am on 2 October.**

**Paragraph 2: delete** *~~but believes that the recent issue of Community Protection Notices is a retrograde step~~*

**Paragraph 4:****delete and replace****with** *Community Protection Notices are used to address unreasonable behaviour that is detrimental and persistent. Fire hazards in a central Oxford street with a high footfall are detrimental to everyone working in the building and people in the vicinity if there was an incident. In the case referred to in the petition, Council welcomes the judgement of officers that the fire safety of people working within the building should take precedence.”*

*Council acknowledges that all enforcement decisions are taken on a case by case basis, in accordance with the Council’s Corporate Enforcement Policy which place a requirement on council officers to resolve cases using the lowest possible intervention suitable to circumstances of the case. Contrary to recent publicity, only the court can fine a person for breaching a CPN. This Council is not taking anyone to court.*

**Final paragraphs delete and add in:**

*~~Council believes the use of an instrument containing this sanction is inappropriate,~~ ~~and asks the City Executive Board to instruct officers to cease the practice with immediate effect with immediate effect, with the following proviso: there may be circumstances where issuing a CPN is necessary~~.*

**This Council recognises there may indeed be circumstances where issuing a CPN is necessary** *and In order to provide sufficient checks and balances ~~in the future~~, this Council requests that the City Executive Board* **review the process with a view to including appropriate checks such as:**

* *No CPN ~~can~~* **should***be issued by a Council employee (or contracted staff) without a dual sign-off, one from either the Chief Executive, Deputy Chief Executive or a Director, and the other from the Head of Law and Governance; and that*
* *Before signing, the signatories must* **continue to***satisfy themselves that the CPN is considered, appropriate, proportional, and humane and that all other reasonable courses of action have been explore,* **as already happens***.*

**The final motion, with the proposer’s amendments and if Cllr Hayes amendments are accepted, would read:**

1. This Council believes that all Oxford residents, whether living in houses, in hostels or on our streets, have the right to be treated with dignity and without discrimination.
2. Council notes the good work done by Council officers and voluntary organisations to support homeless residents in this city ~~but believes that the recent issue of Community Protection Notices is a retrograde step~~.
3. Council takes note of the Petition signed by more than 1,800 people, calling for the reopening of Lucy Faithfull House and accepts that the Petition shows a powerful concern by Oxford citizens for community cohesion and for a better way of life for those on our streets.
4. ~~Council acknowledges that, whether or not Council intends to use it, the sanction is used, Community Protection Notices specifically include the sanction of court action, leading to a criminal conviction.~~

**Community Protection Notices are used to address unreasonable behaviour that is detrimental and persistent. Fire hazards in a central Oxford street with a high footfall are detrimental to everyone working in the building and people in the vicinity if there was an incident. In the case referred to in the petition, Council welcomes the judgement of officers that the fire safety of people working within the building should take precedence.”**

**Council acknowledges that all enforcement decisions are taken on a case by case basis, in accordance with the Council’s Corporate Enforcement Policy which place a requirement on council officers to resolve cases using the lowest possible intervention suitable to circumstances of the case. Contrary to recent publicity, only the court can fine a person for breaching a CPN. This Council is not taking anyone to court.**

*~~Council believes the use of an instrument containing this sanction is inappropriate,~~ ~~and asks the City Executive Board to instruct officers to cease the practice with immediate effect with immediate effect, with the following proviso: there may be circumstances where issuing a CPN is necessary~~.*

**This Council recognises there may indeed be circumstances where issuing a CPN is necessary**and In order to provide sufficient checks and balances ~~in the future~~, this Council requests that the City Executive Board **review the process with a view to including appropriate checks such as***:*

* *No CPN ~~can~~* **should***be issued by a Council employee (or contracted staff) without a dual sign-off, one from either the Chief Executive, Deputy Chief Executive or a Director, and the other from the Head of Law and Governance; and that*
* *Before signing, the signatories must* **continue to***satisfy themselves that the CPN is considered, appropriate, proportional, and humane and that all other reasonable courses of action have been explore,* **as already happens***.*