

Agenda

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Council

Date: **Monday 22 April 2013**

Time: **5.00 pm**

Place: **Council Chamber, Town Hall**

For any further information please contact:

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The meeting will also be available via a webcast. This means that people may choose to watch all or part of the meeting over the internet rather than attend in person. The webcast will be available to view on the City Council's website after the meeting.

Council

Membership

Lord Mayor Councillor Mohammed Abbasi

Deputy Lord Mayor Councillor Elise Benjamin

Sheriff Councillor Dee Sinclair

Councillor Mohammed Altaf-Khan	Councillor Ben Lloyd-Shogbesan
Councillor Alan Armitage	Councillor Mark Lygo
Councillor Laurence Baxter	Councillor Sajjad Malik
Councillor Tony Brett	Councillor Stuart McCready
Councillor Jim Campbell	Councillor Mark Mills
Councillor Anne-Marie Canning	Councillor Helen O'Hara
Councillor Bev Clack	Councillor Susanna Pressel
Councillor Mary Clarkson	Councillor Bob Price
Councillor Colin Cook	Councillor Mike Rowley
Councillor Van Coulter	Councillor Gwynneth Royce
Councillor Steven Curran	Councillor David Rundle
Councillor Roy Darke	Councillor Gill Sanders
Councillor Jean Fooks	Councillor Scott Seamons
Councillor James Fry	Councillor Craig Simmons
Councillor John Goddard	Councillor Val Smith
Councillor Michael Gotch	Councillor John Tanner
Councillor Mick Haines	Councillor Ed Turner
Councillor Sam Hollick	Councillor Oscar Van Nooijen
Councillor Rae Humberstone	Councillor Ruth Wilkinson
Councillor Graham Jones	Councillor David Williams
Councillor Pat Kennedy	Councillor Dick Wolff
Councillor Shah Khan	

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SUMMONS

A meeting of the City Council will be held in the Council Chamber, Town Hall, on Monday 22 April 2013 at 5.00 pm to transact the business set out below.

Peter Sloman

Proper Officer

AGENDA

	Pages
1 MINUTES	1 - 38
Minutes of:	
(a) The ordinary meeting of Council held on 18 th February 2013	
(b) The ordinary meeting of Council held on 25 th February 2013	
(c) The extraordinary meeting of Council held on 13 th March 2013.	
2 DECLARATIONS OF INTEREST	
Members are asked to declare any disclosable pecuniary interests they may have in any of the following agenda items. Guidance on this is set out at the end of these agenda pages.	
3 APOLOGIES FOR ABSENCE	
4 APPOINTMENTS TO COMMITTEES	
5 LORD MAYOR ANNOUNCEMENTS	
6 ANNOUNCEMENTS BY THE SHERIFF	
7 ANNOUNCEMENTS BY THE LEADER OF THE COUNCIL	

8 ANNOUNCEMENTS BY THE CHIEF EXECUTIVE, THE CHIEF FINANCE OFFICER AND THE MONITORING OFFICER

9 ADDRESSES BY THE PUBLIC

To hear addresses from members of the public in accordance with Council Procedure Rule 11.8 for which the required notice (1.00pm on Thursday 18th April 2013) and the full wording of the address has been given to the Head of Law and Governance.

10 QUESTIONS BY THE PUBLIC

To hear questions from the public in accordance with Council Procedure Rule 11.09 to the Leader or other Members of the City Executive Board for which the required notice (1.00pm on Thursday 18th April 2013) and the full wording of the question has been given to the Head of Law and Governance, and to hear responses from those Members.

City Executive Board recommendations – items 11 to 12

11 GOVERNANCE REVIEW

39 - 100

The Head of Law and Governance and has submitted a report which presents the outcome of the review of the Council's governance arrangements, and makes recommendations for changes.

This report was presented to the City Executive Board on 10th April 2013. An extract from the minutes of this meeting is also attached.

Council is asked:

- (a) As from the start of the Council Year 2013/14, that:-
- (1) The single executive member arrangements for decision-making be discontinued and to note that the responsibilities of single members have been re-allocated by the City Executive Board as set out in Annex 1 to this report and the Constitution be amended accordingly.
 - (2) City Executive Board agenda should contain an additional item relating to addresses by councillors to the Board and that Constitution be altered as set out in Annex 3 to this report.
 - (3) One Scrutiny Committee (and not two scrutiny committees) is appointed as follows:-
 - (a) To be responsible for co-ordinating the scrutiny work programme and for commissioning a range of review

and standing panels;

- (b) To consist of 12 members appointed in accordance with political balance requirements.
- (4) The changes in Council procedures set out in Annex 6A to this report and contained in the updated Section 11 of the Constitution that forms Annex 6B to this report be introduced.
- (b) That the programme of Council and committee meetings for 2013/14 and 2014/15 be approved as set out in Annex 2A and 2B to this report, noting:-
- (i) that the 2013/14 programme replaces that agreed by Council on 20th February 2012;
 - (ii) that the programme for May and June 2014 may need to be adjusted depending upon the date set for the European Elections (22 May or 5 June) and any adjustment to the date of the local government elections (1st May at present);
 - (iii) that 10 City Executive Board and 10 Scrutiny Committee meetings have been programmed for 2013/14 with no such meetings programmed for May 2014 (the month when City Council elections are at present programmed), and that 11 City Executive Board and 11 Scrutiny Committee meetings have been programmed for 2014/15 with meetings programmed for May 2015 (the month when a General Election could occur).
- (c) To note that monthly Board member briefings on current issues, open to all members, will be arranged and conducted by officers, and that dates for these briefings are contained in the programme of Council and committee meetings that forms Annex 2A.
- (d) To note that officers will present an updated Member/Officer Protocol to Council in June and in the meantime to note that officers will refresh staff awareness of its provisions in particular as far as Ward references are concerned (the present version of the Protocol forms Annex 4).
- (e) To note that the City Executive Board on 5th December 2012 agreed the recommendations in Annex 5 to this report that relate to public engagement and that officers are working on their implementation.
- (f) To agree that a Governance Working Party should meet each year to review operational practice and decide what changes, if any, to recommend to Council.
- (g) To authorise the Head of Law and Governance to make all changes to the Constitution to give effect to the agreed recommendations arising from this report.

The Head of Housing has submitted a report which presents for approval the proposed percentage targets for the allocation of social housing in 2013/14.

This report was submitted to the City Executive Board on 10th April 2013. An extract from the minutes of this meeting are also attached.

Council is asked to approve the proposed Annual Lettings Plan for 2013/14 as detailed in the report.

13 CITY EXECUTIVE BOARD DECISIONS (MINUTES) AND SINGLE EXECUTIVE MEMBER DECISIONS (MINUTES)

121 - 132

This item has a time limit of 15 minutes

City Executive Board decisions (Minutes)

(a) Minutes of the meeting held on 21st March 2013

(b) Minutes of the meeting held on 10th April 2013

Single Executive Member decisions (Minutes)

No meeting held since the last ordinary meeting of Council.

14 RECOMMENDATIONS AND REPORTS FROM SCRUTINY AND OTHER COMMITTEES

15 QUESTIONS ON NOTICE FROM MEMBERS OF COUNCIL

Questions on notice under Council Procedure Rule 11.10(b) may be asked of the Lord Mayor, a Member of the City Executive Board or the Chair of a Committee.

Questions on notice must, by the Constitution, be notified to the Head of Law and Governance by no later than 9.30am on Friday 19th April 2013.

Full details of any questions for which the required notice has been given will be circulated to Members of Council before the meeting.

16 STATEMENTS ON NOTICE FROM MEMBERS OF COUNCIL

Statements on Notice under Council Procedure Rule 11.10(b) may be made. Statements do not need to be directed to the specific Councillor.

Statements on notice must, by the Constitution, be notified to the Head of Law and Governance by no later than 9.30am on Friday 19th April 2013.

Full details of any statements for which the required notice has been given will be circulated to Members of Council before the meeting.

17 PETITION - "TO BENEFIT THE PEOPLE OF OXFORD" 133 - 134

The Head of Law and Governance has submitted a report which advises on the procedure that Council needs to follow under the Council's Petitions Scheme in respect of large petitions, and to provide information specifically on the petition entitled "To benefit the people of Oxford".

Council is being recommended to follow the procedure for large petitions by hearing the head petitioner and to then debate the petition and decide how to advise the Executive.

18 PETITION - "SAVE R&R DANCE STUDIOS - HOME OF DANCE CONNECTION" 135 - 138

The Head of Law and Governance has submitted a report which advises on the procedure that Council needs to follow under the Council's Petitions Scheme in respect of large petitions, and to provide information specifically on the petition entitled "Save R&R Dance Studios – Home of Dance Connection".

Council is being recommended to follow the procedure for large petitions by hearing the head petitioner and to then debate the petition and decide how to advise the Executive.

19 MOTIONS ON NOTICE 139 - 144

Council Procedure Rule 11.14 refers. The Motions (listed in the order received) that have been notified to the Head of Law and Governance by the deadline of 1.00pm on Monday 8th April 2013 are attached to this agenda.

20 REPORTS AND QUESTIONS ABOUT ORGANISATIONS THE COUNCIL IS REPRESENTED ON

21 COLLECTIVE AGREEMENT ON PAY AND PAY POLICY STATEMENT 145 - 174

The Head of Human Resources and Facilities has submitted a report which details the collective agreement on pay and the Pay Policy Statement.

Council is asked:

- (1) To note and approve the Collective Agreement on Pay dated February 2013, including its non-pay elements;
- (2) To note and approve the amendments to the Council's annual Pay Policy Statement 2013;
- (3) To authorise the Head of Human Resources and Facilities make any changes other than pay to collective terms and conditions and Council

employment policies in accordance with the collective agreement.

22 REGULATION OF INVESTIGATORY POWERS ACT 2000

175 - 176

The Head of Law and Governance has submitted a report which details the Council's application of its powers under the Regulation of Investigatory Powers Act 2000.

Council is asked to note the use of the powers under the Regulation of Investigatory Powers Act 2000 (RIPA) for the period 1st April 2012 to 31st March 2013 and to note the recent amendments to RIPA relating to judicial approval and custody thresholds.

23 MATTERS EXEMPT FROM PUBLICATION

If Council wishes to exclude the press and the public from the meeting during consideration of any aspects of the preceding agenda items it will be necessary for Council to pass a resolution in accordance with the provisions of Section 100A(4) of the Local Government Act 1972 specifying the grounds on which their presence could involve the likely disclosure of exempt information as described in specific paragraphs of Part 1 of Schedule 12A of the Act if and so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

(The Access to Information Procedure Rules – Section 15 of the Council's Constitution – sets out the conditions under which the public can be excluded from meetings of the Council).

DECLARING INTERESTS

General duty

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you.

What is a disclosable pecuniary interest?

Disclosable pecuniary interests relate to your employment; sponsorship (ie payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licences for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest.

If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members' Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member "must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself" and that "you must not place yourself in situations where your honesty and integrity may be questioned". What this means is that the matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

¹Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those of the member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

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COUNCIL

Monday 18 February 2013

COUNCILLORS PRESENT: Councillors Armitage (Lord Mayor), Abbasi (Deputy Lord Mayor), Sinclair (Sheriff), Altaf-Khan, Bance, Baxter, Benjamin, Brett, Campbell, Canning, Clack, Clarkson, Cook, Coulter, Curran, Darke, Fooks, Fry, Goddard, Gotch, Hollick, Humberstone, Jones, Kennedy, Khan, Lloyd-Shogbesan, Lygo, Malik, McCready, Pressel, Price, Rowley, Royce, Rundle, Sanders, Seamons, Simmons, Tanner, Turner, Van Nooijen, Wilkinson, Williams and Wolff.

96. 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, 22 and 10-13 in this order
- To take addresses and questions from the public on the budget items and item 22
- To debate the budget items

Council agreed to change the order of business and to adopt the procedure for dealing with the budget.

97. MINUTES

Council agreed to approve the minutes of the ordinary meeting held on 17th December 2012 (adjourned and reconvened on 31st January 2013).

98. DECLARATION OF INTERESTS

The Deputy Lord Mayor, Councillor Mohammed Niaz Abbasi declared a personal interest in agenda item 11 (Medium Term Financial Strategy 2013-14 to 2016-17 and 2013-14 Budget) as he was involved in the private hire licensed trade. (Minute 108 refers).

99. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mick Haines, Joe McManners, Mark Mills, Helen O'Hara and Val Smith.

100. APPOINTMENT TO COMMITTEES

No appointments to Committees were made.

101. LORD MAYOR'S ANNOUNCEMENTS

None made.

102. SHERIFF'S ANNOUNCEMENTS

None made.

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

None made.

104. ADDRESSES BY THE PUBLIC

Council received two addresses to Council (the text of the address from Sean Feeney with an Officer response is appended to these minutes)

- (1) Sean Feeney – Sites and Housing Plan: Inspector's report
- (2) Mr Taylor and Mr Cox – Oxford City Football Club

With the agreement of Council, Mr Cox spoke and thanked Council for its funding of £65k to bring the Court Place Farm Stadium up to the standard of a community arena. He said that it was a wonderful facility used everyday and night by people from Oxford and beyond.

105. QUESTIONS BY THE PUBLIC

No questions from members of the public had been received concerning the budget items on the agenda.

106. SITES AND HOUSING PLAN: INSPECTOR'S REPORT

The Head of City Development submitted a report (previously circulated, now appended) which sought the adoption of the Sites and Housing Plan.

Councillor Cook moved the report and following a debate, Council agreed:

- (a) To note the conclusions and recommendations of the Inspector's Report on the examination into the Sites and Housing Plan;
- (b) To adopt the Sites and Housing Plan as part of Oxford's Local Plan;
- (c) To endorse the associated documents as part of the Sites and Housing Plan adoption (including the Sustainability Appraisal and Habitats Regulations Assessment Adoption Statement and Equalities Impact Assessment);

- (d) To adopt a new Policies Map for Oxford that incorporates the Policies Map changes associated with the adoption of the Sites and Housing Plan and the Barton Area Action Plan;
- (e) To authorise the Head of City Development following the adoption and during the desktop publishing to correct any minor typographical or grammatical errors arising.

107. REPORT OF THE COUNCIL'S CHIEF FINANCE OFFICER ON THE ROBUSTNESS OF THE 2013/14 BUDGET

The Head of Finance submitted a report (previously circulated, now appended) under Section 25 of the Local Government Act 2003 which required him to report to Council on:

- (a) The robustness of the estimates made for the purposes of the calculations of the budget, and
- (b) The adequacy of the proposed financial reserves.

Council agreed to note the report.

108. MEDIUM TERM FINANCIAL STRATEGY 2013-14 TO 2016-17 AND 2013-14 BUDGET

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

- (1) Report of the Head of Finance;
- (2) Extract from the minutes of the City Executive Board held on 13th February 2013;
- (3) Liberal Democrat Group amendments;
- (4) Green Group amendments.

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

Councillor Jean Fooks, seconded by Councillor Jim Campbell, moved and spoke to the Liberal Democrat Group alternative budget.

Nigel Kennedy, Head of Finance made the following comments on the Liberal Democrat Group alternative budget.

"I have reviewed the alternative budget submitted by the Liberal Democrat Group to Council on 18th February and I confirm that the budget does balance and could be implemented. The strategy makes use of a £100k reduction in contingencies to use for one-off expenditure. The Council would normally review all such contingencies at year end and whilst the reduction only represents a 1% reduction in forecast contingencies, my Section 151 report on the Adequacy of Reserves and Balances does take into account budgeted contingencies and

therefore there is a degree of risk, albeit limited, should these contingencies drop below this recommended level.”

Councillor Michael Gotch, seconded by Councillor Jean Fooks, moved an amendment to the Liberal Democrat Group alternative budget as follows to appendix 7 of the Medium Term Financial Strategy, relating to car park charges:

Following the introduction by the County Council of a Controlled Parking Zone around Cutteslowe Park, a review within 12 months of the effectiveness or not of the CPZ may encourage the introduction in the Cutteslowe car parks of a zero parking charge for 1 hour – thus reducing on street parking even more – funded by increasing the parking charges at Alexandra Courts to the same level as most car parks around the City. Tennis Club members should continue to be able to buy season tickets.

Nigel Kennedy, Head of Finance made the following comments on the Green Group alternative budget.

“I have reviewed the alternative budget submitted by the Green Group to Council on 18th February 2013 and I confirm that the budget does balance and could be implemented. The strategy makes use of forecast underspends on the General Fund Revenue Account as reported to Members based on the November 2012 monitoring position, in the order of £1.5 million at the end of 2012/13. There is a degree of risk in this strategy since it relies on surpluses which have yet to be achieved and won't be known for certain until May 2013 and there is an opportunity cost of alternative use of those underspends which Council may wish to consider at year end, such as establishing a contingency to protect against shortfalls in Retained Business Rate income. However, notwithstanding this it is acknowledged that the alternative budget presented by the Green Group does de-risk this position by including items of expenditure which are one-off in nature and could be reined back should these surpluses not materialise.”

Councillor Craig Simmons, seconded by Councillor David Williams, moved and spoke to the Green Group alternative budget.

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

Councillor Craig Simmons, seconded by Councillor David Williams, moved and spoke on a Green Group amendment to reduce the contingency amount in Year one by £100k and to use this money in year one as follows:

ESOL - £20k

Ward spend (increased by £1k per Councillor - £48k

Cowley Road Carnival - £12k

Neighbourhood Planning - £20k

Following a debate, Council voted and the Green Group's amendment was not carried.

Councillor Jean Fooks, seconded by Councillor Craig Simmons moved and spoke on a joint Liberal Democrat/Green Group's amendment to reduce the contingency amount in year one by £100k and to use this money to repair potholes and undertake cycle safety work.

Following a debate, Council conducted a named vote as follows:

Councillors voting in favour of the amendment: Armitage, Altaf-Khan, Benjamin, Brett, Campbell, Fooks, Goddard, Gotch, Hollick, Jones, McCready, Royce, Simmons, Wilkinson, Williams and Wolff.

Councillors voting against the amendment: Abbasi, Sinclair, Bance, Baxter, Canning, Clack, Clarkson, Cook, Coulter, Curran, Darke, Fry, Humberstone, Kennedy, Shah Khan, Lloyd-Shogbesan, Lygo, Malik, Pressel, Price, Rowley, Sanders, Seamons, Tanner, Turner and Van Nooijen.

The amendment was not carried as more voted against than for.

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

The full decision of Council on the Council's Budget 2013/14 is set out below to:

- (a) Approve the Council's General Fund Budget Requirement of £25,027,000 for 2013/14 and in doing so to approve an increase in the Band D Council Tax of 1.99% or £5.23 per annum representing a Band D Council Tax of £268.19 per annum;
- (b) Approve the Council's General Fund Medium Term Financial Strategy for 2013-14 to 2016-17 and indicative budgets as set out in Appendices 1-5 of the report;
- (c) Approve the Housing Revenue Account budget for 2013/14 as set out in Appendix 5 to the report and in doing so to approve an increase in average dwelling rent of 4.62% (£4.27 per week) resulting in an annual average rent of £96.83;
- (d)
 - (i) Approve the Capital Programme for 2013/14 -2016-17 as set out in Appendix 6 to the report;
 - (ii) To vire £65,000 from underspends in the current year's Capital Programme for the purpose of providing and improving floodlights, seating and dugouts at the Oxford City Football Club's stadium at Court Place Farm;
- (e) Approve the Fees and Charges schedule as set out in Appendix 7 to the report;
- (f) Approve the level of exemptions and discounts on empty homes and unoccupied properties as outlined in paragraphs 18-19 of the report.

109. CORPORATE PLAN 2013-2017

Council had before it the report of the Head of Policy, Culture and Communications together with a minute extract from the City Executive Board held on 13th February 2013. (All documents previously circulated, now appended).

Councillor Price moved the report.

Following a debate, Council voted and agreed:

- (a) To approve the Corporate Plan 2013-2017;
- (b) To delegate authority to the Head of Policy, Culture and Communications to make minor textual amendments where necessary in preparation for formal publication of the Corporate Plan 2013-2017.

110. TREASURY MANAGEMENT STRATEGY 2013/14

Council had before it the report of the Head of Finance with a minute extract from the City Executive Board held on 13th February 2013. (All documents previously circulated, now appended).

Councillor Turner moved the report.

Council agreed to:

- (a) Adopt and approve the Prudential Indicators and limits for 2013/14 to 2016/17 as set out in paragraphs 62 to 86 of the report;
- (b) Approve the Minimum Revenue Provision statement at paragraphs 25-27 of the report which sets out the Council's policy on the repayment of debt;
- (c) Approve the Treasury Management Strategy 2013/14 and the treasury prudential indicators at paragraphs 17-39 of the report;
- (d) Approve the Investment Strategy for 2013/14 contained in the Treasury Management Strategy and the detailed investment criteria as set out in paragraphs 40-60 of and Appendix 1 to the report.

111. HOMELESSNESS STRATEGY AND ACTION PLAN 2013 TO 2018 AND FUTURE POLICY IN RELATION TO SECURING PRIVATE SECTOR TENANCIES FOR HOMELESS HOUSEHOLDS

Council had before it the report of the Head of Housing with a minute extract from the City Executive Board held on 13th February 2013. (All documents previously circulated, now appended).

Council agreed to defer consideration of this item to its meeting on Monday 25th February 2013.

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

Council had before it minutes (previously circulated, now appended) of the City Executive Board meeting held on 19th December 2012 and the Single Executive Member (Finance and Efficiency) meeting held on 25th January 2013.

Council agreed to defer consideration of this item to its meeting on Monday 25th February 2013.

113. RECOMMENDATIONS AND REPORTS FROM SCRUTINY AND OTHER COMMITTEES

No recommendations or reports had been submitted.

114. QUESTIONS ON NOTICE FROM MEMBERS OF COUNCIL

No questions on notice from Members of Council were submitted.

115. STATEMENTS ON NOTICE FROM MEMBERS OF COUNCIL

No statements on notice from Members of Council were submitted

116. PETITIONS

No petitions were submitted for consideration.

117. MOTIONS ON NOTICE

No Motions on notice from Members of Council were submitted

118. REPORTS AND QUESTIONS ABOUT ORGANISATIONS THE COUNCIL IS REPRESENTED ON

No questions were asked.

The meeting started at 5.00 pm and ended at 8.40 pm

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Sean Feeney's address under agenda item 8 to Oxford City Council on 18 Feb 2013, speaking on agenda item 22

The Worshipful Lord Mayor, officers, and members of Council, with power comes responsibility. Decision-making elected members, I have a modest proposal: reject your officer's advice to adopt the Sites and Housing Development Plan Document.

The permanent pasture of Port Meadow is *strictly protected* under the Habitats and Species Directive as part of Oxford Meadows Special Area of Conservation. Three perhaps less well known hay meadows are part of the SAC: Pixey and Yarnton Meads, perhaps the world's best hay meadow, Wolvercote Meadows, and Cassington Meadows.

The JNCC, the UK's own statutory advisor, states these vegetation communities are "perhaps unique in the world". This ecology is literally irreplaceable. I have provided your solicitors with astonishing correspondence from Natural England, confirming there has been a loss of area of around one-third of the hay meadows between 2005 and 2011.

A journal article cited on your website by Dr Alison MacDonald states the very rare plant *apium repens* which grows on Port Meadow was "killed" in 2006 and the underlying cause of the fatal hydrological change "is not known but is being investigated by the Environment Agency and Dr. David Gowing, Open University".

I believe you have breached the Strategic Environmental Assessment Directive duty to report "existing environmental problems" and consult the public.

Elected members, unless these problems have been taken into account, which they have not, I believe it is impossible for you, acting as the competent authority, to be certain beyond reasonable scientific doubt that this plan will not have adverse effects on the SAC.

Some things are beyond price. This plan allocates sites which will enrich the employers of some elected members (and/or those of your spouses), such as Oxford University.

The European Commission has opened a formal investigation into my complaint that the UK and its emanations, including this Council, have failed in duties to protect the SAC and avoid deterioration; infraction proceedings against the UK could follow in the Court of Justice of the European Union.

Do not repeat the mistake made by 8 out of 9 members of West Area Committee. Vote against harming Port Meadow. Vote to protect Oxford Meadows SAC. Vote *not* to adopt this environmentally harmful plan.

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Response to Mr Feeney's oral address to Council on 18th February regarding agenda item 22

Mr Feeney raises two specific concerns about whether the City Council has taken into account all 'existing environmental problems' in carrying out its duty under the Strategic Environmental Assessment (SEA) Directive. These concerns relate firstly to the condition of the Creeping Marshwort on Port Meadow, and secondly to the alleged loss of around one-third of the hay meadows which are part of the Oxford Meadows Special Area of Conservation (SAC).

The City Council has undertaken an assessment of the Sites and Housing Plan and published a Sustainability Appraisal, which includes a SEA, and which was informed by the Habitats Regulations Assessment (HRA). The HRA for the Sites and Housing Plan includes an Appropriate Assessment. The HRA was undertaken to ensure that the policies in the Sites and Housing Plan do not harm sites designated as being of European importance for biodiversity, which included the Oxford Meadows SAC. This concluded that given the mitigation measures, there are not likely to be any adverse impacts on the integrity of Oxford Meadows SAC. These mitigation measures are included within the Sites and Housing Plan. As such, the duties under the SEA Directive and the Habitats Directive have been discharged.

The City Council worked on a constructive and ongoing basis with Natural England throughout the production of the Sites and Housing Plan. The City Council responded to their advice by making amendments to the Plan which included commissioning a visitor's survey to provide information to inform the HRA in relation to potential recreational impacts. During the Examination into the Sites and Housing Plan, the City Council and Natural England agreed a Statement of Common Ground which confirmed that Natural England were satisfied that any outstanding matters regarding the Plan, the HRA and SEA had been satisfactorily resolved.

The Oxford Meadows SAC consists of four SSSIs:

- Pixey and Yarnton Meads
- Cassington Meadows
- Wolvercote Meadows
- Port Meadow and Wolvercote Common and Green

Cassington Meadows and the main part of Pixey and Yarnton Meads lie within Cherwell district. Three of the SSSI's are designated as part of the SAC because of their importance as lowland hay meadows and the fourth (Port Meadow and Wolvercote Commons and Green) is designated as part of the SAC because it contains the rare plant species *apium repens* (Creeping Marshwort).

The latest available assessment regarding the condition of Port Meadow with Wolvercote Common & Green SSSI and Wolvercote Meadows SSSI is from July/August 2010. This is available on Natural England's website

<http://www.sssi.naturalengland.org.uk/Special/sssi/reportAction.cfm?report=sdrt13&category=S&reference=1000153>. It indicates that the vast majority of both SSSIs are in a favourable condition with a small area recovering. Different parts of Pixey and Yarnton Meads SSSI were assessed in July 2010 and December 2012, and were judged to be in favourable condition. The latest information on Cassington Meadows SSSI is from August 2011 and shows it to be in favourable condition.

Creeping Marshwort

Mr Feeney refers to a study that identifies the Creeping Marshwort on the Oxford Meadows SAC had been “killed”. A first hand site visit undertaken by the Oxford Rare Plants Group with an officer of the City Council in 2011, confirmed that the plant remains on Port Meadow. In fact, Natural England have advised that they believe it may be spreading, rather than declining. Mr Feeney also refers to work that the Environment Agency and Dr Gowing have been undertaking to assess why the groundwater levels at Port Meadow have been high in recent years. In connection with this, it is understood that a breach of the canal has recently been fixed by the Environment Agency, and the results of this are being awaited. Natural England has also been looking at clearing the ditches around Port Meadow, and both of these projects may help with water levels on the meadow. This work is not complete and therefore cannot inform the City Council’s assessments for the Sites and Housing Plan.

Hay Meadow

Mr Feeney appears to have misinterpreted or misunderstood the information provided to him by Natural England. They do not state that there has been a loss in the coverage of hay meadow as suggested by Mr Feeney. Rather they state that the previous higher coverage figure was the “best available estimate” at the time and that their knowledge has improved since then such that the more recent assessment “is considered to be more accurate”. This does not mean that there has been an actual reduction in hay meadow coverage. In fact, it is understood from Natural England that since 2008 the sites have been in Higher Level Stewardship land management which has resulted in them coming into much better management than before, so the sites will be improving. The December 2012 assessment concludes that the Pixey and Yarnton Meads SSSI has maintained its favourable condition. It is the City Council’s view that there has been no significant change in the evidence base which would warrant any reassessment under the HRA or SEA regulations.

Compliance with relevant Directives and Regulations

The SEA Directive and Regulations require the preparation of an environmental report identifying the likely significant effects on the environment of implementing the plan or programme, and of reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme. The information to be given includes, any existing

environmental problems which are relevant to the plan or programme including, in particular, those relating to any areas of a particular environmental importance such as a special area of conservation (article 5(1) of the Directive, regulations 5 and 12 of the Regulations).

The environmental report is to include the information that can reasonably be required taking into account current knowledge and methods of assessment, the contents and level of detail in the plan or programme, its stage in the decision making process and the extent to which certain matters are more appropriately assessed as different levels in that process in order to avoid duplication of the assessment (article 5(2) of the Directive, regulation 12(3) of the Regulations).

Prescribed bodies (the Countryside Agency, English Heritage, Natural England and the Environment Area) and the public are to be given an early and effective opportunity within appropriate time frames to express their opinion on the draft plan or programme and the accompanying environmental report before adoption or submission to legislative procedure (article 6(2) of the Directive, regulation 13 of the Regulations). The Council has fully complied with these requirements with such consultation having been executed at all relevant times dating back to mid 2011.

For the purposes of compliance with the Habitats Directive and Regulations the Plan has been subjected to appropriate assessment. In the form recommended for adoption the Independent Examination Inspector specifically concluded that the impact of the plan upon the natural environment has been soundly addressed noting that Natural England had no outstanding objection (paras 97 and 98).

The Independent Examination Inspector specifically considered the legality of the Sites and Housing Plan. She concluded that the Plan met all the legal requirements (para 140).

The Sites and Housing Plan is therefore considered to be fully compliant with the Habitats Directive and Regulations and the SEA Directive and Regulations.

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COUNCIL

Monday 25 February 2013

COUNCILLORS PRESENT: Councillors Armitage (Lord Mayor), Abbasi (Deputy Lord Mayor), Sinclair (Sheriff), Altaf-Khan, Baxter, Benjamin, Campbell, Canning, Clack, Cook, Coulter, Curran, Darke, Fooks, Fry, Hollick, Humberstone, Jones, Kennedy, Khan, Lloyd-Shogbesan, Lygo, Malik, McCready, Pressel, Price, Rundle, Sanders, Seamons, Simmons, Turner, Wilkinson, Williams and Wolff.

119. MINUTES

No minutes had been submitted as this item had been dealt with at the meeting of Council held on 18th February 2013.

120. DECLARATIONS OF INTERESTS

None declared.

121. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Tony Brett, Mary Clarkson, John Goddard, Michael Gotch, Mick Haines, Joe McManners, Mark Mills, Helen O'Hara, Mike Rowley, Gwynneth Royce, Val Smith, John Tanner and Oscar Van Nooijen.

122. APPOINTMENT TO COMMITTEES

No appointments were made.

123. LORD MAYOR'S ANNOUNCEMENTS

The Lord Mayor informed Council of the recent death of Fred Ingram former City Councillor, Lord Mayor (1973/74), Deputy Lord Mayor (1971/72), Sheriff (1982/83) and Alderman (1967-74).

Council stood for a minutes silence as a mark of respect.

124. SHERIFF'S ANNOUNCEMENTS

No announcements were made.

125. ANNOUNCEMENTS BY THE LEADER OF THE COUNCIL

The Leader made the following announcements:

- (1) Wished to pay tribute to Fred Ingram and highlighted that apart from his service on the City Council, he was also was a founding member of the form OAP's Club in Gloucester Green which he also helped manage for many years.
- (2) The nominations to Civic Posts for the Council Year 2013/14:

Lord Mayor – Councillor Dee Sinclair
Deputy Lord Mayor – Councillor Tony Brett
Sheriff – Councillor Mohammed Niaz Abbasi
- (3) The City Deal which Oxford had been successful in achieving was progressing apace and that a formal meeting with the Cabinet Office would be taking place in early March 2013. Council would continue to receive regular updates.

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

No announcements were made.

127. ADDRESSES BY THE PUBLIC

Council received (previously circulated, now appended) three addresses to Council from members of the public.

- (1) William Clark – Managing the family budget
- (2) Nigel Gibson – Temple Cowley Pools Petition
- (3) Jane Alexander – Temple Cowley Pools and recycling

128. QUESTIONS BY THE PUBLIC

Three questions were submitted by members of the public as follows:

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

Action following submission of petition

At the last Council meeting, a petition with 1,666 signatures concerning university building in Roger Dudman way and the view across Port Meadow was rightly supported by Council, who immediately responded by instituting an enquiry, and now, we hear, discussions with the University to remedy the situation. Why did Council not respond with similar speed and decisiveness when a 12,000 signature petition to keep Temple Cowley Pools open, affecting the health and well-being of thousands of people across Oxford, was presented to council?

Response: The Council takes all petitions seriously. Having considered and debated the matter, Council then resolved to take action, weighing the views in the petition with all the other factors that must be taken into account.

(2) Question to the Board Member, Leisure (Councillor Van Coulter) from Sarah Lasenby

Fusion Leisure Contract

At the last Full Council meeting a question was asked by Nigel Gibson concerning the payments to Fusion Lifestyle as the information then available did not add up. But the answer given did not answer this question in anyway as far as I could see. This really shocked me as the Council has a policy to make information publicly open and transparent. In this case it did not happen.

I am confused; did the Councillor or whoever constructed the answer for him, not agree with the policy of openness or with the Contract or what? Please could I have an answer to the question this time? Can you please publish a breakdown by Leisure Centre and by year of the payments to Fusion Lifestyle up to the end of this financial year? You show the totals and I should be grateful if you could show how these are made up.

Response: At the commencement of the leisure facilities contract with Fusion Lifestyles, an annual fee was agreed for the running of leisure facilities in the City. This payment is a maximum guaranteed payment for the whole contract and it is not reliant upon the performance of any particular leisure centre. The payment is not broken down by centre. Therefore it is not possible to show the payments by centres as there is not one. In order to make comparisons of operations for the development of facilities the Council has estimated the net costs of the Temple Cowley Pools and the Blackbird Leys Pool. The Council has been open and transparent about these estimates.

(3) Question to the Leader of the Council (Councillor Bob Price) from Jane Alexander

Ethical Procurement

At the last Full Council meeting, there was a motion proposed by Councillor Hollick that was out of time for debate. It asked Council to enforce an ethical procurement approach by not using suppliers operating tax avoidance schemes. Will the Leader of the Council endorse this approach, and instruct the Chief Executive to cancel the contract with Fusion Lifestyle who operated a tax avoidance scheme through its charitable status?

Response: Councillor Hollick was not getting at the issues of Charities using their charitable status to recycle surpluses into their charitable purposes and I have no intention of asking Fusion Lifestyle to do anything different from what they do at the moment.

129. HOMELESS STRATEGY AND ACTION PLAN 2013 TO 2018 AND FUTURE POLICY IN RELATION TO SECURING PRIVATE SECTOR TENANCIES FOR HOMELESS HOUSEHOLDS

Council had before it the report of the Head of Housing together with a minute extract from the City Executive Board held on 13th February 2013. (All documents previously circulated, now appended).

Councillor Scott Seamons moved the report.

Following a debate, Council agreed:

- (a) To approve the Homelessness Strategy and Action Plan 2013 to 2018;
- (b) To note the commencement of additional powers introduced by virtue of the Localism Act 2011 related to the Council fulfilling its duties by securing a private sector tenancy for statutory homeless households;
- (c) To approve the policy as outlined in Appendix D of the report as Council Policy;
- (d) To delegate authority to the Head of Housing to implement the policy together with any minor changes that may come forward due to any subsequent revisions or clarifications to Government guidance and any ensuing case law.

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

Council had before it minutes (previously circulated, now appended) of the City Executive Board and Single Executive Member meetings held since the last meeting of Full Council.

- (a) City Executive Board Decisions – 19th December 2012 (Minutes)

No questions were raised and Council noted the minutes.

City Executive Board Decisions – 13th February 2013 (Minutes)

- (1) Minute 89 – Community Grant Allocations for 2013/2014.

Councillor Simmons was unhappy that the Cowley Road Carnival had not been included. He asked what the current position was with the £50k social inclusion grant which had not been released and suggested that it should apply to the organisations who had not been successful in the grants process.

In response Councillor Curran said that some of the grant applications received had met the criteria for funding and some had not. He added some of those that were unsuccessful would receive grants from the Youth Ambition fund.

Councillor Jones asked for confirmation that the application forms for the Social Inclusion funding were available.

In response Councillor Price said that the criteria had been established, but the forms were not yet available. Regarding comments from Councillors concerning the Cowley Road Carnival he said that the organisers had been in discussion with Council Officers from the Events Team on a service level agreement and funding options.

- (2) Minute 90 – Housing Allocations Scheme – Consultation Draft – Councillor Hollick asked if the Council had to have such restrictive conditions on tenants concerning the bedroom tax. In response Councillor Seamons said that the Council would not put people into accommodation they could not afford.

Councillor Turner said that he was uncomfortable with the changes being forced upon the Council and was unhappy that the Government continued to press forward the changes and putting people into these difficult situations.

- (3) Minute 92 – Green Spaces Strategy – Consultation Outcome – Councillor Rundle asked if this was a strategy and if it was why it had not come to Council. In response Jeremy Thomas, Head of Law and Governance informed Council that it did not form part of the policy framework and so did not require adoption by Council. He added that there was an overarching Leisure Strategy which would be coming to Council for adoption and the Green Spaces Strategy sat under this Leisure Strategy.

Councillor Benjamin welcomed the list of consultees and suggested that maybe some should have been consulted on the Roger Dudman Way development.

Councillor Fooks said that it was important to look after the green spaces in the City, but she still had concerns over the countryside aspect of the strategy.

- (4) Minute 93 – City Deal – Councillor Williams said that previous experience had taught him that the Government comes in on initiatives such as this and starts to change things. He stressed that the Council should keep control of the whole process.

In response Councillor Price said that the City Deal was a partnership and the Council did not have the locus to take control. He added that he would continue to provide regular updates to Council.

- (b) Single Executive Member Decision (Board Member, Finance and Efficiency) (Minutes) – 25th January 2013

No questions were taken as the time allowed for this item had been reached.

131. RECOMMENDATIONS AND REPORTS FROM SCRUTINY AND OTHER COMMITTEES

No recommendations or reports from the Scrutiny or other Committees were submitted.

132. QUESTIONS ON NOTICE FROM MEMBERS OF COUNCIL

(1) Question to the Board Member, Young People, Education and Community Development (Councillor Steve Curran) from Councillor Jean Fooks

Youth Ambition Fund

Could you give Council a report on how the £240k 'Youth Ambition' fund has been spent this financial year?

Response: To develop a sustainable programme that makes a real difference to young people's lives we are taking a strategic approach. Initial steps have been to work with Anna Wright (Educational Advisor) to develop an up to date understanding of needs. This work is being supported through the Local Government Association's 'Roots to Success' programme which provides free consultancy support to improve services for young people. We have also worked with partners to attain a better understanding of what is already being delivered and understand opportunities for more joined up work. This work has provided the information to develop a Youth Ambition Strategy which will come to the City Executive Board on the 10th April.

Coupled with this we have also launched our youth ambition grants which will see £50,000 per year awarded to voluntary and community groups. We will increasingly support these groups to build their capacity and help them attain funding from other sources. We have also launched a free access session at Blackbird Leys Leisure Centre and continued sessions at Wood Farm and Court Place Farm that would have otherwise not been funded. We are also sponsoring the Youth Awards which take place on the 21st February. To resource this work we have recruited two people who will help to deliver the programme.

This leaves just over £100,000 which we intend to roll over into the new financial year for match funding bids; one such bid has just been submitted to Sport England.

Councillor Fooks in a supplementary question asked for more information on the new recruits, Councillor Curran agreed to supply this to Councillor Fooks.

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

Payment for garden waste bags

I see that the Administration is proposing to save £20k by insisting that residents pay by direct debit for garden waste bags. This is blatantly discriminatory and unfair. Will you confirm that the saving can be made by offering a direct debit facility but continuing to accept cash or cheques, as well as debit card transactions, in future?

Response: although we will encourage direct debits it will still be possible to pay by cash or cheque.

133. STATEMENTS ON NOTICE FROM MEMBERS OF COUNCIL

No statements on notice from Members of Council were submitted.

134. PETITIONS

There were no petitions to consider and debate.

135. MOTIONS ON NOTICE

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

(1) **Winter fuel poverty – (Proposer Councillor Anne-Marie Canning, seconder Councillor Van Coulter)**

The Council notes:

1. Already 1 in 4 households in the UK are in fuel poverty, meaning they need to spend more than 10% of their income on keeping their homes warm. Average bills over £1,247 per annum. The problem is likely to get worse, with 1 in 3 households projected to be in fuel poverty by 2016. Council notes that this will affect thousands of households in Oxford.
2. The main reasons for this crisis are that gas, oil and coal prices are high, and the UK's homes are some of the most energy inefficient in Europe – leaking heat from their doors, walls and windows.
3. Cold homes are damaging the health of vulnerable members of society, including children, older people and people with disabilities. Diseases such as asthma are made worse, and people are more likely to have strokes and heart attacks. Illnesses caused by cold homes cost the NHS nearly one billion pounds each year.
4. Over the next 15 years the Government will raise an average of £4 billion every year in carbon taxes through the European Emissions Trading Scheme and the Carbon Floor Price. Recycling this revenue back into households could bring 9 out of 10 homes out of fuel poverty, lower people's bills, cut carbon emissions and create jobs.

The Council therefore resolves to:

1. Council encourages the City Executive Board to focus upon reducing fuel poverty in Oxford by any means possible and to develop fuel poverty action plan.
2. Support the Energy Bill Revolution campaign calling for the Government to recycle revenues from carbon taxes into improving the energy efficiency of UK homes.

Councillor Jean Fooks seconded by Councillor Graham Jones moved an amendment:

To add a third point as follows:

3. *Ask the Chief Executive to write to the city's MPs asking them to support all measures, including encouraging households to make use of the Green Deal where appropriate, to improve the energy efficiency of UK homes.*

The mover of the substantive Motion, Councillor Anne-Marie Canning accepted the amendment and following a debate Council voted and the amended Motion was adopted as follows:

The Council notes:

1. Already 1 in 4 households in the UK are in fuel poverty, meaning they need to spend more than 10% of their income on keeping their homes warm. Average bills over £1,247 per annum. The problem is likely to get worse, with 1 in 3 households projected to be in fuel poverty by 2016. Council notes that this will affect thousands of households in Oxford.
2. The main reasons for this crisis are that gas, oil and coal prices are high, and the UK's homes are some of the most energy inefficient in Europe – leaking heat from their doors, walls and windows.
3. Cold homes are damaging the health of vulnerable members of society, including children, older people and people with disabilities. Diseases such as asthma are made worse, and people are more likely to have strokes and heart attacks. Illnesses caused by cold homes cost the NHS nearly one billion pounds each year.
4. Over the next 15 years the Government will raise an average of £4 billion every year in carbon taxes through the European Emissions Trading Scheme and the Carbon Floor Price. Recycling this revenue back into households could bring 9 out of 10 homes out of fuel poverty, lower people's bills, cut carbon emissions and create jobs.

The Council therefore resolves to:

1. Council encourages the City Executive Board to focus upon reducing fuel poverty in Oxford by any means possible and to develop fuel poverty action plan.

2. Support the Energy Bill Revolution campaign calling for the Government to recycle revenues from carbon taxes into improving the energy efficiency of UK homes.
3. Ask the Chief Executive to write to the city's MPs asking them to support all measures, including encouraging households to make use of the Green Deal where appropriate, to improve the energy efficiency of UK homes.

(2) Bee Colony Collapse – (Proposer Councillor David Williams, seconder Councillor Elise Benjamin)

In line with the current petition to Government by Friends of the Earth, and the ever growing scientific evidence this Council is concerned that the Government has not followed the lead of a large numbers of European states such as France and Germany and banned the pesticides neonicotinoides .

The recently published European Food Safety Authority report that concludes that there is a clear link between falling bee populations and the use of neonicotinoides adds even more scientific evidence that these chemicals should be band.

With the recent publication of evidence from scientists at the US Department of Agriculture Bee Research Laboratory, the French National Institute for Agricultural Research and the UK's Keele University indicating strongly that the major cause of Bee Colony Collapse Disorder (BCCD) is the range of chemicals known as neonicotinoides this Council believes that there is an urgent need to protect bees in Oxfordshire from these potentially dangerous chemicals which are now being used in the UK.

The issue is of great concern in Oxfordshire for the area is known for its high quality bee keeping and breeding, the local honey firms and the large acreage that is under cultivation that requires pollination by bees.

Given that bees nationally and internationally play a vital role in maintaining food stocks this Council calls on the Secretary of State to impose an immediate ban on the pesticides sold as imidacloprid and clothianidin which are believed by the scientific community to be behind the phenomena known as BCCD. In following this approach the Minister will bring the UK in line with very large numbers of European states that have already banned the named neonicotinoid chemicals?

Following a debated, Council voted and the Motion was adopted.

(3) Road Deaths of Cyclists – (Proposer Councillor David Williams, seconded by Councillor Craig Simmons)

Although there has been a decline in the number of deaths of cyclists over the last ten years on UK roads by 49% the figures for Oxfordshire are not so encouraging with a corresponding figure of only 23%? (Office of National Statistics). From the County Council's own figures the majority of the decline in the County was in the first 5 years with the numbers of those killed or seriously injured remaining essentially static for the following five.

There is no doubt a number of reasons as to why this figure is so out of line with the national average figure, especially 2011 when the annual figure increased dramatically, virtually doubling.

With this in view the City Council will work with the County Council with three clear objectives in the short, medium and long term and take into consideration the Western European models of urban traffic management that generally see half the number of fatal injuries to cyclists .

The Council cycle plan will include:

In the short term, identification of accident black spots that keep occurring in the accident statistics and make recommendations for alterations in the traffic management that will improve safety for cyclists.

In the medium terms, recognise that a primary reason for deaths and serious injuries to cyclists is integrated urban traffic especially the mix of cyclists and very heavy vehicles and to move to limiting speed, weight restrictions and other planned traffic management proposals that will cut the number of fatalities in the City and surrounding towns.

In the long term, seek to improve existing cycle lanes by removing gaps that leave cyclists unsure where they should go, maximising the provision of clearly marked separate cycle lanes on the road or on pavements if necessary and space permits, and investigating where off-road cycle tracks could be.

Councillor Ed Turner seconded by Councillor Bob Price moved an amendment as follows:

To delete the third paragraph and replace with a new third paragraph with the following words:

With this in view the City Council will continue to develop its support for cycling safety with the County Council. Will work to include improved, safer traffic management improvements to cycle lanes, and better signposting of cycle lanes. It will encourage the County Council to consider other measures such as weight restrictions to reduce the number of accidents.

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:

Although there has been a decline in the number of deaths of cyclists over the last ten years on UK roads by 49% the figures for Oxfordshire are not so encouraging with a corresponding figure of only 23%? (Office of National Statistics). From the County Council's own figures the majority of the decline in the County was in the first 5 years with the numbers of those killed or seriously injured remaining essentially static for the following five.

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In the medium terms, recognise that a primary reason for deaths and serious injuries to cyclists is integrated urban traffic especially the mix of cyclists and very heavy vehicles and to move to limiting speed, weight restrictions and other planned traffic management proposals that will cut the number of fatalities in the City and surrounding towns.

In the long term, seek to improve existing cycle lanes by removing gaps that leave cyclists unsure where they should go, maximising the provision of clearly marked separate cycle lanes on the road or on pavements if necessary and space permits, and investigating where off-road cycle tracks could be.

(4) Break the Bag Habit Campaign – (Proposer Councillor Graham Jones)

This Council welcomes the increasing emphasis on reducing litter and protecting the environment.

However, it

- * notes with dismay that last year eight billion 'thin-gauge' plastic bags were issued in the UK, an increase of more than 5% over 2010;
- * notes with interest that in Wales, where there is a 5p levy on bags, there has been a drop of up to 90%, similar to that achieved in the Republic of Ireland, that Northern Ireland is to follow suit, and that Scotland has put a similar policy out to public consultation;
- * and notes that the Campaign to Protect Rural England, Keep Britain Tidy, and the Marine Conservation Society have launched the Break the Bag Habit Campaign, calling on the Government to introduce a levy on single-use plastic in England.

Council would like to congratulate those retailers in Oxford who have switched to issuing paper or biodegradable plastic bags to reduce damage to the environment.

In keeping with Council policy, to reduce litter as well as to limit environmental damage, Council asks the Leader to write to the City's two MPs requesting them to support the Campaign.

Following a debate, Council voted and the Motion was adopted.

(5) Badger Cull – (Proposer David Williams, seconder Councillor Craig Simmons)

The Council is concerned that although the Government has temporarily suspended its proposed cull of badgers the commitment to kill these creatures may be taken up again.

This is an important issue for Oxford where the badger is one of our largest native wildlife mammals and an important animal in the bio diversity of the City.

During this period of extended consultation the Council would submit to the relevant Government Minister the conclusion that a cull of badgers is not the most cost effective way to resolve the issue of bovine TB and certainly not the most humane.

The Government should be aware of a new vaccine that is now available for cattle that safeguards against TB and does not transfer antibodies into the food chain. Such a vaccine makes culling unnecessary and a waste of public funds.

The Council believes that the monies allocated to staffing the extermination units should now be directed to an inoculation programme which would be easier to conduct, ultimately far cheaper to deliver and would save one of the gentlest animals in the Oxfordshire countryside.

Council asks the Chief Executive to write to the relevant Minister expressing these opinions on behalf of the Council.

Following a debate, Council voted and the Motion was adopted.

(6) Setting a carbon target – (Proposer Councillor Van Coulter, seconder Councillor Jean Fooks)

Council notes that the long-awaited Energy Bill has at last been published by the Coalition Government.

It welcomes the establishment of a new legislative framework to deliver secure, affordable and low carbon energy and the availability of the £110 billion investment needed to replace current generating capacity and upgrade the national grid by 2020. Council notes that Government will triple the support available for electricity generation from renewables, nuclear and carbon capture and storage.

However, Council regrets that the Government has decided to defer setting a decarbonisation target until after the next general election.

This risks distracting focus from the pressing need to reduce greenhouse gas emissions and for the urgent need to increase energy efficiency to reduce demand.

The delay in target setting will make it hard for our nation to meet our long-term emissions targets under the Climate Change Act. The implications of climate risk are clear. In many respects these risks are greatest for the most vulnerable, the poor and the elderly in our communities.

Council is concerned at the immediate impact of rising energy prices while noting that Government expects that average household bills will be 7% or £94 lower by 2020.

Council reaffirms its wish to be a lead authority in tackling climate change and reducing carbon emissions. It resolves to do all it can to improve the energy efficiency of its own property and to assist home-owners and private tenants to reduce their energy usage and costs with advice and grants, including taking advantage of the Green Deal proposals.

Council instructs the Chief Executive to write to the local MP's and the Prime Minister expressing Council's concern at the omission of a decarbonisation target from the Energy Bill, putting at risk the Government's claim to be the greenest Government ever.

Following a debate, Council voted and the Motion was adopted.

136. REPORTS AND QUESTIONS ABOUT ORGANISATIONS THE COUNCIL IS REPRESENTED ON

Councillor Fooks with regard to the Local Enterprise Partnership asked why the funding issue of the lighting at the Cutteslowe roundabout had not been reported.

In response Councillor Price said that this had been news to him and was speculative, but he did confirm that the A34 bid had been put forward.

Councillor Williams said that this agenda item was open to all Councillor to questions those on other organisation. He said that the Scrutiny and Wellbeing Board had a City Council representative on it and that rather than Members having to ask for a report back, representatives should do this as part of the norm. Councillors were not being kept informed on important issues.

In response, Councillor Price said that this issue would be considered as part of the Governance Review currently underway.

137. KEY DECISIONS - ALIGNMENT OF THE FINANCIAL LIMITS WITHIN THE CONSTITUTION

The Head of Law and Governance/Monitoring Officer submitted a report (previously circulated, now appended) the purpose of which was to align the

Councils financial definition of a key decision with the financial limits for officer approvals of projects and acceptance of contracts.

Council agreed that the definition of a key decision in financial terms be increased to £500,000 to align with project approval and contract acceptance figures in the Constitution, and to authorise the Monitoring Officer to make the necessary constitutional changes.

138. REVIEW OF POLLING DISTRICTS AND POLLING PLACES FOLLOWING A BOUNDARY REVIEW OF OXFORDSHIRE COUNTY COUNCIL DIVISIONS

The Head of Law and Governance submitted a report (previously circulated, now appended) which sought approval of the revised schedule of polling districts and polling places for the administrative area of the City Council as required by the Electoral Administration Act 2006, following the review of Oxfordshire County Council division boundaries.

Council agreed:

- (a) To approve the schedule of polling districts and polling places as detailed in the report;
- (b) To reaffirm its decision to give the Returning Officer the delegated power to make changes to polling stations in emergencies.

139. COUNCIL TAX 2013/14

The Head of Finance submitted a report (previously circulated, now appended) which set out the necessary calculations to enable Council to set the 2013/14 Council Tax for Oxford City, in accordance with the Local Government Finance Acts, 1988 and 1992, as amended by the Localism Act 2011.

Council agreed:

- (a) To approve for 2013-14:
 - (1) The City Council's precept and Council Tax requirement of £11,228,070 (inclusive of Parish Precepts). Net of the Parish Precepts, the figure is £11,073,898.
 - (2) The average Band D Council Tax figure (excluding Parishes) of £268.19 a 1.99% increase on the 2012/13 figure of £262.96. Including Parish Precepts the figure is £271.93, a 1.83% increase on the 2012/13 figure of £267.05 (paragraph 13 of the Officer report).
 - (3) The contribution of £10,000 to the Parish of Old Marston in recognition of the additional expenditure that the Parish incurs as a consequence of maintaining the cemetery (paragraphs 20 and 21 of the Officer report).

- (4) The amount of £480,238 to be treated as Special Expenses (paragraph 24 of the Officer report).
- (5) The Band D Council Taxes for the various areas of the City (excluding the Police and County Council's additions) as follows:-

Littlemore £286.32
Old Marston £296.33
Risinghurst and Sandhills £284.37
Blackbird Leys £265.50
Unparished Area £270.39

These figures include the Parish Precepts and special expensing amounts as appropriate on top of the City-wide Council Tax of £256.56.

(b) To note:

- (6) Oxfordshire County Council's precept and Band D Council Tax as set out in paragraph 27 of the Officers report.
- (7) The Police and Crime Commissioner for the Thames Valley's precept and Band D Council Tax as set out in paragraph 28 of the Officers report, and
- (8) The overall average Band D equivalent Council Tax of £1,614.14 including Parish Precepts.

The meeting started at 5.00 pm and ended at 7.00 pm

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Managing the family budget – Address by William Clark

We are currently experiencing the worst recession in British history and heading to even more misery with ever greater demands on the British public for their hard earned money.

The present government has imposed swinging cuts in a vain attempt to reduce this country's financial deficits and to what end. They pass on to you, local government, even further reductions in central funding so in order for you to meet the shortfalls you pass these demands on to the residents of Oxford in increased tax bills in order for you to ensure some of our services remain in some shape or form.

What I am getting to is the fact that there is only a limited amount of money you can squeeze out of the residents there comes a time when it just is not tenable to continue these demands from the loyal citizens and eventually they reject your claims stating the obvious "YOU CAN NOT GET BLOOD OUT OF A STONE". Who knows where the money for compensation will come from following the Port Meadow fiasco?

The proposed new swimming facility on Blackbird Leys you are endeavouring to construct will not be a viable proposition because of the ever increasing demand on our money and to decide whether to go swimming or heat the room will be a no brainer. The demand for such a facility will decrease to the point where it becomes untenable with the only users being schools and the swimming club.

At the moment we have two facilities that with a little love and attention and a fraction of the cost could be refurbished to continue the pleasures of the swimming public for some time to come, there is obviously support for them as they continue to get great support in the form of signatures in petitions, so why is it that you still intend to lavish vast quantities of funding on something that will fall foul of this recession.

We have managed to garner support for the aging Oxford Stadium so surely that must give hope for these two swimming pools, do the right thing and resist the need to line the pockets of contractors who are eagerly lining up to fleece the council for everything they can. Stop the new pool build and listen to what the public are saying.

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Address by Nigel Gibson, Head Petitioner, in support of a Petition to Oxford City Council, February 2013

The Labour-controlled City Council's decision to close Temple Cowley Pools and Fitness Centre, blatantly ignoring the wishes of the people of Oxford, and in so doing deliberately removing publicly funded facilities from thousands of people inside the ring road in East Oxford, remains the biggest single issue in the city, even after three years of campaigning. These facilities offer so many people the opportunity to exercise and maintain and improve their quality of life, in a place where they want to do it.

A petition with over 1,500 signatures forces the Labour councillors, clearly on the basis of previous debates against their will, to face up to what they have done on behalf of vested interests. These vested interests include selling off the Temple Cowley site for student accommodation, ultimately for Oxford Brookes University, and improving the profits of Fusion Leisure, operators of the Council's leisure facilities, by getting rid of over thirty jobs.

The first petition, over 12,000 signatures, was simply ignored by the Labour councillors, who poured scorn on it. Since then we have regularly collected signatures for a series of petitions, the one being presented this evening being the sixth. All told, over 20,000 signatures.

The topic for this petition was inspired by a remark made by a LibDem councillor when the last petition was debated. He suggested that getting round a table and discussing things would be a good idea; and we agree. Doing that in the first place would have saved a lot of time and money. We've been trying to do that since the start of the Campaign, but the Council don't want that to happen because they would have to admit the information that supports their case for closure is a combination of misleading, inaccurate, incomplete and untrue, something we have demonstrated time and again.

The other reason for discussing this issue openly and transparently is simply because THINGS HAVE CHANGED since the Council made their decision.

The costs have spiralled from an estimate of £3m, then £4.5m, then £5.5m, through to £6.5m ('definitely a maximum figure'), then £9.2m, over £11m and if you include additional supporting costs over £13m....

The demographics have changed. At one time the proposed new swimming pool would have been at the centre of a diamond of housing, as the last Labour government intended concreting over the green space between Abingdon and South Oxford. The latest Census figures reveal that the highest population growth over the last ten years has been in Cowley Marsh, where Temple Cowley Pools and Fitness Centre is situated - an increase of 41%, and big increases as a whole across East Oxford within the ring road. And housing in this area continues to increase. Previously the Blackbird Leys population had been the big number, but not any more - the area

Address by Nigel Gibson, Head Petitioner, in support of a
Petition to Oxford City Council, February 2013

around Temple Cowley now has at least that number of residents, and it is in a place where we know people want to use it. In contrast, Blackbird Leys has grown very little in ten years, and there is absolutely no information on how many people there would actually make any use at all of a new swimming pool on their doorstep. The Council has not dared actually ask the questions that would establish what demand there is for a new swimming pool, or whereabouts in the City this would come from. That's because they know the answer already, and it wouldn't justify closing both Temple Cowley Pools and the existing Blackbird Leys swimming pools, each of which has a different intended group of users. And Labour has consistently 'found' demand only by knocking on doors and giving their version of what they thought happened. We've not on those same doors and found that support for the pool was given based on misinformation. The Council repeats the same mantra, that the proposed new swimming pool is a 'citywide facility', but with nothing that justifies its statements.

The political climate has changed; there are heavy curbs on local government spending, and an investment of this size, when there is a much better value alternative, must surely be constantly questioned?

When there are major changes in circumstances such as these, a local authority, in this case Oxford City Council, has a legal obligation to review its decision. So the petition gives the Council, and Labour, the opportunity to do just that.

The petition reads as follows:

"We call on Oxford City Council to enable Council officers and members of the Save Temple Cowley Pools Campaign to hold a series of meetings where they can discuss, identify and clarify areas of common understanding based on a full, open and transparent exchange of information. These meetings should be apolitical, jointly chaired, open to the public and develop a consensus so that we can agree a way forward that will benefit the people of Oxford"

More than 20,000 people have signed our petitions and asked the Council to think again. The Campaign continues because of this huge and continuing support across Oxford and beyond, while the Labour-controlled Council seems determined to ignore the views of so many thousands of people. For more information email savetcp@gmail.com and visit the Campaign website <http://tiny.cc/savetcp>.

Address to Council from Jane Alexander

The last time I spoke at a Full Council meeting in December I asked why there was no recycling bins at Temple Cowley Pools and that the blue collection box I had provided some years earlier had been removed and the staff were now telling me that not only did they not do any recycling now, that they had never done recycling at that site!

The recycling bins are clearly available at other Fusion Lifestyle run sites so why not at Temple Cowley?

Councillor Tanner answered that he would immediately get on and find out what had gone wrong. To me the word immediately means right away or very soon but almost three months have passed and I still see staff at TCP emptying all waste including recyclables into black PLASTIC bags and throwing them into the green 'non-recyclable' waste.

I have had no feedback from Cllr Tanner and it would seem that he has done nothing to rectify this.

I am also concerned to see that the regular care of the building is not being well carried out at Temple Cowley Pools. It is the responsibility of the council to ensure that the money they give to Fusion Lifestyle to run the centre is well spent and that all cleaning and regular maintenance is carried out fully.

Despite these things the numbers of users at TCP are still well up and new people are joining every day. Something to do with the location being so accessible!

When the time comes to replace TCP and that shouldn't be for at least 25 years from now according to the council's own condition survey, then there is a site which suits everyone much better than Blackbird Leys.

The swimming club have said they "don't mind where it is, people have cars so location doesn't matter". "We just want to be able to hold more Galas and Meets each weekend in good, well maintained pool". "If they open a 50 metre at Didcot we would probably go there".

Blackbird Leys people need to know that the Club have held at least ten events where the whole TCPools are closed to the public all days in the last three months and these are always at weekends.

If the council is so set on building a new pool for the people who at present use TCP then why not build it at the Council's own Cowley Marsh Site (which is soon to be vacated) adjacent to Cowley Marsh Recreation Park. This would mean it is still accessible to many and convenient for buses with space for parking.

Building a new wet and dry site at Cowley Marsh, with competition pool with all timing equipment etc and full competition seating, training pool with moveable floor, with environmental rigid covers, 6 tennis courts, two squash courts, exercise/dance studios, **80** station gym, sauna and steam rooms, crèche, cafe PLUS improving the facilities at the present Blackbird Leys Pool

improved disabled facilities, improved changing rooms, training pool and water slide/flume, enlarged entrance area with cafe, could all be built for less than the amount this council proposes to spend on just one swimming pool, one training pool and a 'splash area' at Blackbird Leys, by employing the right high-standard Pool Construction Consultant Company suggested by the ASA.

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An alternative company to MACE have also said that they would be able to build what the council presently proposes for Blackbird Leys for just £4.2 million not the £9 million which the council is now quoting.

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In the light of this and the fact they the council have based their figures of proposed pool use of 2001 figures of population in Blackbird Leys, Cowley and East Oxford which have changed considerably in the intervening years, it is time to stop this plan to build this new pool at Blackbird Leys now.

It is now time to stop this present proposal and meet with those of us who are in touch with the people of Oxford including many at Blackbird Leys and construct a plan which will be acceptable to the majority.

In the light of this and the fact they the council have based their figures of proposed pool use of 2001 figures of population in Blackbird Leys, Cowley and East Oxford which have changed considerably in the intervening years, it is time to stop this plan to build this new pool at Blackbird Leys now.

It is now time to stop this present proposal and meet with those of us who are in touch with the people of Oxford including many at Blackbird Leys and construct a plan which will be acceptable to the majority.

COUNCIL

Wednesday 13 March 2013

COUNCILLORS PRESENT: Councillors Abbasi (Lord Mayor), Benjamin (Deputy Lord Mayor), Sinclair (Sheriff), Altaf-Khan, Baxter, Canning, Clack, Coulter, Curran, Darke, Fooks, Goddard, Gotch, Haines, Kennedy, Khan, Lloyd-Shogbesan, Lygo, Malik, McCready, Mills, Pressel, Price, Rowley, Rundle, Sanders, Seamons, Smith, Tanner, Van Nooijen, Wilkinson, Williams and Wolff.

140. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Alan Armitage, Tony Brett, Jim Campbell, Colin Cook, James Fry, Sam Hollick, Rae Humberstone, Graham Jones, Helen O'Hara, Gwynneth Royce, Craig Simmons and Ed Turner.

141. ELECTION OF LORD MAYOR FOR THE REMAINDER OF THE COUNCIL YEAR 2012/13

Councillor Bob Price proposed and Councillor John Goddard seconded, that there being no other nominations, Council resolved that Councillor Mohammed Niaz Abbasi be elected as Lord Mayor of Oxford for the remainder of the Council Year 2012/13.

Councillor Abbasi took the Chair and then made and subscribed the Declaration of Acceptance of Office.

Council also resolved to place on record Council's concern and regret over the remarks alleged to have been made by the former Lord Mayor, Councillor Alan Armitage to a member of a girls' under 13 sports team, and that Council's concern and regret be conveyed to the sports team member and her family.

142. APPOINTMENT OF DEPUTY LORD MAYOR FOR THE REMAINDER OF THE COUNCIL YEAR 2012/13

Councillor David Williams proposed and Councillor Mohammad Altaf-Khan seconded, and there being no other nominations, Council resolved that Councillor Elise Benjamin be elected Deputy Lord Mayor of Oxford for the remainder of the Council Year 2012/13.

Councillor Benjamin then made and subscribed the Declaration of Acceptance of Office.

The meeting started at 5.30 pm and ended at 5.45 pm

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To: Council – 22 April 2013

Report of: Head of Law and Governance

Title of Report: GOVERNANCE REVIEW

Summary and Recommendations

Purpose of report: This report presents the outcome of the review of the Council's governance arrangements, and makes recommendations for changes. The outcome of the review has been considered by both the City Executive Board and the Value and Performance Scrutiny Committee. The recommendations in this report are supported by the City Executive Board and have been informed by the comments made by the Value and Performance Scrutiny Committee.

Key decision; No

Executive lead member: Councillor Price

Policy Framework: An effective and efficient Council

Background papers: None

Recommendation(s):

Council is RECOMMENDED:-

A. As from the start of the Council Year 2013/14, that:-

1. The single executive member arrangements for decision-making be discontinued and to note that the responsibilities of single members have been re-allocated by the City Executive Board as set out in Annex 1 to this report and the Constitution be amended accordingly.
2. City Executive Board agenda should contain an additional item relating to addresses by councillors to the Board and the Constitution be altered as set out in Annex 3 to this report.
3. One Scrutiny Committee (and not two scrutiny committees) is appointed as follows:-
 - (a) To be responsible for co-ordinating the scrutiny work programme and for commissioning a range of review and standing panels;

(b) To consist of 12 members appointed in accordance with political balance requirements.

4. The changes in Council procedures set out in Annex 6A to this report and contained in the updated Section 11 of the Constitution that forms Annex 6B to this report be introduced.

B. That the programme of Council and committee meetings for 2013/14 and 2014/15 be approved as set out in Annex 2A and 2B to this report, noting:-

(i) that the 2013/14 programme replaces that agreed by Council on 20th February 2012;

(ii) that the programme for May and June 2014 may need to be adjusted depending upon the date set for the European Elections (22 May or 5 June) and any adjustment to the date of the local government elections (1st May at present);

(iii) that 10 City Executive Board and 10 Scrutiny Committee meetings have been programmed for 2013/14 with no such meetings programmed for May 2014 (the month when City Council elections are at present programmed), and that 11 City Executive Board and 11 Scrutiny Committee meetings have been programmed for 2014/15 with meetings programmed for May 2015 (the month when a General Election could occur).

C. To note that monthly Board member briefings on current issues, open to all members, will be arranged and conducted by officers, and that dates for these briefings are contained in the programme of Council and committee meetings that forms Annex 2A.

D. To note that officers will present an updated Member/Officer Protocol to Council in June and in the meantime to note that officers will refresh staff awareness of its provisions in particular as far as Ward references are concerned (the present version of the Protocol forms Annex 4).

E. To note that the City Executive Board on 5th December 2012 agreed the recommendations in Annex 5 to this report that relate to public engagement and that officers are working on their implementation.

F. To agree that a Governance Working Party should meet each year to review operational practice and decide what changes, if any, to recommend to Council.

G. To authorise the Head of Law and Governance to make all changes to the Constitution to give effect to the agreed recommendations arising from this report.

APPENDICES TO REPORT

- Appendix 1 – Reallocation of responsibilities for decisions reached by single members.
- Appendix 2A – Programme of Council and committee meetings 2013/14 and 2014/15
- Appendix 2B – Scrutiny, City Executive Board and Council Meetings – 2013/14 and 2014/15
- Appendix 3 – Enhancing Member Engagement – Speaking at City Executive Board meetings
- Appendix 4 – Member/Officer Protocol as it appears in the Constitution
- Appendix 5 – Public Engagement – Decisions reached on the Scrutiny Review of Area Forums
- Appendix 6A – Council Meetings – Proposed Changes in Procedures
- Appendix 6B – Council Meetings – Update to Section 11 of the Constitution (Procedure at Council Meetings)

Introduction

1. The Council's current governance (decision making) arrangements are the (strong) leader and cabinet executive model. These arrangements are one of a number of prescribed models contained in the Local Government Act 2000 (as amended) and associated regulations. The Council's governance arrangements came into operation in October 2001. The strong leader element came into operation in May 2012 by virtue of the requirements in the Local Government and Public Involvement in Health Act 2007.
2. The Localism Act 2011 amends the 2000 Act and enables local authorities to discharge their functions either by executive arrangements (as the City Council does at present) or by committee arrangements or by any other arrangements that the Secretary of State may prescribe. A cross party working group (Councillors, Price, Tanner, Fooks, Rundle, Williams and Simmons) has reviewed the Council's present governance arrangements to see how they might be improved. The outcome of the review has been considered by both the City Executive Board and the Value and Performance Scrutiny Committee. The recommendations in this report are supported by the City Executive Board and have been informed by the comments made by the Value and Performance Scrutiny Committee.

A New Governance System

3. There is no right or wrong governance structure. The 'right' structure for Oxford is that which delivers our values and policies and reflects our culture and community aspirations. The working party looked at three models of committee governance to see whether a new governance system might better deliver our values. However, there was no

consensus over changing to a committee system so the working party concentrated upon how to improve present governance arrangements.

The Present Governance System

4. The working party looked at five issues concerning the present governance system that it felt needed to be addressed. These are:-
 - (a) That the governance system should be efficient and effective.
 - (b) That there should be clear accountability for decision-making along with a good understanding of how the Council is run.
 - (c) That there should be better engagement of backbench councillors allowing them to make a contribution to decision making.
 - (d) That there should be engagement and influence by the public with proper consideration of localised decision making with clear processes for local influence.
 - (e) That there should be better clarity about the purpose of Council meetings and that the content, management and control of Council should be improved.

Improvements to the Existing Executive Arrangements

(a) Single Member Decisions

5. The working party felt that the concerns over single member decision making, and the perception that this concentrated power and undermined access to decision making was best addressed by discontinuing the single member decision making arrangements. As to the executive responsibilities of single members, the working party for its part suggested that some of those responsibilities should be delegated to officers and some should become the responsibility of the City Executive Board. Annex 1 to this report sets out the agreed re-allocation of single member responsibilities. These changes have been made by the City Executive Board as the responsibilities set out in Annex 1 are all executive and not Council responsibilities.

(b) City Executive Board

6. The working party decided that there should be an increased number of programmed City Executive Board meetings, evenly spaced throughout the year, and that there should be a related scrutiny meeting for each CEB meeting. The Working Party considered that this would make for greater member and officer certainty over meeting dates and the decision-making process. Annex 2A to this report contains the proposed programme of council and committee meetings

for 2013/14 and 2014/15.¹ Eleven CEB meetings are programmed in each year, with the Board not meeting in August. Annex 2B extracts from the programme the dates for Scrutiny, the Board and Council. As far as quarterly performance reporting is concerned, the timetable provides reasonably for timely reporting given the lead-in time in terms of report preparation and clearances, as follows for 2013/14:-

- Quarter 1 – April – June – CEB 11 September (no meetings in August)
- Quarter 2 – July – September – CEB 13 November
- Quarter 3 – October – December – CEB 12 February
- Quarter 4 – January 2014 – March – CEB 11 June (no meetings in May because of City Council elections)

(c) Scrutiny

7. The working party considered whether to reduce scrutiny committees from two committees to one (with the one committee commissioning review and standing panels and co-ordinating the scrutiny work programme) or whether to maintain the status quo both so far as the number of committees and the balance of work is concerned. A consensus could not be reached at the working party over change. However, the City Executive Board is recommending that one scrutiny committee be appointed as from the Council Year 2013/14 that will be responsible for co-ordinating the scrutiny work programme and for commissioning a range of review and standing panels. This is in line with the conclusions of the scrutiny review into the way scrutiny operates that preceded the governance review.
8. The programme of council and committee meetings at Annex 2A shows the scrutiny committee meeting every month. Each committee relates to one of the monthly CEB meetings.

Enhancing Member Engagement

9. The working party, for its part, agreed a number of enhancements which it believes would improve member engagement. They are described below:-
 - (a) The City Executive Board's agenda should contain an item for members to address the Board for up to three minutes on items on the Board agenda. This represents a formalisation of what happens informally at present. The wording is set out in Annex 3.

¹ Council will be aware that the Government is currently consulting on changes to election dates for local government and European elections in May/June 2014. There may need to be adjustments to the Council and Committee timetable depending upon the outcome of the consultation. We will know in June whether a change is likely because it is by then that an order in Parliament would need to be laid to effect a change.

- (b) Monthly Board member briefings on current issues, policies and strategies, open to all members should be arranged and conducted by officers. This happens in an ad hoc way at present. What officers will now do is to put together a programme of Board member briefings. Annex 2A (the programme of council and committee meetings) contains dates for these briefings.
- (c) Review the Member/Officer Protocol, in particular as far as press releases and Ward activities are concerned. The working party felt that Ward members should be better briefed on matters affecting their Wards. For information, Annex 4 contains the current Member/Officer Protocol that appears in the constitution. Officers will review and recast the Protocol, and report upon it.

Public Engagement

- 10. The recommendations of the scrutiny review of area forums that were agreed by the City Executive Board on 5th December 2012 are contained in Annex 5 to this report. When implemented, these decisions should bring about improvements to councillors' community leadership roles and through this the access and influence communities can have. It is inevitable that even with these or any other improvements, if decisions or solutions do not fit with the desires of communities they will be disappointed and are likely to feel aggrieved.

Council Meetings

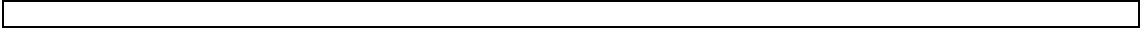
- 11. The working party held a separate meeting on Council meetings. It is fair to say that there were different views on the purpose of Council meetings and the balance that needed to be struck between dealing with defined business on the agenda, debating matters affecting the City and hearing the concerns of members of the public. The working party has suggested a way (better to) strike this balance by re-ordering the business of Council into a Business part, a Scrutiny and Public Involvement part and a Motions part. There was also general agreement on the need to improve the transaction of business at Council meetings. Annex 6A and 6B to this report sets out what the working party and subsequent meetings with Group leaders suggest should be done to improve things. Annex 6A details the changes and Annex 6B contains the Constitution changes to the Council Procedure Rules that result from the changes. Annex 6A is supported by the City Executive Board and has been informed by comments made and views expressed by the Value and Performance Scrutiny Committee.

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Version number: 5



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Responsibilities delegated in the Constitution to single members – re-allocation

- appointing representatives to outside bodies – **Board decision**
- adoption of supplementary planning guidance – **Board decision**
- agreeing transfers between cost centres of £100,000 to £250,000 that are consistent with the policy framework – **Delegate to officers**. *This means that officers will be able to agree transfers of up to £250,000, over which transfers are a Board responsibility.**
- writing off business debts of over £10,000 and personal debts of over £5,000 – **Delegate to officers**. *This means that officers will be responsible for all write offs.**
- bidding for work outside Oxford where the value of those arrangements exceeds £100,000 – **Delegate to officers**. *This means that officers will be responsible for bidding for all work outside Oxford regardless of the value. Where bids are successful then either the Board will be involved depending upon the value of the work or officer decisions will be the subject of a public statement in accordance with the government's Executive Regulations (see the footnote to this Annex).*
- acquiring or disposing of freeholds or leaseholds with a consideration or premium over £500,000 – **Board decision**
- acquiring or disposing of leases with a rental value over £125,000 each year – **Board decision**
- disposing of property or leases for less than best consideration – **Board decision**
- making control orders – **Delegate to officers**
- changing eligibility for services – **Board decision**

- agreeing the community and voluntary organisations grants prospectus - **Board decision**
- giving grants (except small and emergency grants, historic buildings grants and renovation, improvement and adaptation grants for private properties) – **Board decision**
- setting fees and charges - **Board decision**
- setting minimum service standards - **Board decision**
- designations of conservation areas - **Board decision**
- naming and numbering of streets if there are unresolved objections following consultation - **Board decision**
- responding to consultations by outside bodies where the leader wishes a single executive member to approve a response – **Board decision** but change wording to read ‘Board’ rather than ‘a single executive member’.
- Receiving scrutiny recommendations and reconsidering single executive member decisions that have been referred back from scrutiny following the call in of a single executive member decision – **this falls because there will be no single executive member decisions.**

* The Government has made Regulations that came into force on 10 September 2012 that require a written statement to be prepared and made available at our offices and on our website of executive decisions taken by officers. Officers need to take a judgement on whether an executive decision is caught by the Regulations. The judgement must have regard to the general principle of the Regulations which is that the public should have access to information relating to decisions reached by local authorities. Some at least of officer decisions taken under the asterisked delegations will need to be publicised in a written statement. Officers also intend to add wording to the agenda for the City Executive Board to say that officer executive decisions may be viewed on our website. And, as far as write-offs are concerned, a summary will appear in the quarterly performance reports.

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Programme of Meetings 2013/2014

	Mon	Tue	Wed	Thu	Fri	Mon	Tue	Wed	Thu	Fri	Mon	Tue	Wed	Thu	Fri	Mon	Tue	Wed	Thu	Fri	Mon	Tue	Wed	Thu	Fri
Apr-13	1	2	3	4	5	8	9	10	11	12	15	16	17	18	19	22	23	24	25	26	29	30			
			VAP	CAP				CEB				APE	APW	AGC		C	(APE)	PRC	LIC (APW)			HCPH			
May-13			1	2 County Elections	3	6	7	8	9	10	13	14	15	16	17	20	21	22	23	24	27	28	29	30	31
							APE	APW	(APE)				(APW)	LIC		C (A)	LGA GPL	MBRIEF					PRC		
Jun-13	3	4	5	6	7	10	11	12	13	14 ST	17	18	19	20	21	24	25	26	27	28					
		SC C	APE	LIC			APW	CEB	(PLAN)			HCPH	MBRIEF			C		PRC	AGC						
Jul-13	1	2	3	4	5	8	9	10	11	12	15	16	17	18	19	22	23	24	25	26	29	30	31		
	PAR	SC V	APE	LIC			APW	CEB	(PLAN)				MBRIEF							LIC		HCPH	PRC		
Aug-13				1	2	5	6	7	8	9	12	13	14	15	16	19	20	21	22	23	26	27	28	29	30
								APE				APW		(PLAN)									PRC	LIC	
Sep-13	2	3	4	5	6	9	10	11	12	13 ST	16	17	18	19	20	23	24	25	26	27	30				
		SC C	APE				APW	CEB	(PLAN)			HCPH	MBRIEF				LGA GPL	PRC	AGC		C				
Oct-13		1	2	3	4	7	8	9	10	11	14	15	16	17	18	21	22	23	24	25	28	29	30	31	
		SC V	APE	LIC			APW	CEB	(PLAN)				MBRIEF									HCPH	PRC	LIC	
Nov-13					1	4	5	6	7	8	11	12	13	14	15	18	19	20	21	22	25	26	27	28	29
							SC C	APE				APW	CEB	(PLAN)				MBRIEF		C		PRC	AGC		
Dec-13	2	3	4	5	6	9	10	11	12	13 ST	16	17	18	19	20	23	24	25	26	27	30	31			
		SC V	APE	LIC		PAR	APW	CEB	(PLAN)			HCPH	MBRIEF			PRC									
Jan-14			1	2	3	6	7	8	9	10	13	14	15	16	17	20	21	22	23	24	27	28	29	30	31
							APW	APE	(PLAN)			SC C					LGA GPL	CEB				HCPH	PRC		
Feb-14	3	4	5	6	7	10	11	12	13	14	17	18	19	20	21	24	25	26	27	28					
	C	SC V	APE	LIC			APW	CEB	(PLAN)					C (B)		(C)		PRC	AGC						
Mar-14	3	4	5	6	7	10	11	12	13	14 ST	17	18	19	20	21	24	25	26	27	28	31				
		SC C	APE	LIC		PAR	APW	CEB	(PLAN)			HCPH	MBRIEF					PRC							
Apr-14		1	2	3	4	7	8	9	10	11	14	15	16	17	18	21	22	23	24	25	28	29	30		
		SC V	APE	LIC			APW	CEB	(PLAN)		C		MBRIEF							AGC		HCPH	PRC		
May-14				1 City Elections	2	5	6	7	8	9	12	13	14	15	16	19	20	21	22	23	26	27	28	29	30
												M IND	M IND	M IND		C (A)	LGA GPL	LIC							

Key
 AGC- Audit and Governance Committee
 AP E - East Area Planning Committee
 AP W - West Area Planning Committee
 C- Council

CEB - City Executive Board

HCPH - Hackney Carriage and Private Hire Licencing Sub - Committee
 GPL - General Purposes Licencing Committee
 LGA - Licencing and Gambling Acts Committee
 M BRIEF - Member Briefing
 M IND - Member Induction

PLAN - Overflow Planning Committee
 PRC - Planning Review Committee
 PAR - Meeting with Parish Councils

SC C - Communities and Partnership Scrutiny Committee
 SC V - Value and Performance Scrutiny Committee
 ST - Standards Committee

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Programme of Meetings 2014/2015

	Mon	Tue	Wed	Thu	Fri	Mon	Tue	Wed	Thu	Fri	Mon	Tue	Wed	Thu	Fri	Mon	Tue	Wed	Thu	Fri	Mon	Tue	Wed	Thu	Fri
Apr-14		1	2	3	4	7	8	9	10	11	14	15	16	17	18	21	22	23	24	25	28	29	30		
		SC V	APE	LIC			APW	CEB	(PLAN)		C		MBRIEF							AGC		HCPH	PRC		
May-14				1	2	5	6	7	8	9	12	13	14	15	16	19	20	21	22	23	26	27	28	29	30
				CITY ELECTIONS								M IND	M IND	M IND		C(A)	LGA GPL	LIC							
Jun-14	2	3	4	5	6	9	10	11	12	13 ST	16	17	18	19	20	23	24	25	26	27	30				
		SC C	APE				APW	CEB	(PLAN)			HCPH	MBRIEF			C	LIC	PRC	AGC		PAR				
Jul-14		1	2	3	4	7	8	9	10	11	14	15	16	17	18	21	22	23	24	25	28	29	30	31	
		SC V	APE				APW	CEB	(PLAN)				MBRIEF				LIC					HCPH	PRC		
Aug-14					1	4	5	6	7	8	11	12	13	14	15	18	19	20	21	22	25	26	27	28	29
								APE				APW		(PLAN)			LIC						PRC		
Sep-14	1	2	3	4	5	8	9	10	11	12 ST	15	16	17	18	19	22	23	24	25	26	29	30			
		SC C	APE				APW	CEB	(PLAN)			HCPH	MBRIEF	LIC			LGA GPL	PRC			C	AGC			
Oct-14			1	2	3	6	7	8	9	10	13	14	15	16	17	20	21	22	23	24	27	28	29	30	31
			APE				SC V	APW	(PLAN)			MBRIEF	CEB				LIC					HCPH	PRC		
Nov-14	3	4	5	6	7	10	11	12	13	14	17	18	19	20	21	24	25	26	27	28					
			APE				SC C	APW	(PLAN)			MBRIEF	CEB				PRC	LIC		LAB					
Dec-14	1	2	3	4	5	8	9	10	11	12 ST	15	16	17	18	19	22	23	24	25	26	29	30	31		
	C	AGC	APE			PAR	SCV	APW	(PLAN)		MBRIEF	HCPH	CEB	LIC			PRC								
Jan-15				1	2	5	6	7	8	9	12	13	14	15	16	19	20	21	22	23	26	27	28	29	30
								APE				APW	MBRIEF	(PLAN)			SC C	LIC			PAR	LGA GPL	CEB		PRC
Feb-15	2	3	4	5	6	9	10	11	12	13	16	17	18	19	20	23	24	25	26	27					
	C	SC V	APE	HCPH			APW	CEB	(PLAN)			MBRIEF	C(B)			(CEB) (C)	LIC	PRC	AGC						
Mar-15	2	3	4	5	6	9	10	11	12	13 ST	16	17	18	19	20	23	24	25	26	27	30	31			
		SC C	APE			PAR	APW	CEB				HCPH	MBRIEF	(PLAN)			SC V			LIC		PRC			
Apr-15			1	2	3	6	7	8	9	10	13	14	15	16	17	20	21	22	23	24	27	28	29	30	
			CEB					APE			C	APW	(PLAN)					MBRIEF	AGC		HCPH	SC C	PRC	LIC	
May-15					1	4	5	6	7	8	11	12	13	14	15	18	19	20	21	22	25	26	27	28	39
								APE	GENERAL ELECTION			APW	CEB	(PLAN)		C(A)	LGA GPL	MBRIEF					PRC	LIC	

<p>Key</p> <p>AGC- Audit and Governance Committee</p> <p>AP E - East Area Planning Committee</p> <p>AP W - West Area Planning Committee</p> <p>C- Council</p>	<p>CEB - City Executive Board</p>	<p>HCPH - Hackney Carriage and Private Hire Licencing Sub - Committee</p> <p>GPL - General Purposes Licencing Committee</p> <p>LGA - Licencing and Gambling Acts Committee</p> <p>M BRIEF - Member Briefing</p> <p>M IND - Member Induction</p>	<p>PRC - Planning Review Committee</p> <p>PAR - Meeting with Parish Councils</p>	<p>SC C - Communitites and Partnerships Scrutiny Committee</p> <p>SC V - Value and Performance Scrutiny Committee</p> <p>ST - Standards Committee</p>
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GOVERNANCE REVIEW – SCRUTINY, CITY EXECUTIVE BOARD AND COUNCIL MEETINGS

2013/14

SCRUTINY (all Tuesdays)	CITY EXECUTIVE BOARD (all Wednesdays)	COUNCIL (all Mondays except as indicated)
		20 May 2013 (Annual)
4 June 2013 (CAP)	12 June 2013	24 June
2 July (VAP)	10 July	
3 September (CAP)	11 September	30 September
1 October (VAP)	9 October	
5 November (CAP)	13 November	25 November
3 December (VAP)	11 December	
14 January 2014 (CAP)	22 January 2014	3 February 2014
4 February (VAP)	12 February	19 February (Wednesday) and 24 February (both Budget only)
4 March (CAP)	12 March	
1 April (VAP)	9 April	14 April
Not May – City Elections	Not May – City Elections	19 May (Annual)
Number of Meetings	Number of Meetings	Number of Meetings
10	10	5 + 1 (Annual) + 1 (Budget)

2014/15

SCRUTINY (all Tuesdays except as indicated)	CITY EXECUTIVE BOARD (all Wednesdays)	COUNCIL (all Mondays except as indicated)
		19 May 2014 (Annual)
3 June 2014 (CAP)	11 June 2014	23 June
1 July (VAP)	9 July	
2 September (CAP)	10 September	29 September
7 October (VAP)	15 October	
11 November (CAP)	19 November	1 December
9 December (VAP)	17 December	
20 January 2015 (Monday) (CAP)	28 January 2015	2 February 2015
3 February (VAP)	11 February	18 February (Wednesday) and 23 February (both Budget only)
3 March (CAP)	11 March	
24 March (VAP)	1 April	13 April
28 April (CAP)	13 May	18 May (Annual)
Number of Meetings	Number of Meetings	Number of Meetings
11	11	5 + 1 (Annual) +1 (Budget)

**GOVERNANCE REVIEW – ENHANCING MEMBER ENGAGEMENT –
SPEAKING AT CITY EXECUTIVE BOARD MEETINGS**

1. Additional standard item for the Board agenda:-

After the item 'Reports from Scrutiny Committees' add an item
'Councillor Addresses on any Item for Decision on the Board's Agenda'

2. Additional item for the Constitution:-

Delete Procedure Rule 12.9 and replace it with the following:-

12.9 Councillors speaking at meetings

City Councillors may, where the chair agrees, address the Board on an item for decision on the agenda (other than on the minutes). The member seeking to make an address must notify the Head of Law and Governance by no later than 9.30 am on a day so that there is at least one working day before the meeting. An address may last for not more than three minutes. If an address is made, the Board member who has political responsibility for the item for decision may respond or the Board will have regard to the points raised in reaching its decision.

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23 CODE ON COUNCILLOR-OFFICER RELATIONS

23.1	Status of this code	1
23.2	Roles of Councillors and officers	1
23.3	Politeness and respect	2
23.4	Unfair pressure	2
23.5	Councillors' enquiries	2
23.6	Close personal relationships	3
23.7	Complaints about Councillors or officers	3
23.8	Information and advice	3
23.9	Political activity	4
23.10	Support services to Councillors and political groups	5
23.11	Correspondence	5
23.12	Officer advice to political groups	5
23.13	Councillors' briefings, agendas and reports	5
23.14	Media Releases and Publicity	6
23.15	Specific ward issues and ward Councillors	7
23.16	The Council as an employer	8
23.17	Responsibility for this code	9

23.1 Status of this code

This code gives guidance only but it may be taken into account if there is a complaint about a Councillor or an officer. Councillors are obliged to observe the members' code of conduct. Any complaints received in relation to alleged breaches of the code of conduct will be considered initially by the Monitoring Officer. Officers are also obliged to comply with a code of conduct. Any complaints received about officers behaviour or conduct will be considered by the relevant managers.

23.2 Roles of Councillors and officers

Officers and Councillors both serve the public but they have different roles. Officers are employees of the Council and are politically neutral. Their role is to advise Councillors and implement the policies of the Council to the best of their abilities. Councillors are office holders and will often belong to a political party. They are obliged to exercise their own judgement in respect of matters before them but may also legitimately pursue party political objectives.

23.3 Politeness and respect

Councillors and officers should show each other politeness and respect. Councillors have the right to criticise officers' reports or actions, but they should:

- avoid personal and/or public attacks
- ensure their criticism is fair and constructive
- try to improve things for the future, not just criticise

Officers should not criticise Council decisions even if they do not personally agree with those decisions.

23.4 Unfair pressure

When they deal with each other, Councillors and officers should not try to take advantage of their position.

Councillors should generally restrict their discussion on strategic or significant issues to more senior officers, for example heads of service or team leaders.

Councillors should be aware that officers (especially junior officers) may feel unable to respond appropriately. Councillors, in particular those with special responsibilities should be particularly aware of this.

Councillors should not pressure officers to work outside their normal hours or to do anything they are not allowed to do or that is not part of their normal work.

Councillors should normally make appointments before visiting officers and should try to avoid frequent unscheduled interruptions.

Officers should not try to persuade individual Councillors to make a decision in their personal favour or raise things to do with their employment with individual Councillors. Nor should they approach individual Councillors with allegations about other officers. They should use the Council's consultations, grievance, whistle blowing and disciplinary procedures instead.

23.5 Councillors' enquiries

Officers should answer Councillors' enquiries within five working days. If that is not possible, they should send a holding reply.

23.6 Close personal relationships

Close personal relationships between individual Councillors and officers should be avoided.

23.7 Complaints about Councillors or officers

If an officer feels a Councillor is not treating them with politeness and respect, they should consider talking to the Councillor directly. If they do not feel they can talk to the Councillor or talking to the Councillor does not help, they should talk to their line manager, head of service or director immediately. The manager approached will talk to the Councillor or the leader of their political group and may also tell the chief executive. The officer will be told the outcome. Officers may also make a complaint alleging a breach of the members' code of conduct.

If a Councillor feels an officer is not treating them with politeness and respect, they should consider talking to the officer directly. If they do not feel they can talk to the officer or talking to the officer does not help, they should talk to the officer's line manager, head of service or director immediately. If the problem continues the manager approached will consider whether to discipline the officer under the Council's procedures.

23.8 Information and advice

(a) General information and advice

Councillors can ask the chief executive or a director or a head of service for information or advice that relates to their work as a Councillor. As long as it does not involve giving the Councillor exempt information, officers will provide the best information and advice they can with the resources available.

If it is possible that a Councillor will use the information at a meeting, the Board member will be told what information has been asked for and given.

(b) Advice for Councillors with special responsibilities

The lord mayor, Board members and committee chairs can ask the chief executive, directors and heads of service for extra background information and advice on different courses of action.

The leaders of minority political groups can ask the chief executive or directors or heads of service for background information or more details about items coming to the next meeting of a committee or the Board or to a single executive member. The appropriate chair or Board member will be told about any information given.

Party group leaders can ask for advice on presenting their budget in a correct form. This will be given in confidence.

(c) Help with casework

When data protection laws allow, Councillors will be given the information they need to do their casework. This will be done in confidence.

23.9 Political activity

(a) Restrictions on officers' political activities

Most senior officers and some other officers are politically restricted. These officers cannot be Councillors or MPs and cannot say, publish or do anything in their private capacity that seems intended to affect public support for a political party.

The Head of Human Resources and Facilities keeps a list of politically restricted posts. Any Council officer in their official capacity must not publish things that seem intended to affect support for a political group on the Council.

No one can be both an officer and a Councillor on the same Council

(b) Lines of reporting

Employees answer to the chief executive, not to individual Councillors, whatever office they hold. But there should be good communication between senior officers and Councillors with special responsibility for their area of work

23.10 Support services to Councillors and political groups

Support services should only be used for Council business. They should never be used for private purposes, for party political or campaigning activity or for the benefit of other groups or bodies.

23.11 Correspondence

(a) Between Councillors and officers

If emails or letters between officers and Councillors are copied to someone else, they should say so. Blind copies should not be sent.

(b) Letters on behalf of the Council

Letters on behalf of the Council will normally be sent by officers rather than Councillors. The leader or committee chairs may write some letters on behalf of the Council, for example representations to government ministers. These should be copied to the Board or the appropriate committee. Councillors must never send letters that create obligations or give instructions on behalf of the Council.

23.12 Officer advice to political groups

Political groups can invite officers to their meetings to give information and advice on Council business but cannot insist they attend. Officers who do attend must make themselves available to all groups on the same basis.

Officers must not do anything at a political group meeting that goes beyond giving information or advice on Council business.

Officers must not interpret group decisions as Council decisions.

23.13 Councillors' briefings, agendas and reports

(a) Briefings on agendas

Directors and heads of service will give briefings on full Council, Board and committee agendas to the leader and deputy leader and committee chairs and vice chairs.

(b) Consultation on agendas

The leader will be consulted on agendas for the Board. Scrutiny committee chairs will be consulted on agendas for their committees. This should happen at least two weeks before the meeting.

(c) Requests for reports

Instructions for reports to come to the Board or committees can only come from the leader, the Board, a Board member, a committee or a committee chair.

23.14 Media Releases and Publicity

(a) Code of practice

The Media and Communications Team will follow the government's code of recommended practice on local authority publicity.

(b) Media enquiries

Officers must refer all media enquiries to the Media and Communications Team and must co-operate promptly with requests for information from the team.

(c) Content of media releases

Media releases can contain quotes from the leader, Board members, committee chairs, the lord mayor, the deputy lord mayor or the sheriff and information about how to contact them. They must not contain quotes from other Councillors or information about how to contact them. Any quotes from officers must be either factual or consistent with Council policy.

When a media release is issued after a meeting, it must be about things discussed at the meeting. Media releases issued before a meeting should contain factual information only.

(d) When to issue media releases

The Media and Communications Team will be guided by the leader, Board member or committee chair on whether to issue a media release before or after a meeting. The Media and Communications Team will advise these

Councillors on when a media release would be appropriate, taking into account any recommendations made by directors or heads of service. If there is a disagreement about what a media release should say, the chief executive will decide.

(e) Publicity in the run-up to elections

Once a notice has been published of an election in the Council's area, there can be no publicity about anything controversial until after polling day. Nor can there be any publicity that links policies or achievements to specific Councillors.

(f) Invitations to media events

Representatives of each political group will be invited to all media events involving Councillors. The Media and Communications Team will liaise with the leader, Board member or committee chair when setting up media events involving Councillors.

(g) Media releases by party groups and individual Councillors

When individual Councillors or spokespeople for political groups issue media releases, they should make it clear that they are not issuing them on behalf of the Council.

23.15 Specific ward issues and ward Councillors

If the Council organises a public meeting, about a specific ward issue it should invite all the Councillors for that ward and give them as much notice as possible.

If the Council does any consultation about a specific ward issue it should consult the Councillors for that ward at the start of the consultation.

Ward Councillors should be told in advance about anything which particularly affects their ward and is potentially controversial and any press releases about their ward.

23.16 The Council as an employer

(a) Fairness in employment

Councillors should not take part in a recruitment process where any of the candidates are friends, relatives, partners or other people they live with. Nor should they have any role in disciplinary action or grievances involving these people.

Councillors should not try to influence appointments (except as members of the appointments committee or when appointing a political assistant). Nor should they help any particular candidate by giving them information that the other candidates could not get.

Councillors should not discriminate unfairly against officers and should judge candidates for employment or other rewards on merit.

Councillors should not take part in a recruitment process without having undertaken appropriate training.

(b) Grievances and disciplinary procedures

Councillors should not try to influence the handling of any grievance. Councillors can report their concerns about an officer's performance or behaviour to a line manager. But they should not try to influence any disciplinary procedure (except as members of the disciplinary committee for the chief executive, directors and heads of service).

Councillors serving on the disciplinary committee for the chief executive, directors and heads of service must base their decisions on the facts and in accordance with the Council's employment obligations. They should not be influenced by party political or personal factors.

Councillors should not take part in any disciplinary process without having undertaken appropriate training.

(c) Accountability and confidentiality

Councillors are accountable for the decisions they make as employers but they should keep individual employment matters confidential.

23.17 Responsibility for this code

The Monitoring Officer has overall responsibility for this code and will review how the code is working.

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GOVERNANCE REVIEW – PUBLIC ENGAGEMENT

These recommendations from the Scrutiny review of area forums were agreed by the City Executive Board on 5th December 2012:-

- On area structures -

That an informed debate takes place between councillors in their area groupings and community development officers to agree how councillors community leadership roles can best be delivered and supported in their areas within the councillor, officer and likely resident resources available. (Note: Deployment of community development workers has been discussed at XPWG)

- On linking area structures and community views to the Organisation -

That the council considers within its governance structures how the “community voice” can be heard in a way that allows:-

- ***Ideas and solutions from communities to be heard by decision makers through their ward councillors in a timely manner.***
- ***For service and officer protocols to exist that link community views within service construction and outcomes***

In all circumstances for the views and challenges of communities to be responded to via their local ward councillors or decision makers whichever is more appropriate.

- On the powers already available to ward councillors -

That the various mechanisms already available to members to champion the views of their communities within the organisation are detailed in protocols and made clear to all.

- On councillor’s roles and skills -

That the Chief Executive facilitates a cross party debate on the various roles played by elected councillors as ward representatives and members of the Council. The aim of these debates would be to get broad agreement on the expectations and requirements to allow training and

support programmes to be designed, put in place and command the respect and engagement of all.

This table shows which Service Area is primarily responsible for progressing the decisions, and an indicative timetable.

Recommendation	Responsible	Implementation date
Area structures	Community Development	February - June
Linking area structures	Democratic Services	April - June
Powers available to ward councillors	Democratic Services	April - June
Councillor roles and training and support systems	Democratic Services	April - June

GOVERNANCE REVIEW – COUNCIL PROCEDURES

<u>ISSUE</u>	<u>CURRENT PROCEDURE</u>	<u>PROPOSED PROCEDURE</u>
1. Order of business at Ordinary Council Meetings	The Constitution sets out the Order of Business at Council meetings (PR11.2).	<p>Order of Business to be as follows:-</p> <p><u>Part 1 – Business – start at 5.00 pm</u></p> <ul style="list-style-type: none"> • Minutes, declarations and sundry announcements – <i>no time limit</i> • Public addresses and questions that relate to a matter for decision at the meeting – <i>questions and addresses circulated in advance of the meeting – 45 minute time limit for the Part 1 and Part 2 addresses and questions combined (PR11.10 and 11.11)</i> • Board recommendations – <i>no time limit</i> • Officer reports – <i>no time limit</i> • Board minutes – <i>15 minute maximum (PR11.9(a))</i> • Member questions – <i>no time limit</i> <p>THEN A BREAK and resume at a set time described in the Constitution and on the web as ‘not before 7.00 pm’</p> <p><u>Part 2 – Public Involvement and Scrutiny</u></p> <ul style="list-style-type: none"> • Public addresses and questions other than those taken in Part 1 – <i>questions and addresses circulated in advance of the meeting – 45 minute time limit for the Part 1 and Part 2 addresses and questions combined (PR11.10 and 11.11)</i>

		<ul style="list-style-type: none"> • Petitions – <i>5 minute address by head petitioner then 15 time limit (PR11.13)</i> • Outside organisation reports and questions – <i>no time limit (PR11.14)</i> • Scrutiny chair reports – <i>no time limit (PR11.15)</i> • Scrutiny recommendations – <i>no time limit</i> <p><u>Part 3 – Motions – Representing the City</u></p> <ul style="list-style-type: none"> • Motions – <i>no time for dealing with each one but a 60 minute time limit for dealing with them all (PR11.16)</i>
2. Frequency of Council Meetings	<u>2012/13</u> Annual Meeting, then July, October, December, February and April.	Proposed pattern of Council meetings to be Annual Meeting, then June, September, November, January, February (Budget only) and April.
3. Motions on Notice (a) <u>Numbers of Motions</u>	Unlimited number permitted at present but they must be about things the Council is responsible for or about something that directly affects people in the City. 90 minute time limit to deal with them all.	As at present, the same requirement as to subject matter and, again as at present, no limit on the number of Motions or on the time taken to deal with an individual Motion. 60 minute time limit for dealing with them all. Motions to appear in the order received but where received, the first Motion taken at each meeting to be from a member of a different political group, and following that one Motion from a member of each of the other political groups until all Motions have been listed.
----- (b) <u>Amendments to Motions</u>	----- Amendments may be proposed/submitted at any time including during the Council meeting itself.	----- No change to present arrangements

4. Statements on Notice by Members	Councillors can make statements to the Leader, a Board Member or to the Chair of a Scrutiny Committee.	Discontinue statements. The facility is rarely used.
5. Questions on Notice by Members	There is an informal deadline and a formal deadline. The informal deadline enables replies to be prepared and issued before the Council meeting.	Make the informal deadline (4½ working days before Council) the formal deadline thus enabling replies to be issued before the Council meeting (PR11.9(b)).
6. Public Addresses (including the submission of Petitions as part of an Address) and Public Questions	Submission by 1 pm, 1½ working days before the Council meeting. No requirement in the Constitution to respond at the meeting. The Constitution says that unless an address or question is about a matter on the Council agenda the address or question is referred to the Chief Executive without debate for him to arrange for a response to be made outside the Council meeting.	<p>As at present, no restriction on the number of public addresses or questions to Council.</p> <p>Addresses and questions taken in two stages. Addresses and questions taken in Part 1 of the Council meeting where they relate to matters for decision at the meeting. All other addresses and questions taken in Part 2 of the Council meeting.</p> <p>Addresses to be submitted 3 working days before the Council meeting and addresses can then be included in the briefing note.</p> <p>45 minute time limit to take all public addresses and public questions.</p> <p>Board member to make a response to an address if they choose (and, as at present, unless an address or question is about a matter on the Council agenda the address or question is referred to the Chief Executive without debate for him to arrange for a response to be made outside the Council meeting).</p> <p>Addresses and questions on the same subject to successive</p>

		meetings to continue to be permitted. As at present a member of the public may only ask one question at a Council meeting. Members of the public still to be permitted to ask their questions or make their addresses at Council.
7. Public Addresses – Numbers of speakers	The Constitution says that a group of up to 4 people can speak to full Council for up to 5 minutes.	No restriction on the number of addresses to any one Council meeting Each address shall be for no more than 5 minutes and where more than one person wishes to address on the same subject they must share the 5 minute slot (PR11.10).
8. Member reporting to Council	Does not feature as a self-standing item at present. Certain members may make announcements. Members may make statements (but see 4. above).	Add to the revised order of business at ordinary meetings of Council an item 'Reports from Chairs of Scrutiny Committees' (on the work of their committee since the last meeting of Council). This will increase knowledge and understanding of scrutiny. Reports must be written (PR11.15).
9. Petitions	Can be submitted within an address by a member of the public but they are not debated until the next following Council meeting.	15 minute time limit for each petition debate (PR11.13). This is the same time limit as proposed for debates on Motions on notice.
10. Special Meetings of Council	Any five councillors may call a special meeting.	Change to 12 members (ie one quarter of the total number of members on the Council). This number is the same as the number of members needed to call in a planning application from an area planning committee to the Planning Review Committee (PR11.3).

11. FULL COUNCIL PROCEDURES

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11.7	Minutes.....	4
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11.10	Addresses by the public	6
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11.14	<u>Reports and questions about organisations on which the council is represented</u>	
11.15	<u>Reports by chairs of scrutiny committees</u>	
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Note: The expression 'clear working days' for the purposes of this section of the Constitution does not include the day on which notice is given or the day of the meeting. So, to use 11.9(b) (Councillor Questions on Notice) as an example, if the meeting at which the question is to be taken is on a Monday, the question must be received by 1.00 p.m. on the previous Monday, with the four clear working days being the intervening Tuesday to Friday.

11.1 Order of business at annual meeting of full Council

The order of business will be:

- (a) elect the lord mayor
- (b) appoint the deputy lord mayor
- (c) appoint the sheriff

- (d) receive any announcements from the lord mayor or the head of paid service
- (e) elect the leader (in the year in which this is required)
- (f) receive a report from the leader on the appointment of the deputy leader, Board members and the executive scheme of delegation
- (g) appoint any committees required by law
- (h) appoint any other committees
- (i) agree how Council responsibilities will be carried out (see section 5)
- (j) deal with any other business on the agenda

11.2 Order of business at ordinary meetings of full Council

The order of business will be:

Part 1 –Public Business

- (a) election of chair (if the lord mayor and deputy lord mayor are absent)
- (b) approval of minutes as a correct record
- (c) declarations of interests from councillors
- (d) appointments to committees
- (e) announcements from the lord mayor, sheriff, leader, head of paid service, chief finance officer and monitoring officer
- (f) any unfinished business from the last meeting
- (g) public addresses and questions that relate to a decision at the meeting
- (h) recommendations from the Board
- (i) reports for decision by the meeting
- (j) decision sheets from the Board
- (k) questions by councillors (see 11.9 (b))

Part 2 – Public Involvement and Scrutiny

- (l) public addresses and questions other than those taken in Part 1 (see 11.10 and 11.11)
- (m) consideration of petitions (see 11.13)
- (n) reports and questions about organisations the Council is represented on (see 11.14)
- (o) reports by chairs of scrutiny committees (see 11.15)
- (p) recommendations and reports from scrutiny committees

Part 3 – Motions – Representing the City

- (q) motions on notice (see 11.16)
- (r) anything else on the agenda.

11.3 Special meetings of full Council

The chief executive can be required to call a special meeting by full Council, the lord mayor, the monitoring officer, the chief finance officer or any twelve councillors.

The chief executive may also call a special meeting at her or his discretion.

Special meetings will only deal with the business they have been called for but they may receive addresses (see 11.10 (d))

11.4 Time and place of full Council meeting

Ordinary meetings usually start at 5.00 p.m. The annual meeting will usually start at 4.00 p.m. The times of special meetings are decided by the chief executive. Meetings are usually held in the council chamber in the town hall.

For ordinary meetings, Part 2 of the order of business as set out in 11.2 shall not commence before 7.00 p.m.

11.5 Quorum for full Council

The quorum will be a quarter of all councillors.

If a quorum is not present at the time the meeting is due to start, the start time of the meeting will be put back by 15 minutes. If there is still no quorum, the business will be deferred until a quorate meeting can be arranged. If a meeting becomes inquorate part of the way through, business will halt for five minutes. If there is still no quorum, the business will be deferred until a quorate meeting can be arranged.

11.6 Changing the order of business

The lord mayor can ask full Council to agree to change the order of business (see 11.1 and 11.2), except for the first two items at annual meetings.

11.7 Minutes

(a) Signing the minutes

At the first ordinary meeting when the minutes are available, the lord mayor will move that the minutes are correct and sign them. Full Council will not discuss the minutes.

(b) No minutes at annual or special meetings

Minutes are not signed at annual meetings or special meetings. They are signed at the next ordinary meeting instead.

11.8 Reports to full Council

- (a) Officers can be asked to introduce reports.
- (b) Reports and recommendations from the Board will be moved by the leader or one of the Board members. Reports and recommendations from committees will be moved by the chair (or another member of the committee they have nominated). Reports from officers may be moved by any member.
- (c) The person moving a report can withdraw all or part of it, correct mistakes or make minor changes.
- (d) After any questions, statements and amendments to recommendations to Council have been acted upon, the Board or committee or officer recommendation will be

voted upon and adopted subject to any agreed amendments.

11.9 Questions and statements by Councillors

(a) Questions and statements without notice

A Councillor can ask a question without notice to anyone making an announcement under 11.2 (e).

A Councillor can ask a question or make a statement without notice to:

the leader or a Board member about a recommendation, report or action of the Board

the leader or a Board member about a decision of the Board

the chair of a scrutiny committee about a recommendation, report or action of the committee

Questions on Board decisions (11.2 (j)) are limited to 15 minutes in total.

(b) Questions on notice

Questions on notice must be about something the Council is responsible for or something that directly affects people in the city.

The full wording of these questions must be emailed to fullCouncil@oxford.gov.uk or received by the head of law and governance by 1.00 p.m. at least four clear working days before the full Council meeting.

Questions must be directed to the lord mayor, a Board member or a committee chair. A Board member can nominate another Board member to reply.

(c) Supplementary questions

One supplementary question can be asked without notice. This must be addressed to the councillor who replied to the first question and must arise directly from the first question or the reply. No further supplementary questions are allowed.

11.10 Addresses by the public

(a) Addressing full Council

Members of the public may address full Council for up to five minutes. This can be about anything the Council is responsible for or something that directly affects people in the city or something for decision at the meeting. An address can also be put in writing. A member of the public making an address may be accompanied by up to three other members of the public.

Addresses will be taken in the order in which they are received by the head of law and governance but at two points in the order of business, namely:

- If the address relates to a matter for decision at the meeting, during Part 1 of the order of business (see 11.2 (g))
- If the address does not relate to a matter for decision at the meeting, during Part 2 of the order of business (see 11.2 (l))

(b) Number of addresses to full Council

There shall be no limit to the number of addresses to any ordinary Council meeting but the total time permitted for public addresses and public questions (see 11.11) is 45 minutes (see 11.11(g))

(c) Annual meeting

There will not be any addresses to the annual meeting.

(d) Special meetings

Addresses will only be taken at a special meeting if they are about a topic the special meeting is discussing.

(e) Notice

The full wording of an address must be received by the head of law and governance by 5.00 p.m. at least three clear working days before the full Council meeting.

(f) Number of addresses

Normally full Council will hear just one spoken address on each topic. If there is more than one request to speak on a topic, the five minute limit for the address shall be shared by those wishing to speak.

On issues where there are arguments for and against, full Council can hear one speaker for and one against.

(g) Addresses that are about something for decision at the meeting

If an address is about something that is for decision at the meeting it will be considered with that recommendation or report or motion.

(h) Addresses that are not about something that is for decision at the meeting

If an address is about something that is for decision at the meeting, it will be referred to the chief executive without discussion. The chief executive will send a written reply after having it investigated by an officer or discussed by the Board or a committee. But the Board Member may make a response to an address if they choose.

(i) Personal attacks

Addresses must not contain personal attacks. If an address contains a personal attack, the lord mayor will ask the speaker to stop. If the personal attack continues, the lord mayor will ask the speaker to leave. If the speaker refuses to leave straight away, the lord mayor can halt the meeting until they do.

11.11 Questions by the public

(a) Asking questions at full Council

Members of the public can ask questions at ordinary meetings. These can be addressed to the leader or other Board member. Questions must be about something the Council is responsible for, something that directly affects people in the city or something for decision at the meeting.

Members of the public cannot ask questions at an annual or special meeting.

Questions will be taken in the order in which they are received by the head of law and governance but at two points in the order of business, namely:

- If the question relates to a matter for decision at the meeting, during Part 1 of the order of business (see 11.2(g))
- If the question does not relate to a matter for decision at the meeting, during Part 2 of the order of business (see 11.2(l))

(b) Notice

The full wording of the question must be given to the head of law and governance by 5.00 p.m. at least three clear working days before the full Council meeting.

(c) Number of questions

Members of the public cannot ask more than one question per meeting. Supplementary questions are not allowed. There shall be no limit to the number of questions to any ordinary meeting but the total time permitted for public questions and public addresses (see 11.10) is 45 minutes (see 11.11(g))

(d) Asking the question

The lord mayor will ask the questioner to ask their question. The member asked the question will answer it either orally at the meeting or by referring to the availability of the answer at the meeting. If the questioner or the councillor to whom the question is addressed is not present, the chief executive will have a reply sent with 10 working days. This will be copied to the councillor who would have been asked the question.

(e) Length of questions and answers

Questions and answers to questions cannot take longer than three minutes unless the lord mayor agrees.

(f) Referring questions to the Board or to committee

After a question has been answered, there will be no discussion.

Any councillor can propose that a matter raised by a question is referred to the Board or to a committee. If the

proposal is seconded, it will be voted on without discussion.

(g) Total length of addresses and questions

Full Council will not spend more than 45 minutes taking addresses (11.10) and questions (11.11). If it cannot take all the addresses and questions, it will take them in the order that notice was given of them until there is no time left.

(h) Written answers

If a question is not taken because there is no time left, the chief executive will have a reply sent within 10 working days.

11.12 Rejecting addresses and questions

The head of law and governance can reject a public address or question on notice or a question on notice by a councillor, and the lord mayor can reject a question or statement without notice, if:

- it is not about something the Council is responsible for or about something that directly affects people in the City or about a matter for decision at the meeting
- it is defamatory, frivolous, trivial or offensive
- it requires the Council to make public exempt or confidential information (see 15.4)

If a question or statement is rejected, reasons must be given.

11.13 Petitions to full Council

Under the Council's petitions scheme (annexed to this part of the Constitution), if a petition contains at least 1,500 signatures it will be debated at full Council. Any petition presented as part of an address (see 11.10) directly to full Council and that contains at least 1,500 signatures will not be debated at that meeting but at the next ordinary meeting. The petition organiser may address full Council upon the petition for up to five minutes before the debate upon the petition.

Following any address by the petition organiser full Council will debate the petition in any way that full Council chooses and decide one of the following:

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

There is a limit of 15 minutes for dealing with each petition

11.14 Reports and questions about organisations on which the council is represented

A councillor who has been appointed to represent the council on another organisation may present an oral or written report to full Council on the work of that organisation. Notice of the presentation of such a report and, where a written report is to be presented, that report, shall be received by the head of law and governance by 1.00 pm at least seven clear working days before the meeting.

A councillor who wants to ask a question about an organisation on which the council is represented shall give the full wording of the question to the head of law and governance at least seven clear working days before the meeting.

Questions must be directed to the councillor who represents the council on the organisation. The councillor may nominate another councillor to reply.

11.15 Reports by chairs of scrutiny committees

Each ordinary meeting of council shall receive a written report from at least one of the council's scrutiny committees on the work of the committee. That report shall be included in the agenda of the meeting. The chair of any other scrutiny committee may report orally if there are matters arising from the work of the committee that the chair considers Council should know about without delay.

11.16 Motions on notice

(a) Giving notice of motions

Some motions may be moved without notice. These are listed at 11.17. For all other motions, the full wording must be emailed to fullcouncil@oxford.gov.uk or received by the head of law and governance by 1.00 pm at least seven clear working days before the meeting. These motions will be reproduced on the agenda for the meeting.

(b) Topic of motions

Motions must be about things the Council is responsible for or something that directly affects people in the city.

(c) Listing motions on the agenda

Motions will appear on the agenda in the order they were received by the head of law and governance but where received, the first motion taken at each meeting to be from a member of a different political group to the first motion on the agenda of the immediately preceding meeting, and following that, one motion from a member of the other political groups until all the motions have been listed.

(d) Time limits

There is a time limit of 60 minutes for dealing with all motions but no time limit for dealing with each motion.

(e) Motion to remove the leader

Any motion to remove the leader and replace her or him with another leader must be signed by no less than twelve members and emailed to fullcouncil@oxford.gov.uk or received by the head of law and governance by 1.00 pm at least seven clear working days before the meeting. This motion will be reproduced on the agenda for the meeting.

11.17 Motions without notice

There is no need to give notice of motions to:

- appoint a chair of the meeting
- agree or correct the minutes
- change the order of business

- refer something somewhere else
- agree or amend recommendations of the Board, Council committees or officers
- withdraw a motion
- amend a motion during a debate on it – see 11.18 (g)
- got to next business
- move to a vote
- adjourn a debate or meeting
- suspend a full Council procedure – see 11.24 (a)
- hold a discussion in private (when allowed under the access to information and key decision procedures – see 15)
- hear a Councillor no further – see 11.22(c)
- exclude a Councillor from the meeting – see 11.22 (d)
- give full Council's agreement when it is required by the Constitution.

11.18 Rules of debate

(a) No speeches until motion moved and seconded

No speeches can be made on a motion until it has been moved and seconded.

(b) Seconder's speech

A councillor who formally seconds a motion or amendment can speak later in the debate.

(c) Contents and length of speeches

Speeches (except for points of order and personal explanations (see (l) and (m)) must be about the item being discussed.

(d) When a Councillor can speak again

A councillor who has already spoken in a debate cannot speak again except to:

exercise their right of reply – see (i)

make a point of order – see (l)

make a point of personal explanation – see (m)

(e) Amendments to motions - relevance

An amendment must be relevant to the motion and must be a proposal:

to refer a motion somewhere else

to add, replace or leave out words.

Amendments to add, replace or leave out words must not negate the motion.

(f) Amendments to motions

Before they are moved, amendments must be written down, and read or circulated.

(g) Debate on amendments

The lord mayor can allow two or more amendments to be discussed together. But they must be voted on separately.

If any amendment is carried, the amended motion replaces the original motion. Any further amendments will be to the motion

If any amendment is not carried, any further amendments will be to the original motion.

The same amendment cannot be moved twice.

(h) Councillor changing their own motion

A councillor can change a motion they have moved without notice if both the meeting and the seconder agree. The meeting will accept or reject the change without discussion.

The councillor can only make changes that could have been made as an amendment.

(i) Right of reply

A councillor who moves a motion has a right to reply at the end of the debate, immediately before the vote.

If an amendment is moved, the councillor who moved the original motion has the right to reply at the end of the debate on the amendment but not before.

A councillor who moves an amendment has the right to reply immediately before the councillor who moved the original motion.

(j) Motions that can be moved during debate

When a motion is being debated, no other motions can be moved except for the following procedural motions:

to withdraw a motion

to go to next business

to move to a vote

to adjourn the meeting or debate

to hold a meeting in private (when allowed under the access to information and key decision procedures – see 15)

to hear a Councillor no further – see 11.22 (c)

to exclude a Councillor from the meeting – see 11.22 (d)

(k) Motions to end or postpone the debate

After a speaker has finished speaking any councillor can move next business or propose to move to a vote or adjourn the debate or meeting. They must do this without comment.

If a motion to go to next business is seconded and the lord mayor thinks the meeting has discussed the item enough, the mover of the original motion will have the right of reply. Full Council will then vote on whether to go to next business. If full Council agrees to go to next

business, the original motion will not be voted on and will not become a resolution of full Council.

If a motion to move to a vote is seconded and the lord mayor thinks the meeting has discussed the item enough, full Council will vote on whether to take the vote on the original motion. If full Council decides to take the vote, the mover of the original motion will have the right to reply. Then full Council will vote on the original motion without further debate.

If a motion to adjourn the debate or meeting is seconded and the lord mayor thinks it is not possible to give the item enough discussion at the current meeting, full Council will vote on whether to adjourn. The mover of the original motion will not have the right of reply before this vote.

(l) Points of order

A councillor can make a point of order at any time. The lord mayor will hear a point of order immediately. A point of order must be about the law or a full Council procedure being broken. The councillor must say which law or procedure is being broken and how. The lord mayor will consider the monitoring officer's advice when deciding on a point of order and the lord mayor's decision will be final.

(m) Points of personal explanation

A councillor can give a personal explanation at any time. This must be about something they have said in the past that they feel is now being misunderstood or misrepresented. The lord mayor will have the final say over what counts as a personal explanation.

11.19 Voting

(a) Majority

Unless the Constitution says otherwise, votes will be decided by a simple majority of councillors in their seats and voting.

(b) Lord mayor's second or casting vote

If there is the same number of votes for and against, the lord mayor will have a casting vote.

(c) Method of voting

Votes can be:

by the general agreement of the meeting, if there is no one against

by show of hands

named or recorded – see (d) and (e).

(d) Named votes

Any ten councillors present at the meeting can ask for the minutes to name who voted for, who voted against and who abstained on a vote.

(e) Right to have individual vote recorded

Any councillor can ask for the minutes to record whether they voted for or against or abstained on a vote. The request must be made immediately after the vote.

(f) Voting on appointments

If there are three or more candidates for a position and none has more than half the votes, the candidate with the fewest votes will be eliminated and a new vote taken. This will continue until one candidate has more than half the votes.

11.20 Officers

Full Council will consider whether to exclude the public before discussing the conditions, supervision, dismissal or conduct of any officer or former officer.

11.121 Excluding the public

The public can only be excluded if it is under the access to information rules (see 15) or if they are making a personal attack (see 11.10 (i)) or disrupting the meeting (see 11.23).

11.22 Councillors' behaviour

(a) Speaking at Council

When they speak at full Council, councillors must address the lord mayor. Only one councillor may speak at any one time.

(b) Lord mayor standing

If the lord mayor stands during a debate, any councillor who is speaking must stop speaking. The meeting must be silent.

(c) Councillor not to be heard further

If a councillor keeps on disrupting the meeting, the lord mayor can move that the councillor is not heard further. If seconded, the motion will be voted on without being discussed.

(d) Councillor to leave the meeting

If full Council has voted not to hear a councillor further and the councillor continues to disrupt the meeting, the lord mayor can move that the councillor leaves the meeting or that the meeting is adjourned. If seconded, the motion will be voted on without being discussed.

(e) General disturbance

If a group of councillors are making it impossible for full Council to do its business, the lord mayor can halt the meeting for as long as necessary.

11.23 Disruption by the public

(a) Disruption by an individual

If a member of the public is disrupting the meeting, the lord mayor will warn them. If they carry on disrupting the meeting, the lord mayor can halt the meeting until they leave.

(b) Clearing part of the meeting room

If there is a general disturbance in a part of a meeting room open to the public, the lord mayor can have the area cleared.

11.24 Suspending and changing the procedures in this section

(a) Suspending the procedures in this section

All the full Council procedures in this section can be suspended except 11.6 (changing the order of business), 11.7 (b) (no minutes at annual or special meetings) and 11.19 (e) (right to have individual vote recorded). A procedure can be suspended if at least half of all councillors are present and there is a simple majority in favour. No notice is needed for a motion to suspend a procedure. Procedures can only be suspended until the end of the meeting.

(b) Changing the full Council procedures in this section

Any motion to change the procedures in this section must be proposed and seconded. After this, it will not be discussed until the next ordinary meeting of full Council.

Oxford City Council Petitions Scheme

Introduction

The City Council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns. All petitions sent or presented to the council will receive an acknowledgement from the council within 10 working days of receipt. This acknowledgement will set out what we plan to do with the petition. We will treat something as a petition if it is identified as being a petition, or if it seems to us that it is intended to be a petition, and if it contains a minimum of 1000 signatures where it relates to a Citywide matter or 500 signatures where it relates to a matter that affects one Ward.

The Council encourages use of the e-petition feature of the website. An e-Petition is a petition which collects signatures online. This allows petitions and supporting information to be made available to a potentially much wider audience than a traditional paper based petition. Paper petitions are still accepted and should be sent to:-

Head of Law and Governance
Oxford City Council
Town Hall
St Aldate's
Oxford, OX1 1BX

Petitions can also be presented to a meeting of the council. Ordinary meetings take place four or five times a year. Dates, times and agenda can be found on our Council Meetings pages. If you would like to present your petition to the council, or would like your councillor or someone else to present it on your behalf, please contact the Head of Law and Governance or telephone 01865 252214 at least 10 working days before the meeting and they will talk you through the process. If your petition has received 1500 signatures or more it will also be scheduled for a council debate.

What are the guidelines for submitting a petition?

Petitions submitted to the council must include:

A clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the council to take.

The name and address and signature of any person supporting the petition. Petitions should be accompanied by contact details, including an address, for the petition organiser. This is the person we will contact to explain how we will respond to the petition. The contact details of the petition organiser will not be placed on the website. If the petition does

not identify a petition organiser, we will contact signatories to the petition to agree who should act as the petition organiser.

Petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be accepted. In the period immediately before an election or referendum we may need to deal with your petition differently. If this is the case we will explain the reasons and discuss the revised timescale which will apply.

If a petition does not follow the guidelines set out above, the council may decide not to do anything further with it. In that case, we will write to you to explain the reasons.

What will the council do when it receives my petition?

An acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition. It will let them know what we plan to do with the petition and when they can expect to hear from us again. It will also be published on our website.

If we can do what your petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed. If the petition has enough signatures to trigger a council debate, or a senior officer giving evidence, then the acknowledgment will confirm this and tell you when and where the meeting will take place. If the petition needs more investigation, we will tell you the steps we plan to take.

If the petition applies to a planning or licensing application, is a statutory petition (for example requesting a referendum on having an elected mayor), or on a matter where there is already an existing right of appeal, such as Council tax banding and non-domestic rates, other procedures apply. Further information on all these procedures can be obtained from the Head of Law and Governance or by telephoning 01865 252230.

We will not take action on any petition which we consider to be vexatious, abusive or otherwise inappropriate and will explain the reason for this in our acknowledgement of the petition.

To ensure that people know what we are doing in response to the petitions we receive, the details of all the petitions submitted to us will be published on our Accepted Petitions page, except in cases where this would be inappropriate. Whenever possible we will also publish all correspondence relating to the petition (all personal details will be removed).

How will the council respond to petitions?

Our response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:

Taking the action requested in the petition

Not taking the action the petition requests

Considering the petition at a council meeting

Holding an inquiry into the matter

Undertaking research in to the matter

Holding a public meeting

Holding a consultation

Holding a meeting with petitioners

Referring the petition for consideration by a scrutiny committee*

Calling a referendum

Noting the petition

Writing to the petition organiser setting out our views about the request in the petition

(*Scrutiny committees are committees of councillors who are responsible for scrutinising the work of the council - in other words, the scrutiny committee has the power to hold the council's decision makers to account.)

In addition to these steps, the Council will consider all the specific actions it can potentially take on the issues highlighted in a petition.

If your petition is about something over which the council has no direct control (for example the local railway or hospital) we will consider making representations on behalf of the community to the relevant body. The council works with a large number of local partners and partnerships and where possible will work with these partners to respond to your petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with council policy), then we will set out the reasons for this to you. You can find more information on the services for which the council is responsible on our About Us page on our website.

If your petition is about something that a different council is responsible for we will give consideration to what the best method is for responding

to it. This might consist of simply forwarding the petition to the other council, but could involve other steps. In any event we will always notify you of the action we have taken.

Full council debates

If a petition contains more than 1500 signatures it will be debated by the full council (unless it is a petition asking for a senior council officer to give evidence at a public meeting - see later in this Scheme for details on such requests). This means that the issue raised in the petition will be discussed at a meeting which all councillors can attend.

The council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting.

The petition organiser will be given five minutes to present the petition at the meeting and the petition will then be discussed by councillors. The council will decide how to respond to the petition at this meeting. It may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant committee, or simply to note the petition.

Where the issue is one on which the Council's Executive is required to make the final decision, the council will decide whether to make recommendations to inform that decision. The petition organiser will receive written confirmation of this decision. This confirmation will also be published on our website.

Officer evidence

Your petition may ask for a senior council officer to give evidence at a public meeting about something for which the officer is responsible as part of their job. For example, your petition may ask a senior council officer to explain progress on an issue, or to explain the advice given to elected members to enable them to make a particular decision.

If your petition contains at least 750 signatures, the relevant senior officer will give evidence at a public meeting of the council's scrutiny committee. The following list of senior staff that can be called to give evidence:

Head of Paid Service

Monitoring Officer

Head of Human Resources and Facilities

Chief Finance Officer

Executive Director, City Regeneration

Executive Director, City Services

Executive Director, Finance and Efficiency

You should be aware that the scrutiny committee may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition - for instance if the named officer has changed jobs.

The committee may also decide to call the relevant councillor to attend the meeting. Committee members will ask the questions at this meeting, but you will be able to suggest questions to the chair of the committee by contacting us on 01865 252230 up to three working days before the meeting.

What can I do if I feel my petition has not been dealt with properly?

If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the council's scrutiny committee review the steps that the council has taken in response to your petition. It is helpful to everyone, and can improve the prospects for a review if the petition organiser gives a short explanation of the reasons why the council's response is not considered to be adequate.

The scrutiny committee will endeavour to consider your request at its next meeting, although on some occasions this may not be possible and consideration will take place at the following meeting. Should the committee decide we have not dealt with your petition adequately, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the Council Executive and arranging for the matter to be considered at a meeting of the full council.

Once the appeal has been considered the petition organiser will be informed of the results within 5 working days. The results of the review will also be published on our website.

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EXTRACT FROM THE MINUTES

CITY EXECUTIVE BOARD

Wednesday 10 April 2013

118. GOVERNANCE REVIEW

The Head of Law and Governance submitted a report (previously circulated, now appended) concerning the Governance Review. Jeremy Thomas presented the report to the Board and provides some further background and context to it. A list of updated recommendations and Council procedures was circulated at the meeting.

Councillor Ed Turner reminded the Board that this would be a recommendation to Council, which would take the final decision on the matter.

Councillor Jean Fooks addressed the Board on this matter.

The Board considered the report and commended Group Leaders of all parties for their work on it. There was consensus on many aspects of the review. It noted that any changes would take effect from the start of the new Council year in May, and would be reviewed after a year. The Board also thanked Jeremy Thomas and Bill Reed for their valuable contribution.

The Board resolved that the recommendations in the report (as amended in relation to scrutiny and certain of the proposed Council procedures) be agreed for presentation to Council on 22nd April 2013 in an updated report following this meeting.

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To: City Executive Board

Date: 10th April 2013

Report of: Head of Service, Housing

Title of Report: ANNUAL LETTINGS PLAN – ALLOCATIONS PERCENTAGES
2013/14

Summary and Recommendations

Purpose of report: To recommend the approval of the proposed percentage targets for the allocation of social housing in 2013/14.

Key decision? No

Executive lead member: Councillor Scott Seamons

Policy Framework:

Corporate Plan strategic priority of “Meeting Housing Needs”

Recommendation(s):

- 1. Note the performance against the Annual Lettings Plan in Appendix 1 for 2012/13 (1st April 2012 to 31st January 2013)**
- 2. To recommend the proposed Annual Lettings Plan in Appendix 2 for 2013/14 for approval by full Council**

Appendices to report:

Appendix 1: Community Housing – Allocation Percentages & Performance April 2012 to January 2013

Appendix 2: Proposed Lettings Plan for 2013/14

Appendix 3: A *Guide* of the Housing Need Priority Bands

Appendix 4: Risks reviewed

Introduction & Background

1. The Annual Lettings Plan is designed to set allocation percentages, which are targets, set by the Council, to determine the proportion of social housing offered to different lists within The Council's Housing Register. The current Lettings Plan is shown in Appendix 1 together with performance up to the 31/1/13.
2. The performance against the Annual Lettings Plan is monitored each month by the Allocations Manager. These figures are reported quarterly to the Communities and Partnership Scrutiny Committee with an explanation of any variance from expected performance. Appendix 1 shows the lettings performance from 1/4/12 to 31/1/13. Fewer one-bedroom properties have become available to let than predicted over the last 10 months. A number of factors may have caused this including; fewer one-bedroom properties becoming available from the Registered Provider A2Dominion due to the decanting of existing tenants at Luther Court currently taking place, less existing social housing tenants wanting or able to move in the current economic climate due to the cost and fewer sheltered properties becoming available because less tenancies have ended over the last year than in previous years. Due to the many factors that influence the number of properties becoming available each year any prediction on the number of properties becoming available can only ever be an estimate. Consequently the number of properties becoming available each year will vary and may be higher or lower than expected.
3. The number of properties allocated to households accepted as homeless by the Council on the Homeless List from 1/4/12 to 31/1/13 has gone down to 88 (compared to 96 over the same period in the previous year). However, the number of two-bedroom properties allocated to the Homeless List has had to be increased from 30% to 45%. This has been due to an increase in the number of households with a two-bedroom housing need approaching the Council as homeless that the Council has been unable to prevent from becoming homeless. The increase in two-bedroom properties allocated to the homeless list has been necessary due to the rising pressure on existing temporary accommodation and to keep down the number of households in homeless temporary accommodation and associated costs to the Council
4. Factors taken into account in setting the targets for the Annual Lettings Plan for 2013/14 include:

Supply:

- The total number of properties that are expected to become available to let during the year (consisting of re-lets and new build properties)
- The number of one-bedroom properties expected to become available to let to single-applicants and couples with a one-bedroom housing need, including designated elderly (55+) and sheltered accommodation
- The number of two-bedroom, three-bedroom and four-bedroom properties or larger that are expected to become available to let to families

Demand:

- The number of applicants in assessed housing need on each Housing List waiting for one-bedroom, two-bedroom, three-bedroom and four-bedroom properties or larger and the relative housing need of these applicants.

Policy:

The Council's target to reduce the number of homeless households in temporary accommodation in Oxford to 120 by the end of 2013/14 and the Council's Homeless and Housing Strategies.

5. Although the Annual Lettings Plan does not produce more affordable housing stock it is concerned with the effective allocation of social housing. The total number of properties expected to become available to let during 2013/14 is estimated to be around 500 properties (see Appendix 2) approximately the same as will be allocated in 2012/13. This total consists of the expected number of re-lets, based on past lettings performance over the last year, and the total number of new properties expected to be built during the forthcoming year. The number of properties becoming available to let during 2013/14 will be lower than in previous years because only 4 new properties are expected to be built in Oxford during the year 2013/14.
6. There are many factors affecting the number of new properties being built in the City, including the current economic climate and the lack of space within the city boundaries. The overall supply of affordable housing is low in the City but significant work has been done towards getting higher numbers over the next few years. The Site and Housing Plan, which has recently been adopted, identifies the land available for housing for the next 10 years and updates the Council's affordable housing policies and the Council and Registered Provider partners have been working to bring affordable housing schemes forward. The Council is building up a pipeline of development sites on its own land with the AHP programme sites and the Barton and Cowley/Northway sites, both of which have funding in place, will provide significant numbers of affordable homes in the next few years. Registered Provider partners are also taking the opportunity to redevelop some of their existing housing where dwellings are substandard to provide sustainable housing to meet priority housing need. Delivery in the short term will remain low while these schemes are worked up but the supply will increase in 2014/15 and 2015/16.
7. Based on the estimated number of properties expected to become available to let in 2013/14 approximately:
 - 250 properties (50%) will be allocated to families in housing need
 - 90 properties (18%) will be allocated to single applicants or couples in housing need who are under 55
 - 160 properties (32%) will be allocated to single applicants or couples in housing need requiring designated elderly accommodation (for applicants aged 55+) or requiring sheltered accommodation

Demand – Housing Register Waiting Lists

8. During 2012/13, almost 500 households in housing need will be re-housed by the Council through the Allocations Scheme. However, despite this success, the number of households on the Housing Register still remains high. There are currently over 5000 households on the housing register with more applying every month.

The Housing Register consists of three-separate housing lists:

- **The Homeless List** for applicants to whom Oxford City Council has accepted a statutory homeless duty and placed in temporary accommodation who are waiting an offer of permanent accommodation
 - **The Transfer List** for Council and eligible tenants of Registered Providers of social housing living in Oxford applying for a move to alternative accommodation
 - **The General Register List** for all other households applying for social housing in Oxford
9. The table overleaf shows a profile of the Housing Register by waiting list and minimum housing requirement in January 2013 and shows the number of:
 - Single applicants and couples under 55 waiting for one-bedroom (non-family) property
 - Single applicants and couples aged 55 years or older eligible for one-bedroom (non-family) designated elderly or sheltered property
 - Families requiring a minimum of a two-bedroom, three-bedroom or four-bedroom property or larger

Minimum Bedroom Size*	General Register List	Homeless List	Transfer List	Total
Non-Family (Singles/Couples)				
One-Bed (Aged Under 55)	1666	14	202	1882
One-Bed (Aged 55+ eligible for Designated Elderly & or Sheltered Accommodation)	410	0	256	666
Family Accommodation				
Two-Bed	1055	48	401	1504
Three-Bed	399	6	337	742
Four-+Bed or larger	139	3	119	261
Total	3669	71	1315	5055

Minimum Bedroom Size*

10. The figures above are based on the minimum bedroom size a household requires. For example households shown as requiring a minimum of a two-bedroom property often have two children and so are eligible to request a move to a three-bedroom property under the current Allocations Scheme. So although the Transfer List shows 401 tenants as requiring a minimum of a two-bedroom property, around 130 are also eligible for a three-bedroom property and most are likely to be seeking to move to a larger property.

Demand vs. Housing Need

11. The demand for social housing in Oxford continues to greatly exceed the number of properties that will become available. So many applicants on the housing register are unlikely to be allocated a property in the foreseeable future and are actively encouraged to consider other housing options such as securing alternative accommodation in the private sector.

12. Although the number of applicants on the Housing Register clearly demonstrates there continues to be a high demand for affordable housing in Oxford these figures cannot be looked at without considering the degree of housing need on each waiting list.

Housing Need

13. Due to the high demand for affordable Housing in Oxford and the limited amount of properties that become available it is necessary for the Council to prioritise applications for housing based on applicants housing need. The Council's Allocations Scheme uses Priority Bands, to assess applicants housing needs and to prioritise applicants for housing. There are five priority Bands, ranging from Band 1 (high housing need) down to Band 5 (low or no housing need). Appendix 3 shows a guide to the housing need priority bands (full details are

shown in the Allocations Scheme). The table below shows a summary of the number of applicants in each priority band on each Housing List.

Housing Need Priority Band	The Number of Applicants In Each Band By Housing List (January 2013)		
	General Register List	Homeless List	Transfer List
Band 1	4		34
Band 2	75	71	228
Band 3	852		393
Band 4	45		72
Band 5	2693		588
Total	3669	71	1315

Homeless List

14. Applicants to whom Oxford City Council has accepted a statutory homeless duty and placed in temporary accommodation, waiting an offer of permanent accommodation, are all considered to be in high housing need. The Council currently has 132 households in temporary accommodation (as of 31st January 2013) and has accepted a statutory homeless duty to 71 of these households.
15. The Corporate Plan states the Council will aim to “reduce the number of households in temporary accommodation to 120 by the end of 2012/13”. This is a challenging target in the current economic climate. Statistics from quoted by the Centre for Cities Outlook 2013 indicate Oxford is the least affordable City in the UK to live in outside of London for those seeking housing. Changes introduced by the Welfare Reform Act have impacted on the ability for the Council to help prevent homelessness within the City. However, despite these factors the Housing Needs Team has successfully reduced the number of households in temporary accommodation by just over 5% since 31/1/12 (against national trends) and continues to work closely with other stakeholders to assist households threatened with homelessness. By reducing the number of households in temporary accommodation the Council will be able to produce budget savings through reductions in temporary accommodation costs.

Allocations to the Homeless List

16. As part of a planned reduction, the number of properties allocated to the homeless list has been gradually reduced over previous years as the number of households in homeless temporary accommodation has been reduced. However, although the number of applicants on the Homeless List has decreased it is still necessary to ensure that sufficient properties are allocated to this list. The Council must ensure that the housing needs of the applicants remaining in temporary homeless accommodation are met and sufficient properties will be available for applicants who cannot be prevented from becoming homeless during 2013/14, and this is reflected in the recommendations of this report. The number of properties allocated to this list can be increased if homeless prevention measures are unable to maintain the current reductions in homeless acceptances (see the risk identified in Appendix

4). Proposals to reduce the priority given to homeless applicants in the new Allocations Scheme (currently out for consultation) to attempt to house more households living in overcrowded and/or unsuitable accommodation before they become homeless and the use by the Council in the future of Private Rented Sector offers to discharge homeless duties to homeless applicants accepted from November 2012 should help to minimise the number of homeless households requiring an allocation of social housing from the Homeless List in the future.

The Transfer List

17. There are over 1300 tenants on the Transfer List applying for re-housing and although almost half are in Bands 4 and 5, and are considered to be in no or low housing need and to be adequately accommodated. There are still almost 650 households in high or significant housing need in Bands 1 to 3 that would benefit from a move to more suitable accommodation.

Allocations to the Transfer List

18. There are 458 tenants on the Transfer List with a minimum of a one-bedroom housing need. Although the majority are in Bands 4 and 5 and have little or no housing need. Almost 25% of the tenants aged under 55 and 40% of the tenants aged 55 years or older with a one-bedroom housing need are in high or significant housing need (Bands 1 to 3) and would benefit from a move. For example, due to health or welfare reasons or because they are seeking to downsize from accommodation which they are currently under-occupying. Following the introduction of the "bedroom tax" on 1/4/13 it is expected more tenants of working age on a low income currently under-occupying a family home with two or more bedrooms will seek to downsize to a one-bedroom property. Particularly younger tenants further from retirement age on a low income affected by the bedroom tax. The recommendation to increase the percentage of 1 bedroom properties allocated to the Transfer list for those under 55 during 2013/14 reflects this.

19. There are currently plans underway to re-develop Luther Court a block owned by A2Dominion in the City Centre. The block currently consists of mainly one-bedroom flats and A2Dominion is planning to re-develop the block into a mix of one-bedroom and two-bedroom properties. The re-development of the block will mean A2Dominion will need to decant the existing tenants from the block. This has already started and over half of the existing tenants have been moved already, the majority housed elsewhere by A2Dominion and OCC within the City. However, the remaining tenants, around 25 will also need to be moved and in order to do this a number of tenants will need to be awarded high priority to move via the Transfer List and more properties will need to be offered to applicants with a one-bedroom housing need on the Transfer List.

20. There are around 140 households on the Transfer List considered to be in high or significant housing need (Bands 1 to 3) waiting to move to a two-bedroom property because their current accommodation no longer meets their housing requirements. However, due to the low number of two-bedroom properties becoming available there is still much unmet need on the Homeless and General

Register lists for applicants waiting for two-bedroom properties. So it is not proposed the percentage of properties allocated to tenants on the Transfer List for two-bedroom properties is changed this year.

21. Overcrowding is an issue for many families on the Transfer List and tenants applying to transfer are also encourage to consider trying to mutual exchange and “swapping” with another tenant seeking to downsize to a smaller property. Particularly those waiting for larger three and four-bedroom family properties. There are currently over 265 families in significant or high housing need (Bands 1 to 3) waiting to move to a three-bedroom property and over and 110 families waiting for a four-bedroom property or larger on the Transfer List in significant or high housing need. However, this level of need is already reflected in the current targets of allocating 45% of all three-bedroom properties and 50% of all four-bedroom properties to Transfer applicants. It is therefore proposed that the percentages of such properties offered to the Transfer list remain unchanged.

The General Register List

22. There are currently almost 3700 households on General Register waiting list. Although around 75% are considered to be in low or no housing need (Bands 4 and 5), 25% of the households on the General Register List, over 930 households are considered to be in high or significant housing need (Bands 1 to 3) and require alternative accommodation.

Allocations to the General Register List

23. The General Register List currently has the highest proportion of single applicants and couples who are under fifty five and waiting for a one-bedroom (non-designated elderly) property. This includes over 350 single applicants and couples who are in significant or high housing need (Bands 1 to 3) including care leavers who are ready to “move on”. The recommendations propose an increase in the number of properties allocated to care leavers assessed as ready to move on and live independently so they can be allocated suitable housing and this should also reduce the number becoming homelessness and being placed in homeless temporary accommodation. There are also almost 50 single applicants, and some couples, who are aged 55 years or older in significant or high housing need (Bands 1 to 3) on the General Register List including housing applicants living in single homeless or support “move on” projects across the City. However, the current targets are considered to reflect the housing need on the General Register List when balanced against the needs of applicants on the Homeless and Transfer Lists so no other changes are proposed.
24. The General Register List has around 310 households, in high or significant housing need (Bands 1 to 3), waiting for two-bedroom accommodation. However, the current allocation target of 50% accurately reflects the proportion of such households on the General Register when compared to the housing need across all three waiting lists, and consequently there are no proposed changes to alter these percentages in 2013/14.
25. The demand for three and four-bedroom accommodation remains high across all three housing lists. An increase in the percentage of 3 bedroom properties

allocated to the General Housing List will go some way to meet the housing need on this list. Based on the limited number of four-bedroom properties expected to become available during 2013/14 the current allocation percentages are considered to accurately reflect the spread of need across the three lists, and there are no proposed changes to the existing targets.

Sub-Regional Allocations

26. The Council is currently in a sub-regional partnership, with three other District Councils in Oxfordshire; Cherwell DC, Vale of the White Horse DC & South Oxfordshire DC. All four Councils are currently reviewing their allocations schemes. The priority bands and way housing needs are assessed by each District are expected to differ to the extent that in the future applicants will no longer be able to “compete” with each other equally when bidding for properties sub-regionally. Due to the limited amount of properties becoming available across the sub-region there has also been less movement between the Districts than hoped when the scheme was originally set up.
27. All four Councils are proposing to leave the Sub-Regional Allocations Scheme so the draft Allocations Scheme makes no reference to the scheme any longer. So no targets have been referred to in the Annual Lettings Plan for sub-regional allocations in the future. The existing Allocations Scheme is currently being reviewed and a draft of the proposed new Allocations Scheme has recently been approved by the CEB to go out to consultation. The new Allocations Scheme proposes the Council no longer allocates social housing sub-regionally although it is proposed to reciprocal arrangements may still be used for inter-district moves from time to time. The final version of the new Allocations Scheme will be submitted to CEB in autumn taking into account comments made during the consultation.

Level of risk

28. The risks identified in Appendix 4 will be recorded in the risk register and monitored closely throughout the year.

Climate change/ environmental impact

29. It is expected only 4 new units of affordable housing will be built during 2013/14 to help meet the demand for affordable housing in Oxford. The Development Team has confirmed all they will achieve the standard of housing required by the Housing and Communities Agency.

Equalities impact

30. The Housing Needs Team will continue to seek to identify housing applicants within BME groups and with disabilities that are in high housing need. Effective monitoring systems will ensure any shift in allocations do not indirectly discriminate against BME groups and/or applicants with disabilities. Currently, around 23% of the households on the Housing Register state they are in a BME group, although 18% of the General Register lists have not stated their ethnicity,

based on those that have stated their ethnicity the number of households in BME groups is similarly reflected across all three housing lists. The Allocations Team will continue to monitor applicants in high housing need who are “not bidding” to ensure they receive the support necessary to use the Choice-Based Lettings (CBL) scheme. The development team will continue to seek to ensure that when new properties are built within Oxford that a proportion, are suitable for applicants with disabilities.

Financial implications

31. The current targets for allocations to the Transfer List will ensure that there continues to be social housing becoming available to re-let each year and seeks to make the best use of available stock. Although there will be associated costs with turning around void properties, as tenants move to more suitable accommodation and vacate their current accommodation, these will be offset by the properties becoming available and costs of private sector alternatives being reduced. Any properties that are re-let will be let at target rent levels and this will maximise the revenue into the Housing Revenue account and benefit all tenants. By increasing the number of one-bedroom properties allocated to those under 55 on the transfer list this should also go some way to reduce the impact of the bedroom tax. By giving tenants on the Transfer List the opportunity to do so, if they need to move because they are no longer able to afford the rent, following the introduction of the bedroom tax. This will reduce the risk of large numbers of tenants accruing rent arrears.
32. The cost to the Council of homeless temporary accommodation will be reduced by continuing to allocate a large proportion of properties to the General Register List, including allocations to households who might otherwise have become homeless and been placed in homeless temporary accommodation provided by the Council. However, despite homeless prevention measures that are being put in place the likelihood of an increase in the number of applicants presenting as homeless, and subsequently being accepted as homeless and placed in temporary accommodation, cannot be totally discounted resulting in increased costs. The risk of this likely to increase if initiatives to increase affordable and accessible homeless prevention accommodation do not come to fruition. Should this be the case, the Lettings Targets can be reviewed during the year to respond to the new situation (See Appendix 4).

Legal Implications

33. Whilst a Council can decide its own allocations policy it must give “reasonable Preference” to certain groups such as homeless people, people in temporary or insecure accommodation, people in overcrowded or unsanitary conditions, and those with medical/welfare needs (see the Housing Act 1996 S.167). How it meets these ‘reasonable preferences’ and the mechanics of the scheme are up to each Council.
34. Allocations can only be made in accordance with the published policy. The annual lettings plan forms part of the Council’s overall allocations scheme. The Allocations Scheme is being reviewed currently to take into account the new changes in legislation introduced by the Localism Act, the new Code of

Guidance produced by the Department of Communities and Local Government and other changes including those being introduced through the Welfare Reform Act.

Name and contact details of author:

Tom Porter

Allocations Manager

Housing Services

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Background papers:

None

Version number: V1

Appendix 1: Community Housing – Allocation Percentages & Performance (1) of (2)
1st April 2012 to 31st January 2013: Family and Non-Designated Accommodation

Family Accommodation							
Property Size		Homeless		Transfer	General	TOTAL	
Two Bed	Percentage	45.6%	0.0%	16.2%	38.2%		
	Target	30%	0	20%	50%		
	Let	62	0	22	52	136	
	Expected lets	48	0	32	80	160	
Three Bed	Percentage	23.4%	0.0%	42.2%	34.4%		
	Target	30%	0	45%	25%		
	Let	15	0	27	22	64	
	Expected lets	23	0	35	20	78	
Four Bed+	Percentage	11.1%	0.0%	66.7%	22.2%		
	Target	30%	0	50%	20%		
	Let	1	0	6	2	9	
	Expected lets	3	0	4	2	9	
Non-Family (Non-Designated) Accommodation							
Property Size		Homeless	Move-on 1	Move-on 2	Transfer	General	TOTAL
Studio flat / One Bed	Percentage	9.7%	29.0%	8.1%	14.5%	38.7%	
	Target	25%	30%	10%	10%	25%	
	Let	6	18	5	9	24	62
	Expected lets	23	29	10	10	23	95

Appendix 1: Community Housing – Allocation Percentages & Performance (2) or (2)

1st April 2012 to 31st January 2013: Designated Elderly and Sheltered Accommodation

Designated Elderly Accommodation + 1 bed general needs bungalows							
Property Size		Homeless	Move-on 1	Move-on 2	Transfer	General	TOTAL
Any Size	Percentage	4.4%	7.4%	1.5%	86.8%		
	Target	5%	15%	0%	80%		
	Let	3	5	1	59		68
	Expected lets	6	17	0	92		115

Sheltered Accommodation						
Property Size		Homeless	Move-on	Transfer	General	TOTAL
Any Size	Percentage	2.2%		97.8%		
	Target	0%		100%		
	Let	1		45		46
	Expected lets	0		90		90

Total allocations:

385

+8 CBL sub-regional = 393

Expected allocations:

547

at year end

Appendix 2: Proposed Lettings Plan for 2013/14 (1) of (2)

Family Accommodation						
Property Size	Expected Lets	Proposed Target % (Expected households housed)				
		Homeless	Move-on	Transfer	General	
Two Bed	160	30% (48)	0	20% (32)	50% (80)	
Three Bed	78	20% (16)	0	45% (35)	35% (27)	
Four Bed+	9	30% (3)	0	50% (4)	20% (2)	
Non-Family (Non-Designated) Accommodation						
Property Size	Expected Lets	Proposed Target % (Expected households housed)				
		Homeless	Move-on	Move-on 2	Transfer	General
One Bed	90	10% (9)	30% (27)	15% (13)	20% (18)	25% (23)

Appendix 2: Proposed Lettings Plan for 2013/14 (2) of (2)

Designated Elderly Accommodation & Bungalows					
Property Size	Expected Lets	Proposed Target % (Expected households housed)			
		Homeless	Move-on	Transfer	General
Any Size	90	5% (5)	15% (13)	80% (72)	
Sheltered Accommodation					
Property Size	Expected Lets	Proposed Target % (Expected households housed)			
		Homeless	Move-on	Transfer	General
Any Size	70	0%		100% (70)	

Appendix 3: A Guide of the Housing Need Priority Bands

BAND 1

- 1.1 Exceptional circumstances, where there is an immediate risk to health and safety, complex needs, 'place of safety' cases or other emergency needs
- 1.2 Council or housing association tenants in the sub-region under-occupying by two or more bedrooms
- 1.3 Decants and other housing management moves
- 1.4 Successor tenants who need to move to a more suitable property
- 1.5 A Prohibition/demolition notice has been issued by the Environmental Health department
- 1.6 Households where the level of overcrowding exceeds the statutory limit

BAND 2

- 2.1 Urgent social or welfare needs
- 2.2 Urgent health or disability needs
- 2.3 Council or housing association tenants in the sub-region under-occupying by one bedroom
- 2.4 Applicants who have been assessed as ready to move on from supported accommodation
- 2.5 Applicants found to be homeless, in a priority need group and a duty to offer housing has been accepted
- 2.6 Families assessed as being 2 or more bedrooms short of their needs
- 2.7 Any applicant with two or more compoundable categories in Band 3

BAND 3

- 3.1 Significant social or welfare needs
- 3.2 Significant health or disability needs
- 3.3 Applicants living in unsatisfactory housing: Level 1
- 3.4 Families assessed as being one bedroom short of their needs
- 3.5 Insecure tied accommodation
- 3.6 Insecure private rented accommodation
- 3.7 Homeless and not in a priority group*
- 3.8 Any applicant who qualifies for at least two categories in Band 4

BAND 4

- 4.1 Moderate social or welfare needs
- 4.2 Moderate health or disability needs
- 4.3 Applicants living in unsatisfactory housing: Level 2

BAND 5

- 5.1 Applicants who are adequately housed
- 5.2 Applicants who have sufficient income or other financial resources
- 5.3 Nil priority (Applicants who are the subject of sanctions because of their behaviour)

**This category is not compoundable*

(The details listed above are only intended as a guide – full details are shown in the Allocations Scheme).

Appendix 4:

Risk ID	Risk						Corporate Objective	Gross Risk		Residual Risk		Current Risk		Owner
Category-000-Service Area Code	Risk Title	Opportunity/Threat	Risk Description	Risk Cause	Consequence	Date raised	1 to 6	I	P	I	P	I	P	
CEB-001-HC	A shortfall in new affordable housing	T	Less affordable housing being built during 2013/14 than expected.	Housing Development not being completed on time during 2013/14	Less properties becoming available to let during 2013/14 than expected	28/2/2013	Meeting Housing Needs	1	1	1	1	1	1	The Affordable Housing Team

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Risk ID	Risk						Corporate Objective	Gross Risk		Residual Risk		Current Risk		Owner
	Category-000-Service Area Code	Risk Title	Opportunity/Threat	Risk Description	Risk Cause	Consequence		Date raised	1 to 6	I	P	I	P	
CEB-002-HCD	Homeless acceptances &/or placements are higher than expected	T	The Council has to place more households into temporary accommodation and/or accepts a homeless duty to more homeless households than expected during 2013/14	A continued decline in the economic climate	(1) Temporary accommodation costs are higher than expected for 2013/14 (2) Impacting on the likelihood of meeting 2014 Corporate temporary accommodation target (3) A higher number of properties may have to be allocated to the homeless list than expected	28/2/2013	Meeting Housing Needs	2	3	2	2	2	3	The Affordable Housing Team

EXTRACT FROM THE MINUTES

CITY EXECUTIVE BOARD

Wednesday 10 April 2013

114. ANNUAL LETTINGS PLAN – ALLOCATION OF PERCENTAGES 2013/14

The Head of Housing submitted a report (previously circulated, now appended) concerning the Annual Lettings Plan - Allocation Percentages 2013/2014. Tom Porter presented the report to the Board and provided some additional background and context. The Chief Executive added that the City Council was already struggling to house homeless families within the City, and that the private rented sector had become a mainstream deliverer of housing for those people who at one time would have been buying properties. This was crowding out the private rented sector and putting pressure upon the Council as it sought to place people in homes in Oxford.

The Board considered the report and resolved to:-

- (1) Note the performance against the Annual Lettings Plan in Appendix 1 for 2012/13 (April 1st 2012 to 31st January 2013);
- (2) Recommend the proposed Annual Lettings Plan in Appendix 2 for 2013/2014 for approval by Council.

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CITY EXECUTIVE BOARD

Thursday 21 March 2013

COUNCILLORS PRESENT: Councillors Price (Leader), Turner (Deputy Leader), Cook, Coulter, Curran, Seamons and Tanner.

OFFICERS PRESENT: Lois Stock (Democratic and Electoral Services Officer) and Lindsay Cane (Law and Governance)

97. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Val Smith, Dee Sinclair and Mark Lygo. Councillor Scott Seamons sent apologies for his anticipated late arrival.

98. DECLARATIONS OF INTEREST

No declarations of interest were received.

99. PUBLIC QUESTIONS

Full written questions with answers were distributed at the start of the meeting. These are attached to the minutes as appendix one.

100. SCRUTINY COMMITTEE REPORTS

None submitted.

101. CUSTOMER FEEDBACK - PERIODIC REPORT

The Head of Customer Services submitted a report (previously circulated, now appended) concerning customer feedback received by the organisation. Peter Sloman presented the report to the Board and explained its background.

Councillor Jean Fooks addressed the Board.

Resolved to agree to the following enhancements to how the Council deals with its customer feedback:-

- (i) Ensure all service areas review their web content and literature by 30th September 2013, and where possible involve customers in sense checking how well we are explaining our services.
- (ii) Develop our policy to always explore the immediate actions required for the customer concerned and those actions needed to improve the process and stop a reoccurrence for other customers.

- (iii) Clarify what constitutes a complaint within our policy in order to provide more capacity and focus for genuine complaints and service improvement potential. This should be underpinned in our procedure, and staff supported to deliver this through training and on line guidance. Particular areas to be covered include:
 - a) Service requests should not constitute a complaint;
 - b) Complaints about policies should be recorded and used to inform future policy direction;
 - c) Letters from Members of Parliament requesting advice and information should not be logged as complaints.
- (iv) Amend our policy and procedure to ensure all service areas always make contact with the customer before closing any complaint on the system, use email whenever possible to allow this to be done electronically, and advise where appropriate of the corrective and preventive action taken as a result of any investigations.
- (v) Include the ability to report customer feedback within the marketing strategy for the City Council's web site.
- (vi) Capture the best practice that exists within the organisation for handling feedback reports in an efficient manner, and ensure this is rolled out to all service areas.
- (vii) Develop our processes and analysis tools to enable further insight into key themes; this could be within a service area or corporately.

102. FINANCE, PERFORMANCE AND RISK - QUARTER 3 PROGRESS 2012/13

The Head of Finance and the Head of Business Improvement and Technology submitted a report (previously circulated, now appended) updating the Board on Finance, Risk and Performance at the end of Quarter 3, 31st December 2012. Councillor Ed Turner presented the report to the Board and explained the background. He pointed out that this was a monitoring report and not the final outturn.

Councillor Jean Fooks addressed the Board.

Resolved to note the report.

103. EMPTY HOMES STRATEGY

The Head of Housing submitted a report (previously circulated, now appended) that sought approval for the refreshed Empty Property Strategy 2013-2018 for Oxford City. Councillor Scott Seamons presented the report to the Board and explained the background.

Resolved to:-

- (1) Note the good area of work and confirm the Council's commitment to ensuring empty property is brought back into use;
- (2) Endorse the refreshed Empty Property Strategy

104. WRITE OFFS

The Head of Customer Services submitted a report (previously circulated, now appended) concerning the write off of uncollectible debts. Councillor Ed Turner presented the report to the Board.

Nigel Kennedy agreed to send information regarding Rovacraft to Board Members.

Resolved that the amounts shown in the body of the report be written off subject to the proviso that if new information or payments are received, the debts written off will be resurrected and credits applied.

105. TOWER BLOCKS - APPOINTMENT OF PROJECT MANAGER

The Head of Corporate Property submitted a report (previously circulated, now appended). Councillor Scott Seamons presented the report to the Board and explained the background.

Resolved to approve the award to E.C.Harris of a contract to project manage (including full consultation of all stakeholders and multi disciplinary design services) this key refurbishment project for the Council's tower blocks.

106. FUTURE ITEMS

Nothing was raised under this item.

107. MINUTES

Resolved to confirm as a correct record the minutes of the meeting held on 13th February 2013.

108. MATTERS EXEMPT FROM PUBLICATION

None

The meeting started at 5.00 pm and ended at 5.50 pm

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APPENDIX 1

CEB – 21st March

Agenda item 3: Public Questions

The following questions have been asked by Mr Gibson, and responses provided:-

(Q1) Agenda Item 6. On page 10 of Appendix G (para 49) the Integrated Report 3rd Quarter you report a £60k slippage relating to the proposed new swimming pool at Blackbird Leys. Can you please explain how this slippage has occurred, and provide a breakdown of the £60k?

Response: As stated in the Budget Monitoring Report the start of construction for the new Competition Pool has been delayed due to a second Judicial Review challenge.

The original approved budget for the new Competition Pool 2012-13 was £7,582,254, but construction has been delayed pending the outcome of on-going legal issues. £7,500,000 was slipped to 2013-14 at the end of Quarter 2, leaving a budget of £82,254. At the end of quarter 3 the remaining unspent budget of £60k was also slipped to 2013-14 as further expenditure was considered unlikely in the 2012-13 financial year.

(Q2) Agenda Item 6. In a recent edition of the Oxford Journal (Mar 6-12) an Oxford City Council 'spokesman' is quoted as saying: "The Council has recognised the need for replacement gym facilities in the East Oxford area and has been looking for a solution for some time. The Council has now included, in its budget, funding to explore providing such a facility at the Spires Academy..." Can you please tell me how much funding the Council has included in its budget for this purpose, and where I can find this funding listed in this report?

Response: £200,000 has been included in the 2013-14 Capital Programme as recommended by CEB on 13 February 2013 and approved by Council on 18 February 2013

(Q3) Agenda Item 6. In the Integrated Report 3rd Quarter, Appendix G, Appendix 2 the Capital Outturn Report table shows an entry "A4810 New Build Completion (sic) Pool", revealing a capital spend of £21,337. Can you please tell me what comprises this £21,337 spend on capital?

Response: The sum represents fees paid to the appointed Project Managers in 2012-13.

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CITY EXECUTIVE BOARD

Wednesday 10 April 2013

COUNCILLORS PRESENT: Councillors Turner (Vice-Chair, in the Chair), Cook, Coulter, Curran, Lygo, Sinclair and Tanner.

OFFICERS PRESENT: Peter Sloman (Chief Executive), Lois Stock (Democratic and Electoral Services Officer), Jeremy Thomas (Head of Law and Governance), William Reed (Law and Governance), David Edwards (Executive Director City Regeneration), Nerys Parry (Housing Services), Adrian Roche (City Development) and Jackie Yates (Executive Director Organisational Development and Corporate Services)

109. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Price, Seamons and Smith.

110. DECLARATIONS OF INTEREST

No declarations of interest were received

111. PUBLIC QUESTIONS

None.

112. SCRUTINY COMMITTEE REPORTS

None

113. DRAFT AFFORDABLE HOUSING AND PLANNING OBLIGATIONS SUPPLEMENTARY PLANNING DOCUMENT

The Head of City Development submitted a report (previously circulated, now appended) concerning the Draft Affordable Housing and Planning Obligations Supplementary Planning Document (SPD). Adrian Roche presented the report to the Board and provided some further background and context.

A further amendment (*italics*) to the SPD, as a matter of clarification, was submitted as follows:-

“Large housing sites (capacity for 10+ homes)

2.13. Where a site has capacity for 10 dwellings or more, Policy HP3 of the Sites and Housing Plan will apply. *Policy HP3 requires on site provision of affordable housing. Applications are to be determined in accordance with the development unless material considerations indicate otherwise. Exceptionally there may be proper planning reasons justifying a departure from HP3 on the basis that those*

planning reasons constitute material considerations indicating otherwise. In those circumstances the Council will ensure that there is no net reduction in affordable housing provided – i.e. provision on an alternative site is in addition to any affordable housing ordinarily required on that site. It is, however, to be stressed that determination of an application in such a manner would be a departure from HP3

2.14 When applying Policy HP3 to the tenure split, including the cascade approach where triggered, the applicant will be expected to round up the number of affordable units overall, and social rented units, to the nearest whole number.”

Adrian Roche explained that the amendment set out above would only come into play in exceptional circumstances. The SPD was in any case going out for consultation.

The Board considered the report and proposed amendment and confirmed that it was committed to affordable housing onsite, as part of a mixed community, and that the aim was to maximise the number of affordable units that could be delivered. It noted that the SPD provided guidance that was useful when going into either an appeal or negotiations.

Resolved to:-

- (1) Approve the Draft Affordable Housing and Planning Obligations SPD as amended above for public consultation;
- (2) Approve the Draft Affordable Housing and Planning Obligations SPD as amended as a material consideration in determining planning applications;
- (3) Authorise the Head of City development to make any necessary editorial corrections to the document prior to publication;
- (4) Ask officers to investigate means by which the Council could strengthen its commitment to onsite provision.

114. ANNUAL LETTINGS PLAN - ALLOCATION OF PERCENTAGES 2013/14

The Head of Housing submitted a report (previously circulated, now appended) concerning the Annual Lettings Plan - Allocation Percentages 2013/2014. Tom Porter presented the report to the Board and provided some additional background and context. The Chief Executive added that the City Council was already struggling to house homeless families within the City, and that the private rented sector had become a mainstream deliverer of housing for those people who at one time would have been buying properties. This was crowding out the private rented sector and putting pressure upon the Council as it sought to place people in homes in Oxford.

The Board considered the report and resolved to:-

- (1) Note the performance against the Annual Lettings Plan in Appendix 1 for 2012/13 (April 1st 2012 to 31st January 2013);
- (2) Recommend the proposed Annual Lettings Plan in Appendix 2 for 2013/2014 for approval by Council.

115. INDEPENDENT HOUSING ADVICE SERVICE - TENDER SELECTION - DELEGATION TO OFFICERS

The Head of Housing submitted a report (previously circulated, now appended) concerning the Independent Housing Advice Service – Tender Selection – Delegation to Officers. Jeremy Thomas clarified that the tender would be accepted on the basis that it is most economically advantageous to the Council balancing *both* quality and cost.

The Board considered the report and resolved to grant delegated authority to the Executive Director to accept the tender that is most economically advantageous to the authority, with the approval of the Executive Lead Member for Housing.

116. ROUGH SLEEPING AND HOMELESSNESS GRANT ALLOCATIONS

The Head of Housing Services submitted a report (previously circulated, now appended) concerning the Rough Sleeping and Homelessness Grant Allocations. Nerys Parry presented the report to the Board and provided some further background and context.

The Board considered the report, observed that it was helpful and informative, and that it was pleased to see that homelessness grant allocations were not being eroded.

Resolved to:-

- (1) Recommend that allocation of the Preventing Homelessness Grant for 2013/14 as laid out in the report;
- (2) Recommend the allocation of Oxford City Council's homelessness grant budget for 2013/14 as laid out in the report;
- (3) Delegate authority to the Head of Housing Services, in consultation with the Board member, to allocate the balance of the Preventing Homelessness Grant (£11,352) and any amendments to the homelessness grants budget.

117. ECONOMIC DEVELOPMENT AND GROWTH STRATEGY REFRESH - CONSULTATION

The Head of City development submitted a report (previously circulated, now appended) concerning the Economic Development and Growth Strategy refresh

consultation. David Edwards presented this report to the Board and provided some additional background and context.

Councillor Jean Fooks addressed the Board on this subject.

The Board considered the report and commended officers for their work on it. The Oxford Strategic Partnership was thanked for its work as well.

Resolved to:-

- (1) Endorse the Oxford Economic Growth Strategy as commissioned and agreed by the Oxford Strategic partnership;
- (2) Approve the City Council Action Plan in response to it.

118. GOVERNANCE REVIEW

The Head of Law and Governance submitted a report (previously circulated, now appended) concerning the Governance Review. Jeremy Thomas presented the report to the Board and provides some further background and context to it. A list of updated recommendations and Council procedures was circulated at the meeting.

Councillor Ed Turner reminded the Board that this would be a recommendation to Council, which would take the final decision on the matter.

Councillor Jean Fooks addressed the Board on this matter.

The Board considered the report and commended Group Leaders of all parties for their work on it. There was consensus on many aspects of the review. It noted that any changes would take effect from the start of the new Council year in May, and would be reviewed after a year. The Board also thanked Jeremy Thomas and Bill Reed for their valuable contribution.

The Board resolved that the recommendations in the report (as amended in relation to scrutiny and certain of the proposed Council procedures) be agreed for presentation to Council on 22nd April 2013 in an updated report following this meeting.

119. FUTURE ITEMS

Nothing was raised under this item.

120. MINUTES

The minutes of the meeting held on 21st March 2013 were approved as a correct record and signed by the Chair.

121. MATTERS EXEMPT FROM PUBLICATION

None

The meeting started at 5.30 pm and ended at 6.18 pm

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To: Council

Date: 22nd April 2013

Report of: Head of Law and Governance

Title of Report: PETITIONS SCHEME – TO BENEFIT THE PEOPLE OF OXFORD

Summary and Recommendations

Purpose of report: To advise on the procedure that Council needs to follow under the Council's Petitions Scheme in respect of large petitions, and to provide information specifically on the petition entitled 'To benefit the people of Oxford'.

Report Approved by:

Legal: *****

Policy Framework: Not applicable

Recommendation(s): Council is RECOMMENDED to follow the procedure for large petitions in the Council's Petitions Scheme by hearing the head petitioner for the petition entitled "To benefit the people of Oxford" and to then debate the petition and decide how to advise the Executive.

1. A petition entitled "To benefit the people of Oxford" was handed in at the full Council meeting on 25th February 2013. The petition contains 1,756 signatures. The petition reads as follows:-

"We call on Oxford City Council to enable Council officers and members of the Save Temple Cowley Pools Campaign to hold a series of meetings where they can discuss, identify and clarify areas of common understanding based on a full, open and transparent exchange of information. These meetings should be apolitical, jointly chaired, open to the public and develop a consensus so that we can agree a way forward that will benefit the people of Oxford".

2. Council adopted a Petitions Scheme (as required by the Local Democracy, Economic Development and Construction Act 2009) in July 2010. The scheme says that petitions containing over 1,500 signatures will be debated by full Council. The 2009 Act says that in order for

signatures on a petition to count they must give the signatories name and address and those people so signing must live, work or study in the authority's area. A sufficient number of signatures to achieve the 1,500 mark have accompanying names and addresses. It is not of course possible to check whether any signatories from outside Oxford work or study in the City.

3. The Petitions Scheme says that the petition organiser will be given five minutes at Council to present the petition and that Council will then debate the petition. Where the issue is one on which the Council's Executive is responsible for reaching the final decision, the Council will decide whether to make recommendations to inform that decision. The subject matter of this petition is an Executive function.
4. Council is asked to follow the procedure for large petitions in the Council's Petitions Scheme and decide how it wishes to proceed.

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Background papers: None

Version number: 1

To: Council

Date: 22nd April 2013

Report of: Head of Law and Governance

Title of Report: PETITIONS SCHEME – SAVE R&R DANCE STUDIOS – HOME OF DANCE CONNECTION

Summary and Recommendations

Purpose of report: To advise on the procedure that Council needs to follow under the Council's Petitions Scheme in respect of large petitions, and to provide information specifically on the petition entitled 'Save R&R Dance Studios – Home of Dance Connection'.

Report Approved by:

Legal: Jeremy Thomas, Head of Law and Governance

Policy Framework: Not applicable

Recommendation(s): Council is RECOMMENDED to follow the procedure for large petitions in the Council's Petitions Scheme by hearing the head petitioner for the petition entitled "Save R&R Dance Studios – Home of Dance Connection" and to then debate the petition and decide how to advise the Executive.

1. A petition entitled "Save R&R Dance Studios – Home of Dance Connection" has been received by the Council. The petition contains 1,552 signatures. The petition reads as follows:-

"Our dance school is DANCE CONNECTION and we are under threat of losing our premises, R&R Studios on the Oxford Greyhound Stadium site, if the company that wants to build houses on the site cannot be persuaded to keep this facility for the community alongside the proposed housing development. This facility is unique in the Oxford area, providing three dance studios. We are a very active and inclusive school with 350 pupils, and if we lose our premises the local area loses too. There is nowhere else comparable that our school can operate in this area."

2. Council adopted a Petitions Scheme (as required by the Local Democracy, Economic Development and Construction Act 2009) in July 2010. The scheme says that petitions containing over 1,500 signatures will be debated by full Council. The 2009 Act says that in order for signatures on a petition to count, they must give the signatories name and address and those people so signing must live, work or study in the authority's area. A sufficient number of signatures to achieve the 1,500 mark have accompanying names and addresses. It is not of course possible to check whether any signatories from outside Oxford work or study in the City.
3. The Petitions Scheme says that the petition organiser will be given five minutes at Council to present the petition and that Council will then debate the petition. Where the issue is one on which the Council's Executive is responsible for reaching the final decision, the Council will decide whether to make recommendations to inform that decision.
4. Council is asked to follow the procedure for large petitions in the Council's Petitions Scheme and decide how it wishes to proceed.
5. Dance connection is located at R&R Studios which uses much of the former fitness studios at Oxford Stadium. The studios are located towards the rear of the stadium building underneath the foyer and bar areas where spectators previously watched the greyhound racing and speedway. Speedway ceased at the stadium around five years ago and greyhound racing ceased on 29th December 2012. The stadium complex has the capacity to offer a wide range of facilities and the building was extended around 10 years ago to provide executive suites and enhanced facilities to cater for a wide array of social functions. In addition to Dance Connection, a range of other recreational activities are still carried on at the stadium building including street dance and martial arts within the same R&R Studios along with a local church group. Within the wider stadium complex the central part of the track area is still used by Oxford Karting along with their offices in the former 'Tote' building and the car park is used by the Lightning Motorcycle School conducting motorcycle training on a not-for-profit basis.
6. The Council has received a planning application for the demolition of the existing buildings at the stadium and the redevelopment of the whole site for 220 flats and houses and this application has recently been made valid following receipt of further information assessing the heritage significance of the site as an example of recreational facilities associated with local residents and car workers. A separate application has also been submitted seeking approval from the Council for the demolition of the existing buildings at the site without relying on planning permission being granted for the housing redevelopment. These applications are both currently under consideration.

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Background papers: None

Version number: 1

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19. MOTIONS ON NOTICE

(1) **Expansion of powers of the Planning Inspectorate** – (Proposer Councillor Ed Turner)

Council opposes the proposal of September 2012 to remove from local authorities who fail to meet centrally set targets the ability to determine planning applications in their areas, and believes that such a move is an unwarranted assault on local democracy.

(2) **Practicality of monthly payments – The Universal Credit** – (Proposer Councillor Mike Rowley)

This Council notes the serious concerns that have been raised about monthly direct payments of "universal credit" by many charities and professional organisations, with Crisis warning the Government that the system of monthly payments "fails to recognise that many employees are paid on a weekly or fortnightly basis, especially in low paid work. People used to receiving more regular payments may struggle to manage their finances across a month long period".

This Council deplores the potentially seriously damaging effect on gender equality and child poverty, as the Women's Resource and Development Agency have pointed out: "It is estimated that in 80 per cent of cases Universal Credit will be paid to the male partner in the household. This is a hugely retrograde step in terms of progressing gender equality and, we would contend, tackling child poverty. We are very concerned about the transfer of resources from the purse to the wallet and the backward step in terms of enabling women's financial autonomy."

This Council, further notes that Citizens' Advice have calculated that 8.5 million people in Britain have never used the internet and a further 14.5 million people have limited computer skills. We are deeply concerned therefore that some 37% of the population, almost certainly including a disproportionate percentage of benefit claimants, will find it difficult to obtain what they are entitled to if they have to apply online, and help in person is not easily accessible.

This Council believes that, at the very least, the category of "vulnerable" claimants, to be awarded exceptions from this regime of payment, should be drawn broadly, and include residents with problematic credit and debt problems as well as those with health problems or a disability making money management difficult.

This Council urges the Government to think again about the practicality of monthly payments and of online benefit claims; and requests the Leader and the Chief Executive write to the Prime Minister making our views known.

(3) Local Housing Allowance rates in Oxford – (Proposer Councillor Mike Rowley)

Council notes that Oxford is in the centre of a “Broad Rental Market Area” including substantial parts of Oxfordshire for the purposes of calculating Local Housing Allowance rates, despite the fact that rent Oxford within the city boundaries one of the most expensive places to live in the Country, and income here is relatively low. Consequently, for those renting privately, rents take up 55% of average income in Oxford, and this has been predicted by the National Housing Federation to increase by as much as 55% by 2020.

Council further notes that the Local Housing Allowance, the rate at which this Council must pay Housing Benefit, is due to increase by only 1%, rather than CPI, for two years from 2014/15.

Council believes it is likely that the combination of both policies will render Oxford completely unaffordable for anyone needing to rent privately on a low income, and calls on the Chief Executive to lobby for the boundaries of the Broad Rental Market Area to be redrawn and a CPI increase in the LHA rate to be agreed for our city.

Council opposes in the strongest terms government policies which will have the effect of forcing people on low incomes out of Oxford.

(4) Campaign for Real Ale (CAMRA) as a consultee on pub-related planning applications – (Proposer Councillor Elise Benjamin)

CAMRA, (the Campaign for Real Ale) is an independent, voluntary organisation campaigning for real ale, community pubs and consumer rights. Formed in 1971, CAMRA has 144,878 members across the world, and has been described as the most successful consumer campaign in Europe. CAMRA has an active Oxford Group including a Planning Sub-Committee.

CAMRA supports well-run pubs as the centres of community life – whether in rural or urban areas – and believes their continued existence plays a critical social and economic role in UK culture.

Council acknowledges that CAMRA have valuable experience that should be given significant weight when determining planning applications with regard to public houses.

Council resolves:

- (1) to include the local CAMRA branch as a statutory consultee on pub-related planning applications.
- (2) that officers should use the Viability Test produced by CAMRA for use by Local Planning Authorities whenever the viability of a pub is questioned in relation to a planning application.

(5) EDF suing Oxford residents – (Proposer Councillor Craig Simmons)

This Council is committed to playing its part in delivering a low carbon future. It also recognises and respects the rights of its citizens to engage in peaceful protest.

This Council is therefore deeply concerned at the attempt by energy giant EDF to sue 21 protesters, including three Oxford residents, for £5m following a peaceful action at an EDF power station to raise awareness of UK Government policy to build 40 new gas power stations. This is despite the fact that this could lead to carbon emissions in excess of those permitted under the Climate Change Act.

This Council believes that the normal process of law should be allowed to run its course and that this private action which is aimed at intimidating concerned citizens is both inappropriate and disproportionate.

This Council therefore agrees to raise the matter with our local MPs and write to EDF expressing its concern in relation to its own citizens.

(6) Mitigating the impact of the bedroom tax – (Proposer Councillor Sam Hollick)

This Council:

- (a) Notes that on 1 April 2013 new restrictions were introduced by the UK Government affecting working-age households occupying social housing such that reductions are to be applied to housing benefit payments where tenants are deemed to be under-occupying their homes. This has been called the “bedroom tax”
- (b) Notes that the restrictions are estimated to affect 980 households in council and registered social landlord tenancies.
- (c) Notes that there are currently around 2000 households in Housing Need Priority Bands 1-4 on the housing register, with turnover of available housing being severely limited at 550 for 2011/12 (1).
- (d) Therefore resolves that, in determining when and whether to initiate and pursue proceedings to recover a tenancy as a consequence of rent arrears, the council will:
 - (i) Calculate the sum by which the household’s housing benefit payment has been reduced by under-occupancy restrictions

- (ii) Disregard that sum in relation to action for recovery of the tenancy (eviction).
 - (e) Further resolves to consider all other actions open to this council - including use of discretionary housing payments, offers of alternative accommodation where appropriate, flexibility with rents and service charges, and other possible approaches - to avoid the adverse impact of occupancy restrictions upon the people of Oxford.
- (7) **Destitution and Asylum Seekers – (Proposer Councillor Alan Armitage)**

Council recognises the plight of asylum seekers forced to flee their home countries for expressing political or religious opinions which offend their governments, or after having suffered persecution because they belong to a targeted minority.

As a result of exercising their human right of free speech in their own countries, individuals may have received death threats, suffered beatings or torture and threats to their family members, and have been forced then to abandon their homes, their country and all their possessions. Here in Britain, if their asylum claims are refused by the Home Office, they lose financial support and right of access to accommodation. Current laws also prevent them from working. Adult asylum seekers can be left in a cycle of deprivation and poverty that is impossible to break out of. Many are forced into homelessness on the street, and become entirely dependent on the generosity of others.

Council further asks the City Executive Board and the Chief Executive to address this situation by taking the following actions:

1. Write on behalf of Council to the Minister of State for Immigration deploring Government policies that force “all rights expired” asylum seekers into destitution while they continue to fight for a safe haven from persecution; seeking a change of policy to allow local authorities to assist refused asylum seekers who are in danger of falling into destitution; asking that such asylum seekers should be able to work to support themselves; and demanding that local authorities should be permitted to provide emergency provision to refused asylum seekers as to other homeless people.
2. Ask Oxford's MPs to support the spirit of this motion, to raise the matter in the House of Commons, and to support a change in current laws regarding asylum applications by removing restrictions on local authorities in the support they can provide to destitute asylum seekers.
3. Council officers to produce a report summarising existing support for asylum seekers available in Oxford including housing, training, education, and legal advice open to

vulnerable asylum applicants.

4. The council should work closely with the voluntary sector through a designated officer to provide help, support and advice to asylum seekers and enable a coordinated response to be easily available to those in need at this vulnerable time of their lives.
5. Council to join the national campaign "Still Human, Still Here" (a coalition of 29 organisations, including the Church of England and Catholic Archbishop Conferences, Amnesty International and the Red Cross, who are proposing practical solutions to ending the destitution of refused asylum seekers in the UK.)
6. Council to seek further support for this motion and action via the Local Government Association and by encouraging other Councils in the UK to join us on this issue.

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To: Council

Date: 22/04/2013

Item No:

Report of: Head of Human Resources

Title of Report: Collective Agreement on Pay and Pay Policy Statement

Summary and Recommendations

Purpose of report: For Council (to note and approve
(1) the collective agreement on Pay dated February 2013, including its non-pay elements;
(2) the amendments to the Council's annual Pay Policy Statement 2013.

Report Approved by:

Finance: Nigel Kennedy, Head of Finance

Legal: Dan Rawstone, Solicitor, Law & Governance.

Policy Framework: An efficient and effective Council

Recommendation(s): Council are recommended to:

1. approve the Collective Agreement on Pay dated February 2013, including its non-pay elements;
2. approve the amendments to the Council's annual Pay Policy Statement 2013; and
3. authorise the Head of Human Resources and Facilities Management to make any changes other than pay; to collective terms and conditions and the Council's employment policies in accordance with the Collective Agreement.

Appendices to report:

Collective Agreement on Pay – Appendix 1

Pay Policy Statement 2013 – Appendix 2

Risk Register – Appendix 3

Equalities Impact Assessment – Appendix 4

1. Background

Determining the terms and conditions on which staff hold office is a full Council function under the Local Government Act 1972 (s.112) and Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.

The Chief Executive is authorised under the Council's constitution and delegated powers to determine pay on behalf of full Council, but the non-pay terms and conditions of employment of staff need to be determined by full Council. The collective agreement contains collective terms including pay (e.g. basic pay and the partnership payment) but also non-pay elements such as flex leave, annual leave, staff discounts, staff travel to work, cycle to work and transport/casual user 145 page payments (as detailed below).

Collective Agreement on Pay

- 1 The Council's [third] collective agreement was agreed by the Chief Executive and Council's recognised union representatives in February 2013. A copy of the full agreement is attached at Appendix 1.
- 2 The main elements of the 5-year agreement are:-
 - Cost-of-living pay rise
 - Incremental Progression
 - Partnership Payment
 - Low Pay (removal of Grade 2)
 - Changes to Allowance Rates
 - Travel to work discounts and transport
 - Staff discount scheme
 - Changes to annual leave and flextime

The details are set out below.

Cost-of-living pay rise

- 3 A 1.5% pay rise on 1st April each year from 1st April 2013 for a 5 year period.

Incremental Progression

- 4 Bi-annual incremental progression will be introduced from 1st October 2013. The progression will apply to NJC employees on the bottom salary point of their grade and will be subject to satisfactory performance and attendance.
- 5 On each incremental progression date the bottom point of the grade will be removed so that each grade range will decrease by two salary points over the period of the agreement.

Partnership Payment

- 6 An annual non-consolidated 'partnership payment' will be payable to those employees not receiving an increment and who achieve acceptable levels of performance and attendance (conditional upon the Council achieving its budget each year).

Low Pay

- 7 The removal of grade two from the Council pay grade so that the lowest grade is Grade 3 (starting on spinal column point 16) from 1st April 2013.

Changes to Allowance Rates

- 8 Overtime, weekend enhancements and other pay attracting enhancements will be paid at plain time for new staff. Existing staff will continue to be paid at the existing rates of enhancement unless they opt for a lump sum buy out of these rights.

Staff Travel to Work Discounts and Transport

- 9 wherever possible casual car user allowances will be withdrawn. Alternative forms of transport will be actively encouraged or provided.
- 10 Employees who commute to work using public transport will be able to claim a 20% discount (up to a maximum of £150 per annum) on their season tickets.

Staff Discount Scheme

- 11 The Council is joining a national discount scheme on 1st April 2013 run by Vectis which allows employees to benefit from discounts on high-street goods and services. These will be available from national and local companies via an online or telephone facility or a discount card.

Changes to Annual Leave and Flextime Scheme

- 12 All offices will be open during the period between Christmas and New Year (apart from bank holidays). Staff will therefore no longer be required to keep three days of their annual leave entitlement to take during this period. The Leave Policy is amended to remove all references to compulsory leave and office closures.
- 13 In the last month of the leave year employees may bring forward up to 5 days leave from the next leave year if there is an urgent need for the leave. This has been added to the Leave Policy.
- 14 The flextime arrangements will revert back to the previous arrangement, whereby employees will only be able to take up to one day of flex leave in any four week period and the maximum carry-over of hours will revert back to ten hours. The Working Hours Policy and Procedure is amended to reflect these changes.

Pay Policy Statement

- 15 The Council is required to publish a Pay Policy Statement annually. The statement has been reviewed and amended to reflect the details of the collective agreement on pay. It is attached at Appendix 2.

Risk Assessment

- 16 A risk assessment covering employment policies and procedures generally is attached at Appendix 3. More specifically the risks of not having a pay agreement in place are those that come from budget uncertainty. A future national pay deal may be unaffordable leading to budgetary pressures that may have to be mitigated in other ways and which could have an adverse impact on services. Also not having the pay agreement may lead to employment relations issues and difficulties in staff recruitment and retention.

Climate change / environmental impact

- 17 The initiatives relating to discounts on public transport and minimising the use of casual car allowances should contribute to the Council's climate change and carbon reduction priorities.

Equalities Impact

- 18 An analysis of the impact of incremental progression was undertaken and the table is attached at appendix 4. It is not anticipated that this agreement will have any adverse equalities impacts. We will, however, monitor the impact of changes to annual leave and flextime and review in 6 months.

Financial implications

- 19 The financial implications of the deal on pay have been fully considered and factored into budgets. By having a 5 year agreement the Council can plan and budget accordingly. Employees also have security and certainty which should have the benefits of increased motivation and morale leading to increased productivity.

20 By having legally compliant policies the risk of any financial compensation claims is minimised.

Legal implications

21 The collective agreement on pay and other collective terms will be incorporated to form part of the terms and conditions of employment for Council staff. Contractual terms and conditions will be amended accordingly.

22 The Council has a legal obligation to produce and publish a pay policy statement annually.

Name and contact details of author:-

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List of background papers:

None

Version number:

Collective Agreement on Pay – Appendix 1

Local Collective Agreement January 2013 reflecting Oxford City Council's new pay deal 2013/14 to 2017/18.

- 1. Introduction**
- 2. Incorporation**
- 3. Implementation Date**
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1 Introduction & Background

- 1.1 Subject to prevailing legislation or imposition by government, and Council's approval for the non-pay elements, this Third Collective Agreement (The "Agreement") reflects the City Council's new pay deal for all staff for the period 2013/14 to 2017/18. This Agreement proceeds and amends:
 - 1.1.1 the local pay review required by the 1997 and 2004 Implementation Agreements contained in the National Joint Council for Local Government Services National Agreement on Pay and Conditions for Service (the "Green Book");
 - 1.1.2 the Council's [first] local Single Status Collective Agreement (SSCA) of 23 September 2009;
 - 1.1.3 The Council's [second] Collective Agreement of 17 February 2011, which expires on 31 March 2013.
- 1.2 This Agreement has been arrived at following negotiations initiated in September 2012 with the local representatives of the recognised trade unions, Unison and Unite the Union.
- 1.3 The background to this agreement is explained in the *"New pay deal for all – A guide for staff to Oxford City Council's new pay deal"*.
- 1.4 In January 2013 all directly employed staff were invited to a series of road shows held across the Council's main sites and presented by Unite and Unison representatives, the Council's Chief Executive and the Head of HR, who each explained and answered questions on the proposed new agreement.
- 1.5 Papers for ballot were provided to Union members (Unison and Unite the Union) in mid-January 2013, with the closing date for Unison's midday on 28 January 2013 and Unite the Union's midday 30 January 2013.

2 Incorporation

- 2.1 In accordance with the Council's collective bargaining arrangements, this Agreement is incorporated into the terms and conditions of employment of all employees covered by:
 - 2.1.1 NJC (the Green Book).
 - 2.1.2 JNC for Craft and Associated workers (Red book) (save as specified in clause 4.2),
 - 2.1.3 JNC for chief officers.
- 2.2 All other NJC terms and conditions, including other unaffected Green or Red book conditions (e.g. maternity, sickness), remain unchanged.

3 Implementation Date

- 3.1 Unless stated otherwise, all the terms of the Collective Agreement come into effect on the Implementation Date, which is 1 April 2013. This agreement constitutes 3 months' notice of a

change to affected employees' employment contracts (for the avoidance of doubt this notice period will be deemed to have been given on signature of this Agreement).

4 Scope

- 4.1** This Agreement applies to all employees directly employed by Oxford City Council on the implementation date until the end of the financial year of 2017/18. For the avoidance of doubt, at the end of this Agreement and in the absence of a further local collective Agreement, it is not intended that the national scheme will have any retrospective effect during the period of this Agreement.
- 4.2** Clause 5.2 (inclusive), 5.3 and 6 **only** however do **not** apply to Craft workers (including those operational staff in Direct Service) who continue on their three-spot productivity-based scheme ("Pay Scheme for Operational Staff" [Appendix 2]). Craft workers are therefore eligible for the partnership payment subject to meeting the qualifying criteria.
- 4.3** This Agreement shall however apply indirectly to agency workers in accordance with the Agency Worker Regulations 2010, including to the extent that the Agency worker has worked in the same role at the Council for 12 continuous calendar weeks on or following the implementation date. This entitles the agency worker to the same basic working and employment conditions for doing the same job had s/he been recruited by the hiring Council. Terms and conditions for these purposes are defined as pay, rest breaks and periods, annual leave and any partnership payment (but do **not** include any occupational sick pay, pension, family friendly payment or redundancy payment).

5 New Pay Grades and Cost of Living

- 5.1** Subject to prevailing legislation, over the course of the next five years, all employees will receive a 1.5% cost-of-living award each year on 1 April (based on their current pay at the time) which will be applied to the New Pay grades set out below and current Craft Worker Pay Grades.
- 5.2** From the implementation date:
- 5.2.1** The New Pay grades applicable until 2017/2018 will be those set out in the "*New pay deal for all*" which replaces the existing grades (Appendix 1).
- 5.2.2** Employees' salaries will move from the existing pay scales to the New Pay grades. Employees can expect to be paid from April 2013 at the New Pay grades.
- 5.2.3** The current lowest pay grade (Grade 2) will be removed on 1 October 2013. Those on Grade 2 will move to the lowest spinal column point on grade 3 (and then they will be subject to clause 6)
- 5.3** At each effective incremental progression date (i.e. 1 October of 2013, 2015 and 2017), pay differentials within the same pay grade will be reduced.

6 Incremental Progression

- 6.1** For those NJC employees who are on the bottom of each pay grade:
- 6.1.1** Incremental progression will be reintroduced from 1 October 2013, subject to an assessment of performance, behaviours and attendance. 1 October is the new effective date for increments.
- 6.2** Increments will then be available (subject to an assessment of performance, behaviours and attendance) every other year (October 2015 is the next incremental progression date, then October 2017) until an employee's pay reaches the "mid point" of the grade (NB the grade is that as described before this Agreement comes into effect on 1 April 2013). A true 'mid-point' will be introduced for any grade without a mid-point. Staff not eligible for an increment will be eligible for a Partnership Payment subject to the same assessment of performance, behaviours and attendance. For the purposes of determining eligibility for an increment, (and not in respect of any other aspect of managing attendance), all employees will be deemed to commence the financial year in question with an assumption that they have not been sick previously
- 6.3** There will not therefore be any increments in Oct 2014, or October 2016, or Oct 2018, unless an eligible employee is unsuccessful in achieving an increment in the preceding year but reaches the criteria the following year.
- 6.4** At each effective incremental progression date, the lowest point within each pay grade will be removed. Over a period of time this is intended to reduce the range within each grade by at least two spinal column points (as outlined in 6.2 above) at which time further discussions are intended.

6.5 Incremental progression as detailed above will not apply to Craft workers (including those operational staff in Direct Service) who will continue on their three-spot productivity-based scheme ("Pay Scheme for Operational Staff as set out at [Appendix 2].

7 Partnership Payment

7.1 For all employees **not** eligible for an increment in any given year, they will be eligible for an annual Partnership Payment, subject to an annual assessment of performance, behaviours and attendance.

7.2 All partnership payments and exact amounts paid will be conditional upon the Council achieving its budget each year.

7.3 For the purposes of determining eligibility for the partnership payment (and not in respect of any other aspect of managing attendance), all employees will be deemed to commence the financial year in question with an assumption that they have not been sick previously.

7.4 Payments will be made on reduced/pro-rata basis (i.e. to hours worked as a proportion of the standard full time working year) for part-timers or new starters or those having taken authorised absence. The payment is payable to staff in post on the payment date, which will be the first normal pay day following written confirmation by the Council's Chief Finance (Section 151) Officer of the financial year end outcome. On the assumption that payments will be made, it is anticipated the payment dates will be in July 2013 and annually thereafter.

8 Assessment of Performance & Attendance

8.1 From 2013/14 onwards it is expected there will be three levels of overall appraisal rating, of which those appraised at the top two levels will receive **either** the Partnership Payment **or** an increment (but not both). Where an increment is less than the equivalent Partnership Payment based on the level of performance, behaviours and attendance the balance will be payable as a one off payment to the employee.

8.2 In addition to the performance and behaviour criteria, in order to be eligible for a partnership payment or increment, minimum levels of attendance are required as follows, which will be adjusted for those working on a reduced/pro-rata basis (i.e. to hours worked as a proportion of the standard full time working year) or new starters or those having taken authorised absence:

2013/14 = 8 days maximum
2014/15 = 7 days maximum
2015/16 = 6 days maximum
2016/17 = 6 days maximum
2017/18 = 6 days maximum

9 Staff travel to work

9.1 The Council will fund a discount to those employees using a season ticket for travel to work by bus or train. The discount will be capped at 20% or £150 per annum (index linked), whichever is the smaller.

10 Staff discounts

10.1 Employees will benefit from a number of discounts on high-street goods and services via an online or telephone facility

11 Cycle to work

11.1 Subject to prevailing legislation, the Council will continue to offer the tax-efficient cycle loan/purchase scheme whereby employees can benefit from significant savings on bicycles and equipment until such time that the government withdraws the concession should that fall within the period of this Agreement.

12 Flexitime

12.1 Paragraph 4.26 of the current Working Hours Policy and Procedure will be amended, so that one day of flex-leave (reduced from two days) is available to be taken per four week flex period (i.e. reducing the two days flex per month available under the previous arrangements).

13 Leave.

13.1 Annual leave is maintained at the levels (set out in clause [3]) of the standard employment contract.

13.2 As from the leave year commencing 1 October 2013 all Council offices [and works] will remain open during the period between Christmas and New Year. Therefore 3 days will no longer be designated to

be taken as annual leave on those weekdays normally falling between Boxing Day and New Year's Eve bank holidays. Clause 4.7 of the Council's Leave Policy will be amended accordingly. Employees may however apply for leave, and dependant on business needs, such requests may be granted, during that period in accordance with the Leave policy. This Christmas period arrangement constitutes a permanent change beyond the 5 year period of this collective agreement, subject to a review in January 2015.

13.3 The annual leave calendar will continue from 1 October to 30 September, except where local arrangements apply. The Council may also seek to move the leave year anniversary (e.g. to the individual employees date of employment) in consultation with trade unions, during the course of this agreement. In the last month of any leave year, employees can request to bring forward up to five days from the next leave year into the current leave year, subject to the line manager's agreement.

13.4 Employees will still be able to buy up to an additional 24 days of annual leave per year, subject to the Leave Policy.

14 Transport/Casual user Mileage payments

14.1 Where-ever possible and appropriate, casual user car allowances are intended to be withdrawn and alternative forms of transport used instead.

15 Allowances

15.1 For newly appointed staff: overtime, weekend enhancement and any other pay currently attracting enhancements will be paid at the plain time rate regardless of how many hours are worked or when they are worked.

15.2 For existing staff: overtime and weekend enhancement will continue at the existing rates (1.33 and 1.66 x normal hourly rate) for the duration of this Agreement. Employees will be able to opt for a lump sum buy-out of their rights to current enhanced rates of pay, if they so wish. The sum is not negotiable with trade unions and may be offered by management at any time during the period of this agreement.




16 No compulsory redundancies to front line staff

16.1 On the basis that Unison and Unite comply in full with the provisions of this agreement, and subject to prevailing legislation, the Council agrees that during the currency of this Agreement there shall be no compulsory job losses to front line staff, provided that:

16.2 There are no material changes to the Council's current responsibilities, or

16.3 There is no material change in central government funding arrangements for local authorities (for example a significant funding cut or the imposition of a cap on Council tax increases being set at 0%).).

This Collective Agreement has been reached between Oxford City Council and the recognised Trade Unions, Unison and Unite. This Agreement is signed below on behalf of the parties

For and on behalf of the Council:	Signature:
Name: Peter Sloman, Chief Executive	
Date: <u>13</u>	
For and on behalf of Unison:	Signature:
Name: Caroline Glendinning	
Date: <u>7/2/13</u>	
For and on behalf of Unite the Union:	Signature:
Name: Steve avis	
Date: <u>7 2</u>	



OXFORD CITY COUNCIL



New pay deal for all

A guide for staff on Oxford City Council's new pay deal 2013/14 to 2017/18



OXFORD CITY COUNCIL

More Help and Advice

Hopefully this leaflet has given you all the information you need on the new pay deal. If you have any queries about the new deal please contact:

E: strowick@oxford.gov.uk
T: 01865 4532547
M: 07711 038622

The lead officers from each of the trade unions are:

UNISON
Caroline Clendinning: Branch Secretary
E: cglendinning@oxford.gov.uk
T: 01865 4532522
M: 07795 332563

URITE the Union
Steve Davis: Branch Secretary
E: sdavis@oxford.gov.uk
M: 07775 766592

You can contact any of the trade union representatives noted above for advice or assistance even if you are not a member of their trade union.

GRADE 3	GRADE 4	GRADE 5	GRADE 6	GRADE 7
SCP-16 £16,687	SCP-20 £18,739	SCP-25 £21,842	SCP-30 £25,454	SCP-35 £29,675
SCP-17 £17,082	SCP-21 £19,493	SCP-26 £22,554	SCP-31 £26,670	SCP-36 £31,461
SCP-18 £17,488	SCP-22 £19,995	SCP-27 £23,302	SCP-32 £27,458	SCP-37 £31,314
SCP-19 £18,469	SCP-23 £20,194	SCP-28 £24,064	SCP-33 £28,567	SCP-38 £32,210
	SCP-24 £21,071	SCP-29 £25,066	SCP-34 £29,666	SCP-39 £33,310
GRADE 8	GRADE 9	GRADE 10	GRADE 11	
SCP-10 £24,166	SCP-15 £28,603	SCP-19 £32,240	SCP-23 £36,254	
SCP-11 £25,467	SCP-16 £29,595	SCP-20 £33,955	SCP-24 £37,537	
SCP-12 £26,966	SCP-17 £30,453	SCP-21 £34,661	SCP-25 £38,459	
SCP-13 £28,658	SCP-18 £31,359	SCP-22 £35,461	SCP-26 £39,600	
SCP-14 £29,764				

Allowances: An Overview

What are the changes to allowances?

- For new appointees staff
- Overseas and other allowances will be paid at the same rate as those who have worked in the past 12 months.
- Staff will be able to request leave subject to approval.
- Christmas and New Year – all efforts will be open in the period between Christmas and New Year. Staff will be able to request leave subject to approval.
- Annual Leave Flexibility – from September 2013 employees can bring forward the days from the next year into the current year in last month of leave year in the event of an urgent need.
- Employees will still be able to buy up to an additional 2.5 days annual leave per year.
- No reverse one day per month (ie. no longer one day per month) with was the arrangement under the previous agreement.

Transport

As per previous agreement intended to whilst the most casual use car allowances and provide alternative forms of transport.

Annual Leave: An Overview

What's happening about leave?

- Annual leave is being maintained at current levels.
- Christmas and New Year – all efforts will be open in the period between Christmas and New Year. Staff will be able to request leave subject to approval.
- Annual Leave Flexibility – from September 2013 employees can bring forward the days from the next year into the current year in last month of leave year in the event of an urgent need.
- Employees will still be able to buy up to an additional 2.5 days annual leave per year.
- No reverse one day per month (ie. no longer one day per month) with was the arrangement under the previous agreement.

Building a world-class city for everyone

A Guide for Staff on Oxford City Council's new pay deal

A Guide for Staff on Oxford City Council's new pay deal

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OXFORD CITY COUNCIL
DIRECT SERVICES

PAY SCHEME FOR THE OPERATIONAL STAFF

1. Summary

This pay scheme is based on the following principles:-

- To provide a fair days pay for a fair days work.
- To achieve service targets.
- To achieve value for money.
- To provide appropriate harmonisation/single status improvements.
- To stabilise the organisation and provide long term job security.
- To give a fair reward for work undertaken, irrespective of the task.
- To deliver a high quality service to our customers.
- To ensure that staff work a minimum of 37 hours per week.
- To be competitive in the construction industry market.

2. Effective Date

This pay scheme took effect from 1 July 2004.

3. Pay

(a) Staff are paid a fixed annual salary, at one of the seven salary bands in operation. There are three salary bands for each trade/skills group. The purpose of three bands is to recognise the different level of skills and experience between staff (both trade and specialist), the different levels of productivity between staff and also the range of duties being undertaken.

(b) The bands, skills groups and annual salaries are shown in the following chart:-

Band					Annual Salary
B	Semi-Skilled	General Trades	Multi Trades	Plumbers	£21,915
C					£23,602
D					£26,130
E					£30,343
F				Electricians & Gas Engineers	£32,029
G					£33,715
H					£36,243

(c) The annual salaries are reviewed on 1 April each year and updated for inflation, based on the annual wage settlement percentage increase determined by the Joint Negotiating Committee for Local Authority Craft and Associated Employee's.

(d) The annual salaries are all inclusive and no additional payments will be made for tool allowances, dirt money, specialist skills and qualifications etc. The only exception will be for those staff who act as Qualified First Aid Officers which will attract an additional payment.

4. Movement between Salary Bands

- (a) New employees are appointed to the lowest salary band appropriate to their skills for the first three months of their employment. During these three months, the new employees normal level of productivity will be assessed and appropriate adjustment made to that employee's pay from the first full calendar month thereafter.

NOTE: Upward movement of salary bands need not be incremental.

- (b) There is on-going monitoring of actual productivity against the productivity expected of staff for the pay band in which they are appointed.

There will be formal reviews on a six monthly basis (i.e. every January and July) and staff who have consistently over achieved in that six month period, may be moved to a higher band, subject to the top band for the trade/skills groups not being exceeded. The reviews will be undertaken by a board comprising of two managers and one trade union representative. Adjustments in salary bands agreed by the board will be effective from the first of the month following the review, unless there is an appeal.

Staff will have the right of representation by their trade union or other representative at any review/appeal meeting.

There will be a right of appeal against the review board's decision and that appeal will be heard by an Appeals Panel comprising the Head of Direct Services and a member of the corporate People and Equalities Team. Any appeal must be received by the Head of Direct Services within fourteen calendar days of the review board's decision. In instances where the Appeals Panel endorses the review board's decision, any downward movement in salary band will take effect from the first of the month following the Appeals Panel hearing. The decision of the Appeals Panel will be final.

- (c) When staff are appointed to a salary band, they are contracted to undertake a level of productivity consistent with that salary band (i.e. it is not optional). Therefore it is not anticipated that staff will consistently under achieve in terms of productivity.

If, however, any member of staff regularly does not meet the level of productivity consistent with their current salary band, without good reason, then he/she is at risk of being moved onto a lower band or skills group. By participating in this scheme, employees consent to such movement. In exceptional cases, the Council also reserves the right to deploy the Performance Improvement Policy or appropriate disciplinary sanctions.

In instances of staff being moved to lower band, a review of productivity will be undertaken six months after the effective date of the downgrading.

Where employees find it impossible to achieve their contracted level of productivity due to a disability or declining physical health (e.g. a long term medical problem), the Council will consider making reasonable adjustments to accommodate them, including movement to a lower salary band or skills group.

5. Multi-Trade Staff

For staff to be appointed as a Multi-Trade Staff member, they will need to fulfil the following criteria:-

- (a) They are qualified in one trade (either by formal qualification, time-served apprenticeship/training or 10 years practical experience).
- And (b) They are competent in the main skills of at least one other trade. This will be tested by means of a practical assessment undertaken by an independent assessor. The independent assessor will be a senior manager within Direct Services who has a trade background in the skills that need to be assessed.
- And (c) They undertake a comprehensive range of repairs across a number of trades.

NOTE: It is recognised that an NVQ Level 3 in Building Maintenance (Multi-Skilled Work) exists and anyone who has this qualification, fulfils criteria (a) and (b) above for appointment to a Multi-Trade post.

6. Productivity

The pay package detailed in this document, together with the conditions of service that also apply, represent market rates. Therefore, the productivity levels that will be expected also reflect market productivity. There will be no precise measure of workload, since the type of work undertaken by Direct Services is not identical from site to site. Flexibility needs to be built in to take account of both routine and non-routine jobs. The exact productivity expectations will be determined by the Line Manager, aided by a management guide detailing job values. This guide has been produced following discussions with appropriate trade union/trade representatives. Operational staff must complete all tasks allocated to them each day unless they have the agreement of their Line Manager to vary it as a result of problems experienced. Productivity expectations include all staff working a minimum of 37 hours per week. The Line Manager will take account of the type of work undertaken, e.g. emergencies, when determining appropriate workloads. These expectations will vary as time goes on to take account of capital investment made by the Council to improve productivity, such as hand-held technology, vehicles etc.

The key principle is that the higher the salary band for the trade group, the greater will be the productivity requirement.

7. Pay Period

Staff are paid on a monthly basis (one twelfth of their annual salary for each completed calendar month with appropriate reductions for working only part of the month) by credit transfer to a bank or building society account.

8. Hours of Duty

All employees are required to work a minimum of 37 hours per week. Flexible working hours will apply, but attendance will be required 5 days each week, Monday to Friday inclusive, with both mornings and afternoons being worked on these days.

Flexibility in working hours is essential to ensure good customer care and customer needs must be the key driver to hours worked. Therefore access to properties outside standard hours, i.e. 8.00am – 4.00pm Mondays to Thursdays, 8.00am to 3.30pm Fridays, will be subject to agreement with tenants. The range of flexible working hours will be 7.30am – 6.30pm Mondays to Fridays inclusive.

Lunch breaks are flexible between 30 minutes (minimum) and 1 hour 30 minutes (maximum) with the latest start time for lunch being six hours after work commenced. Staff who wish to take lunch breaks of 1 hour or more, must agree this in advance with their Line Manager so that work arrangements, appointments etc, can still be fulfilled.

7.30 a.m. is the earliest start time and the earliest finish time will be 3.30 p.m. Mondays to Thursdays, 3.00 p.m. Fridays.

Start time is the time arriving at the first job (or depot if essential) and the finish time will be the time leaving the last job. The only exceptions to these arrangements will be when travel to the first job or from the last job is outside the normal work area for that member of staff. These exceptions must be agreed, in advance, with the Line Manager.

9. Annual Leave

- All employees in post on 31 March, 2010 will have a standard annual leave entitlement of 29 working days, plus three days over the Christmas period, in other words a total of 32 days overall.
- New employees who join the Council after 31 March, 2010 will have an annual leave entitlement of 25 working days, plus three days over the Christmas period making a total of 28 days. This will be increased to 32 days after five years' service.
- In addition to annual leave, as detailed above, the normal public and bank holidays will apply (currently eight days).
- The leave year runs from 1 October to the following 30 September.
- Annual leave of no more than 5 days may be carried forward from one leave year to another. In these instances the carry forward leave must be taken by 31 December and any days not taken by that date will be forfeited. More than a 5 day carry over of leave will only be allowed in exceptional circumstances, such as long term sickness absence, and must be authorised by the Head of Direct Services.

10. Non-Productive Time

Good organisation by the Line Manager and operational staff should ensure that non-productive time is kept to a minimum. However, it is recognised that some non-productive time will be incurred for reasons such as attendance at meetings, wet time, undertaking shop steward functions etc. and the Line Manager will adjust productive work expectations to take account of legitimate non-productive time.

11. Payment for Non-Working Days

Full pay applies to the following:-

- Annual Leave
- Public Holidays
- Approved Special Paid Leave (compassionate leave etc.)
- Sickness Absence (subject to entitlement)
- Industrial Injuries (subject to entitlement)
- Lieu Days

No pay applies for the following:-

- Special Unpaid Leave
- Unauthorised Absences

12. Additional Hours Working

Where staff are requested to work additional hours in order to achieve business targets, the following pay rates will apply: -

<u>Band</u>	<u>Hourly Rate</u>
B	£11.36
C	£12.23
D	£13.54
E	£15.73
F	£16.60
G	£17.48
H	£18.79

These rates are reviewed on 1 April each year and increased by the same percentage as the annual salaries, as detailed in paragraph 3 (c).

13. Overtime Working

Where staff are required to work overtime due to business needs, the following rates will apply:-

<u>Band</u>	<u>Time</u>	<u>Time and One Third</u>	<u>Time and Two Thirds</u>
B	£11.36	£15.11	£18.86
C	£12.23	£16.27	£20.30
D	£13.54	£18.01	£22.48
E	£15.73	£20.92	£26.11
F	£16.60	£22.08	£27.56
G	£17.48	£23.25	£29.02
H	£18.79	£24.99	£31.19

These rates are reviewed on 1 April each year and increased by the same percentage as the annual salaries, as detailed in paragraph 3 (c).

14. Standby Duty

A separate agreement exists to cover standby/call out duties undertaken outside of normal working hours. A fixed daily payment is made to reflect the need to be available and the hours worked.

15. Quality of Work and Rectification

It is important that all work is completed to a professional quality standard. All completed work has a warranty period of six months from completion (12 months in the case of new central heating installations). Any problems that occur during the warranty period, which are not due to tenant abuse or material failure, are classed as rectification work and are the responsibility of the member of staff who undertook the work.

Where the member of staff is required to go back and rectify his/her own work due to poor quality and/or omission of part of the job, then this rectification must be undertaken in addition to the normal workload assigned to that member of staff.

Where the tenant refuses to allow a member of staff back to undertake the rectification work, then another member of staff will be sent back as part of their normal workload. The member of staff who originally produced the poor quality of work will be required to undertake the workload which the person undertaking the rectification work would have been allocated, in addition to their normal workload.

The quality of work is regularly monitored and employees who are frequently required to rectify their work will render themselves liable to formal action. This will equally apply in a single incidence where the quality of work is particularly poor.

All rectification work must be completed within 3 working days of the work being allocated to the appropriate member of staff.

16. Shortages of Work

Since the service provided by Direct Services is largely responsive, there may be periods when work in a particular trade is short. In such instances staff will be redeployed to other duties within Direct Services and their pay will be protected. Whilst undertaking other duties it is recognised that productivity levels may not be as great as for normal duties and the Line Manager will adjust his/her expectations as a consequence.

17. Time Recording and Claims

All time recording and claims required by the Line Manager must be completed fully, accurately and submitted in accordance with the timescales prescribed by the Line Manager.

Any employee who submits false time records/claims in respect of hours/times worked, work undertaken/completed or expenses incurred will render themselves liable to dismissal, since the Council considers such action to fall within the category of gross misconduct under the disciplinary rules.

18. Superannuable Pay

The annual salary shown in paragraph 3 (b) is superannuable. All other earnings will be non-superannuable.

19. Apprentices

(a) The annual salaries for Apprentices are as follows :-

<u>Trade</u>	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>
General Trades	£7,868	£9,553	£15,171	N/A
Plumbers	£8,429	£10,114	£15,734	£17,419
Electricians and Gas Engineers	£8,709	£10,396	£16,015	£17,982

(b) The annual salaries are reviewed on 1 April each year and updated for inflation, based on the annual wage settlement percentage increase determined by the Joint Negotiating Committee for Local Authority Craft and Associated Employees.

(c) Apprentices are only required to work 37 hours per week. The actual times of duty will vary in order to fit in with the hours worked by the skilled employees with whom they are working, but apprentices will not be required to work for more than their contracted 37 hours per week.

(d) It is acknowledged that learning and development are key aspects of apprenticeships and that in the first two years of apprenticeships these tasks will dominate the working week. Consequently in the first two years of each apprenticeship, there are no measurable productivity outcomes expected from apprentices. However, in the final year for General Trades Apprentices and the final two years for Apprentice Plumbers, Electricians and Gas Engineers, there are productivity expectations which are fundamental to the development of the

apprentices in their progression to full trade status and pay. These productivity expectations are percentages of the productivity requirements for skilled employees in the lowest pay band for their appropriate trade.

The percentage of work to be undertaken by an apprentice (added to the skilled employees workload) are the following percentages of a skilled employee in the lowest pay band appropriate to their trade:-

<u>Trade</u>	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>
General Trades	-	-	50%	N/A
Plumbers	-	-	25%	50%
Electricians and Gas Engineers	-	-	25%	50%

20. Improvers

When apprentices have finished their apprenticeships, they will go onto an Improver rate for the first 12 months. This will give the opportunity to build up their experience, skills and confidence, in order that they can achieve the productivity targets of the bottom band of the skilled employees pay band.

During this 12 month period Improvers will be paid the following percentage of a skilled employee's annual salary and will also be required to achieve the same percentage of a skilled employee's productivity level.

If productivity targets are not achieved each quarter, progression to the next incremental stage will be withheld. Consistent under achievement will be dealt with under the Performance Improvement Policy or appropriate disciplinary sanctions.

Note: Upward movement in pay need not be incremental.

<u>Trade</u>	<u>1st 3 Months (75%)</u>	<u>2nd 3 Months (82.5%)</u>	<u>3rd 3 Months (90%)</u>	<u>4th 3 Months (95%)</u>
General Trades	£17,701	£19,471	£21,241	£22,422
Plumbers	£22,758	£25,034	£27,310	£28,827
Electricians and Gas Engineers	£24,023	£26,425	£28,827	£30,427

Subject to satisfactory performance, at the end of the twelve months, the Improver will be appointed as a skilled trade employee (appropriate to their skills) and paid accordingly.

Note: This arrangement applies to Improvers who commenced their apprenticeship after January 2008.

21. Communication

Effective communication between the Line Manager and operational staff is essential in order to ensure that the objectives of this scheme are met. All staff must have their mobile phones switched on and with them at all times during the working day and they must be answered quickly, unless it is unsafe to do so, e.g. when driving without the proper hands free kit.

Problems that will affect the work for that day must be notified to the Line Manager urgently. Equally, if staff wish to vary their normal working times or take long lunch breaks, the Line Manager should be advised. These measures will enable the service to our customers to be improved.

22. Job Evaluation

This agreement determines appropriate salary bands for Direct Services which are appropriate to the construction industry in order to ensure that market rates apply. Consequently, Direct Services operational staff will not be involved in any job evaluation exercise undertaken by Oxford City Council since local government comparators are not considered to be appropriate.

23. Surplus Sharing

Surplus sharing does not apply under the conditions of this pay scheme.

Appendix 2 - Pay Policy Statement 2013

OXFORD CITY COUNCIL

PAY POLICY STATEMENT 2013

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OXFORD CITY COUNCIL

PAY POLICY STATEMENT

Aim

1. Oxford City Council (the Council) makes decisions on pay which are appropriate to local circumstances (such as cost of living in Oxford, the need to compete for talent in the market in challenging areas, etc.) and which deliver value for money for the community. In publishing this statement the Council wishes to give assurance and transparency in its pay decision making processes and overall policy.
2. The Council is committed to the procedures which determine the pay and conditions of employment in that they are fair, free from bias and do not discriminate unlawfully. This includes ensuring that the differences in pay between the lowest and the highest paid employees are not unduly disparate.
3. The Council also seeks to operate a pay system that is transparent and based on objective criteria.
4. The Chief Executive has delegated authority in respect of pay, in accordance with national or local pay award/review schemes other than the Chief Executive's own pay and that of any Directors. Decisions in respect of the pay of the Chief Executive and Directors are made by the Appointments Committee, which is a politically proportionate Committee of Council.

Scope

5. The Council's Pay Policy Statement covers all employees

Definitions

6. This statement makes reference to the following:

'Lowest paid employees' – for the purposes of this Statement, these are defined as: those employees paid at the prevailing Oxford Living Wage rate (on the basis these are the Council's lowest paid staff) with the exception of those identified at paragraph 20 (below). From October 2013 no Oxford City Council employee will be paid at a rate below grade 3, except those identified at paragraph 20 (below)

'Pay multiple' - the ratio between the highest paid employee and the median earnings calculated across the whole Council

'Remuneration' – includes salary, expenses, bonus, partnership payment and also severance payments

'Senior staff / most senior staff' – either directly employed or hired under a contract for services, which can mean self-employed or via an agency). Specifically these are:

- *Chief Executive*
- *Directors*
- *Heads of Service*

Legislation

7. The Council is required by the Localism Act 2011 to prepare, approve and publish a pay policy statement.

8. The Council must also have regard to the Code of Recommended Practice for Local Authorities on Data Transparency which makes a commitment to follow three principles when publishing data: responding to public demand; releasing data in open formats available for re-use; and, releasing data in a timely way. This includes data on senior salaries and the structure of the workforce.

Principles

Remuneration

9. The City Council currently remunerates all staff through the following elements:

- Salary – the Council has adopted a Living Wage where no employee earns less than £8.01 per hour (reviewable annually in line with cost of living increase). From April 2013 the lowest Council employee rate will be £8.13 (except for those employees identified in paragraph 20 (below), rising to £8.74 in October 2013)
- From April 2013 a new 5-year pay deal has been agreed which introduces a 1.5% cost of living award each year, re-introduced increments (for those on the lowest spinal column point in each grade and subject to an assessment of performance and attendance) and continues the partnership payment.
- Partnership payment - payable to all staff who achieve an acceptable level of attendance and appraisal on the assumption the Council achieves its budget requirements. The Chief Executive and Directors have voluntarily withdrawn from the payment but are nonetheless committed to its provision.
- Various allowances payable where additional duties are undertaken and payment for which is not included through normal salary ((e.g. standby, overtime). There are various rules regarding these payments such as earnings limits over which certain items cannot be claimed.
- A travel concession for all staff travelling to work by public transport and purchasing a season ticket – at a rate of 20% of the cost of the ticket or £150 per year, whichever is lower

10. All staff are automatically enrolled in the Local Government Pension Scheme and are required to specifically opt out should they so wish

11. There are a range of benefits such as flexible working, leisure concessions, childcare vouchers and various discounts on high street goods and services. The Council does not provide any benefits in kind to any staff member (such as company cars). Where required, equipment may be provided in order to assist in the performance of duties, such as a laptop, but any such items are to be returned to the Council on cessation of employment.

Variations in remuneration

12. Apart from the differences identified in paragraphs 13 & 14, there are no other distinctions made in terms of remuneration. Severance payments are made in accordance with the Council's Organisational Change Policy which applies to all staff.

Current Pay Schemes

13. Three pay schemes are operated (in agreement with trade unions) as follows:

- 1) National Joint Council (NJC) for Local Government Services. Grades 3 – 11 using NJC SCP points. This covers the majority of staff (Scheme 1)
- 2) Joint National Council (JNC) for Craft & Associated Employees. Grades. This covers approximately 150 employees (Scheme 2)
- 3) Hay grades for certain senior positions as indicated in the bi-annual executive pay review (Scheme 3)

Current Pay Schemes – more detail

14. Staff are appointed at the bottom of the grade unless there are exceptional circumstances which must be agreed by the Head of Human Resources & Facilities Management. The schemes in more detail are as follows:

Scheme 1 – the principal scheme which is appropriate for the majority of staff and introduced as a result of Single Status and by agreement with trade unions. It consists of 9 grades and was based on the national spinal column points at the point the Council entered a local pay agreement. It is based on an analytical job evaluation scheme with a pay line set at broadly median market rate. Those employees on the bottom of each grade are eligible for bi-annual progression based on an assessment of performance and attendance. In sales related jobs, there is a documented bonus scheme in place payable as a result of new business opportunities realised.

Scheme 2 – the Council has an agreement with trade unions whereby it adopts the national scheme for skilled craft workers with a productivity element determining progression. The scheme recognises the nature of progression through apprenticeships and then once skilled, the reasonably high yet static level of competence needing to be maintained to perform safely and effectively.

Scheme 3 – like many other public sector organisations, the Council uses the Hay job evaluation scheme and industry leading independent consultants to recommend pay for the Chief Executive, Directors, Heads of Service, and a small number of key corporate roles. Whilst the NJC job evaluation scheme represents best practice in determining relativities between posts for the majority of staff, the scheme does not include the appropriate breadth to include the responsibility factors of senior posts such as corporate leadership, reputation management, major programme delivery, etc. Other than for the Chief Executive and Directors (that process being outlined in paragraph 4 above), senior officer pay is reviewed every 2 years by independent external review and the recommendations considered by the Chief Executive.

There are separate grades for senior officers as follows:

Chief Executive
Executive Directors

Heads of Service (4 different grades according to level of responsibilities and market factors)

Corporate Lead Officers (in Finance and Planning)

Progression is based on an assessment of competency and performance. The manager in each case determines progression within grades apart from the Chief Executive and Directors which is as set out in paragraph 4.

For all 3 schemes (except for Directors and the Chief Executive) an annual Partnership Payment is payable to eligible staff (i.e. those not receiving an increment) subject to the Council achieving its budget and an acceptable level of individual performance and attendance.

Returning Officer

15. The Council's Returning Officer (for the purposes of elections) is paid a separate fee in addition to normal salary in accordance with the prescribed fee for each election.

Leavers, Re-engagement, Pensions

16. In accordance with the Council's normal arrangements regarding termination and severance payments, no employee leaving under a compromise agreement with a redundancy payment can be re-employed by the Council within a period of 36 months.

17. The same arrangements apply to ex-employees seeking engagement as Chief Officers under a contract for services.

18. The Council will apply the agreed approach on abatement (as outlined in its Discretionary Payments Policy) relating to pensions for all employees working for the authority and already in receipt of a local government pension.

19. In accordance with the Council's Discretionary Payments Policy, the Council does not augment pensionable service for leavers.

Lowest Paid Employees

20. The Council adopted a Living Wage in 2009. In January 2012 the London Living Wage was £8.30, the National Living Wage is £7.20, the Oxford Living Wage is £8.01. No Council employee* will be paid less than this, apart from JNC Craft Worker apprentices (who are paid in accordance with the JNC Craft and Associated Employees scheme) who initially commence their apprenticeship below the Oxford Living Wage but rapidly progress to rates well in excess of it. The 2013 – 2018 pay deal gives further attention to the lowest paid by increasing the lowest spinal column point to £8.77 per hour from October 2013 (for Council staff only – this is not a new Oxford Living Wage).

** No agency worker will be paid less than the prevailing Oxford Living Wage (the hourly rate calculation can include payment in lieu of holiday pay)*

Pay Multiple

21. The Oxford City Council pay multiple is 1:7 which is considered to be appropriate in the context of achieving a reasonable balance between increasing the standard of living for the lowest paid employees (and their having to meet the expense of living in

Oxford), and ensuring we attract and retain the skills and experience required at the most senior level to meet the challenges the City faces.

Equal Pay

22. The Council will periodically undertake an equal pay review in agreement with trade unions.

Communication & Data Publication

23. The Council will publish its annual Pay Policy Statement on its website on or before 31 March each year for the following financial year.

24. Any changes to the Pay Policy Statement may be made by resolution of the Council (including during the financial year to which it relates). Any changes will be publicised on the Council's website as soon as possible after revision.

25. The Council will also publish data annually relating to senior officer remuneration as outlined in the Code of Recommended Practice for Local Authorities on Data Transparency.

Monitoring/Review

26. The Chief Executive, as the Head of Paid Service, has overall responsibility for employees and therefore annual publication of the Pay Policy Statement and pay data produced in relation to it.

Risk Register – Appendix 3

Risk ID	Risk					Corporate Objective	Gross Risk		Residual Risk		Current Risk		Owner	Date Risk Reviewed	Proximity of Risk (Projects/ Contracts Only)
Category-000-Service Area Code	Risk Title	Opportunity/Threat	Risk Description	Risk Cause	Consequence	Date raised	1 to 6	I	P	I	P	I	P		
SRR-007-PE	Employment Policy and Procedures	T	Failure to provide a suite of policies that fit for purposes of improving performance and managing risk	Managers not equipped with a revised policy and procedure	Effective employment policies not implemented, consistently and fairly applied	1.1.2010	6	3	3	2	2	3	2	Simon Howick	13.3.13

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ACTIONS MUST BE 'SMART'															
Specific, Measurable, Achievable, Realistic and Time bound															
Risk ID	Risk Title	Action Owner	Accept, Contingency, Transfer, Reduce or Avoid	Details of Action	Key Milestones	Milestone Delivery Date	%Action Complete	Date Reviewed							
SRR-007-PE	Employment Policy and Procedures	Simon Howick	R	Develop and agree policy through internal consultation process to produce final policy documents for approval by Council. To provide appropriate guidance and training to managers and employees on new policies and procedures.	Approval of Collective Agreement on Pay and updated Pay Policy Statement	???	95%	13.3.13							

Equalities Impact Assessment – Appendix 4

Prior to making the decision, the Council's decision makers considered the following: guide to decision making under the Equality Act 2010:

*The Council is a public authority. All public authorities when exercising public functions are caught by the Equality Act 2010 which became law in December 2011. In making any decisions and proposals, the Council - specifically members and officers - are required to have **due regard** to the **9** protected characteristics defined under the Act. These protected characteristics are: **age, disability, race, gender reassignment, pregnancy and maternity, religion or belief, sex, sexual orientation and marriage & civil partnership***

The decision maker(s) must specifically consider those protected by the above characteristics:

- (a) to seek to ensure equality of treatment towards service users and employees;*
- (b) to identify the potential impact of the proposal or decision upon them.*

The Council will also ask that officers consider whether the policy, strategy or spending decisions could have an impact on safeguarding and / or the welfare of children and vulnerable adults

If the Council fails to give 'due regard', the Council is likely to face a Court challenge. This will either be through a judicial review of its decision making; the decision may be quashed and/or returned for it to have to be made again, which can be costly and time-consuming diversion for the Council. When considering 'due regard', decision makers must consider the following principles:

- 1. **the decision maker is responsible for identifying whether there is an issue and discharging it.** The threshold for one of the duties to be triggered is low and will be triggered where there is any issue which needs at least to be addressed.*
- 2. **the duties arise before the decision or proposal is made, and not after and are ongoing.** They require **advance** consideration by the policy decision maker with conscientiousness, rigour and an open mind. The duty is similar to an open consultation process.*
- 3. the decision maker must be **aware of the needs of the duty.***
- 4. the **impact of the proposal or decision must be properly understood first.** The amount of regard due will depend on the individual circumstances of each case. The greater the potential impact, the greater the regard.*
- 5. **Get your facts straight first!** There will be no due regard at all if the decision maker or those advising it make a fundamental error of fact (e.g. because of failing to properly inform yourself about the impact of a particular decision).*
- 6. What does 'due regard' entail?
 - a. **Collection and consideration of data and information;***
 - b. **ensuring data is sufficient to assess the decision/any potential discrimination/ensure equality of opportunity;***
 - c. **proper appreciation of the extent, nature and duration of the proposal or decision.****
- 7. **Responsibility** for discharging can't be delegated or sub-contracted (although an equality impact assessment ("EIA") can be undertaken by officers, decision makers must be sufficiently aware of the outcome).*
- 8. **Document the process** of having due regard! Keep records and make it transparent! If in any doubt carry out an equality impact assessment ("EIA"),*

to test whether a policy will impact differentially or not. Evidentially an EIA will be the best way of defending a legal challenge. See hyperlink for the questions you should consider
<http://occweb/files/seealsodocs/93561/Equalities%20-%20Initial%20Equality%20Impact%20Assessment%20screening%20template.doc>

1. Within the aims and objectives of the policy or strategy which group (s) of people has been identified as being potentially disadvantaged by your proposals? What are the equality impacts?

The Council has recently agreed a new pay deal with staff via a collective agreement

This new agreement will form part of the terms and conditions of employment for all Council staff and equalities assessment considerations (framed under the Equality Act 2010 obligations to ensure that the Council meets the Public Sector Equality Duty principles and specifically those to advance equality of opportunity when planning learning, development and talent management and employment conditions) were built into the negotiation and evaluation processes. It is not anticipated that there will be any adverse impacts as a result of the collective agreement and subsequent changes.

2. In brief, what changes are you planning to make to your current or proposed new or changed policy, strategy, procedure, project or service to minimise or eliminate the adverse equality impacts? Please provide further details of the proposed actions, timetable for making the changes and the person(s) responsible for making the changes on the resultant action plan

The principal elements of the 5-year agreement cover:

- An annual 1.5% cost-of-living pay rise for all staff
- Phased incremental progressions on a bi-annual basis to apply to all NJC employees on the bottom salary point
- Annual partnership payment eligibility depending on the Council meeting its budgets and staff meeting satisfactory performance and attendance targets (Note: employees receiving an increment will not be eligible for a partnership payment in that year)
- Changes to allowance rates (overtime, weekend enhancements et al) so that all new staff will be paid at plain time, with existing rates continuing to be paid to existing staff
- Staff discount scheme/ travel to work discounts
- Changes to annual leave and flex time

The fundamental changes implemented by this agreement will see the bottom point of each grade removed so that each grade range will decrease by at least two salary points. This will help to tackle issues around low pay, particularly as the removal of the current Grade 2 band will see the lowest paid staff now move forwards on Grade 3

488 staff will receive a pay increment in the first year of the five year agreement; 40.3% of all staff. A detailed analysis of all those staff across protected characteristics receiving a year one increment reveals the following evidence to support confidence that the agreement has not (* please note further commentary) adversely affected particular groups:

Men: 38.5%
Women: 43.57%
BME: 47.01%
White: 37.55%
Disabled: 38.6%
Part-time: 37.28%
Full-time: 40.79%
16-24: 72.31%
25-34: 62%
35-44*: 35.4%
45-54*: 32.5%
55-64*: 24.3%
65 +: 60%

*There is some evidence to suggest that staff aged from 35-64 will be the group where initial gains are less likely to be seen. This could be due to periods of long service where staff have already moved up the grade points and are close to or at the top of their respective salary bands. The on-going monitoring of the impact of the second phase of increments will further determine whether these age groups are disadvantaged in some way or indeed have simply benefited already from higher or maximum pay in the grade.

The new raft of staff discounts will embed an additional range of benefits not previously available to staff. 20% discounts for staff using public transport to travel to work (up to a maximum value of £150 per annum) and with the Council joining the national discount scheme run by Vectis will see material value added for staff.

3. Please provide details of whom you will consult on the proposed changes and if you do not plan to consult, please provide the rationale behind that decision. Please note that you are required to involve disabled people in decisions that impact on them

The agreement was a collective one negotiated with the two main local Trade Unions (including regional guidance): Unison and Unite. The proposals were put before a full ballot of all union members where the results saw an overwhelming vote in favour of accepting the agreement in full. The proposals were endorsed by over 90 per cent of Unison members and over 80 per cent of Unite members.

In addition, the Council is planning to undertake an equal pay audit in the 24 months and it is expected that this will identify any hot spots or potential areas of differential impact should any exist.

4. Can the adverse impacts you identified during the initial screening be justified without making any adjustments to the existing or new policy, strategy, procedure, project or service? Please set out the basis on which you justify making no adjustments

As highlighted above there is a possible risk that the broad 35-64 age group may be adversely impacted and further analysis will be undertaken.

Due to the schedule of rates of pension contribution made by staff from salary, changes in the grade boundaries might see staff move into higher contribution categories at a marginal level that could cause some financial pressure (s).

However, the range of additional staff discounts embedded as part of the agreement do offer staff the chance to gain and will help to offset some cost of living rises that budgetary pressures will necessarily restrict the levels of annual pay rises that are economically viable to ensure that the Council can continue with robust recruitment and retention employee relations policies.

5. You are legally required to monitor and review the proposed changes after implementation to check they work as planned and to screen for unexpected equality impacts. Please provide details of how you will monitor/evaluate or review your proposals and when the review will take place

The Collective Agreement will be monitored and reviewed within a six month period of implementation from April 2013. This will be particularly relevant for the impact of changes to annual leave and flex time.

On-going monitoring will be picked up by the Council's Annual Workplace Equalities Report.

Lead officer responsible for signing off the EqIA: Simon Howick

Role: Head of Human Resources & Facilities

Date: 15th March 2013

Name and contact details of author:

Background papers:

Version number:

To: Council

Date: Monday 22nd April 2013

Report of: Head of Law & Governance

Title of Report: Regulation of Investigatory Powers Act 2000

Summary and Recommendations

Purpose of report: To report the Council's application of its powers under the Regulation of Investigatory Powers Act 2000

Key decision? No

Executive lead member: Councillor Price

Report approved by: Jeremy Thomas

Policy Framework: Not applicable

Recommendation:

Council is asked to note the Council's use of the powers under the Regulation of Investigatory Powers Act 2000 (RIPA) for the period 1st April 2012 to 31st March 2013 and to note the recent amendments to RIPA relating to judicial approval and custody thresholds.

Introduction

- 1.** This report provides information on the Council's use of the Regulation of Investigatory Powers Act 2000 (RIPA) during the period 1st April 2012 to 31st March 2013. There are three investigatory powers regulated by RIPA which are available to local authorities, these are directed covert surveillance, the interception of communications data and the use of Covert Human Intelligence Sources (CHIS). The Council has never exercised either of these latter powers.

The Council's use of Covert Surveillance

2. The Council issued one authorisation for directed covert surveillance during the period 1st April 2011 and 31st March 2012. This authorisation related to an investigation into alleged benefit fraud. The authorisation was reviewed and then cancelled.

Recent Changes to RIPA

3. On 1st November 2012 two significant changes came into force regulating how the Council uses RIPA. These are:
 - (a) an authorisation under RIPA for the use of the powers outlined in paragraph 1 can only be given effect once an order approving the authorisation has been granted by a Justice of the Peace (a Magistrate); and,
 - (b) an authorisation under RIPA for the use of the powers outlined in paragraph 1 can only be granted where the offence under investigation carries a custodial sentence of 6 months or more or where the offence under investigation relates to the underage sale of alcohol or tobacco.

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