

## Briefing note and supplementary papers

Date: **Monday 21 March 2022**

Time: **5.00 pm**

Place: **Council Chamber - Oxford Town Hall**

The Council agenda, reports, this briefing note, and any other supplementary papers should be considered together.

This briefing note forms part of the papers to be considered at the Council meeting. It contains additional information; councillors' questions, public addresses; and amendments to motions.

All papers for this meeting can be accessed through the council's website.

**For further information please contact:**

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# Briefing note

Information for councillors and additional papers to be considered.

		Pages
<b>PART 1 - PUBLIC BUSINESS</b>		
<b>1</b>	<b>Apologies for absence</b>	
<b>2</b>	<b>Declarations of interest</b>	
<b>3</b>	<b>Minutes</b>  Minutes of the ordinary meeting of Council held on 31 January 2022 and of the budget meeting of Council held on 16 February 2022. <b>Council is asked to approve the minutes as a correct record.</b>	<b>Main agenda pack</b>
<b>4</b>	<b>Appointment to Committees</b>  Group Leaders may notify Council of any proposed changes.	
<b>5</b>	<b>Announcements</b>  See main agenda frontsheet.	
<b>6</b>	<b>Public addresses and questions that relate to matters for decision at this meeting</b>  None	
<b>CABINET RECOMMENDATIONS</b>		
<b>7</b>	<b>Development of land at South Oxford Science Village (Land South of Grenoble Road)</b>  Councillor Ed Turner, Cabinet Member for Finance and Asset Management or Councillor Alex Hollingsworth, Cabinet Member for Planning and Housing Delivery will present the report and present Cabinet's recommendations.  <b>Recommendation: Cabinet recommends that Council resolves to:</b> <ol style="list-style-type: none"> <li><b>Approve</b> the establishment of a revenue budget of £556k to enable the work to bring the site forward for development, and for internal and external resources its business. Where appropriate and agreed with the Head of Financial Services the costs will be capitalised and the appropriate budget vired from revenue to capital in line with the capitalisation;</li> <li><b>Approve</b> a loan of up to £500k to be made to the LLP to cover the council's share of running the LLP (% share based on % land</li> </ol>	<b>Main agenda pack</b>

ownership within the allocation) to be repaid with interest on terms agreed with the Head of Financial Services. The appropriate capital and revenue budgets to be established, to be agreed with the Head of Financial Services, based on the LLP Business Plan and Budget.

## **8 Integrated Performance Report for Q3**

Councillor Brown, the Leader of the Council, will propose Cabinet's recommendation.

**Recommendation: Cabinet recommends that Council resolves to approve** the addition of £0.110 million into the Capital Programme for the purchase of Hybrid AV meeting equipment as set out at para. 13.

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## **9 Decisions taken under Part 9.3(b) of the Constitution**

Councillor Brown the Leader of the Council will propose the recommendation.

**Recommendation: That Council resolves to note the decision as set out in the report.**

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## **COMMITTEE RECOMMENDATIONS**

### **10 Statement of Licensing Policy (Licensing Act 2003)**

A revised Statement of Licensing Policy (Appendix 1) is included in the Briefing Note following the meeting of the Licensing and Gambling Acts Committee on 17 March 2022.

Councillor Cook, Chair of the Licensing and Gambling Acts Committee, will present the report and propose the Committee's recommendations.

**Recommendation: That Council resolves to adopt the revised Statement of Licensing Policy and Cumulative Impact Assessment.**

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### **11 Policy on the relevance of warnings, offences, cautions and convictions**

Councillor Clarkson, Chair of the General Purposes Licensing Committee will present the report and propose the Committee's recommendation.

**Recommendation: That Council resolves to adopt the final Policy on the Relevance of Warnings, Offences, Cautions and Convictions.**

### **12 Members' Code of Conduct**

The Chair of the Standards Committee Cllr Pressel will present the report and propose the Standards Committee's recommendation.

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**Recommendation: That Council resolves to adopt revised Councillors' Code of Conduct for implementation from May 2022**

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## **OFFICER REPORTS**

### **13 Constitution Review 2021/22**

A member of the Cross-Party Constitution Review Group will propose the recommendations.

**Recommendation: Council is recommended to**

1. **Approve** the list of proposed amendments to governance arrangements in the Council's Constitution listed in Appendix 1 with effect from 18 May 2022;
2. **Approve** the list of proposed amendments to clarify existing governance arrangements in the Council's Constitution as detailed in Appendix 2 with effect from 18 May 2022;
3. **Approve** the dispensations in Part 22.5(e) granted under section 33 of the Localism Act 2011 for a further four years from 1 October 2022;
4. **Note** that Council will be recommended to adopt a new Members Code of Conduct under a separate agenda item, following consideration by the Standards Committee; and
5. **Delegate authority** to the Head of Law and Governance to make minor and consequential amendments to the Constitution including to wording and/or numbering that is identified as being inconsistent with the changes approved by Council.
6. **Note** that the Monitoring Officer has delegated authority to change Part 4 (who carries out executive responsibilities) and Part 6 (roles of Cabinet members) to reflect the wishes of the Leader. This would include amending Cabinet Member portfolio titles in the Constitution to reflect any changes announced by the Leader.

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### **14 Pay Policy Statement 2022**

The Cabinet Member for Citizen Focused Services, Cllr Rowley, will propose the recommendations.

**Recommendation: That Council resolves to:**

1. **Approve** the Annual Pay Policy Statement 2022/23 as attached at Appendix 1
2. **Note** and approve the elements of the Collective Agreement on Pay as referenced in this report.
3. **Authorise** the Head of Business Improvement and any staff delegated by the Head of Business Improvement to make any changes to the Council's employment policies in accordance with

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the Collective Agreement.

## QUESTIONS

### 15 Questions on Cabinet minutes

*This item has a time limit of 15 minutes.*

Councillors may ask the Cabinet Members questions about matters in these minutes:

#### 15a Minutes of the Cabinet meeting held on 26 January 2022

#### 15b Draft minutes of the Cabinet meeting held on 9 February 2022

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### 16 Questions on Notice from Members of Council

32 questions on notice.

The questioner may ask one supplementary question of the Cabinet Member who supplied the response, or the Leader in their absence.

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## PART 2 - PUBLIC INVOLVEMENT AND SCRUTINY

### 17 Public addresses and questions that do not relate to matters for decision at this Council meeting

3 public addresses and 1 question not relating to matters for decision at this meeting.

Up to five minutes is available for each public address and up to 3 minutes for a question.

A total of 45 minutes is available for public speaking. Responses are included within this time limit.

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### 18 Outside organisation/Committee Chair reports and questions

#### 18a Partnership report: Children's Trust Board

The Cabinet Member for A Safer, Healthy Oxford, Cllr Upton, will present this report.

**Council is invited to comment on and note the report.**

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### 19 Scrutiny Committee update report

The Chair of the Scrutiny Committee will present the report.

**Council is invited to comment on and note the report.**

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## PART 3 - MOTIONS REPRESENTING THE CITY

## **20 Motions on notice 21 March 2022**

**This item has a time limit of 60 minutes.**

Minor technical or limited wording amendments may be submitted during the meeting but must be written down and circulated.

**Council is asked to consider the following motions:**

- a) End Fire and Rehire (proposed by Cllr Mundy, seconded by Cllr Dunne)
- b) No Greyhound Racing in Oxford (proposed by Cllr Wade, seconded by Cllr Fouweather) [amendment proposed by Cllr Brown, seconded by Cllr Linda Smith]
- c) Opposition to the privatisation of the Vaccine Manufacturing and Innovation Centre (proposed by Cllr Jarvis, seconded by Cllr Pegg)
- d) A Sanctuary Strategy for Oxford (proposed by Cllr Gant, seconded by Cllr Miles)
- e) Using Doughnut Economics (proposed by Cllr Pegg, seconded by Cllr Wolff)
- f) Set up a Drug Consumption Room (proposed by Cllr Wade) [amendment proposed by Cllr Linda Smith, seconded by Cllr Upton]

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## **21 Matters exempt from publication and exclusion of the public**

## **22 Exempt Appendix 3 for item 7: Development of Land at South Oxford Science Village**

Licensing Authority

www.oxford.gov.uk



# Statement of Licensing Policy

Licensing Act 2003

March 2022 – March 2027



# Statement of Licensing Policy

Licensing Act 2003

March 2022 to March 2027

Licensing applications and enquiries:

The Licensing Authority  
Oxford City Council  
St. Aldate's Chambers  
109 St. Aldate's  
Oxford  
OX1 1DS  
Tel: 01865 252565  
Email: [licensing@oxford.gov.uk](mailto:licensing@oxford.gov.uk)



## Welcome to Oxford City Council's Statement of Licensing Policy.

Oxford is a bustling cosmopolitan city which enjoys huge cultural diversity and our leisure and entertainment scene is important in enhancing that. It attracts thousands of visitors from across the UK and abroad. Oxford caters for a very broad range of people as a regional entertainment and cultural centre and currently has approximately 850 licensed premises and clubs offering a vibrant, varied, fun night time economy.

The Council adopted its first Statement of Licensing Policy in January 2005 when the responsibility for licensing was transferred from the Magistrates' Court. The Licensing Policy has worked really well over the years and we have learned a lot from operating under it. The Council is obliged to determine and publish a "Statement of Licensing Policy" and to keep it under review and to republish it at least every five years. The fully revised Statement was last adopted by the Council in 2016, following wide public consultation. Both the Central Oxford SSP (Special Saturation Policy) and East Oxford SSP remained unchanged at that time.

It must be noted that, due to the disruption caused by the Covid-19 pandemic, and the significant impact it had on the night time economy, the Authority took the pragmatic approach to re-adopt the previous Statement of Licensing Policy in 2021, with the omission of the Special Saturation Policies (Cumulative Impact Assessment).

The Authority carried out a comprehensive and considered review later in 2021, and gathered new data, evidence, as well as the necessary input from the relevant authorities and a public consultation to consider a fresh cumulative impact assessment and has adopted new Special Saturation Policies that cover both Central and East Oxford.

The SSP does not affect existing licences in these areas. However, it does mean that applications for new licences and for significant changes to existing licensed premises are likely to be declined if relevant representations are received. Even so, we may still grant licences to those who can successfully demonstrate that their proposals will not exacerbate problems of crime, disorder or public nuisance, because we must consider each application on its merits. The Authority continuously keeps all parts of Oxford under review and will consult on changes to SSP areas as necessary.

This document sets out our guiding principles for making licensing decisions under the Licensing Act 2003. The Statement of Licensing Policy addresses licensing of many venues and events; from nightclubs to the smallest pubs and off-licences, from 'Cowley Road Carnival' to small-scale local events. We have a responsibility to balance the needs of residents, visitors, pub/club operators and businesses. Our aims are to promote the four licensing objectives enshrined in the Act:

- **The Prevention of Crime and Disorder**
- **The Promotion of Public Safety**
- **The Prevention of Public Nuisance**
- **The Protection of Children from Harm**

We believe that this Policy Statement represents a fair and reasoned way to balance the needs and desires of everyone in this City. We hope it will help us to maintain Oxford's important role as a safe and pleasant centre of culture and entertainment for everybody.

The revisions to this Policy reflect the changes to the licensing regime that have been introduced by the Police Reform and Social Responsibility Act 2011, the Live Music Act 2012, the Deregulation of Schedule 1 of the Licensing Act 2003, Equality Act 2010, Business and Planning Act 2020 and to ensure that the Policy accurately reflects the workings of the Licensing Authority.

Councillor Colin Cook  
Chair of Licensing and Gambling  
Acts Committee

Councillor Mark Lygo  
Vice-Chair of Licensing and Gambling Acts  
Committee

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## PURPOSE

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This policy statement has four main purposes, which are:

- **To confirm to Elected Members** of the Licensing and Gambling Acts Committee, the boundaries and powers of the Authority and the parameters within which to make decisions.
  - **To inform licence applicants** of the parameters within which the Authority will make licensing decisions and therefore how licensed premises are likely to be able to operate within the area.
  - **To inform local residents and businesses** of the parameters within which the Authority will make licensing decisions and therefore how their needs will be addressed.
  - **To support a case in a court of law** if the Authority has to show how it arrived at its licensing decisions.
- 

### **Using this Statement of Licensing Policy**

- The policies are shown in text boxes, which are separately numbered and titled.
- The additional text gives examples, background and reasons for the policies.
- The Appendices give additional information.

Oxford City Council has different roles under the Licensing Act 2003, so:

- 'Authority' is used where it acts as the Licensing Authority under the 2003 Act.
- 'Council' is used where parts of the Council act in other capacities, for example:
  - to determine policy;
  - when the 'Council' applies to the 'Authority' for a licence for Council premises;
  - when Environmental Health or Planning Control officers act as a 'Responsible Authority' in making a Representation about an application received.

The 'Authority' must balance the interests of applicants (as stated in their applications for licences) and any interests stated by others (in Representations and Relevant Representations). When it grants a licence, the Authority must attach mandatory conditions if applicable. The Authority cannot attach other conditions unless they are proportional to the applications and consistent with the operating schedule and any Representation or Relevant Representation received.

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### **Other information**

#### **Pool of conditions**

The Authority has a 'pool of conditions' which is available to potential Applicants who may then wish to add these conditions to their operating schedule. This pool of conditions is subject to continuous development and is available on the Council website.

#### **Guidance to applicants**

The Authority provides guidance to applicants to assist them with making their applications for licences. This guidance can be found on our website:

**[https://www.oxford.gov.uk/info/20143/alcohol\\_and\\_entertainment](https://www.oxford.gov.uk/info/20143/alcohol_and_entertainment)**

#### **Contact details**

Contact details are given on the back cover.

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## Glossary

<b><u>Term</u></b>	<b>Description</b>	<b>Reference in the 2003 Act</b>
Authority	Oxford City Council in its capacity as Licensing Authority	
Council	Oxford City Council in its capacity as district council.	
Planning Authority	The Council in its capacity as planning authority.	
Police Authority	Thames Valley Police	
Fire Authority	The Fire and Rescue Service of Oxfordshire County Council	
Navigation Authority For rivers – For canals –	The Environment Agency Canal and Rivers Trust	Section 13(4)(h)
Other Person  <i>(Any other person may make a representation about an application and may request a review)</i>	Any individual, body or business entitled to make representations to licensing authorities in relation to applications for the grant, variation, minor variation or review of premises licences and club premises certificates, regardless of their geographic proximity to the premises.	
Responsible Authority  <i>(A Responsible Authority may make a Representations about applications and may request reviews)</i>  <i>(Appendix 7 lists the contact details for these Responsible Authorities)</i>	Any of the following – (a) the Licensing Authority, (b) the Chief Officer of Police for the area, (c) the fire authority, (d) the enforcing authority under Section 18 of Health and Safety at Work etc. Act 1974, (e) the local planning authority (i.e. department of the Council), (f) the environmental health department of the Council, (g) the Oxfordshire Safeguarding Children Board, (i) the Public Health Board, (h) Trading Standards, (i) any other Licensing Authority in whose area part of the premises is situated, (j) Home Office Immigration Enforcement (on behalf of the Secretary of State). (j) in relation to a vessel – the navigation authority.	Section 13(4)

Objection	Representations made by the Police or the Environmental Health Service in relation to a Temporary Event Notice.	Schedule 8 para 25
Representations	Comments made by a Responsible Authority on an application.	
Relevant Representation	Comment made by any other person, which is not rejected by the Authority as irrelevant, frivolous, vexatious, or repetitive.	
Authorised Person  <i>(Authorised Persons have roles in <u>enforcement</u> of the 2003 Act)</i>  <i>(Police officers are not listed as Authorised Persons, as they already have powers of enforcement under other legislation)</i>	Any of the following – (a) an officer of the Licensing Authority, authorised for the purposes of the 2003 Act, (b) an inspector appointed under article 26 of the Regulatory Reform (Fire Safety) Order 2005 (c) an inspector appointed under S.19 of the Health and Safety at Work etc. Act 1974, (d) an officer of the Council authorised to exercise statutory environmental health functions, (e) in relation to a vessel, an inspector, or surveyor of ships, appointed under S.256 of the Merchant Shipping Act 1995, (f) a person prescribed for the purposes of S.13(2) of the Licensing Act 2003.	Section 13(2)
Licensing and Gambling Acts Committee	The Committee of elected members of Oxford City Council that is responsible for the Council's licensing functions.	Section 6
SIA	Security Industry Authority	
2003 Act	The Licensing Act 2003	
LACORS	Local Authorities Co-ordinators of Regulatory Services	
TSI	Trading Standards Institute	
Statement of Licensing Policy	The current statement of licensing policy required under Section 5 of the 2003 Act, following publication and as amended by subsequent revisions.	Section 5
Designated Premises Supervisor	The person specified in a premises licence as the premises supervisor.	Section 15
Secretary of State's Guidance	Guidance issued by the Secretary of State under Section 182 of the 2003 Act	Section 182
Regulated Entertainment	Regulated entertainment as defined in Schedule 1 of the 2003 Act (see also Appendix 5)	Schedule 1
LADO	Local Authority Designated Officer	
DBS	Disclosure and Barring Service	

## 1 Introduction

### 1.1 Objectives

1.1.1 The Licensing Authority (the 'Authority') for Oxford is Oxford City Council (the 'Council').

#### Policy GN 1: Objectives

The Authority will carry out its licensing functions under the 2003 Act with a view to promoting the four licensing objectives in the 2003 Act, which are:

- the prevention of crime and disorder;
- the promotion of public safety;
- the prevention of public nuisance; and
- the protection of children from harm.

Each of the four licensing objectives is of equal importance and there are no other objectives, so that the four licensing objectives are paramount at all times.

### 1.2 The Authority's area and the licensable activities

1.2.1 Appendix 1 describes the Authority's area, its centres of population and its population profile. It also describes the mix of licensable activities, where they take place and their positive and negative impacts on the area.

1.2.2 The Authority has regard to matters of sustainability, equality, the local economy and tourism to the extent that they affect the Licensing Policy. The Authority will also have regard to minimising waste and litter in the interests of minimising public nuisance, including litter associated with queues and smoking areas outside licensed premises and the licence holder's responsibility for such litter.

## 2 General matters

### 2.1 Precedence issues

2.1.1 A licensing policy must not ignore or be inconsistent with provisions in the 2003 Act. The Authority must have regard to the Secretary of State's Guidance when making and publishing its policy. When revisions on the Guidance are issued, there may be a period of time when this policy statement is inconsistent with the Guidance, for example, during any consultation by the Authority. If this occurs, the Authority will have regard, and give appropriate weight, to the Guidance and this policy statement.

#### Policy GN 2: Precedence

The meaning of the 2003 Act and any Regulations made under it take precedence over the meaning of this Statement of Licensing Policy.

### 2.2 Adoption and publication of the Statement of Licensing Policy

2.2.1 The Council adopted this Statement of Licensing Policy at its meeting on 21st March 2022 and it became effective from that date.

#### Policy GN 3: Five yearly licensing policy review

The Council will prepare and publish a statement of its licensing policy at intervals of no more than five years, to enable it to continue to undertake its licensing functions.

#### Policy GN 4: Interim licensing policy reviews

The Council will keep its licensing policy under review and will make such revisions to it, at such times, as it considers appropriate.

#### Policy GN 5: Consultation on licensing policy

Before determining any revision to its Statement of Licensing Policy, the Council will consult:

- (a) the chief officer of Police for the Oxford area;
- (b) the fire authority for the Oxford area;
- (c) the Trading Standards Officer for Oxfordshire County Council;
- (d) the Social and Health Care Department of Oxfordshire County Council, which the Authority



considers to be the competent and responsible authority for the purpose of advising on issues of protecting children from harm; and

- (e) the Clinical Commissioning Group;

together with such persons as the Authority considers at the time to be representative of:

- (f) holders of Premises Licences issued by the Authority;
- (g) holders of Club Premises Certificates issued by the Authority;
- (h) holders of Personal Licences issued by the Authority;
- (i) businesses and residents who may be affected by the operation and impact of the premises;
- (j) other interests in the licensing of premises in its area.

The Authority will give appropriate weight to the views of the persons listed above when it determines any revision to its Statement of Licensing Policy.

#### **Policy GN 6: Publication of licensing policy revisions**

When the Authority determines any revisions, it will publish either a statement of those revisions, or its revised Statement of Licensing Policy.

### **2.3 Scope of the Statement of Licensing Policy: Licensable activities**

2.3.1 This policy addresses licensing of the following activities:

- the sale of alcohol by retail;
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of a club;
- the provision of late night refreshment (supply of hot food or drink between 2300 and 0500 hours)(including “take aways” and “hot food vans”); and
- the provision of ‘regulated entertainment’ (defined in Schedule 1 of the 2003 Act) which includes:
  - a performance of a play;
  - an exhibition of a film;
  - an indoor sporting event;
  - a boxing or wrestling entertainment (indoors and outdoors);
  - a performance of live music;
  - the playing of recorded music;
  - a performance of dance;
  - entertainment similar in description to music and dance.

2.3.2 Activities that are not to be regarded as regulated entertainment and activities that are not to be regarded as late night refreshment are also listed in Schedules 1 and 2, respectively, of the 2003 Act, and a broad description of such entertainment activities that are exempt from the licensing regime following the Deregulation of Schedule 1 of the 2003 Act can be found at Appendix 5.

### **2.4 Scope of the policy: Applications and notices**

2.4.1 This policy addresses decisions on applications for:

- Premises Licences;
- Club Premises Certificates;
- Personal Licences;
- Transfer of licences;
- Variation of licences and associated matters.

2.4.2 This policy also addresses Temporary Event Notices (TENs) and the review of Premises Licences and Club Premises Certificates.

2.4.3 This policy also informs all parties as to how the Licensing Authority and Licensing Officers will carry out their enforcement and compliance operations and any actions arising from those operations.

## 2.5 Fundamental principles

2.5.1 The Authority recognises that its power to reject applications, or to apply conditions to Premises Licences and Club Premises Certificates is strictly constrained by the terms of the 2003 Act.

2.5.2 The Authority recognises that it has no power to:

- attach any condition, including mandatory conditions, to a Temporary Event Notice (save for when an objection is made by a relevant Responsible Authority and as such requires determination by the Licensing Casework Sub-Committee);
- modify mandatory conditions;
- attach conditions to a Premises Licence or Club Premises Certificate (other than appropriate mandatory conditions)

unless those conditions are consistent with the operating schedule submitted with the application, or further to a Representation or Relevant Representation.

2.5.3 The Authority recognises that it has no power to:

- modify conditions attached to a Premises Licence or a Club Premises Certificate;
- to exclude from the scope of a Premises Licence or a Club Premises Certificate any of the licensable or qualifying activities to which the application relates;
- refuse to specify a person in a Premises Licence as the Designated Premises Supervisor;
- reject the application,

unless it has received a Representation or a Relevant Representation about the application and then only to such extent as the Authority considers necessary for the promotion of the licensing objectives.

2.5.4 Throughout this document the Authority has outlined the standards which it expects to be addressed in applications. The policies within this statement have been developed in consultation with all of the Responsible Authorities.

2.5.5 In considering and determining applications the Authority will take into account:

- The Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000;
- Section 17 of the Crime and Disorder Act 1988;
- The Human Rights Act 1998;
- Noise Act 1996;
- Fire and Safety Order 2005;
- Violent Crime Reduction Act 2006;
- Health Act 2006;
- Section 11 of the Children's Act 2004;
- Equality Act 2010;
- Business and Planning Act 2020;
- any other relevant legislation or statutory guidance.

2.5.6 The Authority:

- will treat each application on its individual merits;
- will not override the right of any person to apply under the terms of the 2003 Act for a variety of permissions;
- will not override the right of any person to make Representations on an application or to seek a review of a licence or certificate where the 2003 Act makes provision for them to do so;
- will, as far as possible, avoid duplication with other licensing and regulatory regimes that already place obligations on employers and operators, e.g. The Health and Safety at Work etc, Act 1974, the Environmental Protection Act 1990, Disability Discrimination legislation and the Regulatory Reform (Fire Safety) Order 2005, Equality Act 2010;
- will only apply to Premises Licences and Club Premises Certificates conditions that are necessary to underpin or promote the licensing objectives.

- 2.5.7 The Authority recognises that the purpose of the 2003 Act is to allow appropriate levels of regulation for premises, temporary events, members' clubs and persons authorised to make alcohol available for sale.
- 2.5.8 In considering applications the Authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of public living, working or engaged in normal activity in the vicinity of the licensed premises.
- 2.5.9 For each application for the grant, variation or review of a Premises Licence or a Club Premises Certificate, the 2003 Act requires the Authority to consider the Representations made by Responsible Authorities and those Representations made by other persons, which the Authority accepts as relevant.
- 2.5.10 Other persons will be given its widest possible interpretation and, where it includes persons involved in business, will not be confined to those engaged in trade and commerce. It will include partnerships and the functions of charities, churches and medical practices. Amendments to the Licensing Act 2003 remove the requirement for other persons to reside within the immediate vicinity.
- 2.5.11 The Authority will accept relevant representations from other persons.  
This includes any individual, body or business entitled to make representations to licensing authorities in relation to applications for the grant, variation, minor variation or review of premises licences and club premises certificates, regardless of their geographic proximity to the premises. Any representations made by these persons must be 'relevant', in that the representation relates to one or more of the licensing objectives. It must also not be considered by the licensing authority to be frivolous or vexatious.
- 2.5.12 Where a notice of a hearing is given to an applicant, the Authority is required to provide the applicant with copies of the relevant representations that have been made. In circumstances where the Authority considers that the other person has a well-founded fear of intimidation and may be deterred from making a representation because of this, the Authority may withhold some or all of the other person's personal details (if requested).
- 2.5.13 A Responsible Authority or other person may seek a review of a Premises Licence or Club Premises Certificate because of a matter arising at the premises in connection with any of the four licensing objectives.
- 2.5.14 In determining applications and reviews of licensed premises, the Authority will give appropriate weight to:
- Representations received from Responsible Authorities;
  - Relevant Representations made by other persons;
  - the Secretary of State's Guidance;
  - this Statement of Licensing Policy;
  - the steps necessary to promote the licensing objectives.
- 2.5.15 Any terms and conditions that the Authority imposes will be focused on matters that are within the control of individual licensees. These matters will centre on the premises and places being used for licensable activities and the vicinity of those premises and places.
- 2.5.16 The Licensing Authority recognises that the Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. The Licensing Authority expects that licensed premises will not discriminate against any person based solely on any of these characteristics -for example, refusing a person entry to a licensed premises on the basis of their race, sex or age. The sole exception to this will be where such action is necessary to comply with legal requirements or situations where licence holders must restrict access to age-restricted goods or services to any person who is below the legal age for that good or service - for example, the sale of alcohol to under 18s.
- 2.5.17 The Licensing Authority will actively take steps to ensure that it complies with its legal obligation to eliminate or reduce the potential for unlawful discrimination, harassment and victimisation of persons with protected characteristics and ensure compliance with the Equality Duty.

- 2.5.18 The Statement of Licensing Policy is transparent, and clearly identifies the need to promote the four licensing objectives. The opportunity to obtain a premises licence or variation in an existing licence is open to all regardless of their protected characteristics, other than age. Any person, regardless of their protected characteristics, can also submit a representation against a licence application.

## **2.6 Reviewing the Statement of Licensing Policy with other authorities**

- 2.6.1 The Authority will work with the other Licensing Authorities in Oxfordshire reviewing this Statement of Licensing Policy to ensure, as far as possible, that a consistent approach is taken to assist applicants for licences and those who may wish to make Representations under the provisions of the 2003 Act. The Authority will also liaise with other neighbouring Licensing Authorities to ensure that there is consistency across District Council boundaries. Full regard will still be given to local issues and situations, which will take precedence.
- 2.6.2 The Authority will maintain partnership working with various enforcement agencies as it recognises that the licensing objectives can only be promoted through a range of actions, some of which are outside the scope of the licensing system.
- 2.6.3 The Authority will maintain protocols with the Police, the Environmental Health Service, the Fire Authority and Trading Standards Services, as it considers appropriate for enforcing the 2003 Act.
- 2.6.4 The Authority will maintain dialogue with the licensed trade, businesses, local people and relevant organisations in the entertainment and alcohol industry to ensure that the Statement of Licensing Policy remains relevant and secures promotion of the licensing objectives.
- 2.6.5 The Authority will have regard to the considerations of the relevant Officer of the Licensing Authority delegated with the power to make relevant representations to applications and instigate reviews of licences (in such a person's role as a Responsible Authority). Such considerations will be based on the evidential findings of that Officer, including (but not limited to) actions undertaken during and after enforcement and compliance operations carried out by the Licensing Officers under such persons control, multi-agency operations, test-purchase operations, and any best practices adopted by other Authority's that may be deemed to further uphold the four licensing objectives locally.

## **2.7 Integrating strategies**

- 2.7.1 Licensing is about promoting the four licensing objectives by balancing different interests. The experience gained by the Authority can usefully inform the development and application of strategies by others for local crime prevention, planning, transport, tourism and culture. It is important that such strategies do not undermine promotion of the licensing objectives.
- 2.7.2 In preparing this Statement of Licensing Policy, the Authority has taken account of relevant national policies and action plans, which include the following:
- Safer Nightlife;
  - The Governments "Alcohol Strategy" (Home Office);
  - Alcohol and Violence (Public Health Faculty);
  - Reform of Anti-Social Behaviour Powers (Home Office);
  - Safeguarding Children, Young People and Vulnerable Adults (Oxford City Council).
  - Tackling Violence Against Women and Girls Strategy (Home Office)
- 2.7.3 The Authority has taken account of the policies and programmes that the Council has already adopted. These are listed in Appendix 2, along with an explanation of how they integrate with the Statement of Licensing Policy.

<p><b>Policy GN 7: Integrating strategies</b></p> <p>The Council will ensure any strategies it may have, or develop, for local crime prevention, planning, transport, waste management (both solid and water waste), sustainability, tourism and culture will be integrated with its licensing function but such strategies will not overrule the licensing objectives.</p>
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## 2.8 Planning and building control

- 2.8.1 The Council recognises that there is a need for proper separation of the planning, building control and licensing regimes to avoid duplication and inefficiency.
- 2.8.2 The Council recognises that the Planning Authority must be aware of the Authority's concerns as this will assist in promotion of the licensing objectives. The Authority will provide reports to enable the Planning Authority to have regard to such matters and have a role in promoting the four licensing objectives when the Planning Authority takes its decisions.
- 2.8.3 The Council recognises that the following three regimes have different purposes:
- **Planning:** ensuring the suitability of the location, use and design of the premises for the activities and the adequacy of the local infrastructure;
  - **Building Control:** ensuring the suitability of the construction of the premises; and
  - **Licensing:** ensuring the suitability of the proposed use and its operation at the proposed premises.
- 2.8.4 The grant of a Premises Licence or a Club Premises Certificate, or any variation to one of these, does not relieve the applicant of the need to obtain planning permission and building regulations consent as appropriate.
- 2.8.5 The applicant must observe the earlier closing time if planning conditions set a terminal hour for the use of the premises for commercial purposes.

### Policy GN 8: Planning permission and listed building consent

The Authority will normally expect an application for a Premises Licence or a Club Premises Certificate to be made only in respect of premises that already have an appropriate established use or any planning permission and listed building consent necessary for the proposed range of licensable activities to take place.

The Authority will similarly expect an applicant to have obtained planning permission where necessary for the use proposed, before applying for a provisional statement under section 29 of the 2003 Act.

## 2.9 Administration, exercise and delegation of functions

### Policy GN 9: Levels of decision-making

The Authority will have the following levels of decision-making for undertaking its licensing functions:

- The Council;
- Licensing and Gambling Acts Committee;
- Licensing Casework Sub-Committees;
- Licensing Officers.

- 2.9.1 A Licensing Casework Sub-Committee will generally determine each application that attracts an Objection, Representation or Relevant Representation, unless:
- all Objections or Representations from Responsible Authorities are withdrawn and it is agreed by all parties that a hearing is not necessary; and
  - all representations from Interested Parties are either:
    - determined by a designated officer to be irrelevant, vexatious or frivolous; or
    - withdrawn, and it is agreed by all parties that a hearing is not necessary; or
    - the Licensing and Gambling Acts Committee wish to consider the matter.
- 2.9.2 Licensing Officers will determine all other applications and the Licensing and Gambling Acts Committee will receive regular reports on the decisions made by Officers so that members maintain an overview of the general situation locally and nationally, and maintain an understanding as to the volume and nature of applications submitted to the Licensing Authority. Such reports shall also provide the Committee with details of all enforcement and compliance operations undertaken by the Licensing Officers, and any actions arising from those operations. Details of any proposed future developments related to or impacting upon the Licensing Act 2003, including proposed partnership working arrangements, and proposed changes to current legislation shall also be included in such reports.

2.9.3 For the convenience of applicants, the system of delegation is tabulated in Appendix 4.

#### **Policy GN 10: Delegation**

The Authority has delegated licensing decisions in accordance with the recommendations of the Secretary of State's Guidance and in the interests of speed, efficiency and cost effectiveness, as follows:

- (a) The Council determines:
  - the Statement of Licensing Policy;
  - membership of the Licensing and Gambling Acts Committee;
  - the extent to which functions, other than functions under the 2003 Act, are delegated to the Licensing and Gambling Acts Committee.
- (b) The Licensing and Gambling Acts Committee will undertake all functions of the Authority under the 2003 Act that are not the responsibility of the Council, as follows:
  - making recommendations to the Council on the Statement of Licensing Policy;
  - reviewing the Statement of Licensing Policy within five-year intervals, keeping the policy under review at other times and undertaking appropriate consultations;
  - arranging for training of members and officers to enable the Authority to discharge its duties under the 2003 Act;
  - agreeing which body is competent to advise the Authority in respect of matters relating to the protection of children from harm;
  - deciding the extent to which the Authority will recommend the classification of films;
  - monitoring the impact of licensing on regulated entertainment in general and live music and dancing in particular in connection with cultural strategies;
  - considering current licences or applications for licences where a Representation or a Relevant Representation has been made and not withdrawn.
  - receiving reports on matters determined by Licensing Officers with delegated authority.
- (c) Licensing Sub-Committees will operate under authority delegated by the Licensing and Gambling Acts Committee and determine matters as set out in Policy GN 11.
- (d) Licensing Officers will operate under delegated authority and determine matters as set out in Policy GN 12.

#### **Policy GN 11: Licensing Casework Sub-Committee – delegated functions**

Licensing Casework Sub-Committees will determine any of the following where a Representation or a Relevant Representation has been made and not withdrawn:

- application for a Personal Licence;
- application for Personal Licence with unspent convictions;
- application for Premises Licence or a Club Premises Certificate;
- application for provisional statement;
- application to vary a Premises Licence or a Club Premises Certificate;
- application to vary Designated Premises Supervisor;
- application for transfer of Premises Licence;
- application for interim authorities;
- application to review a Premises Licence or a Club Premises Certificate;
- determination of a Police or Environmental Health Objection to a Temporary Event Notice;
- decision to object when the Authority is a consultee and not the relevant authority considering the application.

#### **Policy GN 12: Licensing Officer – delegated functions**

A Licensing Officer, delegated within the Council's Constitution, will determine every other licence application for which no Objection, Representation or Relevant Representation has been received, or when any Objection, Representation or Relevant Representation has been received but has been withdrawn and that it is agreed by all parties that a hearing is not necessary.

#### **Policy GN 13: Licensing and Gambling Acts Committee – procedure**

Subject to any statutory provisions, the Licensing and Gambling Acts Committee will regulate its own procedure and that of Licensing Casework Sub-committees.

**Policy GN 14: Licensing Casework Sub-Committee – procedure**

In considering any application subject to a Representation or a Relevant Representation, the Sub-Committee will follow the principles set out in the Hearings Regulations under the 2003 Act.

**Policy GN 15: Determination of applications – conditions**

The Authority will determine the type and extent of conditions to be affixed to Premises Licences and Club Premises Certificates as follows:

- (a) Matters determined by Licensing Officers:
  - Licensing Officers will develop any condition that they consider necessary to appropriately translate the offered information in the applicant's operating schedule;
  - no other conditions, other than the mandatory conditions, will be added;
  - Licensing Officers will report to the Licensing and Gambling Acts Committee from time to time on the matters that those officers have determined.
- (b) Matters determined by a Licensing Casework Sub-Committee:
  - Sub-Committees will attach conditions taken from the applicant's operating schedule, as in (a) above;
  - no conditions, other than mandatory conditions and conditions offered in an operating schedule, will be added unless an appropriate Representation or Relevant Representation has been upheld;
  - Sub-Committees may also attach conditions that take account of a Representation made by a Responsible Authority or a Relevant Representation made by an Interested Party.

**2.10 Non-licensing issues: What this statement is not for**

2.10.1 The Authority recognises that:

- licensing is not about mechanisms for the general control of anti-social behaviour by individuals once they are beyond the direct control of the individual club or business holding the licence, certificate or permission concerned (subject to Policies GN19 and LH6);
- licensing is not about matters contained in other legislation, which may well apply simultaneously to the activities of licensed individuals or premises. Appendix 8 includes references to some of this legislation.

**3 Cumulative impact****3.1 Cumulative impact**

3.1.1 The Authority wishes to take steps to prevent public nuisance, crime or disorder arising from the concentration of premises in one particular area.

3.1.2 Whilst need is primarily an issue for the market and the planning system, the cumulative impact of licensed premises on the promotion of the licensing objectives is a matter for consideration under the licensing provisions. Serious problems of public nuisance and disorder can arise in the vicinity of licensed premises where a number of them are grouped together and particularly where they may be situated near to residential areas. The numbers of premises selling alcohol and providing entertainment until the early hours of the morning have increased significantly over the years and many special measures have been adopted to try to deal with the crime and anti-social behaviour that can result from the more intensive activities.

3.1.3 The distribution of late night premises may be such as to warrant special action from the Authority to combat exceptional problems of disorder and public nuisance over and above the impact from individual premises.

**Policy GN 16: "Need" for licensed premises**

The Authority will leave the assessment of the "need" for licensed premises to the Planning Authority and to the market. It will not address this matter in undertaking its licensing functions.

**Policy GN 17: Need for an evidential base**

The Authority will consider Representations based on the impact of the grant of a particular application on the promotion of the licensing objectives in the Authority's area. However, there must be an evidential base for the assertion that the addition of the premises in question would produce the cumulative impact claimed. The impact can be expected to be different for premises with different styles and characteristics.

**Policy GN 18: Use of other mechanisms to address cumulative impact**

The Council will encourage the use of other mechanisms that are available for addressing problems caused by a minority of consumers behaving badly and unlawfully once away from licensed premises. For example:

- (a) planning controls;
- (b) positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the Council;
- (c) powers the Council has to designate parts of its area as places where alcohol may not be consumed publicly and take into account areas currently covered by Public Spaces Protection Orders;
- (d) Police enforcement of the normal law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices;
- (e) the prosecution of any Personal Licence holder or member of staff at such premises who is selling alcohol to people who are drunk;
- (f) the confiscation of alcohol from adults and children in designated areas;
- (g) Police powers to close down instantly for up to 24 hours any licensed premises or temporary event on grounds of disorder, or the likelihood of disorder or excessive noise emanating from the premises;
- (h) the power of the Police, other Responsible Authority or any other person to seek a review of the licence or certificate in question (please refer to 9.1 Reviews)

**3.2 Special Saturation Policy**

- 3.2.1 It is possible that the impact of the behaviour of customers of separate premises taken together on surrounding areas is greater than the usual impact from customers of individual premises and so creates exceptional problems of crime, disorder or public nuisance. In these circumstances a Responsible Authority or other persons may consider that the cumulative effect is to saturate an area, making it a focal point for large groups of people to gather and circulate away from the licensed premises themselves.
- 3.2.2 Guidance sets out the steps to be followed when considering whether to adopt a special policy within the Statement of Licensing Policy. These include:
- identification of concern about crime and disorder or public nuisance;
  - consideration of whether there is good evidence that crime and disorder or nuisance are happening and are caused by the customers of licensed premises, or that the risk of cumulative impact is imminent;
  - identification of the boundaries of the area where problems are occurring;
  - consultation with those specified in section 5(3) of the 2003 Act, and subject to the outcome of the consultation;
  - including details of the special policy in the published Licensing Policy Statement.
- 3.2.3 With effect from 6<sup>th</sup> April 2018 Cumulative Impact Assessments (CIA) were put on a legal footing and introduced into the Licensing Act 2003 by the Policing and Crime Act 2017. Section 5A of the 2003 Act now sets out what a licensing authority needs to do in order to publish a CIA and review it.
- 3.2.4 Previous editions of the Council's Statement of Licensing Policy have included special saturation policies for Oxford City Centre and East Oxford, adopted following assessment of the particular impact from the concentration of licensed premises in those areas. These policies were adopted following government guidance applicable at the time.
- 3.2.5 The Council's Statement of Licensing Policy was adopted on 17<sup>th</sup> February 2021. However, the review of the previous Special Saturation Policies had been disrupted by the Covid19 pandemic and no realistic assessment of cumulative impact had been possible in accordance with section 5A. Therefore, the Council determined no introduction of a formal



Special Saturation Policy at that time.

- 3.2.6 The effect of adopting a Special Saturation Policy is to create a rebuttable presumption that applications for new Premises Licences or Club Premises Certificates or material variations to these will normally be refused, if Relevant Representations to that effect are received, unless it can be demonstrated that the operation of the premises involved will not add to the cumulative impact already being experienced. Applicants would need to address the Special Saturation Policy issues in their Operating Schedules in order to rebut such a presumption. However this presumption does not relieve Responsible Authorities or other persons of the need to make a Relevant Representation before the Licensing Authority may lawfully consider giving effect to its Special Saturation Policy. Responsible Authorities, such as the Police, or other persons can make written Relevant Representations maintaining that it is necessary to refuse the application for the promotion of the prevention of public nuisance, or crime and disorder and referring to information which had been before the Authority when it developed a Special Saturation Policy for inclusion in its Statement of Licensing Policy.
- 3.2.7 Special Saturation Policies should never be used as a ground for revoking an existing licence or certificate when Relevant Representations are received about problems with those premises. In this context, the “cumulative impact” on the promotion of the licensing objectives of a concentration of multiple licensed premises should only give rise to a Relevant Representation when an application for the grant or variation of a licence or certificate is being considered. A review must relate specifically to individual premises, and by its nature, “cumulative impact” relates to the effect of a concentration of many premises.
- 3.2.8 Having regard to Guidance, evidence from Thames Valley Police and other Responsible Authorities and representations received, the Authority has conducted a Cumulative Impact Assessment and considered it necessary to adopt special policies to limit the cumulative impact of licensed premises in Oxford city centre and East Oxford. The areas covered by these policies are defined in Appendixes 10 and 11. Evidence to support these special policies can be found in Appendix 12.

#### **Policy GN 19: Special Saturation Policy**

It is the Authority’s policy, if Relevant Representations are made, to refuse applications for new or material variations to, Premises Licences or Club Premises Certificates in the Special Saturation Policy Areas. A material variation would be where modifications are directly relevant to the Special Saturation Policy, for example an application to vary a licence with a view to increasing the occupancy limit of a premises or to extending the operating hours where evidence demonstrates that the variation would add to the problems of cumulative impact. If an application for a licence in either of these areas is made the Authority will expect the applicant to demonstrate in their Operating Schedule, the steps to be taken to prevent problems relating to nuisance and public safety and the steps to be taken to promote the reduction of crime and disorder. The Authority will consider the individual merits of any application, together with the Relevant Representations made, and where it feels that to grant the application would be unlikely to add significantly to the cumulative impact in light of the licensing objectives, the Authority will grant the application. The Authority recognises that if no Relevant Representations are made regarding an application for a licence in an area where the Special Saturation Policy exists, the Authority must and will grant the licence. The Special Saturation Policy will never be used as a ground for revoking an existing licence or certificate.

The Authority will regularly monitor the impact of this Special Saturation Policy. If it becomes evident that the criteria for such a policy are no longer met, the Authority will arrange for it to be discontinued or for the designated area to be redefined.

Other areas may also be considered in the future for the adoption of a Special Saturation Policy where the licensing objectives are likely to be undermined due to cumulative impact. These areas will be subject to public consultation.

## **4 Pool of conditions**

### **4.1 Pool of conditions**

- 4.1.1 The Secretary of State’s Guidance requires the Authority’s licensing policy to “make clear that a key concept underscoring the 2023 Act is that conditions attached to licences and

certificates should be tailored to the individual style and characteristics of the premises and events concerned.” It also states that “This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions.” The Authority will therefore need access to a wide range of appropriate conditions from which it can draw.

- 4.1.2 Provided no Representation or Relevant Representation has been received, the type and extent of conditions to be affixed to a Premises Licence will be determined by officers acting under delegated authority, and consistent with the operating schedule.
- 4.1.3 Where another person has made a Relevant Representation or a Responsible Authority has made a Representation, a Licensing Casework Sub-Committee will hear the case and may attach conditions to a licence. Use of standard conditions on all licences will be avoided, as will conditions that are unnecessary because other legislation makes adequate and appropriate provision for applicants’ compliance.

#### **Policy GN 20: Pool of conditions**

The Authority will maintain a pool of conditions, devised by The Licensing Authority, Thames Valley Police and Environmental Health, from which appropriate and proportionate conditions can be drawn. The Authority will adapt such conditions as necessary for promoting licensing objectives to suit the individual circumstances of each application for a Premises Licence or a Club Premises Certificate.

#### **Policy GN 21: Pool of conditions: premises-specific**

The Authority will not apply standard conditions to every Premises Licence or Club Premises Certificate that it issues, other than the mandatory conditions where alcohol is sold or supplied

#### **Policy GN 22: Pool of conditions: additions**

The Authority may add to the pool of conditions each condition that is developed to suit the individual circumstances of each application, so that it may be used as the basis of development of other conditions. The Authority will develop such conditions with regard to:

- (a) the 2003 Act;
- (b) the Secretary of State’s Guidance;
- (c) this Statement of Licensing Policy;
- (d) a condition attached to a permission, which requires conversion to a new Premises Licence or a Club Premises Certificate; and
- (e) a statement made in the operating schedule by an applicant for a Premises Licence or a Club Premises Certificate.

## **4.2 Live music, dancing and theatre**

- 4.2.1 It would be inappropriate to expect organisers of small-scale activities (200 people “permitted capacity limit”) to incur the potentially substantial costs of complying with conditions that are more appropriate to larger events. Such small-scale activities will tend to be those that are arranged for small community groups or for children and have the potential for generating wider cultural benefits for communities generally.
- 4.2.2 The imposition of inappropriate conditions might entail substantial costs and so inadvertently deter live music, dancing and theatre in community centres, small venues or venues that are likely to be used only infrequently.
- 4.2.3 The Live Music Act 2012 and the Deregulation of Schedule 1 of the 2003 Act further reduces the burden placed upon those wishing to host entertainment events, and the Authority will be mindful of events that host entertainment deemed to no longer fall within the requirements of the 2003 Act. Details as to what activities are now exempt from the licensing regime can be found at Appendix 5.

#### **Policy GN 23: Live music, dancing and theatre**

The Authority will take proper account of the need to encourage and promote live music, dancing and theatre in balance with the potential for disturbance from these activities. In determining what conditions should be attached to Premises Licences and Club Premises Certificates, the Authority will take account of the need to avoid measures whose potential for imposing substantial costs could inadvertently deter live performances, especially at smaller venues.

## 5 Licensing hours

### 5.1 Licensing hours

- 5.1.1 With regard to licensing hours it is emphasised that each application will be considered on its individual merits. The Authority recognises that, in some circumstances, flexible licensing hours for the sale of alcohol can help to ensure that the concentrations of customers leaving premises simultaneously are avoided. This can help to reduce the friction at late night fast food outlets, taxi ranks and other sources of transport, which can lead to disorder and disturbance. Providing customers with greater choice and flexibility is an important consideration, but will always be balanced against the duty to promote the four licensing objectives and the rights of local residents to peace and quiet.

#### **Policy LH 1: Zoning**

The Authority will not generally restrict trading hours, but may restrict hours for particular premises if a Responsible Authority makes an appropriate Representation or an interested Party makes an appropriate Relevant Representation and this will promote the licensing objective.

#### **Policy LH 2: Staggered closing times**

The Authority will not seek to engineer any pattern of closing times ('staggered closing times') by setting quotas for particular closing times.

#### **Policy LH 3: Licensing hours not limited**

The Authority will not reduce the hours permitted for licensable activities to less than those stated in an application, unless a Representation or a Relevant Representation indicates that this is necessary and then only in the context of the individual merits of that application.

### 5.2 Display of operating hours

- 5.2.1 Licensing hours and the closing time of premises may be different. The cessation of licensable activities may take place at some time prior to actual closing time for the premises depending on the nature of the activities.
- 5.2.2 The Authority considers that it would be beneficial for potential customers and Interested Parties living or working nearby to be able easily to discover when licensed premises are likely to be operational.

#### **Policy LH 4: Display of operating hours**

Where appropriate the Authority normally expects to see a notice stating the actual operating hours of the premises displayed conspicuously outside every public entrance to a premise operating under a Premises Licence.

#### **Policy LH 5: Closing times**

In determining applications, the Authority will take into account the time that it is proposed to close the premises where patrons have been attracted to attend by a licensable activity. Regard will also be had to matters such as the nature of the locality and the availability of public transport at the time that the premises propose to close.

The Authority considers that licensable activities should normally cease not later than 30 minutes before final closure of the premises.

### 5.3 Dispersal procedures

- 5.3.1 Organised dispersal procedures can help to prevent crime, disorder and public nuisance where large numbers of persons leave licensed premises over a concentrated period of time. This applies whether customers leave in small numbers over an extended period, or in large numbers.
- 5.3.2 The Authority considers that dispersal procedures, on which all staff employed at the licensed premises are trained, are particularly necessary for premises at which regulated entertainment or the sale of alcohol for consumption on the premises will continue after midnight. Persons living in the vicinity may experience the effects of the dispersal of customers from licensed premises as public nuisance. Such problems can be minimised

through orderly dispersal.

- 5.3.3 Staff trained in dispersal procedures could also play a key role in the event of emergency evacuation.

**Policy LH 6: Dispersal procedures**

Where appropriate, the Authority expects Premises Licence applicants for premises that will remain open beyond midnight and will be open primarily for public entertainment or the sale of alcohol for consumption on the premises, or both, to submit a written statement with their application covering procedures for orderly dispersal of patrons at closing time to minimise any negative impact locally and to support the rights and needs of residents and businesses.

Such a statement should show how all staff in the premises are trained in its implementation.

The Authority expects any dispersal procedure to state the time at which the licensable activities cease and the later, actual, closure time of the premises.

**5.4 Latest admission times**

- 5.4.1 It is undesirable that persons should seek to 'top up' their alcohol intake by 'club-hopping' and seeking out those premises that are admitting customers at the latest times as crime, disorder and public nuisance in urban centres can be increased by persons moving between venues late at night.
- 5.4.2 Establishing last entry times can reduce the tendency of customers to concentrate at those premises which remain open the latest, without restricting the hours of trading. This will encourage dispersal and reduce the pressure on late-night refreshment outlets and transport facilities that can lead to disorder problems. It will therefore assist with objectives to prevent public nuisance and crime and disorder in certain circumstances.

**Policy LH 7: Latest admission times**

The Authority expects latest admission times to apply, for example, in areas where there is a concentration of premises that continue to sell alcohol for consumption on the premises and provide Regulated Entertainment after midnight.

The Authority expects the latest admission time to be at least one hour before cessation of the licensable activity.

**5.5 Hours for 'off-sales' of alcohol**

- 5.5.1 The Government suggests that the norm will be for all shops, stores and supermarkets with Premises Licences that permit the sale of alcohol for consumption off the premises to be free to provide such sales of alcohol at any times when the retail outlet is open for shopping unless there are very good reasons for restricting those hours.
- 5.5.2 Where a licence permits the sale of alcohol in general terms such as 'during opening hours', the Authority, Responsible Authorities and Interested Parties would have no role in determining the availability of alcohol in any subsequent changes to shopping hours. Therefore any conditions on the timing of alcohol sales should state specific times.

**Policy LH 8: Hours for 'Off-Sales' of Alcohol**

The Authority will normally approve an application for licensing hours for retail premises that permit the sale of alcohol (for consumption off the premises) at any time that the retail premises are open for shopping.

Where there are good reasons for restricting those hours, the Authority will specify the particular hours during which the sale of alcohol for consumption off the premises is permitted. In such cases the Authority will not specify those hours in general terms, such as 'at any time that the retail premises are open for shopping'.

If a Representation or a Relevant Representation is made to the Authority, concerning premises intended for the sale of alcohol for consumption off the premises, that those premises are likely to become a focus for disturbance or public nuisance, the Authority reserves the right to restrict trading hours as one mechanism of combating such problems.

## 6 Children and licensed premises

### 6.1 Access to premises

- 6.1.1 The 2003 Act does not prohibit children who are accompanied by an adult from having free access to licensed premises of all kinds, including those selling alcohol for consumption on the premises.
- 6.1.2 However, the 2003 Act makes it an offence for any child under the age of 16 who is not accompanied by an adult from being present:
- at any time on pub premises, or other premises being used exclusively or primarily for the supply of alcohol for consumption on those premises; or
  - between the hours of midnight and 5am on restaurant premises, or other premises that supply alcohol for consumption on the premises.
- 6.1.3 Apart from the above, the admission of children is a matter for the discretion of the individual licensee or club, unless conditions included in a Premises Licence or a Club Premises Certificate limit the access of children.
- 6.1.4 The fact that the new offence may effectively bar children under 16, who are not accompanied by an adult, from premises where the consumption of alcohol is the exclusive or primary activity does not mean that the 2003 Act automatically permits unaccompanied children under the age of 18 to have free access to other premises or to the same premises even if they are accompanied or to premises where the consumption of alcohol is not involved. The 2003 Act includes on the one hand, no presumption of giving children access or on the other hand, no presumption of preventing their access to licensed premises. Each application and the circumstances obtaining at each premises must be considered on its own merits.

<b>Policy CH 1: Access by children to Licensed Premises not a requirement</b>
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The Authority will not apply conditions to Premises Licences that require that children must be given access.
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<b>Policy CH 2: Restrictions on access by children to Licensed Premises (1)</b>
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The Authority will not apply conditions to Premises Licences that limit the access of children except to the extent that:
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|---|
| <ul style="list-style-type: none"> <li>(a) it considers necessary for the prevention of harm to children (with regard to a Representation or Relevant Representation on the application); or</li> <li>(b) applicants have included such restrictions in their operating schedules as a result of risk assessments that determined that the presence of children would be undesirable or inappropriate.</li> </ul> |
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- 6.1.5 The range of situations in policy CH 3, enables the Authority to restrict the access of children to any premises, by taking appropriate account of the 'reputation' of those premises in addition to the formal aspects of an application.

<b>Policy CH 3: Restrictions on access by children to Licensed Premises (2)</b>
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In considering access by children to licensed premises, the Authority will address the individual merits of each application with regard to any Representation or Relevant Representation on the application and, in particular, will take account of situations:
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| <ul style="list-style-type: none"> <li>(a) where entertainment or services of an adult or sexual nature are commonly provided;</li> <li>(b) where current staff working at the premises have been convicted of serving alcohol to minors, or the premise have a reputation for underage drinking;</li> <li>(c) with a known association with drug taking or dealing;</li> <li>(d) where requirements for proof of age cards or other age identification to combat the purchase of alcohol by minors is not the norm;</li> <li>(e) where there is a strong element of gambling on the premises; or</li> <li>(f) where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.</li> <li>(g) and any other occurrence that the Authority determines is contrary to the licensing objectives.</li> </ul> |
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- 6.1.6 The range of options in policy CH 4, which can be applied singly or in combination, enables the Authority to apply conditions to a Premises Licence, or Club Premises Certificate, that are in proportion to the scale of a perceived problem.

**Policy CH 4: Restrictions on access by children to Licensed Premises (3)**

The Authority will rarely apply a complete ban on access by children to any individual licensed premises. However when, in response to a Representation or Relevant Representation, the Authority considers that access by children should be limited, it will apply one or more conditions (to the whole, or parts, of the premises) that include the following options (singly, or in combination):

- (a) limitations on the hours when children may be present;
- (b) age limitations (below specified ages younger than 18);
- (c) limitations or exclusions when certain activities are taking place;
- (d) requirements for accompanying adults (including requirements that apply only to children below specified ages);
- (e) checking proof of age;
- (f) full exclusion of people under 18 from the premises when any licensable activities are taking place.

**6.2 Prevention of alcohol consumption by minors**

- 6.2.1 In most circumstances, the consumption of alcohol by minors would be illegal. The Authority considers that it would also contribute to harm to children, so systems should be put in place to ensure compliance with the law. The Authority encourages the development of a culture in which the checking of proof-of-age cards is accepted as the norm in circumstances where doubt might otherwise exist (e.g. Challenge 25)
- 6.2.2 The Authority will maintain close contact with the police, social care teams, health services and Trading Standards about the extent of unlawful sales and consumption of alcohol by minors and be involved in the development of strategies to control or prevent these unlawful activities and to pursue prosecutions.

**Policy CH 5: Prevention of under-age consumption of alcohol**

The Authority expects Personal Licence holders to ensure that alcohol is not supplied to persons under 18 except as permitted under the 2003 Act and expects every premises where alcohol is supplied to include, in its operating schedule, a management protocol for achieving this.

**6.3 Entertainment for and by children**

- 6.3.1 Entertainment specifically for children (for example, pantomimes) can attract large numbers of unaccompanied children. The Authority expects the licence holder to undertake a risk assessment including details of how they will ensure the safe access and egress of children, and the management of children during the event.
- 6.3.2 The Authority expects the licence holder to provide them with a copy of their safeguarding policy and procedures.
- 6.3.3 The Authority expects licensees to provide attendants, at all performances specially presented for children, in accordance with model national standard conditions.
- 6.3.4 The Authority expects teenage discos and similar events to be ticket-only. This is because there is a risk that when 'pay-at-the-door' events reach capacity, children will be left alone on the street.
- 6.3.5 The Authority has an obligation to report people in a position of trust (employed or volunteer) to the LADO if a safeguarding concern is reported. A referral must be made in all cases where it is alleged that a person who works or volunteers with children has:
- Behaved in a way that has harmed a child, or may have harmed a child; or
  - Possibly committed a criminal offence against or related to a child; or
  - Behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children; or
  - Behaved or may have behaved in a way that indicates that they may not be suitable to work with children
- 6.3.6 The Authority has a duty to make barring referrals to the DBS if it thinks a person has

either:

- Harmed or poses a risk of harm to a child or vulnerable adult
- Has satisfied the harm test; or
- Has received a caution or conviction for a relevant offence and;
- The person they're referring is, has or might in future be working in regulated activity and;
- The DBS may consider it appropriate for the person to be added to a barred list

#### **Policy CH 6: Regulated entertainment for children**

The Authority expects that, where regulated entertainment includes performances specially presented for children, applicants will include in their risk assessment details of the number of attendants that will be on duty to ensure the safety of children and to control the access and egress of children, and the management of children during the event. The Authority will also expect a copy of the applicant's safeguarding policy and procedures.

#### **Policy CH 7: Regulated entertainment with child performers**

For licences that include performances by children, the Authority will normally expect a nominated adult to be responsible for such child performers.

#### **Policy CH 8: Persons supervising children - DBS checks**

In premises where children's entertainment is provided and particularly where children participate in providing entertainment, the Authority would normally expect that any person who will be engaged in supervising children to have been subject to a check through the Enhanced Disclosure procedure of the Disclosure and Barring Service.

#### **Policy CH 9: Regulated entertainment for children – ticket only policy**

The Authority expects that Regulated Entertainment organised for teenage children in the form of a disco or similar event will normally be managed as ticket-only events, with no tickets available at the door.

If pre-ticketing is not to be used, the Authority expects the applicant to demonstrate what alternative arrangements will be used to control admissions and prevent disorder.

## **6.4 Film exhibitions**

- 6.4.1 In the case of premises giving film exhibitions the Authority expects applicants to describe in their operating schedules their arrangements for ensuring compliance with the film classification recommendations that apply.

#### **Policy CH 10: Film Classification (1)**

To every Premises Licence that authorises the exhibition of films, the Authority will attach a mandatory condition requiring the admission of children to the exhibition of any film to be restricted in accordance with:

- the recommendations of the film classification body specified in the licence, (which will normally be the British Board of Film Classification (BBFC) see Appendix 3 ), or
- the Authority's recommendation.

The Authority will attach a similar condition to every Club Premises Certificate that authorises the exhibition of films.

#### **Policy CH 11: Film Classification (2)**

The Authority will not apply its own system of classification for the majority of films. However, provided the operator submits the film for classification at least 28 days before the proposed date of showing, the Authority may classify a film:

- that has no BBFC classification; or
- that has a BBFC classification, but the operator has requested the Authority to consider reclassification and the Authority agrees to do so, or
- where there has been a Relevant Representation from another person or a Representation from any Responsible Authority with an interest in the protection of children from harm.

The Authority will have regard to the BBFC classification system, the BBC Code for Producers and the Ofcom/Broadcasting Standards Commission Broadcasting Code when making any decision on the classification of films.

Any classification made by the Authority will have precedence over any other classification.

#### **Policy CH 12: Exhibition of film – display of notices**

The Authority will expect applications to ensure that appropriate notices are displayed about restrictions on admission and that performances do not take place in areas other than where they can be restricted to a particular audience when necessary.

## **7 Licence Applications**

### **7.1 General**

- 7.1.1 Applications that are incomplete, or fail to comply with the requirements of the 2003 Act will impose additional administrative burdens that hinder the Authority's ability to process the applications that do comply. The Authority will therefore return applications that it considers incomplete, as it considers that applicants should retain the responsibility for ensuring their applications comply with the requirements of the 2003 Act.
- 7.1.2 The 2003 Act requires some applications to be advertised for a set period, or to be copied to the Police or other Responsible Authorities. This gives other persons and Responsible Authorities an opportunity to make Representations about the application to the licensing authority, i.e. those which are not frivolous or vexatious and which relate to the licensing objectives. The Authority considers that the failure of an applicant to comply with these requirements is appropriate grounds for rejecting an application.
- 7.1.3 Applications may be made via the Council's website, emailed to [licensing@oxford.gov.uk](mailto:licensing@oxford.gov.uk), by post to the address given in Appendix 9, and in person at our offices if circumstances allow.
- 7.1.4 Once an application has been accepted, any amendments to the application, unless made in response to a Representation or Relevant Representation, must normally be made by way of an application for variation or a fresh application. The Authority therefore recommends that applicants discuss their proposals with the appropriate Responsible Authority before finalising their submission.
- 7.1.5 Where applications are silent on particular issues, such as the use of special effects or the type of events to be held, this will limit the range of activities permitted under the Premises Licence or Club Premises Certificate that is granted.

#### **Policy LA 1: Licence applications – acceptance**

The Authority requires applications to comply with the requirements of the 2003 Act before they are registered as being received.

The Authority will return to the applicant any application that it discovers to be incomplete because it does not comply with the 2003 Act, including any requirement to advertise or failure to provide a complete copy to a Responsible Authority.

If the Authority returns an application to an applicant for any of the above reasons, it will treat the application as not received. This Policy will apply regardless of any proof of delivery of the application to the Authority.

### **7.2 Personal Licences**

- 7.2.1 The Authority seeks to ensure that it grants only those applications which satisfy the relevant licensing objectives and that the Police have the necessary information on which to base any Representation they may wish to make to the Authority, if applicable. This is because the holder of a Personal Licence should be a person who is not only properly qualified but someone who will contribute to crime prevention.
- 7.2.2 An application for a personal licence is made by an individual to the Licensing Authority for the area in which the applicant normally lives. Thereafter, this Licensing Authority



becomes the “Relevant Licensing Authority” for that licence, even though the licence holder may move out of the area or gain employment elsewhere. Licence holders must notify their ‘Relevant Licensing Authority’ when they move address.

- 7.2.3 The Licensing Authority will grant a personal licence if it appears that:
- the applicant is over 18;
  - the applicant possesses a relevant licensing qualification;
  - the applicant has not forfeited a personal licence in the previous five years beginning with the day the application was made;
  - the applicant has not been convicted of any relevant offence as defined in the Act;
  - the appropriate fee has been paid.
- 7.2.4 Where an applicant has a relevant unspent conviction we will supply a copy of the application to Thames Valley Police. The police can object to the application on crime prevention grounds, and they will serve a notice if they want to object.
- The applicant is entitled to a hearing before the Licensing Sub-Committee where the applicant can bring evidence to support the application.
- 7.2.5 If an application is refused, the applicant will be entitled to appeal to the Magistrates’ Court against the decision. If the application is granted despite a police representation, the Chief Officer of Police is entitled to appeal against the Licensing Authority’s determination. We will therefore record full reasons for any decision that they make.
- 7.2.6 A Personal licence holder has a duty to notify the Licensing Authority that granted the licence of any changes to their personal details i.e. change of address or name. If they are charged with any relevant offence they have a duty to inform the court that they hold a personal licence. They must notify us if they lose their licence or if it is stolen.
- 7.2.7 The Authority acknowledges that the Government has determined that any Personal Licence due to expire after 1<sup>st</sup> April 2015 will not require renewing.
- 7.2.8 An individual who wishes to be a designated premises supervisor (DPS) will need to obtain a personal licence. This gives the individual the ability to authorise the sale of alcohol in accordance with the terms of the premises licence.
- 7.2.9 The police may object to a DPS where, in exceptional circumstances, they believe that the appointment would undermine the “crime prevention” objective. Where the police object we must arrange for a hearing to consider the application. Either party then has a further right of appeal at the Magistrates’ Court if they disagree with the determination of the Licensing Casework Sub-Committee.

### 7.3 Premises Licences

#### General Prevention of Public Nuisance

- 7.3.1 Frequent complaints can be received about noise from the operation of licensed premises. Any noise nuisance from a licensed premises can be reported to the relevant department via the Council website, by calling 01865 249811 or emailing [saferoxford@oxford.gov.uk](mailto:saferoxford@oxford.gov.uk) or [noise@oxford.gov.uk](mailto:noise@oxford.gov.uk) Responsible operators will wish to avoid enforcement action having to be taken under licensing or other legislation. Applicants for Premises Licences and Club Premises Certificates are advised to consider measures that prevent noise nuisance from occurring.
- 7.3.2 A Noise Abatement Notice under the Environmental Protection Act 1990, or a Warning Notice under the Noise Act 1996 may be served on premises that cause a statutory nuisance through failure to meet appropriate standards for preventing the escape of noise, regardless of the conditions of any Premises Licence or Club Premises Certificate.
- 7.3.3 Powers also exist for the Police and the Council to deal with noise issues that may affect persons living in the vicinity of licensed premises selling alcohol and/or providing Regulated Entertainment.
- 7.3.4 However, it will normally be appropriate for applicants for Premises Licences and Club Premises Certificates to suggest measures that are adequate to deal with the potential for nuisance and/or anti-social behaviour having regard to all the circumstances of the application.
- 7.3.5 As noise could emanate not only from the playing of music but also from air handling

equipment or the patrons, applicants may wish to consider undertaking sound tests to ensure that the level of noise leakage from the premises is acceptable given the location.

- 7.3.6 Night-time trading can increase noise and disturbance for local residents and result in damage to property in the vicinity of licensed premises. The Authority may consider that there are benefits to be achieved in minimising public nuisance by curtailing hours of operation, generally or on specific occasions, if a Representation or a Relevant Representation is made to that effect.
- 7.3.7 The Authority advises applicants to give special consideration to noise control measures if proposing to provide Regulated Entertainment or to sell alcohol for consumption on the premises beyond midnight.
- 7.3.8 Different approaches to prevention of public nuisance will apply to a Premises Licence application for Regulated Entertainment, given the nature of the activities, and special circumstances that can arise in relation to those activities, for example:
- longer hours of operation;
  - noise pollution issues;
  - public nuisance caused by people queuing to obtain admission;
  - general safety for the public in a crowded and or dimly lit environment; and
  - congregation of patrons outside licensed premises.
- The applicant will be expected to include relevant conditions, taken from the Council's pool of conditions or their own recommendations, related to the prevention of public nuisance in their operating schedule.
- 7.3.9 Section 177 of the 2003 Act provides that, at premises licensed for music and with a permitted capacity of not more than 200 persons, conditions relating to the provision of music entertainment do not have effect for unamplified music between 8.00am and midnight, unless they derive from the operating schedule, or are imposed due to a review.

#### **Policy LA 2: Premises Licence – Regulated Entertainment (General)**

Where appropriate, the Authority expects the applicant to address sources of noise leakage in practical ways such as (these measures may be employed singly or in combination):

- (a) providing adequate mechanical ventilation so that doors and windows can be kept closed;
- (b) ensuring that the mechanical ventilation is adequately sound-proofed;
- (c) installing a sound limiting device to prevent sound exceeding an appropriately defined level;
- (d) installing sound proofing measures to contain sound and vibration;
- (e) other organisational measures to ensure that potential sound leakage is contained, particularly from special events;
- (f) having a queue management policy.

Applicants should ensure that they carefully consider Approved Document F (Ventilation) in the Building Regulations 2000 when deciding on the levels and types of activities proposed.

#### **Policy LA 3: Premises Licence – Noise control to suit late night trading**

The Authority will, in response to a Representation or a Relevant Representation, and if considered necessary, apply conditions on noise control that suit the licensing hours for premises in areas that include residential accommodation. These conditions may be sourced from the pool of conditions, available to be viewed on the Council website, or bespoke conditions in collaboration with the appropriate Responsible Authority.

#### **Addressing local concerns**

- 7.3.10 Noise nuisance can adversely affect residents living near to licensed premises or business premises in their vicinity if measures taken to deal with noise are inadequate. Management logging of complaints and adoption of procedures for overcoming reported problems will assist with the prevention of public nuisance and the prevention of crime and disorder. Sight of a complaints log will also provide the Authority with information necessary to assess the effectiveness of the management of the premises with regard to the licensing objectives. Residents can contact can report any noise nuisance from a licensed premises by calling 01865 249811 or emailing [saferoxford@oxford.gov.uk](mailto:saferoxford@oxford.gov.uk) or [noise@oxford.gov.uk](mailto:noise@oxford.gov.uk) or via our website: [www.oxford.gov.uk](http://www.oxford.gov.uk).

**Policy LA 4: Premises Licence – Addressing local concerns**

The Authority expects applicants to address how other persons may raise matters of concern directly with those responsible for managing the premises and how those matters will be effectively addressed. A suitable contact number for the premises to be provided to local residents is advised.

**Policy LA 5: Premises Licence – Safer Nightlife**

Special attention should be given to the organisation and risk assessments for such events, taking into account the advice and guidance in the 'Safer Nightlife' booklet and the need for higher levels of vigilance than required for normal dance events. In particular the Authority will expect increased levels of supervision, medical/first aid provision, on-premises drug counselling/advisory services and other arrangements to ensure the safety of patrons attending the event and those supervising it. Additional measures to prevent public nuisance arising from loud music being played at such events must be considered.

**Special Effects**

7.3.11 The Authority expects those applicants who propose to provide Regulated Entertainment and to use special effects, to adequately address the implications of risk assessments in their operating schedules and so ensure that public safety is not adversely affected.

7.3.12 Regulated Entertainment can involve special effects such as:

- dry ice machines - cryogenic fog;
- smoke machines - fog generators;
- pyrotechnics including fireworks;
- real flame;
- firearms;
- motor vehicles;
- strobe lighting;
- lasers;
- explosives and highly inflammable substances.

**Policy LA 6: Premises Licence – Special Effects**

The Authority expects that a proper risk assessment be undertaken where any regulated entertainment is proposed that potentially involves danger to the audience or performers. The organiser should take appropriate measures that are designed to ensure that the risk is effectively removed.

**Sanitary Accommodation**

7.3.13 The Authority expects licensed premises to provide sanitary accommodation for both male and female customers, and are encouraged to include gender-neutral facilities, commensurate with maximum occupancy levels. This is to promote public safety and to minimise public nuisance caused by departing customers urinating in public places, as convenient alternative facilities may not be available when customers leave. Licensed premises are also encouraged to include provision of baby changing facilities in both male and female toilets, or an area accessible to all parents, regardless of gender.

7.3.14 BS 6465 states recommended levels of provision.

7.3.15 Local authorities can require provision of sanitary accommodation at premises providing entertainment, under S20 of the Local Government (Miscellaneous Provisions) Act 1976. However, it would be preferable for applicants to make the necessary arrangements voluntarily in accordance with the BSI Standard.

**Policy LA 7: Premises Licence – Sanitary Accommodation**

The Authority requires premises to provide adequate and convenient sanitary accommodation to suit the needs and numbers of its customers, including those with disabilities, and commensurate with the nature of the licensable activities proposed.

## 7.4 Club Premises Certificates

- 7.4.1 The Government has emphasised that non-profit making clubs have made an important and traditional contribution to the life of many communities in England and Wales and bring significant benefits. Their activities also take place on private premises and they operate under codes of discipline applying to members and their families. In determining what conditions should be included in certificates, the Authority will bear these matters in mind and conditions will not be attached unless they can be demonstrated to be strictly necessary.

### Qualifying Conditions

- 7.4.2 Section 61 of the 2003 Act sets out the conditions that a qualifying club must meet. Section 62 also sets out specified matters for licensing authorities to enable them to determine whether a club is established and conducted in good faith - the third qualifying condition. Section 63 sets out additional qualifying conditions that apply solely to clubs intending to supply alcohol to members and guests.

<b>Policy LA 8: Club Premises Certificates – Club qualifying conditions</b>
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The Authority will require applicants to provide copies of the Club's Constitution and Rules for it to be able to determine whether the club is established and conducted in good faith as a club. This information must accompany the application.
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### Operating schedule

- 7.4.3 The range of issues that should be addressed in operating schedules will be premises-specific, but may include the issues listed in the 'OS' series of policies.

<b>Policy LA 9: Club Premises Certificates – Scope of the operating schedule</b>
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Where an applicant is required to provide an operating schedule, the Authority expects this to address the four licensing objectives through a comprehensive range of issues applicable to the location and activities proposed at the club premises.
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### Film and theatrical performances

- 7.4.4 The Authority may require the display of appropriate notices and restrictions on the entry of children, if performances include material that is not suitable for minors.
- 7.4.5 Where there is to be an exhibition of a film or a theatrical performance is to take place on club premises, applicants should refer to the 'CH' series of policies set out in this policy statement.
- 7.4.6 Where a special theatrical performance for children takes place in Club Premises then the Authority will expect the presence of sufficient adults to control the access and egress of the children and ensure their safety. Such numbers of adults should be agreed with the Authority before the performance takes place.
- 7.4.7 The Authority expects that a restriction on admission is applied in any case where a theatrical performance contains material which can be regarded as suitable for an adult audience only.

<b>Policy LA 10: Club Premises Certificates – Film or Theatrical Performances</b>
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The Authority will require clubs to display appropriate notices about any restrictions on admission to film or theatrical performances and ensure that these do not take place in areas other than where they can be restricted to a particular audience when necessary.
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### Gender equality in clubs

- 7.4.8 The Authority recognises that equal treatment for everyone is not a licensing objective. The Licensing Authority will expect member's clubs to ensure that their membership rules do not result in discrimination against a person on the basis of a protected characteristic, as detailed in the Equality Act 2010 – for example, maintaining different membership classes for persons of different genders.

<b>Policy LA 11: Club Premises Certificates – Gender Equality</b>
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The Authority will not impose conditions that interfere with the arrangements for granting membership or voting within the club.
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## 7.5 Particular premises and activities

### Pubs, Restaurants, Hotels, Guest Houses

- 7.5.1 The licensable activities in pubs, restaurants, hotels and guest houses are likely to require minimal conditions, provided they only undertake the sale of alcohol, or sale of alcohol with a meal.
- 7.5.2 The Authority expects those responsible for managing licensed premises to prevent public nuisance by ensuring that licensable activities likely to affect third parties are contained and properly managed.

#### **Policy PP 1: Pubs, Restaurants, Hotels, Guest Houses**

In pursuing family friendly environments for such establishments, the Authority expects applicants to ensure that the use of outdoor areas will not cause a public nuisance to nearby residents and expects applicants to demonstrate that they will appropriately manage activities in such areas. The Authority may exclude licensable activities from outside areas at appropriate times or in appropriate circumstances in response to a Relevant Representation.

### High Volume Drinking Establishments

- 7.5.3 High Volume Drinking establishments (HVDs) are premises with exceptionally high capacities, used primarily or exclusively for the sale and consumption of alcohol with little or no seating for patrons. A comprehensive review of the research conducted in the last twenty-five years into alcohol and crime and its relationship to licensed premises shows that the environment within such establishments can have a significant bearing on the likelihood of crime and disorder arising on the premises.
- 7.5.4 The Authority considers that this research shows that HVDs do not further the licensing objectives.
- 7.5.5 The research indicates that the key points on preventing crime and disorder include:
- controlling the capacity to prevent overcrowding and frustration to customers;
  - ensuring adequate seating for customers; and
  - ensuring the provision of door security teams at the premises to control capacity and ensure already drunk or disorderly individuals are not admitted.

#### **Policy PP 2: High Volume Drinking Establishments (HVDs)**

Where necessary and appropriate, the Authority may attach conditions to Premises Licences for HVDs and similar premises (if not volunteered by the venue operator) following an appropriate Representation or Relevant Representation which require adherence to:

- (a) a prescribed capacity;
- (b) an appropriate ratio of tables and chairs to customers based on the capacity; and
- (c) the presence of Security Industry Authority (SIA) registered security teams to control entry for the purpose of compliance with the capacity, and to carry out security duties in other parts of the premises.

### Internet sales, Mail Order and Home Deliveries

- 7.5.6 The place where the order for alcohol, or payment for it, takes place may not be the same as the place where the alcohol is appropriated to the contract (i.e. the place where it is identified and specifically set apart for delivery to the purchaser). This position can arise when sales are made online, by telephone, or mail order. Section 190 of the 2003 Act provides that the sale of alcohol is to be treated as taking place where the alcohol is appropriated to the contract. It will be the premises at this location which need to be licensed; for example, a call centre receiving orders for alcohol would not need a licence but the warehouse where the alcohol is stored and specifically selected for, and despatched to, the purchaser would need to be licensed.

This may differ with Home deliveries if the alcohol is being stored where sales are taking place. However the Council will carefully consider the distance selling supply chain in deciding where the alcohol is appropriated to the contract. The Licensing Authority has received numerous applications for home delivery services from venues such as storage warehouses as well as residential addresses.

### Designated sports grounds

- 7.5.7 The Authority expects organisers of sporting events to make appropriate arrangements to limit the possibility of crowd disturbance within sports stadiums and to take steps to minimise the incidence of public nuisance within the vicinity of stadiums in accordance with licensing objectives to prevent crime, disorder and public nuisance.
- 7.5.8 Issues of disorder among, or safety of, spectators can arise at sporting events and crowd control in and around grounds can be affected where licensable activities such as the sale of alcohol take place.

<b>Policy PP 3: Designated Sports Grounds, Events and Outdoor Stadiums</b>
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If the Police make a Representation, the Authority may seek to restrict sales of alcohol at sporting events to specific areas of the venue, to times set relative to particular performances or events, or to set times and may require different arrangements for public and private areas.
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### Garages and Service Areas

- 7.5.9 Section 176 of the 2003 Act provides for a general prohibition on the sale of alcohol at motorway service areas and garage forecourts. The Government may, by order, alter the description of premises from which alcohol may be sold.
- 7.5.10 The 2003 Act largely maintains the situation in previous legislation which has allowed the sale of alcohol to develop in line with the range of goods available from garage shops as is now commonplace. Accordingly, where proper facilities are provided in the form of a shop at a garage, the Authority does not propose to preclude sales of alcohol within the range of goods available.

<b>Policy PP 4: Garages and Service Areas</b>
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The Authority will apply no general restriction on the sale of alcohol from garage shops that also offer a substantial range of groceries for sale.
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In order to establish that premises are not primarily used as a garage, which would prevent the sale of alcohol, an applicant will need to show the intensity of use by customers at the premises. This may be evidenced by lists of customers according to usage, or by sales figures classified according to purchases.
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This policy does not amend the prohibition of alcohol sales at motorway service areas.
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### Vessels (boats)

- 7.5.11 When licensing vessels, the Authority will consider the conduct of the proposed licensable activities in the context of the licensing objectives. In particular it will address the need for adequate control of licensable activities to further the public safety objective and to prevent public nuisance to residents in the vicinity of the vessel's navigational route.
- 7.5.12 The Authority will not be concerned with the safety of the vessel for carriage of passengers, or issues concerning the safe navigation of the vessel. These are matters dealt with under other legislation.

<b>Policy PP 5: Vessels – Safety</b>
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The Authority expects the normal safety measures for a vessel to be supplemented as appropriate to suit the scale, nature and timing of any licensable activities that occur. In considering such matters, the Authority may consult with the Environment Agency or any other authority with responsibility for the safety of vessels.
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<b>Policy PP 6: Vessels – Noise</b>
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Licensable activities taking place on board a vessel must not cause noise nuisance or other public nuisance to people in the vicinity of a vessel's berth or the route of its navigation. Furthermore, in response to a Representation or Relevant Representation, the Authority may require that specialist supervision in the form of Security Industry Authority (SIA) registered door staff or safety attendants is arranged in connection with any regulated entertainment which takes place on board.
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## Vehicles and Moveable Structures

7.5.13 Alcohol may not be sold on a moving vehicle but there may be a requirement for sale of alcohol and possibly other licensable activities to take place from a stationary vehicle or structure, for example one that is sited temporarily at an event.

7.5.14 Where a Premises Licence is required for the vehicle or structure, this will relate solely to the place where the vehicle is sited and the licensable activities are to take place.

Premises Licences for vehicles and moveable structures are therefore required wherever they are sited when licensable activities take place and this may well mean applications to more than one Licensing Authority.

### Policy PP 7: Vehicles and Moveable Structures

The Authority expects the operator of any vehicle or moveable structure to ensure that it is located in an area that is appropriate for the proposed licensable activities.

It may not be appropriate to site any such vehicle or structure near to other licensed premises, or in an area subject to a Public Space Protection Order or where it may cause noxious smells or litter problems if operating between 23:00 and 05:00 hours.

7.5.15 The operator of a vehicle trading in a 'consent street' will continue to require a street trading consent in addition to any Premises Licence and the conditions attached to the street trading consent will continue to apply. Such conditions will normally be equally relevant to vehicles trading in areas where street trading consents are not required.

### Policy PP 8: Late Night Refreshment Vehicles – outside consent streets

The Authority will seek to apply the conditions that apply to vehicles under street trading consents to the Premises Licences for vehicles or structures that provide late night refreshment in areas that are not consent streets.

No Premises Licence is valid for a vehicle within an area prohibited to street trading.

## Late night refreshment

7.5.16 The 2003 Act requires that premises selling hot food or drink for consumption by members of the public on or off the premises, between the hours of 23.00 and 05.00 must have a Premises Licence.

7.5.17 Such premises include those dedicated to providing this service, restaurants (not only those that offer take-away facilities) and vehicles trading during these hours.

7.5.18 Premises engaged in the late night provision of hot food and drink are covered by the 2003 Act to enable appropriate controls to be introduced to reduce the incidence of disorder, disturbance and public nuisance that can arise if these venues become the focus for gatherings of people that have come from other venues and may have been consuming alcohol.

7.5.19 Management of late night refreshment venues needs to be undertaken effectively to assist in preventing crime, disorder, anti-social behaviour and public nuisance.

### Policy PP 9: Late Night Refreshment

The Authority will look carefully at the scope of operation intended for late night refreshment premises. The Authority particularly expects applicants to address issues such as:

- (a) Hours of operation, to prevent public nuisance to any nearby residents, or problems of noxious smells and anti-social behaviour;
- (b) Supervision of queues and the management of large numbers of clientele descending on the premises at certain times - this could include door supervision to control surges of customers where this may occur;
- (c) Layout of the premises to cope with patrons e.g. position of counters, entrances and exits;
- (d) Litter control and environmental activities, such as litter picking including cigarette butts from patrons, provision of litter bins, street sweeping/washing in the immediate vicinity of the premises;
- (e) CCTV; and
- (f) Public safety, including the type of power supply to be used where the application is for a trading vehicle or moveable structure.

The Authority expects premises licensed for late night refreshment to have regard to the

'Voluntary Code of Practice for the Fast Food Industry' (DEFRA Oct 2003).

**Policy PP 10: Take-away food outlets – presumption of no alcohol sales**

The Authority will have a presumption against the sale of alcohol from premises where the primary activity during the hours 23:00 to 05:00 is the provision of take-away food unless it can be clearly shown that there will be no contribution to crime or disorder.

**Supply of alcohol for consumption off the premises**

7.5.20 It is not the Authority's policy generally to seek to restrict the sale of alcohol for consumption off the premises. However, where premises are relatively isolated, with minimal levels of staffing, this can lead to problems of anti-social behaviour or disorder in the vicinity of the premises. Pressure can also be applied to staff to sell alcohol to persons who are under age or to those seeking to purchase high strength beers, lagers, ciders, etc.

7.5.21 Policy PP11 is intended to ensure that alcohol is sold only to those who are entitled to purchase it and that premises have proper checks in place to ensure that the restrictions are enforced, so that minors and those seeking to purchase high strength beers, lagers, ciders, etc. do not obtain access to alcohol which can lead to public nuisance or disorder. If deemed appropriate in order to address evidenced local concerns, the Responsible Authorities may seek licence holders to consider the impact on the licensing objectives when selling high strength beers, lagers, ciders, etc.

**Policy PP 11: Supply of alcohol ('Off-sales')**

For applications that include the sale of alcohol for consumption off the premises, the Authority will expect operating schedules to address how sales of alcohol will be confined to those entitled to purchase it and how the procedures will be consistently applied. The role of the Designated Premises Supervisor will be pivotal in this respect. The operating schedule should cover such practical issues as:

- (a) the display of prominent warning notices about the supply of alcohol to minors;
- (b) offences which adults can commit by buying alcohol for minors;
- (c) requirements for production of satisfactory proof of age;
- (d) Whether any high strength beers, lagers, ciders, etc. will be made available for sale.

The Authority expects that staff involved in the sale of alcohol will have had appropriate training in order to put the operating schedule into effect.

Times during which alcohol may be sold will be restricted if it appears to the Authority, as a result of a Representation or Relevant Representation, that this would promote the licensing objectives of preventing public nuisance, crime and disorder.

The Authority will maintain close working relationships with both the Police and Trading Standards Officers who will conduct 'test purchasing' of alcohol under the 2003 Act in order to detect and prevent sales of alcohol to minors and to pursue prosecutions where appropriate.

**Safe drinking-vessels**

7.5.22 The Authority seeks to remove the risk of injury that could result from the use of particular types of drinks containers at particular venues, or in association with particular licensable activities.

7.5.23 The risk of injury can arise not only from the deliberate misuse of glass containers and bottles during disturbances, but also from accidental breakage in crowded or dark venues and from broken glass in parks, water features and swimming pools.

7.5.24 Where appropriate, such as where there are concerns about crime and disorder or public safety, the Authority will require all drinks to be supplied in containers that are safer than traditional glasses or bottles (e.g. polycarbonate, paper, environmentally sustainable materials where possible, or toughened glass). Where appropriate, bottled beverages should also be dispensed into safe containers. Premises may also consider the use of anti-drink spiking products.

**Policy PP 12: Safe drinking-vessels**

In appropriate circumstances, the Authority will require safe drinking-vessels to be used



wherever a material risk of injury might arise.

This policy applies not only to drinking vessels and containers for alcohol, but also to containers for soft drinks and water including any brought to the premises by customers.

### Other potential weapons

#### Policy PP 13: Other potential weapons

In appropriate circumstances the Authority will require premises not to provide loose items that could be used as weapons, e.g. heavy or glass ashtrays, or unfixed furniture.

### Large Scale and Outdoor Events

7.5.25 The Authority in partnership with the Safety Advisory Group (SAG) regularly meets to discuss proposed large scale and outdoor events. The Authority encourages organisers of such events to approach council officers at the earliest opportunity to discuss the arrangements for the licensed activities involved. This may include the production of an Event Management Plan. It would normally be expected that reference should be made in the operating schedule to the Event Management Plan. The Authority will offer advice and assistance to organisers about this preparation through the Safety Advisory Group. In producing operating schedules and Event Management Plans for such events the organisers are encouraged to visit our Events page on our website: <https://www.oxford.gov.uk/downloads/20035/events> and should have regard to the following documents:

- Safety Guidance for Street Arts, Carnival Procession and Large Scale Performances published by the Independent Street Arts Network, obtainable through: <https://outdoorartsuk.org/>
- Safer Clubbing Guide.

7.5.26 However, those creating operating schedules or club operating schedules, licensing authorities and responsible authorities should again note that under no circumstances should any conditions be regarded as standard for all premises.

7.5.27 Any individual preparing an operating schedule or club operating schedule should volunteer any measure, such as those described in Section 8 of this Policy document and in the Authorities adopted Pool of Conditions, as a step he or she intends to take. Such measures will become conditions of the licence/certificate, and as such, any breach of these conditions could give rise to prosecution.

#### Policy PP 14: Large Scale and Outdoor events

The Authority expects the organiser of a large scale or outdoor event, except those that may be covered by Temporary Event Notices, to identify an adequate management team at an early stage and to designate a lead person to liaise with the Authority.

The Authority also expects a representative of an open-air event's organisers to attend co-ordination meetings with Responsible Authorities and the Council's Safety Advisory Group.

### Sex-related entertainment

7.5.28 The Authority is not able to control the content of adult entertainment involving activities such as striptease or lap-dancing through the Licensing Act 2003.

7.5.29 Such premises are controlled under the amendments to Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by section 27 of the Policing and Crime Act 2009, which came in to force in this Authority on 10<sup>th</sup> June 2010.

### Community Centres and Village Halls

7.5.30 The Authority encourages all Community Centres and Village Halls to apply for Premises Licences to cover all expected activities, as the managers of these venues are likely to find too restrictive the permitted annual number of Temporary Event Notices.

7.5.31 If alcohol is to be supplied, the Personal Licence Holder nominated as the Designated Premises Supervisor need not be a member of the management committee of the centre or hall.

## Public spaces and council-controlled premises

- 7.5.32 In places for which the Council holds a Premises Licence entertainers will be able to give a performance, without the need to serve Temporary Event Notices or to apply for individual Premises Licences.
- 7.5.33 This approach will make it more possible for cultural diversity to thrive and will be a far simpler process for many types of entertainment that use numerous venues each year, such as circuses and street artists. However, entertainers will need to obtain the permission of the Council (as both landlord and Premises Licence holder) and comply with any conditions that might be imposed.
- 7.5.34 This approach may reduce the administrative burden on the Authority and ensure that licensable activities are encouraged in locations that the Authority considers appropriate and where the promotion of the licensing objectives has been previously considered and any potential noise nuisance can be properly managed.

<b>Policy PP 15: Public spaces and council-controlled premises</b>
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<p>The Authority encourages the Council and Oxfordshire County Council to seek Premises Licences for the purpose of particular types of public entertainment at premises under their control, such as community halls, parks and public open spaces.</p>
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<p>The Authority expects the organisers of proposed large-scale events in parks and public open spaces to apply for Premises Licences, because the Premises Licences held by the Council for these locations are likely to be of limited scope.</p>
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## 7.6 Designated Premises Supervisors

- 7.6.1 In order for alcohol to be sold under a Premises Licence, the licence must name a Designated Premises Supervisor who holds a Personal Licence. Even though the Police may not object to the grant of a Personal Licence to a particular person, they may object to that person being named as the Designated Premises Supervisor for particular premises on grounds that the crime prevention objective is likely to be undermined. The Police can only challenge in exceptional circumstances.
- 7.6.2 Although the Designated Premises Supervisor has a key role in the management of premises, the 2003 Act does not require the Designated Premises Supervisor to present at the premises.
- 7.6.3 In the event of any problems, Authorised Persons will need recourse to the Designated Premises Supervisor who is in a pivotal position within licensed premises. The Designated Premises Supervisor must be managerially able to mobilise resources at the premises as necessary to assist the promotion of the licensing objectives. In order to comply with the conditions of the licence, this must include the ability to manage the systems described in the applicant's operating schedule.
- 7.6.4 On occasions where the Designated Premises Supervisor is not available then a nominated competent person must be available to oversee the day-to-day running and control of the premises and where appropriate this person shall be a Personal Licence holder.

<b>Policy DPS 1: Designated Premises Supervisors</b>
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<p>The Authority expects that under normal circumstances the Designated Premises Supervisor will be the person who has day-to-day responsibility for running the premises.</p>
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## 7.7 Temporary Event Notices

- 7.7.1 Under the 2003 Act, Temporary Event Notices enable licensable activities to take place outside the scope of a Premises Licence. These notices can be given for events that last no more than 168 hours and have less than 500 people present at any one time. There are annual restrictions on how many notices one person may give and on the number of times the same premises can be used.
- 7.7.2 By their nature, temporary events may not be as well-resourced as activities organised under a Premises Licence, so are potentially disruptive and can cause problems for residents and owners of property nearby. However, the legislative framework for temporary events envisages a 'light touch' by the Authority, the Police and the

Environmental Health Service.

- 7.7.3 A private event is exempt from a TEN for invited guests which is held in a hired private room and no sale of alcohol occurs. There must be no charge for admission which is intended to make a profit.
- 7.7.4 A maximum number of fifteen TENs can be submitted each calendar year for any premises. A premises can operate its business under TENs for a maximum of 21 days in a calendar year. For 2022 and 2023, the limits have been increased to 20 TENs for a maximum of 26 days.
- 7.7.5 The most important aspect of the system of permitted temporary activities is that no authorisation as such is required for these events from the Licensing Authority. The process involves notification of an event to the Licensing Authority, the police and the environmental health service. Only the police and environmental health may intervene to prevent such an event from taking place.
- 7.7.6 The Licensing Authority may only ever intervene itself, if the limit on numbers of events is exceeded. Otherwise, the Licensing Authority is only required to issue a timely acknowledgement.
- 7.7.7 There are two types of TENs – “**Standard**” and “**Late**” TENs.
- 7.7.8 A **Standard** TEN must be given to the Licensing Authority ten clear working days (being Monday - Friday) before the event, and a **Late** TEN must be given to the Licensing Authority no later than five clear working days (being Monday – Friday) before the event. Section 193 of the Act defines "working day" as any day other than a Saturday, a Sunday, Christmas Day, Good Friday, or a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in England and Wales. "Ten working days" notice means ten working days exclusive of the day on which the event is to start, and exclusive of the day on which the notice is given.
- 7.7.9 For a ‘**Standard**’ TEN, the Police and/or Environmental Health may submit an objection notice if they consider that by allowing the event to take place at least one licensing objective would not be met. Where the Police or Environmental Health object they will serve an objection notice on you. You can then discuss the event and agree modifications to address their concerns. If no agreement is reached, the Licensing Authority will hold a hearing to consider the objection. If the Police or Environmental Health object to a **Late** TEN, the event will not be permitted to go ahead because there is no means to arrange a hearing or agree modifications to the proposed event.
- 7.7.10 If the TEN is in connection with a licensed premises, the Licensing Casework Sub-Committee may impose one or more of the existing licence conditions. Conditions can **only** be imposed on the TEN where they already exist on the premises licence or the club premises certificate. The Act requires the conditions to be appropriate for the promotion of the licensing objectives **and** not inconsistent with the carrying out of the licensable activities.
- 7.7.11 Persons organising Temporary Events involving music should liaise with Environmental Health to discuss provisions necessary to prevent noise nuisance.
- 7.7.12 Any noise nuisance resulting from the licensable activities under a Temporary Event Notice can be reported by affected residents to the relevant department via the Council Website, by calling 01865 249811 or emailing [saferoxford@oxford.gov.uk](mailto:saferoxford@oxford.gov.uk) or [noise@oxford.gov.uk](mailto:noise@oxford.gov.uk)

<b>Policy TEN 1: Temporary Event Notices</b>
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To be valid, Temporary Event Notices must be served on the Authority, with a copy to the Police Authority and the Environmental Health Service.
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## 7.8 Provisional Statements; New or Substantially Altered Premises

- 7.8.1 Where premises are to be newly constructed, extended or substantially altered, an applicant who has an interest in the premises can apply for a ‘Provisional Statement’. This is in addition to any planning and building-control consents that may be required.
- 7.8.2 A Provisional Statement gives the applicant some assurance about the grant of a future application for a Premises Licence. This may be useful if the applicant has insufficient information to be able to complete the operating schedule that is necessary for a Premises Licence application or, if alcohol sales are proposed, is unable to name the proposed

Designated Premises Supervisor. An applicant with adequate information could apply, instead, for a Premises Licence at a suitable stage in design and construction.

<b>Policy PR 1: Provisional Statements; new or substantially altered premises</b>
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The Authority will consider issuing a Provisional Statement for new premises, provided the applicant already holds appropriate planning consent.
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<b>Policy PR 2: Changes to provisional statements</b>
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Where there are any changes to the proposals before a substantive licence is granted, these must be dealt with by way of an application for variation.
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Once the Authority has issued a Provisional Statement, it will exclude from its consideration any Representation or Relevant Representation made about the subsequent application for a Premises Licence if, without reasonable excuse, a substantially similar Representation or Relevant Representation could have been made about the application for the Provisional Statement. However, the Authority recognises that genuine and material changes may arise in the intervening period and the Authority reserves the right to entertain Representations and Relevant Representations that reflect changed circumstances.
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A Provisional Statement may not be sought for a vessel, a vehicle or a moveable structure.
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## 7.9 Minor Variations

7.9.1 The minor variations process allows licensees to make application to the Licensing Authority to make certain minor changes to an existing licence, without the need for a full application to vary the existing authorisation. Minor variations do not have to be copied to the Responsible Authorities by the applicant, the Licensing Authority will determine which Responsible Authorities, if any, shall be consulted and are only advertised by way of a white notice displayed at the premises for a period of ten working days starting on the first working day after the application was given to the Licensing Authority.

7.9.2 Minor variations can only be used in cases where the variation sought shall not impact adversely on the licensing objectives. There is no right to a hearing to take place to consider minor variations. The decision as to whether or not a minor variation is appropriate will be made by the officers of the Licensing Authority, and this decision shall be final. In making such decision, officers must have regard to any relevant representations received from other persons within the statutory time limit. Representations must be relevant where they relate to the likely effect of the grant of the application on one or more of the licensing objectives. Officers shall consult when and if necessary with the relevant Responsible Authorities.

7.9.3 If the Licensing Authority fails to respond to a request for a minor variation within fifteen working days, it is deemed refused and the Authority must return the fee to the applicant forthwith. However, the Licensing Authority and the applicant may agree instead that the undetermined application should be treated as a new application and that the fee originally submitted will be treated as a fee for the new application.

7.9.4 A minor variation should only be used in the following circumstances:

- Reductions in the hours during which licensable activities may take place
- Reduction in opening hours
- Minor changes to the layout of premises that do not impact on the licensing objectives, such as moving the location display cabinets for alcohol within a supermarket or shop.
- The removal of licensable activity
- Variation to the times alcohol is sold, where those times are between 07:00 hours and 23:00 hours.
- Adding conditions that will assist in promoting the licensing objectives
- Amending conditions that are badly worded
- Removing or amending conditions that are unenforceable
- Removing conditions that are obsolete.

7.9.5 Relevant Considerations:

- Whether the application increases the capacity for consuming alcohol on the premises
- Whether access to emergency exits or escape routes shall be blocked by the proposed

- changes
- Whether the alterations might affect the operation of noise reduction measures such as an acoustic lobby
- Whether the addition of a licensable activity might impact on the promotion of the licensing objectives, e.g. the addition of live or recorded music on the prevention of public nuisance objective. The proximity of the unlicensed premises to residential accommodation
- Conditions volunteered by the applicant to mitigate the effects of any changes
- The previous history of the premises
- The likely effect on surrounding premises

7.9.6 Residents and businesses are able to raise representations (objections) to applications for, and variation to premises licences. These must relate to the four licensing objectives and the proposals made in the application.

7.9.7 Details of applications and variations to premise licences will be required to be displayed on or outside the premises concerned.

7.9.8 For variations that include layout changes and submission of a revised plan of the premises, the licence holder is encouraged to include provisions for disabled people, including disabled access, if not already accommodated.

## **7.10 Members as Interested Parties**

7.10.1 The law has changed, giving elected members will be able to both make representations and potentially call for reviews of licences. There are some caveats, the foremost being evidence to support your case.

7.10.2 This is a significant change from the previous situation, where individual Members could only make such representations if they lived in or had a business in the vicinity of the premises, or had been specifically asked to represent a constituent at a hearing.

7.10.3 The statutory constraints on the reasons for representations or reviews still apply – they may only be made on the grounds of one or more of the licensing objectives, which are:

- the prevention of crime and disorder;
- the prevention of public nuisance;
- public safety;
- the protection of children from harm.

7.10.4 Representations or applications for review on other grounds cannot be considered. For instance, public health is not a statutory objective and cannot be considered.

7.10.5 All representations or reviews:

- must be in writing, showing the name and address of the writer (the representation or review application must be published as part of the process) – there is a prescribed form for reviews on the Licensing webpage;
- must clearly set out the likely effects the grant of the licence would have on the promotion of at least one of the licensing objectives;
- must present evidence in support of the representation or review.
- must clearly relate to the premises for which application is being made.
- For example, representations on the basis of general noise and disturbance, without evidence of a link to specific premises, will carry little or no weight with the Sub-Committee.

## **8 Operating schedules**

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### **8.1 General**

8.1.1 The operating schedule is a key document and, if prepared comprehensively, will form the basis on which premises can be licensed without the need for additional extensive conditions.

8.1.2 The Authority expects an operating schedule to indicate the steps that the applicant proposes to promote the licensing objectives. It is particularly important that the operating schedules for appropriate premises should be precise and clear about measures that the management proposes to take to meet the licensing objectives.

8.1.3 The 'OS' series of policies indicates some of the issues that the Authority encourages

applicants to consider including in any operating schedule. They are intended to assist applicants in their consideration of how best to meet the licensing objectives and, in doing so, may help prevent Representations from Responsible Authorities that would otherwise result in a hearing.

## 8.2 Safety

- 8.2.1 Safety within premises to which the public are admitted is of fundamental concern and is therefore one of the licensing objectives. All these policies are designed to ensure that the objective is promoted as appropriate to the premises.
- 8.2.2 There are two aspects to safety to take into account, one being the form of construction of the premises, the other being the way in which the patrons are managed once in the premises.
- 8.2.3 The Authority will expect the premises to be constructed to the appropriate standards for the uses to which it is to be put. It expects applicants to have addressed the requirements of Health and Safety at Work and Fire Safety legislation. Where appropriate, applied standards set out in any technical guidance for construction of buildings for a particular purpose should also be met.
- 8.2.4 The Authority will expect the applicant to have considered provisions for disabled people, including disabled access to the premises.

### Policy OS 1: Operating schedule – Safety

Those preparing operating schedules and Responsible Authorities should consider:

- (a) Model National and Standard Conditions for Places of Public Entertainment and Associated Guidance ISBN 1 904031 11 0 (Entertainment Technology Press - ABTT Publications);
- (b) The Event Safety Guide - A guide to health, safety and welfare at music and similar events (HSE 199) ('The Purple Book') ISBN 0 7176 2453 6;
- (c) Managing Crowds Safely (HSE 2000) ISBN 0 7176 1834 X;
- (d) 5 Steps to Risk Assessment: Case Studies (HSE 1998) ISBN 07176 15804;
- (e) Guide to Fire Precautions in Existing Places of Entertainment and Like Premises (Yellow Guide) HMSO ISBN 0 11 340907 9; and
- (f) advice from the Fire Officer or Building Control Officer.
- (g) Guidance from the Equality Act 2010 regarding provisions for persons with protected characteristics.

### Policy OS 2: Operating schedule – Premises management and maintenance

The Authority expects operating schedules to detail how premises will be properly managed and maintained at all times.

Where necessary the operating schedule must reflect the management structures necessary to deal with the variety of activities taking place on the licensed premises on different days, at different times and in different parts of the premises at the same time.

### Policy OS 3: Operating schedule – Log book

The Authority expects the managers of appropriate premises to maintain a log of activities for the premises that records the details of the manager and supervisory staff and the times that they are on duty, with details of incidents such as where people have been ejected from the premises.

### Policy OS 4: Operating schedule – Occupancy limits

The Authority expects the operating schedule for each of the following types of premises to state the occupancy limits:

- (a) cinemas;
- (b) theatres;
- (c) any premises where Regulated Entertainment is to be provided;
- (d) any other premises, on the advice of a Responsible Authority where there are particular reasons to do so.

The Authority expects the operating schedule to state the occupancy limits of each floor of such premises and, where appropriate, separate areas on each floor, or under different operating conditions.

**Policy OS 5: Operating schedule – Free drinking water**

The Authority expects applicants to indicate how supplies of free drinking water will be made available and clearly advertised at appropriate events and venues, particularly those where Regulated Entertainment takes place over a lengthy period of time.

**Policy OS 6: Smoke free Premises**

The Authority expects operating schedules to detail how premises will be able to comply with the Health Act 2006 without compromising any of the four licensing objectives (e.g. re-entry policies, drinks supervision, litter management and noise control etc. Applicants may wish to include additional plans to highlight any smoking areas they propose to use.

**8.3 CCTV**

- 8.3.1 The Authority seeks to further the licensing objective of prevention of crime and disorder through greater use of CCTV in licensed premises, as appropriate to the scale and type of licensable activities proposed. CCTV is in wide use in public areas and has been successful in bearing down on crime and disorder. CCTV has also been in use in nightclubs to complement the CCTV system in public areas and to record information for use in dealing with incidents in clubs.

**Policy OS 7: Operating schedule – CCTV**

For appropriate premises, the Authority expects the use of CCTV equipment to capture images of appropriate quality, location and frequency. The Authority expects applicants for licences for such premises to demonstrate in their operating schedules that the installation and operational procedures for the equipment at the premises comply with Thames Valley Police's 'Standard Minimum Closed Circuit Television Requirements'.

**8.4 Drug control**

- 8.4.1 The Authority seeks to minimise the availability of drugs in furtherance of the public safety and crime and disorder objectives. The Authority therefore expects venues to have a comprehensive management approach to eliminating drug use and possession.
- 8.4.2 There are many indications that an increasing number of people are taking illegal drugs and are using a wider range than ever before. This is particularly true of what are often referred to as 'recreational drugs'. Their use, sometimes in places where entertainment is taking place, has led to fatalities.
- 8.4.3 The Authority will actively seek ways in which it can assist in promotional initiatives to highlight the hazards of drug and alcohol abuse.
- 8.4.4 For those venues where drug misuse is an identified risk, measures need to be taken to combat supply, use and the effects of any use. There is advice available about how to control and mitigate the effect of drug-taking, which is relevant for entertainment venues in general and venues which provide intensive dancing, such as 'nightclubs', in particular.

**Policy OS 8: Operating schedule – Drugs**

The Authority expects licensees of venues where there is a risk of drug-taking, to take all appropriate steps to prevent drugs from being brought onto the premises and from being traded within the premises, in addition to implementing measures to prevent tragedies as a result of any drug misuse.

The Authority expects licensees of premises that hold 'rave-style' dance events, whether regularly, intermittently or as single events, to produce a drug policy statement. That statement may incorporate the guidance and recommendations in the 'Safer Clubbing' booklet.

The Authority expects the operating schedule to show how the whole management structure of the venue is trained and organised to follow the measures agreed for the venue to minimise use of drugs.

Premises that hold outdoor events are likely to be required to have Security Industry Authority (SIA) registered door staff on duty, so the drugs policy statement for the premises should be explicit about how the door staff will participate in systems to minimise drug use. In particular, the Authority expects such policies to include clear statements of the procedures for searching

customers as a condition of entry.

In appropriate cases the Authority will consider attaching, to the Premises Licence, conditions that are based upon recommendations detailed in approved guidance on drugs.

## 8.5 Door supervisors

- 8.5.1 The Authority supports the pro-active use of trained and registered door staff as part of the operational management of some types of premises, because this can reduce the risk of crime, disorder and anti-social behaviour occurring.
- 8.5.2 A Premises Licence that provides for the presence of door supervisors will include a mandatory condition that such door supervisors must be either registered by the Security Industry Authority (SIA) or part of the Approved Contractor Scheme (ACS).
- 8.5.3 The ACS is the mechanism by which the SIA implements the requirements of the Security Industry Act 2001 as it applies to companies. The purpose of the ACS is to “raise performance standards and to assist the private security industry in developing new opportunities “. It aims to achieve this by putting in place a system of inspection for providers of security services. Certification Bodies, like Security Systems Alarms Inspection Board, will undertake the inspection activities on behalf of the SIA to ensure that companies who achieve the required standard can be registered as approved.

### Policy OS 9: Operating schedule – Door Supervisors

The Authority generally expects Premises holding regulated entertainment that continues beyond midnight to employ door supervisors in furtherance of the licensing objectives.

Where appropriate, the Authority will attach conditions to Premises Licences about the minimum numbers of male and female door supervisors on duty and their roles, which will reflect the layout of the premises, the location, the type of entertainment or function provided and the periods when regulated entertainment normally takes place.

Where a Representation or Relevant Representation has been made, the Authority may require premises to use door supervisors for particular types of regulated entertainment, which might potentially provoke disorder (e.g. broadcasts of sporting tournaments in pubs) and special promotional events in which the sale of alcohol is significant.

At premises that have regular entertainment, or where special events are taking place, other attendants who do not engage in security activities may be required to supervise areas within the premises.

The Authority expects door supervisors and other staff undertaking security or supervisory duties to be readily identifiable by members of the public and where appropriate to wear high visibility clothing.

## 8.6 Pub-watch and Late Night Business Partnership Schemes

- 8.6.1 Pub-watch and late night business partnership schemes are a pro-active means of promoting the licensing objectives. They support the exchange of information and collective agreement on persons being excluded from premises because of anti-social or disruptive behaviour. They also assist in helping to establish and grow strong and mutually beneficial relations between licensees and Responsible Authorities.
- 8.6.2 Responsible managers of appropriate licensed premises will wish to actively participate in such schemes, which are in operation in the Authority's area.
- 8.6.3 The Authority fully supports Oxford's "Nightsafe" partnership initiative to combat crime and disorder associated with the night-time economy.

### Policy OS 10: Operating schedule – 'Pub-Watch and Late Night Business Partnership' Schemes

The Authority expects that all premises licensed to sell alcohol will participate in a pub-watch scheme, where there is one in place, and to become part of the system(s) that Pubwatch, and Nightsafe schemes may implement to alert members about potential troublemakers.

The Authority encourages such premises to join such schemes in order to promote closer working relations with the Licensing Officers, and other Responsible Authorities in a manner designed to address the needs of business and the promotion of the licensing objectives.



## 8.7 Drinks promotions

- 8.7.1 The Authority has concern about the potential for crime and disorder and public nuisance that might arise from sale of alcohol for consumption on the premises through discounts or special sales promotions. The Authority does not wish to deny consumers the opportunity to participate in responsible promotions, but in response to a Representation or Relevant Representation, will restrict activities where it appears that such sales are inadequately supervised, or the discounts encourage excessive consumption by individuals, or the period of the promotion too long.
- 8.7.2 Policy OS 11 enables the Authority to consider circumstances where drinks promotions are a regular feature for particular premises and to enable the Police and Authority to consider whether adequate controls are in place to limit or prevent disorder that may result.

### **Policy OS 11: Operating schedule – Discounting and sales promotions**

The Authority expects any discounted drinks and sales promotions to be properly managed and take into account the guidance issued by the British Beer and Pub Association.

The Authority supports measures to promote sensible drinking including a commitment not to participate in drink promotions / happy hours etc., which encourage binge drinking. Premises licences are likely to be subject to review where they have led to any of the licensing objectives being undermined. Licence holders should not only consider the price of the alcohol sold on the premises but also in the manner in which it is promoted.

The Authority expects applicants to include in their operating schedules any proposals for discounting or sales promotions of alcohol and to provide the Authority with written procedures detailing how such promotions will be managed in order to further the licensing objectives, giving particular attention to any increased supervision that may be required.

### **Policy OS 12: Operating schedule – Public Nuisance Noise**

In considering applications, the Responsible Authority would recommend evidence that the likelihood of public nuisance has been addressed for the premises. The use of outside areas can potentially cause public nuisance particularly during quieter periods of the day when background noise has diminished. It is anticipated that the Responsible Authority may on occasions request that the operating schedule address measures such as restricting the use of certain areas of the premises e.g. garden area.

## 8.8 Fly Posting and Distribution of Printed Matter

- 8.8.1 Problems can be caused by fly-posting. Some licence holders and / or promoters use fly-posting as a cheap way of advertising their venue(s). This is not only an eyesore but it creates a public nuisance and is illegal.
- 8.8.2 The Council can tackle fly-posting in many ways including use of the Town and Country Planning Act 1990, the Highways Act 1980 and the Anti-Social Behaviour Act 2003. Licence holders should also be aware that the new Cleaner Neighbourhoods and Environment Act 2005 give further powers to the Council to tackle this problem.
- 8.8.3 Licence Holders must be aware that the Authority considers that fly posting is a public nuisance and that they will be held accountable for any matter found promoting their venue.
- 8.8.4 The Authority strongly advises premises that wish to advertise their venue use the poster boards that have been supplied by the Council in partnership with Oxford Brookes and various local nightclubs. These boards are situated throughout the City and the full list is available on the City Council's website. Alternatively a premises may apply to the Council for consent to distribute free printed matter.

### **Policy OS 13: Operating schedule – Public Nuisance Fly Posting**

The Authority would normally expect provisions to be made to prevent fly posting. We would expect within your operating schedule details of how promotions and special events will be publicised. We require venues and promoters using their venues to have the correct number of Distribution of Free Printed Matter licences should distribution of flyers take place.

## 8.9 Drink Spiking

- 8.9.1 Spiking has traditionally been the term for when alcohol or drugs are put into someone's drink without their knowledge or consent. More recently, another form of spiking has emerged that involves individuals being injected by a needle without their consent.
- 8.9.2 The number of spiking cases recorded has increased significantly to the extent that the Home Affairs Select Committee launched its own enquiry into spiking in December 2021.
- 8.9.3 The Authority is acutely aware that this is a very serious matter, and works in close partnership with the relevant authorities to ensure that licensed premises in Oxford are safe environments for members of the public. This includes working alongside Thames Valley Police with their Operation Vigilant, which was launched to target predatory behaviour in order to prevent sexual offences taking place.
- 8.9.4 The Authority has a procedure in place for when an officer suspects a case of spiking when out on enforcement operations.
- 8.9.5 The Authority expects applicants and licence holders to take a number of measures to ensure the safety of their customers in regards to spiking. These include having a written safeguarding and vulnerable person or duty of care policy, and to adopt such schemes as Ask Angela. All members of staff should be suitably trained in regards to this policy and to be able to identify potential spiking cases. A procedure and clearly defined response plan should be in place for suspected spiking incidents including collecting evidence, contacting the Police and facilitating any medical attention if necessary.

### Policy OS 14: Operating schedule – Drink Spiking

The Authority would expect robust measures to be taken by applicants and licence holders to ensure the safety of their patrons. A written safeguarding and vulnerable person or duty of care policy should be provided that includes what process will be followed if a spiking incident occurs. All staff should be trained on this policy and a record kept of the date and the name of the person trained. The policy should state that if a spiking is suspected that the Police will be informed immediately and a medical response should be facilitated where appropriate.

It is also advisable that anti drink spiking products should be made available to customers as well as forensic kits that include drug testing equipment.

## 8.10 Equality Act 2010

- 8.10.1 The Authority actively encourages and supports any application that will enhance the provisions for persons with protected characteristics under the Equality Act 2010, be it the addition of disabled access or safe spaces for members of the LGBTQ+ community.
- 8.10.2 The Authority will expect applicants and licence holders to consider the Equality Act 2010 when compiling their operating schedule and where an application requires submission of a new or revised plan of the premises.
- 8.10.3 Public Safety, as one of the licensing objectives, is of utmost importance when submitting an application and applicants will be expected to provide information on how they intend to ensure the safety of their patrons. This may include the adoption of schemes such as Ask Angela or a policy on vulnerable persons.

### Policy OS 15: Operating schedule – Equality Act 2010

The Authority encourages applicants to consider persons with protected characteristics listed under the Equality Act 2010 when submitting an application and to include robust policies and procedures in their operating schedule to ensure that members of the public are safe and supported whilst in their premises. Any application that requires the submission of a new or revised plan should take into account access and facilities for persons with protected characteristics.

## 9 Reviews and Enforcement Issues for Premises

### 9.1 Reviews

- 9.1.1 Under the 2003 Act it is possible for the Authority to review a Premises Licence at any time, if it receives a Representation from a Responsible Authority or a Relevant Representation from another person. The Authority may not initiate its own review without having received a Representation or Relevant Representation. Reviews may only arise in connection with a failure or failures in the premises connected to the licensing objectives.
- 9.1.2 Successful promotion of the licensing objectives relies on a partnership approach between the Authority, licence holders, other persons and Responsible Authorities. Reviews should not therefore be used as a commonplace way of securing adherence to licence conditions or of redressing perceived failures in management of licensed premises.
- 9.1.3 Reviews in connection with crime, could lead to revocation of the licence - even in the first instance.
- 9.1.4 The 2003 Act, as amended by Violent Crime Reduction Act 2006, enables the Authority, on the application of a senior police officer in serious cases of crime and disorder, to attach interim conditions to licences pending a full review.

#### Policy RE 1: Reviews (1)

Generally, unless the Authority regards the issue as serious, a review will only be conducted where there has been a failure to address matters previously raised.

#### Policy RE 2: Reviews (2)

Where a request for a review is made, the Authority will expect the person making the Representation or Relevant Representation to declare the nature of their interest and provide specific evidence to demonstrate why a review is necessary. The person seeking a review should in the first instance contact the Authority for guidance and visit the relevant page of the Council's website for further information.

#### Policy RE 3: Reviews (3)

The Authority will not review licences simply because a Representation or Relevant Representation may have failed on previous occasions or under other legislation.

#### Policy RE 4: Reviews (4)

If a request for a review is received from another person or Responsible Authority, the Authority will decide whether a reasonable interval has elapsed since a previous review, if any, has taken place. It will generally not expect to hold a review into a licence in response to a Relevant Representation from a particular person more often than annually, unless there are exceptional circumstances.

### 9.2 Inspection Regime

- 9.2.1 The 2003 Act does not require inspections to take place, save at the discretion of those charged with this role.
- 9.2.2 The Council will adopt the enforcement principles of risk assessment and targeting, taking into account the nature of the licensed activities, the extent to which the licensing objectives are met and the confidence in the management of the premises. This approach will ensure that enforcement is effectively concentrated on problem premises whilst monitoring the situation in other premises, and provide for efficient deployment of the Council's staff and Police officers.
- 9.2.3 The Licensing Authority will establish and maintain both proactive and reactive enforcement protocols / service level agreements with the local police and other enforcement agencies. Protocols will provide for the proportionate targeting of agreed problem and high-risk licensed activities needing greater attention and a corresponding lighter touch for well run, lower risk premises in the area.
- 9.2.4 The Licensing Authority believes that proportionate but vigorous enforcement will be a key

element in ensuring the successful implementation of the licensing regime and that the four licensing objectives are met. We intend to use our powers under the Licensing Act 2003 and other relevant legislation to ensure a proper balance is struck between the interests of the licensed trade and of the wider community.

9.2.5 Licensing Officers will use a graduated form of response in adherence to the Council's Corporate Enforcement Policy to assist in resolving issues of non-compliance, including drawing up action plans; although we recognise that in serious cases a prosecution or a review application will be the appropriate action.

9.2.6 The Council will also undertake pre-event inspections in appropriate locations.

#### **Policy EN 1: Inspection Regime and Enforcement**

The Council will establish and maintain protocols with the local Police and other enforcement agencies as appropriate for the management of both the day and night-time economy. Central to this would be the enforcement of the law relating to sales of alcohol to drunk and underage people and drunkenness or disorder on, or in the immediate vicinity of the licensed premises. The Council will seek to ensure that these protocols concentrate on targeting of mutually agreed problems and high-risk premises, while providing a lighter touch in respect of low-risk premises that are well run.

9.2.7 The following sets out how the inspection regime will work:

<b>Type of Premises</b>	<b>Frequency of planned inspections</b>
High risk (e.g. night-clubs/pubs with regulated entertainment, open after midnight, cinemas, theatres, indoor sports entertainments)	According to risk rating to be determined at first inspection
Medium risk (e.g. pubs, pubs with regulated entertainment not open after midnight, registered members' clubs, 'off-licences' not part of a shop, late night refreshment premises)	According to risk rating to be determined at first inspection
Low risk (e.g. off-licences that are part of a shop) restaurants, Village/community halls	According to risk rating to be determined at first inspection
Temporary event notices (which last for a maximum of 168 hours)	Prior to event starting
Outdoor Concerts/Events involving Regulated Entertainment and/or sale of alcohol	Prior to event starting

9.2.8 There may be occasions when additional inspections will be required, for example following premises alterations, complaints made by Interested Parties or requests by Responsible Authorities.

9.2.9 This inspection routine recognises that Premises Licences, unless issued for a specific period of time, have no end date once they have been granted.

9.2.10 The Authority is empowered to make 'Public Space Protection Orders' under the Anti-Social Behaviour, Crime and Policing Act 2014 to control the consumption of alcohol in a public place outside licensed premises.

### **9.3 Failure to pay Annual Fees – Licence Suspensions**

9.3.1 The Police Reform and Social Responsibility Act 2011 amended the Licensing Act 2003 to allow us to suspend licences and certificates. We must suspend premises licences or club premises certificates when the annual fee is not paid.

9.3.2 Where an annual fee is not paid we will write to tell you that you have a period of 21 days from the date the fee became due to pay the outstanding fees. The period of 21 days

exists so as to allow for resolution as to a dispute, or as a result of an error. After this period the licence or certificate will be suspended. We will not send any further warning letters.

- 9.3.3 We will write to the licence holder advising you of the suspension and tell you the date on which the suspension will take effect. This will be 2 days after the day the notice is given
- 9.3.4 We will notify Thames Valley Police and the relevant responsible authorities as defined under the Act.
- 9.3.5 The lifting of a suspension will only take place from the day on which we receive the payment of the outstanding fee/fees. In all instances, we shall confirm that the suspension has been lifted in writing the following working day after the payment has been received. Notification will also be provided to Thames Valley Police, and the relevant responsible authorities as notified at the time the suspension notice was given.

## **10. Early Morning Restriction Orders and Late Night Levy**

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### **10.1 Early Morning Restriction Orders (EMRO)**

- 10.1.1 The power for licensing authorities to introduce an EMRO is specified in sections 172A to 172E of the 2003 Act which was amended by Section 119 of the Police Reform and Social Responsibility Act 2011. These provisions came into force on 31<sup>st</sup> October 2012.
- 10.1.2 Regulations prescribing the requirements in relation to the process for making an early morning restriction orders (EMRO) were brought in force on 31<sup>st</sup> October 2012.
- 10.1.3 Guidance has been introduced by the Home Office in relation to:
  - the EMRO process
  - the evidence base
  - introducing an EMRO
  - advertising an EMRO
  - dealing with representations
  - hearings
  - implementation
  - limitations
  - enforcement
- 10.1.4 The legislation gives licensing authorities discretion to restrict sales of alcohol by introducing an EMRO to restrict the sale or supply of alcohol to tackle high levels of alcohol related crime and disorder, nuisance and anti-social behaviour. The order may be applied to the whole or part of the licensing authority area and if relevant on specific days and at specific times. We must be satisfied that such an order would be appropriate to promote the licensing objectives.
- 10.1.5 The only exemptions relating to EMROs are New Year's Eve and the provision of alcohol to residents in premises with overnight accommodation by means of mini bars and room service. The decision to implement an EMRO should be evidence based and we may wish to outline the grounds which we will take into consideration when considering implementation of an EMRO. This should include consideration of the potential burden imposed as well as the potential benefits.
- 10.1.6 The function of making, varying or revoking an EMRO is specifically excluded from the delegation of functions and may not be delegated to the Licensing and Gambling Acts Committee. The Committee makes a recommendation to Council for the actioning of the recommendation.

### **10.2 Late Night Levy**

- 10.2.1 The late night levy does not fall within the Licensing Act. However, in the future we may consider a levy and therefore we have set out some details about late night levies.
- 10.2.1 The legislative provisions relating to the late night levy are contained in sections 125 to 139 of the Police Reform and Social Responsibility Act 2011. The provisions came into force on 31<sup>st</sup> October 2012.

- 10.2.3 There are also Regulations in force setting out the way in which the levy must be applied; the way it will be administered, as well as arrangements for expenses, exemptions and reductions. There is also Guidance which sets out:
- implementing the levy and the consultation process
  - the design of the levy
  - exemptions from the levy
  - reductions in levy charges
  - how revenue raised from the levy may be spent
  - the levy charges
  - the levy collection process
- 10.2.4 We will have discretion as to whether we exempt certain premises but these can only be the types of premises set out in paragraphs 1.24 to 1.31 of the Guidance on the Late Night Levy. We also have discretion whether to reduce the amount of the levy by 30% for premises which participate in business-led best practice schemes [Guidance on the Late Night Levy, paragraphs 1.33 to 1.37].
- 10.2.5 Any revenue from the levy must be split between us, as the licensing authority, and the Police, with at least 70% of the 'net' levy (after expenses) paid to the Police. The Late Night Levy Guidance suggests at paragraph 1.40 that we may wish to use existing partnership arrangements with the Police to ensure that the police intentions for the share of the levy revenue paid to them are genuine.
- 10.2.6 These new powers enable us to charge a levy in relation to persons who are licensed to sell or supply alcohol late at night as a means of raising a contribution towards the costs of policing the night-time economy. It is a 'local' power that we can choose whether or not to exercise. Any decision to introduce, vary or cease the requirement for a levy has to be made by the full council. Other decisions in relation to how the levy is administered may be subject to delegation.
- 10.2.7 The Licensing Authority intends to continue to maintain a watching brief as to the feasibility of such a levy in Oxford, and in doing so we will look to work with the businesses involved in the night time economy and those impacted by those businesses in order to further assess whether a levy may be deemed appropriate and necessary in order to promote the licensing objectives.

# Appendices

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## Appendix 1 – The Authority's area and licensable activities

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Oxford is a major centre for education, tourism, business, culture, leisure activities and healthcare, and plays an important role in the southeast region of England. It is internationally renowned for its unique heritage and as a centre of learning and innovation. Alongside this, it is seen as an icon of excellence and a source of inspiration in both industry and the arts, providing jobs for almost 118,000 people and welcoming over 7 million visitors each year.

We are fortunate in our diversity and have a broad spectrum of communities and cultural influences that have become part of the vibrant, everyday life of the city. Our rich heritage and cultural life, which includes the festivals held in its parks and open spaces, has been recognised by the awarding of Centre of Culture status for 2008.

With a population of over 151,000, the pressures of success continue to challenge the city and its communities today. There are 33,000 students, boosting our 18-29 year old group to 32% of the population. This is the largest proportion of adults in full-time studies of any city in England and Wales. This affects the demand for entertainment facilities, which in turn must be balanced with the needs of other those living in the vicinity of those facilities.

There were ambitious plans for promoting a renaissance in Oxford by developing the unrealised potential of the city, with the re-development of the Westgate Centre, which provided significant opportunities to add leisure, cultural, and retail capacity to that part of the town centre. The importance of enhancing the celebrated quality of Oxford's historical built environment is paramount, along with the need to complement existing architecture with challenging design and public art.

Incorporating improvements to the transport infrastructure will also be a key ingredient of any major urban development. The city is at the centre of important national and regional road and rail networks so that managing transport pressures is a challenge as it is to all historic towns. Local bus services are a vital means of transport for many in the city. The first Park and Ride scheme in the country was established here in 1973 and has expanded to play a major part in managing travel within the city. The adequacy of late night bus, train, taxi and private hire services is a key consideration in developing an evening and late-night economy in which alcohol is consumed.

Oxford is prosperous but there remain challenging pockets of deprivation. According to the 2019 Index of Multiple Deprivation, 10 of Oxford's 83 neighbourhood areas ('Super Output Areas') were among the 20% most deprived areas in England. These areas experience multiple levels of deprivation – low skills, low incomes and relatively high levels of crime.

In June 2020 Oxford had 4,595 working-age residents claiming unemployment benefits (Jobseeker's Allowances or Universal Credit claimants who are out of work). The rate for June 2020 was over twice the rate for the same period the previous year but was still below the national and regional rates.

Oxford has a wide variety of venues for licensed activities, ranging from relatively isolated public houses in the countryside to open spaces that are used for large-scale public events and including night clubs, cinemas, theatres and large late-night supermarkets. In parts of the city centre and the Cowley Road there are significant concentrations of licensed premises.

We recognise that many of the challenges that face us in bringing together a successful city and its citizens are interlinked - housing to mental health, education to the economy, employment and leisure activities to the needs of local residents and so on - and we will work to respond to those connections more effectively in future.

There are increasing pressures on the urban environment and on the balance between providing buildings and enhancing open public spaces. Demands for growth and expansion have, however, always been a feature of life in Oxford and the city has, perhaps uniquely, managed to balance this with a preservation of its conservation areas and the natural environment.

We have distinctive areas of natural beauty such as the River Thames, Port Meadow, Wolvercote Common, and Shotover Park, all with an outstanding range of wildlife and biodiversity. The city is surrounded by a green belt and has 12 SSSIs (Sites of Special Scientific Interest) protected through designation by English Nature.

Our waterways and flood meadows are especially important for wildlife, with parks, domestic gardens, and cemeteries providing other valuable habitats. Access to these green spaces and the biodiversity they support significantly improves the quality of life for those who live in, work in, and visit the city.

We need to ensure that the success of Oxford as a globally recognised city is translated into tackling inequalities on our own doorstep and that we are responding to the diverse needs of local individuals and communities.

Further information on Oxford's demography, housing, economic activity, education and further statistics is available online at [www.oxford.gov.uk](http://www.oxford.gov.uk).

## Appendix 2 – Other Council policies and programmes

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The Council has adopted the following local policies and programmes that will have a role in the promotion of regulated entertainment and other licensable activities:

- Oxford City Council Our Strategy 2020-2024
- Oxford Local Plan 2016-2036
- Oxford Transport Strategy
- Statement of Gambling Licensing Policy
- Street Trading Policy
- Safeguarding Children, Young People and Vulnerable Adults Policy
- Culture Strategy
- Green Spaces Strategy
- Corporate Enforcement Policy
- Pubwatch and Nightsafe Schemes

Commerce is one of the most important activities in Oxford. The characteristic clusters of commercial uses, such as shops, restaurants, banks and offices are found in a variety of locations throughout the City, from the City centre down to parades of a few shops within and just beyond the City boundary.

Shopping is the key activity in the centres. The City Council strategy aims to provide for it in a variety of locations and forms. Within the larger centres especially, the aim is also to maintain a varied mix of commercial uses to complement the main shopping function. Proposals for new developments, whether within or outside existing centres, are looked at carefully to ensure that they will support these aims in a neighbourly way and also be in accordance with Government policies to maintain the vitality and viability of existing centres and encourage use of public transport.

Adopted and emerging local plan policies seek to ensure an appropriate balanced mix of uses is promoted within the City centre and four District centres. The District centres include Cowley Road, Cowley centre, Headington and Summertown. These policies recognise the important role that Class A3 (food and drink) uses such as restaurants and public houses make to the vitality and viability of existing centres. However this should not generally result in a high proportion of Class A3 uses within these defined frontages at the expense of the retailing importance of the existing centres.

The service sector has grown considerably in Oxford in recent years, particularly in Class A3 (food and drink) uses. The emerging policies propose Class A3 uses for some allocated development sites and within defined shopping frontages, subject to the appropriate mix of uses being maintained. Whilst these uses make an important contribution to the vitality of the existing centres they can have an impact (both during the day and evening), particularly when outlets are clustered, leading to environmental problems, transport problems and loss of residential amenity. Policies therefore seek to direct Class A3 uses to designated centres, ensure that there is an appropriate mix of uses and do not result in unacceptable environmental problems that cannot be reasonably controlled by planning conditions.

## Appendix 3 – BBFC Film Classification

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Films would normally be classified by the British Board of Film Classification or the local authority in the following way:

<b>U</b>	<b>Universal - suitable for all</b>
<b>PG</b>	<b>Parental Guidance - some scenes may be unsuitable for young children.</b>
<b>12A (PG12)</b>	<b>Passed only for viewing by persons aged 12 years or older or younger persons accompanied by an adult.</b>
<b>12</b>	<b>Passed only for viewing by persons aged 12 years or older.</b>
<b>15</b>	<b>Passed only for viewing by persons aged 15 years and over.</b>
<b>18</b>	<b>Passed only for viewing by persons aged 18 years and over.</b>

In some cases, the PG rating may carry a recommended viewing age – e.g. PG8 would only be suitable for children over the age of 8, if accompanied by an adult.

## Appendix 4 – Delegation of functions under the 2003 Act

The following functions have been delegated by the Licensing and Gambling Acts Committee to Licensing Casework Sub-Committees and to Officers:

<b>Matter to be dealt with</b>	<b>Sub-Committee</b>	<b>Authorised Officers</b>
Application for Personal Licence	Police objection (See Note 1)	All other cases
Application for Premises Licence or Club Premises Certificate	Relevant Representation (See Note 2)	All other cases
Application for Provisional Statement	Relevant Representation (See Note 2)	All other cases
Application to vary Premises Licence/Club Premises Certificate	Relevant Representation (See Note 2)	All other cases
Application for a Minor Variation to Premises Licence / Club Premises Certificate		All cases
Application to vary Designated Premises Supervisor	Police objection (See Note 1)	All other cases
Request to be removed as Designated Premises Supervisor		All cases
Application for transfer of Premises Licence	Police objection (See Note 1)	All other cases
Applications for interim authorities	Police objection (See Note 1)	All other cases
Application to review Premises Licence or Club Premises Certificate	All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious, repetitious etc.		All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application	All cases	
Determination of a Police and / or Environmental Health Representation to a Temporary Event Notice.	All cases	

Note 1 – ‘Police objection’ = If a Police objection has been made and not withdrawn.

Note 2 – For the purposes of this table ‘Relevant Representation’ above = If a Representation has been determined by a delegated officer as a Relevant Representation from any person or a Representation has been made by a Responsible Authority and at least one of those Representations or Relevant Representations has not been withdrawn with the agreement of all parties that a hearing is not necessary.

## Appendix 5 – Deregulation of Schedule 1

The Live Music Act came into force on 1<sup>st</sup> October 2012 and is designed to encourage more performances of 'live' music. On 1<sup>st</sup> April 2015, elements of Schedule 1 of the Licensing Act 2003 (Regulated Entertainment) were deregulated in order to promote further the holding of events whilst reducing the burden placed on those seeking to host such events.

### When is regulated entertainment not licensable?

Below is a brief guide as to when certain regulated entertainment is exempt from the need for a licence or temporary event notice.

Type of entertainment	When is it not licensable
Plays / Theatrical Performances	<ul style="list-style-type: none"> <li>it takes place between 8am and 11pm; and</li> <li>the audience is no more than 500 people</li> </ul>
Films (in Community Premises)	<ul style="list-style-type: none"> <li>it takes place between 8am and 11pm; and</li> <li>is "not-for-profit"; and</li> <li>takes place to audiences of 500 or less; and</li> <li>is held in accordance with any age classification recommendations set by the BBFC, or where different, any age rating set by the Licensing Authority in whose area that exhibition takes place.</li> </ul>
Indoor Sporting Events	<ul style="list-style-type: none"> <li>it takes place between 8am and 11pm; and</li> <li>the audience is no more than 1000 people</li> </ul>
Boxing / Wrestling (includes Mixed Martial Arts and Cage Fighting)	<ul style="list-style-type: none"> <li>only if Olympic style Greco-Roman and Freestyle wrestling</li> <li>the audience is no more than 1000</li> </ul>
Live Music (Amplified)	<ul style="list-style-type: none"> <li>it takes place between 8am and 11pm; and</li> <li>it takes place at a licensed premises or workplace; and/or an unlicensed community premises; and/or non-residential premises</li> <li>the audience is no more than 500 people</li> </ul>
Live music (Acoustic)	<ul style="list-style-type: none"> <li>it takes place between 8am and 11pm anywhere</li> </ul>
Recorded Music	<ul style="list-style-type: none"> <li>it takes place between 8am and 11pm; and</li> <li>it takes place at a licensed premises; and/or an unlicensed community premises; and/or non-residential premises</li> <li>the audience is no more than 500 people</li> </ul>
Dance	<ul style="list-style-type: none"> <li>it takes place between 8am and 11pm; and</li> <li>the audience is no more than 500 people</li> </ul>
Similar to Music and Dance	<ul style="list-style-type: none"> <li>Karaoke</li> <li>Busking</li> <li>Incidental music or dancing as part of a wider event</li> </ul>

Cross-activity Exemptions hosted by local authorities, hospitals, nurseries and schools on own premises	<ul style="list-style-type: none"> <li>All regulated entertainments between 0800-2300 with no audience limitations</li> </ul>
Activities held on local authority, hospital, nursery and school premises by others with their permission	<ul style="list-style-type: none"> <li>Live and Recorded Music between 0800-2300 for audiences up to 500</li> </ul>
Community premises (e.g.: church and village halls, community halls, etc.)	<ul style="list-style-type: none"> <li>Live and Recorded Music between 0800-2300 for audiences up to 500</li> </ul>
Circuses	<ul style="list-style-type: none"> <li>Live and Recorded Music, Plays, Dance and Indoor Sports between 0800-2300 with no audience limitations</li> </ul>

### Other Exceptions:

No licence or temporary event notice is needed for:

- Films which are solely or mainly to demonstrate a product, advertise goods or services, or provide information, education or instruction
- Films as part of an exhibition in a museum or gallery
- TV and radio broadcasts, providing they are shown live and not recorded
- Religious meetings or services
- Entertainment in places of public religious worship
- Garden fetes (unless held for private gain)
- Entertainment provided in a moving vehicle
- Morris dancing
- 'Incidental entertainment' (i.e. background entertainment such as):
  - a supermarket playing background music (people go there to shop, not to listen to music)
  - music during keep-fit classes (people are there to exercise)
  - salsa dance classes (people are there to learn to dance)
  - a pub jukebox playing in the background (people are there to drink).

## **Appendix 6 – Proof of Age documents**

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The Licensing Authority also expects Designated Premises Supervisors/Personal Licence holders to ensure that unless it is permitted to do so, serving of alcohol to those under 18 shall not be permitted and that there will therefore be in place in the operating schedule a management protocol to check the age of persons seeking to be served with alcohol.

Similar proof of age should be required as appropriate in other circumstances.

Such checking may be carried out by requiring production of:

- (i) a valid passport;**
- (ii) a proof of age card approved by the 'Proof of Age Standards Scheme' (PASS);**
- (iii) a photocard driving licence issued by a country in the European Union;**
- (iv) a citizencard supported by the Home Office (details from [www.citizencard.net](http://www.citizencard.net));**
- (v) an official identity card issued by HM Forces or by a country in the European Union bearing a photograph and the date of birth of the bearer.**



## **Appendix 7 – The role of local Councillors and Other persons**

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### **Local Councillors**

Local councillors play an important role in their local communities. They can make representations in writing and at a hearing on behalf of any person such as a resident or local business if specifically requested to do so. They can also make representations as ‘another person’ in their own right as an elected Ward Councillor or live in the vicinity of the premises in question.

Local councillors are subject to the Local Authorities (Model Code of Conduct) Order 2007 which restricts their involvement in matters, in which they have a ‘prejudicial’ interest (i.e. an interest that a member of the public would reasonably regard as so significant that it is likely to prejudice the member’s judgement of the public interest). The latest version of the Code, which came into force on 3 May 2007, has relaxed the rules on prejudicial interest.

In terms of licensing, this has the effect of allowing councillors with prejudicial interest in an application to attend relevant meetings, to make representations, answer questions or give evidence, provided the public are also allowed to attend for the same purpose, whether under the licensing legislation or otherwise and as long as they withdraw from the meeting immediately afterwards. Councillors have a duty to act in the interests of all their constituents. Their role as a community advocate must therefore be balanced with their ability to represent specific interests.

### **Other Persons (Formally Interested Parties)**

Other persons are the bodies or individuals who are entitled to make representations to the Authority on new or variations to premises licences. In addition to this, any person may seek a review of a premises licence. Examples include:

- a person likely to be affected by the operation and impact of the premises,
- a body representing persons likely to be affected by the operation and impact of the premises,
- a person involved in a business likely to be affected by the operation and impact of the premises,
- a body representing persons involved in such businesses likely to be affected by the operation and impact of the premises,
- Elected Members of the Oxford City Council.
- Any other person

A representation would only be “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. A representation that fails to do this is not “relevant” for the purposes of the 2003 Act and cannot be accepted.

It is for the licensing authority to determine on its merits whether any representation by an interested party is frivolous or vexatious.

Representations must be received in writing or email at the licensing authority office by the last date for representations. Representations must be signed, dated, provide the grounds of representation in full and include the name and address of the person / body making the representation.

Any individual or group of people may specifically request a representative to make a representation on their behalf. For example, a legal representative, a friend, a Member of Parliament or a local ward councillor could all act in such capacity.

## Appendix 8 – Other legislation and controls

The Secretary of State's Guidance proposes that policy statements should provide information on other relevant legislation and controls that apply to licensed premises. This is because the regulatory framework of the 2003 Act will not control all matters that are likely to arouse concern in connection with the operation of licensed premises, including the behaviour of persons away from the immediate vicinity of licensed premises. Other legislation relevant to licensed premises is as follows:

### Planning

1. Planning controls are covered above in paragraph 2.8 and Policy GN 8.

### Anti-Social Behaviour Act 2003

2. Section 40 of the Anti-Social Behaviour Act 2003 allows the Council's Chief Executive to make a Closure Order against a premises if he or she reasonably believes that a public nuisance is being caused by noise coming from the premises and it is necessary to close the premises to prevent it. This applies to any premises where there is a Premises Licence, a Temporary Event Notice, or no permission.

### Regulatory Reform (Fire Safety) Order 2005

3. This Order reforms the law relating to fire safety in non-domestic premises. It replaces fire certification under the Fire Precautions Act 1971 with a general duty to ensure, so far as is reasonably practicable, the safety of employees, a general duty, in relation to non-employees to take such fire precautions as may reasonably be required in the circumstances to ensure that premises are safe and a duty to carry out a risk assessment. The Order imposes a number of specific duties in relation to the fire precautions to be taken.

### Smoke Free Premises as defined under the Health Act 2006.

4. Smoke Free Premises came into effect on 1 July 2007 under the Health Act 2006. The legislation is aimed at ensuring a healthy environment, so everyone can socialise, relax, travel, shop and work free from second-hand smoke.

### Violent Crime Reduction Act 2006

5. This Act introduces new measures to ensure the police and local communities have the powers they need to tackle guns, knives and alcohol related violence. Relevant measures include:
  - amendment to the Licensing Act to introduce an offence of persistently selling alcohol to children.
  - amendment to the Act which will enable licensing authorities, on the application of a senior police officer in serious cases of crime and disorder, to attach interim conditions to licences pending a full review.

### Disability Discrimination Act 1995

6. The Disability Discrimination Act 1995 came fully into effect in October 2004 and includes widespread responsibilities not to treat people with disabilities in a less advantageous way than other people.
7. The Authority will not seek to duplicate the requirements of the Disability Discrimination Act 1995, however, in response to a Representation or Relevant Representation, the Authority will apply conditions where necessary to ensure the equal treatment of people with disabilities where they coincide with licensing objectives.

### Gambling Act 2005

8. The Gambling Act 2005 came into force on 1 September 2007. Under the provisions of this Act public houses enjoy an automatic entitlement to a maximum of two gaming machines of category C or D on licensed premises. The Category of Gaming Machine Regulations 2007 defines the maximum stakes and maximum prizes permitted for category C and D machines. This is an automatic entitlement if the Premises Licence holder sends written notice along with the prescribed fee, to the Authority of his intention to make gaming machines available for use in the premises.

9. For more than two machines a Licensed Premises Gaming Machine Permit is needed. Applications are made to the Authority in the form and manner that the Authority directs for grant or variation. There is both an application and an annual fee. The notification of two machines or an application for a Licensed Premises Gaming Machine Permit, does not need to be made until the existing Section. 34 Permit is due to expire.

### **Censorship**

10. The content of regulated entertainment is a matter that is already addressed by other laws governing indecency and obscenity.
11. The Authority will not seek to impose conditions that censor the content of any film or play in a way that cannot be related to the licensing objectives. Where the concern is about protecting children, their access will be restricted.

### **Clean Neighbourhoods and Environment Act 2005**

12. The Clean Neighbourhoods and Environment Act 2005 includes measures for providing and maintaining clean and safe local environments. It covers a number of areas and introduces a number of measures to deal with crime and disorder, abandoned and nuisance vehicles, waste and fly-tipping, litter and graffiti, dogs, noise, nuisance from artificial lighting and insects.

### **Health and Safety Work Act 1974**

13. Under the Health and Safety at Work Act 1974, employers have a duty to ensure, so far as is reasonably practicable, the health and safety of its workers and other persons who may be affected by the place of work. In addition, the Management of Health and Safety at Work Regulations (1999) require every employer to make a suitable and sufficient assessment of all the risks to the health and safety of workers and others arising at or from a work activity.

### **Local Government (Miscellaneous Provisions) Act 1982**

14. Amongst other matters this addresses the issue of prohibited streets and consent streets in relation to street trading, and the licensing of Sex Establishments.

### **Drugs Act 2005**

15. The Drugs Act 2005 brings about new police powers to test for class A drugs and more. The aim of the Drugs Act is to increase the effectiveness of the Drug Interventions Programme by getting more offenders into treatment. The Act aims to introduce a new civil order that will run alongside ASBOs for adults to tackle drug related anti-social behaviour.

### **Equalities Act 2010**

16. Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, and to promote equality of opportunity and good relations between persons of protected characteristics.

Equality law (Equality Act 2010) applies to any business that provides goods, facilities or services to members of the public including licensed premises such as pubs, bars, nightclubs and restaurants. A licensed premises is required to make reasonable adjustments to ensure the premises is accessible to people with disabilities.

### **Business and Planning Act 2020**

17. The Business and Planning Act 2020 received Royal Assent on 22 July 2020. The Act introduced temporary and permanent measures designed to help certain business sectors operate following the devastating effects COVID-19 had on the relevant sectors. In regards to licensing, these included the temporary permission to permit 'off-sales' to on 'on-sales' premises licences and the increase in the number of Temporary Event Notices permitted at any one location in 2022 and 2023, as well as the introduction of Pavement licences, which includes references to smokefree spaces and introduced the requirement of providing smokefree seating areas outdoors, if smoking areas are also provided.

### **Other Controls**

18. There are other controls that can be applied in promotion of the four licensing objectives.

These include:

- Police enforcement of legislation concerning disorder and anti-social behaviour.
- powers of local authorities to designate parts of their area as places where alcohol may not be consumed publicly. (There are such areas in Oxford);
- prosecution of any Personal Licence holder or member of staff at premises, who is selling alcohol to a person who is drunk;
- test-purchasing to check on sale of alcohol to under-18s;
- litter legislation;
- confiscation of alcohol from anyone in designated areas and from persons under 18 in any public place;
- positive measures to create safe and clean town centre environments in partnership with transport operators, local businesses, the licensed trade etc.
- a by-law on touting;
- controls on fly-posting, and provision of official poster sites.

## Appendix 9 – Responsible Authorities

**Table 1 – Application copies required**

	Responsible Authorities										
	Oxford City Council										
The type of application affects which Responsible Authorities must be sent a copy:											
A = Application											
C = Copy											
Type of Application	The Licensing Authority	The Planning Authority	Environmental Health	Health & Safety	Thames Valley Police	Fire and Rescue	Social and Health	Trading Standards	Public Health	Navigation Authority	Other Licensing Authority
											Health and Safety

### PERSONAL LICENCE

New	A	-	-	-	-	-	-	-	-	-	-	-
-----	---	---	---	---	---	---	---	---	---	---	---	---

### PREMISES LICENCE

New	A	C	C	C	C	C	C	C	C	-	-	-
Variation	A	C	C	C	C	C	C	C	C	-	-	-
Minor Variation	A	-	-	-	-	-	-	-	-	-	-	-

### PROVISIONAL STATEMENT

New	A	C	C	C	C	C	C	C	C	-	-	-
-----	---	---	---	---	---	---	---	---	---	---	---	---

### CLUB PREMISES CERTIFICATE

New	A	C	C	C	C	C	C	C	C	-	-	-
Variation	A	C	C	C	C	C	C	C	C	-	-	-
Minor Variation	A	-	-	-	-	-	-	-	-	-	-	-

### SPECIAL CASES

PREMISES: New (Boats)	A	C	C	C	C	C	C	C	C	C	C	-
PREMISES: 'Variation' or 'New'	A	C	C	-*	C	C	C	C	C	-	-	C*
CLUBS: 'Variation' or 'New'	A	C	C	-*	C	C	C	C	C	-	-	C*

(\* note: Health and Safety matters for City and County Council premises and all Educational Institutions are dealt with by the Health and Safety Executive, not by the City Council)

<b><u>Table 2 – Addresses</u></b>		<b>Contact details for preliminary discussions or follow-up enquiries</b>	
<b>Responsible Authority</b>	<b>Address</b>	<b>Phone</b>	<b>Email and website</b>
The Licensing Authority	The Licensing Authority Oxford City Council St Aldate's Chambers, 109 St Aldate's, Oxford, OX1 1DS	01865 252565	licensing@oxford.gov.uk www.oxford.gov.uk/licensing
The Planning Authority	The Planning Authority, Oxford City Council St Aldate's Chambers, 109 St Aldate's, Oxford, OX1 1DS	01865 249811	planning@oxford.gov.uk www.oxford.gov.uk
Environmental Health	Environmental Protection, Oxford City Council St Aldate's Chambers, 109 St Aldate's, Oxford, OX1 1DS	01865 252862	noise@oxford.gov.uk www.oxford.gov.uk
Health and Safety	Health and Safety, Oxford City Council, St Aldate's Chambers, 109 St Aldate's, Oxford, OX1 1DS	01865 252862	foodsafety@oxford.gov.uk www.oxford.gov.uk
Thames Valley Police	Licensing, Thames Valley Police, Headquarters (South) Kidlington, OX5 2NX	01865 542059	licensing@thamesvalley.police.uk
Fire and Rescue Service	Fire Protection Department, Rewley Road Fire Station Oxford, OX1 2EH	01865 895999	Fire.service@oxfordshire.gov.uk www.oxfordshire.gov.uk
Children services	Oxfordshire County Council, New Road, Oxford, OX1 1ND	01865 792422	www.oxfordshire.gov.uk
Oxfordshire Safeguarding Children Board	Oxfordshire Safeguarding Children Board Officer Oxfordshire Safeguarding Children Board (OSCB), 3rd Floor, County Hall, New Road Oxford OX1 1ND		

Trading Standards	Oxfordshire County Council Trading Standards Service Electric Avenue, Ferry Hinksey Road, Oxford OX2 0BY	01865 895999	Duty.officer@oxfordshire.gov.uk
Public Health	Equality and Access Commissioner, Oxfordshire Clinical Commissioning	01865 336800	publichealthlicensing@oxfordshire.gov.uk
Health and Safety Executive (* see note)	Health and Safety Executive Priestley House, Priestley Road Basingstoke RG24 9NW	0300 003 1747	
Applications for licences for boats may need to be copied to others – see next page			

(\* note: Health and Safety matters for City and County Council premises and all Educational Institutions are dealt with by the Health and Safety Executive, not by the City Council)

Applications for Premises Licences for boats that will be operated within other district council areas must also be copied to the Navigation Authority and other Licensing Authorities as appropriate:

The Navigation Authority	Environment Agency Osney Yard Bridge Street Oxford OX2 0AZ	03708 506 506	<a href="mailto:enquiries@environment-agency.gov.uk">enquiries@environment-agency.gov.uk</a>
The Navigation Authority (Oxford Canal)	Canal and River Trust National Waterways Museum Ellesmere Port South Pier Road Ellesmere Port Cheshire CH65 4FW	0303 040 4040	

The Oxford Canal – North of Oxford			
The Licensing Authority	The Licensing Authority Cherwell District Council Bodicote House Bodicote Banbury OX15 4AA	01295 753744	<a href="mailto:licensing@cherwell-dc.gov.uk">licensing@cherwell-dc.gov.uk</a>  <a href="http://www.cherwell-dc.gov.uk">www.cherwell-dc.gov.uk</a>
The River Thames – South of Oxford			
The Licensing Authority	The Licensing Authority South Oxfordshire District Council 135 Eastern Avenue Milton Park Milton OX14 4SB	01235 422556	<a href="mailto:licensing@southoxon.gov.uk">licensing@southoxon.gov.uk</a>  <a href="http://www.southoxon.gov.uk">www.southoxon.gov.uk</a>
The River Thames – South or West of Oxford			
The Licensing Authority	The Licensing Authority Vale of White Horse D.C. 135 Eastern Avenue Milton Park Milton OX14 4SB	01235 422556	<a href="mailto:Licensing.unit@whitehorsedc.gov.uk">Licensing.unit@whitehorsedc.gov.uk</a>  <a href="http://www.whitehorsedc.gov.uk">www.whitehorsedc.gov.uk</a>
The River Thames – West of Oxford			
The Licensing Authority	The Licensing Authority West Oxfordshire District Council Woodgreen Witney OX28 1NB	01993 861000	<a href="mailto:ers.licensingandapplications@publicagroup.uk">ers.licensingandapplications@publicagroup.uk</a>  <a href="http://www.westoxon.gov.uk">www.westoxon.gov.uk</a>



## Appendix 10– Central Oxford Special Saturation Policy Area

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## Appendix 11 – East Oxford Special Saturation Policy Area

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## Appendix 12 – Special Saturation Policy Evidence

### Contents

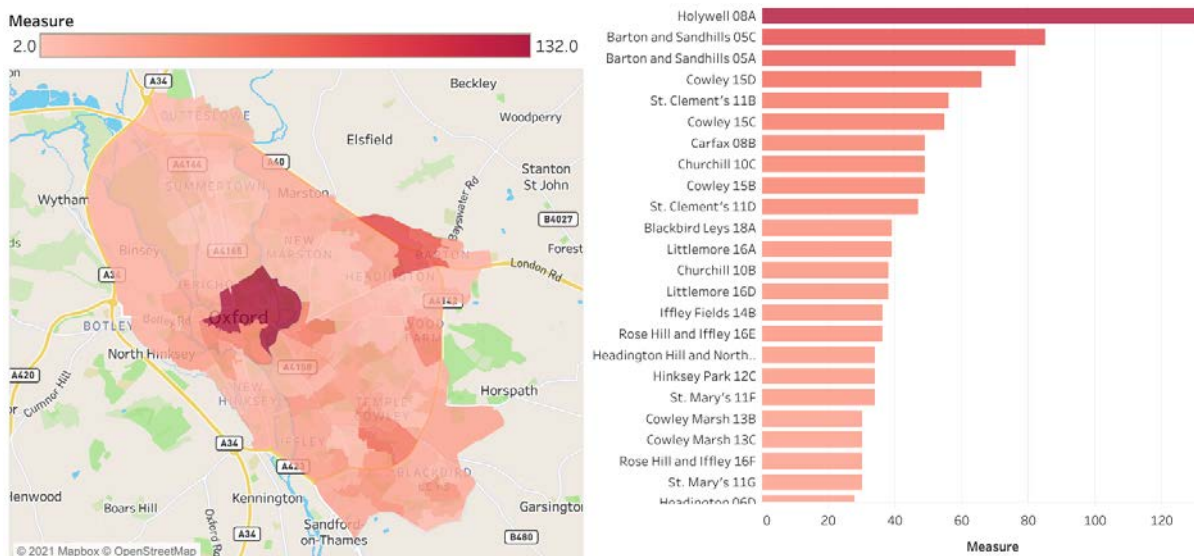
1. Police ASB incidents 2020 – LSOA level
2. Police Criminal damage crimes 2020 – LSOA level
3. Police Public Order crimes 2020 – LSOA level
4. Police Violent crime and sexual offences 2020 – LSOA level
5. Seasonal trends of top-4 LSOAs
6. CCTV incidents
7. Police data analysis methodology
8. Temporal analysis
9. Seasonal analysis
10. Geographic distribution: all NTE occurrences
11. Geographical distribution: serious violence occurrences
12. Public Health data – alcohol related admissions and mortality rates

### Glossary

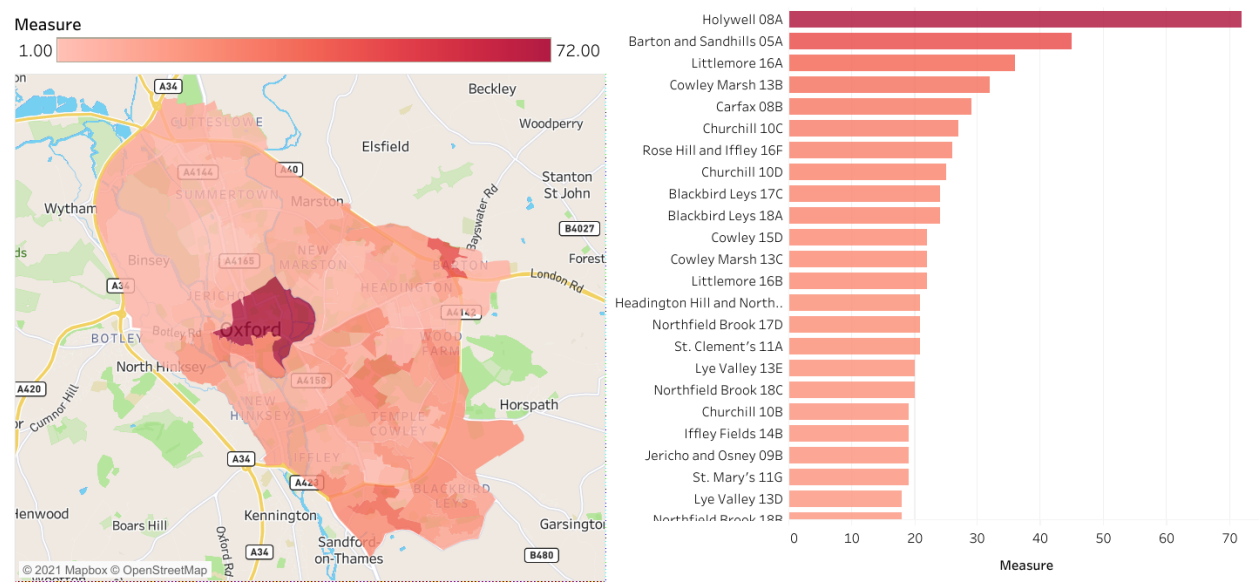
LSOA – Lower Super Output Area

ASB – Anti-social Behaviour

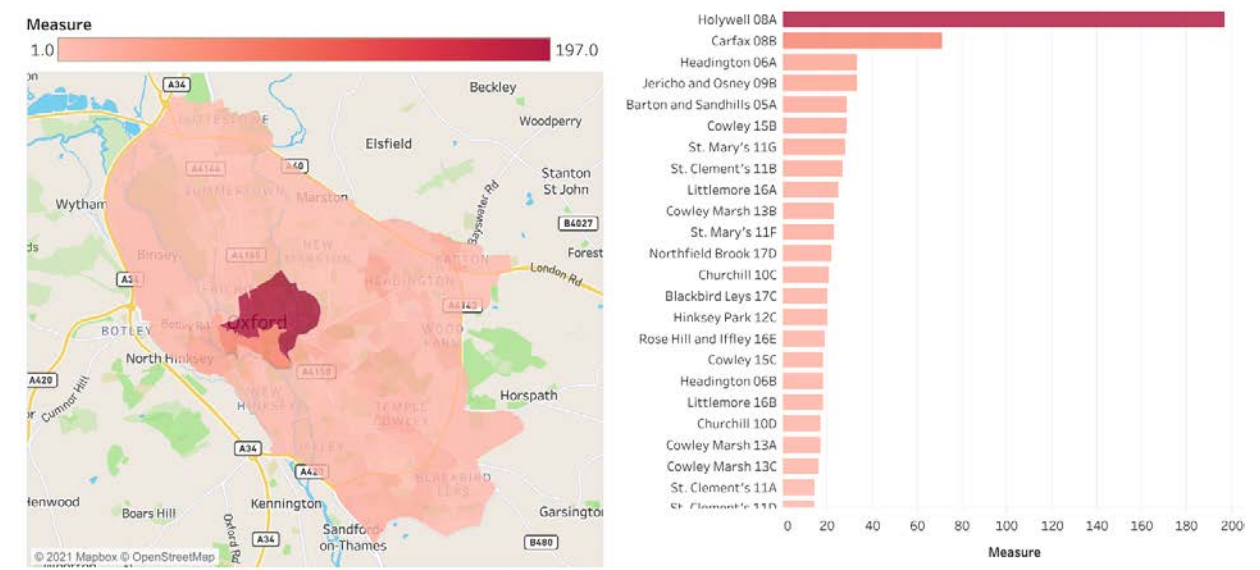
### 1. Police ASB incidents 2020 – LSOA level



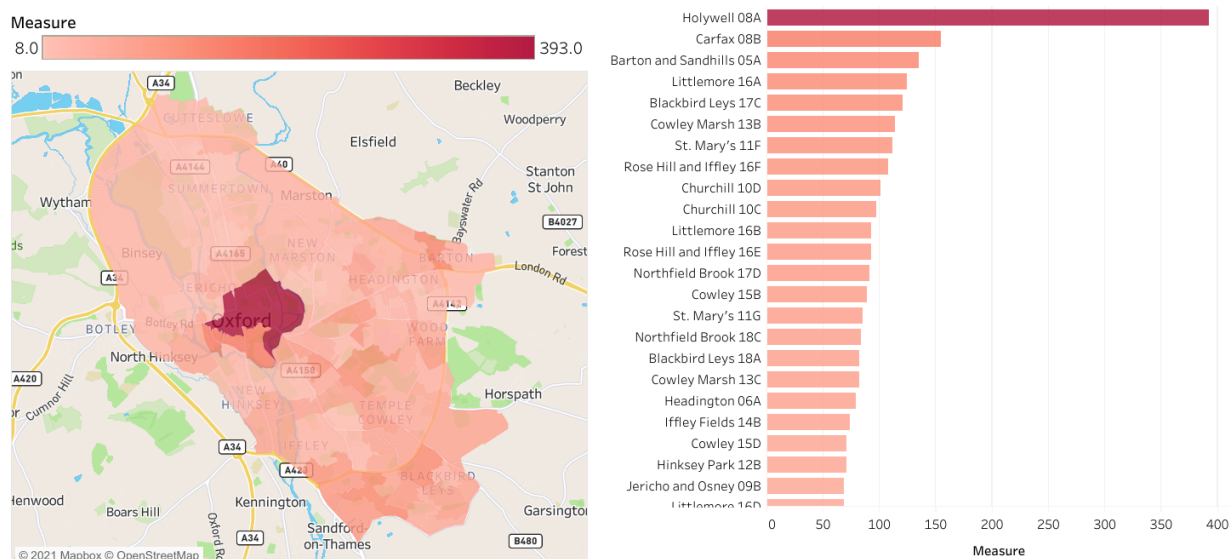
2. Police criminal damage and arson crimes 2020 – LSOA level



3. Police Public Order crimes 2020 – LSOA level



#### 4. Police Violent crime and sexual offences 2020 – LSOA level



#### 5. Police crime trend data – top 4 LSOAs

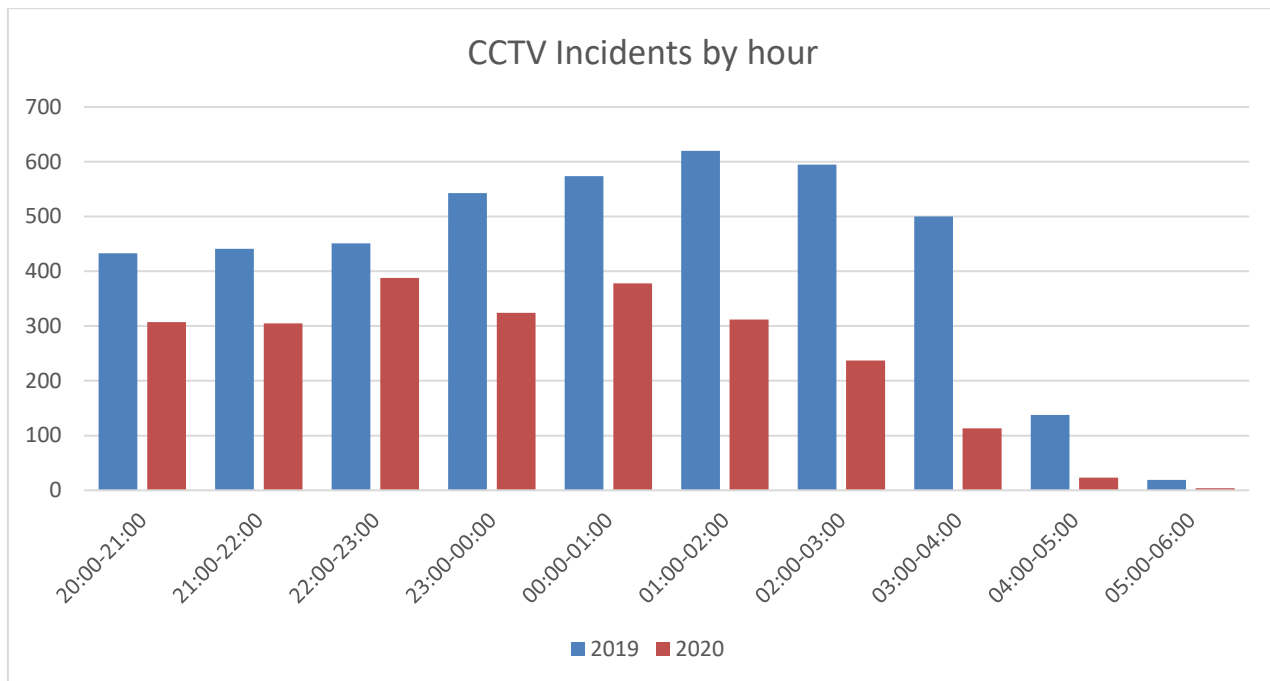
ASB incidents	2018		2019				2020				2021				Total
	Jul - Sept	Oct - Dec	Jan - Mar	Apr - Jun	Jul - Sept	Oct - Dec	Jan - Mar	Apr - Jun	Jul - Sept	Oct - Dec	Jan - Mar	Apr - Jun	Jul - Sept	Oct - Dec	
Holywell 08A	73	83	66	72	48	52	38	21	30	43	22	43			591
Barton and Sandhills 05A	18	14	13	24	28	18	8	25	20	23	16	13			220
St. Clement's 11D	36	44	18	12	26	7	10	8	14	15	6	11			207
Carfax 08B	31	20	27	22	19	9	16	9	11	13	4	10			191

Criminal damage & arson	2018		2019				2020				2021				Total
	Jul - Sept	Oct - Dec	Jan - Mar	Apr - Jun	Jul - Sept	Oct - Dec	Jan - Mar	Apr - Jun	Jul - Sept	Oct - Dec	Jan - Mar	Apr - Jun	Jul - Sept	Oct - Dec	
Holywell 08A	32	43	23	36	26	16	23	11	14	24	11	17			276
Barton and Sandhills 05A	9	5	6	12	12	4	13	12	13	7	9	11			113
Littlemore 16A	14	7	9	6	14	4	6	13	5	12	5	6			101
Carfax 08B	17	10	9	9	5	7	3	7	10	9	8	4			98

Public order	2018		2019				2020				2021				Total
	Jul - Sept	Oct - Dec	Jan - Mar	Apr - Jun	Jul - Sept	Oct - Dec	Jan - Mar	Apr - Jun	Jul - Sept	Oct - Dec	Jan - Mar	Apr - Jun	Jul - Sept	Oct - Dec	
Holywell 08A	56	48	49	57	37	55	54	24	59	60	61	97			657
Carfax 08B	14	18	13	17	20	15	24	8	13	26	15	18			201
Jericho and Osney 09B	2	2	1	4	3	2		9	11	13	24	22			93
St. Mary's 11G	6	2	2	9	8	6	9	4	9	6	9	15			85

Violence & sexual	2018		2019				2020				2021				Total
	Jul - Sept	Oct - Dec	Jan - Mar	Apr - Jun	Jul - Sept	Oct - Dec	Jan - Mar	Apr - Jun	Jul - Sept	Oct - Dec	Jan - Mar	Apr - Jun	Jul - Sept	Oct - Dec	
Holywell 08A	176	187	175	136	171	183	161	56	94	82	56	130			1607
Carfax 08B	29	36	35	30	38	39	39	24	44	48	31	67			460
Barton and Sandhills 05A	32	22	23	22	36	26	29	35	39	32	27	49			372
Littlemore 16A	24	35	34	27	39	17	35	34	26	30	27	31			359

## 6. CCTV incidents



The graph illustrates the peak hours of incidents monitored by public space CCTV cameras in the city. It is not possible to disaggregate the small number of cameras in neighbourhood areas from the cameras in the city centre.

This hourly breakdown is clearly linked to public space incidents during the night-time economy period.

## 7. Police Analysis of Violent Crime in the NTE: Methodology

Data from the police occurrence record keeping system for occurrences taking place within the Oxford Local Police Area with a reported date between 01/01/2017 and 26/04/2021 and with the Home Office Statistics Code 1 representing Violence Against the Person or Disorder.

Cancelled, historic or occurrences where the date was unknown were removed from the data set.

VAP and Disorder are very broad categories and include many occurrences unrelated to the NTE, attempts were made to refine the focus of the data by removing occurrences where the Location was recorded as a Dwelling or using the following criteria:

The data set resulting from the described initial search and filtering criteria comprised 4,523 occurrences which were considered to be related to Oxford's Night Time Economy. This data set was then analysed using Microsoft Excel and Esri ArcMap.

## 8. Police Analysis of Violent Crime in the NTE: Temporal Distribution

The temporal distribution of the 4,514 occurrences for which a time could be determined is shown below. It should be noted that 314 of these had an Event Start Time recorded as 00:00 – upon further investigation 305 of these were changed to a more accurate time based on Recorded Time, Event End Time and times noted in the summary report.

Fig. 1

	00:00 - 01:00	01:00 - 02:00	02:00 - 03:00	03:00 - 04:00	04:00 - 05:00	05:00 - 06:00	..	21:00 - 22:00	22:00 - 23:00	23:00 - 00:00	Grand Total
Monday	44	43	38	40	21	3		71	86	62	408
Tuesday	39	33	50	69	21	3		102	77	85	479
Wednesday	45	42	30	41	24			102	94	72	450
Thursday	60	44	61	42	18	4		99	61	68	457
Friday	52	47	64	56	29	3		94	114	122	581
Saturday	115	131	143	165	78	6		113	125	141	1017
Sunday	147	216	202	210	98	5		88	80	76	1122
	502	556	588	623	289	24		669	637	626	4514

**Figure 1: Distribution of occurrences by time and day of week**

Shows what we might expect intuitively: almost half (47%) of occurrences linked to Oxford's NTE occur on either a Saturday or a Sunday. The busiest period is between 01:00 and 04:00 on a Sunday morning, with those 3 hours alone accounting for 14% of occurrences analysed.

Fig. 2

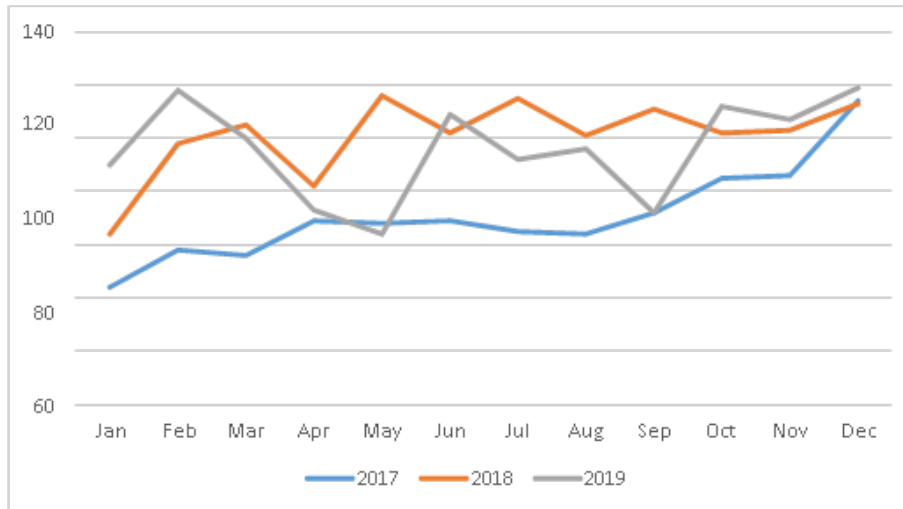
	00:00 - 01:00	01:00 - 02:00	02:00 - 03:00	03:00 - 04:00	04:00 - 05:00	05:00 - 06:00	..	21:00 - 22:00	22:00 - 23:00	23:00 - 00:00	Grand Total
Monday	12	9	7	5	5	1		3	4	3	49
Tuesday	11	6	12	18	16	8		2	5	7	85
Wednesday	7	8	5	5	3	3		2	2	7	42
Thursday	13	10	13	9	15	3		6	2	5	76
Friday	6	12	7	8	10	2		11	7	5	68
Saturday	15	27	32	28	40	16		10	5	14	187
Sunday	18	59	52	41	59	22		6	3	7	267
	82	131	128	114	148	55		40	28	48	774

**Figure 2: Distribution of NTE-related hospitalisations to John Radcliffe AandE by time and day of week**

Shows the distribution of admissions to the Accident and Emergency department of the John Radcliffe hospital between August 2017 and August 2020 which were classified as Apparent Assaults in which alcohol was believed to be a factor. The distribution largely mirrors the conclusion drawn from analysis of the temporal distribution of NTE-linked occurrences in Oxford, with an even greater focus on the early hours of Sunday morning (and to a lesser extent of Saturday morning).

### 9. Police Analysis of Violent Crime in the NTE: Seasonality

The count of NTE-linked occurrences taking place in each month of 2017, 2018, and 2019 is illustrated below. The chart does not suggest any great degree of predictable seasonality, although it appears that occurrence counts in November and December may be particularly high. These monthly counts were then compared to the expected level (based on the 12 month centred moving average) to determine whether any months appeared to have occurrence counts consistently above the expected count.



Month	2017	2018	2019
Jan	-27	-28	-8
Feb	-13	3	20
Mar	-15	7	6
Apr	-2	-18	-22
May	-3	15	-32
Jun	-2	1	13
Jul	-8	12	-6
Aug	-12	-4	-2
Sep	-8	7	-25
Oct	4	-2	18
Nov	1	4	13
Dec	26	13	28

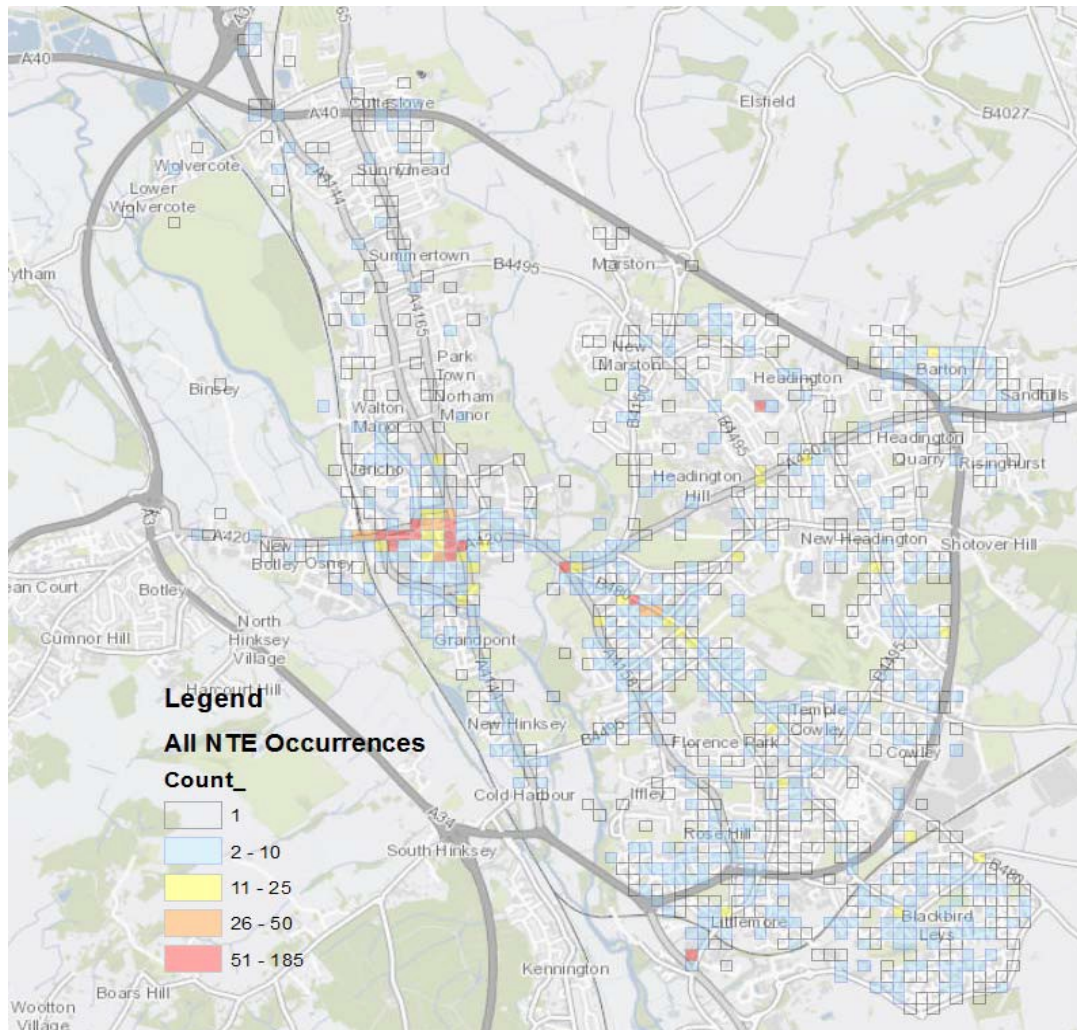
This analysis accounts for changing trends (2017 saw a steadily rising number of monthly occurrence counts, leading to consistently higher levels in 2018). It clearly shows that December NTE-linked occurrence counts were higher than expected in every year from 2017 to 2019, and that January occurrence counts were lower than expected in every year. April and August were also consistently lower than expected, albeit to a lesser extent than January, and November was also associated with marginally higher than expected NTE occurrence counts.



## 10. Police Analysis of Violent Crime in the NTE: Geographic distribution

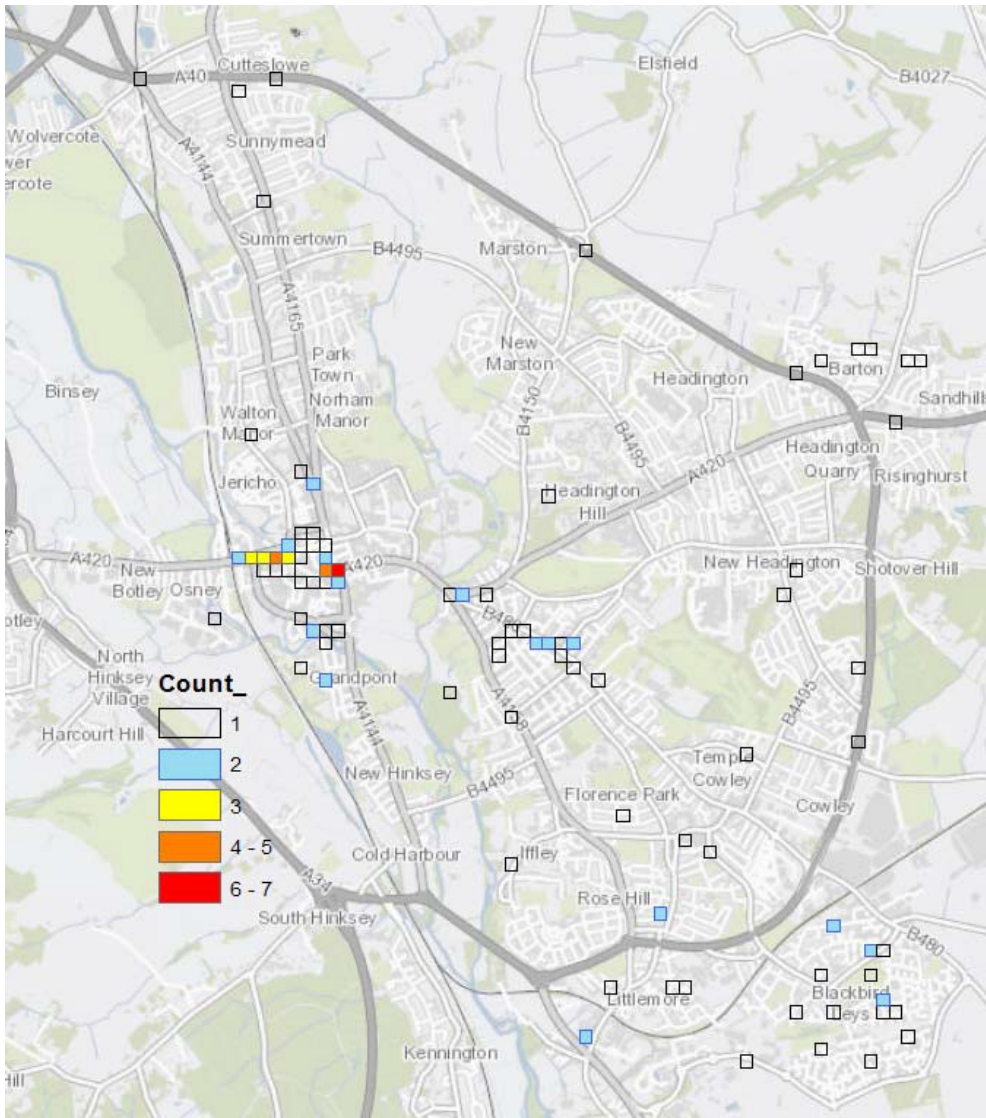
The following heat maps show locations of NTE occurrences in Oxford, using a 100m x 100m grid overlaid on a map of the police area with the count of occurrences recorded as taking place within each grid square being indicated by the colour of the square.

The map clearly indicates that the most notable areas in which NTE occurrences have taken place are: the city centre area focused on Park End Street, Hythe Bridge Street and Cornmarket; Magdalen roundabout, the Cowley Road between Union Street and East Avenue (O2 Academy and Cowley Retreat area); the A and E department of the John Radcliffe Hospital; and the Littlemore Mental Health Centre. It is possible (although not confirmed) that the hospital events may include occurrences that took place elsewhere and were reported from the hospital location.



11. Police Analysis of Violent Crime in the NTE: Geographic distribution

Serious violence offences.  
Serious violence in Oxford's NTE appears to be highly focused in city centre areas, in particular: Queen Street / Cornmarket Street and Park End Street / Hythe Bridge Street.



## 12. Public Health Data

The table below shows the alcohol related hospital admissions and mortality rates for Oxford.

Compared to England: ■ better ■ similar ■ worse

Indicator	Period	England	Oxfordshire	Oxford
Alcohol related mortality	2018	46.5	41.1	48.6 <span style="color: orange;">■</span>
Admission episodes for alcohol related conditions	2018-19	664	526	640 <span style="color: orange;">■</span>
Admission episodes for alcohol specific conditions	2018-9	626	522	741 <span style="color: red;">■</span>
Admission episodes for alcohol specific conditions -Under 18s	2016/17-18/19	31.6	31.7	50.0 <span style="color: red;">■</span>
Hospital admissions of alcohol related cardiovascular disease (female)	2018/19	776	613	791 <span style="color: orange;">■</span>
Hospital admissions for mental and behavioural disorders due to alcohol	2018/19	75.6	52.2	97.9 <span style="color: red;">■</span>
Hospital admissions for alcoholic liver disease	2018/19	131.2	96.0	138.4 <span style="color: orange;">■</span>

Source: PHE: Population Health Analysis (PHA) team using data from NHS Digital and ONS

The trend for hospital admissions for alcohol related conditions is increasing. There is also an increase in the trend for hospital admissions for alcohol related cardiovascular diseases.

Statement of Licensing Policy

Licensing Act 2003

February 2022 to February 2027

Licensing applications and enquiries:	The Licensing Authority Oxford City Council St. Aldate's Chambers 109 St. Aldate's Oxford OX1 1DS Tel: 01865 252565 Email: <a href="mailto:licensing@oxford.gov.uk">licensing@oxford.gov.uk</a>
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**To:** Council

**Date:** 21 March 2022

**Report of:** Head of Law and Governance

**Title of Report:** Questions on Notice from members of Council and responses from the Cabinet Members and Leader

## Introduction

1. Questions submitted by members of Council to the Cabinet members and Leader of the Council, by the deadline in the Constitution are listed below in the order they will be taken at the meeting.
2. Responses are included where available.
3. Questioners can ask one supplementary question of the councillor answering the original question.
4. This report will be republished after the Council meeting to include supplementary questions and responses as part of the minutes pack.
5. Unfamiliar terms may be briefly explained in footnotes.

## Questions and responses

### Cabinet Member for Affordable Housing, Housing Security and Housing the Homeless

#### 1. DB1 From Cllr Wolff to Cllr Walcott – Evenlode Tower cladding

Question	Written Response
Cladding on Evenlode Tower has come loose or fallen off at least twice in the past 6 months - in October, and in February during Storm Eunice. Is the portfolio holder confident that the current cladding on Council owned buildings is safe, and what steps are being taken to	Fortem have carried out initial safety works to Evenlode to mitigate the risk of further problems in the short term whilst they investigate what further works are necessary to give longer term assurance and resilience. The Council has appointed its own structural engineer to

**1. DB1 From Cllr Wolff to Cllr Walcott – Evenlode Tower cladding**

prevent further damage to cladding as extreme weather events become more common?

provide independent advice also. We are working with Fortem to confirm what further works are necessary and a timetable for delivery.

**Cabinet Member for Culture, Leisure and Tourism****2. MC1 From Cllr Wolff to Cllr Clarkson – Unlocking Community Moorings****Question**

A new report from Collaborative Housing - Unlocking Community Moorings in Oxford - has been part-funded by Oxford City Council. The report includes a series of significant recommendations around governance, funding and potential new mooring sites. What is the process for the City Council to respond to the report's findings?

**Written Response**

The report was not directly commissioned by the council and as such there is no requirement for a formal process to respond to its findings.

However, the report's recommendations will be considered by a wide range of council services in relation to their involvement with the waterways.

**3. MC2 From Cllr Miles to Cllr Clarkson – Taxi licences issued by gender****Question**

Does the city council licensing authority collect sex-disaggregated data (male/female) on the number of Hackney Carriage and Private Hire licences issued? Of the current valid taxi licenses issued by the city council – how many Hackney Carriage licenses and Private Hire licences respectively are currently held by females versus males?

**Written Response**

The General Licensing Team collects sex-disaggregated data as disclosed on the application form by the applicants.

The Authority currently licence 16 female Private Hire Drivers and 1 female Taxi Driver.

There are currently 605 Private Hire Drivers and 254 Taxi Drivers licensed by the council.

**4. MC3 From Cllr Miles to Cllr Clarkson – Taxi licences revoked by other authorities****Question**

How many requests have been made to other licensing authorities on the details

**Written Response**

All applicants (new and renewals) are required to declare any current or



#### **4. MC3 From Cllr Miles to Cllr Clarkson – Taxi licences revoked by other authorities**

of why a hackney carriage and/or private hire license applicant to Oxford City Council's licensing authority has had their license previously suspended, refused or revoked by another authority?

previously held Private Hire or Taxi licences and the details of the relevant licensing authority. Once the information is disclosed the council makes a request for disclosure for the licensing history with the relevant Authority, which includes suspensions, refusals, and revocations.

Additionally, under the Oxfordshire Joint Operating Framework, all Oxfordshire Authorities share information relating to suspensions, refusals, and revocations on a weekly basis.

#### **5. MC4 From Cllr Miles to Cllr Clarkson – Recruitment of female taxi drivers**

##### **Question**

To complement the council's work on enhanced measures to improve women and girl's safety at night, what concrete steps have been taken to date to recruit female taxi drivers? What other measures have been taken in partnership with taxi license holders and operators to improve women and girls' safety at night?

##### **Written Response**

The council does not recruit taxi or private hire drivers.

The council's role is to assess applications from drivers and to determine a 'fit and proper' person status to protect the public.

The council takes a strong position with regard to safeguarding and all drivers and operators must complete the Safeguarding and Disability Awareness Training and pass the Safeguarding Test every 3 years. Drivers who do not undertake the training or fail the test have their licences suspended until they have satisfactorily completed both.

The creation of "Safe Zones" is one of the measures being explored as part of the Safer Streets 3 award of £426k to make nights out in the city safer by focusing on the journey from home, into the city and back again. Safe Zones will be where users can organise and wait for a safe journey.

Our officers are regularly out at night and two Licensing Officers are scheduled to complete Bystander Intervention training, which aims to reduce incidents of

**5. MC4 From Cllr Miles to Cllr Clarkson – Recruitment of female taxi drivers**

violence against women and girls (VAWG) in public spaces at night.

**Cabinet Member for Citizen Focused Services****6. MR1 From Cllr Miles to Cllr Rowley – cycle to work loan scheme****Question**

What is the uptake rate of the city council's cycle to work loan scheme?

**Written Response**

We currently have 18 people in the scheme which equates to approx. 2.5% of staff.

**7. MR2 From Cllr Miles to Cllr Rowley – Pool bikes****Question**

How many pool bikes does the city council have for its staff and councillors to borrow? Of these how many in the pool are manual bikes, how many electric, and how many cargo bikes?

**Written Response**

There are three bookable bikes for staff only use in relation to their council work. One of these are electric, and two are manual. There are no cargo bikes.

These bikes are currently being serviced and repaired. Due to the age and condition of the bikes, we are also exploring options to upgrade them.

**8. MR3 From Cllr Fouweather to Cllr Rowley – Data breach – ICO response****Question**

Has the Council received a decision from the Information Commissioner's Office about any penalty for the data breach that occurred last year?

**Written Response**

The Council reported a data breach in July 2021 regarding a small number of rent statement letters sent to incorrect addresses, due to difficulties in implementing a new ICT system. The ICO advised the Council on 30<sup>th</sup> September 2021 that their decision in respect of the data breach reported was that no further action by the ICO was necessary. However, the ICO recommended that the Council



**8. MR3 From Cllr Fouweather to Cllr Rowley – Data breach – ICO response**

	investigate the cause of the incident, to ensure that we understood how and why the breach occurred and what steps were needed to prevent re-occurrence. Since that time significant work has been undertaken on the QL system to ensure data is accurate.
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**9. MR4 From Cllr Fouweather to Cllr Rowley – AAREON QL system**

<b>Question</b>	<b>Written Response</b>
Can the Council now be given an end date for the implementation of the AAREON QL system and how much this has overrun the expected original date?	The original agreed implementation time table was a go live of May 2019. Following delays a further 2 dates were set for July and October 2020 but both were missed due to the supplier not delivering on development of the system specifically on a number of modules for use in Housing Needs Services. As an agreed variation to the contract, a decision was taken to defer some of the Housing Needs non-critical functionality to a later phase, to allow a go live. A go live was eventually achieved in May 2021. The implementation has encountered issues since go live and we continue to work on bringing the system to a 'steady state' i.e where all processing is being undertaken through the system albeit with work-around processes by 31-3-2022. This mainly effects back office functionality and in the meantime members can be given assurance that the council house repairs jobs are being undertaken, external suppliers are being paid and council house rent recovery is being undertaken.

**10. MR5 From Cllr Fouweather to Cllr Rowley – AAREON QL system budget**

<b>Question</b>	<b>Written Response</b>
Can the Council be informed how much the original budget costs have overrun for the AAREON QL system, including the additional staff costs incurred by the	The estimated total project cost agreed at CEB in 2018 was £1.6M. Given the delays and the need to retain project staff for a longer time period the

**10.MR5 From Cllr Fouweather to Cllr Rowley – AAREON QL system budget**

problems encountered?	projected estimated cost to bring the system to 'steady state' is estimated at approximately £2.7 million. Within this figure additional staffing and project management costs to deal with the issues encountered and to manage risks of disruption to services encountered since go-live in May 2021 are estimated to be around £500k. The Council will be engaging with the supplier for some compensation, where they are found to be at fault.
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**Cabinet Member for Finance and Asset Management; Deputy Leader of the Council**

**11.ET2 From Cllr Miles to Cllr Turner – Pension Fund investment in Russian owned or controlled companies**

<b>Question</b>	<b>Written Response</b>
Does the city council have any pension fund investments in Russian owned or controlled companies? If so, what are the council's plans to divest in these without delay?	<p>The Council holds deposits in a number of money market funds which it has confirmed do not have Russian exposure.</p> <p>In addition, the Council holds investments in 2 multi asset funds that each had minimal holdings in Russian Banks which in February were removed.</p> <p>With specific reference to the question, we are not managers of a pension fund so we do not hold any pension fund investments. The pension fund is operated by Oxfordshire County Council as part of the Brunel Pension Partnership. In an announcement on 8<sup>th</sup> March the County Council endorsed the decision by the Brunel Pension Partnership to continue with divestment from all Russian organisations, in addition to not making any further investments in Russian assets.</p>

**12.TH1 From Cllr Malik to Cllr Hayes – Administration Policy on Connecting Oxford**

**Question**

Following recent social media activity, some councillors from the Labour Party are looking confused about the connecting Oxford & the bus gates in the City.

This Administration still supports the connecting Oxford or have they changed their mind or are the Labour councillors who wrote the social media trying to muddy the water for the fourth coming elections? Can you clarify Administration policy on connecting Oxford?

**Written Response**

Our city has many strengths, including a consensus on the need to address dirty air, climate breakdown, and debilitating congestion on Oxford's roads which is undermining local bus services, slowing taxi and minicab journeys, and seriously endangering cyclists and pedestrians. I strongly welcome Cllr Malik's excellent commitment to tackling these issues.

How we achieve these aims is a matter for democratic debate. Everyone will be included in the year-long conversation about how we move around our city safely, sustainably, and seamlessly. I welcome Cllr Malik's commitment to engaging in this debate.

The administration has restated plans to introduce a Workplace Parking Levy and traffic filters with slight modifications (i.e., the extension of the WPL across the city) as part of Connecting Oxford. Plans were announced alongside the County Council which is the highways authority.

As part of the democratic debate that I mention, there will be a strong need to understand how the measures will work and interact with each other, so that they achieve the aims set for them. It will be important to listen to elected members, themselves representing residents, to understand local issues. All of this will ensure that we can listen and, should it be necessary, respond with flexibility while ensuring we achieve our aims.

**13.TH2 From Cllr Malik to Cllr Hayes – Concerns raised regarding The Plain Roundabout**

### 13.TH2 From Cllr Malik to Cllr Hayes – Concerns raised regarding The Plain Roundabout

#### Question

On Twitter, Cllr Hayes said when they designed the Plain roundabout the County Council didn't listen his concerns. May I ask, since last year, now Labour is a major coalition partner in the County Council, how many times he has raised his concerns and what has been done about so far?

#### Written Response

Since May 2021 I have raised the lack of safety at The Plain roundabout with Oxfordshire County Council on at least three occasions. I have raised the lack of safety for cyclists within other parts of the city, including the St Clement's ward I represent. (Using my ward budget, I have financially contributed to measures to improve cycling safety in my ward, alongside the financial contributions of my previous co-councillor.) Oxfordshire County Council are taking forward a series of cycling investments in the city, and I have influenced these as I have also influenced other cycling measures including the intervention on Magdalen Bridge.

### 14.TH3 From Cllr Malik to Cllr Hayes – County Council response on safety of cyclists at The Plain roundabout

#### Question

The Leader of the City Council has called upon the County Council to review the safety of cyclists at The Plain roundabout urgently. May I ask what the response is from the county council?

#### Written Response

The cycling fatality at The Plain is deeply sad. In common with councillors, I want to extend condolences to the loved ones of Dr Felce. Along with the Leader of the City Council, city and county councillors, and concerned citizens, I attended the vigil at The Plain to pay our respects.

In response to the letter by Cllr Brown, the Leader of the County Council has [publicly stated](#) that she would like to see the introduction of a Vision Zero strategy - *to eliminate all traffic fatalities and severe injuries, while increasing safe, healthy, equitable mobility for all* - made a success across Oxfordshire.

She has asked the County's Corporate Director of Environment and Place and its Cycling Champion to work with Cyclox to review if any immediate measures can be taken to improve safety.

In separate letters, I have requested a

#### 14.TH3 From Cllr Malik to Cllr Hayes – County Council response on safety of cyclists at The Plain roundabout

	<p>full review of dangerous cycling spots, development of an action plan for The Plain in particular, and the involvement both of Cyclox and other communities and representative groups in the design of solutions to cycling dangers.</p> <p>I also reiterated the point that cyclists will be much safer when road space can be reclaimed from private car use, which requires a transportation debate over a 12-month period. This is to ensure that everyone who wants to influence the decisions which affect their lives can shape Connecting Oxford proposals.</p> <p>I would be happy to provide additional information to Cllr Malik as needed.</p>
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#### 15.TH4 From Cllr Smith to Cllr Hayes – Restriction of HGV use in City

Question	Written Response
<p>In common, I am sure, with all members of this council I was devastated to hear about the death of Dr Ling Felce in a road traffic accident at the Plain roundabout earlier this month and I send my deepest sympathy to her family.</p> <p>The death of Dr Felce is the latest in a series of fatal accidents on our roads involving Heavy Goods Vehicles. Does the cabinet member agree with me that restrictions on HGVs entering Oxford are long overdue. These restrictions could apply during the hours our roads are busiest and could be used to promote the use of HGV vehicles with enhanced safety features such as side bars, sensors and direct visions cabs.</p> <p>Will the cabinet member work with the Highways Authority to bring in such restrictions with the aim of improving safety for cyclists and pedestrians?</p>	<p>As above, I want to associate with Cllr Smith's condolences. It was clear from conversations at the vigil, when the Leader of the City Council and I were in attendance to represent councillors, that many share her concerns. It was important to attend the vigil to hear directly from people and understand exactly what they believe will make cyclists safe.</p> <p>In a medieval city with narrow spaces for all road users to travel alongside each other comfortably and safely, I am deeply concerned about current and predicted volumes of use of our roads. There is no getting away from the need to provide a fairer balance of use of our roads. Our spaces have been designed around the private car at the expense of other road users. How we can redistribute space which gives a fairer deal to cyclists and keeps them safe will be critical. It was clear that many people we spoke with during The Vigil believe that the City and County Councils need to be moving</p>

**15.TH4 From Cllr Smith to Cllr Hayes – Restriction of HGV use in City**

forward Connecting Oxford proposals.

Cllr Smith makes a valid point about the dangers of heavy vehicle use of roads, here and anywhere in the country.

The Zero Carbon Oxford Partnership has a sprint group, coming to a close fairly soon, which is focused on greening last-mile delivery through the trialling of micro-consolidation centres and quiet delivery. The work is being funded and led by Oxford University, the County Council, and City Council, and includes the recruitment of expert and additional workforce to develop plans for full freight consolidation and a smaller scale pilot project which can be scaled up. Unipart, DPD and freight and logistic consultants are engaged. When I have met with representative of freight associations which typically rely on heavy freight, I have made the case for sustainable and lighter last-mile delivery.

I support Cllr Smith's view that HGVs should be fitted with the type of safety features she references – I have, as such, written to the Department for Transport.

I would encourage Cllr Smith to be in direct contact to more speedily and effectively contribute to this work.

**16.TH5 From Cllr Wolff to Cllr Hayes – Direct Vision Standards and licensing****Question**

Since November 2020 there have been five cycling fatalities in this city. Four of them - those of Samantha-Sue Blackborow, Jennifer Wong, Ellen Moulihan and recently Ling Felce - were run over by lorries driving in or across marked cycle lanes. This cannot be a coincidence. So far, only one of the inquests has taken place, and that raised big questions about the ability of the bin lorry driver to see a cyclist even 2m in

**Written Response**

We are constantly seeking ways to improve safety for cyclists to try and prevent such terrible tragedies and we are currently working with the County on their Central Oxfordshire Travel and Connectivity Strategy with one of the key aims being to make cycling in the city safer by reallocating road space and reducing traffic flows.

Direct Vision Standards can also play a part and our preference would be for the

**16.TH5 From Cllr Wolff to Cllr Hayes – Direct Vision Standards and licensing**

front of him. In London, driver visibility became a major concern some years ago following a series of similar fatalities, and Transport for London introduced Direct Vision Standards and licensing as a consequence. Although the City Council is not the Highways Authority, does the cabinet member believe that this is something that should be investigated, and what power or influence could he exert to make this a possibility in Oxford?

government to introduce a national standard for HGVs based on the London scheme. That would enable lorry permit schemes to be adopted in urban areas throughout the country, ultimately resulting in all HGVs complying with a nationally approved standard and I have written a letter to the Department of Transport urging them to introduce national legislation.

I have also sought clarification from the County Council on whether the power exists for highway authorities outside London to introduce Direct Vision Standards or whether it has been introduced using powers that are only available in London.

**17.TH6 From Cllr Smowton to Cllr Hayes – ZEZ: bus gate plans****Question**

In the event that the county's recently-published bus gate plans are implemented as outlined, they might be expected to eliminate a very large proportion of the traffic from the city centre. In that scenario, is there a need for a separate zero-emission zone? If so, what do you expect an enlarged ZEZ to achieve that isn't accounted for by bus gates?

**Written Response**

Thank you for raising this question again and I am happy to reiterate the rationale for the ZEZ *and* Connecting Oxford (what the Councillor has described as bus gate plans). Connecting Oxford includes the introduction of traffic filters and a WPL to reduce traffic volumes, a city centre-wide ZEZ seeks to reduce the emissions of the remaining traffic, so that we can further improve air quality in the city.

**18.TH7 From Cllr Smowton to Cllr Hayes – Marston Ferry Road bus gate****Question**

In the county's recent transport strategy press release, you justified bus gates writing that we "must back Oxford's buses to... move around the city without significant delays". By this yardstick the proposed gate for Marston Ferry Road seems like the odd one out, that being a road which is neither particularly prone to congestion, nor a carrier of a large

**Written Response**

Marston Ferry Road carries a number of bus services (the 14, the 14A, the 700, the H2 and the H4) and passengers on such services experience congestion as they travel to or from the JR Hospital, Cherwell School, and other venues—implementation of a traffic filter will be beneficial as a result.

I agree that proposed traffic filters should

**18.TH7 From Cllr Smowton to Cllr Hayes – Marston Ferry Road bus gate**

number of buses. Would you support holding off on that gate unless a clear need arises, thus permitting direct transit between Headington, Marston and North Oxford, similar to how local links are retained between New Hinksey, Iffley and Cowley?

be operated at times and in ways to best achieve the desired outcome of overall reduced traffic volumes, faster bus travel and safer cycling. I want everyone to be free to move anywhere, anytime.

The final decisions on the location and timing of operation of traffic filters and exemptions are subject to detailed traffic flow modelling and a year-long democratic discussion with citizens and many key stakeholders before going out to a full public consultation.

**19.TH8 From Cllr Miles to Cllr Hayes – Provision of public bike pumps****Question**

How many public bike pumps have been installed in the city within the ring road in total and by city council ward? Which wards lack any provision of public bike pumps?

**Written Response**

The locations (wards) of the bike pumps were:–

Cowley Road (St Marys)	Opposite Tesco by bike racks
The Plain (St Clements)	Magdalen Bridge by bike racks
Broad Street - Parks Road (Holywell)	Outside Western library building by bike rack
St Michael Street (Holywell)	Opposite Cycle shop
Banbury Road (Summertown)	Junction of South Parade outside HSBC

However, only the Broad Street pumps remains in situ, the others have been removed as they are broken. The original design from company 'Cyclehoop' were too easily damaged and we had lots of complaints about them not working. For this reason we trialled a different type at Broad Street and so far it continues to work. The bike pumps were funded using a one off budget for cycling improvements and at the moment further funds have not been identified. Locations were chosen based on cycling hot spots.

**20.TH9 From Cllr Fouweather to Cllr Hayes – Seacourt Park & Ride****Question**

Can the Cabinet Member tell the Council

**Written Response**

As explained in previous questions, the



## **20.TH9 From Cllr Fouweather to Cllr Hayes – Seacourt Park & Ride**

how many times the Seacourt Park and Ride extension has been open and in public use since the official opening?

extension has been closed whilst usage at Seacourt is low. We built the extension because the original Park and Ride was full very early in the morning, before the pandemic (as evidenced as part of the planning application), and there was significant demand for an extension.

We expect the peculiarly low levels currently being experienced to be temporary and for increased usage to return. Usage is increasing and when it reaches 80% capacity in the main car park—the threshold we have set to open the extension. We can open within 24 hours' notice when it does. The extension is closed for prudent financial reasons: we want to minimise the maintenance costs while the site is underused.

We are supporting the growth in Park and Ride by promoting periods of free parking during the pandemic, supporting communications campaigns with the bus operators, and, in January 2022, we launched a new scheme with Oxford Bus Company so that regular visitors using a Park and Ride can benefit from a combined bus and parking season ticket for the first time. It means Oxford Bus Company season ticket holders using the Park and Ride services will be able to add parking when buying their bus season ticket. Season tickets are available for four weeks, 13 weeks, or annually, and I would encourage Cllr Fouweather to share this information and back buses.

We are exploring how we can urgently promote bus travel and Park and Ride at a time when bus patronage is challenged because of the pandemic. We offered our suggestions and proposals to Oxfordshire County Council to reprioritise space on roads to buses, but unfortunately these have not been taken forward. Separately, we're working alongside the County Council to develop

<b>20.TH9 From Cllr Fouweather to Cllr Hayes – Seacourt Park &amp; Ride</b>	
	Connecting Oxford.

<b>21.TH10 From Cllr Fouweather to Cllr Hayes – Seacourt Park &amp; Ride capital expenditure</b>	
<b>Question</b> <p>Can the Cabinet Member tell the Council how long the capital expenditure on the Seacourt Park and Ride extension will now take to be recouped?</p>	<b>Written Response</b> <p>The original business case anticipated a 17-year payback period for the extension. The income generation has been delayed by c. two years owing to the pandemic and the business case will be reforecast once we have clearer information.</p>

<b>22.TH11 From Cllr Fouweather to Cllr Hayes – Westgate Shopping Centre car park</b>	
<b>Question</b> <p>The Westgate Shopping Centre Car Park is a magnet for motorists and on recent weekends has been full up. This has caused traffic chaos on the surrounding roads with the resultant queues. Can the Cabinet Member tell the Council what plans he has to overcome this before Oxford city centre completely seizes up over the forthcoming months?</p>	<b>Written Response</b> <p>At the request of this administration, senior officers from County and City Councils met in order to discuss congestion around the Westgate car park, particularly on weekends. This is also a topic that the Leader has raised with Westgate directly, asking them to work with transport planners on alternatives. Westgate reiterated their eagerness to work with the councils to explore options for supporting increased usage of alternative modes, including the Park and Rides.</p> <p>As part of this we will seek to gain a better understanding of why people continue to go to Westgate through surveys and what would incentivise a change. This can then be fed into the development of effective promotion and improvement of other modes. Having repeatedly urged Westgate to better promote Park and Ride I would expect them to begin this work urgently.</p> <p>There is a recognition that the car park itself cannot alone sustain the demand Westgate and City Centre needs to be successful. Peak hours' traffic</p>

**22.TH11 From Cllr Fouweather to Cllr Hayes – Westgate Shopping Centre car park**

management continues to operate, closing the car park when it becomes full supported by Variable Messaging Signs. Unfortunately, people still choose to sit in the queues over alternative modes even when the car park is closed.

Taking forward Connecting Oxford, plans for which were restated on 17 February, is critical to ensuring congestion is tackled on our roads. If these schemes are implemented in the coming years, there will be significantly reduced car congestion as a result of people switching to bus, taxi, cycling and walking, away from private car use.

As these proposals are subject to ongoing technical development and engagement before public consultation and decisions later in the year and implementation from 2023, there is obviously a need for urgent action. Both councils are reviewing the options, but as an example, we are considering a review of wayfinding to and from and at Park and Rides to see if there are opportunities to improve the experience. We await a central government decision on the Bus Service Improvement Plan bid, which the City Council has heavily influenced, including upping the ambition of the County Council around seeking tens of millions of additional funding. If successful, this would support significant investment in quick changes to improve the bus experience in and around Oxford.

**Cabinet Member for Inclusive Communities**

**23.SA1 From Cllr Pegg to Cllr Aziz – Council support of the Ukrainian community**

**23.SA1 From Cllr Pegg to Cllr Aziz – Council support of the Ukrainian community**

**Question**

How is the Council supporting the Ukrainian community in Oxford in light of Russian attacks on the country?

**Written Response**

Oxford City Council – Community Services Team are working with the Oxford Polish Association, Oxford University Ukrainian Society and the Clarendon Centre. The team are in on-going conversations offering advice and support. The team have facilitated a discussion across the organisations leading to improved collaboration. This has resulted in the use of two units for collection and distribution of donations, which are free of charge.

We have established an internal working group to ensure that we are able to respond to the emerging situation. We will continue to engage with the Countywide group (led by the County Council), which has been established to develop a co-ordinated response across the county.

We have also launched a webpage 'Support for Ukraine' on our website. This page sets out the latest information regarding:

- Homes for Ukraine
- Guidance for Ukraine Nationals
- Making a donation
- Oxford's Partnership approach

We are committed to working with community groups and recently attended a meeting called by Asylum Welcome to discuss wider stakeholder responses to the situation in Ukraine.

This is an emerging situation and officers continue to work with local and national agencies to support the response to the war.

**24.SA2 From Cllr Pegg to Cllr Aziz – Relocation support for Ukrainians relocating to the UK**

**24. SA2 From Cllr Pegg to Cllr Aziz – Relocation support for Ukrainians relocating to the UK**

**Question**

Will the Council be supporting people in Oxford who wish to support Ukrainians to relocate to the UK, whether through the Family Migration Visa scheme or the Community Sponsorship Scheme?

**Written Response**

The Council are currently waiting for more information from Government on the 'Homes for Ukraine' scheme to fully understand what role we need to play, as a local authority, in ensuring Ukrainian refugees are safely resettled in the local area. We expect this to involve safeguarding and accommodation checks and providing wrap around support. We do not know how many Oxford residents will offer rooms or units. We have currently taken the following actions to enable us to gather and work through the emerging information:

1. Internal Group

- an internal group has been established , with representatives from across the council to respond to the changing situation and formulate a viable action plan.

2. County-Wide Group

- A County-Wide group, including representatives from all district councils has been established to consider an Oxfordshire response.
- This will be chaired by Oxfordshire County Council.

3. Work with Local Partners

- We are continuing to work and speak with local partners to ensure our response meets the need.
- Oxford City Council were represented at We met with Asylum Welcome's meeting on Wednesday 16<sup>th</sup> March to discuss with a range of local stakeholders what the local area and organisations can do to support Ukrainian refugees potentially arriving in Oxford.
- Oxford City Council already work very closely with Asylum Welcome

**24. SA2 From Cllr Pegg to Cllr Aziz – Relocation support for Ukrainians relocating to the UK**

	<p>and Refugee Resource to deliver the ARAP, UKRS and VPRS resettlement schemes.</p> <ul style="list-style-type: none"> <li>Community Services have been supporting the Oxford Polish Association and Oxford University Ukrainian Society with their donation drives.</li> </ul> <p>4. Communications</p> <ul style="list-style-type: none"> <li>We published a press release on 4<sup>th</sup> March, which included ending our twinning agreement with Perm, as well as informing people that we are flying the Ukrainian flag from our flagstaff.</li> <li>The press release also directed residents to the government website on the family visa scheme.</li> <li>A 'Support for Ukraine' web page has been created on our corporate website.</li> </ul>
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**25. SA3 From Cllr Pegg to Cllr Aziz – Council support for collection/donations for Ukrainians**

<b>Question</b>	<b>Written Response</b>
<p>What is the Council doing to support and promote organisations within the City collecting goods for donation to Ukrainians?</p>	<p>Oxford City Council have facilitated discussions between Oxford University Ukrainian Society and Oxford Polish Association, and the Clarendon Centre, which has resulted in Free of Charge use of two units for collection and distribution of donations.</p> <p>Community Services are working with these organisations to understand what support they need to continue the successful donation drives and look at opportunities for better collaboration between the two.</p> <p>Initial support includes, amplifying their messages and call outs for donations and volunteers throughout the Council's social media channels. Exploring</p>

**25.SA3 From Cllr Pegg to Cllr Aziz – Council support for collection/donations for Ukrainians**

	<p>avenues for ongoing support including access to the electric community van to access the ZEZ and utilising some community centres as donation points.</p> <p>Conversations with these and other organisations in the city who are organising donations will continue to understand the changing needs as the situation develops.</p> <p>Locality hubs have a <a href="#">draft a plan</a> for us to respond to these requests</p>
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**26.SA4 From Cllr Pegg to Cllr Aziz – Pay roll funding for humanitarian relief**

<b>Question</b>	<b>Written Response</b>
<p>Many organisations are offering employees the chance to donate via pay roll (which has certain advantages for employees) to the UNHCR, Red Cross, Disasters Emergency Committee, Doctors without Borders or other organisations providing humanitarian relief in Ukraine. Some are going a step further and offering to match donations from employees. Is the City Council considering doing this?</p>	<p>We already have the ability for staff to 'Give As You Earn', which enables them to donate as much as they wish through Payroll to any registered charity.</p>

**Cabinet Member for Parks and Waste Reduction**

**27.LA1 From Cllr Smowton to Cllr Arshad – No-mow policy**

<b>Question</b>	<b>Written Response</b>
<p>Last year, the council adopted a no-mow policy for many roadside verges. Headley Way residents in particular complained that last year's maintenance regime led to several accidental collisions with low roadside barriers (intended to prevent pavement parking) which became</p>	<p>After last year's long grass trial a review has been carried out which took into account comments and complaints from affected residents. Headley Way will not be included in the long grass verges this year.</p>

**27.LA1 From Cllr Smowton to Cllr Arshad – No-mow policy**

invisible in the tall grass. Will you ensure that this year we at least trim around such obstacles to keep them visible and prevent needless damage?

**Cabinet Member for Planning and Housing Delivery****28.AH1 From Cllr Smowton to Cllr Hollingsworth – Solar panels****Question**

Taking advantage of permitted development rights to install rooftop solar panels is currently difficult due to the legislation's vague requirement that panels shall "so far as practicable, be sited so as to minimise the effect on the amenity of the area". This means in practice one cannot confidently assess whether plans are permitted and must seek a Certificate of Lawful Development, adding hundreds of pounds and considerable lost time to the cost of going solar. Some councils, such as Islington\* make the process much easier by volunteering specific advice about how they assess this test. Will Oxford do likewise?

\* <https://www.islington.gov.uk/-/media/sharepoint-lists/public-records/planningandbuildingcontrol/information/adviceandguidance/20210222/20210831solarpanelsguidance.pdf>

**Written Response**

I would agree with the questioner that the Permitted Development Right for rooftop solar panels is less precise than for some other PD Rights. I would not characterise the wording as 'vague' though. As with many other tests in planning law the wording here is subjective; the same is true for example for definitions of harm in the context of heritage assets. It is this subjectivity, rather than a reduction to tick-box exercises, that allows the planning system the flexibility to take into account very local circumstances that would not be possible with a nationally prescribed definition. Subjective tests require judgements to be made, whether by planning committees or by planning officers, and I think on the whole the system is better for that.

As the PD Right here requires a subjective judgement to be made, there will always come a point when someone needs to make that judgement. This is recognised in the Islington document referred to in the question, which makes clear that applicants will only be certain that their proposal is covered by the PD Right if they apply for a Certificate of Lawful Development. The City Council already provides advice on the PD Right via the Planning Portal, and we can include more detail in the FAQ section of



**28.AH1 From Cllr Smowton to Cllr Hollingsworth – Solar panels**

the planning website, but doing so will not remove the subjectivity inherent in the wording of the PD Right any more than the advice note from Islington does. I would always advise applicants to seek informal advice from the Planning Department, and if unsure to apply for Certificate of Lawful Development.

**Leader of the Council****29.SB1 from Cllr Malik to Cllr Brown – Oxford City Council link with the city of Perm****Question**

The Leader of the Council sent a statement about the link with the city of Perm to all the group leaders saying they not end Oxford City's links with Perm in Russia.

After few hours I learn from the media that Oxford City Council have decided to suspend the link with Perm. What was the reason of this decision and dithering? And what pressure was put on the leader to change her mind?

**Written Response**

There are a lot of inaccuracies in this question. I wrote a statement on 25 February which I shared with the opposition leaders to ensure cross-party agreement, which condemned without any reservation the Russian attack on Ukraine and stated that we would be writing to Perm to express our support for those opposing Putin's war and our condemnation of the Russian aggression. We did not comment on the future of the link in the letter or the statement at that point, but indicated that we hoped to hear from them.

By Friday 4 March, the Russian attacks on Ukraine were even more hideous, we had not had a response to our letter, and I felt that we had no alternative but to break off our link with Perm. No pressures were exerted on me by anyone to make that decision. I felt it was the right thing to do and I asked Cllr Ed Turner who was acting on my behalf to liaise with opposition leaders and others to prepare an announcement of the ending of the twinning link. Since the

<b>29.SB1 from Cllr Malik to Cllr Brown – Oxford City Council link with the city of Perm</b>	
	announcement, I have had a number of emails from people involved in the Perm Link who are upset at the decision. While I understand their point of view, I do not share it.

<b>30.SB2 from Cllr Wolff to Cllr Brown – Termination of twinning link</b>	
<b>Question</b> I had always understood that establishing a formal twinning link with another City requires a vote at full council. Does the leader not agree that public communications on the establishment or termination of any twinning link should only be made once such a decision is endorsed by Council?	<b>Written Response</b> Before the last few weeks so had I! However, it turns out that is not the case. Matters that are reserved to full Council are set out in paragraphs 3.2 and 5.8-5.15 of the Constitution. All other matters are Executive functions. Establishing or terminating a twinning arrangement is therefore an Executive decision within the remit of the Leader of the Council. Due to the changing circumstances the decision had to be made quickly, with time only for limited consultation. Due to the sensitive nature of the matter I have formally notified Council this evening as part of the Leader's announcements, as a matter of courtesy; there is no requirement to seek an endorsement of the Council.

<b>31.SB3 from Cllr Jarvis to Cllr Brown – Oxford Brookes University industrial dispute</b>	
<b>Question</b> Staff at Oxford Brookes University are currently engaged in an industrial dispute through their union UCU, alongside fellow workers at universities across the country. The dispute centres around issues of pay, inequality, workloads and casualisation This is set to include a second wave of strike action from 28 March - 1 April. Has the Council expressed a view on the dispute? And would the leader be willing to: a. Write to the UCU branch	<b>Written Response</b> I have spoken to Alistair Fitt about this dispute and in turn I know he has spoken to those who are currently taking strike action. I am very sympathetic to the issues being raised by the UCU. In particular the casualisation of lecturing staff is shocking and pay does not reflect the very long hours of preparation, support for students and marking that is undertaken. I hope that in the interests of both university staff and students across the country this dispute can be ended

<b>31.SB3 from Cllr Jarvis to Cllr Brown – Oxford Brookes University industrial dispute</b>	
expressing the Council's solidarity with staff and the UCU? b. Write to the Vice Chancellor of Oxford Brookes University - Alistair Fitt - calling for him to use his influence within national negotiating bodies to bring an end to the dispute and secure a fair and just deal for workers?	satisfactorily and quickly.

<b>32.SB4 From Cllr Jarvis to Cllr Brown – Economic strategy publication</b>	
<b>Question</b>  Will the results of the consultation on the economic strategy be published in full? If so, will these clearly delineate the nature of responses between different stakeholders?	<b>Written Response</b>  The results of the recent consultation will be published with the Cabinet Paper that is scheduled to be considered by Cabinet in June 2022.  A consultation report will accompany the Cabinet paper. This will summarise the responses received both through the main survey but also in the workshops held. This will provide analysis of comments made by different stakeholder groups e.g. business or resident but to be clear it will not identify the individual business or resident. It will also provide a demographic breakdown of individual respondents by age group, ethnicity, postcode etc. where possible.

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**To:** Council

**Date:** 21 March 2022

**Report of:** Head of Law and Governance

**Title of Report:** Public addresses and questions that do not relate to matters for decision – as submitted by the speakers and with written responses from Cabinet Members

## Introduction

1. Addresses made by members of the public to the Council, and questions put to the Cabinet members or Leader, registered by the deadline in the Constitution, are below. Any written responses available are also below.
2. The text reproduces that sent in the speakers and represents the views of the speakers. This is not to be taken as statements by or on behalf of the Council
3. This report will be republished after the Council meeting as part of the minutes pack. This will list the full text of speeches delivered as submitted, summaries of speeches delivered which differ significantly from those submitted, and any further responses.

Addresses and questions to be taken in Part 2 of the agenda

1. Address by Pawel Swietach, Professor of Physiology (University of Oxford) – Twinning with Perm
2. Address by Karen Hewitt, Chair of Oxford Perm Association – Opposition to Ending the Twinning Agreement with Perm
3. Address by Nigel Gibson – Greyhound Racing Petition
4. Question from Alistair Morris – Community Group Tree Planting

## Addresses and questions to be taken in Part 2 of the agenda

### 1. Address by Pawel Swietach, Professor of Physiology (University of Oxford) – Twinning with Perm

I wish to address to the Council with respect to our petition, which after 2 days has collected over 100 signatures.

Further details are given in the link:

<https://you.38degrees.org.uk/petitions/end-oxford-s-twinning-with-russian-city-of-perm>

Cllr Upton suggested that I ask to speak directly to Council members on the next available meeting.

Briefly, in light of on-going events and their long-term fall-out, I am asking that Council ends the twinning partnership with Perm. I am petitioning this as someone who lived through communist Poland and spent teenage years in Saddam's Iraq, therefore I have experience of either side of "east-west" twinning programmes. The twinning project between Oxford and Perm operates as an association of local government, and any benefit to local people is invariably filtered through Putin's people, who hold all Perm's seats in the Duma and dominate local politics. The first UK-Poland twinning happened in 1974 between Plymouth and Gdynia, two port cities. It should not come as a surprise to you that this project was used in Poland for propaganda reasons, to legitimise communist rule in Gdynia. Plymouth did not suspend its twinning with Gdynia during the 1980s strikes, which was promptly exploited by communists to convince people that the strikers do not have the endorsement of the west. The continued link between Oxford and Perm will be used for propaganda reasons to convince ordinary Russians that we endorse Putin. I trust our Council appreciates the power and penetration of propaganda in this day.

Around the world, we see various forms of associations with Russia being uncoupled. The message we should send is a 'red card' to the authorities. People of Perm must realise that we do not endorse local Perm government. Perm is also a very unfortunate choice for a twinning city. Formerly, called Molotov, it was a 'closed' military city in Soviet times but after 30 years, it is still heavily reliant on supplying the Russian army. Indeed, the IL76 airplane engines that keep the people of Kharkiv and Kyiv awake at night are made in Perm. Moreover, even Perm's city website takes pride in these industries – even today, when these planes are bombing nurseries. Is this the sort of association Oxford wants to have? Is the continued association putting our great city in dispute? Are we really helping ordinary people?

Oxford projects to the world a message of peace and progress; but this message will be muffled by local authorities in Perm. Let us bypass local authorities and avoid photo-ops with Putin's partymembers, and, instead, support ordinary Russians more directly, like via NGOs. I know very well from communist times that city twinings had no impact on how Poland got out from behind the iron curtain – it was direct people-people contact that did it, not a signpost on the city limits or photo-ops with mayors.

I am well aware that an argument against my motion could be the case of our relationship with Bonn. We twinned with Bonn in 1947, only two years after the end of WWII. This must have been considered a high-risk project at the time, but it turned out to be a great success. However, we have now been twinned with Perm for 3 decades (since 1994) – and matters only got worse in Russia. In the history of our association, Perm and Oxford have never been more different. In contrast, 30 years were sufficient to transform West Germany into a democratic and respected state. We must draw lessons from this disappointing outcome with Perm. Must we wait another 30 years? Is the twinning *really* working?

I would like to present my case in front of the council, and propose that we twin with a Ukrainian city that really needs our help now.

**Written Response from the Leader and Cabinet Member for Inclusive Growth, Economic Recovery and Partnerships, Councillor Susan Brown**

Oxford City Council utterly condemns the invasion of Ukraine by the Russian government led by President Putin. We have made it clear that Oxford's friendship links are with the cities and their people, not their governments and that they and our twinning links have been valuable in building relationships between our city and other countries. Official twinning arrangements have also allowed us to raise concerns with our twin cities about the actions of national governments – for instance in the past we

have raised serious concerns about the anti LGBTQ legislation pushed through by Putin's government with the City of Perm and expressed our solidarity for LGBTQ people in Perm. After the Russian invasion of Ukraine, the Lord Mayor and I wrote to the Mayor of Perm condemning the invasion and expressing our support for those in Perm who were bravely opposing the war. News from Ukraine got ever more grave, and Russia's appalling breaches of international law ever greater. I therefore took the decision on 4 March that our twinning relationship with Perm was no longer tenable. I believe that the County Council, whose link with Perm Region predates ours with the City of Perm, may also be seeking to end their link.

We are sure that, even though the formal twinning link has ended, many of the personal relationships between individual citizens of our cities will be maintained, which we very much welcome as the people of Russia are now cut off from any independent news and fed a diet of state propaganda. We hope that at some point in the future we may be able to rebuild this twinning link, based on the enduring friendships that led to it being established in the first place and in the vein of our first twinning link in Oxford, that with Bonn which was set up just a couple of years after the end of the Second World War.

We continue to value our twinning links and have been in touch with our twin city of Wroclaw in Poland, where there was already a substantial Ukrainian population and which is in turn twinned with Lviv in Ukraine to ask how we might support them in their efforts to support refugees. We have also contacted the UK Government to say that Oxford stands ready to play its part in supporting Ukrainian refugees. We welcome the news that two child cancer patients and their families have been brought to our city to receive treatment and be cared for. Along with the many generous citizens offering accommodation, we are waiting to hear from the UK government how refugees will be brought here and what we need to do in order to ensure their safety and comfort. I would also like to take this opportunity to thank the many kind people in Oxford who have raised funds and sent donations to support Ukrainian refugees.

I want also to directly address the call that has come from some quarters to twin with a city in Ukraine. Twinning relationships take time to develop and are made through the genuine connections of dedicated citizens in Oxford with those in another city who wish to reciprocate friendship links. Over the years, we have developed a process to achieve twin city status, which includes setting up a voluntary link that evidences ongoing activity with a cross-section of communities in Oxford and the proposed twin city over a number of years. We encourage anyone who wishes to start the process of international friendship to do so. Very sadly, I do not think that any city in Ukraine is currently going to be able to focus on these sorts of issues, as they deal with the huge task of daily survival. My heart goes out to those brave civic leaders, some of whom have been kidnapped by Russian forces for refusing to give up on the task to which they were democratically elected, which is to serve and look after their local populations.

Anyone who wants more information on the twinning process can find further details on the Oxford City Council website at

[https://www.oxford.gov.uk/info/20139/oxford\\_international\\_links/1401/our\\_twin\\_city\\_process](https://www.oxford.gov.uk/info/20139/oxford_international_links/1401/our_twin_city_process)

## 2. Address by Karen Hewitt, Chair of Oxford Perm Association – Opposition to Ending the Twinning Agreement with Perm

I am the Chair of the Oxford Perm Association and I am here to ask the Council to overturn the executive decision made on 4<sup>th</sup> March to end our twinning agreement with Perm. I know that it will be difficult to persuade you, but please listen to me for 4 minutes.

Of course I condemn the invasion of Ukraine by Russia. It has caused so much suffering and will cause more. Thousands of citizens of Perm also condemn it, but they are not allowed to protest as we are.

On 26<sup>th</sup> February two days after the Russian invasion of Ukraine, the Leader of the Council made a statement thus:

*Our friendship links are with the cities and their people, not their governments, but have allowed us to raise concerns with our twin cities about national governments actions.*

This was clear and firm about the nature of our links with Perm.

Six days later, the Leader issued a new statement:

*we are taking action to end our twinning agreement until such time as Russia's appalling breaches of international law cease.*

What had changed?

The answer is that there had been an online petition, asking the Council to break the links with Perm. The councillors for some reason found the pressure from this petition intolerable. An online petition! They could have solved that situation easily. But the council did not contact me as Chair of the Oxford Perm Association, it did not consult Oxford International Links, a body set up to co-ordinate the various city links. It totally failed to find out what other Oxfordians thought.

I need hardly say that Perm City Council heard this new statement with shock and disbelief. At a time of acute stress, fear and pressure on civic institutions in Russia, why had we suddenly abandoned them when they most needed our support? Perm's German twin, Duisburg, and its American twin, Louisville, told the Mayor of Perm that they believed their long-standing civic connections were strong enough to survive until peace eventually arrived.

Who were the people who started this petition and those who clicked 'Yes'? They were not involved in any of Oxford's twinning activities. They didn't the understand that the 27 years of co-operation between Perm and Oxford – co-operation in art and dancing, in football and ethical journalism, in medical projects and neighbourhood associations, in hundreds of people from Oxford living with Perm families, and hundreds of people from Perm living with families in Oxford – that this co-operation was about the efforts of ordinary citizens to make the world a more friendly and trustworthy place.

The founder of this petition, a Pole, explained that he felt ashamed every time he entered Oxford and saw the words **Twinned with Perm, Russia**. Now Poles have plenty of reasons to dislike Russians, as do Ukrainians living in Oxford. Many of them signed the online petition. Fine – but why are they allowed priority over all the other communities which have worked happily with civic associations and the ordinary people of Perm and elsewhere for years?

Are we in Oxford willing to wipe out the words **Perm, Russia** on our noticeboard because some groups dislike (however understandably) Russians?



This is not the tolerant, liberal, decent city that I believed I lived in. In my opinion, giving into this petition is a sign of Russophobia. That is what we have come to! In times of war, hatred, fear and bitterness, Oxford should rise above such beliefs. I request you, beg you, to overturn this rather terrifying decision and re-create trust in people who need us.

Karen Hewitt

**Written Response from the Leader and Cabinet Member for Inclusive Growth, Economic Recovery and Partnerships, Councillor Susan Brown**

Oxford City Council utterly condemns the invasion of Ukraine by the Russian government led by President Putin. We have made it clear that Oxford's friendship links are with the cities and their people, not their governments and that they and our twinning links have been valuable in building relationships between our city and other countries. Official twinning arrangements have also allowed us to raise concerns with our twin cities about the actions of national governments – for instance in the past we have raised serious concerns about the anti LGBTQ legislation pushed through by Putin's government with the City of Perm and expressed our solidarity for LGBTQ people in Perm. After the Russian invasion of Ukraine, the Lord Mayor and I wrote to the Mayor of Perm condemning the invasion and expressing our support for those in Perm who were bravely opposing the war. News from Ukraine got ever more grave, and Russia's appalling breaches of international law ever greater. I therefore took the decision on 4 March that our twinning relationship with Perm was no longer tenable. I believe that the County Council, whose link with Perm Region predates ours with the City of Perm, may also be seeking to end their link.

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currently going to be able to focus on these sorts of issues, as they deal with the huge task of daily survival. My heart goes out to those brave civic leaders, some of whom have been kidnapped by Russian forces for refusing to give up on the task to which they were democratically elected, which is to serve and look after their local populations.

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### **3. Address by Nigel Gibson – Greyhound Racing Petition**

“We the undersigned petition the council to work cross-party and support the development of leisure facilities at Oxford Stadium in line with the Local Plan, but that do not involve greyhound racing or gambling”

Greyhound racing failed at the Old Stadium in 2008 - there is no widespread support for this activity across the UK or for resuming it in our city; the cruelty involved in breeding and racing greyhounds is well documented, and should no longer have a part to play in a city with the prestige of Oxford.

Greyhound racing has little relevance to modern society – there is an increasing awareness of the cruelty to animals that it involves. And the focus on gambling and drinking (needed in order to make a profit), is surely not something to be encouraged anywhere and especially not in an area of high deprivation such as Blackbird Leys.

The consequences for the greyhounds involved are appalling. As well as the obvious casualties at a race, many greyhounds don't survive training and are discarded – while a small proportion may be rehomed as pets, many more simply disappear <https://www.cagednw.co.uk/greyhound-disposal.html> .

The idea of this exploitation of animals in the 21<sup>st</sup> century, jars starkly when compared to the forward-thinking ambition shown by Oxford, for example in its move to have the first zero emission zone in the city centre.

Oxford City Council has designated the Old Stadium for leisure activities in the latest Local Plan. The site is currently owned by a developer, and leased to someone who is planning to reopen the Stadium as a venue for greyhound racing. It has been noticeable that since the announcement, other activities have been suggested as a supplement – unrelated to greyhound racing, but looking to appeal as a way of justifying operating alongside this cruel ‘sport’. As a campaign group, we have already suggested many of these activities as part of the alternative solution – and that solution would be cruelty-free.

Instead of focusing on gambling and alcohol, the site can be put to much better use as a leisure facility that is inclusive, providing a range of participatory activities for all ages and dis/abilities, centred around Oxford's reputation as a cycling city through the development of a velodrome. This focus will enable a variety of cycling activities as well as the attraction of an elite sport, offering a hub for additional activities including reuse of the existing building and land.

This use would better reflect what people actually want from leisure activity nowadays – to stay fitter, to stay active for longer, and so have more fulfilling lifestyles. There is a need for facilities to match these needs.

The current ambition for the facility is doomed to fail – the Stadium closed over 10 years ago because greyhound racing (and speedway) proved economically unviable. This was because both activities were historic rather than current, and the decreasing demographic they were able to attract then is even smaller now as it appeals less to younger people. There is no reason to suggest that returning to such a use would thrive.

And with failure, the developers may well then take the opportunity to argue that as it is not economic, no other leisure activities can succeed, and that inevitably more housing should then take its place. That would certainly be a justification for their investment in a land bank, BUT, whilst more housing is welcome and desirable across Oxford, facilities to support the quality of life of the inhabitants, such as green space and leisure activities, must also be present to balance any increase in housing density. And we must remember that this location has been designated by Council for leisure under the Plan – it can have no other use.

Outside London there is nowhere between Southampton and Derby for elite-level cycling that would be suitable for potential Olympians. A velodrome in Oxford could provide just such a focus, an ideal addition to our city with its heritage in and reputation for cycling.

And apart from the elite cycling, a velodrome, as shown in places like Herne Hill Velodrome, <https://www.hernehillvelodrome.com> , would support related, sustainable and complementary activities like BMX, go-karting, climbing wall, dance, arts, café and community space and a range of other activities, including Frank Bruno's Wellness Hub, to support physical and mental health, for all ages and abilities.

Oxford is renowned as a city of bicycles and not just for students, stretching back to the tradition of most workers cycling each day to and from the Car factory, to nowadays being the most convenient mode of transport with minimal impact on climate change. We need to look forward, not back.

We are looking to you, our Councillors, who have been voted in in part to take responsibility for the health and wellbeing of the people of Oxford, to work together, cross-party, to support the ambition of many and ensure that accessible, participatory, sustainable and very 'green' leisure activities are provided for the many that want and need them.

**Written Response from the Cabinet Member for Culture, Leisure and Tourism,  
Councillor Mary Clarkson**

The Council's involvement at the Oxford Stadium was to ensure the site was protected for community use. We do not own the Stadium or play a role in running it, and there is no decision within the remit of Oxford City Council as to whether or not greyhound racing returns to Oxford Stadium. The licensing of the racing would be by the national body, the National Greyhound Board of Great Britain, not the Council.

The site is allocated in the Local Plan for community and leisure uses with enabling residential development on the car park. Policy SP51 states that in circumstances in which speedway and greyhound racing are not viable, "...residential-led development supported by appropriate uses that will benefit the wider community, for example, complimentary leisure or community uses...will be supported". The City Council will consider any planning application for the site in this context.

#### 4. Question from Alistair Morris – Community Group Tree Planting

*Question to the Cabinet Member for Parks and Waste Reduction, Councillor Lubna Arshad*

Speaking to Council 4 years ago, I asked why Community Groups could not be more involved in Council work. Here we are 4 years later in the midst of a Climate Crisis, and still nothing has happened. I refer specifically to planting trees along street verges, at the very least, replacing those that have been removed/felled, which I believe are supposed to be replaced. The council may be too busy/not have the finances, but why can responsibility not be passed to community groups? All you need do is check for services, recommend correct tree species, show us how you would like the trees planted and let us get on with it!!! We can supply tools, materials, trees and labour! Why is that sooooo hard to do? The IPCC said recently, that we are on track for an unsurvivable future, and yet we just carry on INCREASING our emissions. I know the Council is doing a lot, but there is more you could easily be doing. YOU HAVE GOT TO DELEGATE, and trust in people's resources, energy and commitment! For their own mental health, if nothing else!

Best future, or at the very least, a future please, Alistair Morris

#### **Written Response from the Cabinet Member for Parks and Waste Reduction, Councillor Lubna Arshad**

Oxford City Council is using this Platinum Jubilee year to contribute to *the national Queen's Green Canopy* (QGC) project – a project that encourages everyone including individuals, community groups, organisations, schools and businesses to **“Plant a Tree for the Jubilee”**. This coincides with launching the implementation of our Urban Forest Strategy which was published last year.

In response to the climate emergency, Oxford City Council has planted over 10,000 new trees in its green spaces in the last 5 years. What we need now is help to increase the number of street trees and in order to achieve this we will engage with our communities.

Planting and maintaining healthy street trees is an involved and costly process. This is due to the complexities of establishing viable tree pits adjacent to highways in pavement areas and verges with subsurface utilities, and the on-going care needed to avoid root compaction and canopy health. The Council does not always have control of the land, but where we do, ODS states that the cost of purchase, establishment, watering, on-going arboriculture care and insurance of each street tree costs around £20,000 during the course of its life. We would welcome support from community groups to help us raise funds for more street trees and to help us maintain them, particularly with watering.

This month the City Council is launching a Street Tree Sponsorship scheme. We are looking for sponsors to fund the initial phase to establish a tree pit, purchase and plant a semi-grown tree and water it for the first three years. We plan to provide a new avenue of street trees in at least one location to mark the Jubilee.

We are working with the Oxfordshire Trees Collaborate Group (part of the CAG network) to design a city wide campaign to encourage residents to plant a tree in their own garden or communal space. We are providing links and advice on what and how to plant, and where possible, the trees themselves. We will be linking in to many community groups across the city to help us deliver this and we welcome your support.

With regard to tree felling the Council has a Tree Policy which makes a commitment to replacing trees that have been felled or removed. Trees need to be felled for a variety of reasons and in some cases it is not possible to replace the tree in the same location. The City Council will try to improve our communication where this is the case.

**To:** Council  
**Date:** 21 March 2022  
**Report of:** Head of Corporate Strategy  
**Title of Report:** To provide Council with the annual partnership update report on the Oxfordshire Children's Trust

## Summary and recommendations

<b>Purpose of report:</b>	To provide members with an update on the work of the Oxfordshire Children's Trust and how the Council has supported it through its own activities.
<b>Key decision:</b>	No
<b>Executive Board Member:</b>	Cllr Shaista Aziz, Inclusive Communities
<b>Corporate Priority:</b>	Support Thriving communities
<b>Policy Framework:</b>	Council Strategy 2020-2024
<b>Recommendation: That Council resolves to:</b>	
Note the report	

Appendices	
Appendix 1	Children Trust Board Governance Structure
Appendix 2	Send Consultation Response
Appendix 3	Children and Young people's plan

## Introduction

1. The Oxfordshire Children's Trust Board ("the Trust") brings together the public, private and voluntary sectors to improve outcomes for all children and young people who live in the county.
2. The objectives of the Trust are to ensure that agencies work together effectively and strategically to deliver children's services.

3. The Trust reports to the Oxfordshire Health and Wellbeing Board and influences and supports its work to improve outcomes for children and young people and their families.
4. The governance structure for the Trust can be viewed in appendix 1.
5. The Trust meets four times a year. The Trust has continued to meet virtually through the pandemic.
6. The voice of children and young people contribute to these arrangements through VOXY (Voice of Oxfordshire Youth), and their representatives attending the Trust meetings.
7. The voice of parents and carers is represented by Parent HealthWatch ambassadors

### **Background – membership and purpose of the Oxfordshire Children’s Trust Board**

8. The purpose of the Trust is to:
  - Oversee key areas of multi-agency strategic planning for children and young people
  - Improve outcomes for children in relation to being successful, keeping safe, staying healthy, and being supported
  - Drive the integration agenda where there is evidence that integrated working between partnership agencies and members of the Trust Board will improve outcomes for children and young people
  - Champion the involvement of children, young people, parents and carers in partnership working with senior managers and politicians in the planning and delivery of services
  - Ensure the Oxfordshire Health and Wellbeing Board and other partnerships are sighted on the key challenges facing children and young people in Oxfordshire.
9. The Chair of the Trust is Councillor Liz Brighthouse (Oxfordshire County Council Cabinet member for Children and Family Services) the Deputy Chair is Jody Lloyd Jones (Oxfordshire Youth).
10. The two District Council positions on the board are held by Cllr Shaista Aziz (Oxford City Council) and Cllr Merlin Davies (West Oxfordshire District Council) both of these positions represent Oxford City Council and the other Oxfordshire district councils on the Trust. Oxford City Council and the other Oxfordshire district councils’ involvement and engagement in the Trust is supported by the Oxford City Council’s Policy and Partnership Team Manager.



## **Areas of work that have been reported on and raised at meetings of the Trust for 2021/22 are**

11. In 2020-2021 the Trust priorities were:

- Children missing out on education
- Social and emotional wellbeing and mental health
- Protecting children from domestic abuse

12. The priorities were agreed and supported by the Joint Strategic Needs Assessment, quality and performance data gathering across partnerships and youth engagement events across the county.

13. A series of workshops were held across the Trust partnership to review the performance, outcomes and impacts against each priority.

14. The main area of continued concern for the Oxford City Council was the continued poor performance against the “children missing out on education” priority through low attendance, and the significant attainment gap between disadvantaged children in Oxford and all other children. The impact of the COVID-19 pandemic was expected to have widened this attainment gap even further.

15. The most recent performance data sets support this concern, showing that in the period September – December last year nearly 1 in 4 children were persistently absent from school - twice as high as a year ago. There is a clear concern post-COVID that not all children are firmly ‘back into schools.’ To note: the levels of children that were electively home educated is also 40% higher than pre Covid-19. This figure was already rising before the pandemic.

### **Educational Attainment**

16. To challenge and support the Trust Partnership, Oxford City Council has created a workstream focused on educational attainment within the Council-sponsored Oxfordshire Inclusive Economy Partnership (OIEP), which was created in 2021, spun out from the Oxford Strategic Partnership Education Summit 2020.

17. The OIEP reports in to the Future Oxfordshire Partnership and its Educational Attainment workstream includes senior educationalists from schools, further and higher education, employers and others. The Oxford City Council-sponsored Oxford strategic partnership (OSP) to convene and education summit, which was held in October 21. One of the outcomes of this summit was that an educational attainment working group would be developed as part of the Oxford Inclusive Economy partnership (OIEP) work plan.

- The starting point was to focus on the Upstream work of OXLEP Skills Board/Skills advisory panel (esp. Skills Plan)
- There are significant gaps in Oxfordshire around English/Match GCSE attainment as a Barrier to accessing Level 3 skills qualifications. Priority should be Level 3 as OxLEP’s skills plan does not concentrate on this area.

- Review relevance of successful initiatives from elsewhere and amplify/align existing initiatives and to identify areas for strengthened support
  - Range of empowerment tools to be shared with schools to enable this strategic Intervention
18. The working group used a design thinking approach and ran a facilitated design thinking session held at Activate in November 2021, the overarching design challenge set was: ***‘How might we improve educational attainment in Oxfordshire so that more 16-year-olds are aspirational and level 3 ready?’***
19. Three sub group workstreams were developed as a result as areas for action:
1. How Oxfordshire can develop a mentoring scheme for young people so that we can promote identity, belonging and motivation
  2. How Oxfordshire can develop a framework to extend voluntary workforce to support learning and improve signposting to wider support
  3. How Oxfordshire can grow the parent advocate model activity, listening to more parents and carers and responding to their issues and insights

## **SEND Transformation**

20. The Local Area receives funding from government to meet the needs of children and young people with Special Educational Needs and Disabilities (SEND).
21. The ambition is for all children and young people with SEND to have the right support and opportunities at the right time so that they go on to live rich and fulfilling lives at the heart of their communities.
22. Involving head teachers, Local Authority education, social care, health, parents and carers, a Local Area SEND Strategy has been co-designed and co-drafted and is currently out for consultation.
23. The draft Local Area SEND Strategy sets out four priority areas:
- Improving outcomes for children and young people with SEND
  - Developing a continuum of local provision to meet the requirements of children and young people with SEND
  - Good physical and mental health and wellbeing
  - Positive move into adulthood for young people with SEND
24. Oxford City Council with input from officers across the Council and members have responded to this consultation. The full response can be viewed in appendix 2.
25. Once the strategy is finalised implementation plans will be developed which focus on taking actions to reduce inequalities.
26. The Oxford City Council’s Children and Young People’s Strategy (“the CYPS”) remains highly complementary to the work of the Trust. The CYPS shows how

the Council supports the delivery of its priorities. The CYPS also makes connections between work streams to ensure the most effective use of resource for the Council.

## **Council Achievements 2021**

### Youth Ambition

27. The aim of the Council's Youth Ambition Team is to build meaningful relationships with disadvantaged young people aged 11-19 years old, (or up to 25 if they have physical or learning difficulties), who are from Oxford's regeneration areas.
28. We have started to build back the in-person delivery when guidance eased from September 2021. This has included running 7 open access sessions such as youth clubs, work hubs and sports sessions within our most disadvantaged areas.
29. We have been linking more closely with schools and partners to ensure the right level of support is offered to young people and their families through the council's youth work programmes.

A couple of examples of our work with schools includes

- Supporting a group of 11-14 year olds in St Gregory the Great around making positive decisions, improving well-being and developing & improving their independent and social skills. We have delivered and facilitated a range of activities during which young people were able to explore their values, beliefs, ideas and issues in a safe space. In total we have reached 17 young people engaging them in informal activities, such as physical activity, arts & crafts and a range of team-building activities. The first group consisted of 6-8 young people who are at risk of NEET. Within our session's young people have demonstrated the ability to reflect on their own behaviours and identify the impacts these have and where they stem from. The second group consists of 8-9 young people and focuses specifically on positive-wellbeing, confidence & self-esteem and helping young people recognise and understand issues that are affecting them on a wider-level.
  - We also worked the Oxford Academy on a 10-week programme called Mind & Body and looked to explore the connection between mental health and physical health. Individuals were identified by the school using a number of needs indicators. Firstly the school used a base line fitness test to identify those with poor physical fitness or poor engagement with the school PE curriculum. This was then cross referenced with teacher observations about the young people in question regarding their presenting mental health within school and those who were presenting with low self-esteem and/or higher levels of anxiety were targeted to attend.
30. We have also been working with partners such as Oxfordshire Youth and Active Oxfordshire on the Life Chances Programme. Improving Life Chances is

primarily aimed at young people aged 11 – 17 who are excluded or not attending school, have offended in the last 12 months, or are not in education, employment or training. It embraces the influences from sport, youth work and criminal justice sectors and is defined by a purposeful intention to change, rather than simply manage, young people's behaviour and lives.

31. The programme involves a combination of mentoring, physical activity, hard-hitting workshops, volunteering opportunities and accredited qualifications. We work with young people who are facing challenges in their lives and help them to engage with physical activity, education, and their local communities. The desired outcomes for young people engaging with chances are:
  - Increase attendance.
  - Achieve a qualification.
  - Zero offending whilst involved in the programme.
  - Completion of a three-month volunteering or 30 hour work placement.
32. The initiative will take place in the wards of Blackbird Leys, Barton, Wood Farm, Littlemore and Rose Hill. We encourage all schools, organisations, and agencies in Oxford City to discuss this opportunity with young people that would benefit from the programme, and to refer to us any young person who is interested.
33. The Children and Young People's Partnership, represented by schools, the Oxford City Council, Oxfordshire County Council, police, health, and the voluntary care sector, will discuss how to work better together and share messages through local channels.
34. The Partnership has met more frequently during the COVID crisis to share information and to join up our work to support children and young people. Over this period of increased uncertainty, the partners agreed it was essential to have a clear, straight forward shared aim, this was agreed as – *"We will work better together to support children and young people."*
35. The City Council have continued to work with the County, TVP and the Oxford Hub in the Community Impact Zone (CIZ). Our aims are to create more opportunities for children and families in the four key areas of Cowley Marsh, Cowley, Blackbird Leys and Northfield Brook.
36. We have also been working very closely with the County Council on key initiatives to help shape and focus the new resource that the County Council is investing in children and young people delivery across the City. What is key to note is that need within the City is greater than resource levels available.

#### Community Centres

37. There are 16 Community Centres in the city. Many host youth clubs, stay and play sessions, educational sessions and many more activities and events for young people.

### Leisure facilities

38. The council funds a number of free swimming lessons for 5 to 16 year olds in receipt of benefits and living within Oxford City (postcodes OX1 to OX4).
39. Children and young people aged 16 and under and who live in Oxford swim for free during all general public and family swim sessions at Barton, Ferry and Leys Pools and leisure Centre and Hinksey heated Outdoor Pool (seasonal). A free swim card is required for these sessions, which can be applied for at one of the Oxford leisure facilities. Once signed up for the card can be used at any of the above mentioned facilities.

### Oxford Town Hall

46. The Oxford Town Hall offers events spaces for hire, which can include events accommodating children.
47. It also subsidises some of these events including the FUNomusica, which is a family concert that we host on a regular basis.
48. There is a café area that welcomes families and children.

### **The Council's Cultural Education Programme –**

49. The Cultural Education Partnership (CEP) is currently delivering the Feeling Safe project which is supporting the mental health of 1,940 young people via 41 schools and non-school settings over the next year. From January 2022 to date, 350 young people have engaged with artists in 10 schools and so far created over 300 artworks in a range of media and styles. The CEP raised £205K for this work from COMF funding and via Artwork and contributions from District Councils.
50. Part of the Feeling Safe project is running training and continuing professional development support for practising artists and teaching staff in schools. Throughout March 2022 we are delivering 3 x Mental Health Training courses (one for primary schools, one for secondary schools and one for artists and arts organisations). This is being delivered by Oxfordshire Youth. We are also embedding Mental Health training in to our wider network and will be delivering 2 x Mental Health first aid courses (which are longer courses) and offering these to youth leaders, artists and teachers. These will take place after Easter.
51. The Feeling Safe project is evaluating different approaches to engagement with C&YP about mental health including work with the MHST and will use the [UCL Toolkit](#) for evaluation. The Toolkit was produced by researchers from University College London (UCL) Museums & Public Engagement and funded by the Arts & Humanities Research Council (AHRC).
52. The Museum of Oxford has reopened and is running regular workshops for schools and holiday activities for hundreds of young people and their families. The official launch will be in the Easter holidays 2022.

53. During the summer and autumn of 2021 we worked with our cultural partners and young people in Oxford's localities to co-create the Christmas Light Festival 2021 in 6 neighbourhood hubs. Thousands of young people took part as organisers as well as artists and audiences.
54. Over 2000 young people and their families are involved in Dancin' Oxford's year round outreach programme 2021-22 including Fam Jam regular dance sessions for families in Rose Hill/Barton (365 participants), Early Years project for 48 families across 3 settings, Family Dance Party (355 participants) and the Spring Dance Festival.
55. The Spring Dance festival launch 2022 was held in the Westgate 2 days ago on Saturday 5 March so the film isn't ready yet – over 130 young people performed to hundreds of shoppers throughout the day.
56. In 2021 we created 2 Global Dance Films with dancers from Oxford and our twin cities with over 200 young participants.
57. In 2021, 30 young people from Oxford, 52 young people from Ramallah and many more online participants took part in the Artivism Festival which received over £40K funding from the British Council. The project was so successful, the British Council have just confirmed £70K funding to run 'Ultra Arts' International Youth Theatre Festival with 10 young people from Oxford going to Ramallah in July 2022.
58. On 26 March 2022 Oxford City Council are hosting the first Teenage Market in the city. The Teenage Market will be part of the weekly outdoor Oxford Gloucester Green Market and will be a fantastic opportunity for local young people to showcase their performances and sell their art, craft, products, and services.
59. Oxford City Council has been represented on the key sub groups of the Trust throughout the year. This has included influencing, challenging and helping to shape services.

### **The Youth Partnership Board**

60. The Oxford City Council facilitates a Youth Partnership Board. This board is chaired by a secondary school head teacher and includes representatives from the City Council, Oxfordshire County Council, the health sector, business, Mind, Thames Valley Police, Oxfordshire Community and Voluntary Action (OCVA) and young people. The Council's Cultural Education Partnership reports into the Youth Partnership Board.
61. The Oxford City Council is represented on the Learner Engagement Board, the Strategic Schools Partnership, the Domestic Abuse Strategy Group and the Early Help Starter Group. This enables the effective sharing of information to protect the safety of vulnerable children and young people.
62. The Council's Community Safety Team provides partnership oversight of anti-social behaviour, child exploitation and county drugs lines and modern day slavery and the Council has used the partnership to cascade and inform its own practice in relation to young people's pathways and access to services.

63. This work has supported the Council to achieve best practice in its safeguarding practice in relation to children this year.

### **Children's Trust Focus for the year ahead**

64. The priorities for the Children's Trust are reviewed and decided annually by the Board

65. The priorities for the Trust 2022/23 are

#### **Be Successful**

1. Have the best start in life.
2. Access high quality education, employment and training that is motivational.
3. Go to school and feel inspired to stay and learn.
4. Have good self-esteem and faith in themselves.

**Priority focus for 2021/22: Focus on children not engaged in education**

#### **Be Happy and Healthy**

5. Be confident that services are available to promote good health and prevent ill health – early in life and before crisis.
6. Learn the importance of healthy, secure relationships and having a support network.
7. Access services to improve overall well-being.
8. Access easy ways to get active.

**Priority focus for 2021/22: Focus on social, emotional, physical & mental well-being**

#### **Be Safe**

9. Be protected from all types of abuse and neglect.
10. Have a place to feel safe and a sense of belonging.
11. Access education and support about how to stay safe.
12. Have access to appropriate housing.

**Priority focus for 2021/22: Focus on domestic abuse**

#### **Be Supported**

13. Be empowered to know who to speak to when in need of support and know that they will be listened to and believed.
14. Access information in a way which suits them best.
15. Have inspiring role models. Talk to staff who are experienced and caring.

**Priority focus for 2021/22**

66. The full set of deliverables can be viewed in appendix 3. Children and young person plan.

67. The Trust has jointly met with the Health and Wellbeing Board (HWBB) members this year to consider a joint set of 3 key priorities.

68. The three priorities for 2022-2023 for a joint focus agreed by HWBB are:

- emotional health and wellbeing
- 0-5s
- early help and SEND early intervention

69. Over the next few months, the Children's Trust Board will be looking at how we, as a partnership, can address those issues. Proposals are to be brought to the next CTB meeting in May.

70. Oxford City Council will participate in the proposal discussion on each priority.

71. With significant rises and demands on mental health interventions in Oxfordshire, members of the Joint Commission Executive and Oxford Health colleagues are trying to develop different ways of approaching the range of mental health needs.

72. A presentation was given by Kevin Gordon, Corporate Director of Children's Services, Oxfordshire County Council, along with representatives from Oxford Health about how we are trying to manage these demands.

73. It concluded going forward the Health Plan for Emotional Mental Health and Wellbeing needs to try and provide services at an earlier point where young people need some of those clinical interventions.

74. A focus group with members of CAMHS, Voluntary Sector and wider strategic partners will be looking at key gaps and needs for children and young people and considering opportunities where improvements to the mental health services across Oxfordshire can be made.

75. The plan is to have a panel to evaluate the identified opportunities to come up with a short list for proposals and how we might fund it to make a real difference going forward.

76. The intention is to launch the strategy in May at the Youth in Mind Conference.

77. The Council's Policy and Partnership Team Manager has worked closely with the Director of Community services, Head of Communities, the Youth Ambition Team a HUB teams and the current portfolio holder to ensure that key priorities of the Trust and recovery plan objectives align with the Council's own corporate priorities for children and young people in Oxford. This has involved participating in task and finish groups over the last 12 month period to review the plan and over the next few months participating in key focus groups to consider how as a partnership we can develop and shape the deliverables against the priorities. In addition the role will ensure that opportunities are shared and explored in relation to the launch of the Health plan for emotional health and well-being in children.

## **Challenges for External Environment and Capacity**

78. There are emerging issues from the impact of COVID-19, an increase in self-harm, mental health, home electively educated increase and an increased gap in attainment for vulnerable children. Issues children are facing are becoming ever



more complex and these will need to be supported within existing system resource.

79. The SEND transformation will need to be realised locally with limited increase in resource and there will be a need to work as a system to enable delivery and the best possible outcomes for our most vulnerable children.

### **Challenges for Culture**

80. There are still some challenges ensuring that young people are everyone's responsibility and not that of just one agency and ensuring that all partners are engaged in the work delivery of the Children and Young People's implementation Plan. Oxford City Council remains one of the key voices in encouraging this to happen.

### **Financial implications**

81. This report does not contain additional or specific expenditure commitments.

### **Legal issues**

82. There are no legal issues associated with this partnership report.

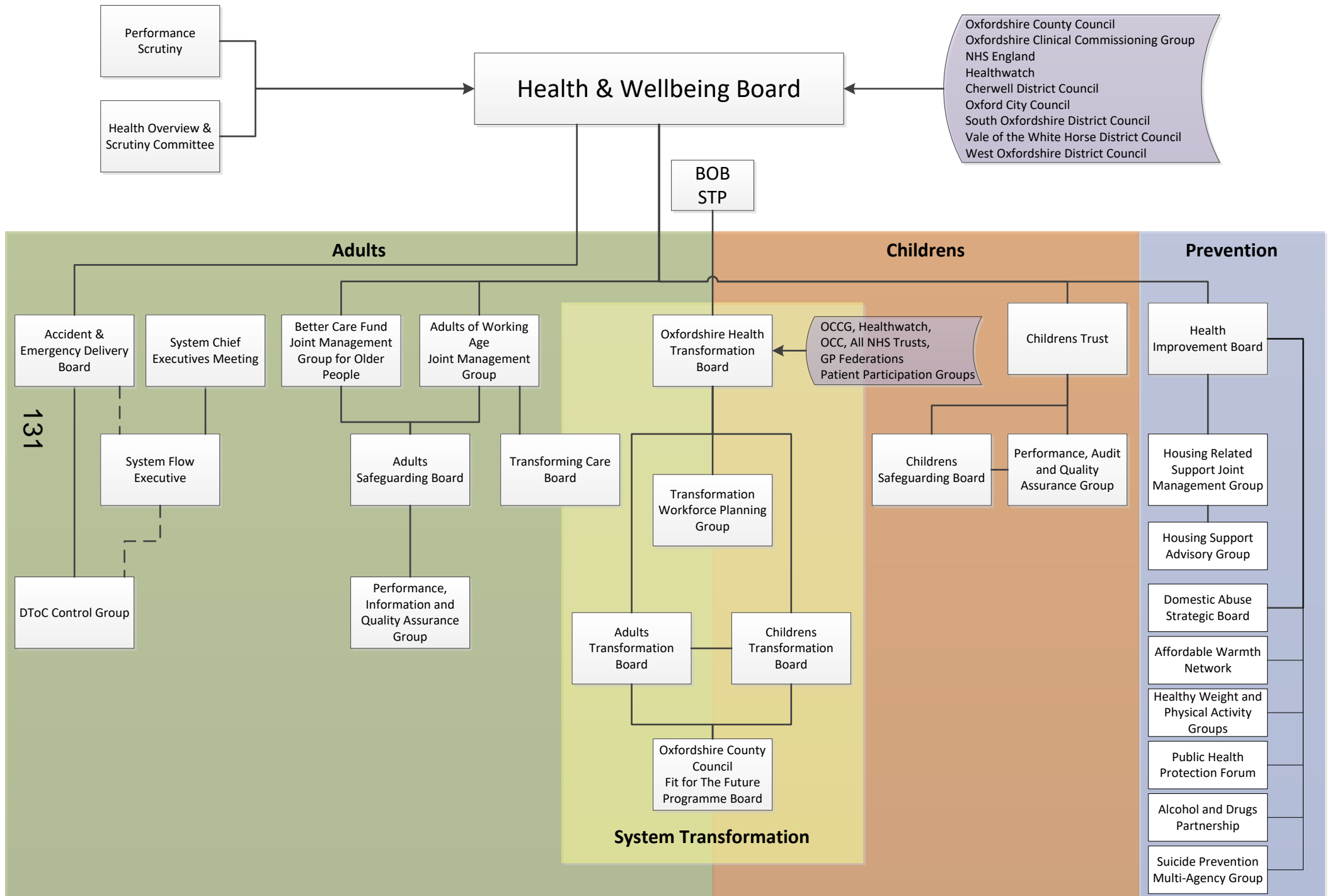
### **Equalities Impact**

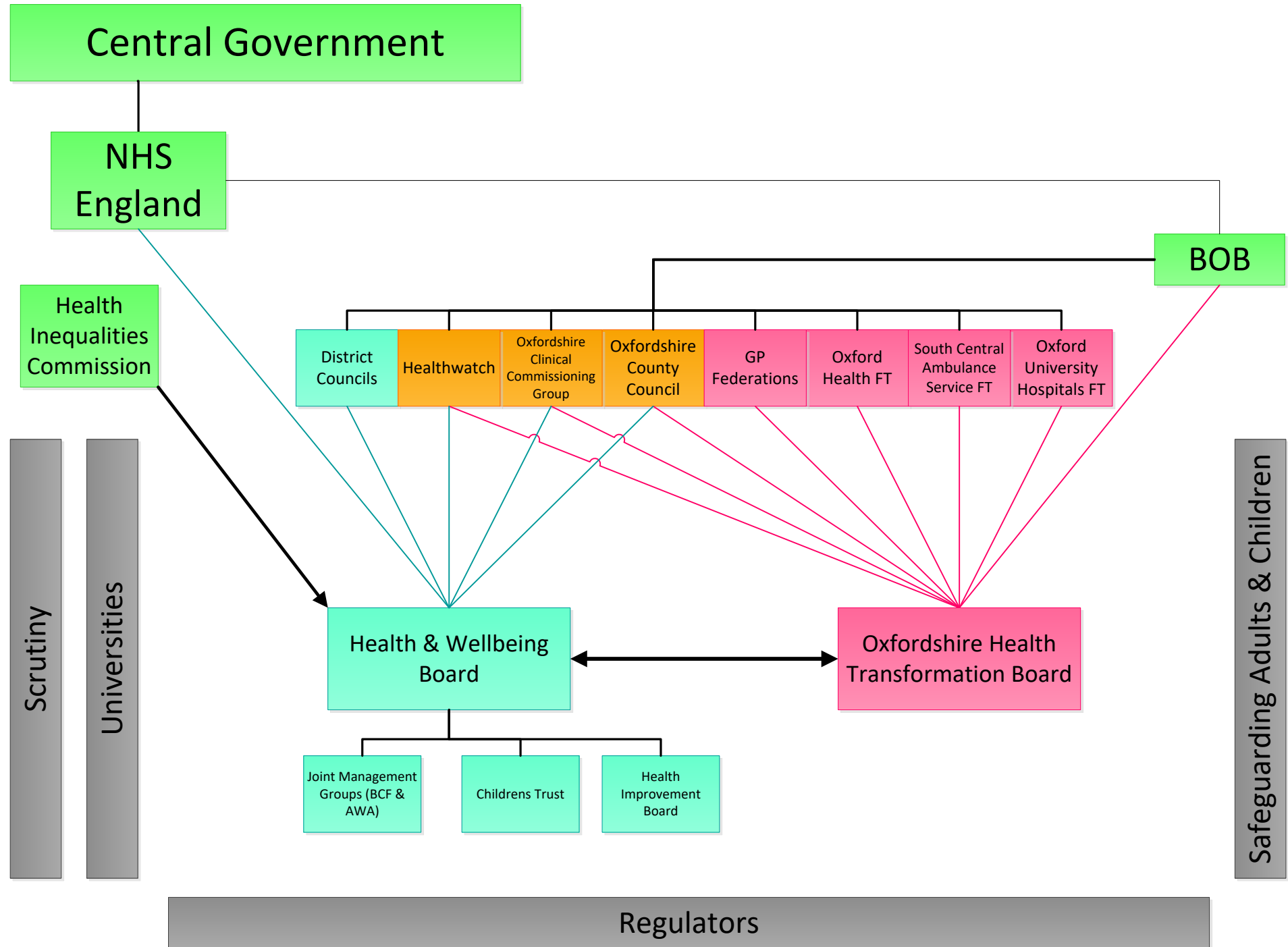
83. All the work that Oxford City Council deliver through projects and programmes for young people have been through a thorough Equalities Impact Assessment. It has been undertaken in several stages – All to help inform the development of key areas of this work;
84. The initial scoping of the impact assessment was done via online focus groups, which were attended by a cross-section of members, officers, equalities ambassadors and community leaders with relevant protected characteristics and lived experience:
- Black, Asian and Minority Ethnic and Race Advisory Group – 14<sup>th</sup> September 2020
  - Black, Asian and Minority Ethnic Women and Talent Development – 15<sup>th</sup> September 2020
  - Black, Asian and Minority Ethnicity and Faith – 16<sup>th</sup> September 2020
  - Age, Mental Health and Shielding – 18<sup>th</sup> September 2020
  - LGBTQIA+ – 25<sup>th</sup> September 2020
  - Gender and Talent Development – 29<sup>th</sup> September 2020
  - Young People and Mental Health – 1<sup>st</sup> October
  - Disability, Race and Inclusive Governance – 2<sup>nd</sup> October 2020
  - Refugee, Asylum seekers – 6<sup>th</sup> October 2020
  - Migrant Communities – 8<sup>th</sup> October 2020
  - Disability, Access and Talent Development – 9<sup>th</sup> October 2020

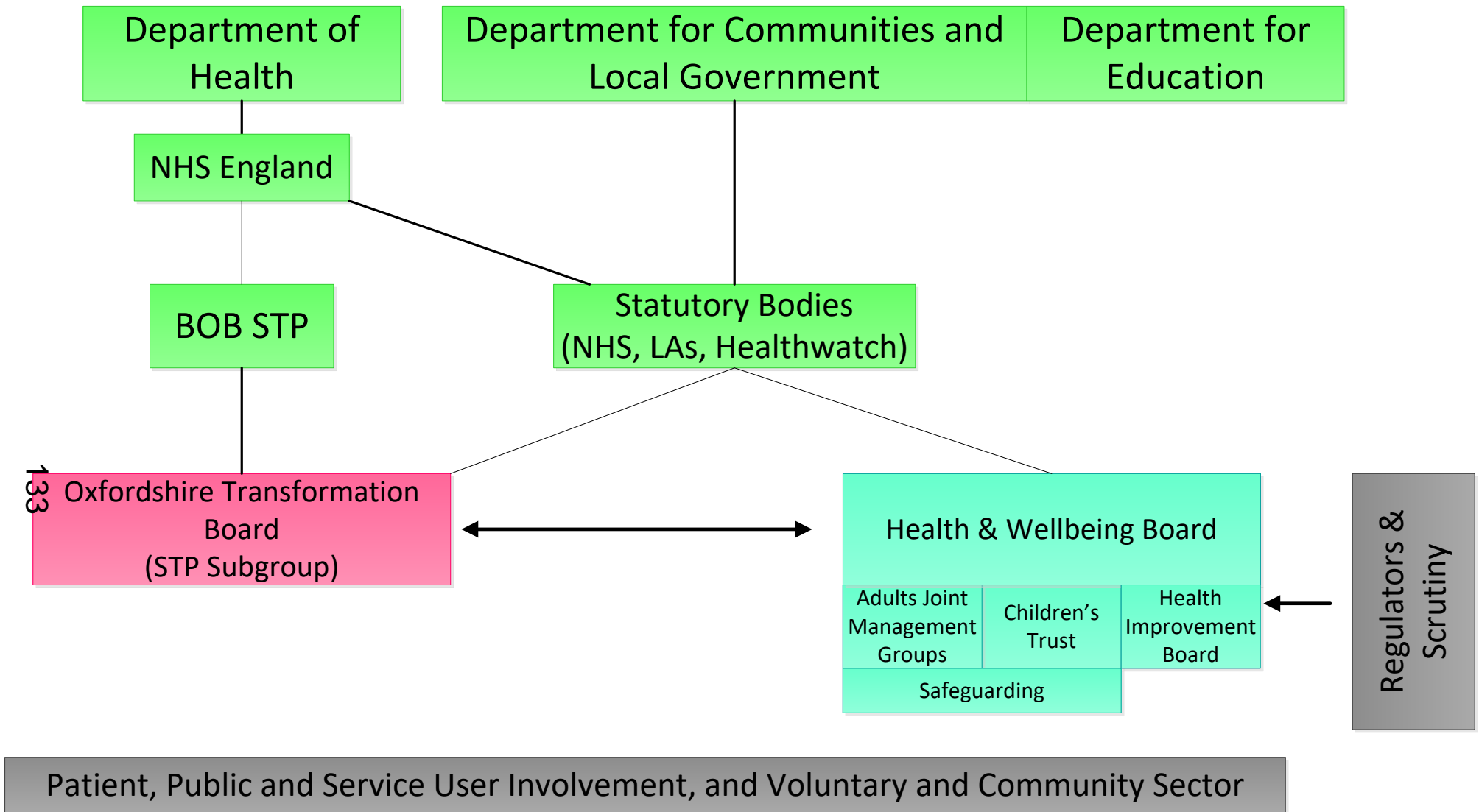
85. A wide range of additional available information was also taken into consideration including:

- Oxford's demographic statistics, including relating to protected characteristics

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## **SEND STRATEGY 2022-27**

### **Oxford City Council response:**

#### **Oxfordshire County Council consultations – Local Area Special Educational Needs and Disability (SEND) Draft Strategy 2022-2027 and System Reform for SEND**

Oxford City Council welcomes the opportunity to comment on the two strategy documents published by Oxfordshire County Council on Special Educational Needs and Disability covering the vision for provision and proposals for system reform. In particular it is welcome that the strategies were co-produced with organisations that work with children and young people. It is also welcome that governance has been provided through the Health & Wellbeing Board and SEND Strategic Partnership Board.

While overall education standards in Oxfordshire show an improving trend, notwithstanding the more recent impact of the COVID-19 pandemic which has set education back for most children, the data shows our county has consistently underperformed in terms of the outcomes achieved for SEND children across all age groups relative to peer authorities and the England average. This underperformance is all the more visible given Oxfordshire children *without* SEN do better at all ages than the England average. Therefore, while the lack of central Government funds into the education system is clearly a real problem exacerbated by a sustained rise in the number of pupils identified with SEND, these are England-wide issues and so they cannot account for Oxfordshire's underperformance.

The reasons for change will be recognisable to parents of SEND children and others familiar with the system in Oxfordshire:

- Insufficient clarity (and transparency) about what support is available
- Lack of confidence in the among parents in the existing support available
- Longstanding issues around poor attendance among SEND children
- Insufficient capacity within local specialist education provision, leading to the use of independent non-maintained special schools

The proposals 1-6 that have been set out for system reform offer some positive changes the way in which SEND pupils are identified, assessed and supported within the education system and more widely. These should help deliver improved outcomes for individual children and for the SEND group of children as a whole. Other than proposal 5 – which would place an unenviable burden on local schools for decision-making about which school gets additional funding, all of these should be taken forwards. However, the proposals do raise a number of questions, set out in the response below, which should be considered.

Overall, the effectiveness of the proposed system changes is inevitably going to be linked to the level of additional resource that can be provided to support the measures.

Oxford City Council notes that another parallel area of educational underperformance in Oxfordshire is in relation to disadvantaged pupils, including those in receipt of Free School Meals (FSM). Moreover, the 'attainment gap' for disadvantaged children is known to have widened during the pandemic as a result of the lack of teaching contact time - exacerbated among disadvantaged households by a lack of digital enablement to access learning online and sometime chaotic home environments. It is hoped that Oxfordshire County will soon bring forward proposals for closing this attainment gap.

Critical to the development of this Strategy will be ensuring that co-responsibility across agencies is built into the implementation process leading to co-production with all stakeholders, including families.

### **Oxfordshire Local Area Special Educational Needs and Disability (SEND) Draft Strategy 2022-2027**

The Local Area SEND Draft Strategy's four priority areas are all supported, and it is hoped these underpin the existing approach to delivery of SEND education:

- High-quality provision and excellent outcomes
- Enabling children to access to opportunities
- Provision of timely and equitable access to services
- Ensuring seamless and effective transition into, through and beyond education

What is perhaps particularly notable is that the commitments in the draft strategy apply across education, health and social care – and it is this interlinkage of services that strengthens the approach.

### **Vision and Strategic objectives**

Oxford City Council also supports the vision and strategic objectives set out - in particular the focus on promoting earlier identification of need, help and provision; ensuring effective transitions to fulfilling adulthood; and a fairer and more transparent system. However, the vision that families should be at the centre of decision-making ought to be today's reality – as this is a legal requirement

The Council supports the view of the Oxfordshire Strategic Schools Partnership (OSSP) that the draft Strategy represents more a *sharpening* of the existing approach that a wholesale change in the approach to SEND delivery – with an important emphasis on better collaboration and putting children at the centre of decision-making.

The objectives of earlier engagement with families, bringing more provision back into Oxfordshire, and sharing the responsibility among a much wider group of providers including health/social care etc. are all welcome.

It will be important to reappraise the draft Strategy once the central Government's SEND review – which is understood to be imminent - is published.

### **Consultation on Oxfordshire County Council System Reform for Special Educational Needs and Disabilities (SEND)**



The System Reform proposals consultation sets out a number of specific measures that, while not increasing the overall scale of funding for education – including SEND education – should nonetheless help ensure the existing funds are more fairly allocated, level up the skills needed to provide support for SEND children and create a more locally-shaped system better meet individual children's needs

### **1) Reform of Top-Up funding arrangements for children and young people with an EHC Plan**

Oxford City Council agrees with the collective view of the report writers that funding is insufficient to meet the SEND requirements of the local area, particularly in Oxford, and that the available funding must be wisely and effectively applied. We support Oxfordshire County Council's lobby to Government for additional funding. The overall level of Government funding for SEND is wholly insufficient and Oxfordshire lags many other authorities in its High Needs Block resource allocation.

Within Oxfordshire, reform of the High Needs Block top-up funding arrangements into mainstream schools for children with Education and Health Care Plans (EHCPs) is welcome as this has always been opaque and inconsistent. It is noted that some OSSP heads believe underfunding in this area is causing the exodus of SEND children to independent schools. Equally is important to ensure that more funds lead to better outcomes, rather than more money delivering the same underperformance. There is a need for serious investment in provision in mainstream sector

The proposals are for the funding to follow the child which is consistent with the national guidance around SEND.

### **2) Resource Bases as a core part of the range of provision**

Increasing the number of specialist resource bases attached to mainstream that offer support to SEND children feels like the right thing to do. However, the report hasn't provided clear evidence that small resource bases will meet need better and more cost effectively than if that funding was instead spent on additional special school places. It would be helpful to understand the views of head teachers of the nine schools that currently have resource bases attached to them.

Utilisation of additional space in empty buildings makes good sense and enables locally provided solutions. The report does acknowledge the conversion of existing empty classrooms for this purpose will have some significant capital costs. It is essential that this funding is made available to ensure the right environments and adaptations are provided. Head Teachers of those schools to receive resource bases will also need to be upskilled and there will be a requirement for more specially trained professional staff to work in them. This to presents a challenge that shouldn't be underestimated as both special schools and existing resource bases are already struggling to recruit staff.

The proposal to transfer management of the resource bases from the Local Education Authority to the schools to which they are attached is very welcome. A single line of accountability will reduce the ping-pong some parents of SEND children experience between the school and resource base over who is responsible. We don't want to create special schools within mainstream schools and this should help

ensure resource base staff – and teaching - are better integrated into the structure of mainstream schools.

It also supports the principle that mainstream schools should be more inclusive and be able to meet the needs of SEND pupils including those with high needs. But this is also a question of funding, training, expertise, ethos – and it may require increased access to support specialists and closer partnering with special schools.

It would be helpful to have a clear concept of what a resource base means, what it does etc, and what Professional Development is going to be offered to staff there to support them.

### **3) Sufficiency of specialist day placements in Oxfordshire**

There has been under provision of special school places in Oxfordshire for years and too many SEND children having to travel too far for their schooling. The issue has been exacerbated by central Government's prioritisation on building more free schools over investing in expanding capacity in existing special schools. Therefore the proposal for two new special schools in Bloxham Grove and in southern Oxfordshire is very welcome.

Also welcome is the objective to provide for all of the needs locally though it is questionable if this can be achieved within the existing funding envelope. Nevertheless, the cost of sending children to independent schools out of county is very high and so diverting those funds into local provision should help.

There is longstanding issue of the limitations of using Community Infrastructure Levy (CIL) to fund the establishment of new special schools. Is there a basis for looking at some form of pooled CIL provision for this purpose across the county?

### **4) Enhanced Pathways within mainstream schools**

Feedback from parents, and the increasing number of children being taken out of formal schooling in favour of elective home education provide evidence that transitions from primary to secondary are not working well for many SEND children. Trials are ongoing in a number of schools in Oxfordshire – including two within Oxford – to see if these transitions can be helped by providing more targeted support to SEND children in Year 6 and Year 7.

Rose Hill Primary School is providing smaller Year 6 groups and focused teaching, and the Oxford Academy is trialling the single class teacher model for some SEND children in Year 7. However, the report has not provided evidence on the impact of these approaches, the optimum size of these focused learning groups, or what additional funding would be provided to enable other schools to adopt them.

Further, the proposal implies that – by Year 9 – the SEND children will be ready for full reintegration with their year group peers. Again, is there evidence to support this or is this a leap of faith?

The approach also implies that the single teacher provision within Year 7 and 8 secondary will be a catch all across all of the SEND requirements: social, emotional,

communication, sensory and academic needs - but often different approaches will be required for different SEND needs.

What will be in the curriculum for SEND children in Years 7, 8 and 9? Will they be receiving teaching in functional skills alongside academic curriculum? And if so, will special school expertise be offered to mainstream schools on how to develop these additional curriculum elements?

#### **5) Reconfiguring Requests for Additional Funding for schools**

Devolution of responsibility for allocation of the funding pot for additional support to groups of local school leaders sounds superficially attractive, however, Oxford City Council notes this proposal is opposed by the OSSP.

School leaders expressed concerns over the clear lack of capacity to pick up this responsibility in addition to other duties. But there were also concerns around financial accountability, the administrative burdens and inefficiencies of this model, and the obvious risk of setting schools against each other – as they were clear they don't know enough about the nature of inclusive practices in each other's schools.

Without clear evidence of support among schools and details on how this measure is to be implemented, Oxford City Council cannot support this proposal.

#### **6) Coordinated approach to supporting children with SEND at the earliest opportunity**

The proposals to increase the provision of information to parents on early support and intervention, and investment in training for staff is welcome. However it is likely this will need to be targeted as investment needs for these proposals are significant. Special Educational Needs Coordinators (SENCOs) in schools will be vital to the success of this and they are already over-burdened, so there would benefit from more outreach provision from special schools. However special schools aren't currently funded share capacity and expertise into mainstream schools.

It is noted that a new digital platform is at the centre of this proposal and it is questionable if that is the best place for limited resources to be invested.

#### **General comments**

Training is at the heart of a number of the new proposals and it is clear there is a need for a professional development continuum for teachers in Oxfordshire, from PGCE on upwards. The initiative by a number of Oxford colleges to seek twinning arrangements with primary schools is particularly welcome. Oxford City Council is keen to see further closer working between Oxford's two universities and the Teaching Hubs and more support for student teacher placements.

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# Oxfordshire Children and Young People's Plan 2018 – 2023



## **The Children's Trust Board is made up of representatives of the following organisations**

Oxfordshire County Council

Oxfordshire Clinical Commissioning Group

City and District Council Members

Thames Valley Police

Oxfordshire Safeguarding Children Board

Oxford Health NHS Foundation Trust

Safer Oxfordshire Partnership

Oxford University Hospitals NHS Trust

Representation from schools and colleges

Representation from the local Voluntary and Community Sector (OCVA)

Healthwatch Oxfordshire

Voice of Oxfordshire's Youth (VoXY)

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# Foreword

## Welcome to Oxfordshire's Children and Young People's Plan 2018 – 2023

We want Oxfordshire to be a great place to grow up and for children and young people to have the opportunity to become everything they want to be.

We believe a joint plan which sets the strategic direction and priorities for services for children, young people and families in Oxfordshire is a vital part of making this happen. Experience shows that when organisations work together to deliver services, we make a real difference to the lives of children, young people and their families.

It is crucial in times of limited budgets and increasing demands on services that the Children's Trust Board continues to enable and encourage partnership working. Together we can better meet the challenges we face and tackle the priority areas we have identified for this first year – children missing out on education, mental health and wellbeing, and children affected by domestic abuse.

This plan has been developed through discussion with our partners including asking children and young people what is important to them. We have developed a more streamlined document, including a poster capturing the main elements that can be identified and displayed easily. We were pleased and encouraged by the strong engagement from our partners in the public sector, voluntary sector and children and young people through the Children in Care Council and Voice of Oxfordshire's Youth. Our responsibility as a Trust is to play our part in ensuring the actions included in the plan are delivered, performance is monitored, and solutions are found.

We welcome the initiative taken by Oxford City Council in developing their Children and Young People's Strategy, which will provide a delivery mechanism for the Children's Trust's Plan in Oxford. We would encourage other District Councils to follow this lead in their areas.

We know that there have been some significant successes in achieving better outcomes for children and young people in Oxfordshire. Many are already safe, healthy and thriving at home and school. We also know that many of the services we commission and provide meet their needs very well. However, we also know this is not always the case. We want to ensure that all children and young people are successful, healthy, safe and supported.

As Chair and Vice-Chair of the Children's Trust we are responsible for ensuring that this plan makes a difference to the children and young people of Oxfordshire. The membership of the board was recently refreshed and reinforced putting us in a strong position to promote the value and importance of children and young people.

We look forward to making this plan a reality and thank you for your continued commitment to improving the lives of Oxfordshire's children and young people.

### **Councillor Liz Brighthouse**

Chair of the Children's Trust and Oxfordshire County Council Cabinet member for Children, Education and Young People's Services

### **Jodie Lloyd-Jones**

Vice-Chair of the Children's Trust and Chief Executive Officer of Oxfordshire Youth (Children & Young People's Forum)



# Introduction

The vision, areas of focus and values set out here represent the foundation for the Children and Young People's Plan 2018 – 2023, and our vision for integrated children's services delivered increasingly locally and through partnership arrangements.

They have been developed and agreed by the partner organisations on the Children's Trust Board comprising 12 partner organisations including members of the Voice of Oxfordshire's Youth (VOXY) Board, who have all committed to achieve this Vision.

As part of the development of this Plan we consulted with the public, partner organisations, voluntary sector organisations and schools and key messages from the feedback we received has been incorporated into this Children and Young People's Plan 2018 – 2023.

A Poster that sets out our Vision, Areas of Focus and our commitments for the Children and Young People's Plan 2018 – 2023 is included at [Annex 1](#). This can be easily detached from this Plan for display.

N.B. The Children & Young People's Plan was originally from 2018-21. However, at the June 2020 Children's Trust Board it was agreed to extend the existing plan for a further year until 2022 and consult on a new plan in 2021. This was due to the need for all agencies to focus on the COVID-19 recovery planning and agreement that the original areas of focus continued to be the top priorities for the Board. Due to these continued circumstances with the pandemic, it was agreed by members at the March 2021 meeting the plan would be extended until 2023.

## Our Vision

**‘Oxfordshire, a great place to grow up and have the opportunity to become everything you want to be’**

### **What do we already know about what it is like to grow up in Oxfordshire?**

- We want Oxfordshire to be a great place for everyone to grow up and be healthy and successful - this is already the case for many, but not for all.
- We have a growing population that is becoming more diverse.
- Social deprivation and child poverty still persist in places, but we are all working together to tackle this.
- Some specific groups of children and young people in Oxfordshire still do not do as well as the national average in achieving good school results, for example there is a 5% attainment gap in Early Years for children in BAME communities.
- Persistent absence rates in secondary schools in Oxfordshire have remained above (worse than) the national average.
- There has been a significant increase in demand for services, including more people in care than would be expected and more young people referred to mental health services.
- Children and young people are generally healthier than elsewhere, although obesity has increased slightly for year 6 children.

- National data shows a decline in 11–15-year-olds smoking and drinking alcohol. However, there is an apparent increase in drug taking (but caution is needed with the data)
- Admissions for alcohol-specific conditions in females under 18 in Oxfordshire is above the national average
- There is an apparent increase in self-harm amongst young people in Oxfordshire.
- The number of domestic crimes in Oxfordshire involving children appears to have increased, however this increase may have been influenced by changes in police crime recording.

Further details about what it is like to grow up in Oxfordshire today can be found [HERE](#). This report will be updated annually. The full annual Joint Strategic Needs Assessment covering a wealth of data about Oxfordshire's residents can be found [HERE](#).

### **What do we need to do to make a difference?**

- Enable children and young people to be well educated and grow up to lead successful, happy, healthy and safe lives.
- Schools and universal services working together with local, targeted and specialist services is key to improving outcomes.
- Shift the focus to prevention and early help through real partnerships and using resources effectively.
- Support the most vulnerable, including children with SEND, to make sure everyone has an equal opportunity to become everything they want to be – for too many of our children and young people outcomes are not good enough.
- Deliver responsive services that place children, young people and families at the heart of what we do.

## **Our Areas of Focus**

The information above, together with the feedback we received during our consultation has led to the development of our Areas of Focus and the priorities that fit alongside. Our consultation story can be found [here](#).

### **We want to ensure that all children and young people can:**

#### **Be Successful**

1. Have the best start in life.
2. Access high quality education, employment and training that is motivational.
3. Go to school and feel inspired to stay and learn
4. Have good self-esteem and faith in themselves.

## Be Happy and Healthy

5. Be confident that services are available to promote good health and prevent ill health – early in life and before crisis
6. Learn the importance of healthy, secure relationships and having a support network
7. Access services to improve overall well-being
8. Access easy ways to get active.

## Be Safe

9. Be protected from all types of abuse and neglect
10. Have a place to feel safe and a sense of belonging
11. Access education and support about how to stay safe
12. Have access to appropriate housing.

## Be Supported

13. Be empowered to know who they can speak to when they need support, that they will be listened to and believed.
14. Access information in a way which suits them best.
15. Have inspiring role models.
16. Talk to staff who are experienced and caring.

Each year the Children's Trust will agree a set of key priorities based around our areas of focus and commit to an implementation plan of work against those priorities.

Progress against the performance indicators included in the implementation plan will be monitored by the Children's Trust at each quarterly meeting.

Our implementation plan is included at [Annex 2](#).

## Our Values

These values underpin and drive all that we do and how we go about doing it. They inform how we:

- communicate with children, young people and their families so they know about and access our services.
- treat children, young people and their families - with respect, courtesy and dignity.
- work in partnership with our children, young people and families.
- treat the personal information of children, young people and families.
- enable families to support each other.

## What do we need to do to make a difference?

- Ensure women have access to the full range of maternity services, have a choice of antenatal care and receive personalised care, to ensure the best start for and the best outcomes for mothers and babies.
- Strengthen support for schools and other settings so they can provide full-time, high quality education and learning for their children and young people, for example:
  - All agencies working together to help schools and other settings meet their children's needs.
  - Ensuring that schools and other settings fulfil their responsibilities through appropriate use of their resources.
  - Advocating on behalf of children and young people when they don't.
- Identify and solve problems early - from an early age and when problems first arise.
- Enable children and young people to access a range of positive activities and opportunities, especially those who are vulnerable or who have particular needs.
- Protect children and young people from the harmful impact of domestic abuse and supporting them if they do experience domestic abuse in their relationships
- Promote the importance of good mental health for all children and ensure speedy access to appropriate help and support when they need it.
- Listen to, hear, respect and respond to the views of children, young people and their families.
- Work with children, young people and families as equal partners, including:
  - Involving children and families in the development of services.
  - Involving children and families in decisions and meetings that are about them.
  - Fitting services around children, young people and families rather than expecting them to fit in around us.
- Respect the ability of families to make good and appropriate decisions for their children and strengthening support for them to meet their children's needs, for example:
  - Asking families for solutions and enabling them to find them
  - Providing practical help to meet families' needs
- Work together with others through increased trust and confidence to own and solve problems jointly, for example:
  - Working as part of the team to meet the needs of the Whole Family.
  - Thinking about the needs of all children in the family, the parents and the wider family.

- Taking the role of the lead professional when appropriate, not just referring on to others to solve problems.
  - Taking individual as well as collective responsibility to find solutions.
  - Sharing information confidentially, appropriately and confidently - 'dare to share'.
  - Valuing other professionals and not criticising or blaming them.
  - The right support at the right time and for the right length of time.
  - Using common language and common assessment arrangements where appropriate.
- Give children and young people better information about the support that is available by involving them in how we improve our information and making sure that the information covers the full range of needs.
  - Explore how we can use digital technology to deliver services.
  - Explore how we can educate our children, young people and families in the safe use of digital technology.
  - Address inequalities and value diversity by targeting our resources and services to those in greatest need where appropriate, but not losing sight of our responsibility to meet the needs of all of our children and young people.

### **To get it right we need to be:**

- Respectful, listen before acting.
- Collaborative, working with families and with each other, and not doing to or for.
- Focused on strengths and positives.
- Innovative and creative.
- Promoting equality of opportunity for all children and young people.
- Willing to take risks to improve outcomes.

### **When we don't get it right:**

- some children have better opportunities than others.
- we 'watch' problems get worse and harder to solve.
- we pass families from one place to another and one assessment to another.
- we don't look at the Whole Family.
- we focus on weaknesses and what is missing, rather than strengths and positive stories.
- we blame families and we blame each other.

## **Monitoring and Governance**

The Children's Trust is a subgroup of the Health and Wellbeing Board and as such is governed by the Oxfordshire Partnerships Protocol. The Protocol governs relationships between key agencies working to promote the health and well-being of Oxfordshire's communities. It is intended to clarify the respective roles of individual partnership bodies and their relationship to each other. The Protocol can be found

[here](#) in full and the Executive Summary gives an overview of the roles, responsibilities and inter-relationships between these key agencies. A diagram to illustrate these relationships can be found at [Annex 3](#).

The organisations who make up the membership of the Children's Trust can be found in the most up to date Terms of Reference which can be found on the public website [here](#)

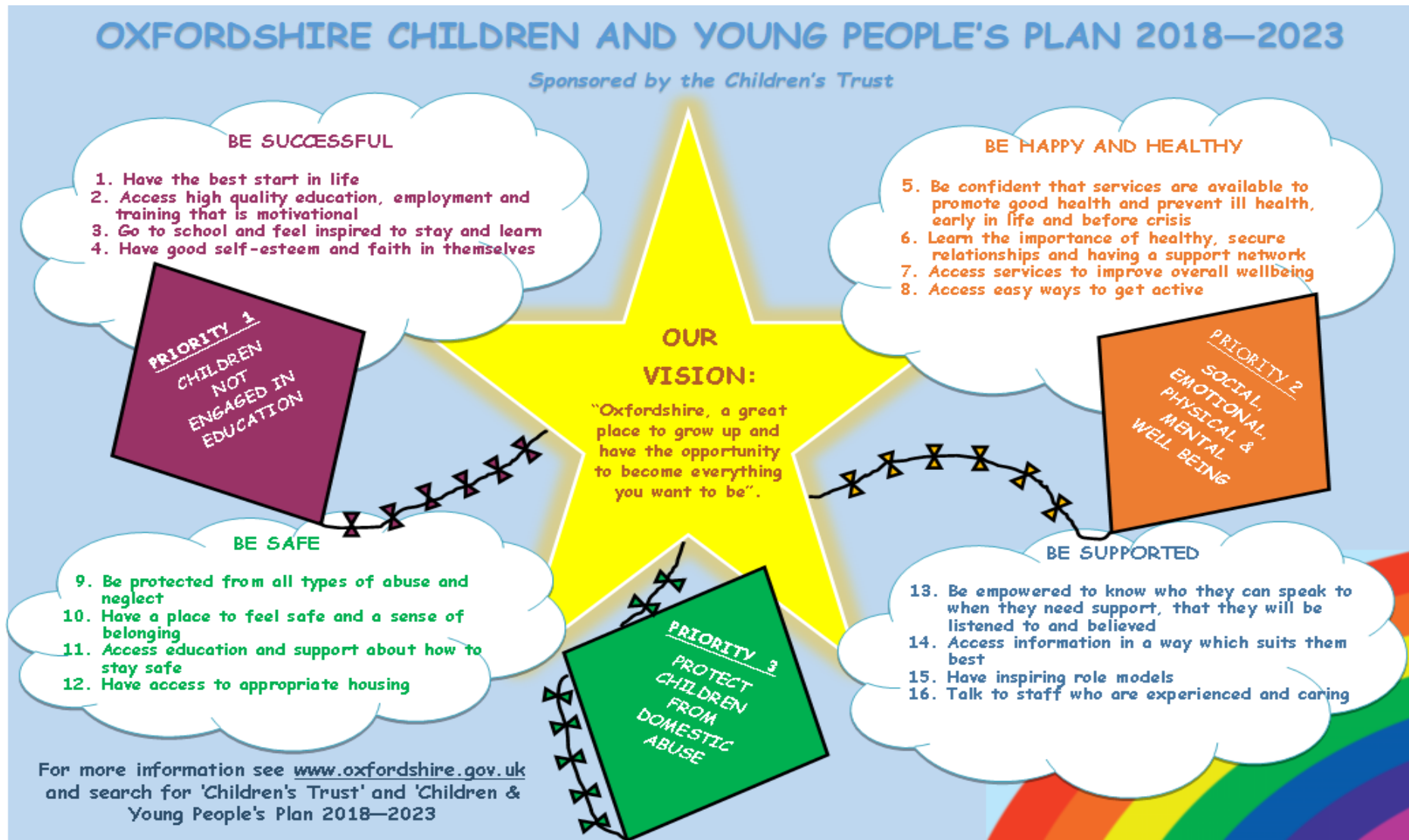
The Children's Trust has developed an implementation plan which has been agreed by the partner organisations. This sets out the actions that partners commit to take to achieve the Vision set out in this Plan, and how success will be measured. The implementation Plan is attached at [Annex 2](#). Resource implications for partners will be identified as part of the implementation plan.

We will use the Children's Trust performance dataset to monitor progress against this Plan. The dataset is reported to the Children's Trust Board at their quarterly meetings and actions will be identified from the information supplied in that report.

The Children's Trust will be responsible for monitoring one priority from the implementation plan at each Board meeting.

**Children's Trust Board**  
**June 2018**

## Annex 1 – Poster



## Annex 2 – COVID-19 Recovery Plan 2021-22 (Year 4)

<b>BE SUCCESSFUL – Focus on Children who are not engaged in Education</b>				
<b>Actions</b> (All priority areas to include a focus on children who are being exploited)	<b>Responsible Agencies</b> (for all actions stated)	<b>How we will know this area of focus has improved</b>	<b>Children's Trust Board Leads</b> (for all actions unless otherwise stated)	<b>Reporting Timetable</b> (for all actions unless otherwise stated)
<p>Revised priorities up to 2023 as agreed at Education SLT (see below):</p> <ul style="list-style-type: none"> <li>•Children not engaged in education.</li> </ul>	<p>County Council – education service, Early Help/LCSS, City &amp; District Councils, Health Visiting, Schools and Early Years settings, School Health Nurses, CAMHS, Community &amp; Voluntary Sector, Thames Valley Police, Oxfordshire Strategic Schools Partnership</p>	<ul style="list-style-type: none"> <li>•1.</li> <li>•Number of children with EHCP awaiting placement.</li> <li>•Number of children CPP/CIN not in education.</li> <li>•Number of EHE.</li> <li>•Review the 100 children we are most worried about who are missing out on education and cross check with police data re: risk including child/youth exploitation.</li> </ul>	<p>Hayley Good, Debbie Bell</p>	<p>Sep 21</p>
<ul style="list-style-type: none"> <li>•Timeliness and placements of children with plans.</li> </ul>		<p>2. Timeliness of EHCPs is a standard measure recorded monthly.</p>	<p>Kate Bradley</p>	



		(Placement information in point 1.)		
•Strategic school improvement – education attainment of disadvantaged children.		3. Measuring educational attainment of our most vulnerable children who fell behind in COVID lockdowns.	Kim James	
<b>BE HEALTHY – Focus on Social, Emotional, Physical &amp; Mental Well-Being</b>				
<b>Actions</b> (All priority areas to include a focus on children who are being exploited)	<b>Responsible Agencies</b> (for all actions stated)	<b>How we will know this area of focus has improved</b>	<b>Children's Trust Board Leads</b> (for all actions unless otherwise stated)	<b>Reporting Timetable</b> (for all actions unless otherwise stated)
•Plan our recovery as a system which will have an emphasis on prevention and early intervention. By undertaking a gap analysis about the impact of COVID including how we work as a system around backlog or work, potential surge and impact of recovery.	County Council – Early Help, City & District Councils, Public Health, Health, Schools, Community & Voluntary Sector	•Build on strong systems partnership that has been achieved during the pandemic, reflecting on what young people and families are telling us.	Maria Godfrey, Emma Leaver, Donna Husband, Vicky Norman, Alex Davis, Emma Lewin, Jodie Lloyd-Jones	Dec 21
•Collating themes from children's presentations of what they are telling us or how they are being affected during the pandemic.		2. Disseminate school survey and other consultations and feedback to identify need and support planning for recovery.		
•Carry out a review of support available to children from birth to 5yrs old (0-5 offer) and		3. Total number of children and young people that had a 1:1 intervention by the		

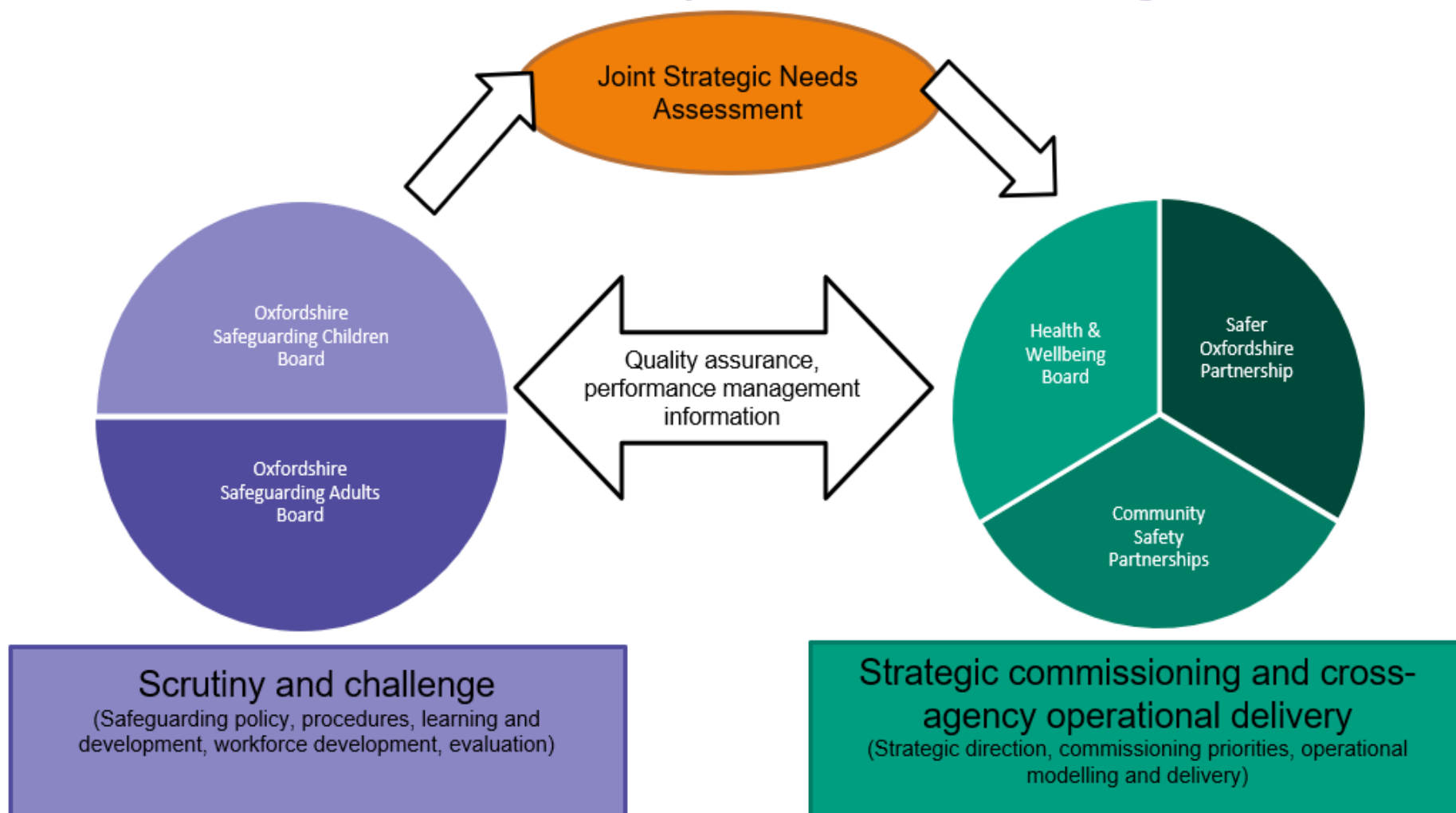
their families. Seeking out opportunities to improve the quality and reach of services, improve the way we use data analytics and forge stronger connections between organisations.		Public Health Workforce (School Health Nurses) at an attended appointment during the academic term (primary, secondary and colleges.		
•EHN's are now established networks and will continue to provide an important multi-agency consultation forum which supports professionals in completing EHAs and facilitating the TAF process		4. To further develop the Mental Health Support Teams across the county with a view to covering the South and West by September 2021. 21/21 will be spent planning for the further waves once the funding and allocation has been confirmed at a national level.		
		5. LCSS to continue to work alongside and support universal services to identify emerging needs of children and young people and use early help processes including Early Help Assessments and Team Around the Family to support these children, young people, and their families.		
		6. Continue to increase the proportion of children with diagnosable mental illness, accessing CAMHS (national measure).		
		7. Measure timely access to services including CAMHS, since the suspension due to the pandemic.		
		8. Increase the number of early help assessments to just under 2,000 EHAs for the financial year 21/22. - 2024/25 – increase to 15,000 - so the same as low-income families (excluding housing costs) 7.5-fold increase in 3 years 2026/27 - increase to 28,000 – so the same as children in poverty (including housing costs) 15-fold increase in 5 years.		
		9. To run Youth in Mind, a cross sector conference focused on the social and		

		emotional wellbeing of children and young people and its workforce.		
		10. To increase the number of trainings/workshops provided for colleagues across the sector working with children and young people.		
<b>BE SAFE – Focus on Domestic Abuse</b>				
<b>Actions</b> (All priority areas to include a focus on children who are being exploited)	<b>Responsible Agencies</b> (for all actions stated)	<b>How we will know this area of focus has improved</b>	<b>Children's Trust Board Leads</b> (for all actions unless otherwise stated)	<b>Reporting Timetable</b> (for all actions unless otherwise stated)
•Oxfordshire County Council's Strategic Lead for Domestic Abuse to work with CEF and TVP domestic abuse leads to test out the effectiveness of Operation Encompass.	Domestic Abuse Strategic Board	1. Increased number of Operation Encompass notifications to schools.	Kate Holburn	Feb 22
•Oxfordshire's Domestic Abuse Strategic Board to update the Domestic Abuse Strategy to reflect the needs of children as victims of domestic abuse.		2. All schools will receive best practice guidance in relation to how to respond Operation Encompass notifications.		
•Continue to deliver the new programme of Domestic Abuse and Young People training, informed by the 2020 audit of the Oxfordshire Domestic Abuse Pathway for Young People. This training provision includes two modules: - Domestic Abuse and Young People (introductory module).		3. Improved provision that meets the identified gaps for children and young people affected by domestic abuse. Completion of the need's assessment and Strategy update by end of August 2021.  4. Number and range of delegates attending		

- Let's Talk About: Domestic Abuse with Young People (discussion-based training, currently in Pilot stage).		5. Collation of evaluated data, measuring any perceived improvement in knowledge, skills, and confidence.		
•The Strategic Lead for Domestic Abuse will continue to support delivery of the FSP DA contract.		6. Evaluate data for FSP DA focused interventions, including:  •% of families for whom no further DA incidents occur in 3, 6 & 12-month period following completion of intervention (this will take some time to measure). •% of families for whom DA intervention completed in which step-down of CIN/CP plan achieved within 3 months of completion of the interventions (this will take some time to measure).		
<b>BE SUPPORTED</b>				
<b>Actions</b> (All priority areas to include a focus on children who are being exploited)	<b>Responsible Agencies</b> (for all actions stated)	<b>How we will know this area of focus has improved</b>	<b>Children's Trust Board Leads</b> (for all actions unless otherwise stated)	<b>Reporting Timetable</b> (for all actions unless otherwise stated)
•Recommend the CTB establishes a working group including professionals, children and young people to respond to the survey findings, including taking actions	Engagement & Consultation Team	1. Measures from recommended CTB working group met.	TBC	Mar 22

and setting appropriate targets for improvements (e.g., to consider the role of OXME mental health well-being hub for young people).				
•Following the CTB meeting on 9 June, it was recommended that 3 strategic groups will review and take on board the summary findings and to include the results of other similar local surveys.				
•Repeat survey in 2022.		2. Findings of the repeat survey (commencement of survey in Dec 21).		
•Produce summary				

## Annex 3 – Oxfordshire Partnership Protocol Overview Diagram



**To:** Council  
**Date:** 21 March 2022  
**Report of:** Head of Law and Governance  
**Title of Report:** **Motions and amendments received in accordance with Council Procedure Rule 11.18**

Councillors are asked to debate and reach conclusions on the motions and amendment listed below in accordance with the Council's rules for debate.

The Constitution permits an hour for debate of these motions.

## Introduction

This document sets out motions received by the Head of Law and Governance in accordance with Council Procedure Rule 11.18 by the deadline of 1.00pm on 09 March 2022, as amended by the proposers.

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

Unfamiliar terms are explained in the glossary or in footnotes.

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

## Introduction

- a) End Fire and Rehire (proposed by Cllr Mundy, seconded by Cllr Dunne)
- b) No Greyhound Racing in Oxford (proposed by Cllr Wade, seconded by Cllr Fouweather) [amendment proposed by Cllr Brown, seconded by Cllr Linda Smith]
- c) Opposition to the privatisation of the Vaccine Manufacturing and Innovation Centre (proposed by Cllr Jarvis, seconded by Cllr Pegg) [amendment proposed by Cllr Aziz]
- d) A Sanctuary Strategy for Oxford (proposed by Cllr Gant, seconded by Cllr Miles) [amendment proposed by Cllr Diggins, seconded by Cllr Chapman]
- e) Using Doughnut Economics (proposed by Cllr Pegg, seconded by Cllr Wolff)
- f) Set up a Drug Consumption Room (proposed by Cllr Wade) [amendment proposed by Cllr Linda Smith, seconded by Cllr Upton]

## **a) End Fire and Rehire (proposed by Cllr Mundy, seconded by Cllr Dunne)**

### Labour Group member motion

#### **This Council notes that:**

The practice of Fire and Rehire, or dismissal and reengagement, has come to public attention in recent years. This involves an employer dismissing staff and reoffering their roles under inferior conditions, usually to effectively change the contract of employment. The currently legal practice has been increasingly threatened by employers. The prevalence and impact of Fire and Rehire has been researched by the Advisory, Conciliation and Arbitration Service (Acas).<sup>1</sup> Though not new, there is suggestion that the impact of the COVID-19 pandemic has spurred an increase in its use. Others have told Acas that the pandemic is being used “opportunistically as a smokescreen to diminish workers’ terms and conditions”. This has impacted a range of employees, many of whom have been key workers such as factory, utilities, and retail workers. These are people who have kept working and kept our country going during the pandemic and lockdowns.

According to TUC research<sup>2</sup> nearly 1 in 10 workers have been told to re-apply for their jobs on worse terms and conditions or face the sack. Working-class people (12%) are nearly twice as likely than those from higher socio-economic groups (7%) to face Fire and Rehire. For black and ethnic minority workers (15%) the rate is nearly twice the rate of white workers (8%).

Here, and across the country, Fire and Rehire is increasing the precariousness of work and financially and mentally compromising people who work hard to put food on the table and pay their bills. It is shackling our trade unions and making it impossible for them to fight for a fair deal for their members.

According to the National Union of Journalists (NUJ), our city’s own newspapers The Oxford Mail and The Oxford Times threatened to Fire and Rehire NUJ members over bank holiday pay. In August the NUJ agreed a deal to end the dispute, but they could not get Fire and Rehire taken off the table in negotiations with the newspapers’ owners Newsquest Media Group.<sup>3</sup>

In Oxfordshire, workers at the Jacob Douwe Egberts coffee factory in Banbury were threatened with Fire and Rehire in early 2020. The profitable factory succeeded in settling an agreement with Unite the Union in August 2021.<sup>4</sup>

#### **Council resolves:**

- To publicly oppose any future use or threat of Fire and Rehire by employers in our City.
- For the review of future contracts, contract renewals and procurement to seek to include a commitment for employers to not use or threaten Fire and Rehire, as part of their social clause.

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<sup>1</sup> <https://www.acas.org.uk/fire-and-rehire-report/html>

<sup>2</sup> “Fire and rehire” tactics have become widespread during pandemic – warns TUC January 2021  
<https://www.tuc.org.uk/news/fire-and-rehire-tactics-have-become-widespread-during-pandemic-warns-tuc>

<sup>3</sup> <https://www.nuj.org.uk/resource/oxford-mail-and-times-use-fire-and-rehire-tactic-to-end-bank-holiday-working-payments.html>  
<https://www.holdthefrontpage.co.uk/2021/news/daily-journalists-facing-fire-and-rehire-after-rejecting-pay-change-union-says/>

<sup>4</sup> <https://www.bbc.co.uk/news/uk-england-oxfordshire-58078221>



- For our City Council Leader to add her voice to that of our MPs Anneliese Dodds and Layla Moran in supporting national legislation to ban Fire and Rehire.
- For our City Council Leader to write to the Business Secretary on behalf of Council, urging him to reverse the current government position, support a ban of Fire and Rehire, and back the workers of our country.

**b) No Greyhound Racing in Oxford (proposed by Cllr Wade, seconded by Cllr Fouweather) [amendment proposed by Cllr Brown, seconded by Cllr Linda Smith]**

Liberal Democrat Group member motion

**Council notes:**

The reopening of the stadium in Sandy Lane is a welcome addition to the leisure activities available to Oxford people.

The stadium has had a chequered history since the mid-1970s and decreasing interest in greyhound racing directly contributed to its decline.

In 2005 Risk Capital Partners with Galliard Homes purchased the failing stadium. Plans for 150 houses and 75 flats were mooted but the Council's statement in favour of keeping the land for leisure use stalled the development, and greyhound racing and speedway continued until 2012 when the Greyhound Racing Association closed the stadium down.

After a decade of disuse, Mr Boothby 'stadium director' announced<sup>5</sup> he had bought the lease and planned to bring back greyhound racing.

This is a concern for the following reasons:

- The number of injuries caused to dogs on the racetrack (In 2019, the last full year of racing, the Greyhound Board of Great Britain recorded 4,970 injuries on registered tracks, in 2020: 3,575). Their welfare is poorly regulated on and off the track<sup>6</sup>. Often these dogs cannot race again and rehoming is far from guaranteed. The Government has failed to back up the Welfare of Racing Greyhounds Regs 2010 with stronger legislation<sup>7</sup>.
- The 2014 Appraisal which led to the Oxford Stadium being listed as a Conservation Area refers to the stadium's heritage significance – the 'physical evidence that represents the collective memory of those working communities and their leisure pursuits.' But these communities have moved on since the 1930s when the stadium was built and, while it should remain as evidence of an earlier era, people should be consulted about the future of this valuable space. British Cycling has informally suggested it would work as a velodrome combined with a BMX track and ancillary activities. Peckham BMX has revolutionised a Southwark neighbourhood<sup>8</sup>.
- Inevitably greyhound-racing is focused on gambling. There has been considerable research about the effect of gambling on individuals and

<sup>5</sup> <https://www.oxfordmail.co.uk/news/19764740.oxford-stadium-managing-director-reveals-plans-insists-greyhound-racing-safe/>

<sup>6</sup> The State of Greyhound Racing in Great Britain: a mandate for change: (2014) League against Cruel Sports.

<sup>7</sup> <https://www.parliament.uk/globalassets/documents/commons-committees/environment-food-rural-affairs/2nd-report-greyhound-welfare.pdf>

[https://www.league.org.uk/media/filer\\_public/2d/19/2d19e03c-909f-449c-bccc-cf97287347bf/greyhound\\_report\\_2014\\_league\\_against\\_cruel\\_sports.pdf](https://www.league.org.uk/media/filer_public/2d/19/2d19e03c-909f-449c-bccc-cf97287347bf/greyhound_report_2014_league_against_cruel_sports.pdf)

<sup>8</sup> <https://www.bbc.co.uk/news/resources/1dt-sh/parklife>

communities, recently by Dr N. Muggleton (Brasenose College): “gambling is associated with addiction and harmful outcomes for others.”<sup>9</sup>

- The Local Plan designates the site for leisure purposes with the implication that in these times the activities provided will facilitate active participation.
- Galliard Homes bills itself as ‘the capital’s largest privately-owned residential property developer.’ If the greyhound-racing venture fails, the way will be open for Galliard to revive its estate development plan, which will be difficult for city planners to contest.

#### **This Council calls on the Leader to:**

- Issue a press release publicly opposing the return of greyhound racing to Oxford.
- Write to the UK Government calling for the introduction of legislation incorporating the recommendations of the 2016 Greyhound Welfare EFRA Report.

#### **This Council resolves to:**

- Support consultation with Oxford residents on their preferred options for leisure activities at the stadium as a part of the Local Plan Review and the Oxfordshire Plan 2050 Reg 19 consultation<sup>10</sup>

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#### **Amendment proposed by Cllr Brown seconded by Cllr Linda Smith**

Add the words in bold italics and delete words struck through.

[No changes to first part]

- The 2014 Appraisal which led to the Oxford Stadium being listed as a Conservation Area refers to the stadium’s heritage significance – the ‘physical evidence that represents the collective memory of those working communities and their leisure pursuits.’ ~~But these communities have moved on since the 1930s when the stadium was built and, while it should remain as evidence of an earlier era, people should be consulted about the future of this valuable space. British Cycling has informally suggested it would work as a velodrome combined with a BMX track and ancillary activities. Peckham BMX has revolutionised a Southwark neighbourhood~~<sup>11</sup>
- Inevitably greyhound-racing is focused on gambling. There has been considerable research about the effect of gambling on individuals and communities, recently by Dr N. Muggleton (Brasenose College): “gambling is associated with addiction and harmful outcomes for others.”<sup>12</sup>
- The Local Plan designates the site for leisure purposes with the implication that in these times the activities provided will facilitate active participation. ***This***

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<sup>9</sup> <https://www.nature.com/articles/s41562-020-01045-w542>

<sup>10</sup> <https://oxfordshireplan.org/wp-content/uploads/2021/12/OX2050-PLAN-FULL-TEXT-V30-23-July-2021-with-para-nos.pdf> (paragraph 297)

<sup>11</sup> <https://www.bbc.co.uk/news/resources/idx-sh/parklife>

<sup>12</sup> <https://www.nature.com/articles/s41562-020-01045-w542>

***council welcomes the reopening of the stadium and the use once more of the space for dance and boxing classes and other leisure activities.***

- Galliard Homes bills itself as ‘the capital’s largest privately-owned residential property developer.’ If the greyhound-racing venture fails, the way will be open for Galliard to revive its estate development plan, which will be difficult for city planners to contest. ***This council is pleased that the site has been retained for leisure use in spite of attempts by Galliard Homes to run it down and make it unusable.***

**This Council calls on the Leader to:**

- ~~Issue a press release publicly opposing the return of greyhound racing to Oxford.~~
- Write to the UK Government calling for the introduction of legislation incorporating the recommendations of the 2016 Greyhound Welfare EFRA Report.

**~~This Council resolves to:~~**

- ~~Support consultation with Oxford residents on their preferred options for leisure activities at the stadium as a part of the Local Plan Review and the Oxfordshire Plan 2050 Reg 19 consultation<sup>13</sup>~~

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**If the amendment is agreed the motion would read:**

**Council notes:**

The reopening of the stadium in Sandy Lane is a welcome addition to the leisure activities available to Oxford people.

The stadium has had a chequered history since the mid-1970s and decreasing interest in greyhound racing directly contributed to its decline.

In 2005 Risk Capital Partners with Galliard Homes purchased the failing stadium. Plans for 150 houses and 75 flats were mooted but the Council’s statement in favour of keeping the land for leisure use stalled the development, and greyhound racing and speedway continued until 2012 when the Greyhound Racing Association closed the stadium down.

After a decade of disuse, Mr Boothby ‘stadium director’ announced<sup>14</sup> he had bought the lease and planned to bring back greyhound racing.

This is a concern for the following reasons:

- The number of injuries caused to dogs on the racetrack (In 2019, the last full year of racing, the Greyhound Board of Great Britain recorded 4,970 injuries on registered tracks, in 2020: 3,575). Their welfare is poorly regulated on and off the track<sup>15</sup>. Often these dogs cannot race again and rehoming is far from

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<sup>13</sup> <https://oxfordshireplan.org/wp-content/uploads/2021/12/OX2050-PLAN-FULL-TEXT-V30-23-July-2021-with-para-nos.pdf> (paragraph 297)

<sup>14</sup> <https://www.oxfordmail.co.uk/news/19764740.oxford-stadium-managing-director-reveals-plans-insists-greyhound-racing-safe/>

<sup>15</sup> The State of Greyhound Racing in Great Britain: a mandate for change: (2014) League against Cruel Sports.

guaranteed. The Government has failed to back up the Welfare of Racing Greyhounds Regs 2010 with stronger legislation<sup>16</sup>.

- The 2014 Appraisal which led to the Oxford Stadium being listed as a Conservation Area refers to the stadium's heritage significance – the 'physical evidence that represents the collective memory of those working communities and their leisure pursuits.'
- Inevitably greyhound-racing is focused on gambling. There has been considerable research about the effect of gambling on individuals and communities, recently by Dr N. Muggleton (Brasenose College): "gambling is associated with addiction and harmful outcomes for others."<sup>17</sup>
- The Local Plan designates the site for leisure purposes with the implication that in these times the activities provided will facilitate active participation. This council welcomes the reopening of the stadium and the use once more of the space for dance and boxing classes and other leisure activities.
- Galliard Homes bills itself as 'the capital's largest privately-owned residential property developer.' This council is pleased that the site has been retained for leisure use in spite of attempts by Galliard Homes to run it down and make it unusable.

**This Council calls on the Leader to:**

- Write to the UK Government calling for the introduction of legislation incorporating the recommendations of the 2016 Greyhound Welfare EFRA Report.

**c) Opposition to the privatisation of the Vaccine Manufacturing and Innovation Centre (proposed by Cllr Jarvis, seconded by Cllr Pegg) [amendment proposed by Cllr Aziz]**

Green Group member motion

**Council notes**

- The Vaccine Manufacturing and Innovation Centre (VMIC), based at the Harwell Campus in Oxfordshire was established in 2018 as an institution that would develop vaccines and prepare for future pandemics.
- The VMIC was established by a consortium of universities - the University of Oxford, Imperial College and the London School of Hygiene and Tropical Medicine. It now operates as a non-profit company in which the founding universities are shareholders.
- The VMIC is set to become operational in 2022, and would be the UK's first strategy vaccine development and advanced manufacturing facility.
- Reports from the *Financial Times*, *Observer* and *Independent* among others have indicated that government officials are currently reviewing bids from the private sector to manage the centre - including multinational biotechnology firms and healthcare manufacturers.

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<sup>16</sup> <https://www.parliament.uk/globalassets/documents/commons-committees/environment-food-rural-affairs/2nd-report-greyhound-welfare.pdf>

[https://www.league.org.uk/media/filer\\_public/2d/19/2d19e03c-909f-449c-bccc-cf97287347bf/greyhound\\_report\\_2014\\_league\\_against\\_cruel\\_sports.pdf](https://www.league.org.uk/media/filer_public/2d/19/2d19e03c-909f-449c-bccc-cf97287347bf/greyhound_report_2014_league_against_cruel_sports.pdf)

<sup>17</sup> <https://www.nature.com/articles/s41562-020-01045-w542>

- Civil society groups including Keep Our NHS Public Oxfordshire and We Own It have publicly opposed any move to place the VMIC in the hands of the private sector.

### Council believes

- Throughout the Covid-19 pandemic, private involvement in the health sector has been hugely damaging, with companies prioritising profit above public health.
- Allowing the VMIC to pass into the hands of profit-driven private companies will reduce the efficacy of the centre, inhibit its ability to deliver proper preparedness for future pandemics and reduce the innovation in vaccine manufacturing the centre was designed to achieve.

### Council resolves

- To oppose the privatisation of the VMIC.
- To request the Leader write to the Secretary of State for Business, Energy and Industrial Strategy expressing the Council's view that the VMIC should not be privatised.
- To request the Leader write to the three founding universities expressing the Council's view that the VMIC should not be privatised.

### Amendment proposed by Cllr Aziz

Add the words in bold italics and delete words struck through.

[No changes to first part]

### Council believes

- Throughout the Covid-19 pandemic, private involvement in the health sector has been hugely damaging, with companies prioritising profit above public health.
- Allowing the VMIC to pass into the hands of profit-driven private companies will reduce the efficacy of the centre, inhibit its ability to deliver proper preparedness for future pandemics ~~and reduce the innovation in vaccine manufacturing the centre was designed to achieve.~~ ***and will not ensure that vaccines developed in Oxford are shared equitably to save the lives of people across the world. We must end the Covid-19 vaccine apartheid that is prioritising big pharma profits over saving the lives of predominately Black and Brown people in low income countries. While Britain has vaccinated the vast majority of its population, the whole of the continent of Africa has only been able to fully vaccinate 11% of its people, while low income countries, as a group, reached only 5.5%. This inequality is obscene.***

[No changes to last part]

**If the amendment is agreed the motion would read:**

**Council notes**

- The Vaccine Manufacturing and Innovation Centre (VMIC), based at the Harwell Campus in Oxfordshire was established in 2018 as an institution that would develop vaccines and prepare for future pandemics.
- The VMIC was established by a consortium of universities - the University of Oxford, Imperial College and the London School of Hygiene and Tropical Medicine. It now operates as a non-profit company in which the founding universities are shareholders.
- The VMIC is set to become operational in 2022, and would be the UK's first strategy vaccine development and advanced manufacturing facility.
- Reports from the *Financial Times*, *Observer* and *Independent* among others have indicated that government officials are currently reviewing bids from the private sector to manage the centre - including multinational biotechnology firms and healthcare manufacturers.
- Civil society groups including Keep Our NHS Public Oxfordshire and We Own It have publicly opposed any move to place the VMIC in the hands of the private sector.

**Council believes**

- Throughout the Covid-19 pandemic, private involvement in the health sector has been hugely damaging, with companies prioritising profit above public health.
- Allowing the VMIC to pass into the hands of profit-driven private companies will reduce the efficacy of the centre, inhibit its ability to deliver proper preparedness for future pandemics and will not ensure that vaccines developed in Oxford are shared equitably to save the lives of people across the world. We must end the Covid-19 vaccine apartheid that is prioritising big pharma profits over saving the lives of predominately Black and Brown people in low income countries. While Britain has vaccinated the vast majority of its population, the whole of the continent of Africa has only been able to fully vaccinate 11% of its people, while low income countries, as a group, reached only 5.5%. This inequality is obscene.

**Council resolves**

- To oppose the privatisation of the VMIC.
- To request the Leader write to the Secretary of State for Business, Energy and Industrial Strategy expressing the Council's view that the VMIC should not be privatised.
- To request the Leader write to the three founding universities expressing the Council's view that the VMIC should not be privatised.

**d) A Sanctuary Strategy for Oxford (proposed by Cllr Gant, seconded by Cllr Miles) [amendment proposed by Cllr Diggins, seconded by Cllr Chapman]**

Liberal Democrat Group member motion

**Council notes:**

The contribution that refugees and migrants seeking sanctuary have made to the city throughout recent history, and has played its part through past and existing programmes.

We understand that Afghan refugees have been housed in hotels since their arrival. This is not a sustainable solution as it prevents these refugees from beginning to rebuild their new lives. It is also very costly to the public purse.

The rapid displacement of Ukrainian civilians calls for decisive action to provide safe routes. But the government's response is completely out of step with both the need for protection, as well as public opinion.

Whilst other countries are waiving visas, government have announced two pathways for people to get to the UK - but both are bureaucratic, and in practice make it very difficult for people to reach safety and family in the UK.

When someone is fleeing for their life, it is simply not practical or possible to wait for months, even years. We as a council need to be ready to make the best of schemes that are announced.

At the same time, the UK government is pushing through the damaging and reactionary Nationality and Borders Bill, the biggest roll-back of refugee rights that this country has ever seen.

The Council recognises that a comprehensive, co-ordinated, cross-council and forward-looking approach is needed.

We recognise that 'welcome' needs a whole community approach that engages with local refugee organisations, third sector partners, and other local stakeholders.

**The Council resolves to:**

1. Request that the Executive Director for Communities and People submits a report to Cabinet with options to:
  - a) Develop a **Sanctuary Strategy** to ensure that the council can respond quickly and efficiently to humanitarian crises such as the two (Afghanistan and Ukraine) we have seen unfold in just 6 short months.
  - b) Undertake a review of service areas to ensure they are accessible to people fleeing war and persecution.
  - c) Undertake a review which explores an approach that incentivises private landlords to come forward with offers of housing.
  - d) Mark Refugee Week (End of June) (e.g. St Helens Refugee week 2021 featured a football match between sanctuary seekers and Cllrs).
  - e) Ensure the council plays its part resettling Ukrainian refugees, when details of the Humanitarian Sponsorship scheme become available.

- f) Engage proactively with local and national third sector partners and stakeholders to ensure we can mitigate against 'hostile environment' policies within the limits of the current legal framework.
  2. Ask the leader to write to the Home Secretary Priti Patel to highlight the challenges with the current way resettlement works, such as, but not limited to:
    - o South East and the challenges around finding housing limited by benefit cap.
    - o The difficulty with having many different schemes (7 in total) which creates confusion and delay in welcoming people of sanctuary seeking background (unable to plan).
    - o Scrap the Nationality and Borders bill, a bill predicted to add an additional £2.7bn a year, and is likely to be unworkable and dehumanising.
- 

### **Amendment proposed by Cllr Diggins, seconded by Cllr Chapman**

Add the words in bold italics and delete words struck through.

[No changes to first six paragraphs]

~~The Council recognises that a comprehensive, co-ordinated, cross-council and forward-looking approach is needed.~~

~~We recognise that 'welcome' needs a whole community approach that engages with local refugee organisations, third sector partners, and other local stakeholders.~~

#### **The Council resolves to:**

1. Request that the Executive Director for Communities and People submits a report to Cabinet with options to ***setting out what the Council is doing and considers whether it would be necessary to develop a Sanctuary Strategy to:***
  - a) ~~Develop a~~ ***Sanctuary Strategy*** to ensure that the council can respond quickly and efficiently to humanitarian crises such as the two (Afghanistan and Ukraine) we have seen unfold in just 6 short months.
  - b) ~~Undertake a review of~~ ***Ensure*** service areas are accessible to people fleeing war and persecution.
  - c) ~~Undertake a review which explores an approach that incentivises~~ ***Encourage*** private landlords to come forward with offers of housing.
  - d) Mark Refugee Week (End of June) (e.g. St Helens Refugee week 2021 featured a football match between sanctuary seekers and Cllrs).
  - e) ~~Ensure the Council plays its part resettling~~ ***look after*** Ukrainian refugees, once details of the Humanitarian Sponsorship scheme become available.
  - f) Engage proactively with local and national third sector partners and stakeholders to ensure we can mitigate against 'hostile environment' policies within the limits of the current legal framework.



2. Ask the leader to write to the Home Secretary Priti Patel to highlight the challenges with the current way resettlement works, such as, but not limited to:

- South East and the challenges around finding housing limited by benefit cap.
- The difficulty with having many different schemes (7 in total) which creates confusion and delay in welcoming people of sanctuary seeking background (unable to plan).
- ***The need for far more affordable housing to meet the existing and future housing needs locally***
- Scrap the Nationality and Borders bill, a bill predicted to add an additional £2.7bn a year, and is likely to be unworkable and dehumanising.

3. ***Acknowledge the motion that we passed in October on Afghanistan and Refugees which raised a lot of the same issues.***

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**If the amendment is agreed the motion would read:**

**Council notes:**

The contribution that refugees and migrants seeking sanctuary have made to the city throughout recent history, and has played its part through past and existing programmes.

We understand that Afghan refugees have been housed in hotels since their arrival. This is not a sustainable solution as it prevents these refugees from beginning to rebuild their new lives. It is also very costly to the public purse.

The rapid displacement of Ukrainian civilians calls for decisive action to provide safe routes. But the government's response is completely out of step with both the need for protection, as well as public opinion.

Whilst other countries are waiving visas, government have announced two pathways for people to get to the UK - but both are bureaucratic, and in practice make it very difficult for people to reach safety and family in the UK.

When someone is fleeing for their life, it is simply not practical or possible to wait for months, even years. We as a council need to be ready to make the best of schemes that are announced.

At the same time, the UK government is pushing through the damaging and reactionary Nationality and Borders Bill, the biggest roll-back of refugee rights that this country has ever seen.

**The Council resolves to:**

1. Request that the Executive Director for Communities and People submits a report to Cabinet setting out what the Council is doing and considers whether it would be necessary to develop a Sanctuary Strategy to:

- a) Ensure that the council can respond quickly and efficiently to humanitarian crises such as the two (Afghanistan and Ukraine) we have seen unfold in just 6 short months.

- b) Ensure service areas are accessible to people fleeing war and persecution.
  - c) Encourage private landlords to come forward with offers of housing.
  - d) Mark Refugee Week (End of June) (e.g. St Helens Refugee week 2021 featured a football match between sanctuary seekers and Cllrs).
  - e) Look after Ukrainian refugees, once details of the Humanitarian Sponsorship scheme become available.
  - f) Engage proactively with local and national third sector partners and stakeholders to ensure we can mitigate against 'hostile environment' policies within the limits of the current legal framework.
2. Ask the leader to write to the Home Secretary Priti Patel to highlight the challenges with the current way resettlement works, such as, but not limited to:
- South East and the challenges around finding housing limited by benefit cap.
  - The difficulty with having many different schemes (7 in total) which creates confusion and delay in welcoming people of sanctuary seeking background (unable to plan).
  - The need for far more affordable housing to meet the existing and future housing needs locally
  - Scrap the Nationality and Borders bill, a bill predicted to add an additional £2.7bn a year, and is likely to be unworkable and dehumanising.
3. Acknowledge the motion that we passed in October on Afghanistan and Refugees which raised a lot of the same issues.

#### **e) Using Doughnut Economics (proposed by Cllr Pegg, seconded by Cllr Wolff)**

##### Green Group member motion

##### **This council notes:**

1. That Doughnut Economics offers a vision of what it means for humanity to thrive in the 21st century. It identifies a safe and just space for human society, supported by a strong social foundation of life's essentials but sitting below the ecological ceiling, beyond which lies climate collapse.
2. Doughnut Economics can guide local authorities to provide for a thriving city whilst keeping their activities within our social and planetary boundaries.
3. The work done by Oxford University and Oxfam's Kate Raworth and Oxford's Doughnut Economics Action Lab (DEAL) to develop city-scale iterations of Doughnut Economics
4. The adoption of the Doughnut Economics model globally, including in Cornwall, Amsterdam, Portland and Philadelphia.

##### **This council resolves to:**

1. Request that the Executive Director for Development submits a report to Cabinet with options to:
  - a) Run a series of workshops with the DEAL, the public, local organisations, council officers and members, and businesses to assess what Doughnut Economics means for Oxford. From this the Council will develop an "Oxford City Doughnut" to guide decision making.

- b) Use the Oxford City Doughnut to inform its decision making and achieve balance between social needs and ecological boundaries in the creation of its policies. This will include all cabinet decisions and procurement decisions, as well as the Oxford Economic Growth Strategy and the next iteration of the Local Plan.
  - c) Ask its wholly-owned companies to also adopt the Oxford City Doughnut in its decision making.
  - d) Use the Oxford City Doughnut to inform its responses to consultations and inquiries from external bodies, including those from national Government and other local authorities with which it works.
2. Request that the Scrutiny Committee evaluates its success after twelve months of the Council using the Oxford City Doughnut.

**f) Set up a Drug Consumption Room (proposed by Cllr Wade) [amendment proposed by Cllr Linda Smith, seconded by Cllr Upton]**

Liberal Democrat Group member motion

One in five Local Authorities in England have cut budgets for addiction services and for support for drug users by more than half since 2015/16 and, with drug-related deaths at a record high, this Council believes that there needs to be greater commitment to setting up drug consumption rooms (DCRs).

These are units where drug users can take street drugs in a safe and clean environment, where antidotes are available for overdoses, and where users ready to move away from their drug habit can find support. The street homeless population is particularly vulnerable, so this Council seeks to give them the protection of a DCR.

Drugs policy is currently the province of the Home Office, which since June 2018 has been resisting calls from the Scottish Government and Glasgow City Council for leave to open the first heroin assisted-treatment facility in the city, which would allow addicts to use drugs in a regulated environment.

In 2006 the Joseph Rowntree Independent Working Group on DCRs concluded that 'well-designed and well-implemented DCRs would have an impact on some of the serious drug-related problems experienced in the UK' and proposed the setting up of pilot DCRs. Its recommendations have not been taken forward.

- This Council regrets the 2020 Home Office statement that it would not be decriminalising drug use.
- This Council proposes a public health evidence-based approach to drug use. Reliance on the criminal justice system has been at best ineffective, and at worst has driven drug dealers and users underground.
- Oxford City Council calls on the UK Government:
  1. To seek an explicit statement from the Home Office that the operation of DCRs is a matter for Local Authorities; specific rules can then be agreed by Police Forces, the CPS, Health Bodies and Local Authorities
  2. To make a ministerial commitment through the Home Secretary to protect the budgets of alcohol and drug partnerships
  3. To fund drug-testing services to be deployed at localities where there is a need, allowing 'at risk' users to find out what is in a substance and to offer advice on harm reduction.

4. To allow the setting up of a pilot drug consumption room in Oxford City under an exemption from the 1971 UK Misuse of Drugs Act.

Oxford City Council asks the Leader of the Council to write to the Home Office and to Oxford's MPs to inform them of this Resolution and urge them to take appropriate action.

#### References:

1. Independent Working Group on DCRs (Joseph Rowntree Foundation 2006)  
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2. Volteface: Are DCRs viable in the UK? (28.11.17)  
<https://volteface.me/drug-consumption-rooms-viable-uk/>
3. Room for Improvement: How Drug Consumption Rooms save lives (01.04.19)  
<https://www.adamsmith.org/research/room-for-improvement-how-drug-consumption-rooms-save-lives>
4. HIV Scotland 'Charity backs plans for unofficial DCRs' (07.03.20)  
<https://www.bbc.co.uk/news/uk-scotland-51782882>
5. British Medical Journal (5.08.21)  
Scotland intends to set up safe spaces for drug users in defiance of UK Govt.  
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6. Safer drug consumption facilities: Glasgow Health & Social Care Partnership  
<https://www.glasgow.gov.uk/CHttpHandler.ashx?id=38604&p=0>
7. Mobilizing DCRs  
<http://www.sfu.ca/~emccann/HealthPlace%20DCRs.pdf>
8. A critical analysis of UK news media representations of proposals (Liverpool John Moores University)  
<http://researchonline.ljmu.ac.uk/id/eprint/10656/>
9. Review of Drugs Pt 2: prevention, treatment and recovery (Dame Carol Black, 2.08.21)  
<https://www.gov.uk/government/publications/review-of-drugs-phase-two-report/review-of-drugs-part-two-prevention-treatment-and-recovery#contents>

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#### **Amendment proposed by Cllr Linda Smith, seconded by Cllr Upton**

Add the words in bold italics and delete words struck through.

[No changes to first paragraph]

These are units where drug users can take street drugs in a safe and clean environment, where antidotes are available for overdoses, and where users ready to move away from their drug habit can find support. The street homeless population is particularly vulnerable, so this Council ~~seeks to give~~ **would consider given** them the protection of a DCR ***if local health providers such as Turning Point were supportive***

[No changes to following paragraphs]

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#### **If the amendment is agreed the motion would read:**

One in five Local Authorities in England have cut budgets for addiction services and for support for drug users by more than half since 2015/16 and, with drug-related deaths at a record high, this Council believes that there needs to be greater commitment to setting up drug consumption rooms (DCRs).

These are units where drug users can take street drugs in a safe and clean environment, where antidotes are available for overdoses, and where users ready to

move away from their drug habit can find support. The street homeless population is particularly vulnerable so this Council would consider giving them the protection of a DCR if other local health providers such as Turning Point were supportive.

Drugs policy is currently the province of the Home Office, which since June 2018 has been resisting calls from the Scottish Government and Glasgow City Council for leave to open the first heroin assisted-treatment facility in the city, which would allow addicts to use drugs in a regulated environment.

In 2006 the Joseph Rowntree Independent Working Group on DCRs concluded that 'well-designed and well-implemented DCRs would have an impact on some of the serious drug-related problems experienced in the UK' and proposed the setting up of pilot DCRs. Its recommendations have not been taken forward.

- This Council regrets the 2020 Home Office statement that it would not be decriminalising drug use.
- This Council proposes a public health evidence-based approach to drug use. Reliance on the criminal justice system has been at best ineffective, and at worst has driven drug dealers and users underground.
- Oxford City Council calls on the UK Government:
  5. To seek an explicit statement from the Home Office that the operation of DCRs is a matter for Local Authorities; specific rules can then be agreed by Police Forces, the CPS, Health Bodies and Local Authorities
  6. To make a ministerial commitment through the Home Secretary to protect the budgets of alcohol and drug partnerships
  7. To fund drug-testing services to be deployed at localities where there is a need, allowing 'at risk' users to find out what is in a substance and to offer advice on harm reduction.
  8. To allow the setting up of a pilot drug consumption room in Oxford City under an exemption from the 1971 UK Misuse of Drugs Act.

Oxford City Council asks the Leader of the Council to write to the Home Office and to Oxford's MPs to inform them of this Resolution and urge them to take appropriate action.

#### References:

1. Independent Working Group on DCRs (Joseph Rowntree Foundation 2006)  
<https://www.jrf.org.uk/sites/default/files/jrf/migrated/files/9781859354711.pdf>
2. Volteface: Are DCRs viable in the UK? (28.11.17)  
<https://volteface.me/drug-consumption-rooms-viable-uk/>
3. Room for Improvement: How Drug Consumption Rooms save lives (01.04.19)  
<https://www.adamsmith.org/research/room-for-improvement-how-drug-consumption-rooms-save-lives>
4. HIV Scotland 'Charity backs plans for unofficial DCRs' (07.03.20)  
<https://www.bbc.co.uk/news/uk-scotland-51782882>
5. British Medical Journal (5.08.21)  
Scotland intends to set up safe spaces for drug users in defiance of UK Govt.  
<https://www.bmj.com/content/374/bmj.n1957>
6. Safer drug consumption facilities: Glasgow Health & Social Care Partnership  
<https://www.glasgow.gov.uk/CHttpHandler.ashx?id=38604&p=0>
7. Mobilizing DCRs  
<http://www.sfu.ca/~emccann/HealthPlace%20DCRs.pdf>
8. A critical analysis of UK news media representations of proposals (Liverpool John Moores University)  
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