

COUNCIL

Monday 20 February 2012

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

80. CHANGE TO THE ORDER OF BUSINESS

The Lord Mayor asked Council if it would agree to the order of business being changed and to adopt the procedure for dealing with the budget debate:

- To deal with agenda items 1-8 in the order shown on the agenda
- To take addresses and questions from the public on the Budget items ONLY
- To debate the budget items
- To take addresses and questions from the public on non-budget items
- That Council then proceed with the business from agenda item 16 onwards in the order shown on the agenda

Council resolved to:

- (a) Adopt the procedure for dealing with the Budget;
- (b) Take agenda item 23 (Council Tax 2012/13) after agenda item 15 (Housing Revenue Account (HRA) Business Plan Draft for consultation and to take agenda item 20 (Petitions – “Don’t Cut Services in East Oxford”) immediately following the Budget.

81. MINUTES

Council resolved to approve the minutes of the ordinary meeting held on 19th December 2011 which had been adjourned and reconvened on 16th January 2012.

82. DECLARATIONS OF INTEREST

Councillors declared interests as follows:

- (a) Councillor Sajjid Malik declared a personal interest in agenda item 12 (Budget 2012/13 – 2015/16) as he was involved in the hackney carriage and private hire Licensing trade, held a street trading license and owned a business in Oxford. (Minute 92 refers).

- (b) Councillor Mohammed Niaz Abbasi declared a personal interest in agenda item 12 (Budget 2012/13 – 2015/16) as he was involved in the hackney carriage and private hire Licensing trade. (Minute 92 refers).
- (c) Councillor Mohammed Altaf-Khan declared a personal interest in agenda item 12 (Budget 2012/13 – 2015/16) as he was involved in the hackney carriage and private hire Licensing trade. (Minute 92 refers).
- (d) Councillor Shah Jahan Khan declared a personal interest in agenda item 12 (Budget 2012/13 – 2015/16) as he was involved in the hackney carriage and private hire Licensing trade. (Minute 92 refers).
- (e) Councillor Rae Humberstone declared a personal interest in agenda item 12 (Budget 2012/13 – 2015/16) as he was a City Council appointed representative on the Agnes Smith Advice Centre and employed by the Oxfordshire County Council with regard to the Dial-a-Ride Service. (Minute 92 refers).
- (f) Councillor Beverley Hazell declared a personal interest in agenda item 12 (Budget 2012/13 – 2015/16) as she was involved with the capital management of the Oxford Night Shelter. (Minute 92 refers).
- (g) Councillor Nuala Young declared a personal interest in agenda item 12 (Budget 2012/13 – 2015/16) as she was involved in the tourist tour guide trade. (Minute 92 refers).
- (h) Councillor Mark Mills declared a personal interest in agenda item 16(a) (City Executive Board Decisions (Minutes) and Single Executive Member Decisions (Minutes) – City Executive Board held on 8th February 2012) as he sat on the Advisory Board of the Oxford Hub. (Minute 97 refers).

83. APOLOGIES FOR ABSENCE

Apologies were received from Stuart Craft.

84. APPOINTMENTS TO COMMITTEES

None.

85. LORD MAYOR'S ANNOUNCEMENTS

None.

86. SHERIFF'S ANNOUNCEMENTS

None.

87. ANNOUNCEMENTS BY THE LEADER

None.

88. ANNOUNCEMENTS BY THE CHIEF EXECUTIVE, THE CHIEF FINANCE OFFICER AND THE MONITORING OFFICER

The Chief Executive informed Council that the City Council had achieved the Equalities Standard.

89. ADDRESSES BY THE PUBLIC

Council received and took four addresses to Council (text of the addresses are appended to these minutes) (along with an Officer response to the address from Nigel Gibson) from the following:

- (1) Mr M Hugh Jones – Dial-a-Ride Minibuses in Oxford City.
- (2) Nigel Gibson – Decisions concerning leisure in East Oxford.
- (3) William Clark – Blackbird Leys Park Town Green application.
- (4) Anna Thornhill – Oxford Safer Masts Group.

90. QUESTIONS BY THE PUBLIC

One question was submitted by a member of the public as follows:

- (1) **Question to the Board Member, Leisure Services (Councillor Van Coulter) from Nigel Gibson**

Contract for Blackbird Leys Pool

I understand that the Council intends entering into a contract imminently for the construction of a new swimming pool at Blackbird Leys, and that this will then bind the Council into a contractual relationship with certain conditions in connection with a decision that is subject to the application for Judicial Review concerning the lack of consultation in relation to the closure of Temple Cowley Leisure Centre. Can you please confirm whether you intend entering into this relationship before the outcome of the Judicial Review application is known (and if so, when), and if so how much the Council would have to pay the contractor to get out of the contract should the Judicial Review succeed?

Response: The Council intends to sign as soon as possible, and before the outcome of the judicial review application is known, a contract and should the judicial review application succeeded this would not cost the Council anything.

91. REPORT OF THE COUNCIL'S CHIEF FINANCE OFFICER ON THE ROBUSTNESS OF THE BUDGET

The Corporate Director, Finance and Efficiency submitted a report (previously circulated, now appended) under Section 25 of the Local Government Act 2003. The Act required the Section 151 Officer to report to Council on the robustness of the estimates made for the purposes of the calculations of the budget, and the adequacy of the proposed financial reserves.

The Corporate Director, Finance and Efficiency in response to questions informed Council that there was no requirement for her to provide a response on the opposition budget amendments. However she confirmed that she had seen the proposed amendments and that there were no issues with the Liberal Democrat Group amendments, nor the Green Group amendments except for a proposal to take out £500k from the redundancy fund, which would leave insufficient funds in 2013/14.

Council resolved to note the report when setting the budget for 2012/13 and the indicative budgets for 2013/14-2015/16.

92. BUDGET 2012/13 - 2015/16

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

- (1) Minute extract and recommendation from the City Executive Board held on 8th February 2012;
- (2) Report of the Head of Finance;
- (3) Liberal Democrat Group budget amendments;
- (4) Green Group budget amendments.

Councillors declared interests as follows:

- (a) Councillor Sajjid Malik declared a personal interest as he was as he was involved in the hackney carriage and private hire Licensing trade, held a street trading License and owned a business in Oxford.
- (b) Councillor Mohammed Niaz Abbasi declared a personal interest as he was involved in the hackney carriage and private hire Licensing trade.
- (c) Councillor Mohammed Altaf-Khan declared a personal interest as he was involved in the hackney carriage and private hire Licensing trade.
- (d) Councillor Shah Jahan Khan declared a personal interest as he was involved in the hackney carriage and private hire Licensing trade.
- (e) Councillor Rae Humberstone declared a personal interest as he was a City Council appointed representative on the Agnes Smith Advice Centre and employed by the Oxfordshire County Council with regard to the Dial-a-Ride Service. .
- (f) Councillor Beverley Hazell declared a personal interest as she was involved with the Capital Management of the Oxford Night Shelter.

- (g) Councillor Nuala Young declared a personal interest as she was involved in the Tourist Tour Guide trade.

Councillor Ed Turner, seconded by Councillor Bob Price, moved and spoke to the Administration's budget.

Councillor Mark Mills, seconded by Councillor Stephen Brown, moved and spoke to the Liberal Democrat Group's proposed General Fund Budget and Capital Budget amendments to the City Executive Board's recommendation.

Following a debate, Council voted on the Liberal Democrat Group's amendments but these were not carried.

Councillor David Williams, seconded by Councillor Matt Morton, moved and spoke to the Green Group's proposed General Fund and Capital Budgets amendments to the City Executive Board's recommendation.

Following a debate, Council voted on the Green Group's amendments but these were not carried.

Council voted upon the substantive City Executive Board's recommendation and these were carried.

The full decision of Council on the Council's Budget for 2012/13 – 2015/16 is set out below:

- (a) With regard to the Budget 2012/13 – 2015/16 to:
- (1) Approve the General Fund budget requirement for 2012/13 of £24.113 million as detailed in Appendix 1 to the report of the Head of Finance and in so doing to agree a Council Tax freeze for 2012/13, thereby resulting in an average Band D Council Tax of £262.96;
 - (2) Approve the Housing Revenue Account (HRA) budget for 2012/13 as set out in Appendix 4 to the report of the Head of Finance and an average dwelling rent increase of 7.83% and service charge increases of 6.1%
 - (3) Approve the Capital Programme for 2012/13 - 2015-16 as set out in Appendix 6 to the report of the Head of Finance subject to the inclusion of £300,000 in the 2011/12 Capital Programme in respect of the installation of photo voltaic works to General Fund Leisure properties to be funded by capital receipts and the inclusion of £400,000 for Council house properties in the HRA for similar works to be financed from underspends within the HRA capital programme; and
 - (4) Approve Fees and Charges as set out in Appendix 7 to the report of the Head of Finance;
- (b) With regard to the Periodic Report – Budget 2011/12 (Papers attached to the agreed copy of the minutes) to:

- (1) Agree the inclusion of £400k feed-in-tariff solar panel capital works to the 2011/12 HRA capital programme and the approval of the use of Capital Programme underspends to fund this project;
- (2) Agree to the inclusion of £300k feed-in-tariff solar panel capital works within the 2011/12 General Fund Capital Programme in the absence of any underspend on the Programme and the approval of such funding as appropriate;
- (3) On the basis of Council agreeing the additional funding in regard to the fitting of solar photovoltaic panels, to grant project approval for the fitting of such solar photovoltaic panels to appropriate Council-owned sheltered housing accommodation blocks and leisure centres; to waive the Council's procurement rules in regard to selecting an appropriate contractor or contractors for this work, on the basis that following such rules would not help to achieve overall best value; and to delegate the authority to award such contract or contracts to the Chief Executive;
- (4) Agree that £50k of capital expenditure be brought forward from 2013-14 to 2011-12 to fund feasibility work associated with the £2m Depot Relocation Project planned for 2013/14.

93. CORPORATE PLAN 2012-2017

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

- (a) Minute extract and recommendation from the City Executive Board held on 8th February 2012;
- (b) Report of the Head of Policy, Culture and Communications.

Councillor Bob Price (Leader of the Council) moved and spoke to the City Executive Board's recommendation.

Following a debate, Council resolved to adopt the Corporate Plan for 2012-17, but to defer to Scrutiny the part of the Corporate Plan that covered targets and to receive back to Council the comments from Scrutiny.

94. TREASURY MANAGEMENT 2011/12 STRATEGY UPDATE AND 2012/13 STRATEGY

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

- (a) Minute extract and recommendation from the City Executive Board of 8th February 2012;
- (b) Report of the Corporate Director of Finance and Efficiency.

Council resolved:

- (a) To adopt and approve the revised Treasury Management Strategy and Prudential Indicators and limits for 2011/12, which had been amended to allow for Housing Revenue Account borrowing as set out in paragraphs 71-95 of the report;
- (b) To adopt and approve the Prudential Indicators and limits for 2012/13 to 2015/16 as set out in paragraphs 71-95 of the report;
- (c) To approve the Minimum Reserve Provision (MRP) statement detailed in paragraphs 15-19 of the report which set out the Council's policy on repayment of debt;
- (d) To approve the Treasury Management Strategy 2012/13 and the Treasury prudential indicators at paragraphs 20-48 of the report;
- (e) To approve the Investment Strategy for 2012/13 contained in the Treasury Management Strategy and detailed in the investment criteria as set out in paragraphs 49-70 and appendices 1 and 2 of the report.

95. HOUSING REVENUE ACCOUNT (HRA) BUSINESS PLAN - DRAFT FOR CONSULTATION

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

- (a) Minute extract and recommendation from the City Executive Board of 8th February 2012;
- (b) Report of the Executive Director for Housing and City Regeneration.

Resolved to adopt the Housing Revenue Account (HRA) 30 Year Business Plan as part of the Council's Policy Framework.

96. COUNCIL TAX 2012/13

The Head of Finance submitted a report (previously circulated, now appended) which detailed the Council Tax for Oxford City for 2012/13 which was required to be set by Council, in accordance with the Local Government Finance Acts, 1988 and 1992 as amended by the Localism Act 2011.

Council resolved:

- (a) To approve the City Council's precept and Council Tax requirement of £12,587,330 (inclusive of Parish Precepts). (Net of the Parish Precepts, the figure is £12,394,330);
- (b) To note the average Band D Council Tax figure (excluding Parishes) of £262.96. (This remains the same as in 2011/12, i.e. a zero percent increase. Including Parish Precepts the figure is £267.05, a minimal (0.41p) increase on the 2011/12 figure of £266.64 (paragraph 11 of the report));

- (c) To approve the contribution to the Parish of Old Marston of £10,000 in recognition of the additional expenditure that Parish incurs as a consequence of maintaining the cemetery (paragraph 17 of the report);
- (d) To agreed that the amount of £490,303 to be treated as Special Expenses (paragraph 18 of the report);
- (e) To agree the Band D Council Taxes for the various areas of the City (excluding the Police and County Council's additions) as follows:-

Littlemore	£284.50
Old Marston	£291.55
Risinghurst and Sandhills	£279.97
Blackbird Leys	£261.16
Unparished Area	£265.15

(These figures include the Parish Precepts and special expensing amounts as appropriate on top of the City-wide Council Tax of £252.56).

- (f) To note Oxfordshire County Council's precept and Band D Council Tax (paragraph 21 of the report);
- (g) Note the Thames Valley Police Authority's precept and Band D Council Tax (paragraph 22 of the report);
- (h) To note the overall average Band D equivalent Council Tax of £1,583.06 which included the Parish Precepts;
- (i) To note that Councillor Ed Turner had agreed to work with Officers on presenting a seminar for Members on Special Expenses.

97. CITY EXECUTIVE BOARD DECISIONS (MINUTES) AND SINGLE EXECUTIVE MEMBER DECISIONS (MINUTES)

City Executive Board decisions (minutes)

Councillor Mark Mills declared a personal interest as he sat on the Advisory Board of the Oxford Hub.

- (1) Unconfirmed minutes of the meeting held on 8th February 2012.
 - (a) Councillor Williams with regard to minute 81 – (Westgate Development), said that members of the Opposition needed to be included in the discussions on the new development as he felt there had been problems in the early stages of previous negotiations. In response Councillor Price said that parts of the Oxpens land were owned by the City Council and the BRAB, what was not clear at this stage was if any housing would be included in the Westgate planning application.
 - (b) Councillor Mills in regard to minute 85 – (Grant Allocations to Community and Voluntary Organisations 2012/2013) raised points on feedback to applicants. In response Councillor Bance said that

all groups whose applications had been successful received notification via a letter. Those that were unsuccessful could contact the Council for feedback on the reasons.

Single Executive Member decision (Minutes)

- (1) Minutes of the Single Executive Member Decision meeting (Board Member – Finance and Efficiency) held on 22nd December 2011.
- (2) Minutes of the Single Executive Member Decision meeting (Board Member – City Development) held on 2nd February 2012.
- (3) Minutes of the Single Executive Member Decision meeting (Board Member – Corporate Governance and Strategic Partnerships) held on 2nd February 2012.

98. RECOMMENDATIONS AND REPORTS FROM SCRUTINY COMMITTEES

No recommendations from Scrutiny Committees were received.

Councillor Brown said that 24 recommendations had been made on the budget from the Finance and Performance Scrutiny Panel and all had been taken on board by the City Executive Board.

99. QUESTIONS ON NOTICE FROM MEMBERS OF COUNCIL

(a) Questions notified in time for written replies to be provided

1. Question to the Board Member, City Development (Councillor Colin Cook) from Councillor Nuala Young

Covered Market – Former Palms Delicatessen Unit

Could the Board Member list the 42 applicants for the lease on the store in the Covered Market that was previously Palms Delicatessen and what type of trade was offered by each one?

Answer: The information is confidential and not for publication under Part 1, Schedule 12A, Paragraphs 1 and 3 of the Local Government Act 1972.

The information has been provided to Councillor Young.

Councillor Young in a supplementary question asked if considering that the Council had agreed conditions of tenancy, could he explain why 19 of the 42 applicants were discounted.

In response Councillor Cook said that Officers had applied the strategy and that out of the 42 expressions of interest, only 2 had met the strategy. He did not know why the 19 unknowns did not provide follow through information with a bid

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

Disposal of light bulbs

“The City Council is rightly asking residents to observe the restrictions on what goes into their green wheelie bins. Light bulbs are hazardous waste but at present the Council does not provide any facilities for their safe disposal. For those who are able to do so, driving dead bulbs to Redbridge is an option – but hardly environmentally friendly to do so. Many people do not have a car and this is applauded as reducing carbon emissions.

When will the Council provide special containers at recycling sites and in district centres for the safe disposal of light bulbs?”

Answer: Normal light bulbs can be disposed of in your green wheelie bin. Fluorescent tubes, normal light bulbs and low energy light bulbs can be taken to [Redbridge Waste Recycling Centre](#). You can also visit the [Recolight website](#) to search for your nearest collection point for low energy light bulbs. We have no plans for other collection arrangements for light bulbs. I understand the Councillor’s concern and I will investigate to see if there is anything further the City Council can do.

Councillor Fooks in a supplementary question asked if Councillor Tanner would explain why the leaflets said that batteries and lightbulbs should not go in bins.

In response Councillor Tanner said that as well as the Redbridge Centre, lightbulbs could also be taken to Homebase, Robert Dyas and Sainsburys.

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

3. Question to the Board Member, Housing Needs (Councillor Joe McManners) from Councillor Tony Brett.

I’d like to know whether the following living arrangement is an HMO? A rented 3 bedroom house occupied by three unrelated people, two of whom are a couple in a long standing relationship (although not married or civil partnered but possibly engaged) who use one bedroom for sleeping and another as a study/work room, effectively living as one household. The third person has their own bedroom and could be argued to be a separate “household”. I’m using the Administration’s own language here.

Response: The example given is a HMO as it consisted of 3 people renting who form more than one household and who share facilities. The use of the “household” is not the language of the Administration, as it comes directly from the definitions contained in the Housing Act 2004 and its associated regulation.

Councillor Brett in a supplementary question asked if the Board Member justified indirect discrimination on the grounds of marital status. In response Councillor McManners re-iterated that HMO's were defined by law.

4. Question to the Board Member, Housing Needs (Councillor Joe McManners) from Councillor Tony Brett.

Your guidelines on what needs to be licensed as an HMO say that a house with resident landlord(s) requires a license if it has more than two lodgers. Can you let me know, in the case of a resident landlord couple and three or four lodgers whether that house would count according to your definitions as a large HMO or a small HMO and thus be liable for fees of £470 plus £172 annually or £362 plus £150 annually? Would this change if any of the lodgers were related and so formed fewer "households" than the number of lodgers?

Response: Wherever there is a resident landlord in a HMO they are included in the total number of occupiers in the property. This is nothing new and it has been the case since 2006 when mandatory licensing of HMO's was introduced across the UK.

If the lodgers were all related, for example it was 2 brothers and a cousin, there would still be 2 households sharing the property with 3 people renting so a licence would be required.

5. Question to the Board Member, Housing Needs (Councillor Joe McManners) from Councillor Tony Brett.

May I ask why, given the onerous requirements of the Administration's amenities and facilities guide, it seems to be quite willing to let much larger households (often quite vulnerable ones) live in far lower standards of accommodation? As an example I can think of several households that contains eight people – three adults and five children. They get by with one bathroom containing a bath and toilet with just one extra toilet in a separate room. The children most certainly all need the bathroom at the same time in the morning as they all go to school at the same time. You appear to have banned private rented unrelated tenants from living like this but seem to be continuing to allow it for vulnerable families. Do you consider that vulnerable families need a lower level of amenity provision? What are you going to do for all the unrelated tenants you are making homeless by pricing their landlords out of the market? Do you want them to leave Oxford and thus stop contributing to its vibrant economic and cultural life?

Response: Firstly can I say that the amenities and facilities guide which provides the standards for HMO accommodation in Oxford is not onerous. We have compared our requirements with those used in 14 similar cities and the standards being applied in Oxford are very similar. In a recent meeting to review progress with the HMO Licensing scheme, our officers were complimented by the

accredited letting agents and landlords on their pragmatic approach in applying the standards.

Whilst the Housing Health and Safety Rating Scheme can be used to assess family homes, we do not have the statutory powers to intervene in relation to homes let to families like we do with HMOs. However, families regularly share facilities in a way that unrelated individuals would not be prepared to and this has clearly been recognised by Parliament which is why the same powers do not apply. If families are particularly vulnerable it could be that we could use a disabled facilities grant to improve facilities.

The purpose of licensing HMOs and applying our facilities and amenities guide is not to ban tenants from living in a certain way, but to ensure that they live in a property that provides them with adequate facilities.

There is no evidence of any overall loss of HMO accommodation. Whilst we have reports of some landlords choosing to stop letting their houses to sharers, there are as many reports of new investors in HMO stock and HMO owners increasing occupancy levels having previously reduced them to avoid the need for licensing

6. Question to the Board Member, Housing Needs (Councillor Joe McManners) from Councillor Tony Brett.

I noticed on a poster on a bus stop on 10th February that the Administration is offering a £600 “finders fee” to those people fortunate enough to have a 2-bedroom house to let with “no fees and no obligation to accept any potential tenant” as well as “payment of reasonable agency fees”. May I ask if the portfolio holder how he justifies that position given that for a 3 bedroom property that might be let to 3 unrelated people his administration is charging £362 for registration as an HMO (with an additional £150 per year to keep the license) and will most probably demand a lot more expensive works given that thus far his officers have deemed 98% of licensable properties unfit to receive a license? A three bed roomed property will release more pressure on Oxford’s housing situation than a 2-bed so why has the administration made it almost £1000 more profitable to let a 2-bed than a 3-bed?

Response: Response: The finders fee is being offered by the Housing and Community service as there is a shortage of 2 bed properties for families who have presented to the Council as being in housing need. There is far less need for 3 bed properties which is why there is no finders fee being offered for them. The payment of the finders fee is an incentive for landlords who would otherwise be able to rent their property to a family not in housing need at the market rate or use it as an HMO and make even more money. If we are unable to find a suitable property the costs of providing emergency accommodation are exceedingly high and overall the scheme helps reduces the Council’s costs in complying with its housing duties.

The cost of complying with the HMO licensing scheme should be just the licensing fee if the landlord has been maintaining the property and complying with the law.

7. Question to the Board Member, Cleaner, Green Oxford (Councillor John Tanner) from Councillor Jean Fooks.

Residents have to buy the paper ecosacks for garden waste in batches of 10 or 20. Can we assume that they will be allowed to use any sacks they still have at the end of this financial year in the next one?

Response: Yes.

8. Question to the Leader of the Council (Councillor Bob Price) from Councillor Mark Mills

Prayers at Council meetings

Should all local authorities follow Oxford City's example and avoid requiring councillors to participate in often hypocritical displays of religious devotion?

Response: It was a wise decision by the Courts and it is up to each Council to decide for itself.

100. STATEMENTS ON NOTICE FROM MEMBERS OF COUNCIL

None received.

101. PETITIONS - "DON'T CUT SERVICES IN EAST OXFORD"

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 "Don't Cut Services in East Oxford".

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

Councillor Mark Mills seconded by Councillor Graham Jones moved the following recommendation:

"Council notes the petition entitled "Don't Cut Services in East Oxford" and thanks those who have signed it for their views. Council believes that it reflects widespread unease with the Administration's current policy with regard to the provision of a pool. Council resolves to take all reasonable steps to retain a public swimming pool in the eastern half of the City within the ring road"

Following a debate, Council voted and resolved not to support the recommendation by Councillor Mark Mills.

102. MOTIONS ON NOTICE

Council had before it one Motion on Notice and reached a decision as follows:

(1) **Opposition to Right to Buy – (Proposer – Councillor David Rundle, seconded by Councillor Stuart McCready)**

This Council notes the announcement at the Autumn's Conservative Party Conference of a renewal of the Thatcherite policy of Right to Buy (RTB) and its subsequent inclusion as a proposal in the Government's Housing Strategy.

This Council also notes the long-standing cross-party opposition to RTB with its impact of decreasing the social housing stock in our city which has a very real housing crisis.

This Council further notes the aspiration in the Government's Housing Strategy to offset the loss of social housing via RTB by provision of replacement dwellings, but not necessarily in the same part of the country. This Council does not accept that this provides sufficient safeguard against the damaging effects of RTB.

This Council therefore calls on the Chief Executive to ensure that there is a robust response to the consultation on this proposed policy, restating Oxford's reasoned opposition to RTB. That response should express opposition in principle to the policy and also underline the special situation of Oxford which would mean a return to RTB would make our city suffer more than most.

Councillor David Williams moved an amendment as follows:

To delete the word "Government" where it appears and to replace with the words "Coalition Government"

To add an additional paragraph as follows:

Council Officers will investigate the option of establishing a Cooperative Trust to manage all out Council house stock as suggested by the Local Authority Cooperative Network and the Rochdale model if that will circumvent the RTB provisions to be announced by the Secretary of State and thereby retain a form of social housing in Oxford.

Councillor Joe McManners, seconded by councillor Ed Turner moved an amendment as follows:

"To delete the amendment by councillor David Williams and to retain the substantive Motion by Councillor David Rundle"

The mover of the substantive Motion Councillor David Rundle accepted the amendment by Councillor David Williams. Following a debate, Council voted:

- (a) Not to adopt the amendment by Councillor David Williams;

(b) To adopt the substantive Motion un-amended as follows:

“This Council notes the announcement at the Autumn's Conservative Party Conference of a renewal of the Thatcherite policy of Right to Buy (RTB) and its subsequent inclusion as a proposal in the Government's HousingStrategy.

This Council also notes the long-standing cross-party opposition to RTB with its impact of decreasing the social housing stock in our city which has a very real housing crisis.

This Council further notes the aspiration in the Government's Housing Strategy to offset the loss of social housing via RTB by provision of replacement dwellings, but not necessarily in the same part of the country. This Council does not accept that this provides sufficient safeguard against the damaging effects of RTB.

This Council therefore calls on the Chief Executive to ensure that there is a robust response to the consultation on this proposed policy, restating Oxford's reasoned opposition to RTB. That response should express opposition in principle to the policy and also underline the special situation of Oxford which would mean a return to RTB would make our city suffer more than most”.

103. REPORTS AND QUESTIONS ABOUT ORGANISATION THE COUNCIL IS REPRESENTED ON

None raised.

104. REVISED CONTRACT AND FINANCE RULES AND OTHER MATTERS

The Head of Law and Governance submitted a report (previously circulated, now appended) which presented revised Contract and Finance Rules and other matters for adoption.

Council resolved:

- (a) To adopt the revised Contract and Finance Rules and to replace with immediate effect the existing Contract and Finance Rules in the Constitution;
- (b) To approve the Constitutional amendment proposed at paragraph 18 of the report with immediate effect.

105. PAY POLICY STATEMENT

The Head of People and Equalities submitted a report (previously circulated, now appended) which sought approval for a Pay Policy Statement for the Council as required under the Localism Act 2011.

Council resolved:

- (a) To approve the Pay Policy Statement as agreed with the Trade Unions with immediate effect;
- (b) To authorise the Head of People and Equalities to implement the approved Policy and make changes to it if required to put right any clerical mistakes or to reflect changes in the law.

106. PROGRAMME OF COUNCIL AND COMMITTEE MEETINGS 2012/13 AND 2013/14

The Head of Law and Governance submitted a report (previously circulated, now appended) which sought Council's agreement to a programme of Council and Committee meetings for the Council Years 2012/13 and 2013/14.

Council resolved to approve the timetable of Council and Committee meetings for the Council Years 2012/13 and 2013/14 subject to the following further amendments:

FURTHER AMENDMENTS 2012/13

City Executive Board as originally proposed	City Executive Board amended proposal
Wednesday 27 th June	Wednesday 4 th July

Council as originally proposed	Council as proposed amended proposal
Monday 9 th July	Monday 16 th July

Value and Performance Scrutiny Committee as originally proposed	Value and Performance Scrutiny Committee amended proposal
Wednesday 11 th June	Wednesday 25 th June

Meeting with Parish Councils as originally proposed	Meeting with Parish Councils amended proposal
Monday 25 th June	Monday 23 rd July

FURTHER AMENDMENTS 2013/14

City Executive Board as originally proposed	City Executive Board amended proposal
Wednesday 26 th June	Wednesday 3 rd July

Council as originally proposed	Council amended proposal
Monday 8 th July	Monday 15 th July

Value and Performance Scrutiny Committee as originally proposed	Value and Performance Scrutiny Committee amended proposal
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Monday 10 th June	Monday 24 th June
Meeting with Parish Councils as originally proposed	Meeting with Parish Councils amended proposal
Monday 24 th June	Monday 1 st July

107. COMMUNITY GOVERNANCE REVIEW - BLACKBIRD LEYS PARISH COUNCIL - REDUCTION IN MEMBERS

The Head of Law and Governance submitted a report (previously circulated, now appended) which sought approval for the terms of reference for a Community Governance Review into the number of Councillors on Blackbird Leys Parish Council.

Council resolved to approve the terms of reference for the Community Governance Review of Blackbird Leys Parish Council.

108. MATTERS EXEMPT FROM PUBLICATION

None.

The meeting started at 5.00 pm and ended at 9.35 pm

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CITY COUNCIL MEETING 20 FEB 2012. Speech by Minute Item 89

My name is MH-J. I am secretary of OX.PAG.¹, and a member of several old folks' social clubs. I meet many pensioners, rich + poor, able-bodied and disabled. It is the latter who use the TWO Dial-a-ride minibuses in Oxford City. Both are fully booked up 52 weeks a year.

I have known for some months the County plans to take over Dial-a-ride in April. On 5 Feb I attended the County's cabinet mtg to discuss the matter. As you know it decided to have just ONE minibus in each district. I learned that THIS year the City contributes £61,000, but nothing next financial year. I therefore put a question to your Board mtg on 8 Feb asking 'Why?'

The answer I got was confusing, illogical + on one point UNTRUE! I quote "...over £4 million was transferred last year from the City to the County to fund concessionary transport which obviously includes dial-a-ride..." Obvious? Really? Next day I checked with the County officer in charge of dial-a-ride... "That is NOT true", he told me. The answer goes on "...this is not the case for education." What does that mean? What does the pronoun 'this' refer to? I asked a city officer on 8 Feb. 'I just write what I'm told to', he replied. I still don't know... In fact education and transport are BOTH run by the County, and that is why the City says it will no longer contribute. So why is it budgeting over £300,000 for education??

Of course education is important and some Oxford schools have poor results. That is why 2½ years ago I went to the Oxford Academy at Littlemore. I was shown round by the Head, Mr Reading, + I offered to pay for a large map of the world, as I've noticed that modern young people often don't know where countries are! But education is a matter for the County, so I am glad to learn from Cllr Tiffy that City will cooperate in raising attainment with the County.

I am forced to the conclusion that the ruling Labour group thinks backward children are more important than disabled pensioners. Most pensioners I know find that disgusting! But it will no doubt be pushed through by the undemocratic Labour majority on this council.

Yes! Undemocratic because the numbers of cllrs of different parties do NOT proportionally represent the political views of the voters of Oxford. For the last 10 yrs or more there has been NO Conservative cllr though about ¼ of the voters usually vote for that party. As a democrat I find this outrageous. The undemocratic first-past-the-post system, left over from the 18th c. is now used in NO other European country. But wait! Last May we did for once have a democratic vote, a referendum, and 23 of the ¼ or so of people who bothered to vote wanted to retain the f.p.t.p system. To its credit Oxford was one of the few places which voted for a more democratic system. No wonder lots of people do not bother to vote at all. They know that in so-called safe seats it's pointless.

Actually I did once stand for election to a district council. It was in 1973 in Dorchester on Thames. I just beat the sitting Conservative by 20 votes. I was re-elected to the SODC with increased majorities in 1976 + '79 despite the rising tide of Thatcherism! I sat as an Independent.

Then for family reasons I moved to Marston + soon realized that the City Council is dominated by party politics, + will no doubt continue to be so. I hope I will soon be in a better world - meantime I shall continue to support poor and disadvantaged pensioners.

¹ OXPAG = Oxfordshire Pensioners' Action Group. (started in 1982)

Please phone before 10am if anything is not clear.

M. Hugh-Jones

Tel: 763705

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Decisions Concerning Leisure in East Oxford – Address to Council, 20th February 2012 – Nigel Gibson

My name is Nigel Gibson, and I am speaking as a representative of the Save Temple Cowley Pools Campaign. For the avoidance of doubt, as some council officers and councillors seem not to be aware, the Campaign does not actually oppose the Council, or its intentions – we simply seek, and I have to say continue to seek despite a campaign that has now lasted over two years, clear evidence to justify your determination to close facilities that the general public want to remain open.

My attention was drawn last week to the Council's intentions to sign a contract for building the proposed new pool at Blackbird Leys. It seems strange that the Council should delay doing this until now, since you actually made your final decision to proceed with this venture last July. And it would seem that you were going to sign the contract last week until it became public, at a point that was just before a number of events:

1. This Council meeting, where the budget for the coming year will be determined. I note from the budget information provided at the last City Executive Board meeting that the financial outlay for the building work would not be until at least April of this year, but then this amount has not been approved, so why such haste to sign the contract now?
2. The application by a group of residents in Blackbird Leys for Town Green status for the park on which you wish to build the 25m swimming pool is, according to the County Council, going to be determined by a meeting that will probably be held in March. And if unsuccessful, no doubt the Town Green 14 may consider an appeal. But, if you sign the contract, and the application succeeds, there will no doubt be penalties for cancellation – why make that commitment now?
3. And then there is the Save Temple Cowley Pools Campaign – no doubt many of you are aware that the Campaign is applying for a Judicial Review of your decision to go ahead with building the pool, and the consequent closure of Temple Cowley Leisure Centre. There are two grounds for the claim. The first is quite simple – you have not consulted properly with the public. For all the protestations about Focus Groups, and consultation meetings, which we have exposed in the past, you have never, ever asked the public the key question : do you want to close Temple Cowley Pools? And you haven't asked the question, because you are acutely aware that the answer will resoundingly and emphatically tell you what you don't want to hear – there is no support for closing it. The second reason for taking you to Judicial Review is because you have blatantly ignored some of the most disadvantaged people in Oxford; you have not considered the consequence of closing Temple Cowley Leisure Centre on groups such as elderly, inform, disabled and so on, and there are significant numbers of these people living inside the ring road in East Oxford who would simply not be able to take exercise as they do now in Temple Cowley Pools if they had to go further afield and by different means.

And so the application for Judicial Review is in, and we await the verdict of the first court. And just as with the Town Green application, if you sign the contract, and the Judicial Review is successful, there will no doubt be penalties for cancellation, so why make that commitment now?

Decisions Concerning Leisure in East Oxford – Address to Council, 20th February 2012 – Nigel Gibson

The Council is continually challenged with its own evidence that there is no demand for a 25m, non-Olympic swimming pool in Blackbird Leys at a cost heading steadily north of £13 million. And Labour councillors, with no justification, continually rubbish various proposals that would refurbish and improve both Temple Cowley Leisure Centre, including the diving pool, and the existing Blackbird Leys Swimming Pool. Even the residents of Blackbird Leys don't see the need for a new pool, as you have heard time and time again not only from Councillor Craft, but also from local people in the area who have been so appalled at your behaviour in not listening that they have been moved to apply for Town Green status for the park. And you, the Council, remain steadfast in your intention to remove publicly funded leisure facilities from inside the ring road in East Oxford by closing Temple Cowley Leisure Centre, and thus depriving a group of communities easy access to leisure – the cost, the time taken and the hassle of not being able to walk or cycle to their leisure centre will inevitably mean less exercise, fitness and a degradation in the health of these communities. Above all, of course, the Council has never actually consulted with the public and asked them the simple question, "Do you want Temple Cowley Leisure Centre to remain open?"

And so we are left with what appears to be a dogged determination by the Council to waste our, the council taxpayers', money, on this exercise. I've spoken in the past about the lack of openness and transparency in the way this exercise is being undertaken. All the information produced by the Council in support of the proposed new 25m swimming pool remains a combination of misleading, inaccurate, incomplete and untrue, and this information is seized on with relish as what is misplaced justification for the project by the Labour councillors who it would seem do not care about the people in the Temple Cowley Area.

And so the intention to enter into this contract, uncovered at the last minute, is yet another sign of this. And we can only assume that there is a clear intention to try and lock the city into this ill-fated venture by contractually binding us all, without our knowledge, to have to pay millions of pounds in compensation if the contract cannot proceed simply because ordinary citizens are exercising, publicly and openly, their democratic rights in questioning and asking for evidence. You, the Council, stand condemned in the sight of the general public by your actions; you have not justified either building a new pool, or closing two perfectly good facilities. Tying the council financially tighter and tighter with public money so that your aims can be pursued may not be illegal, but increasingly the public are questioning your moral compass in ignoring their wishes. And because there remains so much public support to keep Temple Cowley Leisure Centre open, as well as the existing Blackbird Leys Swimming Pool, the Save Temple Cowley Pools Campaign will continue.

Council 20/2/2012 Addition to Briefing Note -Contract for new competition standard pool.

This briefing note sets out the current position in respect of the construction contract for the competition standard pool.

At this time last year Council approved the budget necessary to complete the project.

In July 2011 at the City Executive Board Wilmott Dixon were selected as the contractor and officers were instructed to proceed to contract.

The project team have, properly, been working to implement that resolution and will continue to do so.

Due to the issues of the Town Green application and the Judicial Review proceedings, the contract has been drafted as being conditional on these issues being settled to the satisfaction of the Council's Monitoring Officer. If the matters are not resolved satisfactorily the contract will not commence and there will be no grounds for a successful claim against the Council.

A claim for breach of contract could only arise if, after the town green and judicial review issues were resolved to the satisfaction of the Council's Monitoring Officer, the Council then decided not to proceed which would be entirely inconsistent with the previous resolutions of the Authority.

Officers are not aware of where the sum of £3m of potential damages has come from. There is nothing to this effect in the draft contract.

There is now a settled draft of the contract between the Council and Wilmott Dixon and we are in the final stages of diligence processes. It is anticipated that we shall be in a position to exchange contracts later next week.

Tim Sadler.
Executive Director for City Services.
16th February 2012.

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Considering this meeting is all about fixing budgets I find it incredulous to believe you will allow yourself to be exposed to unnecessary risk in the form of a 3 million pound breach of contract clause especially in the present economic climate. I find it extremely hard to comprehend the levels that this council is prepared to take to force their will on the members of the public. Once again this council is prepared to squander the hard earned money of the city residence.

On Wednesday I was informed from a reliable source that the contract for the swimming pool to be built on land where there is an application to designate as a town green was to be signed imminently, with a clause for breach of contract with the contractor of £3,000,000.

Once again the council in their wisdom has gone against what is clearly a breach of faith against the town green application by the signing of the contract with the developer. At this moment in time there is an action pending and to undertake the decision you have before this has satisfactorily completed in my view is not a very democratic decision in fact it is the actions I would expect from a dictator foisting his will on a subservient population.

Well far from being subservient we who have elected you to this office demand you think again and stop this deplorable behaviour and listen to the people who are saying enough is enough. We are the ones who have to finance your exorbitant demands by ever increasing rises in our rents and taxes. We are the ones you should be representing; we are the people you have to convince that this is a good deal for our hard earned cash. Let me tell you this when next you come knocking on my door canvassing for my support don't expect to get away without a good ear bashing.

My grandmother used to say "as you sow so shall you reap". In other words don't be too smug at this moment in time your days may well be numbered as there are others out there who can make a better job of what you have so far failed to deliver.

To that end as a member of the public can I ask the following questions?

- Has the council signed this contract yet?
- Has this issue been agreed by a full council?
- If so what was the outcome of the vote?
- Is this the best time to consider signing the contract?
- Would it not be more advantageous to sign the contract after all issues concerning this structure have been concluded?
- Has the contract got to be signed now or can it not wait until all the judicial aspects of the case have been redressed?
- Please confirm that you are not interfering in any way with the legal process involved in the application for Town Green status ?

- With the degree of urgency that you are pursuing the signing of the contracts I would like to be assured that the City Council has not and will not be interfering with the Town Green Application process ?

Can you please assure me that when ever this contract is signed you will send the relevant part of the town green application indicating that the work could be halted pending the successful town green application

In closing let me reiterate it is never too late to turn around the decisions that are going to cost us millions and as I have said previously this will cost us even more in the long term as you have clearly not taken all aspects of this construction into consideration and you will need to revisit them at a later date and throw even more money at the problem in order to fix it.

PRESENTATION TO OXFORD CITY COUNCIL MEETING ON MONDAY 20TH FEBRUARY 2012 BY OXFORD SAFER MASTS GROUP

As residents of Donnington we were dismayed last autumn to discover a 3G mobile phone mast had been erected outside the Peugeot Garage on Iffley Road with no public consultation apart from letters to a couple of households on either side of the site although the emissions from the mast extend over several hundred yards. This prompted us to look further into what was going on in Oxford in terms of the siting of masts and the Ofcom map of the area revealed that there were already over 40 mobile phone masts within a square mile of the city centre last summer.

We then had access to the list of new Roll Out plans for 3G masts which was circulated to Councillors in the Autumn and which lists 200 new and very powerful masts which had already been built and were sited either in the city centre or in areas of dense population near homes and schools. The list includes such sites as: Barnardo's Store Cowley Road, Boswells, the Gipsy Lane Campus and Walton Well Road among 196 other such sites.

Scientific evidence strongly suggests that the higher frequency services like 3G and Tetra are more dangerous to humans, especially children than the earlier models of masts which were already highly controversial. It appears that not only was there no public consultation about this development whatsoever but that attempts have actually been made to disguise the presence of the masts from the eyes of the public. They do not appear currently on the Ofcom map of masts and many are disguised so that the public have no idea they are there, as well as their emissions obviously being invisible.

Residents of Oxford are therefore facing unprecedented and alarmingly high levels on exposure to microwave radiation about which most people are blissfully unaware. This is in addition to the personal use from mobile phones, wireless broadband, wi fi, cordless phones, digiboxes and soon to be brought in Smart Meters. 3G is soon to be replaced by 4G nationally which will demand even stronger and more powerful frequencies in masts.

We are aware that there is intense pressure from the telecom companies, media marketing and government to increase everyones instant access to information through Smart Phones and other rapidly evolving technologies and that an increasing number of people now use these and are finding it impossible to survive without them. However, it would appear that the significant body of scientific research from around the world which highlights the many health risks associated with exposure to pulsed microwaves is being largely ignored by both local and central government. Much of this research is published on the Powerwatch and Mast Sanity websites.

A new Council of Europe Resolution, passed in May 2011, calls for a dramatic reduction in human exposure to Electro-Magnetic Frequencies and microwave radiation from mobile phones and other wireless devices. This Resolution makes a strong call for properly applying the precautionary principle / approach to EMFs - both from electric power and from wireless communications technologies, something that all governments have so far completely failed to do. The Stewart Report makes similar recommendations.

Any encouragement by telecom companies, planners and government to promote wireless technologies needs to be balanced with serious consideration of the health risks involved. Common symptoms,(which have been widely researched and reported on and some of

which we have noticed in Donnington) include sleep disruption, memory loss, headaches, tiredness, adrenal problems, behaviour changes in children, epilepsy, nosebleeds and skin complaints. Generally children are considered to be more susceptible than adults because of their developing nervous system, and so need our extra protection. More serious diseases such as childhood leukaemia has been found to be linked to proximity to masts and animals are also not immune. Major diseases such as diabetes and cancer are rising to epidemic proportions in Britain and there is a growing body of evidence to link exposure to pulsed microwaves as a significant factor in the development of these diseases.

Even the World Health Organisation, usually a very conservative body, has recently stated that Radio Frequency energy exposure is a “possible human carcinogenic”. Over the last 10 years there has been a 25% increase in cancer rates in Oxford City according to the Oxford Times last autumn. Could there be a connection?? Cancer is now the biggest cause of early death in Oxford.

We are concerned about the Donnington mast and would prefer it to be moved to an area of less dense population. However, in view of the intense proliferation of masts city-wide we are more concerned about the City Council’s strategy for all its citizens and its understanding of its “duty of care”. There are alternatives such as increased use of satellites and fibre optic cables to create safe communication networks which several other European countries, notably Germany and Austria are leading the way in. As Oxford is a city of learning, of science and of innovation we would expect our leaders to inform themselves of the issues, look at the approaches taken by councillors in other authorities and seek to adopt a 'best practice' policy even if central government is choosing to ignore this significant risk to public health.