

Agenda

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Council

Date: **Monday 24 April 2017**

Time: **5.00 pm**

Place: **Council Chamber, Town Hall**

For any further information please contact:

Jennifer Thompson, Committee and Members Services Officer

Telephone: 01865 252275

Email: democraticservices@oxford.gov.uk

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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 Steven Curran	Councillor Gill Sanders
	Councillor Jean Fooks	Councillor Christine Simm
	Councillor James Fry	Councillor Craig Simmons
	Councillor Andrew Gant	Councillor Dee Sinclair
	Councillor Stephen Goddard	Councillor Linda Smith
	Councillor Angie Goff	Councillor John Tanner
	Councillor Mick Haines	Councillor Richard Tarver
	Councillor Tom Hayes	Councillor Sian Taylor
	Councillor David Henwood	Councillor David Thomas
	Councillor Alex Hollingsworth	Councillor Marie Tidball
	Councillor Dan Iley-Williamson	Councillor Ed Turner
	Councillor Pat Kennedy	Councillor Louise Upton
	Councillor Tom Landell Mills	Councillor Elizabeth Wade
	Councillor Ben Lloyd-Shogbesan	Councillor Ruth Wilkinson
	Councillor Mark Lygo	Councillor Dick Wolff

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 24 April 2017 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 - 36
Minutes of the ordinary meetings of Council held on 6 February and 20 February 2017.	
Council is asked to approve the minutes as a correct record.	
4 APPOINTMENT TO COMMITTEES	
No proposed changes of membership have been submitted. Any proposed changes will be circulated with the briefing note.	
5 ANNOUNCEMENTS	
Announcements by:	
(1) The Lord Mayor	
(2) The Sheriff	
(3) The Leader of the Council	
(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 18 April.

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 and three minutes for each question.

OFFICER REPORTS

7 ARRANGEMENTS FOR THE APPOINTMENT OF AN INTERIM CHIEF EXECUTIVE

The Acting Head of Law and Governance asks Council to vary the method of appointment of the Chief Executive as agreed by Council in its constitution to allow the timely and efficient appointment of an interim Chief Executive to replace Peter Sloman and allow a suitable hand-over period.

The Constitution sets out the role of the Appointments committee.

The relevant sections (7.7) are:

- (a) Recommending to full Council who to appoint to the position of Chief Executive
- (b) Recommending to full Council who to appoint as Head of Paid Service

.....

- (d) Deciding upon the salaries of the Chief Executive and directors.

The duty to appoint an officer to the statutory role of Head of Paid Service rests with Council. The Constitution (9.2) specifies that the Chief Executive is automatically the Head of Paid Service

This appointment is for an interim position only, and it is important to have the position filled in good time to allow an effective hand-over period.

Appointments may be made at short notice as suitable candidates present themselves.

The Appointments Committee will meet on 24 April and 28 April. In the event that the Committee wishes to recommend an appointee to Council on 24 April, this recommendation will be tabled at the meeting.

Recommendation: Council is recommended to resolve:

- 1.1 To delegate responsibility to and authorise the Appointments Committee to make an appointment to the position of Interim Chief Executive to replace Peter Sloman; and
- 1.2 That the Appointments Committee has authority to agree the start date and initial period of appointment and other terms of employment as the committee considers reasonable; or
- 2 Alternatively to (1) in the event that the Appointments Committee has met prior to this meeting and is in a position to make a recommendation, to appoint the person recommended for the position of Interim Chief Executive; and
- 3 In either case (1) or (2), that the person appointed as Interim Chief Executive will, as set out in the Constitution, be designated as Head of Paid Service as required by the Local Government and Housing Act 1989, Section 4(1), from the first day of their formal employment in that role with Oxford City Council.

8 CONSTITUTION REVIEW 2017

37 - 68

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

The Leader of the Council will move the recommendations.

Recommendations: Council is recommended to approve, with immediate effect, the amendments to the Constitution outlined in the report and detailed in appendices 1 to 4.

9 ANNUAL PAY POLICY STATEMENT 2017

69 - 78

The Head of Business Improvement has submitted a report setting out the Annual Pay Policy Statement in accordance with legislative requirements.

The Board Member for Customer and Corporate Services will move the recommendations.

Recommendation: Council is recommended to approve the Annual Pay Policy Statement 2017 as attached at Appendix 1.

10 REGULATION OF INVESTIGATORY POWERS ACT 2000

79 - 80

The Acting Head of Law and Governance has submitted this report.

The Leader of the Council will move the recommendations.

Recommendation: Council is asked to note the Council's use of its powers under the Regulation of Investigative Powers Act 2000 (RIPA) for the period 1 April 2016 to 31 March 2017.

QUESTIONS

11 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:

- | | | |
|-----|--|----------|
| 11a | Minutes of meeting Thursday 9 February 2017 of City Executive Board | 81 - 92 |
| 11b | Minutes of meeting Thursday 9 March 2017 of City Executive Board | 93 - 98 |
| 11c | Minutes of meeting Thursday 6 April 2017 of City Executive Board | 99 - 104 |

12 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 Thursday 13 April.

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

PART 2 - PUBLIC INVOLVEMENT AND SCRUTINY

13 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 18 April.

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 and three minutes for each question.

14 PETITION - HELP RE-OPEN LUCY FAITHFULL HOUSE HOMELESS ACCOMMODATION 105 - 108

This item has a 15 minute time limit in total.

The head petitioner has been invited to speak to Council for a maximum of 5 minutes at the start of this item.

Council is asked to consider a petition meeting the criteria for debate under the Council's petitions scheme in line with the procedure for large petitions.

The petition proposes:

Can you support Iffley Open House in calling on Oxford City Council to do the right thing and to re-open Lucy Faithful House as a night shelter?

The full text of the petition is contained in the accompanying report of the Acting Head of Law and Governance.

Council is recommended to:

- hear the head petitioner for the petition;
- debate the proposal to the Council contained within the petition;
- debate motions submitted by the deadline; and
- decide the action it wishes to take.

14a Labour motion on petition 109 - 110

15 OUTSIDE ORGANISATIONS/ COMMITTEE CHAIR REPORT: OXFORDSHIRE STRATEGIC PARTNERSHIP 111 - 118

1. On behalf of Councillor Price, the OSP Manager and Principal Economic Development Officer has submitted a report to provide members with an update on the Oxford Strategic Partnership
Council is invited to ask questions, comment on and note the submitted report.
2. 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.
3. 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 1.00 pm on Thursday 20 April 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 119 - 144

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

The Chair of the Scrutiny Committee will present the report.

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 10 April is below. Motions will be taken in turn from the Liberal Democrat, Green, and Labour 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 10.00am on Friday 21 April. The briefing note will list amendments submitted before its publication.

Council is asked to consider the following motions, the full text of which is below:

- a. Power to impose a tourist tax in Oxford proposed by Councillor Wilkinson, seconded by Councillor Goff
- b. Making vacant buildings within Oxford available for the use as temporary homeless shelters proposed by Councillor Thomas, seconded by Councillor Simmons
- c. Supporting Local Social Enterprise proposed by Councillor Smith, seconded by Councillor Hayes
- d. Joint working to address needs of the boating community proposed by Councillor Wade, seconded by Councillor Landell Mills
- e. Motion proposed by Councillor Simmons, seconded by Councillor Wolff
- f. Addressing concerns about short-term lets via websites proposed by Councillor Wolff, seconded by Councillor Brandt

17a Power to impose a tourist tax in Oxford

Power to impose a tourist tax in Oxford

Proposed by Councillor Wilkinson, seconded by Councillor Goff

Liberal Democrat member motion

Council notes that a number of local authorities are currently lobbying for the power to impose tourist bed taxes or "hotel levies". These include Camden, Westminster, Bath, Birmingham, Brighton, Edinburgh and Cornwall.

Council also notes the recent support by the Mayor of London for the introduction of such a levy following the publication for the London Finance Commission by the GLA of Working Paper 83 entitled Options for a tourism levy for London. This report gives details of tourist taxes levied across the world in cities that have a high proportion of tourists.

Council recognizes that the British Hospitality Association is strongly opposed to any imposition of a bed tax, and that the VAT rates in the UK on hotel accommodation are much higher than in other EU

countries.

Oxford is the seventh most visited city in the UK by international visitors and is the tourism gateway to the rest of Oxfordshire. The opening of the new Westgate retail offer is expected to generate increased visits to Oxford. Council welcomes tourism in Oxford as this brings many benefits to the City, however this does bring with it an extra demand for infrastructure and environmental improvements, and cost to the Council of increased workload in some departments, for example Streetscene and Parks.

Council notes that there are uncertainties ahead post-Brexit with respect to Oxford's economy, and that it may be wise to join other authorities in lobbying for the power to introduce and retain a tourism levy.

Council therefore asks the Chief Executive and the Leader of the Council to work with other local authorities representing cities with high rates of tourism to lobby jointly for the devolution of the above power. It further requests that Council writes to Oxford's two MPs to inform them of this Council's motion and ask for their support.

Useful references:

<https://www.london.gov.uk/sites/default/files/tourism-levy-for-london-wp83.pdf>

<http://uk.businessinsider.com/sadiq-khan-calling-for-visitors-to-be-hit-by-new-tourism-tax-2017-1>

<http://www.independent.co.uk/travel/news-and-advice/could-bath-be-the-first-uk-city-to-bring-in-a-tourist-tax-a7516856.html>

17b Making vacant buildings within Oxford available for the use as temporary homeless shelters

Making vacant buildings within Oxford available for the use as temporary homeless shelters

Proposed by Councillor Thomas, seconded by Councillor Simmons

Green member motion

Recognising:

- the growing number of individuals sleeping on our streets;
- the dangers of sleeping rough;
- the significant number of long and short-term vacant buildings within the city [1];
- the potential to move on with their lives and off the street (into permanent accommodation and employment) that a period of stable and safe accommodation could offer many of those current sleeping rough;

The Council requests the City Executive Board to commission and give consideration to an urgent report that would enable the City Council to:

- Make policy that allows for all vacant City Council owned buildings – including commercial premises - to be made freely available for use as temporary homeless shelters, to be run

by community charity and voluntary organisations that are able and willing to do so [2];

- Encourage other parties with similarly vacant buildings – particularly Oxford University and Oxford Colleges – to make those buildings available to be utilised as part of this initiative;
- Publicises the availability of relevant vacant buildings to the voluntary and community sector, and calls for expressions of interest from the community to operate these spaces;
- Assist in the co-ordination of the provision of key “wrap-around” services to residents making use of the temporary accommodation;
- Make preparations for this at the earliest possible time, and offers clear guidance frameworks and assistance to all interested parties;
- Sets terms of reference for use of spaces, conditions of use, and clearly sets out the arrangements for reclaiming possession of the relevant premises when circumstances require it [3]

[1] As witnessed by the on-going, serial occupation of empty premises being organised by the 'Open House' project

[2] Recent experience of Iffley Open House that the willingness and capacity for such an undertaking exists within Oxford's voluntary community

[3] For example, Iffley Open House was vacated without issue on a date agreed between the free-holder and the homeless community.

17c Supporting Local Social Enterprise

Supporting Local Social Enterprise

Proposed by Councillor Smith, seconded by Councillor Hayes

Labour member motion

Social enterprise is a business that trades for a social and/or environmental purpose. It will have a clear sense of its 'social mission': which means it will know what difference it is trying to make, who it aims to help, and how it plans to do it. It will bring in most or all of its income through selling goods or services. And it will also have clear rules about what it does with its profits, reinvesting these to further the 'social mission'.

Since 2014 Oxfordshire has been designated a 'social enterprise place' by Social Enterprise UK, this designation recognises the variety of local social enterprises on our doorstep and makes it easier to stay informed about what local social enterprises have to offer.

As a council we already recognise that our procurement power is a mechanism for delivering and realising tangible benefits for local communities. Over 50% of the Council's spend is local to Oxfordshire with approximately 27% of this being paid to Small and Medium Enterprises. Social Value is also a key consideration when high value contracts are let.

This Council asks the City Executive Board:

to establish an officer group to identify any further actions to embed the social value act and its principles across the council and encourage the use of local social enterprise suppliers; and to recommend to the Board Member any changes to the Procurement Strategy or rules to achieve this.

17d Joint working to address needs of the boating community

Joint working to address needs of the boating community

Proposed by Councillor Wade, seconded by Councillor Landell Mills

Liberal Democrat member motion

This Council welcomes the work done by the Board Member and City Council officers in consulting with the boating communities, riparian owners, the Canal and River Trust and others on the draft Waterways Public Spaces Protection Order.

This Council notes that on 6 April the City Executive Board accepted a Scrutiny recommendation that the draft Waterways Public Spaces Protection Order should not be progressed. However officers are still being asked to identify localized solutions to specific concerns raised at four locations which might require 'bespoke solutions, many of which are already available through existing legislation' i.e. statutory provision and local bye-laws.

This Council asks the Board Member to request officers to continue working with the Canal and River Trust to explore the following possibilities, proposed by members of the boating community, which should assist with the problems identified:

- a) **a sanitary facility on the Thames in Oxford - currently there is no disposal point for sewage between Abingdon and Eynsham (there is one on the canal at St Edward's but this is difficult to reach from the Thames). The disposal point could also include a waste disposal facility to save rubbish piling up.**
- b) **a caretaker boater with a boat moored at a city site, to manage over-staying, inappropriate behaviour etc. The City Council would provide a free mooring in Oxford (worth perhaps £300 – 500 p.m.) with the boater performing caretaking duties in exchange, initially perhaps 12 hours p.w. This proposal would involve no cost to the Council beyond the use of a mooring.**

17e Motion on notice proposed by Councillor Simmons

The text of this motion concerns proposals for local government restructure and will be tabled at the meeting.

17f Addressing concerns about short-term lets via websites

Addressing concerns about short-term lets via websites

Proposed by Councillor Wolff, seconded by Councillor Brandt

Green member motion

Council is aware that through AirBnB, and similar websites, over three hundred properties in Oxford are available for short-term let over the internet in an unregulated, supposedly self-policing system.

Some of these lets are rooms within owner-occupied properties. Others are otherwise unoccupied, unsupervised properties.

Whilst recognising that in the majority of cases there is mutual benefit for hosts and guests, and for the city as a whole:

- a) Council is aware of the potential abuse of this system by organised criminal elements running 'pop-up brothels', 'pop-up drug shops', human sex trafficking and child sexual exploitation.
- b) Council is also concerned about the as-yet unmeasured impact on housing supply for long-term Oxford residents, on registered guest houses and on the regulated hotel sector.

Other local authorities in the UK and elsewhere are currently exploring ways of better monitoring and regulating online short-term letting agencies

Council therefore:

- 1. Asks its Hotel Watch partnership with the police and other agencies, through its representatives on that body:**
 - a. to monitor, record and collate concerns about these letting services picked up by police, ASBIT and HMO Licensing team**
 - b. to monitor issues arising in other cities around the world and the city authorities' various regulatory responses to them (e.g. in Berlin, London, San Francisco, New York, Barcelona, Madrid, Reykjavik and Cambridge)**
- 2. Agrees to review the situation this autumn, after the summer season, to see whether – if any – further action is needed.**

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.

