

Agenda

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Council

Date: **Monday 25 July 2016**

Time: **5.00 pm**

Place: **Council Chamber, Town Hall**

For any further information please contact:

**Jennifer Thompson, Committee and Members Services
Officer**

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Council

Membership

| | | |
|--------------------------|---------------------------------------|-----------------------------------|
| Lord Mayor | Councillor Mohammed Altaf-Khan | |
| Deputy Lord Mayor | Councillor Rae Humberstone | |
| Sheriff | Councillor Susan Brown | |
| Members | Councillor Colin Cook | Councillor Sajjad Malik |
| | Councillor Mohammed Abbasi | Councillor Chewe Munkonge |
| | Councillor Farida Anwar | Councillor Michele Paule |
| | Councillor Jamila Begum Azad | Councillor Jennifer Pegg |
| | Councillor Ruthi Brandt | Councillor Susanna Pressel |
| | Councillor Nigel Chapman | Councillor Bob Price |
| | Councillor Mary Clarkson | Councillor Mike Rowley |
| | Councillor Van Coulter | Councillor Gill Sanders |
| | Councillor Steven Curran | Councillor Christine Simm |
| | Councillor Jean Fooks | Councillor Craig Simmons |
| | Councillor James Fry | Councillor Dee Sinclair |
| | Councillor Andrew Gant | Councillor Linda Smith |
| | Councillor Stephen Goddard | Councillor John Tanner |
| | Councillor Angie Goff | Councillor Richard Tarver |
| | Councillor Mick Haines | Councillor Sian Taylor |
| | Councillor Tom Hayes | Councillor David Thomas |
| | Councillor David Henwood | Councillor Marie Tidball |
| | Councillor Alex Hollingsworth | Councillor Ed Turner |
| | Councillor Dan Iley-Williamson | Councillor Louise Upton |
| | Councillor Pat Kennedy | Councillor Elizabeth Wade |
| | Councillor Tom Landell Mills | Councillor Ruth Wilkinson |
| | Councillor Ben Lloyd-Shogbesan | Councillor Dick Wolff |
| | Councillor Mark Lygo | |

The quorum for this meeting is 12 members.

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SUMMONS

A meeting of the City Council will be held in the Council Chamber, Town Hall, on Monday 25 July 2016 at 5.00 pm to transact the business set out below.

Peter Sloman

Proper Officer

AGENDA

| | Pages |
|--|---------|
| PART 1 - PUBLIC BUSINESS | |
| 1 APOLOGIES FOR ABSENCE | |
| 2 DECLARATIONS OF INTEREST | |
| 3 MINUTES | 17 - 32 |
| Minutes of the ordinary meeting of Council held on 18 April 2016. | |
| Minutes of the annual meeting of Council held on 16 May 2016. | |
| Council is asked to approve the minutes of both meetings as a correct record. | |
| 4 APPOINTMENT TO COMMITTEES | |
| There are no proposed changes to committee memberships. Any notified after publication of this agenda will be circulated with the briefing note. | |
| 5 ANNOUNCEMENTS | |
| Announcements by: | |
| (1) The Lord Mayor | |
| Councillors' attention is drawn to the ceremony for the award of the Freedom of the City ceremony to Lesley Dewhurst on 14 September 2016. | |

- (2) The Sheriff
- (3) The Leader of the Council (in his absence, given by his appointed deputy)
- (4) The Chief Executive, Chief Finance Officer, Monitoring Officer

6 PUBLIC ADDRESSES AND QUESTIONS THAT RELATE TO MATTERS FOR DECISION AT THIS MEETING

Public addresses and questions to the Leader or other Board member received in accordance with Council Procedure Rule 11.11 and 11.12 relating to matters for decision on this agenda.

The request to speak accompanied by the full text of the address or question must be received by the Head of Law and Governance by 5.00 pm on Tuesday 19 July 2016.

The briefing note will contain the text of addresses and questions submitted by the deadline, and written responses where available.

A total of 45 minutes is available for both public speaking items. Responses are included in this time. Up to five minutes is available for each public address or question.

CITY EXECUTIVE BOARD RECOMMENDATIONS

7 INTEGRATED PERFORMANCE REPORT Q4 2015/16

33 - 72

The Head of Financial Services and Head of Business Improvement submitted a report to the City Executive Board on 16 June 2016 which provided an update on Finance, Risk and Performance as at the end of the financial year and included recommendations on budgetary provision.

The report, appendices, and Finance Panel report of 30 June are attached. The relevant Executive Board minute (18) is attached later in the agenda.

The Board Member will move the recommendation.

Recommendations

The City Executive Board recommends that Council establish budgetary provision in respect of the new bids show in paragraphs 7 and Appendix 4 of the officers' report.

The Executive Director, Community Services and Assistant Chief Executive submitted a report to the City Executive Board on 16 June 2016 which detailed the progress made on the Council's Safeguarding Action Plan and recommended the Action Plan for approval for 2016-2017.

The report, appendices, Scrutiny Committee report and responses are attached. The relevant Executive Board minute (19) is attached later in the agenda.

This is presented to Council for information only in accordance with the action in the Oxford City Council Section 11 Self- Assessment Action Plan 2015-16 Learning Point 1 (contained in the report to Council on 20 July 2015).

The Board Member will present the report.

Recommendations

Council is recommended to note the report and the accompanying documents.

COMMITTEE RECOMMENDATIONS

9 **POLICY ON HACKNEY CARRIAGE QUANTITY CONTROL – UNMET DEMAND SURVEY**

The Head of Community Services submitted a report to the General Purposes Licensing Committee on 18 May 2016 which details the findings of the "Unmet Demand" survey that was carried out between 7 September 2015 and 20 December 2015.

The General Purposes Licensing Committee resolved to:

1. agree to accept the conclusions of the Hackney Carriage "Unmet Demand" survey report prepared by CTS Traffic and Transportation that there is currently no significant unmet demand for Hackney Carriage Vehicles;
2. recommend to Council that there is currently no unmet demand for the services of Hackney Carriage Vehicles and to therefore resolve to maintain the Council's Policy of Hackney Carriage Quantity Control and the current quota of 107 Hackney Carriage Vehicle licences; and
3. recommend to Council that a further "Unmet Demand" survey be commissioned in 2018, subject to any future changes to relevant legislation.

The relevant extract of the Minutes of the General Purposes Committee meeting on 18 May is attached.

The Committee Chair will move the recommendations.

Recommendations

The General Purposes Licensing Committee recommends that Council:

1. note that there is currently no unmet demand for the services of Hackney Carriage Vehicles and to **therefore resolve** to maintain the Council's Policy of Hackney Carriage Quantity Control and the current quota of 107 Hackney Carriage Vehicle licences; and
2. **agree that** a further "Unmet Demand" survey be commissioned in 2018, subject to any future changes to relevant legislation.

OFFICER REPORTS

10 CONSTITUTION REVIEW 2016

201 - 224

The Head of and Governance has submitted a report recommending changes to the Council's constitution.

The Leader of the Council will move the recommendations.

Officer Recommendation: Council is recommended to approve, with immediate effect, the amendments to the Constitution outlined in the report and in:

- Appendix 1 – Full Council Procedures;
- Appendix 2 – Board Procedures;
- Appendix 3 - Code of Practice for dealing with planning applications at Area Committees and Planning Review Committees;
- Appendix 4 – Code on Councillor-Officer Relations;
- Appendix 5 - Miscellaneous proposed changes.

11 AFFORDABLE HOUSING CONTRIBUTIONS IN THE LIGHT OF THE SUCCESSFUL LEGAL CHALLENGE TO THE PLANNING PRACTICE GUIDANCE

225 - 264

The Head of Planning and Regulatory Services has submitted a report to explain the impact of the Secretary of State for Communities and Local Government's successful appeal concerning his national affordable housing policy.

The Board Member will move the recommendations.

Officer recommendation: That Council **notes** the consequences of the decision of the Court of Appeal and national planning policy applicable to affordable housing contributions.

QUESTIONS

12 CITY EXECUTIVE BOARD MINUTES

This item has a time limit of 15 minutes.

Councillors may ask the Board Members questions about matters in these minutes.

- | | | |
|---|--|-----------|
| a | Minutes of meeting Thursday 14 April 2016 of City Executive Board | 265 - 270 |
| b | Minutes of meeting Thursday 19 May 2016 of City Executive Board | 271 - 274 |
| c | Minutes of meeting Thursday 16 June 2016 of City Executive Board | 275 - 280 |

13 QUESTIONS ON NOTICE FROM MEMBERS OF COUNCIL

Questions on notice from councillors received in accordance with Council Procedure Rule 11.10(b).

Questions on notice may be asked of the Lord Mayor, a Member of the City Executive Board or a Chair of a Committee. One supplementary question may be asked at the meeting.

The full text of questions must be received by the Head of Law and Governance by no later than 1.00pm on Monday 18 July 2016.

The briefing note will contain all questions submitted by the deadline, and written responses where available.

PART 2 - PUBLIC INVOLVEMENT AND SCRUTINY

14 PUBLIC ADDRESSES AND QUESTIONS THAT DO NOT RELATE TO MATTERS FOR DECISION AT THIS COUNCIL MEETING

Public addresses and questions to the Leader or other Board member received in accordance with Council Procedure Rule 11.11 and 11.12 and not related to matters for decision on this agenda.

The request to speak accompanied by the full text of the address or question must be received by the Head of Law and Governance by 5.00 pm on Tuesday 19 July 2016

The briefing note will contain the text of addresses and questions submitted by the deadline, and written responses where available.

A total of 45 minutes is available for both public speaking items. Responses are included in this time. Up to five minutes is available for each public address or question.

15 OUTSIDE ORGANISATION/COMMITTEE CHAIR REPORTS AND QUESTIONS - COMMUNITY SAFETY PARTNERSHIP REPORT

281 - 286

1. On behalf of Councillor Sinclair, the Community Safety Service Manager has submitted a report informing members of the work of the Oxford Safer Communities Partnership.

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

Each ordinary meeting of Council shall normally receive a written report concerning the work of one of the partnerships on which the Council is represented. The September 2016 meeting will receive a report on Environmental and Waste Partnership work

2. Members who are Council representatives on external bodies or Chairs of Council Committees who consider that a significant decision or event has taken place, will give notice to the Head of Law and Governance by 1.00pm on Wednesday 20 July 2016 that they wish present a written or oral report on the event or the significant decision and how it may influence future events.

16 SCRUTINY COMMITTEE UPDATE REPORT JULY 2016

287 - 314

The Chair of the Scrutiny Committee has submitted a report which updates Council on the activities of scrutiny Councillors and the implementation of recommendations since the last meeting of Council.

Council is invited to comment on and note the report.

PART 3 - MOTIONS REPRESENTING THE CITY

17 MOTIONS ON NOTICE

This item has a time limit of 60 minutes.

The full text of motions received by the Head of Law and Governance in accordance with Council Procedure Rule 11.17 by the deadline of 1.00pm on 13 July 2016 is below. Cross party motions are taken first then motions taken in turn from the Labour, Liberal Democrat, and Green groups in that order.

Substantive amendments to these motions must be sent by councillors to the Head of Law and Governance by no later than 1.00pm on Thursday 21 July 2016. The briefing note will list amendments submitted before its publication.

Council is asked to consider the following motions:

1. Following the Referendum this Council condemns the rise in hate crimes

(proposed by Councillor Price, seconded by Councillor Gant and supported by Councillor Simmons)

Cross party motion

Oxford City Council profoundly regrets the outcome of the referendum on the UK's membership of the European Union, and the way in which the tenor of the Leave campaign has stimulated a wave of hostility towards migrants and ethnic minorities. We are proud that Oxford voted overwhelmingly to remain in the EU, reflecting the open, diverse and tolerant character of our city, and we are committed to retaining our strong international links and to work with our city and county partners to reduce the negative economic and social consequences of leaving the EU.

We are particularly concerned by the reported rise in racism, xenophobia and hate crimes since the referendum, and wish to place on record our condemnation of such crimes.

The Council will work with local partners to fight and prevent racism and xenophobia and wish to reassure everyone living in our city that they are valued members of our community.

As part of the renegotiation process with the EU, the Council will make the strongest representations to protect the existing status and rights of EU citizens currently living or working in the city and the county.

2. Local Transport Plan 4 (LTP4)

(proposed by Councillor Tanner, seconded by Councillor Curran)

Labour member motion

Oxford City Council welcomes the improvements made by Oxfordshire County Council to Local Transport Plan 4 (LTP4), including the greater emphasis on walking and cycling, clean air, support for a workplace parking levy in Oxford and the option of more residents' parking schemes across the city.

However LTP4 is still not ambitious enough and offers too little too late. We consider that a unitary Oxford would be able to make the improvements needed more quickly and effectively. We also consider that the standard of road and pavement maintenance in Oxford is unacceptably poor.

The City Council calls on the County Council as highway authority, to improve cycling and pedestrian facilities, introduce a zero emission zone and to consult on a workplace parking levy for Oxford without delay.

The City Council also asks the County to review its spending priorities, and the areas of Oxfordshire where transport funding is spent, so that more money is available for road repairs and maintenance in the city.

3. Planning sustainability and the Green Belt

(proposed by Councillor Goff, seconded by Councillor Fooks)

Liberal Democrat member motion

Council notes that when the Green Belt was instituted in the late 1950s it was intended to be permanent. Council recognises the current crisis in availability of housing, but also recognises that the purposes for which the Green Belt was invented have not gone away. Council accepts that people living near areas of Green Belt have legitimate concerns at any suggestion of part of it being lost.

Council will, in the development of the Local Plan and other planning policy, give due consideration to the following:

- Oxford's Green Belt should not be built on in a piecemeal fashion
- proper weight should be given to the findings of a comprehensive review supported by all local councils and other stakeholders, similar to the approach used successfully in Cambridge:
- proper scientific assessment will be made of the full natural capital value of the Green Belt including its biodiversity and the ecosystem

services that it provides. This includes its value in terms of recreation and cultural services. A good example of this has been undertaken by Surrey County Council

-any building within the Green Belt will not only replace but actively enhance the biodiversity and natural capital provided by the area lost, by use of scientific techniques such as ecological risk assessment and biodiversity management plans working closely with relevant environmental NGOs

-as applicant or planning authority, Council will only support buildings which meet the eco-village and low-carbon approach supported by Council at its meeting of 18 April 2016

-Council will only support projects which guarantee sustainable infrastructure such as bike lanes to and from the development as well as on it, will encourage scientifically-based and forward-looking approaches to sustainable transport such as smart traffic lights, and will not allow these to be delayed or over-ridden by other parties.

Links: Naturally richer: A Natural Capital Investment Strategy for Surrey
<https://surreynaturepartnership.org.uk/> (follow the links to the report)

4. Banning Glyphosate in Oxford

(proposed by Councillor Brandt, seconded by Councillor Simmons)

Green member motion

This Council notes that there is growing evidence that glyphosate is a higher health risk than previously assumed, and that the World Health Organisation has recently upgraded glyphosate to 'probably carcinogenic to humans'*.

It further notes that other local councils in Britain - Hammersmith & Fulham being the most recent - have already decided to ban the use of glyphosate and other chemicals from all their own operations. This is in the wake of large cities all over the world - such as Barcelona, Hamburg and Paris - who have already decided on a ban, and the Netherlands and Denmark, which have banned the use of glyphosate in urban areas.

In light of the known risk to human health, this Council resolves to ask the City Executive Board to follow the precautionary principle and:

1. Pledge to cut out the use of glyphosate completely from all its in-house operations (including in Parks, and Streetscene) within one year.
2. Consider the one year period until the ban takes effect as a testing period, during which the council will test non-chemical and mechanical alternatives to glyphosate. Banning glyphosate will not

result in increased use of other chemical weed-killers.

3. Use the opportunity of the end of the current weed spraying contract in April 2017 to request the contractor ceases to use glyphosate, or find another local contractor who will abide by a glyphosate ban.
4. Grant an exception to the above ban regarding the control of Japanese knotweed, or other invasive species, where there are currently no effective mechanical techniques available. However, in this case glyphosate will only be stem-injected, rather than sprayed, to reduce its spread in the environment.

* *"The IARC Working Group that conducted the evaluation considered the significant findings from the US EPA report and several more recent positive results in concluding that there is sufficient evidence of carcinogenicity in experimental animals. Glyphosate also caused DNA and chromosomal damage in human cells, although it gave negative results in tests using bacteria."*(International Agency for Cancer Research (IARC), WHO, Monograph Volume 112: evaluation of five organophosphate insecticides and herbicides, 20th May 2015. <http://www.iarc.fr/en/media-centre/iarcnews/pdf/MonographVolume112.pdf>)

5. Scrapping of student grants and curbing of access to higher education for disadvantaged young people

(proposed by Councillor Hayes, seconded by Councillor Hollingsworth)

Labour member motion

This Council supports fair access and widening participation in higher education, and believes that these are important for making society more equal, in Oxford and across the country.

Accordingly, this Council notes with concern the Government's plan to scrap maintenance grants for up to 500,000 of the poorest university students, including those attending our city's universities.

This Council further notes that the poorest 40% of university students in England will graduate with an extra £12,500 for a three-year course, according to research by the Institute of Fiscal Studies.

This Council is concerned that scrapping grants risks putting many young people off applying to university, including many from disadvantaged backgrounds. A 2014 study by the Institute of Education has shown that a £1,000 rise in grants created a nearly 4% increase in participation.

This Council asks the Council Leader to write to Oxford's Members of Parliament to express our dissatisfaction with the abolition of grants and make representations to the Prime Minister and Secretary of State for Education about the impact of the loss of grants on students at our city's universities, particularly those from poorer backgrounds.

6. Democratic mandate for national leader

(proposed by Councillor Landell-Mills, seconded by Councillor Wade)

Liberal Democrat member motion

Council agrees with the Liberal Democrats that "The notion that it should be left to Conservative members to handpick a new prime Minister for what in effect will be a new government pursuing new priorities is absurd...this debilitating cocktail of hubris, incompetence and dishonesty must be overcome....The new prime minister... should immediately publish a white paper setting out a full plan...[and] must then seek a democratic mandate for their plan in an early general election...importantly, the election must be held before any attempt is made to activate article 50"

7. The future electoral system in Oxfordshire

(proposed by Councillor Wolff, seconded by Councillor Simmons)

Green member motion

Council believes that:

1. in the light of possible forthcoming changes to the structures of local government in Oxfordshire, with the creation of one or more unitary authorities,
 2. in the light of significant instability in the traditional political party demarcations in England brought to a head particularly by the EU referendum, and
 3. considering the need for political stability in the wake of the subsequent Brexit vote and its uncertain consequences,
- special attention should be paid to the electoral systems used in those structures.

Council believes that it should not be assumed that a 'first past the post' system is the most appropriate method of determining the will of the electorate in this region under new structures in the likely future political environment.

Council believes that the electoral system used in the new structures should balance:

1. the need for decisive governance with a mandate that commands wide respect and which serves the needs of the most vulnerable;
2. a personal relationship between elector and elected;
3. the need for councils more proportionately representative of the actual spread of political opinion, and therefore potentially more stable.

Council asks its senior officers, with the guidance of its Electoral Officer, to take practical proposals for a more proportional electoral system to the partnership of Districts which is currently drawing up a devolution plan to put to the Department for Communities and Local Government, and to urge that partnership to include those proposals in their joint bid.

18 MATTERS EXEMPT FROM PUBLICATION AND EXCLUSION OF THE PUBLIC

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)

UPDATES AND ADDITIONAL INFORMATION TO SUPPLEMENT THIS AGENDA ARE PUBLISHED IN THE COUNCIL BRIEFING NOTE.

Additional information, councillors' questions, public addresses and amendments to motions are published in a supplementary briefing note. The agenda and briefing note should be read together.

The Briefing Note is published as a supplement to the agenda. It is available on the Friday before the meeting and can be accessed along with the agenda on the council's website.

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.

(a)

(b)