

# COUNCIL

Monday 10 October 2011

**COUNCILLORS PRESENT:** Councillors Benjamin (Lord Mayor), Armitage (Deputy Lord Mayor), Fooks (Sheriff), Abbasi, Altaf-Khan, Bance, Baxter, Brett, Brown, Brundin, Campbell, Clarkson, Cook, Coulter, Craft, Darke, Goddard, Gotch, Humberstone, Jones, Keen, Khan, Lloyd-Shogbesan, Lygo, Malik, McCready, McManners, Mills, Morton, Pressel, Price, Rowley, Royce, Rundle, Sanders, Seamons, Sinclair, Smith, Tanner, Timbs, Turner, Van Nooijen, Wilkinson, Williams, Wolff and Young.

## 31. MINUTES

Council resolved to approve the minutes of the ordinary meeting held on 11 July 2011.

## 32. DECLARATIONS OF INTEREST

Councillors declared interests as follows:

- (1) Councillor Sajjad Malik declared a personal interest in agenda item 17(6) (Motion on Notice 6 – Cornmarket Notice Board) as he was a licensed badgeholder for the distribution of leaflets. (Minute 48(6) refers).
- (2) Councillor Sajjad Malik declared a personal interest in agenda item 17(13) (Motion on Notice 13 – Autumn Revised Budget) as he was associated with the hackney carriage and private hire licensed trade. (Minute 48(13) refers).
- (3) Councillor Sajjad Malik declared a personal interest in agenda item 20 (Review of full Council procedures and other constitutional amendments) as he was associated with the hackney carriage and private hire licensed vehicle trade. (Minute 51 refers).
- (4) Councillor Mohammed Altaf-Khan declared a personal interest in agenda item 17(13) (Motion on Notice 13 – Autumn Revised Budget) as he was associated with the hackney carriage and private hire licensed vehicle trade. (Minute 48(13) refers).
- (5) Councillor Mohammed Altaf-Khan declared a personal interest in agenda item 20 (Review of full Council procedures and other constitutional amendments) as he was associated with the hackney carriage and private hire licensed vehicle trade. (Minute 51 refers).
- (6) Councillor Mohammed Niaz Abbasi declared a personal interest in agenda item 17(13) (Motion on Notice 13 – Autumn Revised Budget) as he was associated with the hackney carriage and private hire licensed vehicle trade. (Minute 48(13) refers).
- (7) Councillor Mohammed Niaz Abbasi declared a personal interest in agenda item 20 (Review of full Council procedures and other

constitutional amendments) as he was associated with the hackney carriage and private hire licensed vehicle trade. (Minute 51 refers).

- (8) Councillor Shah Jahan Khan declared a personal interest in agenda item 17(13) (Motion on Notice 13 – Autumn Revised Budget) as he was associated with the hackney carriage and private hire licensed vehicle trade. (Minute 48(13) refers).
- (9) Councillor Shah Jahan Khan declared a personal interest in agenda item 20 (Review of full Council procedures and other constitutional amendments) as he was associated with the hackney carriage and private hire licensed vehicle trade. (Minute 51 refers).
- (10) Councillor Joe McManners declared a personal interest in agenda item 17(7) (Motions on Notice – Health and Social Care Bill) as he was a General Practitioner. (Minute 48(7) refers).
- (11) Councillor Ben Lloyd-Shogbesan declared a personal interest in agenda item 17(7) (Motion on Notice 7 - Health and Social Care Bill) as he was an employee of the National Health Service. (Minute 48(7) refers).
- (13) Councillor Bob Price declared on behalf of all the Members on the City Executive Board, personal interests in agenda item 17(13) (Motion on Notice 13 - Autumn Revised Budget) as they were part of the Administration that set the budget in February 2011. (Minute 48(13) refers).
- (14) Councillor Stephen Brown declared on behalf of all members of the Liberal Democrat Group, personal interests in agenda item 17(13) (Motion on Notice 13 – Autumn Revised Budget) as they may in the future be part of an Administration that set the Council's budget. (Minute 48(13) refers).
- (15) Council Nuala Young declared a personal interest in agenda item 9 (Addresses by the public – address (2) by Pamela Webber concerning the provision of public toilets) as part of her role as a Tour Guide she would show visitors to public conveniences. (Minute 39(2) refers).
- (16) Councillor Tony Brett declared a personal interest in agenda item 9 (Addresses by the public – address (8) by Judy Compton concerning houses in multiple occupation) as he knew the addressee. (Minute 39(8) refers).
- (17) Councillor Mary Clarkson declared a personal interest in agenda item 9 (Addresses by the public – address (1) by Richard Lawrence-Wilson concerning Five Mile Drive Recreation Ground) as she was a member of a faith group that preferred burial to cremation. (Minute 39(1) refers).
- (18) Councillor Nuala Young declared a personal interest in agenda item 17(6) (Motion on Notice 6 – Cornmarket Notice Board) as she was part of the co-ordination of Oxford CND. (Minute 48(6) refers).
- (19) Councillor Nuala Young declared a personal interest in agenda item 9 (Addresses by the public – address (6) by Jane Alexander on Temple Cowley Pools) as her husband now used Temple Cowley Pools. (Minute 39(6) refers).

- (20) Councillor Nuala Young declared a personal interest in agenda items 14(a)(6) (Questions on Notice from Members of Council – Question 6 concerning Temple Cowley Pool Insurance) and 14(a)(14) (Questions on Notice from Members of Council – Question 14 – Temple Cowley Pools) as her husband now used Temple Cowley Pools. (Minutes 45(a)(6) and 45(a)(14) refers).
- (21) Councillor Nuala Young declared a personal interest in agenda item 17(10) (Motions on Notice – Motion (10) – Temple Cowley and Blackbird Leys Pools) as her husband now used Temple Cowley Pools. (Minute 48(10) refers).
- (22) Councillor Nuala Young declared a personal interest in agenda item 17(12) (Motions on Notice – Motion (12) – Language Schools) as she refused to take language school students on guided tours. (Minute 48(12) refers)
- (23) Councillor Nuala Young declared a personal in agenda item 14(a)(1) (Question on Notice from Members of Council – Question 1) as she was part of various campaigns that may use Bonn Square. (Minute 45(a)(1) refers).

### **33. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Beverley Hazell and Nathan Pyle.

### **34. APPOINTMENTS TO COMMITTEES**

None made.

### **35. LORD MAYOR'S ANNOUNCEMENTS**

- (a) The Lord Mayor announced that the new City Poet, Kate Clanchy was unable to attend this meeting, but would be attending the Full Council meeting on 19<sup>th</sup> December 2011.
- (b) The Lord Mayor announced the birth of a baby boy for Councillor Beverley Hazell and on behalf of Council wished her and her new family best wishes.
- (c) The Lord Mayor said that she was enjoying her role as Lord Mayor and was delighted to meet people and organisations that highlighted the wealth of community involvement in the City.
- (d) Council stood for a minute's silence in memory of Kate Hayward, Telecoms Manager – ICT Strategy (Finance and Efficiency), who had recently passed away.

### **36. SHERIFF'S ANNOUNCEMENTS**

The Sheriff said that Port Meadow was a large part of her duties and during a recent drive of cattle on Port Meadow, 311 cattle had been rounded up. She added that there still seemed to be some confusion over issues of responsibility and to help resolve these she had organised a meeting for all concerned.

### **37. ANNOUNCEMENTS BY THE LEADER**

- (a) The Leader announced that a public consultation was underway concerning public rights of way and wayfaring and details could be viewed in St. Ebbe's Street and Bonn Square, with any comments made to the City Centre Manager.
- (b) The Leader announced that the newly refurbished Old Fire Station would be re-opening on 5<sup>th</sup> November 2011.
- (c) The Leader announced that the Remembrance Service would be held on Sunday 13<sup>th</sup> November 2011 and all Members were welcome to attend.

### **38. ANNOUNCEMENTS BY THE CHIEF EXECUTIVE, THE CHIEF FINANCE OFFICER AND THE MONITORING OFFICER**

None made.

### **39. ADDRESSES BY THE PUBLIC**

Council received eight addresses (texts of the addresses appended to these minutes) as follows:

- (1) Richard Lawrence-Wilson, a local resident submitted in advance details of his address to Council (now appended) on the Five Mile Drive Recreation Ground.
- (2) Pamela Webber, a local resident submitted in advance details of her address to Council (now appended) concerning the provision of public toilets.
- (3) William Clark, a local resident submitted in advance details of his address to Council (now appended) on the Town Green Fourteen.
- (4) Neil Holdstock, a local resident submitted in advance details of his address to Council (now appended) concerning the Headington Car Park.
- (5) Nigel Gibson, a local resident submitted in advance details of his address to Council (now appended) concerning football in Blackbird Leys.
- (6) Jane Alexander, a local resident submitted in advance details of her address to Council (now appended) detailing a Temple Cowley Pools update.
- (7) Nigel Gibson, a local resident submitted in advance details of his address to Council (now appended) concerning lack of democracy in Oxford.

- (8) Judy Compton, a local resident submitted in advance details of her address to Council (now appended) which concerned houses in multiple occupation.

A note in response to statements made concerning Town Greens and the impact of the Town Green on organised football (Public Addresses 3 and 5) was submitted by the Head of Law and Governance.

Councillor Mary Clarkson declared a personal interest in public address (1) as she was a member of a faith group that preferred burial to cremation.

Councillor Nuala Young declared a personal interest in public address (2) as part of her role as a Tour Guide she would show visitors to public conveniences.

Councillor Nuala Young declared a personal interest in public address (6) as she was part of the co-ordination of Oxford CND.

Councillor Tony Brett declared a personal interest in public address (8) as he knew the addressee.

Council heard all of the addresses and thanked the addressees for addressing Council.

#### **40. QUESTIONS BY THE PUBLIC**

Two questions were asked by members of the public.

- (1) **Question to the Board Member, City Development (Councillor Colin Cook) from James Rowland**

##### Student units

Oxford City Council's planning department continues to approve planning applications for purpose built student housing. Can you explain why this is the case as the Annual Monitoring report 2010 figures state that both Universities have achieved or, are about to achieve, the required CS 25 target that there should be no more than 3000 students living in private accommodation in order to get permission for academic expansion.. Furthermore, Oxford University (OU) has stated that further purpose built accommodation is in the pipeline bringing the figure down to just 2650, whilst OU intends to stabilise its student intake. Oxford Brookes University (OBU) has announced a cut of 1000 on campus student places from 2012. OBU has recently sold a 100 bedded student hall (Cotuit Hall) to a private language school stating that this was now surplus to requirements.

Both universities therefore don't seem to have a need for further student accommodation. Moreover the Core Strategy Inspector decided that 3000 students in private accommodation was the appropriate target and rejected .lower targets such as 2000 students in private housing as additional land for student housing would need to be identified and this would put too much pressure on land needed to meet housing targets. Why therefore does the City Council not recommend refusal for further

speculative student developments on land which is not owned by the universities?

**Response:** The City Council's policy is to ensure that the Universities have no more than 3,000 students each living in private accommodation. However the policy does not say "and no less than". This means that if either University or one of the Colleges wish to provide further purpose built accommodation they are able to do so and that would not be contrary to this planning policy.

Nevertheless the Council's longstanding policy approach has been altered by the adoption of the Core Strategy. The Inspector ruled that the occupancy restrictions that encouraged the two Universities to build more purpose-built accommodation should also be applicable to certain speculative student accommodation. The City Council has responded to this by developing draft policy options on the location of student accommodation in its emerging Sites and Housing Development Plan Document. If the preferred option in the recent consultation document is taken forward as policy, it will set out clear guidance to prospective developers about the locations in which future schemes may or may not be acceptable.

This would achieve the Council's policy aims without imposing an unreasonable moratorium on all future schemes yet it will see further planning applications coming forward for purpose built student housing for occupation by a wider range of students than just those attending the two Universities.

**(2) Question to the Board Member, Finance and Efficiency (Councillor Ed Turner) from Sietske Boeles**

Council Tax Exemptions

Oxford Brookes University (OBU) accommodates students on short courses in its student accommodation (classified as halls of residence for council tax purposes). These students don't seem to qualify for student council tax exemption as they do not meet the definition of full time student as defined for council tax exemption purposes. Does OBU pay council tax for the units occupied by students on short courses?.

**Response:** the legal position is as follows.

The [Council Tax \(Exempt Dwellings\) Order 1992](#) defines a hall of residence – as a dwelling comprising a hall of residence provided predominantly for the accommodation of students which is either-

- (a) owned or managed by an institution within the meaning of [paragraph 5 of Schedule 1 to the Act](#); or
- (b) the subject of an agreement allowing such an institution to nominate persons to occupy all the accommodation so provided;

Any premises which are:

Provided mainly for the accommodation of [students](#) and

owned or managed by a prescribed educational establishment (including a charitable body) or where an educational establishment can nominate students to occupy all of the accommodation.

**41. FUTURE ARRANGEMENTS FOR THE MANAGEMENT OF THE CITY COUNCIL'S PARK AND RIDE SITES - CITY EXECUTIVE BOARD, 21 SEPTEMBER 2011**

Council had before it the following:-

- (a) Minute extract and recommendation from the City Executive Board of 21 September 2011;
- (b) Report of the Executive Director City Services.

Councillor Ed Turner (Deputy Leader of the Council), seconded by Councillor Bob Price, moved and spoke to the City Executive Board's recommendation.

Following a debate, Council resolved to approve a capital budget in the order of £264k for the purchase of equipment required to operate the service, financed as far as possible from Section 106 receipts and the residual from the redirection and virement of Direct Services budgets.

**42. LEISURE CENTRE DEVELOPMENT PLANS PHASE 2 - CITY EXECUTIVE BOARD, 21 SEPTEMBER 2011**

Council had before it the following:-

- (a) Minute extract and recommendation from the City Executive Board of 21 September 2011;
- (b) Report of the Head of Leisure and Parks.

Councillor Ed Turner (Deputy Leader of the Council), seconded by Councillor Bob Price, moved and spoke to the City Executive Board's recommendation.

Following a debate, Council resolved to approve a capital budget in the order of £700k for the cost of the works to be included in the Council's Capital Programme funded by prudential borrowing and to note that the revenue costs of financing would be financed from the reduction in management costs of the Leisure Management Contract referred to in the report.

**43. CITY EXECUTIVE BOARD DECISIONS (MINUTES) AND SINGLE EXECUTIVE MEMBER DECISIONS (DECISION SHEET)**

Council had before it (previously circulated, now appended):

- (a) Minutes of the City Executive Board held on 21 September 2011.
- (b) Minutes of the following Single Executive Member Decision meetings:

- (i) Board Member, Corporate Governance and Strategic Partnerships – 3 August 2011;
- (ii) Board Member, City Development – 8 August 2011;
- (iii) Board Member, Finance and Efficiency – 15 August 2011;
- (iv) Board Member, Housing Needs – 18 August 2011;
- (v) Board Member, Finance and Efficiency – 7 September 2011.

#### City Executive Board – 21<sup>st</sup> September 2011 – Questions

- (1) Councillor Turner asked what view Councillor McManners had on the extension to the Right to Buy Scheme and its implications.

In response Councillor McManners said that the proposed discount was 30% which would be disastrous for the Council which was taking on a huge housing debt with the reform of the Housing Subsidy Scheme.

#### Single Executive Member Decision – 7<sup>th</sup> September 2011 – Questions

Councillor Rundle asked if an update could be provided with regard to the Harcourt House issue (Minute 15(2)).

In response Councillor Turner said that he would provide a written response.

#### **44. RECOMMENDATIONS AND REPORTS FROM THE SCRUTINY COMMITTEES**

None received.

#### **45. QUESTIONS ON NOTICE FROM MEMBERS OF COUNCIL**

- (a) **Questions notified in time for replies to be provided before this Council meeting.**

- 1. Question to the Board Member, City Development (Councillor Colin Cook) from Councillor David Williams**

Councillor Nuala Young declared a personal interest as she was part of various campaigns that may use Bonn Square.

#### Bookings for Bonn Square

Could the portfolio holder give an explanation as to why, amongst other groups, the Teachers Pension Rally on the 30th of June and the March of the Invisible Disabled People on the 23 of July to stage rallies on Bonn Square were turned down?

Would the portfolio holder agree that Bonn Square's primary function to this local authority and the people of Oxford is as a public speaker's space and that it has a long tradition of used as a meeting and rally point

for campaigns and events such as the May Day rally and public demonstrations.

Could he explain why he denied the use of the Square to the protestors and agree that although he may not agree with the protestors, their peaceful methods and message that is not a sufficient basis for refusal.

**Answer:** The Teachers' Pension Rally on the 30th June was turned down because we had another pre-existing charity event booking for the site. In the case of the March of the Invisible People the organiser did not give us the necessary details of what was proposed for us to assess whether they met the necessary Health and Safety standards.

I would not agree that the primary function of this space is as a public speaker's space. The Bonn Square protocol was prepared and introduced in 2009 following the major refurbishment of the area, which created a substantial new City Square where the public, both local residents and visitors, can meet up, sit and relax in new modern and attractive surroundings.

The square is part owned by Oxford City Council and part owned by the New Road Baptist Church. In partnership with the Church we have agreed that events held at the site should be beneficial to the community and help promote the City through the creative use of the public space. We are particularly keen to encourage events that are in one of three categories - arts & cultural, historic, or charitable. We have welcomed peaceful demonstrations and protests at the Square and we consider all applications for use of the Square on their merits. However we have to ensure that the event organiser has consulted the appropriate stakeholders and will comply with relevant health and safety standards. We are unable to permit events to take place on the site if the organiser is unwilling to fill in the appropriate paperwork and take part in consultation with our stakeholders.

Councillor Williams in a supplementary question asked if the Board Member would agree that most people in Oxford considered Bonn Square as a place to express their feelings and would he not also agree that it gave a rather bad impression that the City Council did not support organisations.

In response Councillor Cook said that Bonn Square was once a venue for anti-social behaviour, however this had now changed to a square that could be enjoyed by the public. He did not have a problem with groups etc. using the square, but sometimes there were conflicts due to the higher usage of the area and that is why a booking protocol was established. He added that this Administration did not share Councillor Williams' attitude towards health and safety.

**2. Question to the Board Member, City Development (Councillor Colin Cook) from Councillor David Williams**

Assessment of Exemptions to Council Tax

Would the Portfolio Holder comment on the schemes launched by Sheffield City Council asking landlords to identify the educational

institution attended by students claiming Council tax exemptions. Would he agree that such a scheme seems to be more accurate in assessing exemptions than the present system operated by Oxford City Council?

**Answer:** Students in Sheffield apply for student council tax exemptions in the usual way and like in Oxford the Council checks their eligibility for these exemptions with the authority which issued the student certificate. Sheffield City Council have confirmed that the review form which a Landlord completes, applies only to houses in multiple occupation (HMOs). In January the council writes to, or emails, these HMO Landlords and asks them to complete a review form for their student tenants. Landlords are asked to provide the names of all student occupiers, the name of the university they are attending, and the date of the end of their tenancy.

Oxford verifies each student application in the same way apart from asking the Landlord to complete a form.

Sheffield City Council process student applications in the same way as Oxford, if it is a direct tenancy.

I am sceptical that the scheme operated by Sheffield would improve the accuracy of the assessment of exemptions in Oxford.

Councillor Williams in a supplementary comment said that there were differences between the approach of Sheffield City Council and this Council and that Councillor Cook should read the detail.

In response Councillor Cook said that he had looked at the form used by Sheffield City Council. He found that the process was time consuming and laborious and felt that this was not the route for Oxford City council.

**3. Question to the Board Member, City Development (Councillor Colin Cook) from Councillor Matt Morton**

Green Space Strategy

As the Green Spaces Strategy runs out in 2011 could the Portfolio holder give an indication as to when the new strategy will be adopted?

Under the present strategy could the Portfolio holder list which goals have been achieved and which have not and if not why not?

**Answer:** The Green Spaces Strategy was adopted in April 2006 and runs for five years. A new strategy is currently being developed by a cross Council working group, supported by Greenspace who are a leading advocate of the value of parks and open spaces. Councillors from the three main political parties were invited to the scoping session to agree the objectives on the 18th of May 2011 and Councillors Lygo, Timbs and Jones attended. An early draft is now emerging and we will start wider consultation in the coming months. After the consultation the strategy will then be presented for adoption in the New Year.

Improving green spaces must take a long term view, but even so over the five years of the strategy many building blocks have been put in place.

While time does not allow for a full report against the action plan a fair summary is that the vast majority of actions have been completed, or have progressed. A 2007 summary of progress detailed the 24 tasks that had been completed (available upon request). An update on further headline achievements made is listed below;

- Four Green Flag Awards and ISO9001.
- There are now 14 Friends Groups and 450 volunteers supporting the work we undertake in our parks and open spaces.
- To date 53 play areas have been modernised, with a further 16 being developed by early next year. With the developer contributions and external funding this will have seen £3.5 million invested into play.
- A specification for all works on our green spaces is in place, with a summary displayed on our website and all of our parks have been mapped using Geographic Information System.
- Regular health walks take place across our green spaces and numerous sport, health and community events.
- The service has a 2012 Olympics plan (also displayed on the website).
- Wildlife beds and cutting regimes have been put in place to encourage biodiversity.
- A tree policy is in place (also on the website).
- Work is progressing to find a solution to our lack of burial space.
- Muslim burial services have been reviewed and improved (procedure on the website and in the mosques).
- Kiosks operate from our main parks.
- Significant clearing works have been undertaken across our 65 hectares of allotments.
- Our consultation and assessments show that our sport pitches are a very good standard.
- All sports provision has been reviewed which is enabling the Pitch Strategy to be also brought up to date. Costs have been reduced alongside making these improvements.

The previous strategy was very ambitious for us in relation to the volume of change and the timescales. The external economic climate has changed considerably over the strategy period. The new strategy will learn from this and cover a longer period and be reviewed on an annual basis. An area we recognise has not moved on as hoped is some of the infrastructure issues we have. While Barton Pavilion has now opened and Court Place Farm opens in the next few months, there remains a lot of work that needs to take place to modernise our poor quality sports pavilions. Some of our Parks toilets, signage and paths are also not of

the desired quality. We are currently working hard to try to find a way forward with these issues.

Councillor Morton in a supplementary question asked if the City Council was operating without a strategy.

In response Tim Sadler, Director, City Services said that the current strategy would continue.

**4. Question to the Board Member, City Development (Councillor Colin Cook) from Councillor David Williams**

Mobile Phone Mast on Iffley Road

Could the Portfolio Holder confirm that the recently erected phone mast outside the Peugeot Garage on Iffley Road has been erected on Council land?

Could he say if this was made clear in the recent planning approval?

Could he also clarify the situation as to if the Council is paid a fee from O2 or the operators for the placement or any other function related to the mobile phone company's activities and operation of the mast.

**Answer:** No, the phone mast is not on City Council land, but on the highway and falls under the jurisdiction of the County Council"

Councillor Williams in a supplementary question asked who drew the fees.

In response Councillor Cook said that the landowner would be paid if they chose to charge rent. However he agreed to investigate if there was a fee payable on the public highway.

**5. Question to the Board Member, City Development (Councillor Colin Cook) from Councillor David Rundle**

St. Clement's car park

Given the recent rejection of the application to build on St. Clements car-park and recognising that the plan to build on Old High Street car-park in Headington is at least as problematic and certainly equally controversial, what is holding the administration back from announcing now, once and for all, that the plans are off the table, and concentrating instead on more appropriate sites for much needed housing?

**Answer:** The future redevelopment of St Clements car park remains unresolved. The applicant has the opportunity to appeal the recent Council decision to reject the planning application or to re-submit a revised scheme addressing the reasons for refusal. The applicant has advised that they intend to appeal the decision, and in addition they are considering seeking an award of costs.

It is premature to seek to draw conclusions from the St Clement's scheme. The Council will assess individual schemes on their merits and

not pre-judge any potential application on the Old High Street car park site. The Sites and Housing Development Plan Document is currently out for consultation and it will be for Council to make the decision on the planning policy for this site in the light of that consultation.

Councillor Rundle in a supplementary question asked as the consultation had finished, what guarantee would the Board Member give that the consultation would not be like that of the County Council which consulted and ignored.

In response Councillor Cook said that technically the Preferred Option Document was not "out to consultation" but "between consultations". The Preferred Options Document and draft sustainability appraisal were out to consultation in June / July. He said that we would be taking the proposed submission document and final sustainability appraisal to Council in December with a view to publishing them for consultation in January. The documents would only come back to Council if there were significant changes proposed after the January consultation."

**6. Question to the Board Member, Leisure Services (Councillor Van Coulter) from Councillor Nuala Young**

Councillor Nuala Young declared a personal interest as her husband now used Temple Cowley Pool.

Temple Cowley Pool Insurance

Could the Portfolio holder confirm that Temple Cowley Pool was in 2009-2010 insured for a rebuild cost of £1.3million but last year suddenly had to be insured for £12.9 million. Could the Portfolio holder indicate why there was this massive jump compared with the modest increase in all the other pools (Barton for example increased from £3.3 million to £3.4 million).

Could the portfolio holder confirm that this had nothing to do with reality but was yet another device to discredit Temple Cowley Pool and increase its apparent costs, in the same way that Temple Cowley was deliberately left out of the eco improvement programme at other pools?

Does the portfolio holder also find it strange that insurance companies accept the rebuild cost of pools such as Barton at £3.4 million but he is proposing building a swimming pool at Blackbird Leys that is 5 yards longer at over £9.2million almost three times the cost.

Would he agree that City Council is wasting millions of pounds of ratepayer's money on building a pool at Blackbird Leys when the refurbishment of Temple Cowley and the existing Blackbird Leys pool could be completed for £3 million?

**Answer:** The insurance values to which Councillor Young refers have recently been updated and are as follows:

Ferry -	£10,210,000
Barton -	£5,410,000
Blackbird Leys -	£9,580,000
Temple Cowley -	£13,106,400

Barton Pool and the new pool at Blackbird Leys are very different facilities. Barton pool is a small four lane swimming pool with a maximum depth of 1.5 metres. Whilst the new pool is an eight lane pool, with a moveable depth floor and is of a standard that can hold competitive swimming galas. Unlike Barton the new pool also includes a teaching pool and toddler splash pool.

The case has been clearly made that the council is not wasting ratepayers money by building a pool at Blackbird Leys. The £3million of refurbishment costs at Temple Cowley to which Councillor Young refers would give only a limited life to the building and would not address some of the structural issues at the site. The building of the competition standard swimming pool will provide a high quality, sustainable city wide facility.

Councillor Young in a supplementary question asked why there was such a large increase in the valuation.

In response Councillor Coulter said that he would write to Councillor Young explaining the difference in the figures.

**7. Question to the Board Member, Housing Needs) Councillor Joe McManners) from Councillor David Williams**

Decrease in Housing

Could the Portfolio Holder give some clarification as to why in the 2009/10 accounts there were 58,306 dwellings listed as the total number of dwellings on the Council's valuation (prior to exemptions and discounts etc), yet in the draft accounts for 2010/11, there only appears to be 58,207 (i.e. 99 less properties)!

Does this mean that the Annual Monitoring Report for 2010/11 when published will show a NET DECREASE in housing development of 99? The evidence of our eyes would seem to suggest the exact opposite.

Would he agree that given the housing crisis that Oxford faces a decrease in the housing stock is a move in exactly the wrong direction?

**Answer:** The figures to which Councillor Williams refers come from the council's tax base calculations which are a combination of actual numbers of dwellings at 30th November each year as per the Valuation Officers List, and estimates of new builds for the next 15 months.

In 2009/10 and 2010/11 the following figures were used:

2009/10 – Agreed by Council in January 2009

Actual dwelling numbers per VO as at 30/11/08	57,532
Estimate of new builds remainder of 2008/09	257
Estimate of new builds 2009/10	517

Overall total	58,306
2010/11 – Agreed by Council January 2010	
Actual dwelling numbers per VO as at 30/11/09	57,815
Estimate of new builds remainder of 2009/10	127
Estimate of new builds 2010/11	265
Overall total	58,207

Whilst there has been some minimal growth in new built occupied properties between years of 0.49% there is a reduction in the estimated numbers of properties to be built and occupied which can be accounted for from an over-estimation of the number of dwellings that would be constructed and occupied during the year. This would also co-incide with the recession, which particularly hit house building.

It may be helpful to look at more up to date actual figures, which are as follows:

As at:

Nov 30th 2010 58,175 (0.6% increase from Nov 2009)  
 Oct 3rd 2011 58,675 (0.86% increase from Nov 2010).

Clearly, given that the number of homes in Oxford is probably several thousand short of demand the increase is nothing like enough. This should be remembered when we are considering our planning and strategic development objectives, particularly when looking at land south of Grenoble Road and in the north-east of the City.

Councillor Williams in a supplementary question asked if the Board Member would agree that this was a problematic situation and would he also agree that this was a comment on the Labour Administration which had failed.

In response Councillor McManners said that there was a slight increase and stood by the answer he had submitted and that Oxford had not been served well by having such a tight green belt and this needed looking at again.

**8. Question to the Board Member, Housing Needs (Councillor Joe McManners) from Councillor Stuart Craft**

Homeless housing

Is it true that Oxford City Council pays The Holiday Inn, Grenoble Road, to house the homeless and if so how much money has Holiday Inn received to date?

**Answer:** It is true that the Council's Housing Needs Team are having to resort to using hotel accommodation for short periods, in cases where immediate accommodation is required for households to whom there is a duty to accommodate while investigations into their housing situation are

carried out. Generally, the team sources the cheapest such accommodation available, but on one occasion were forced to use the Holiday Inn when no other accommodation was been available. The placement was for 2 nights in June and cost £310.

There are a number of reasons why this course of action has proved necessary. Firstly, although there has been no significant increase in the number of households presenting to the Council as homeless or threatened with homelessness, the nature of those households has changed over the past six months, and officers are seeing a greater proportion of young people, often single parents or young couples who have been excluded from their family home. Such cases made up the majority of those households accepted as being statutorily homeless in the first quarter of this financial year.

This increase is directly attributable to changes in the level of Local Housing Allowance, brought about by government policy. One of the first changes introduced under this policy was the increase in non-dependent deductions, which had been held steady since 2001. These deductions are made from a tenants' Housing Allowance where their household includes an individual who is not classed as being dependent on the householder – for example a son or daughter who has left school, and for whom the parent no longer receives Child Benefit. Whilst the amount of those deductions remained at the previous rate, many parents felt able to subsidise their children remaining in the family home, a necessity given the low rates of benefit payable to young people. Now that those deductions have increased by significant amounts (and will rise again in each of the next two financial years), it seems likely that more and more parents will feel the necessity of asking their children to leave the family home, and it is certain that many of those asked to leave will present to the Council as being at risk of homelessness.

The Housing Needs Team have, until recent months, been very successful in assisting such households to find homes in the private rented sector, by the provision of rent deposits through the Home Choice scheme. This removes the need to place the household in temporary accommodation, and the number of temporary accommodation units to which the team have access has therefore been reduced. Unfortunately, other changes to the Local Housing Allowance levels payable to private tenants have severely limited the team's ability to assist people in this way. From April 2011, the maximum level at which new Local Housing Allowance claims have been payable has been determined by reference to the lowest 30% of rents charged within the Broad Rental Market Area (which is, essentially, Oxfordshire). This is very bad news for the residents of Oxford, as the vast majority of rented properties in that category are outside of the city boundaries, in areas such as Banbury, Bicester, and Didcot. This means that very few properties in the city are affordable for tenants on benefit, without some form of additional subsidy. When introducing this policy, government ministers stated that they expected the changes to benefit levels to bring down rents in the private sector, and that benefit claimants would be expected to move to cheaper areas. In Oxford, the availability of other markets, be that student lets, transient academics and medical professionals, or simply young professional households, has meant that there has been no noticeable reduction in rents in the city. The limited nature of the rental market in

other parts of the county, where properties are scarce and where tenants tend to remain for longer periods, means that there is nowhere for those on low incomes to move to, even should they wish to do so. Most, of course, want to remain in the city where their families, friends, schools, GPs and other support networks are in place, and where there remains the best chance of finding employment.

The changes to Local Housing Allowance are set to continue over the next two years, as claims made before April this year come up for yearly review. Some transitional protection is in place, allowing payment at the old rate for nine months beyond the renewal date, but this is merely delaying the inevitable, as those tenants will eventually find themselves unable to meet their rental obligations and landlords will seek to terminate their tenancies. This will mean a continuous and growing pressure on the Council's housing services. Larger households are particularly at risk, as the new regulations further restrict the maximum payment that may be made to the cost of a four bedroom property – families in larger private rented homes will therefore see a much greater shortfall

The government have provided an additional £20,000 in funding for Discretionary Housing Payments, making a total of £105,000 of grant available to assist tenants. The Council has topped this up to the maximum allowed, a total fund of £263,800. This is a significant sum, but seen in the context of a reduction in the total housing benefits payable in the city of around £2M per year.

Councillor Craft in a supplementary question asked how many hotels were used and how many nights were paid for and were the June figures correct.

In response Councillor McManners stated that this situation had started during this financial year. He did not have the information requested and would go back to Officers for this information.

**9. Question to the Board Member, Regeneration (Councillor Val Smith) from Councillor Jean Fooks**

Calls to the City Council

How many calls to the Council were not answered within the target time? How many were dropped? What is the average length of time callers had to wait to be connected to the service they requested? Will the City Executive Board publish the figures by service area?

**Answer:** In September, the Contact Centre answered 83% of the 15553 calls offered. This is an improvement compared to August's performance of 79%.

We are currently carrying out multi-skilling training to continue to improve this figure and performance has already increased as a result of this.

The average length of time callers waited in September was 1 minute 6 seconds. This has improved compared to August's average wait time which was 2 minutes 6 seconds.

The figures published will be of overall performance for the Contact Centre for abandoned calls and calls answered within target but not for specific service areas.

Councillor Fooks in a supplementary question asked why the figures could not be presented by service area.

In response Councillor Smith said that the Call Centres had recently moved to one location. A training programme was underway and with this and other work taking place, the improvements would continue.

**10. Question to the Board Member, Cleaner, Greener Oxford (Councillor John Tanner) from Councillor Jean Fooks**

Green waste collection service

How many households have now joined the new green waste collection service? How many have bought paper sacks? And how many have been given paper sacks for free if on benefit?

**Answer:** As at 5th October 12,051 households have joined the garden waste scheme, 725 households have purchased paper sacks, 20 households on benefit received the sacks for free.

Councillor Fooks in a supplementary question asked if the Council's website had been changed to detail the free sacks available.

In response Councillor Tanner confirmed that the website had been updated.

**11. Question to the Board Member, Cleaner, Greener Oxford (Councillor John Tanner) from Councillor Jean Fooks**

Recycling rates

What is the latest recycling rate for the city, separately please, for dry recycling and compostable, i.e. green waste and food waste?

**Answer:** The cumulative recycling rate for Oxford City Council is currently 44.73%. The attached table provides details of the breakdown of recycle. This is broken down as follows:-

Dry Recyclate	26.19%
Food Waste	2.78%
Garden Waste	15.76%

Month	Refuse (Tonnes)	Rate 1	Dry Recycling (Tonnes)	Rate 2	Food (Tonnes)	Rate 3	Garden / Green Waste (Tonnes)	Rate 4	Total Waste (Tonnes)	Overall Recycling Rate 5
Apr	1,937.91	52.96%	945.11	25.83%	100.18	2.74%	675.75	18.47%	3,658.95	47.04%
May	2,005.20	55.15%	950.28	26.14%	96.61	2.66%	583.67	16.05%	3,635.76	44.85%
Jun	2,154.80	54.89%	1,021.10	26.01%	106.62	2.72%	643.18	16.38%	3,925.70	45.11%
Jul	2,062.14	56.76%	958.25	26.37%	109.84	3.02%	502.96	13.84%	3,633.19	43.24%
Aug	2,081.08	56.57%	977.99	26.58%	102.40	2.78%	517.46	14.07%	3,678.93	43.43%
		55.27%		26.19%		2.78%		15.76%		44.73%

Rate 1	Refuse Waste percentage of OCC's Total Waste generated.
Rate 2	Dry Recycling percentage of OCC's Total Waste generated.
Rate 3	Food Waste percentage of OCC's Total Waste generated.
Rate 4	Garden / Green Waste percentage of OCC's Total Waste generated.
Rate 5	OCC's Overall Recycling Rate which includes Dry Recycling, Food Waste and Garden / Green Waste.

Councillor Fooks in a supplementary question asked why the rates had fallen so much.

In response Councillor Tanner said that since 2008, the rates had not fallen substantially and this was due to not enough residents recycling and that he had doubled his efforts to encourage more recycling. However Oxford had the best results per head of population on the amount recycled.

**12. Question to the Leader of the Council (Councillor Bob Price) from Councillor Matt Morton**

Westhill Farm

Could the Leader of Council give a clear indication of what the Council proposes with regard to the Westfield Farm site?

Could he confirm if the insurance claim from the fire damage has been paid?

**Answer:** Corporate Assets continue to liaise with our Insurers Loss Adjusters in this matter.

The property is subject to a restrictive covenant which, if interpreted literally, would severely restrict the value and use of the property if it were to be reinstated (which is the reason why it was empty for an extended period). Council officers are currently appraising options to maximise value to the Council, which may or may not involve the re-building of the property.

Councillor Morton in a supplementary question asked if the Board Member could spell out the details of the covenant which protected the building and why was such a unique property not being made available.

In response Councillor Price said that the covenant was designed to prevent the building from being used for commercial purposes. Officers were investigating if the covenant could be relaxed in a way that would satisfy those responsible for the covenant.

**13. Question to the Leader of the Council (Councillor Bob Price) from Councillor David Williams**

Silencing the Opposition

Could the Leader of Council admit that over the last few years of Labour control we have seen a series of changes that are in essence designed to silence the opposition?

Would he not agree that moves such as reducing the number of Full Councils per year, reducing the number of Scrutiny Committees, having a CEB made up of only Labour councillors, introducing a 90 minute rule for all questions and motions, introducing guillotines on debates, abolishing the vocal Area Committees and abandoning the open committee system in favour of single member (Labour councillor) decision making have been done with the express purpose of denying the opposition a voice.

Would he also agree that the latest moves to extend the date deadline for the submission of motions and questions well away from the actual date of the Council is yet another move that is designed to reduce the potential to hold the Executive to account?

Could the newly created 'Supreme Leader' explain why we have had this slow and steady erosion of democracy in Oxford. Is it Labour Party policy or a slavish attempt to outdo the Tories on the County Council?

**Answer:** The answer to the initial question here is a categorical no.

The Councillor will be aware that the Local Government Act of 2000 introduced arrangements for decision making which distinguished between Council decisions and executive decisions. The most important strategic decisions, such as the Budget and the Core Strategy, and all elements of the policy framework remain with the full Council. Operational decisions taken within that Council determined policy framework are made by the Executive (individually or collectively) or, through an approved framework of delegation, by officers. All such decisions are subject to pre-scrutiny and to call-in to the Scrutiny Committees, and both the Scrutiny Committees are chaired by opposition members who are free to determine the programmes of work so as to maximise the opportunities for challenge to executive policies.

These arrangements apply to single member as well as Board decisions; and single member decision meetings are public meetings offering the same right of access as full Board meetings. I have adopted as routine procedure the practice of inviting opposition members to speak at City Executive Board meetings on matters that are of particular interest to them. It is also worth pointing out that the City Executive Board meets regularly as a full Board; it has not been 'abandoned'.

The adoption of the 90 minute rule for motions into the Constitution was not opposed and simply reflects a sensible use of the time available on a Council evening; allocating an hour and a half to open debates can hardly be described as 'denying the opposition a voice'. And the proposal to move forward the deadlines for motions and questions was discussed extensively in the Cross Party working Group in order to make it easier for members of the public to follow Council procedures and to simplify the paper work for members at a Council meeting. Changing a deadline does not affect the right to submit motions and questions.

Contrary to the paranoid assertions in this 'question', Oxford remains a local authority which is particularly open to public involvement through questions at the Board and Council, and participation in the Area Forums, through petitions, and through the formal consultation processes in planning and other aspects of our work. And, of course, the biennial cycle of elections allows full democratic participation in determining the composition of the Council.

Councillor Williams in a supplementary question asked if the Board Member would agree that when people descend to personal insults, the argument is lost.

In response Councillor Price said that he had tried in his earlier response to give a reasoned response and apologies to Councillor Williams for his previous comments. However he resented the implication that he was silencing democracy.

Councillor Williams accepted the apology from Councillor Price.

**14. Question to the Leader of the Council (Councillor Bob Price) from Councillor Stuart Craft**

Councillor Nuala Young declared a personal interest as her husband now used Temple Cowley Pool.

Temple Cowley Pools

Can you promise that, if plans to sell off the Temple Cowley Swimming Pool are successful, this land will not be sold to Oxford Brookes University?

**Answer:** If the Temple Cowley Swimming Pool is closed, consequent on the opening of a new pool at Blackbird Leys, it is proposed to market the land in the normal way through a closed tendering process. This aspect of the proposals was covered in the report to the CEB that preceded the approval of the project.

**15. Question to the Leader of the Council (Councillor Bob Price) from Councillor Stuart Craft**

Road closure notification

On 10th September, Kingfisher Green, Greater Leys, was closed to traffic to facilitate a street party. Unfortunately residents in the adjoining street, Deer Walk, were given no warning of the road closure and were unable to get their cars in or out of their driveways until the party had finished.

Community Support Officers have informed residents that the road closure was 'Council approved'. If so, who was responsible for informing residents and why was this not done?

Also can residents be assured that in future they will be given ample warning of any road closures likely to affect them?

**Answer:** The responsibility for notifying other residents sits with the applicant not with the Council. This is a standard condition which forms part of the procedure for granting any closure and this is made clear on the application form itself.

In this case the applicant had ticked the appropriate box to confirm this action and submitted a copy of the notification.

The applicant was responsible for posting copies of the notice of closure one week prior to the closure and removing them no later than one day after.

The locations specified for the Notices to be posted were:

Entrance to Kingfisher Green, from its junction Coriander Way  
Entrance to Kingfisher Green, from its junction with Blacksmiths Meadow  
All other entrances to Kingfisher Green, from any other adjoining roads  
Lamp posts in Kingfisher Green

Furthermore, the closure actually permitted Kingfisher Green to be closed from its junction with Coriander Way and Blacksmiths Meadow, to the end of the cul-de-sac. It did not provide for closure of any part of Deer Walk.

This closure would have left residents in Deer Walk with a clear exit route via Norman Smith Road/Brake Hill. On this basis it is hard to understand how residents were unable to get their cars in or out of their driveways until the party had finished.

Councillor Craft in a supplementary question asked if pressure could be put upon event organisers to leaflet every house in the street.

In response Councillor Price said that this could be tried, however there would be additional costs for the organisers.

**16. Question to the Leader of the Council (Councillor Bob Price) from Councillor Stuart Craft**

Park and Ride staffing

Is it true that security guards at the City Council run Park and Rides are being laid off and if so, do you think that it makes sense to introduce parking charges while in effect reducing the service?

**Answer:** Following the transfer of the park and ride sites back to the City Council, the standard consultation processes required by the Transfer of Undertakings Regulations are under way. At this stage, I cannot say what the outcome of the consultation with the individuals and the recognised trade union will be. The introduction of parking charges has been forced on the Council to meet the costs of running the sites and the service. Without charging, the adopted budget would not have been achievable and reductions in spending that are likely to have involved a loss of jobs would have been required.

**17. Question to the Leader of the Council (Councillor Bob Price) from Councillor Jean Fooks)**

The Forward Plan

The latest version of the Forward Plan still has future meetings without dates attached. Many say 'not before....' a date, eg 'Not before 13 October' – some just give the month in which the decision should be made. This is completely unsatisfactory; for members and the public alike. Why has this sloppiness been allowed and when will the administration

conform with the requirements of the Forward Plan process and commit to definite target dates, so that all concerned members, officers and the public know when a decision will be made?

**Answer:** Forward Plans are required by law to provide information solely about the timing of 'key decisions': Practice at this Council has for many years been to include all executive decisions in order to provide a more comprehensive picture of the decision-making processes.

The use of the term 'not before' is a consequence of the embedded terminology in the recently installed electronic committee management system. The possible wording to precede a date are: 'before', 'on', 'not before', 'in the month' or 'between'. The officers concerned have used the 'not before' designation for some single member decisions since experience has been that such decisions have often been delayed beyond the originally scheduled date in the recent past, and hence 'not before' is a more accurate designation than 'on'. The alternative is to use 'on' attached to the expected date and to announce a changed date if and when such a delay is required.

So far as the single member decision dates for the Board Member for Housing are concerned, only the month is currently listed as the fixed dates that were selected have turned out to be incompatible with Councillor McManners' Hippocratic obligations. Alternative dates are now being agreed and will appear in the next Forward Plan. Councillor Fooks in a supplementary question asked if the Board Member would agree that this was not a good situation to be in.

In response Councillor Price sympathised with Councillor Fooks, but the Forward Plan attempted to give an indication on when reports would be coming forward.

**(b) Questions notified by the deadline in the Constitution (replies given orally at Council)**

**18. Question to the Board Member, City Development (Councillor Colin Cook) from Councillor David Williams**

Oxford Core Strategy and Housing and Sites DPD

Where the local authority has adopted its Core Strategy, but has not completed and adopted the Site Allocations DPD, it now seems to require a five year supply of land as required under the PPS3, however, the National Planning Policy Framework (NPPF) could add 20 % to it for competition and choice (as indicated in the consultative White Paper).

Could the Portfolio holder indicate what are the implications for the Oxford Core Strategy and emerging Housing and Sites DPD of the proposed changes mapped out in the proposed National Planning Policy Framework, (NPPF)?

**Answer:** The NPPF will submit drafts on the comments and will arrange for the detail to be sent to each Councillor. We have to work within the

constraints of the planning system. The local framework is better than the local plan as this can be amended on a rolling programme.

**19. Question to the Board Member, Cleaner, Greener Oxford (Councillor John Tanner) from Councillor Jean Fooks**

Food Waste Collections

I see from your letters to the press that you are 'anxious to extend the food waste collection service to Oxford's many flats'. I have many flat-dwelling constituents begging to have food waste collections – why will you not allow them to have the service, where they are confident that they can manage the caddies safely and hygienically? Do you not agree that it is particularly important to offer a weekly food waste collection to blocks of flats when you have imposed a fortnightly landfill collection service?

**Answer:** The grant received by the City Council from the Government has been reduced by a quarter and there is not the funding available.

Councillor Fooks in a supplementary question said that she had been waiting for a scheme that would include flats for some time and suggested that the Board Member write to the Secretary of State for Communities and Local Government, Eric Pickles, suggesting that some of the recently announced additional funding for refuse collections is allocated to Oxford.

**46. STATEMENTS ON NOTICE FROM MEMBERS OF COUNCIL**

None made.

**47. CONSIDERATION OF PETITIONS - NO CONFIDENCE IN OUR LOCAL LABOUR COUNCIL**

The Head of Law and Governance submitted a report (previously circulated, now appended) which advised on the procedure that Council needed to follow under the Council's Petitions Scheme in respect of large petitions and provided information specifically on the petition concerning No confidence in our Local Labour Council.

Nigel Gibson the head petitioner presented the petition and spoke on its contents.

Councillor John Tanner moved the following recommendation:

"Council thanks Nigel Gibson for presenting this petition and noted its content".

Following a debate, Council voted and resolved to support the recommendation by Councillor Tanner that the Council thanked Nigel Gibson for presenting the petition and noted its contents.

**48. MOTIONS ON NOTICE**

Council had before it 16 Motions on Notice and reached decisions as follows:

(1) **Council Tax Benefit – (Proposer – Councillor Ed Turner, seconded by Councillor Antonia Bance)**

Council notes with regret and alarm the consultation on cuts to council tax benefit. Council believes that the cut - which will amount to nearly 20% in the council tax benefit of working-age recipients - represents an appalling indifference to the plight of people on low incomes (including many disabled people and those with children) and will be damaging to the aim of reducing child poverty, in Oxford and elsewhere.

Council expresses concern that local authorities are being incentivised to reduce benefits and spend funding elsewhere, and believes this could lead to a highly damaging 'race to the bottom' in levels of provision. Council also expresses concern at the significant expense likely to be associated in chasing small amounts of money from those on low incomes, and at the significant extra complexity which will be introduced into the benefits system at a time when simplification is the government's stated aim.

Council notes that in the past politicians have expressed concern at a perceived unfairness in the council tax system, and finds it an act of gross political hypocrisy that these same politicians are now massively increasing the council tax burden upon the very poorest in our society.

Council asks the Chief Executive to draft a strongly-worded letter to Ministers on this subject, to be signed by himself and any group leaders who are willing.

***Councillor David Rundle moved an amendment:- to delete the third paragraph.***

***Councillor David Williams moved an amendment:- to insert the following words at the end of the first sentence in the first paragraph "as proposed by the Coalition Government"***

The mover of the substantive Motion, Councillor Ed Turner did not accept the amendment by Councillor David Rundle, but did accept the amendment by Councillor David Williams and following a debate, Council voted and the Motion as amended by Councillor David Williams was adopted as follows:

Council notes with regret and alarm the consultation on cuts to council tax benefit. Council believes that the cut - which will amount to nearly 20% in the council tax benefit of working-age recipients - represents an appalling indifference to the plight of people on low incomes (including many disabled people and those with children) and will be damaging to the aim of reducing child poverty, in Oxford and elsewhere.

Council expresses concern that local authorities are being incentivised to reduce benefits and spend funding elsewhere, and believes this could lead to a highly damaging 'race to the bottom' in levels of provision. Council also expresses concern at the significant expense likely to be associated in chasing small amounts of money from those on low incomes, and at the significant extra complexity which will be introduced into the benefits system at a time when simplification is the government's

stated aim.

Council asks the Chief Executive to draft a strongly-worded letter to Ministers on this subject, to be signed by himself and any group leaders who are willing.

**(2) Universal Credit Delivery Arrangements – (Proposer Val Smith, seconded by Councillor Mike Rowley)**

Council notes that the Government has indicated that benefits for those of working age are to be merged into the Universal Credit. Council expresses concern that this is associated with enormous reductions in the DWP's overall budget, meaning the transition is likely to exacerbate poverty. Council further expresses concern that administration of the new combined benefit may be entirely with the DWP, and will not offer vulnerable claimants the personal service that they receive from Oxford City Council and other local authorities. Council believes it is unacceptable to expect vulnerable claimants to rely on the internet and telephone alone to make claims, and that the proposed transitional arrangements, with two systems operating in parallel, run a great risk of becoming a fiasco.

Council expresses its anxiety that the shift to Universal Credit will threaten jobs at Oxford City Council, without any guarantee of a place in the DWP for our staff, nor for financial recompense for the Council.

Council asks the Chief Executive to write to the Welfare Reform Minister, Lord Freud, on these matters, and to seek the support of all groups leaders willing to sign the letter.

***Councillor David Williams moved an amendment: to insert the word "Coalition" in the first line of the first paragraph in front of the word "Government"..***

The mover of the substantive Motion, Councillor Val Smith accepted the amendment by Councillor David Williams and following a debate, Council voted and the Motion as amended by Councillor David Williams was adopted as follows:

Council notes that the Coalition Government has indicated that benefits for those of working age are to be merged into the Universal Credit. Council expresses concern that this is associated with enormous reductions in the DWP's overall budget, meaning the transition is likely to exacerbate poverty. Council further expresses concern that administration of the new combined benefit may be entirely with the DWP, and will not offer vulnerable claimants the personal service that they receive from Oxford City Council and other local authorities. Council believes it is unacceptable to expect vulnerable claimants to rely on the internet and telephone alone to make claims, and that the proposed transitional arrangements, with two systems operating in parallel, run a great risk of becoming a fiasco.

Council expresses its anxiety that the shift to Universal Credit will threaten jobs at Oxford City Council, without any guarantee of a place in the DWP

for our staff, nor for financial recompense for the Council.

Council asks the Chief Executive to write to the Welfare Reform Minister, Lord Freud, on these matters, and to seek the support of all groups leaders willing to sign the letter.

**(3) Oxford City Council Housing in Multiple Occupation (HMO) Policy – (Proposer – Councillor Joe McManners, seconder Mike Rowley**

Council recognises that Oxford City Council had a longstanding desire to tackle the poor standards and problems found in the Private Rental Sector (PRS). Houses in Multiple Occupation (HMOs) are known from survey work to have some of the poorest conditions in the sector. Council notes that Oxford City Council (OCC) lobbied for powers to extend HMO licensing beyond mandatory licensing (which is 3 or more stories and 5 or more unrelated residents); that when the power to license all HMOs was granted, OCC has been one of the first councils to use these powers; that our scheme started in January and is in two phases, starting with the larger HMOs, particularly those with previous problems.

Council further notes that the aims of the schemes are to improve standards for tenants, to provide a way of regulating previously unaccountable landlords and to make sure problematic HMOs for neighbours can be tackled. Council believes that by licensing all HMOs, it can be sure that landlords will have a level playing field and that action can and should be taken against any that try to avoid licensing.

Council notes that enforcement work against landlords continues alongside this scheme and the two strands are mutually reinforcing. Council is proud that Oxford City Council is one of the leading local authorities in England with a sound record of vigorous enforcement against bad landlords.

This Council therefore resolves:

- (1) To reiterate its complete support for the work the officers are getting on with by licensing all HMOs.
- (2) That the HMO licensing scheme as it stands is one that we believe will improve standards for tenants.
- (3) That HMOs are an important part of the PRS and the Council's priority needs to remain driving up standards universally across the sector so that rogue landlords will no longer have any place in Oxford.

***Councillor David Williams submitted an amendment: Delete the first line in the first paragraph.***

*Insert a new first paragraph to read, "Council recognises that Oxford Green Party City Councillors have had a longstanding desire to tackle the poor standards and problems found in the private rented sector and that after many years the local Labour Administration agreed to implement a scheme in 2008. After two years of delay and confusions that scheme*

*has now been established but is slow in terms of the registration and enforcement of the criteria set.*

*Insert the following at the end of the original fourth paragraph to make a new paragraph 5 “As it has become clear that the workload related to enforcement and registration is ever larger, the Council believes that it will become increasingly important to have a larger team of related officers undertaking the workload.”*

*Insert a new point 1 to read “To increase the registration and enforcement team by at least one senior officer. A report to be presented to the City Executive Board in the autumn as to how this could be implemented.”*

*Councillor David Williams withdrew his amendment.*

Following a debate, the Motion was adopted unamended.

**(4) Sustainable Purpose Built Student Accommodation – (Proposer – Councillor Antonia Bance, Seconder – Councillor Roy Darke)**

Council welcomes the remarkable contribution that our two world-class universities make to Oxford, and the vast range of benefits that they bring to the local economy, and to the social and cultural life of our city. Council endorses the established Local Plan/Core Strategy policy of seeking to reduce the number of students who live in the private rented sector by increasing the amount of purpose-built student housing in the city, and believes that this policy, along with the implementation of tougher regulation of the private rented sector, will bring benefits to the whole community.

Council asks the Executive to increase the efforts that it is already making to encourage the construction of further purpose-built student housing in appropriate and sustainable locations and to ensure that future policies and planning documents recognise the extensive and valuable contribution that students make to our city.

***Councillor David Williams moved an amendment:*** *to insert the following words “sustainable eco friendly” in line eight of the first paragraph, and to insert the following words in the eleventh line (second paragraph) “eco friendly sustainable”.*

The mover of the substantive Motion, Councillor Antonia Bance accepted the amendment by Councillor David Williams and following a debate, Council in a named vote, voted as follows to adopt the amended Motion as follows:

Councillors Elise Benjamin, Alan Armitage, Jeans Fooks, Mohammed Abbasi, Mohammed Altaf-Khan, Antonia Bance, Laurence Baxter, Stephen Brown, Clark Brundin, Jim Campbell, Mary Clarkson, Colin Cook, Van Coulter, Roy Darke, John Goddard, Michael Gotch, Rae Humberstone, Graham Jones, Bryan Keen, Shah Jahan Khan, Ben Lloyd-Shogbesan, Mark Lygo, Sajjad Malik, Stuart McCready, Joe McManners, Mark Mills, Matt Morton, Susanna Pressel, Bob Price, Mike Rowley, Gwynneth Royce, David Rundle, Gill Sanders, Scott Seamons, Dee

Sinclair, Val Smith, John Tanner, Bob Timbs, Ed Turner, Oscar Van Nooijen, and Ruth Wilkinson, voting in favour of the amended Motion.

Councillors Stuart Craft and Richard Wolff voting against the amended Motion.

Councillors David Williams and Nuala Young abstained.

Council welcomes the remarkable contribution that our two world-class universities make to Oxford, and the vast range of benefits that they bring to the local economy, and to the social and cultural life of our city. Council endorses the established Local Plan/Core Strategy policy of seeking to reduce the number of students who live in the private rented sector by increasing the amount of sustainable eco friendly purpose-built student housing in the city, and believes that this policy, along with the implementation of tougher regulation of the private rented sector, will bring benefits to the whole community.

Council asks the Executive to increase the efforts that it is already making to encourage the construction of further eco friendly sustainable purpose-built student housing in appropriate and sustainable locations and to ensure that future policies and planning documents recognise the extensive and valuable contribution that students make to our city.

**(5) Proposed Electoral Reform – (Proposer – Councillor David Williams, Seconder – Councillor Dick Wolff)**

The Council believes the proposals of the Coalition Government and Boundary Commission with regard to amendments to the Representation of the People Act, notably the scheme to reduce the present Parliamentary representation and the recommendation to alter voter registration from a compulsory household identification to a US style individual voluntary registration on the electoral roll will undermine democratic representation in Oxford.

Council invites the Executive to:-

- (a) conclude, on reviewing the recommendations, that reducing the number of MPs from 650 to 600 will result in a less representative Parliament and mean that the local character and opinions of the electoral will be further eroded, lost in much larger constituency structures. Far from increasing the size of constituencies the Executive believes that the City would be better served with a reduction in the number of voters in each constituency in order that Oxford City boundary could encompass two full Parliamentary constituencies;
- (b) conclude that the proposal to move to individual voluntary registration will mean that large numbers of poor and vulnerable voters will drop off the electoral register in Oxford and could mean up to 10 million voters nationally will no longer be on the electoral rolls,

and, depending upon the Executive's conclusion, to write to the Boundary Commission and the Coalition Government Minister proposing that the changes to the existing legislation do not proceed.

***Councillor Mike Rowley moved an amendment: to delete point (a) and replace with the words "conclude, on reviewing the recommendation, that reducing the number of MP's to exactly 600 will mean that the local character and opinions of the electorate will be less well represented, with respect for the boundaries of actually existing communities taking second place to mathematics based on a predetermined size of the House of Commons".***

The mover of the substantive Motion, Councillor David Williams accepted the amendment and following a debate, Council voted and the amended Motion was adopted as follows:

The Council believes the proposals of the Coalition Government and Boundary Commission with regard to amendments to the Representation of the People Act, notably the scheme to reduce the present Parliamentary representation and the recommendation to alter voter registration from a compulsory household identification to a US style individual voluntary registration on the electoral roll will undermine democratic representation in Oxford.

Council invites the Executive to:-

- (a) Conclude, on reviewing the recommendations, that reducing the number of MPs to exactly 600 will mean that the local character and opinions of the electorate will be less well represented, with respect for the boundaries of actually existing communities taking second place to mathematics based on a predetermined size of the House of Commons;
- (b) Conclude that the proposal to move to individual voluntary registration will mean that large numbers of poor and vulnerable voters will drop off the electoral register in Oxford and could mean up to 10 million voters nationally will no longer be on the electoral rolls,

and, depending upon the Executive's conclusion, to write to the Boundary Commission and the Coalition Government Minister proposing that the changes to the existing legislation do not proceed.

**(6) Cornmarket Notice Board – (Proposer – Councillor Nuala Young, Secunder – Councillor Matt Morton)**

This Council believes that the new rules on leaflet distribution in the City Centre will restrict small voluntary and campaigning organisations who don't have charitable status and aren't religious or political from distributing leaflets, stifling their ability to promote fundraising events, public meetings and other activities.

Council therefore invites the Executive to resolve to assist these smaller voluntary and campaigning organisations by providing free a public notice

board in Cornmarket similar to those near Oxford Brookes where groups can display posters.

Councillor Sajjad Malik declared a personal interest as he was a licensed badgeholder for the distribution of leaflets.

Following a debate, Council voted and the Motion was not adopted.

**(7) Health and Social Care Bill – (Proposer – Councillor David Williams, Secunder – councillor Dick Wolff)**

Oxford City Council believes the Health and Social Care Bill currently before Parliament and in the House of Lords will:

- Significantly increase the portion of Oxfordshire NHS owned and operated in the interests of profit-making corporations.
- Increase costs, fragment services and reduce the quality of care.
- Lead to the closure of NHS hospitals in Oxfordshire.
- Dismantle vital cooperative relationships built over many years.
- Force drastic change on an organisation which requires stability.
- Create increased transaction costs and profits at the expense of patient care.
- Give powers to the Oxfordshire Clinical Consortia to deny care, close services, introduce charges and top-up fees and sell private insurance.
- Remove the Secretary of State's duty to provide a Health Service free at the point of use.
- Leave Oxfordshire NHS unprotected against the full impact of European Union competition laws by removing the public service exclusion clause.
- Remove the cap on the number of private patients NHS Hospitals in Oxfordshire can treat, thus denying care to NHS patients

For these reasons this Council resolves to ask the Chief Executive to write forthwith to the Government spokesperson in the House of Lords to consider these issues and decide to:-

- (a) Call upon all members of the House of Lords, regardless of Party affiliation, to reject the Health and Social Care Bill;
- (b) Explore the reasons behind the British Medical Association and the Royal College of Nurses opposition to this Bill;
- (c) Take into account the general level of opposition by the public to the privatisation of the NHS.

Councillor Joe McManners declared a personal interest as he was a General Practitioner.

Councillor Ben Lloyd-Shogbesan declared a personal interest as he was an employee of the National Health Service.

Councillor William's Motion on Notice was not considered as the time allowed by the Constitution for Motions on Notice had lapsed.

**(8) Means tests for Councillors – (Proposer – Councillor Stuart Craft)**

This Council agrees that Councillors with an annual household income exceeding £75,000 have no need to claim their allowance and that this money would be better spent in the interests of the City's Council Tax payers.

With this in mind, Council agrees to set up a Committee to decide the details of a system of means testing for City Councillors in order to remove the allowance from those councillors with annual incomes exceeding £75,000.

Council requests that those Councillors currently falling into this category voluntarily give up their allowance until a formal system is introduced.

Council also agrees to request that City Councillors who are also County Councillors put forward a motion to the same ends to the County Council.

Councillor Stuart Craft's Motion on Notice was not considered as the time allowed by the Constitution for Motions on Notice had lapsed.

**(9) Resignation of the City Council Leader – (Proposer – Councillor Stuart Craft)**

Oxford City Council has engaged in transactions resulting in public land being sold to Oxford Brookes University. Council has also decided a major planning application by Brookes that received a large amount of opposition from local residents.

Council understands that it would be perfectly reasonable for members of the public to conclude that the Leader of Oxford City Council, Bob Price, has a conflict of interest when dealing with Oxford Brookes as he is a Director at the university.

With this in mind Council agrees, to remove the Leader from office as provided for in paragraph 1.4(c) of the Constitution.

Councillor Stuart Craft's Motion on Notice was not considered as the time allowed by the Constitution for Motions on Notice had lapsed.

**(10) Temple Cowley and Blackbird Leys Pools – (Proposer – Councillor Stuart Craft)**

Councillor Nuala Young declared a personal interest as her husband now used Temple Cowley Pool.

If the current plans for a new swimming pool at Blackbird Leys were to go ahead, the land at Temple Cowley along with playing fields (and mature trees) in Blackbird Leys will be lost – probably forever.

As councillors we are entrusted to safeguard the City's assets for future generations.

With this in mind, this Council asks the Executive to put plans for a new swimming pool at Blackbird Leys on hold until:

- (a) An alternative source of funding becomes available other than the proposed funds from the sale of Temple Cowley Pool.
- (b) An alternative site for the new pool, which does not encroach on existing playing fields or have a negative effect on neighbouring residents' lives, is found.

Councillor Stuart Craft's Motion on Notice was not considered as the time allowed by the Constitution for Motions on Notice had lapsed.

**(11) Oxford Transport Strategy and Motorcycles – (Proposer – Councillor Stuart Craft)**

Oxfordshire County Council's Transport Strategy fails to address the benefits of motorcycle use as an alternative to the car.

Motorcycles can be a cheap alternative to cars for commuters who live off the main bus routes. Motorcycles take up less road space than cars and can fit through smaller gaps which keeps traffic flowing.

Modern bikes are very fuel efficient and are subject to more emission controls (within the EU) than cars. As motorcycles spend less time stationary than other vehicles the engines also run more efficiently.

With this in mind, this Council agrees to write to the County Council encouraging councillors to investigate initiatives that would encourage more motorcycle usage across the county.

Councillor Stuart Craft's Motion on Notice was not considered as the time allowed by the Constitution for Motions on Notice had lapsed.

**(12) Language Schools – (Proposer – Councillor Nuala Young, Seconder – Councillor David Williams)**

Councillor Nuala Young declared a personal interest as she refused to take language school students on guided tours.

This Council believes that occasional meeting between police representatives and the Oxford language schools reflected in the 'Language Summit' need to be formalised on a regular basis and the range of issues discussed widened to include not only security but the behaviour and wellbeing of summer school students .

The Council will seek to re-establish the original 'Language School Forum' with full Council officer support. The Forum will seek to bring together all summer school and EFL providers with the intention of establishing a 'Code of Conduct' on a range of issues to guide the operation of language

school groups and their activities in the City environment and to create a set of quality standards for foreign students studying in the City for short periods of time. A report on how a revived Language School Forum could be reconstituted with the agreed objectives and incorporating all interested parties should be brought to the City Executive Board in the late autumn.

**Councillor Ruth Wilkinson moved an amendment:** as follows:

- (i) *In Line 1: replace “believes” with “notes”*
- (ii) *In lines 2 and 3: replace “reflected in the Language Summit needs to be” with “have been”*
- (iii) *In line 5: at the end, insert “,and in particular, crowding in public places and on public transport, alcohol and litter in parks, noise nuisance and low level antisocial behaviour, the vulnerability of language students and the need for better knowledge of cultural difference.”*
- (iv) *In line 6: at the beginning, insert paragraph: “Council notes that language schools contribute to the economic and cultural wellbeing of Oxford and boost its international reputation”.*
- (v) *In line 6: replace “The Council will seek to re-establish the original ‘Language School Forum’ with full Council support. The Forum will seek to bring together all summer school and EFL providers with the intention of establishing” with “Council further notes that the multi-agency group consisting of representatives from the police, City Council, bus companies, language schools and members is seeking to establish”*
- (vi) *In lines 12-16: replace “A report on how a revived Language School Forum could be reconstituted with the agreed objectives and incorporating all interested parties should be brought to the City Executive Board in late autumn” with “Council requests that a copy of the action plan agreed by the multi-agency group is made available to all members and is monitored by the Communities and Partnerships Scrutiny Committee.”*

The mover of the substantive Motion, Councillor Nuala Young accepted the amendment and following a debate, Council voted and the amended Motion was adopted as follows:

This Council notes that occasional meetings between police representatives and the Oxford language schools have been formalised on a regular basis and the range of issues discussed widened to include not only security but the behaviour and well-being of summer school students, and in particular, crowding in public places and on public transport, alcohol and litter in parks, noise nuisance and low level antisocial behaviour, the vulnerability of language students and the need for better knowledge of cultural differences.

Council notes that language schools contribute to the economic and well-being of Oxford and boost its international reputation. Council further

notes that a multi-agency group consisting of representatives from the police, City Council, bus companies, language schools and members is seeking to establish a 'code of conduct' on a range of issues to guide the operation of language school groups and their activities in the City environment and to create a set of quality standards for foreign students studying in the city for short periods of time.

Council requests that a copy of the action plan agreed by this multi-agency group is made available to all members and is monitored by the Community and Partnerships Scrutiny Committee.

**(13) Autumn Revised Budget – (Proposer – Councillor David Williams, Seconder Councillor Matt Morton)**

With surpluses in reserves now in excess of £5.2 million, the Council believes that now is the time to reassess the Annual budget for 2011-2012 with a mid term Budget Review with appropriate amendments to the Councils spending plans.

Oxford City Council adopts the amended budget as set out below. The Council will retain £3.4 million as a prudent reserve and spend £1.8 million on the identified themes as set out below within the remaining financial year.

Councillors Mohammed Niaz Abbasi, Mohammed Altaf-Khan, Shah Jahan-Khan and Sajjad Malik declared personal interests as they were associated with the hackney carriage and private hire licensed trade.

Councillor Bob Price declared on behalf of all the Members on the City Executive Board, personal interests as they had been part of the Administration that had set the budget in February 2011.

Councillor Stephen Brown declared on behalf of all Members of the Liberal Democrat Group, personal interests as they may in the future be part of an Administration that sets the Council's budget.

£1000's	2011/12 (half year)	2012/13	2013/14	2014/15
<b><u>Additional Savings</u></b>				
Limit SRA allowance on CEB to five Councillors and reduce remainder by £2k each	-22.5	-45	-45	-45
Further energy savings and income from grants and advice to external organisations	0	-10	-10	-15
Increase parking charges in line with inflation (2% more than assumed in base budget)	0	0	0	0
Increase taxi licensing fees in line with inflation (2% more than assumed in base)	0	-13	-13	-13
Increase Planning fees in line with inflation (2% more than assumed in base)	0	-3	-3	-3
Increase Licensing fees in line with inflation (2% more than assumed in base)	0	-10	-10	-10

Revise down senior staff no.s/salaries to reflect reduced budgets & responsibilities	-50	-200	-200	-200
Abandon sale of St Clement Car Park	0	-60	-60	-60
Increase incomes from property by 0.5% over 4 years	0	0	0	0
income from solar feedin tariff	-10	-40	-40	-40
Take out £1500 per member in exchange for area cttee budget	-36	-72	-72	-72
<b>Total additional savings</b>	<b>-118.5</b>	<b>-453</b>	<b>-453</b>	<b>-458</b>
<b>Cumulative additional savings</b>	<b>-118.5</b>	<b>-571.5</b>	<b>-1024.5</b>	<b>-1482.5</b>
<b><u>Additional costs</u></b>				
Additional pru borrowing costs on lost capital receipt from St Clements car park	115	224	219	213
additional part-time sustainability officer	10	20	20	20
reinstate area committee budgets, area planning & staffing	101	202	202	202
Prudential borrowing on other capital investment of £500k	25	49	48	46
keep Temple Cowley Pool open	113	159	159	159
reinstate free green waste collection	74.5	214	279	279
new fund-raising officer	25	50	50	50
<b>Total additional costs</b>	<b>463.5</b>	<b>918</b>	<b>977</b>	<b>969</b>
<b><u>Net effect on budget in-year</u></b>	<b><u>345</u></b>	<b><u>465</u></b>	<b><u>524</u></b>	<b><u>511</u></b>
<b><u>Cumulative effect on budget</u></b>	<b><u>345</u></b>	<b><u>810</u></b>	<b><u>1334</u></b>	<b><u>1845</u></b>
Alternative budget transfer to/(from) reserves	-345	-465	-524	-511
<b>Alternative Budget Net Budget Requirement</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0.0</b>

## Green Group amendment to Capital Budget

	2011/12 £000'S	2012/13 £000'S	2013/14 £000'S	2014/15 £000'S
<b>CAPITAL PROGRAM AS PER CEB 9TH FEBRUARY</b>	28,777	13,677	13,480	12,295
<b>SAVINGS</b>				
Pool extn to BBL leisure centre	7,365	500	0	0
Rephasing of buildings refurbishment programme (5 years not 4)		500	500	500
<b>ADDITIONAL SPENDING</b>				

buildings & energy improvements to Temple Cowley Pools & Gym	3,000	0	0	0
investment in solar array (s) on Council buildings	500	0	0	0
<b>REVISED CAPITAL PROGRAM</b>	<b>24,912</b>	<b>12,677</b>	<b>12,980</b>	<b>11,795</b>

<b>FINANCING</b>				
<b>FINANCING AS PER CEB REPORT 9TH FEBRUARY</b>	<b>28,777</b>	<b>13,677</b>	<b>13,480</b>	<b>12,295</b>
<b>Savings</b>				
Savings in Prudential borrowing re competition pool	-7000			
<b>Savings in use of capital receipts re competition pool</b>	<b>-365</b>	<b>-500</b>		
Savings in use of capital receipts rephasing of refurbishment		-500	-500	-500
<b>Additions</b>				
Additional prudential borrowing re solar arrays	500			
<b>Additional prudential borrowing re Temple Cowley Pool</b>	<b>3000</b>			
<b>REVISED CAPITAL FINANCING</b>	<b>24,912</b>	<b>12,677</b>	<b>12,980</b>	<b>11,795</b>

***Councillor David Williams moved an amendment: to replace the financial information with the following:***

£1000's

	2011/12 (half year)	2012/13	2013/14	2014/15
<b><u>Additional Savings</u></b>				
Limit SRA allowance on CEB to five Councillors and reduce remainder by £2k each	-22.5	-45	-45	-45
Further energy savings and income from grants and advice to external organisations	0	-10	-10	-15
Increase parking charges in line with inflation (2% more than assumed in base budget)	-75	-150	-150	-150
Increase taxi licensing fees in line with inflation (2% more than assumed in base)	0	-13	-13	-13
Increase Planning fees in line with inflation (2% more than assumed in base)	0	-3	-3	-3
Increase Licensing fees in line with inflation (2% more than assumed in base)	0	-10	-10	-10
Revise down senior staff no.s/salaries to reflect reduced budgets & responsibilities	-50	-200	-200	-200
Abandon sale of St Clement Car Park	0	-60	-60	-60
Increase incomes from property by 0.5% over 4 years	0	-50	-100	-150
income from solar feedin tariff	-10	-40	-40	-40
Take out £1500 per member in exchange for area cttee budget	-36	-72	-72	-72

<b>Total additional savings</b>	<b>-193.5</b>	<b>-653</b>	<b>-703</b>	<b>-758</b>
<b>Cumulative additional savings</b>	<b>-193.5</b>	<b>-846.5</b>	<b>-1549.5</b>	<b>-2307.5</b>
<b><u>Additional costs</u></b>				
Additional pru borrowing costs on lost capital receipt from St Clements car park	115	224	219	213
additional part-time sustainability officer	10	20	20	20
reinstate area committee budgets, area planning & staffing	101	202	202	202
Prudential borrowing on other capital investment of £500k	25	49	48	46
keep Temple Cowley Pool open	113	159	159	159
reinstate free green waste collection	74.5	214	279	279
new fund-raising officer	25	50	50	50
<b>Total additional costs</b>	<b>463.5</b>	<b>918</b>	<b>977</b>	<b>969</b>
<b><u>Net effect on budget in-year</u></b>	<b><u>270</u></b>	<b><u>265</u></b>	<b><u>274</u></b>	<b><u>211</u></b>
<b><u>Cumulative effect on budget</u></b>	<b><u>270</u></b>	<b><u>535</u></b>	<b><u>809</u></b>	<b><u>1020</u></b>
Alternative budget transfer to/(from) reserves	-270	-265	-274	-211
<b>Alternative Budget Net Budget Requirement</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0.0</b>

<b>General Fund Working Balances</b>				
1st April	4,427	4,973	4,135	3,492
Approved Transfers to (From) working balances (Feb 11)	816	-573	-369	-610
Additional transfer to (from) working balance - Green proposals	-270	-265	-274	-211
<b>Working Balances as at 31st March</b>	<b>4,973</b>	<b>4,135</b>	<b>3,492</b>	<b>2,671</b>

## Green Group amendment to Capital Budget

	2011/12 £000'S	2012/13 £000'S	2013/14 £000'S	2014/15 £000'S
<b>CAPITAL PROGRAM AS PER CEB 9TH FEBRUARY</b>	28,777	13,677	13,480	12,295
<b>SAVINGS</b>				
Pool extn to BBL leisure centre	7,365	500	0	0
Rephasing of buildings refurbishment programme (5 years not 4)		500	500	500
<b>ADDITIONAL SPENDING</b>				
buildings & energy improvements to Temple Cowley Pools & Gym	3,000	0	0	0

investment in solar array (s) on Council buildings	500	0	0	0
<b>REVISED CAPITAL PROGRAM</b>	<b>24,912</b>	<b>12,677</b>	<b>12,980</b>	<b>11,795</b>
<b>FINANCING</b>				
<b>FINANCING AS PER CEB REPORT 9TH FEBRUARY</b>	28,777	13,677	13,480	12,295
<b>Savings</b>				
Savings in Prudential borrowing re competition pool	-7000			
<b>Savings in use of capital receipts re competition pool</b>	-365	-500		
Savings in use of capital receipts rephasing of refurbishment		-500	-500	-500
<b>Additions</b>				
Additional prudential borrowing re solar arrays	500			
<b>Additional prudential borrowing re Temple Cowley Pool</b>	3000			
<b>REVISED CAPITAL FINANCING</b>	<b>24,912</b>	<b>12,677</b>	<b>12,980</b>	<b>11,795</b>

Councillor David Williams Motion on Notice was not considered as the time allowed by the Constitution for Motions on Notice had lapsed.

**(14) National Planning Framework – (Proposer – Councillor David Williams)**

With the Coalition Government launching a consultative period on changes to planning requirements for land development under a new National Planning Policy Framework Oxford City Council would seek to input to that consultation by making the following comment:

The key to new housing development rests with general economic development and change not deregulation. This obvious conclusion was accepted by both the Conservative and Liberal Democrat Parties prior to the last election and neither party proposed radical changes to planning policies. There is therefore no popular mandate for these changes

This Council supports the stance taken by the Campaign for Rural England, the National Trust and the RSPB that revision of the protection of the most fertile farmland as identified in the original Open Green Space Planning Document by a revised code that suggests (paragraph 167) 'Local Authorities should take into account the economic and other benefits of the best and most versatile agricultural land' is a retrograde step and will effectively lead to a free for all of development on prime agricultural land.

This Council believes that the existing requirements on developers have been built up over many generations to provide a balance between the need to meet housing need and the duty to protect the environment. The structure as it is already provides a positive range of opportunities and

great flexibility for developers and to abandon controls that have worked will only lead to further erosion of the Green Belt and green space availability.

The presumptions within the new proposals will shift the emphasis in planning from developing brownfield sites first in preference to prime Greenfield sites. This will mean not only loss of countryside areas but will also undermine urban redevelopment.

Oxford City Council believes that there is an intrinsic value to Greenfield sites not only aesthetically best quality agricultural land will play a critical part in sustainable development providing food in a world of global pressures from climate change and population growth

At the heart of the framework is the weak definition of sustainable development which emphasises the primacy of business and housing development over almost all considerations. Oxford City Council believes, not withstanding having an approved Core Strategy, there will be increased pressures on Oxford's green open spaces, transport system and community facilities from developers being able to suggest that virtually any project is sustainable.

Oxford City Council believes that there is an intrinsic value to Greenfield sites not only aesthetically but because best quality agricultural land will play a critical part in sustainable development providing food in a world of global pressures from climate change and population growth. The Oxford Green Belt also needs strong protection to provide a unique setting to this important historic City.

Oxford City Council calls on the Government not to implement the changes envisaged in the consultative National Planning Framework Document.

Councillor David William's Motion on Notice was not considered as the time allowed by the Constitution for Motions on Notice had lapsed.

**(15) Diversity of the Local High Street – (Proposer – Councillor Ruth Wilkinson)**

Council notes:

Oxford Residents and traders have expressed concern about the need for a variety of shops in the City Centre, our District Centres and in local neighbourhoods.

Diverse shopping areas, with a healthy representation of small traders, can form an integral part of the social fabric of local communities;

The competitive environment of the high street increasingly tends to produce generic streets populated by chain stores, resulting in "Clone Towns";

The Localism Bill is designed to give more powers to local councils and local people to shape their neighbourhoods;

Liberal Democrat parliamentarians have tabled an amendment to the Localism Bill – “The Cambridge Amendment” (153AKC) – that would allow councils and the local community to protect the diversity of the local high street by giving councils a new power to take into account whether the business is “independent” or “multiple”.

Labour parliamentarians have tabled an amendment (153AKA) that requires councils to adopt a sequential, “town centre first” approach to development of retail sites in order to stop retail diversity in town centres being harmed by out-of-town developments.

Recommendation:

Council requests the Leader to write to both City MPs and to the leaders of all political parties in the House of Lords, asking that they support both these amendments to the Localism Bill.

Councillor Ruth Wilkinson’s Motion on Notice was not considered as the time allowed by the Constitution for Motions on Notice had lapsed.

**(16) Carbon Footprint – (Proposer – Councillors Jean Fooks and Michael Gotch)**

Council welcomes the excellent progress that Oxford City Council is making towards reducing the carbon footprint of its own buildings and operations.

However, many planning applications for new buildings or extensions pay no regard to the need to reduce carbon emissions and thereby help to slow climate change. As one-third of UK energy consumption is used in buildings, to heat, cool or light them, it is imperative that we make every effort to reduce this, leading to reduced costs as well as reduced carbon emissions.

Council therefore asks the Planning Department to remind all applicants of the need to minimise the energy use of their buildings and request that information is provided on the estimated carbon emissions of the proposed buildings. This information should be included in Committee reports.

Council further asks the Executive Board member to ensure that all possible steps are taken to make Oxford a leading authority in this respect, before such measures become compulsory in a few years’ time.

Councillors Jean Fooks and Michael Gotch’s Motion on Notice was not considered as the time allowed by the Constitution for Motions on Notice had lapsed.

**49. REPORTS AND QUESTIONS ABOUT ORGANISATIONS THE COUNCIL IS REPRESENTED ON**

None made.

## **50. REVIEW OF POLLING DISTRICTS AND POLLING PLACES**

The Head of Law and Governance submitted a report (previously circulated, now appended) which asked Council to approve the schedule of polling districts and polling places for the administrative area of the City Council as required by the Electoral Administration Act 2006.

Council resolved:

- (1) To approve the Schedule of Polling Districts and Polling Places as detailed in Appendix A to the report;
- (2) To delegate power to the Returning Officer to make changes to polling stations in emergencies;
- (3) To subsume polling districts GC into GB, KC into KA and ME into MC

## **51. REVIEW OF FULL COUNCIL PROCEDURES AND OTHER CONSTITUTIONAL AMENDMENTS**

The Head of Law and Governance submitted a report (previously circulated, now appended) the purpose of which was to review the operational and constitutional procedures applicable to Council meetings to allow for more efficient public engagement, and to propose other constitutional amendments.

Councillors Mohammed Niaz Abbasi, Mohammed Altaf-Khan, Shah Jahan-Khan and Sajjad Malik, declared personal interests as they were associated with the hackney carriage and private hire licensed vehicle trade.

The Leader of the Council, Councillor Bob Price said that the item had been discussed at the Corporate Management Team and the proposals were to address the amount of papers produced for Council and the difficulty that this caused the public and Members in following the meeting. He added that the proposals would have allowed only one document to be produced. He further said that he wished to withdraw paragraphs 1-16 and recommendation (a) of the report and the reference to Council Procedure Rules from recommendation (b) and to refer back to Officers these parts of the report for further discussion with Members.

Councillor Brown welcomed the withdrawal of paragraphs 1-16 by Councillor Price. He said that while he had the greatest sympathy in improving the current procedures, he still needed to be persuaded that the proposals would benefit the public, aid transparency and make the Council meeting better.

Councillor Williams felt that the proposals were a device to limit the number of questions submitted to reduce criticisms.

Councillor Tanner supported the amended recommendations and said that it was about dealing with the business on the agenda and the democratic process.

Councillor Benjamin felt that the use of the St. Aldate's Room was a good move, but that there were still issues with the sound system.

Councillor Price said that the withdrawn paragraphs were not about restricting the public and Members, they were simply changing the current deadlines which were confusing for some, to one deadline instead.

Council resolved:

- (a) That the Constitution be amended to reflect the changes proposed to the Council scheme of delegation and the Contract Procedure Rules as set out in the body of the report with effect from 11<sup>th</sup> October 2011;
- (b) That every Council meeting be filmed and published on the internet.

## **52. MATTERS EXEMPT FROM PUBLICATION**

None.

**The meeting started at 5.00 pm and ended at 10.15 pm**

To Oxford City Council  
Council meeting, Monday 10 October 2011

## **FIVE MILE DRIVE RECREATION GROUND**

I am speaking for 500 families who live hemmed in by the A40, Banbury and Woodstock Roads, from Sunderland Avenue northwards to Jordan Hill on the edge of the City. Over 2,000 people, including many children, live in this triangle and the only public amenity we have is Five Mile Drive Recreation Ground, just 2.3 hectares of plain, open space, compared with the City's target of 7.5 hectares per 1000 population. The recreation ground consists of 2 football pitches, a small children's playground, a hard court, a wooden pavilion (currently derelict) and some green space. We have no community hall, no church, no pub, no shop – everything except the recreation ground is on the other side of busy trunk roads beyond the safe reach of our children. To get to most facilities we have to go by bus or car.

We were extremely concerned to learn from a press report in July that Five Mile Drive Recreation Ground had been shortlisted for new cemetery space in a City Council study. In just a few days over 500 people signed a petition against this proposal, which was delivered to the Town Hall on 21 July.

Everyone needs open space for health and happiness. We have used and enjoyed Five Mile Drive Recreation Ground for over 60 years. Dog walkers are there from early morning to dusk. Summertown Stars football club bases four teams of under-16 girls and boys there, using both pitches every Saturday and Sunday. Children and teenagers play informally and families use the playground throughout the week. This small green space is vitally important to our community.

Children these days have less and less freedom to roam, and teenagers have less and less to do. We face a national obesity epidemic. The youth service is being cut to shreds. Research shows that lack of exercise and green space increases the likelihood of mental health problems at any age, as well as obesity. And 2012 is the year of the UK Olympics. We must not destroy forever our accessible local sports fields and playgrounds, which are so well used and highly valued.

The planning report says that Five Mile Drive Recreation Ground "will not meet entire cemetery need identified". So within a short time the City would be looking for more burial space - but our children and grandchildren would never get their playing fields back. The City's Victorian cemeteries, that are today almost full, were established in open countryside beyond the urban limit. We now need new cemetery space beyond the current edge of the City. We urge the City Council to give priority to the living, not the dead, and to preserve and enhance Five Mile Drive Recreation Ground as a sports facility and public open space.

Richard Lawrence-Wilson  
65 Five Mile Drive  
OX2 8HW

This page is intentionally left blank

1

At the moment I am not a disabled person, ~~but~~ if any of the public toilets in Oxford are closed, then effectively that will make me become disabled - and many others like me.

I suffer from irritable bowel syndrome and also Ulcerative - colitis. This means I have very little warning of any bowel movements and I therefore need to be fairly near a toilet whenever I leave my home. I, as do many others like me, need toilets - strategically placed around the city - in fact wherever I go.

I have to make sure that this is the case, otherwise I cannot leave my home, I become trapped - as are many disabled people - ~~though~~ even a wheelchair <sup>in my case</sup> would not be an answer to my problem.

If I had an accidental Bowel movement, I could not catch a bus home, and probably would not be allowed in a taxi, the humiliation and embarrassment would just be too awful to contemplate - as would having to walk home. It is also humiliating to have to stand before you now to explain my predicament, but I have come to the conclusion that unless

I do, nobody is ever really going to understand just how awful it is for people like me not to have access to a public toilet, whenever it is necessary.

I am sure, that all of the public toilets around the city (including the one in St. Giles!) were built original because there was an absolute need for them; ~~and~~ that need has not changed. <sup>also</sup> I fear that once they are written off by the Council then they will never be open or replaced again.

I know the idea of the Council is that the shops and pubs should open their toilets for the public. <sup>(I note you never suggest university)</sup> But let me assure you from my own experience, there are already queues in toilets in <sup>the</sup> stores - we not only need them, but all the public toilets as well! When this idea was first 'floated' last year, British Home Stores, who had until then always had their toilets open to the public; ~~but~~ once hearing of the idea, they made it a rule that the public first had to purchase / pay for something before

Students Union in Cornmarket St or New in Hall St. buildings such as the

being given the code number to open the toilet door - in my case, and with my medical condition I would not have enough warning or time to first purchase an item, queue at the check-out desk to pay, and then queue for the toilet - it would take far too long.

Also, what happens after the shops have closed? Do we have to use toilets in bars and night-clubs, ploughing our way thro' a load of possibly drunken people!?

Surely, if anything, public toilets are a very basic human right of any civilized society?

It is not just people with a medical complaint like mine who would suffer if any toilet is closed. Children who are being 'dotty-trained' cannot hold on until they get to the other side of the city, menstruating young women; the elderly, men and women suffering from Crohn's disease; pregnant women, and loads of other people with all sorts of other bladder and bowel problems need a toilet nearby, if they are going to be able to move freely about the city.

It is all very well planning plush toilets for the tourists in Gloucester Green, but surely ~~the~~ we, the citizens, and tax-payers of the city, who live, work, and play here ~~are~~ should have public amenities and our needs answered first? I personally don't care if the toilets are not particularly plush or even if people suffering drug addictions are using them to sleep in, the most important thing to me is not to be left publicly embarrassed through not having a toilet nearby to use when I need one. I also would not mind paying 20p for the use of one provided I could get into it quickly. Even in a country as poor as India, they provide <sup>Public</sup> toilets - even if <sup>they are sometimes</sup> just a hole in the ground with a ladle and a bucket full of water to 'flush' them; it is acceptable and prevents one from an 'accident' and public humiliation!

How to pay for the provision and upkeep of <sup>Public</sup> toilets? Well, why not sell the "family silver" stored here in the Town Hall? Don't they belong to the people of Oxford?? I doubt it would

be missed by any of us - except maybe the Mayo's chain and the Mace. ~~But~~ Silver and gold seems to be at good prices at the moment - and I'm sure many of the portraits and other paintings would fetch a good price at auction! (I am sure that some rich pervert would love to buy the one which depicts the Raping of The Sabine women - what other kind of person would want to gaze upon it, let alone own it!?)

These things are what the conservative party would call "Capital" or "heritage", whereas most of us ordinary folk do not have such words in our vocabulary. The nearest thing to it we have is to be able to take a wedding ring to the local pawn shop to pay for the next electricity bill or rent so that our children can have a roof over their heads. Or has the Labour Party <sup>members</sup> become so affluent that they have forgotten that they originally stood for ordinary working class people?!

To me it's immoral to store up these valuables which belong to "The people", when "The People" could be helped so much if the items were sold and the profit fed back into the community and <sup>help to</sup> providing <sup>simple</sup> such things as public toilets for everyone's use. I wouldn't be at all surprised if many of these treasures belonging to "The People" are stored away in Banks or vaults and never see the light of day let alone be seen by "The People". They are therefore useless to "The People" unless they are sold and the money used for something of use to them all!

Finally, ~~the prob~~ of anything, the public need more toilets not less. Please avoid the council one and for all bury ~~the~~ forever the idea of closing any one of them!

Thankyou.

This page is intentionally left blank

Before I say anything let me commend the council for spending such vast amounts of money on structures for the good of the community especially in the hard times we are currently encountering with cuts to this and that, it must make you sleep easy in your beds with such generous gestures.

My name is William Clark and as the named person on the town green application for Blackbird Leys I feel I must come along and defend the so called “Town Green Fourteen” and ask you my elected representatives why you feel we need this structure and couldn’t the money have been better spent?.

I have been a resident of Pegasus Road for nearly 40 years and in all that time no one has been bold enough to lavish such amenities on the estate like you appear to be doing now and as a resident of that road I and my colleagues will be directly affected by the ramifications of your development.

In the past we on Blackbird Leys have been classed as a very big problem what with cars tearing round the streets, the crime and vandalism that has plagued the estate for a good number of years and of course the drugs that appear to be everywhere and as we are one of the largest council housing estates in Europe it is no wonder they are there. But now we have a more acceptable tag and it’s called “deprived community”. Why are we deprived what makes us any different from you? We all pay our taxes the majority of us are law abiding and some of us even care about our community. So what makes Blackbird Leys deprived? The answer is very simple it’s the lack of forward planning our elected officials had when Blackbird Leys was first designed. Had they factored into budgets such things as possible amenities we would need as we grew, this problem would not exist today and all the postulating in the world will not bring those opportunities back we have to deal with what we have got today and the venture you are proposing, a new 25 metre swimming pool, is the wrong thing in the wrong place and certainly the wrong time

If you examine the proposal you will discover all those statements are from residents immediately affected by this development and there for have more of a say in what goes outside their front door than any other person sitting around here today yet you will say “it is for the good of the community” and use phrases like :-

#### **Human Rights Act 1998**

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused

**by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.**

But where does it say you are walking all over our neighbourhood for something we can't afford and we don't want. Also who is defending our right to human rights if not us, as I know for sure you certainly are not.

I have even been portrayed as the person who doesn't want children to have fun and play football. This I am sure is due to someone misinforming the football lobby of what could happen if town green status was allowed to happen on the section of grass. So the football community are opposing what we want to save for them a piece of grass to allow them to continue playing there. You must be thankful that you don't have to fight this too hard as we, the community, are beating ourselves up. If anyone took the time to look at the amended plan they will see we have excluded the playing surfaces from the application and if memory serves me right doesn't that mean the status quo will still exist? Which in turn means no change?

As a former public employee I was proud to work for the council and on my retirement thought, they will look after me into my dotage, but now it appears the opposite as it is your intention to blight my neighbourhood with problems, from increased flood risk, increased traffic flows, increased noise pollution, which now we have to deal with ourselves, and a monstrous building obstructing us from enjoying what everyone else has as a right - a view of green grass.

The wider community has now got involved with the issue of town green applications and I was recently contacted by another group who had seen the articles in the papers and was wondering if it was worth them defending their own spaces from development? Well let me just say this if development gets the go ahead then there will be no green space to worry about and the idea of a park will just be a distant memory where we older residents used to go to kick a ball around just for fun. And as there are no large spaces to maintain we can reduce the parks department so jobs will be lost. What wonderful progress not only do you remove the worrisky green but at the same time you also cut the council wages bill.

In summary, the Town Green Fourteen is a group of local residents in Blackbird Leys, exercising our democratic right to defend our green space, and we do not expect or deserve the way the Council is behaving towards us. I ask you on behalf of the Town Green Fourteen to halt your plans for a new pool and think again. Until you do, we will oppose what you are doing to keep our green space for the enjoyment of us and all the other residents of Blackbird Leys. This venture is the wrong thing, in the wrong place, and certainly the wrong time.



This page is intentionally left blank

My name is Neil Holdstock and I chair Business Headington. I am here to talk to you about the future of Headington car park.

Headington Car Park is the main car park for shoppers using our retail outlets, and for clients of Headington businesses. It is located centrally next to the Park and the conservation area.

It's in everyone's interests to have a thriving district centre. It's a critical time for businesses in Headington and several shops have closed down. We need all the help we can get to attract customers into our centre

But we feel the council is letting us down.

The huge rise in car park charges has had a bad effect on trade but the council has now issued a preferred options document that says it wants to see flats built over the car park. That would mean we'll lose even more parking spaces – and customers - in our main shopping area. Headington's biggest car park would have to be closed while this happens. There's nowhere else in Headington suitable for customer parking while all this is done, so they'll take their business elsewhere...and never come back.

Headington Car Park is in an attractive location next to the park and play area, the Library and the Conservation Area – putting up flats will make the place look an eyesore

Local people and local businesses are totally opposed to this, it just doesn't make sense to anybody. We've been out collecting signatures on a petition to make 'No development' a preferred option and we've got thousands of signatures. People can't wait to sign it. They are really angry about this.

Surely the Council should be supporting businesses at times like this, not closing us down? It has already lost a battle over St Clements car-park, so why take on another one?

The only sensible way to stop people getting so fed up with the Council about this is to come straight out and say there's been a re-think. The officers are writing their report on the Sites document right now, and they know how much strength of feeling there is around this. I call on councillors to advise those officers to respect public opinion, support our District Centre businesses, and recommend there should be no building on this site.

This page is intentionally left blank

## Football in Blackbird Leys – Nigel Gibson, October 2011

I am speaking as a member of the Save Temple Cowley Pools Campaign, appalled at the way the Council has behaved in relation to what are perfectly legal and democratic activities by a group of concerned citizens in Blackbird Leys. As a Campaign Group we are very supportive of what the group is doing, simply because their success would mean a huge saving in taxpayers money. However, the Save Temple Cowley Pools Campaign has no direct connection with the Town Green campaigners, despite the innuendo coming publicly from senior council officers in the Press.

The Council's propaganda machine has been in full swing recently trying to bully the group in Blackbird Leys - this is simply wrong. In particular, the Council has been involved in claiming that Town Green status will mean no more organised football in Blackbird Leys. This is completely untrue.

So, a group of Blackbird Leys residents has applied for Town Green Status for Blackbird Leys Park, the only large green space in the area. This Town Green application is not a threat to football in Blackbird Leys.

Town Green status can be granted to any space that has been used for leisure and recreation for a period of over 20 years. Blackbird Leys Park has been used like this for decades, and making it a Town Green will simply keep it the way it has been, without any more development eating away at it.

If Blackbird Leys Park becomes a Town Green, this would mean that the Labour-led City Council is unable to build its 25m, non-Olympic Swimming Pool, the most expensive in the country, and which would cost us, the taxpayers, well over £9m.

The Council is annoyed at having its plans thwarted by a group of ordinary people who simply want to keep the green space they have seen and enjoyed for many years. The Council is now doing all it can to discredit the Town Green application, and is spreading misinformation and propaganda around the Blackbird Leys community, particularly the junior football club which uses the Blackbird Leys Park, and will be able to carry on when Town Green status is granted.

Here is the real information:

- The plan for the Town Green shows clearly that the football pitches will be outside the Town Green area, and all football activity will be able to carry on as it always has. The Town Green application is not a threat to football in Blackbird Leys.
- Can people come and "sit down and picnic" in the middle of a football match? They can do that at the moment, but it doesn't happen, and simply wouldn't happen if Town Green status was granted.
- What about Council rules being unenforceable on a Town Green? Not true, a Town Green is still part of a local authority area, and they are able to enforce their rules if they want to - Oxford already has two other Town Greens, and there are no issues there. Churchwardens, parish and town councils, as well as members of the

## Football in Blackbird Leys – Nigel Gibson, October 2011

public, can prosecute anyone damaging a Green, or carrying out unlawful activities.

- Football changing rooms - the council can provide changing rooms whenever it likes, there is no link with the proposed new pool. And Town Green legislation allows for buildings such as changing rooms that will enhance the recreation/sport activities.
- Astro turf - this area is not in the Town Green, it is on the existing tennis courts, and during September the Council approved changing these to Astro turf.
- The City Council has a target for green space in the city of 7.5 hectares per 1000 population. In Blackbird Leys at the moment, it is only 2.25 hectares per 1000 population, and this will get worse if the proposed new pool is built.
- Blackbird Leys Park used to be much bigger, but the Council has eaten away at the green space, and will continue to do so. Unless it is stopped, very little green space will be left.
  
- If the City Council plans go ahead, the amount of space for football will be reduced - and one of the pitches will be shifted very close towards the area that gets bogged down and flooded.
- The City Council has very carefully positioned the site of the proposed new pool so that they can at some point in the future put a new ice rink behind it - how much green space will be left then, and where will football be played?
- The Oxford Blackbirds are being used by the City Council to set the Blackbird Leys community against itself, so that it can build a new swimming pool and close other leisure facilities such as the existing Blackbird Leys Swimming Pool - this is wrong.
- Town and village greens originate in customary law, where long-standing recreational use of land by the local inhabitants came to be recognised and protected by the courts. Greens are areas of land where local people have for many years indulged in lawful sports and pastimes, which might include organised or informal games, picnics, fêtes, dog walking and similar activities.
- Town and village greens, once registered, are protected by:
  - Section 12 of the Inclosure Act 1857 against injury or damage and interruption to their use or enjoyment as a place for exercise and recreation. It is a criminal offence to cause injury or damage to village greens.
  - Section 29 of the Commons Act 1876 makes encroachment on, or inclosure of, a green, and interference with or occupation of the land, illegal unless it is with the aim of improving the enjoyment of the green.
  
- Where an offence has occurred, a prosecution in respect of section 12 of the 1857 Act can be brought by a churchwarden, the owner of the green, or by a parish, town or district council. Any inhabitant of the parish can bring a prosecution under section 29 of the 1876 Act
- The owner of a green cannot do anything that interferes with the lawful recreational activities of the local inhabitants. Town

## Football in Blackbird Leys – Nigel Gibson, October 2011

Greens in local authority ownership are often managed under the Open Spaces Act 1906 by the imposition of byelaws or with a scheme of regulation under the Commons Act 1899

- Local inhabitants have a right to take part in any lawful sport or pastime on a green. Lawful sports and pastimes are not restricted to those activities which were enjoyed during the period of use which led to the green being registered.
- Is permission needed to carry out works on a green? Works can be permitted (like putting up changing rooms) but only if they are for the “better enjoyment” of the green, but will still be subject to planning permission.
- Who is responsible for maintaining greens? Greens in local authority ownership can be managed by the authority under the Open Spaces Act 1906 or by a scheme of regulation under the Commons Act 1899

In summary, Blackbird Leys Park becoming a Town Green is not a threat to football in Blackbird Leys, or any other organised sport or recreation. Town Green status means that the Labour City Council will not be able to take any space that is currently used for playing football or training. Residents and footballers must not be taken in by Labour and Council propaganda.

All in all, Town Green status for Blackbird Leys would serve all members of the community in every way to enable them to keep what we have and maintain and improve it forever.



Given recent events, and the length of time since the last Council meeting, we thought you would appreciate an update on what the Campaign is doing.

You will hear later in this meeting from our head petitioner the reasoning behind the latest petition. As you know, 1500 signatures are needed on a petition to force a debate in this Council. The Temple Cowley Pools issue, whereby the Council wants to close two leisure facilities to improve the profits of the leisure operator Fusion at the expense of the public's amenities, remains the biggest issue in the City.

We are continually asked, wherever we go, about the campaign's progress, and what we are doing now that the council has voted to build the proposed new pool.

Well, the answer is simple, the Campaign continues. It continues to support the majority of the public's need and desire to keep our swimming pools, gym, studio, sauna and steam rooms in Cowley.

And it continues despite all the propaganda directed at us by the council, through the Press and on the council website.

We also continue to reveal the Council propaganda as a combination of misleading, inaccurate, incomplete and untrue.

And we continue to find that Labour councillors are still repeating incorrect information that they have accepted unquestioningly – we heard only last week of a councillor telling a voter that the proposed new pool would be “bigger” than that at Temple Cowley!

The proposed new pool – 25m x 8 lane.

The present TC pool - 25m x 8 lane

PLUS the present Blackbird Leys pool – 18m x 4 lane.

PLUS a 12m x 12m diving pool

What stretch of imagination and physics enables a 25m swimming pool, the one proposed for Blackbird Leys, to be bigger than the 25m pool that exists already in Temple Cowley?

The clue is in the description – they are both 25m!

And as you have just heard, in terms of water space, the existing facilities have a great deal more water swimming area now, than the proposed new pool.

We also have more gym area, in that if we lose TCPools then we lose the gym too, And the exercise studio, and the steam room which, for some reason, someone somewhere on a payroll thinks is less well used than the sauna, when in fact most people refer to 'sauna' meaning 'sauna suite' as it is called by the council, when in fact most people seem to use the steam room as much if not more than the sauna!

Again, poor and inadequate consultation. The wrong questions asked The wrong words used to find out the truth. And not asked of the people who use the facilities.

And there is more - the latest is the truth about an often repeated claim, fed to Labour councillors who willingly repeat it ad nauseam, that the operating costs at Temple Cowley Leisure Centre last year were half a million pounds. This is not only untrue, but a complete fabrication without any substance whatsoever.

Your own council accounts for last year reveal that the actual cost was under half that figure. And yet, this lie was presented as part of the case for proceeding with the new pool, and accepted willingly as true by the City Executive Board meeting on the 21<sup>st</sup> July.

This 25m swimming pool, if built, will be the most expensive in the country, on many levels, actual monetary build cost, health impact on hundreds if not thousands who will be prevented from continuing their health/exercise regime due to the inaccessible location (due to time distance and cost), ...

The Council has continually refused to listen to reason, and seems determined to press ahead with its white elephant vanity scheme in Blackbird Leys. Why is it spending over £9m of our money on what is only a 25m, non-Olympic swimming pool in a place where there is no evidence of demand, when, for only a third of this amount, £3m, wisely spent, will refurbish and improve both the existing Blackbird Leys Swimming Pool and Temple Cowley Leisure Centre?

Well, we have, reluctantly, had enough of demonstrating how Councillors have been provided with information to make decisions that is a combination of misleading, inaccurate, incomplete and untrue, as clearly you prefer to believe your 'experts' rather than what is plainly in front of you. So, as I am sure many of you know already, we are now proceeding to Judicial Review.

President Obama made a comment on Steve Jobs after he died on Thursday, praising him for being 'brave enough to think differently, bold enough to believe he could change the world, and talented enough to do it'. I hope that at least some of you can find the same courage.

I feel the need to speak to Council again on Democracy, or rather the increasing lack of it, in Oxford City Council. This relates specifically to item 20 on the Agenda at this meeting, relating to yet more changes to the Constitution.

The report supporting the changes argues that these are solely in the interests of the citizens of Oxford, because of the increased number of questions and addresses made to Council in recent times.

A fundamental question is, “why has the number increased?” This is not addressed in any way in the officer report. I am very aware of the reason, as I and my fellow campaigners have often been the people asking questions and making addresses. When we ask questions of councillors and council officers, we expect answers that at least attempt to directly address the issue. Time and again we have found this not to be the case, and so have had to ask more questions. If Council were to answer the questions openly, honestly and fully, we would not need to be doing this.

But, rather than answer questions properly, the Council has chosen instead to implement increasingly draconian measures to limit opportunities for the public to interact with them.

This is how democracy has been slowly but surely been squeezed out of the Council process:

- At the City Executive Board, when we started the Save Temple Cowley Pools campaign, we were permitted to ask questions in person. There was even the opportunity for a follow-up, a level of interaction that is simply not permitted now.
- CEB obviously got fed up with being so directly challenged, and moved to answering questions without having them read out. This was particularly bizarre, as the questioners weren't aware their questions were being answered, and the watching public, and probably the councillors as well, didn't have a clue what was going on.
- This then moved to having the questions answered in written form, and simply made available at the meetings. At least everyone could read what was going on, and didn't have to divine what was being said in the meeting.
- More was to follow. Again, simply because questions were not being answered, a much larger body of campaigners asked a record number of questions at the June CEB, well over 100. They were dutifully answered on paper; of course, there was no comeback if the questioner wasn't satisfied with the answer.
- At the July CEB, a similarly large number of questions were asked, but instead of answering the individually as required by the Constitution, they were grouped together and provided with general answers. So, not just incomplete answers now, but irrelevant ones as well!
- And then the Chief Executive declared that he was not prepared for any more questions to be answered at CEB, completely against both the Constitution and democratic principles.

Remember, if the questions had been answered fully in the first place, the public wouldn't be so cross that they feel the need to ask another one.

And so the Constitutional changes came in:

- The only way of clarifying an incomplete or incorrect answer was to ask another question at the following CEB – this has now been stopped.
- And the notice for questions has been extended from 1pm on the day before, to 9.30 two clear days beforehand. In practice, this means that for an Agenda published on a Wednesday afternoon, the public have just over 24 hours to read, digest and then put together questions relating to agenda items that are being voted on.

This is simply wrong. And there's more, in the Constitutional changes being proposed at this council meeting. In future, the public will have to give ten days' notice when they wish to make an address, and then also provide the full text. This stifles yet further the democratic voice, as who will pre-plan such things. And there appears to be no change in the agenda publication timetable, so we will have to write our address a week before we know what the agenda is!

The Council seems determined to prevent the public having any voice at its meetings; this is not right, and I ask all councillors whether they really want to hear their constituents views in this public forum, or do they simply want to exist in a hermetically sealed bubble of local politics, insulated from their voters?

## Address re Houses in Multiple Occupation

I would draw the attention of the council to the fact that Oxford has a thriving and diverse private rental sector. Without this sector, two of the greatest engines for capital growth in the city would be unable to grow and flourish....the universities.

It certainly does seem from the wording of motion 3 that the council sees landlords as wild beasts who must be captured, tamed and kept chained and under control. I, personally, and as a representative of my colleagues, find this unhelpful and, as a council tax payer who personally pays council tax on 6 properties, I also feel that this attitude and the "tarring of all with the same brush" an unhelpful attitude which wastes my money. I expect a more measured tone from my paid representatives.

Just as there are garages who overcharge and restaurants that are dirty.....there are also bad landlords. There are also fine landlords, of whom I am just one of many.

I would ask that the council focus on the highest risk properties and are not deflected by technical breaches of guidelines. That they use scarce resources and strong enforcement powers to protect vulnerable tenants and do not waste their energies on nitpicking.

Most of us are professional landlords who are business men and women with the high standards that any business person would use to maintain their business as a profitable venture. We are not "gifted amateurs", this is how we make a living. We wish to set ourselves apart from the rogue landlords that you mention and will do all that we can to help you nail them as they are a blight upon our profession and a drain on your coffers.

I would like to suggest an effective accreditation scheme with teeth.....and by that, I do not mean the rather weary scheme in place at the moment.....but, something rather more like those of the Master Craftsmen who not only have their work inspected but also have references from people who have used their services. Something that we can be proud of and that we will protect. This will confer on us a certain level of trust by you and mean that you do not have to use so many resources in "in depth" inspection of our properties. For this, I believe, we should have a substantial discount to the vast tranches of money we have to pay you for registration. In return, we will help you to protect our good name.

I am currently undergoing something which entirely describes that which I real is a complete waste of your time, your resources and generates endless ill will on the part of landlords ( with whom, ofcourse, I am in touch on this matter)

I have been told by the Environmenta Health Dept that I must either put two fully plumbed sinks, or a dishwasher, in each of three of my houses, because each has 6 tenants. Not one of my tenants wants either to have a beautiful kitchen cluttered up with several sinks.....nor do they want a dishwasher. My understanding, from the early landlords meetings when HMO's were first talked about, was that a RISK assessment would be done on houses with certain qualifying numbers of tenants. Please tell me how, having two fully plumbed sinks in a normal family kitchen will

overcome risk? .....risk so deadly that my tenants will be in danger and I will be taken to court. What is the risk that they are talking about.??? Risk of what exactly? Perhaps you can help here?

I fully comprehend that the environmental health department, arbitrarily decided on this rule. Reading carefully through your Amenities and Facilities document it was clearly written for managers of institutions. There is no mention of beautifully designed homes where tenants love to live and which should be the gold standard for all HMOs. There has been no aesthetic sense brought to bear on your decisions.....and no room for reasonable flexibility. Oxford is not a Gulag.

I would urge you please, as a council, to reconsider unreasonable demands like this and rather to concentrate your energies on the hundreds of slum rental properties in Oxford. You make much of the few landlords that you have prosecuted over the last 6 years, but all you have to do is talk to a prospective tenant who has been recently house hunting to hear of damp rooms, mouldy walls, overcrowding, broken lavatories, rooms offered for rent without a window. These properties exist and have been described to me by tenants recently applying to live in my houses. Not only could you talk to them but you could get the addresses.....and make a real difference to tenants who are vulnerable and lack choice. Surely, under a labour council, these should be your priorities and not wasting the time and money of perfectly decent, law-abiding citizens.

the imposition of cost that is about to fall on local landlords.....in a recession. If we say that there are a minimum 600 HMO's with more than 5 tenants. the sum expended on installation will be at least £350,000. This does not take cognisance of the profound ecological effect that this will have.

I am not asking for anything unreasonable, just that you reconsider the imposition of your ruling when dealing with compos mentis, professional, adults who are not vulnerable, do not need your help, and actively do not want their HOME cluttered up with kit they neither want nor need.

We, the good and highly professional landlords of Oxford wish to deal with you on a professional level. Please avoid the temptation to consider being a landlord as a life choice of the more unsavoury end of the spectrum. I issue you all with an invitation to come and see my properties and meet and talk with my tenants.

Thank you

## **Information for members from the council's legal team regarding the statement made about Town Greens**

### **The impact of the Town Green on organised football.**

Under Town Green status there would, of course, be no prohibition on anyone playing football on the area, but the key here is in the reference to "organised" football. What would no longer be possible, under Town Green status, would be for the Council (or anyone else) to ensure that a particular football match could be played on a particular pitch at a prescribed time on a specified day. Thus it would be impossible for a local organised team to "book" the pitch for a league match (as they do at present), as in effect anyone would have the right to turn up five minutes beforehand (or even five minutes after kick-off) and walk their dog, have a picnic, play cricket, sunbathe, fly a kite, etc on and over the designated pitch and no one would have the legal right to tell them to move on.

It is unlikely that these problems would be in any way alleviated by having "holes" in the Town Green. The original application showed two holes in the proposed green, but in a subsequent plan this seems to have been increased to show four holes (notwithstanding that we understand that at present there are in fact five separate pitches on the area). We are not aware of any Town Green that has two (or four) oblong holes in it, but irrespective of whether a Town Green is capable of having "holes", this clearly does not address the point that football pitches are periodically moved to avoid excessive wear on particular areas or that different sized pitches are periodically provided as required to cater for adult and junior users, and 7-a-side matches. Even if the registration authority is happy to accept a Town Green with oblong holes, it surely can never agree to a concept of "moveable" holes.

### **Changing rooms**

Representations have also been made about the right to build changing rooms on a Town Green. The position is as follows. If any building is constructed on a Town Green any person can apply to have it removed. Certainly there would be no right whatsoever to charge anyone for use of the building. It may, in some circumstances, even be a criminal offence to carry out the construction work.

### **Play area**

The proposed new £150,000 play area is also on hold and the plan in the original application only excluded the current small play area on Pegasus Road. While the revised plan seeks to reduce the area to be included within the Town Green this would still prejudice the proposed development. In any event, it is likely that the registration authority will deal with the application in the form originally submitted.

This page is intentionally left blank