

Agenda

Cabinet

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This meeting will be held on:

Date: **Wednesday 11 November 2020**

Time: **6.00 pm**

Place: **Zoom - Remote meeting**

For further information please contact:

John Mitchell, Committee and Member Services Officer, Committee Services Officer

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Members of the public can attend to observe this meeting and.

- may submit a question about any item for decision at the meeting in accordance with the [Cabinet's rules](#)
- may record all or part of the meeting in accordance with the Council's [protocol](#)

Details of how City Councillors and members of the public may engage with this meeting are set out later in the agenda. Information about recording is set out later in the agenda and on the [website](#)

Please contact the Committee Services Officer to submit a question; to discuss recording the meeting; or with any other queries.

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[All public papers are available from the calendar link to this meeting once published](#)

Cabinet Membership

Leader/ Chair

Councillor Susan Brown (Chair)	Leader of the Council, Cabinet Member for Economic Development and Partnerships
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Cabinet Members

Councillor Ed Turner (Deputy Leader)	Deputy Leader (Statutory), Cabinet Member for Finance and Asset Management
Councillor Tom Hayes (Deputy Leader)	Deputy Leader, Cabinet Member for Green Transport and Zero Carbon Oxford
Councillor Nigel Chapman	Cabinet Member for Customer Focused Services
Councillor Mary Clarkson	Cabinet Member for City Centre, Covered Market and Culture
Councillor Alex Hollingsworth	Cabinet Member for Planning and Housing Delivery
Councillor Mike Rowley	Cabinet Member for Affordable Housing
Councillor Linda Smith	Cabinet Member for Leisure and Parks
Councillor Marie Tidball	Cabinet Member for Supporting Local Communities
Councillor Louise Upton	Cabinet Member for a Safer, Healthy Oxford

Apologies received before the publication are shown under *Apologies for absence* in the agenda. Those sent after publication will be reported at the meeting.

Decisions come into effect after the latest of the expiry of the post-meeting councillor call in period; reconsideration of a called-in decision; or Council's agreement of recommendations.

Oxford City Council, Town Hall, St Aldate's Oxford OX1 1BX

Agenda

Future items to be discussed by the Cabinet can be found on the Forward Plan which is available on the Council's [website](#)

	Pages
1 Apologies for Absence	
2 Declarations of Interest	
3 Addresses and Questions by Members of the Public	
4 Councillor Addresses on any item for decision on the Board's agenda	
5 Councillor Addresses on Neighbourhood Issues	
6 Items raised by Board Members	
7 Scrutiny Committee Reports	
Scrutiny Committee will meet on 02 November to consider, among other things, the Street Naming & Numbering Policy (item 10 of this agenda). Any recommendations to Cabinet from that meeting will be published as a supplement.	
8 Project Approval and Allocation of Next Steps Accommodation Programme Funding for Affordable Housing Delivery & Homelessness Prevention	9 - 16
Lead Member: Cabinet Member for Affordable Housing (Councillor Mike Rowley).	
The Head of Housing Services has submitted a report to seek project approval and delegations to enable capital spend, under the Next Steps Accommodation Programme, using grant received from Government for the purpose of acquiring additional Council housing for the purpose of reducing rough sleeping. To delegate to officers to enter into property purchase and other necessary agreements for the purpose of delivery affordable housing through this programme.	

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Recommendations: That Cabinet resolves to:

1. **Give project approval** to the proposals, to accept grant and enter into spend for the purpose of delivering more affordable housing in Oxford, specifically under the Next Steps Accommodation Programme (NSAP) for the purpose of assisting rough sleepers through more affordable accommodation using a 'Housing First' accommodation model;
2. **Note** that the budget for further NSAP grant and spend in 2021/22 will be requested in the draft budget 2021/22 report to Cabinet in December 2020, and if agreed, in the budget 2021/22 report to Cabinet and Council in February 2021;
3. **Delegate authority** to the Director of Housing, in consultation with the Cabinet Member for Affordable Housing and Housing the Homeless; the Head of Financial Services/Section 151 Officer; and the Council's Monitoring Officer, to enter into property purchase and other necessary agreements for the purpose of delivery affordable housing through the NSAP programme, within identified budgets, for the work referenced in this report;
4. **Delegate authority** to the Chief Executive, in consultation with the Cabinet Members for Finance and Asset Management, and Affordable Housing and Housing the Homeless, to approve any agreements over £500,000 for affordable housing, within this project approval and budget envelope; and
5. **Recommend** to Council that it approves a revision to the Housing Revenue Account (HRA) capital budget in 2020/21 of £1,195,750 for the initial purchase of 5 properties, to be funded by capital grant from MHCLG/ Homes England of £150,000; by Oxfordshire Housing and Growth (OGD) Deal funding of £275,000; and HRA Council borrowing of up to £770,750.

9 **Alcohol and Dog Control Public Spaces Protection Orders**

17 - 72

Lead Member: Cabinet Member for a Safer, Healthy Oxford (Councillor Louise Upton)

The Head of Regulatory Services and Community Safety has submitted a report to seek Cabinet approval for the implementation of the draft Dog Control Public Spaces Protection Order and the Alcohol Disorder Public Spaces Protection Order.

Decisions come into effect after the latest of the expiry of the post-meeting councillor call in period; reconsideration of a called-in decision; or Council's agreement of recommendations.

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Recommendations: That Cabinet resolves to:

1. **Approve** the implementation of a Dog Control Public Spaces Protection Order as set out in Appendix 1; and
2. **Approve** the implementation of an Alcohol Control Public Spaces Protection Order as set out in Appendix 2.

10 **Street Naming and Numbering Policy**

73 - 102

Lead Member: Cabinet Member for Customer Focused Services
(Councillor Nigel Chapman)

The Head of Law and Governance has submitted a report seeking Cabinet approval for the updated Street Naming and Numbering Policy for the Council.

Recommendations: That Cabinet resolves to:

1. **Approve** the draft Street Naming and Numbering Policy; and
2. **Delegate** authority to the Head of Law and Governance to make any amendments to the draft Street Naming and Numbering Policy as a result of the Cabinet's consideration of it.

11 **Minutes**

103 -
108

Recommendation: That Cabinet resolves to APPROVE the minutes of the meeting held on 14 October 2020 as a true and accurate record.

12 **Dates of Future Meetings**

Meetings are scheduled for the following dates:

- 09 December
- 20 January
- 10 February
- 10 March
- 14 April

All meetings start at 6pm unless otherwise stated

Decisions come into effect after the latest of the expiry of the post-meeting councillor call in period; reconsideration of a called-in decision; or Council's agreement of recommendations.

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Information for those attending

Recording and reporting on meetings held in public

Members of public and press can record, or report in other ways, the parts of the meeting open to the public. You are not required to indicate in advance but it helps if you notify the Committee Services Officer prior to the meeting so that they can inform the Chair and direct you to the best place to record.

The Council asks those recording the meeting:

- To follow the protocol which can be found on the Council's [website](#)
- Not to disturb or disrupt the meeting
- Not to edit the recording in a way that could lead to misinterpretation of the proceedings. This includes not editing an image or views expressed in a way that may ridicule or show a lack of respect towards those being recorded.
- To avoid recording members of the public present, even inadvertently, unless they are addressing the meeting.

Please be aware that you may be recorded during your speech and any follow-up. If you are attending please be aware that recording may take place and that you may be inadvertently included in these.

The Chair of the meeting has absolute discretion to suspend or terminate any activities that in his or her opinion are disruptive.

Councillors 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; licenses 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". 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.

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

How Oxford City Councillors and members of the public can engage at Cabinet

Addresses and questions by members of the public (15 minutes in total)

Members of the public can submit questions in writing about any item for decision at the meeting. Questions, stating the relevant agenda item, must be received by the Head of Law and Governance by 9.30am two clear working day before the meeting (eg for a Tuesday meeting, the deadline would be 9.30am on the Friday before). Questions can be submitted either by letter or by email (to cabinet@oxford.gov.uk).

Answers to the questions will be provided in writing at the meeting; supplementary questions will not be allowed. If it is not possible to provide an answer at the meeting it will be included in the minutes that are published on the Council's website within 2 working days of the meeting.

The Chair has discretion in exceptional circumstances to agree that a submitted question or related statement (dealing with matters that appear on the agenda) can be asked verbally at the meeting. In these cases, the question and/or address is limited to 3 minutes, and will be answered verbally by the Chair or another Cabinet member or an officer of the Council. The text of any proposed address must be submitted within the same timescale as questions.

For this agenda item the Chair's decision is final.

Councillors speaking at meetings

Oxford City councillors may, when the chair agrees, address the Cabinet 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 9.30am at least one clear working day before the meeting, stating the relevant agenda items. An address may last for no more than three minutes. If an address is made, the Cabinet member who has political responsibility for the item for decision may respond or the Cabinet will have regard to the points raised in reaching its decision.

Councillors speaking on Neighbourhood issues (10 minutes in total)

Any City Councillor can raise local issues on behalf of communities directly with the Cabinet. The member seeking to make an address must notify the Head of Law and Governance by 9.30am at least one clear working day before the meeting, giving outline details of the issue. Priority will be given to those members who have not already addressed the Cabinet within the year and in the order received. Issues can only be raised once unless otherwise agreed by the Cabinet. The Cabinet's responsibility will be to hear the issue and respond at the meeting, if possible, or arrange a written response within 10 working days.

Items raised by Cabinet members

Such items must be submitted within the same timescale as questions and will be for discussion only and not for a Cabinet decision. Any item which requires a decision of the Cabinet will be the subject of a report to a future meeting of the Cabinet.

To: Cabinet Council
Date: 11 November 2020 30 November 2020
Report of: Head of Housing Services
Title of Report: Project Approval and Allocation of Next Steps Accommodation Programme Funding for Affordable Housing Delivery & Homelessness Prevention

Summary and recommendations	
Purpose of report:	To seek project approval and delegations to enable capital spend, under the Next Steps Accommodation Programme, using grant received from Government for the purpose of acquiring additional Council housing for the purpose of reducing rough sleeping. To delegate to officers to enter into property purchase and other necessary agreements for the purpose of delivery affordable housing through this programme.
Key decision:	Yes
Cabinet Member:	Councillor Mike Rowley, Cabinet Member for Affordable Housing and Housing the Homeless
Corporate Priority:	Meeting Housing Needs
Policy Framework:	Housing and Homelessness Strategy 2018 to 2021
Recommendations: That Cabinet resolves to:	
<ol style="list-style-type: none"> 1. Give project approval to the proposals, to accept grant and enter into spend for the purpose of delivering more affordable housing in Oxford, specifically under the Next Steps Accommodation Programme (NSAP) for the purpose of assisting rough sleepers through more affordable accommodation using a 'Housing First' accommodation model; 2. Note that the budget for further NSAP grant and spend in 2021/22 will be requested in the draft budget 2021/22 report to Cabinet in December 2020, and if agreed, in the budget 2021/22 report to Cabinet and Council in February 2021; 4. Delegate authority to the Director of Housing, in consultation with the Cabinet Member for Affordable Housing and Housing the Homeless; the Head of Financial Services/Section 151 Officer; and the Council's Monitoring Officer, to enter into property purchase and other necessary agreements for the purpose of delivery affordable housing through the NSAP programme, within identified budgets, for the work referenced in this report; 	

5. **Delegate authority** to the Chief Executive, in consultation with the Cabinet Members for Finance and Asset Management, and Affordable Housing and Housing the Homeless, to approve any agreements over £500,000 for affordable housing, within this project approval and budget envelope; and
6. **Recommend to Council** that it approves a revision to the Housing Revenue Account (HRA) capital budget in 2020/21 of £1,195,750 for the initial purchase of 5 properties, to be funded by capital grant from MHCLG/ Homes England of £150,000; by Oxfordshire Housing and Growth (OGD) Deal funding of £275,000; and HRA Council borrowing of up to £770,750.

Appendices

Appendix 1	Risk Register
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Introduction and Background

1. The Council continues to develop a programme of affordable housing supply through multiple work and funding streams.
2. The Council made a (revenue and capital) bid submission for £1,996,409 funding under the Government's Next Steps Accommodation Programme (NSAP) in late August 2020. This funding programme sought to fund interim and move-on accommodation provision following the 'everyone in' call, at the start of the Covid-19 lockdown period in March 2020, in which emergency self-contained accommodation for rough sleepers and persons living in shared-space homelessness accommodation was rapidly secured.
3. The Government announced in late September 2020, that the interim accommodation and move-on revenue funding was to be awarded to the Council as detailed in the bid submission. The capital element of the bid, to provide more units of accommodation, which includes up to four years' of revenue funding to support clients in these homes, is undergoing further moderation by Homes England, but an announcement is expected shortly.
4. This report is assuming a positive announcement on this funding, with Oxford City Council being allocated the funding identified for this purpose in the bid. The Council needs to mobilise for this now, to have project approval and funding in place by December 2020, in order to ensure the capital spend is made, in accordance with bid requirements, in Quarter 4 (January to March 2021).
5. Should funding not be allocated, then officers propose to reconsider the project to see if any of it remains deliverable within this project approval and within the funding envelope of funds that are still available.

Scheme Details

6. This project seeks to acquire 15 one bed flats to use as Council Social Rented permanent homes. Allocations to these units will be under 'Housing First' principles, allocating homes to vulnerable persons who have been, or are presently, rough sleeping, and who are considered to have complex needs that are not best met through other accommodation options in the 'adult homeless pathway'
7. This is part of a wider Council programme to develop 50 units of Housing First accommodation dispersed throughout Oxford for this purpose. The remaining 35 units will be secured as and when suitable one beds properties become void, over a 2-3 year period (2020/2021, 2021/2022 & 2022/2023), from Council and Register Provider existing housing stock.
8. Approximately, 30 individuals have been identified from the "Everyone In" work, who will be prioritised for this scheme, including 8 individuals who have not been accommodated at all during the lockdown period. The service is for those individuals with multiple and complex needs and a history of entrenched rough sleeping and for those individuals who have a long history of using these pathways and returning back on to the streets.
9. The proposal is to acquire 5 one bed flats in the last quarter of 2020/21 using the NSAP funding; OGD funding; and HRA borrowing. The Council proposes to acquire a further 10 one bed flats for this purpose over 2021/22. The NSAP element of this 2021/22 funding is to be formally bid for under the Homes England 'continuous market engagement' process within the Affordable Housing Programme in April 2021.

Financial implications

10. This report seeks to secure the budget envelope for 2020/21 only, with the 2021/22 budget report addressing next year.
11. The overall funding for the scheme however, is as follows:

Funding/ Year	2020/21 (Qtr 4)	2021/22	Total
Proposed Spend	£1,195,750	£2,391,500	£3,587,250
NSAP Capital Funding	£150,000	£300,000	£450,000
OGD Funding	£275,000	£550,000	£825,000
HRA Borrowing	£770,750	£1,541,500	£2,312,250
Funding Total	£1,195,750	£2,391,500	£3,587,250

12. The schemes and funding, as set out above, are included in the current Oxford City element of the Oxfordshire Housing and Growth Deal programme, as a Year 3 (2020/21) and a Year 4 (2021/22) scheme accordingly.

Legal issues

13. The activity, as set out in this report, relates to activity for the purpose of developing homes as affordable housing, and of preventing homelessness.
14. The Council has the powers to purchase land and property for the development of or use as Affordable Housing by virtue of Sections 1 to 7 of the Localism Act 2011.
15. The Homelessness Reduction Act 2017 places duties on the Council to assess an applicant's needs and to prevent and relieve homelessness.
16. Any procurement of goods and services for the purpose of developing homes will be in accordance with the Council's constitution and procurement procedures complying with The Public Contracts Regulations 2015 for such, including ensuring that value for money is achieved.

Level of risk

17. A Risk Register is provided at Appendix 1.

Conclusion

18. That the Council agrees to spending as set out in this report to further support the delivery of more affordable housing to help vulnerable rough sleepers secure permanent affordable homes, with appropriate support, under 'Housing First' principles.

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Background Papers:	None

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Appendix 1 - Risk Register - Project Approval and NSAP Project Funding - Cabinet Report 11th November 2020

Ref	Title	Risk description	Opp/ threat	Cause	Consequence	Date Raised	Owner	Gross		Current		Residual		Comments	Controls				
								I	P	I	P	I	P		Control description	Due date	Status	Progress %	Action Owner
1	Insufficient opportunities to spend these funds as intended	Insufficient housing market or development activity to enable suitable investments to be made that achieve value for money	Threat	The 20/21 grant funding is requiring spend within a very limited window of 3 months (Qtr 4) - a quarter where market sale activity is often lower - with an additional challenges of requiring vacant possession and completion within weeks of the initial viewing. For 21/22, the level of activity (10 units) has been set at what is considered a reasonable pace to allow further in-year acquisitions as units come onto the sale market.	Council does not pursue these initiatives further and may need to only purchase a smaller number of units and seek to negotiate an extension of time if more are to be acquired beyond end March 2021	01/10/20	Stephen Clarke	3	4	3	3	2	2		Work is already underway to mobilise for this work in Quarter 4, including the early identification of possible units ahead of time and as part of the on-going HRA acquisition project that us already underway. To ensure adequate resourcing across all relevant teams to progress viewings, negotiations, surveys and conveyancing at pace, with due diligence, and within the existing and agreed framework.	Ongoing	Ongoing	75	Dave Scholes

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To: Cabinet
Date: 11 November 2020
Report of: Head of Regulatory Services and Community Safety
Title of Report: Alcohol and Dog Control Public Spaces Protection Orders

Summary and recommendations	
Purpose of report:	Approve the implementation of the draft Dog Control Public Spaces Protection Order and the Alcohol Disorder Public Spaces Protection Order.
Key decision:	Yes
Cabinet Member:	Councillor Louise Upton, Cabinet Member for a Safer, Healthy Oxford
Corporate Priority:	Support flourishing communities.
Policy Framework:	Council Strategy 2020-24
Recommendations: That Cabinet resolves to:	
<ol style="list-style-type: none"> 1. Approve the implementation of a Dog Control Public Spaces Protection Order as set out in Appendix 1; and 2. Approve the implementation of an Alcohol Control Public Spaces Protection Order as set out in Appendix 2. 	

Appendices	
Appendix 1	Proposed Dog Control Public Spaces Protection Order
Appendix 2	Proposed Alcohol Disorder Public Spaces Protection Order
Appendix 3	Legal considerations when making an Order
Appendix 4	Questionnaire consultation results summary
Appendix 5	Data assessment summary
Appendix 6	Risk register
Appendix 7	Current Dog Control PSPO
Appendix 8	Current Alcohol Disorder PSPO
Appendix 9	ASB Tools and powers summary

Appendix 10	Dog Control PSPO Equalities Impact Assessment
Appendix 11	Alcohol Disorder PSPO Equalities Impact Assessment

Introduction and background

1. Public Spaces Protection Orders (PSPOs), as defined by the Anti-Social Behaviour, Crime and Policing Act 2014 (the Act), set out standards of acceptable behaviour in an area to deter those behaviours that have been, or are likely to be, detrimental, persistent and unreasonable to those in the area. Therefore, a PSPO's primary purpose, similar to a byelaw, is to prevent anti-social behaviour from occurring and reduce the detrimental effect on those living in the area.
2. Oxford City Council has two PSPOs that regulate dog control (Appendix 7) and alcohol consumption (Appendix 8), respectively. They expire on the 27 November 2020.
3. The Act repealed Dog Control Orders, and Designated Public Places Orders; the previous legislative provisions that regulated these two issues. The Council introduced these original Orders to all public land within the Oxford City Council local authority boundary. The Act allowed subsequent PSPOs to adopt the same restrictions for a maximum period of three years.
4. The three years have expired, therefore Cabinet must decide whether to extend the existing Orders based on evidence of need, introduce new Orders or let the Orders expire.

Overview of PSPOs

5. The Anti-Social Behaviour, Crime and Policing Act 2014 ('the Act') gained Royal Assent in April 2014 and gives the power to make an Order to local authorities, in consultation with the police and other relevant bodies who may be affected.
6. A local authority can make a PSPO in respect of any public space within its administrative boundary. The definition of public space is wide and includes any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.
7. A PSPO can be in force for any period up to a maximum of three years. The legal requirements of implementing a PSPO are described in Appendix 3.
8. Appeals against a draft PSPO can be made in the High Court within six weeks of issue by anyone who lives in, or regularly works in or visits the area.
9. The PSPOs are enforced by authorised officers within the Council or police officers. Oxford City Council is the prosecuting authority.
10. A breach of the Dog Control PSPO can be dealt with through the issuing of a Fixed Penalty Notice of up to £100, or a level 3 fine of up to £1000 on conviction following prosecution.
11. A breach of the Alcohol Disorder PSPO can be dealt with through the issuing of a Fixed Penalty Notice of up to £100, or a level 2 fine of up to £500 on conviction following prosecution.
12. The Council has a graduated approach to enforcement that is set out in the Anti-social Behaviour Enforcement Policy. This requires officers to operate the lowest possible level of intervention that is suitable to the case, most often involving a

process of engagement and words of advice. Other legal remedies are described in Appendix 9.

13. The Authority is also bound by the terms of the Human Rights Act 1998 and must not act in a way which is incompatible with a Convention right. Human rights are enforced through existing rights of review and may therefore be taken as points in any challenge to the validity of any Order made by the Authority.
14. The Cabinet must have regard to the public sector equality duty at s149 of the Equality Act 2010 as set out in the Equality Impact Assessments (Appendices 10 and 11).
15. The Oxford Safer Communities Partnership was presented with the draft PSPOs at its meeting on the 5 October 2020. The partnership was supportive of the draft Orders with adequate signage placed at strategic points in the city.

Current Dog Control PSPO

16. The current Dog Control PSPO (Appendix 7) makes it an offence for persons in charge of a dog to breach, without a reasonable excuse, four restrictions or requirements within the Oxford City Council local authority boundary. These are:
 - a. An authorised officer has the power to require a dog to be put on a lead.
 - b. A person may not be in charge of any more than four dogs in a public place.
 - c. A person in charge of a dog must pick up their dogs faeces.
 - d. A person in charge of a dog must not let it enter a children's play park.
17. There are exemptions for people who need the help of assistance dogs.
18. There is a separate Dog Control PSPO for Saint Mary and Saint John Churchyard, Cowley Road. A single restriction requires dogs to be on a lead at all times, as opposed to when requested by an authorised officer. It is not proposed to renew this PSPO but to include the area in the new Dog Control PSPO.
19. Evidence relating to dog control can be found in more detail in Appendix 5. Dog fouling data illustrates a wide spread of reports across the local authority area. Data on dogs in children's play parks, out of control, off a lead, or owners responsible for more than 4 dogs is very limited. This could be a result of the impact of the Order, under-reporting of actual incidents or permanent behaviour change.
20. Consultation responses can be found in Appendix 4. In summary:
 - 78% of respondents disagree with allowing dogs into children's play parks. 13% were neutral.
 - 94% of respondents felt that owners should pick up their dog mess anywhere in the city.
 - 63% of respondents disagreed or strongly disagreed with the statement that dog owners should not be restricted on the number of dogs under their control at any one time.
 - 94% of respondents said that owners should put their dog on a lead if asked by a Council or Police Officer.
 - 60% of respondents agreed that dogs should be kept on leads at all times in the city centre.

Current Alcohol Disorder PSPO

21. The current Alcohol Disorder PSPO (Appendix 8) makes it an offence for any person to refuse to stop drinking alcohol or hand over any containers (sealed or unsealed) which are believed to contain alcohol, when required to do so by a police officer or authorised officer in order to prevent public nuisance or disorder.
22. This restriction does not apply within the curtilage of a licensed premise.
23. Evidence relating to alcohol disorder can be found in more detail in Appendix 5. In summary, public space alcohol-related disorder occurs primarily in retail and entertainment areas. Incidents within neighbourhoods tend to relate to residential properties, therefore the data does not support the continuation of a citywide Alcohol Disorder PSPO. However, displacement is a significant issue in regards to street drinking and therefore the proposed PSPO area includes some neighbouring areas.
24. Consultation responses can be found in Appendix 4. There is widespread support for the power to restrict alcohol consumption where it causes anti-social behaviour. Just under 300 respondents identified specific localities associated with alcohol-related disorder. In summary:
- Over half the respondents said seeing people drinking in public worries them and would avoid places where people are drinking in public.
 - A quarter of respondents did not feel concerned about seeing people drinking in public.
 - Over half of respondents agreed that people have a right to drink in public if they are behaving considerately. Less than a quarter disagreed or strongly disagreed.
 - The majority of the respondents stated that alcohol-related disorder concerns them.
 - When asked if there should be a complete ban on drinking alcohol in any area of Oxford two-fifths were in favour, and two-fifths were against and the remainder had no opinion.
25. The top four locations of concern were Bonn Square, Cornmarket Street, George Street and Cowley Road.

Financial implications

26. Signage and enforcement costs are covered by existing budgets.

Legal implications

27. The Council relies upon Section 59 of the 2014 Act. This gives the Council the power to draft and implement PSPOs in response to the issues which are affecting the community as long as the legal criteria and test are met. Section 59 of the Act is set out in Appendix 3. The Council must be satisfied on reasonable grounds that activities that have taken place have had a detrimental effect on the quality of life of those in the locality, or that it is likely that activities that will take place will have a detrimental effect. The Council must also be satisfied that the detrimental effect is persistent or continuing and is, or is likely to be, unreasonable. The detrimental effect must justify the restrictions being imposed. Statutory guidance states

restrictions should focus on specific behaviours and be proportionate to the detrimental effect and necessary to prevent it.

28. Level of risk

29. Risks and mitigations are contained in the Risk Register, Appendix 9

Equalities impact

30. Equalities Impact Assessments are at Appendix 10 and 11.

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Appendix 1

DRAFT OXFORD CITY COUNCIL

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

PART 4, SECTION 59

PUBLIC SPACES PROTECTION ORDER

www.oxford.gov.uk



Oxford City Council (the Council) in exercise of the power under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (the Act), being satisfied that the conditions set out in section 59 of the Act have been met, makes the following order:

Dogs on Leads

1. Any person in charge of a dog in a public place within the Restricted Area shall be in breach of this Order if he/she, at any time, on any land in the Restricted Area, does not comply with a direction given by an Authorised Officer to put and keep the dog on a lead, unless:
 - a. he/she has a reasonable excuse for failing to do so; or,
 - b. the owner, occupier or other person or authority having control of the relevant land has consented to him/her failing to do so.
2. For the purposes of this article an Authorised Officer of the Council may only give such a direction under this Order to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog likely to cause annoyance or disturbance to any other person, animal or bird.

Specified Number of Dogs

3. A person found to be in charge of more than four dogs at the same time whilst in a public place within the Restricted Area shall be in breach of this Order, unless:
 - a. he/she has a reasonable excuse for doing so; or,
 - b. the owner, occupier or other person or authority having control of the relevant land has consented to him/her doing so.

Dog Fouling of Land

4. Any person in charge of a dog in a public place within the Restricted Area shall be in breach of this Order if he/she, at any time, fails to remove the faeces from the land forthwith, unless:
 - a. he/she has a reasonable excuse for failing to do so; or,

- b. the owner, occupier or other person or authority having control of the relevant land has consented to his failing to do so.
- 5. Placing the faeces in a receptacle on the land which is provided for the purpose, or for the disposal of waste, shall be sufficient removal from the land.
- 6. Being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces.

Exclusion from Children's Play Areas

- 7. A person in charge of a dog shall be in breach of this order if, at any time, he/she takes the dog onto, permits the dog to enter or to remain on, any land within the restricted area specified in article 8 of the Order, unless:
 - a. he/she has a reasonable excuse for failing to do so; or,
 - b. the owner, occupier or other person or authority having control of the relevant land has consented to his failing to do so.
- 8. This article applies to all land in the Restricted Area comprising any fenced (and /or hedged and/or walled) children's play area signed at its entrance(s) as a 'dog exclusion area' (whether the sign uses those particular words or words and/or symbols having a like effect).

Definitions

- 9. The Authority means Oxford City Council (the Council).
- 10. Authorised Officer means a police officer, an employee, agent, contractor of the Council or other person who is authorised in writing by the Council.
- 11. Person in charge means the person who has the dog in his/her possession, care or company at the time the relevant offence is committed, or, the person who habitually has the dog in his/her possession, care or company.
- 12. Relevant Land means the piece of land in the Restricted Area.
- 13. Restricted Area means the land designated in the Schedule Of Land to this Order.

Appendix 1

DRAFT OXFORD CITY COUNCIL

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

PART 4, SECTION 59

PUBLIC SPACES PROTECTION ORDER

14. The Order applies to all times of day and night.

15. This Order comes into force on XX November YYYY and will remain in force for a period of three years from that date.

Exemptions

16. Nothing in the proposed Order shall apply to a person who –

- a. Is registered as a blind person on a register compiled under section 29 or the National Assistance Act 1948; or
- b. Is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (register charity number 293358) and upon which the person relies for assistance; or
- c. Has a physical or mental impairment which has a substantial and long term adverse effect on the ability to carry out common day-to-day activities in respect of a dog trained by any current or future members of Assistance Dogs UK, or any other charity registered in the UK with a purpose of training assistance dogs and upon which the person relies for assistance
- d. Has a physical or mental impairment which has a substantial and long term adverse effect on the ability to carry out normal day-to-day activities and in the reasonable opinion of the Council that person relies upon the assistance of the dog in connection with their disability.

Penalty

17. Any person who, without reasonable excuse fails to comply with this Order shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Appendix 1

DRAFT OXFORD CITY COUNCIL

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

PART 4, SECTION 59

PUBLIC SPACES PROTECTION ORDER

SCHEDULE OF LAND

This Order applies to all land in the administrative area of Oxford City Council that is open to the air and to which the public are entitled to or permitted to have access (with or without payment). For the purposes of this Schedule land which is covered is to be treated as land which is 'open to the air' if it is open to the air on at least one side.

CHALLENGING THE VALIDITY OF ORDERS

An interested person may apply to the High Court to question the validity of—

- a) This Order, or
- b) A future variation of this Order.

"Interested person" means an individual who lives in the restricted area or who regularly works in or visits that area.

An appeal against this Order or a future variation of this Order may be made to the High Court within six weeks from the date on which the order or variation is made, on the grounds that:

- a) Oxford City Council did not have power to make the order or variation, or to include particular prohibitions or requirements imposed by the order (or by the order as varied);
- b) a requirement under Chapter 2 of the Anti-Social Behaviour, Crime and Policing Act 2014 was not complied with in relation to the order or variation.

Date:

Signature:

Position:

Appendix 2

DRAFT OXFORD CITY COUNCIL

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

PART 4, SECTION 59

PUBLIC SPACES PROTECTION ORDER

www.oxford.gov.uk



Oxford City Council (the Council) in exercise of the power under section 59 of The Anti-Social Behaviour, Crime and Policing Act 2014 (the Act), being satisfied that the conditions set out in section 59 of the Act have been met, makes the following order:

1. The Order applies to the public areas as described in the Schedule Of Land (the Restricted Area):
 - a) It shall be an offence for any person to refuse to stop drinking alcohol or hand over any containers (sealed or unsealed) which are believed to contain alcohol, when required to do so by a police officer or authorised officer in order to prevent public nuisance or disorder, unless:
 - b) He/She has a reasonable excuse for failing to do so.

Definitions

2. The Authority means Oxford City Council (the Council).
3. Authorised Officer means a police officer, an employee, agent, contractor of the Council or other person who is authorised in writing by the Council.
4. Restricted Area means the land designated in the Schedule Of Land to this Order.
5. The Order applies to all times of day and night.
6. This Order comes into force on XX November YYYY and will remain in force for a period of three years from that date.

Penalty

7. Any person who, without reasonable excuse fails to comply with this Order shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

Exceptions

8. This Order does not apply to premises as described in section 62 of the Anti-Social Behaviour, Crime and Policing Act 2014.

Appendix 2

DRAFT OXFORD CITY COUNCIL

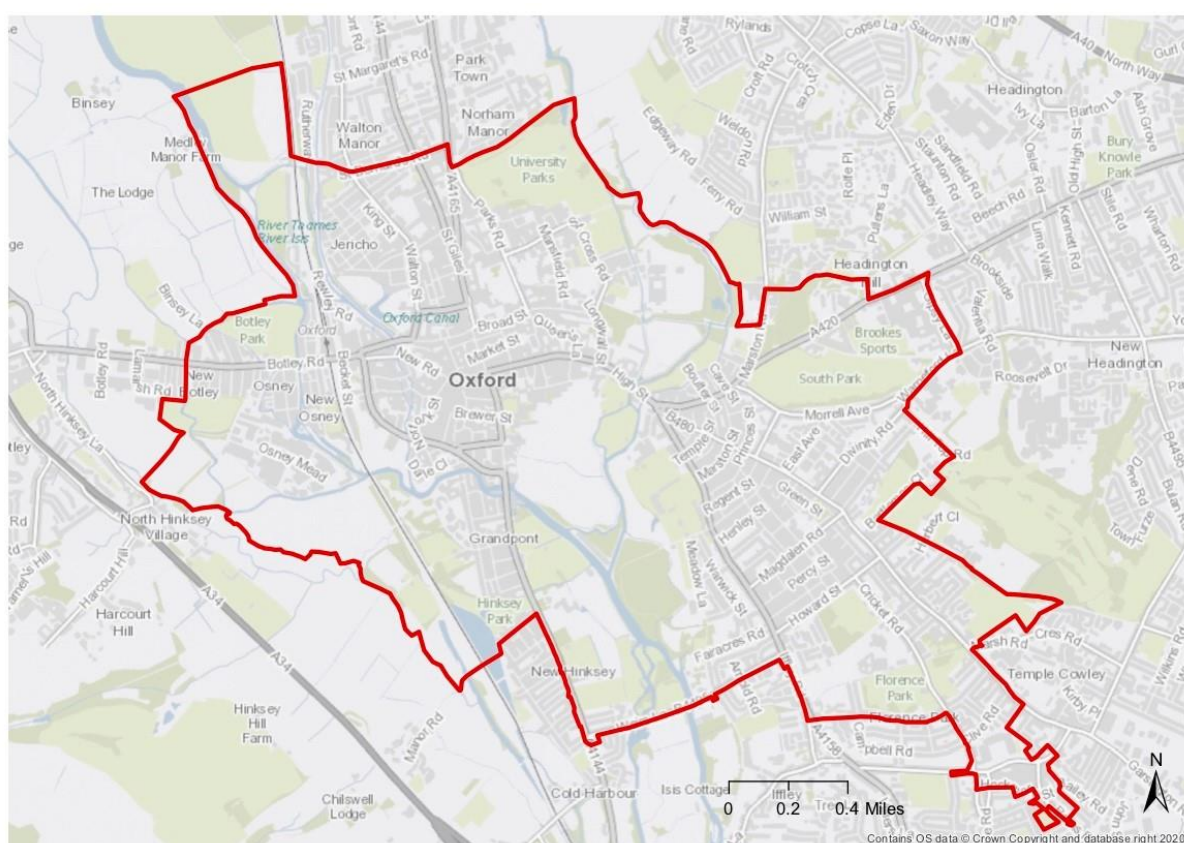
ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

PART 4, SECTION 59

PUBLIC SPACES PROTECTION ORDER

SCHEDULE OF LAND

This Order applies to all land within the Restricted Area in the maps below indicated in red that is open to the air and to which the public are entitled to or permitted to have access (with or without payment). For the purposes of this Schedule land which is covered is to be treated as land which is 'open to the air' if it is open to the air on at least one side.



Appendix 2

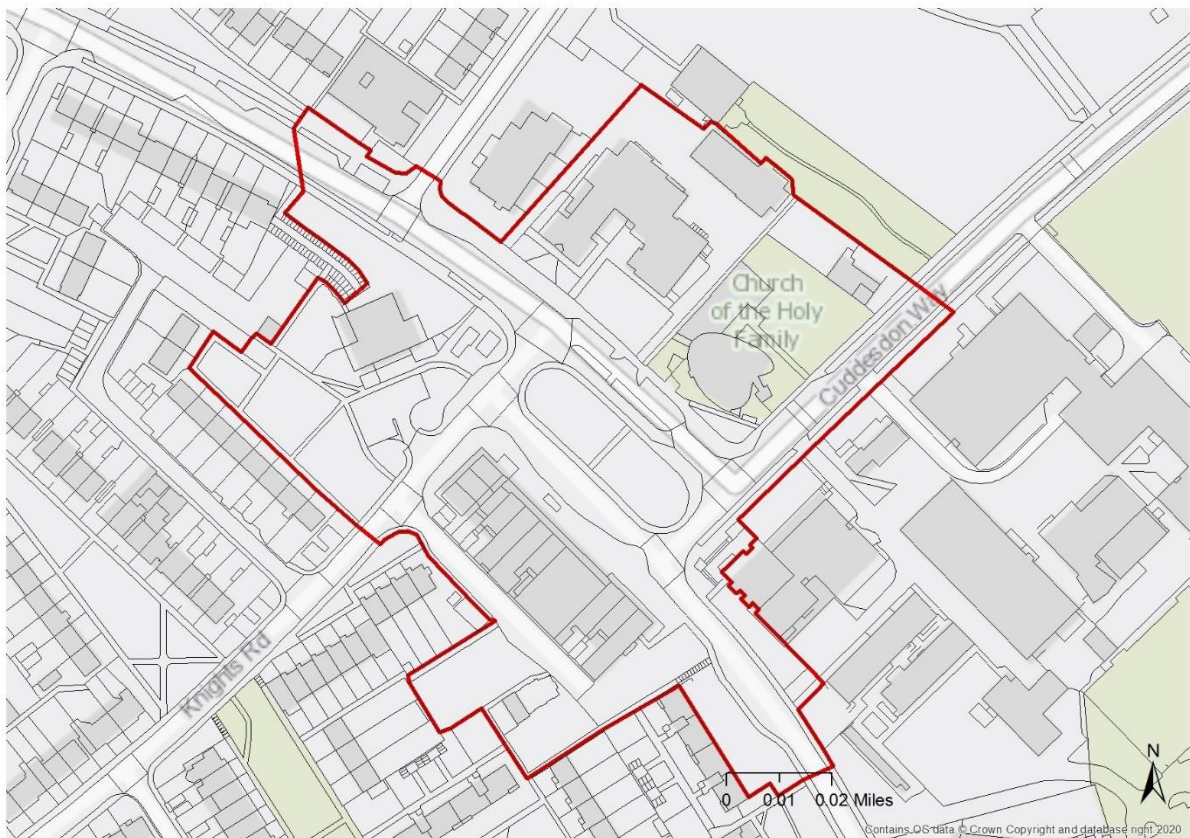
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ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

PART 4, SECTION 59

PUBLIC SPACES PROTECTION ORDER

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Appendix 2

DRAFT OXFORD CITY COUNCIL

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

PART 4, SECTION 59

PUBLIC SPACES PROTECTION ORDER

CHALLENGING THE VALIDITY OF ORDERS

An interested person may apply to the High Court to question the validity of—

- a) This Order, or
- b) A future variation of this Order.

“Interested person” means an individual who lives in the restricted area or who regularly works in or visits that area.

An appeal against this Order or a future variation of this Order may be made to the High Court within six weeks from the date on which the order or variation is made, on the grounds that:

- a) Oxford City Council did not have power to make the order or variation, or to include particular prohibitions or requirements imposed by the order (or by the order as varied);
- b) a requirement under Chapter 2 of the Anti-Social Behaviour, Crime and Policing Act 2014 was not complied with in relation to the order or variation.

Date:

Signature:

Position:

Appendix 3: Legal considerations when making an Order

Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 sets out the basis on which local authorities may make a PSPO. It provides as follows -

- (1) A local authority may make a public spaces protection order if satisfied on reasonable grounds that two conditions are met.
- (2) The first condition is that—
 - (a) activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or
 - (b) it is likely that activities will be carried on in a public place within that area and that they will have such an effect.
- (3) The second condition is that the effect, or likely effect, of the activities—
 - (a) is, or is likely to be, of a persistent or continuing nature,
 - (b) is, or is likely to be, such as to make the activities unreasonable, and
 - (c) justifies the restrictions imposed by the notice.
- (4) A public spaces protection order is an order that identifies the public place referred to in subsection (2) ("the restricted area") and—
 - (a) prohibits specified things being done in the restricted area,
 - (b) requires specified things to be done by persons carrying on specified activities in that area, or
 - (c) does both of those things.
- (5) The only prohibitions or requirements that may be imposed are ones that are reasonable to impose in order—
 - (a) to prevent the detrimental effect referred to in subsection (2) from continuing, occurring or recurring, or
 - (b) to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.
- (6) A prohibition or requirement may be framed—
 - (a) so as to apply to all persons, or only to persons in specified categories, or to all persons except those in specified categories;
 - (b) so as to apply at all times, or only at specified times, or at all times except those specified;
 - (c) so as to apply in all circumstances, or only in specified circumstances, or in all circumstances except those specified.
- (7) A public spaces protection order must—
 - (a) identify the activities referred to in subsection (2);
 - (b) explain the effect of [section 63](#) (where it applies) and [section 67](#);
 - (c) specify the period for which the order has effect.
- (8) A public spaces protection order must be published in accordance with regulations made by the Secretary of State.

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Appendix 4 Consultation responses summary

Source: A Public Attitude Survey was conducted between 14th August and 22nd September 2020, asking the public their views on dog control and alcohol prohibitions in the existing two PSPOs, and whether there were any comments or concerns relating to these issues.

There were 443 responses in total, many of whom added comments in the three open-ended questions.

The results can be found at the end of this summary.

Alcohol-related disorder consultation summary

The questions separated views and experience in local neighbourhoods to those in the city centre. This is clearly dependent on the neighbourhood with those living in the city centre or other entertainment areas more likely to come across the issue.

Local neighbourhoods

Responses indicate that alcohol-related disorder is not a widespread problem in neighbourhood settings, during the day or night-time. Approximately a quarter of respondents stated this was a very big or fairly big problem.

The majority of respondents felt the problem of alcohol-related disorder had stayed the same in their neighbourhoods.

City Centre

There was a similar result for the city centre during the day, but at night three-quarters of respondents indicated that they felt it was problematic at some level. Over a quarter of respondents selected Don't Know indicating that they don't frequent the city centre at night.

The majority of respondents felt the problem of alcohol-related disorder had stayed the same in the city centre, albeit approximately half the respondents selected Don't Know.

A selection of questions were asked regarding people's views on their attitude to public drinking. In summary:

- Over half the respondents said seeing people drinking in public worries them and would avoid places where people are drinking in public.
- A quarter of respondents did not feel concerned about seeing people drinking in public.
- Over half of respondents agreed that people have a right to drink in public if they are behaving considerately. Less than a quarter disagreed or strongly disagreed.
- The majority of the respondents stated that alcohol-related disorder concerns them.
- When asked if there should be a complete ban on drinking alcohol in any area of Oxford two-fifths were in favour, and two-fifths were against.

The open-ended question "Please list any locations where you believe alcohol-related disorder is a problem" was answered 299 times. Location keywords were identified from the responses:

The “City Centre” had the highest number of responses although this incorporates many of the other streets listed. Of those, Cornmarket Street, Bonn Square, George Street and the Cowley Road were found in a high number of responses.

A similar question was asked of respondents in relation to the complete ban on public drinking in specific localities: “PSPOs allow the Council to restrict alcohol consumption completely in areas where there is significant evidence of alcohol-related disorder.

Are there any areas in Oxford where you would support a complete ban on public drinking?”

The question was answered 315 times.

An equal number of respondents were for as they were against a complete ban in certain areas. The location keywords most prevalent were:

City centre	51
Bonn	28
Cornmarket	41
Queen	6
George St	31
Magdalen St	11
Giles	9
Park End	7
Speedwell	5
Cowley centre	12
Barns	9
East Oxford	10
Cowley road	43
Manzil	7
Parks	9
Aldates	8

City Centre	43
Bonn Square	23
Cornmarket	23
Cowley Road	26
Parks	44

Source: Oxford Local Police Area response

Oxford Local Police Area, Neighbourhood Policing Inspector:

“The current PSPO has been a useful tool for Neighbourhood police teams particularly within the city centre footprint. It is the only power that can be utilised as a preventative action in order to reduce alcohol related disorder. It is for this purpose that the police have made the most use of it. There is limited evidence available for its use in relation to dog control.

Breaching the PSPO (in relation to alcohol) provides a gateway to further civil powers such as CWN [Community Protection Warning] and CPNs [Community Protection Notices]. These in turn ultimately provide the evidence for establishing a full CBO [Criminal Behaviour Order], which are successful in providing the longer term disruption to ASB and crime in a particular locality.

The Neighbourhood team have had notable PSPO successes in the following hotspot areas of the city: Pennyfarthing Place, Cromwell Street, Luther Street, St Aldates, Cornmarket and Bonn Square.

The Cowley Road and wider Temple Cowley area also benefit from the PSPO being in force although to date it has primarily been employed within the city centre with a smaller number of uses outside of this footprint.

Alcohol is a key contributor and catalyst to many incidents of crime and disorder across the city and the PSPO is at this time the only method available to seize the alcohol prior to criminal offences having been committed. The PSPO is an invaluable preventative measure in achieving the reduction in ASB we have experienced to date across the city. Oxford LPA are therefore strong advocates of the PSPO renewal and look forward to partnering further with your team in the continuing work of tackling ASB city wide.”

Dog control consultation summary

Dog fouling.

Just under half of the respondents thought dog fouling in their neighbourhood was a Very big, or Fairly big problem, with slightly more feeling that fouling in parks was a Very big, or Fairly big problem. Approximately 10% of respondents stated dog fouling was Not a problem at all in the neighbourhood or parks.

When asked if the issue had got better or worse over the last 12 months, over half of respondents felt it had stayed the same, with just under a quarter saying it had got worse.

Dogs on a lead

35% of respondents said dogs not on a lead was a Very or Fairly big problem. When asked if the issue had got better or worse over the last 12 months, over half of respondents felt it had stayed the same, with just under a quarter saying it had got worse.

Number of dogs under a person's control.

This had the lowest number of respondents saying it was a Very or Fairly big problem at 19% with a quarter of respondents saying it was not a problem at all.

When asked if the issue had got better or worse over the last 12 months, over half of respondents felt it had stayed the same, with just over 10% saying it had got worse. Over a quarter stated they didn't know.

Dogs in children's play parks.

A third of respondents said this was a Very or Fairly big problem. Just under a quarter stated that they Didn't know. When asked if the issue had got better or worse over the last 12 months, just under half of respondents felt it had stayed the same, with just over 10% saying it had got worse. 35% stated they didn't know.

A selection of questions were asked regarding people's views on their attitude to the control of dogs. In summary:

- 78% of respondents disagree with allowing dogs into children's play parks. 13% were neutral.
- 94% of respondents felt that owners should pick up their dog mess anywhere in the city.
- 63% of respondents disagreed or strongly disagreed with the statement that dog owners should not be restricted on the number of dogs under their control at any one time.
- 94% of respondents said that owners should put their dog on a lead if asked by a Council or Police Officer.
- 60% of respondents agreed that dogs should be kept on leads at all times in the city centre.

Source: The Kennel Club

The Kennel Club were asked for their views on the PSPO. The response can be found at the end of this Appendix, giving specific views on the suggested prohibitions and useful definitions for assistance dogs. The introduction sets out their over-arching position on PSPOs;

"As a general principle, we would like to highlight the importance for all PSPOs to be necessary and proportionate responses to problems caused by dogs and irresponsible owners. It is also important that authorities balance the interests of dog owners with the interests of other access users."

Summary of Responses

1

Please indicate how much of a problem, if at all, you consider alcohol-related disorder in public spaces to be.

	Very big problem	Fairly big problem	Not a very big problem	Not a problem at all	Don't know
Alcohol-related disorder during the day in your neighbourhood	32	66	158	172	10
Alcohol-related disorder at night in your neighbourhood	50	80	187	99	20
Alcohol-related disorder during the day in the city centre	33	86	178	53	89
Alcohol-related disorder at night in the city centre	91	140	78	10	119

2

Please list any locations where you believe alcohol-related disorder is a problem.

This question has been answered 299 times.

3

In your opinion, has alcohol-related disorder got better, stayed the same or got worse over the last 12 months?

	Got better	Stayed the same	Got worse	Don't know
Alcohol-related disorder during the day in your neighbourhood	47	263	58	71
Alcohol-related disorder at night in your neighbourhood	49	241	69	77
Alcohol-related disorder during the day in the city centre	47	181	32	179
Alcohol-related disorder at night in the city centre	53	133	45	207

4

To what extent do you agree or disagree with these statements about drinking in public spaces?

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
Seeing people drinking in public places worries	115	119	104	73	29

me					
I would avoid areas where people are drinking in public	124	123	85	78	29
I do not feel concerned when seeing people drinking in public spaces	37	79	86	156	81
People have a right to drink alcohol in public areas if they are behaving considerately	92	167	87	59	34
Alcohol-related disorder does not concern me	21	16	54	188	160
There should not be a complete ban on drinking alcohol in any area of Oxford	76	107	79	104	74

5

Alcohol Free Zones

PSPOs allow the Council to restrict alcohol consumption completely in areas where there is significant evidence of alcohol-related disorder.

Are there any areas in Oxford where you would support a complete ban on

public drinking?

This question has been answered 315 times.

6

Dog Control

When considering the control of dogs, please select the most applicable option in each row:

	Very big problem	Fairly big problem	Not a very big problem	Not a problem at all	Don't know	Not applicable
Dog fouling in my neighbourhood is a...	38	135	202	49	11	4
Dog fouling in the parks I use is a...	45	145	178	32	17	20
Dogs not on leads is a...	64	91	186	72	13	8
The number of dogs a person has under their control is a...	28	56	201	112	32	9
Dogs in children's play parks is a...	66	76	123	60	93	19

7

In your opinion, have the following dog related issues got better, stayed the same or got worse over the last 12 months?

	Got better	Stayed the same	Got worse	Don't know	Not applicable
Dog fouling in my neighbourhood	33	249	95	58	5
Dog fouling in the parks I use	18	247	96	61	18
Dogs not on leads	15	257	92	60	14
The number of dogs a person has under their control	14	244	50	113	19
Dogs in children's play parks	16	194	48	152	29

8

To what extent do you agree or disagree with the following statements:

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
Dogs should be allowed in children's play parks	14	27	57	106	235

Owners should pick up their dog mess anywhere in the city	415	20		1	4
Dog owners should not be restricted on the number of dogs under their control at any one time	24	47	88	147	133
Dog owners should put their dog on a lead if asked by a Council or Police Officer.	337	82	8	6	7
Dogs should be kept on a lead at all times in the city centre	279	89	38	22	11

9

Is there anything further you would like to add?

This question has been answered 252 times.



THE KENNEL CLUB

Making a difference for dogs

Kennel Club Response to Oxford City Council Public Spaces Protection Order Consultation

Submitted on 17th September 2020 by: The Kennel Club, Clarges Street, Piccadilly, London W1J 8AB, email: kcdog@thekennelclub.org.uk

The Kennel Club is the largest organisation in the UK devoted to dog health, welfare and training, whose main objective is to ensure that dogs live healthy, happy lives with responsible owners. As part of its External Affairs activities, the Kennel Club runs KC Dog, which was established to monitor and keep dog owners up to date about dog related issues, including Public Spaces Protection Orders (PSPOs) being introduced across the country.

As a general principle, we would like to highlight the importance for all PSPOs to be necessary and proportionate responses to problems caused by dogs and irresponsible owners. It is also important that authorities balance the interests of dog owners with the interests of other access users.

Response to proposed measures

Dog access

Exclusion from playgrounds, tennis courts or skate parks etc / reasonable dogs on lead

The Kennel Club does not normally oppose Orders to exclude dogs from playgrounds, or enclosed recreational facilities such as tennis courts or skate parks, as long as alternative provisions are made for dog walkers in the vicinity. We would also point out that children and dogs should be able to socialise together quite safely under adult supervision, and that having a child in the home is the biggest predictor for a family owning a dog.

The Kennel Club can support reasonable “dogs on lead” orders, which can - when used in a proportionate and evidenced-based way – include areas such as cemeteries, picnic areas, or on pavements in proximity to cars and other road traffic.

Off-lead

However, we will oppose PSPOs which introduce blanket restrictions on dog walkers accessing public open spaces without specific and reasonable justification. Dog owners are required to provide their dogs with appropriate daily exercise, including “regular opportunities to walk and run”, which in most cases will be off lead while still under control.

Their ability to meet this requirement is greatly affected by the amount of publicly accessible parks and other public places in their area where dogs can exercise without restrictions. This

section of the Animal Welfare Act was included in the statutory guidance produced for local authorities by the Home Office on the use of PSPOs.

Accordingly, the underlying principle we seek to see applied is that dog controls should be the least restrictive to achieve a given defined and measurable outcome; this is the approach used by Natural England. In many cases, a seasonal or time of day restriction will be effective and the least restrictive approach, rather than a blanket year-round restriction. For instance, a “dogs on lead” order for a picnic area is unlikely to be necessary in mid-winter.

The Government provided clear instructions to local authorities that they must provide restriction free sites for dog walkers to exercise their dogs. This message was contained in the guidance document for DCOs, and has been retained in both the Defra/Welsh Government and Home Office PSPO guidance documents, with the Defra guidance for PSPOs stating ‘local authorities should ensure there are suitable alternatives for dogs to be exercised without restrictions’.

Maximum number of dogs a person can walk

The Kennel Club feel that an arbitrary maximum number of dogs a person can walk is an inappropriate approach to dog control that will often simply displace and intensify problems in other areas. The maximum number of dogs a person can walk in a controlled manner depends on a number of factors relating to the dog walker, the dogs being walked, whether leads are used and the location where the walking is taking place.

An arbitrary maximum number can also legitimise and encourage people to walk dogs up to the specified limit, even if at a given time or circumstance, they cannot control that number of dogs.

We thus suggest that defined outcomes are used instead to influence people walking one or more dogs, be that domestically or commercially, such as dogs always being under control, or not running up to people uninvited, on lead in certain areas etc.

For example, an experienced dog walker may be able to keep a large number of dogs under control during a walk, whereas an inexperienced private dog owner may struggle to keep a single dog under control. Equally the size and training of the dogs are key factors; this is why an arbitrary maximum number is inappropriate. The Kennel Club would recommend the local authority instead uses the proposed “dogs on lead by direction” orders and targeted measures such as Acceptable Behaviour Contracts and Community Protection Orders to address people who don’t have control of the dogs they are walking.

A further limitation of a maximum number of dogs per person is that that it does not stop people with multiple dogs walking together at a given time, while not exceeding the maximum number of dogs per person. Limits can also encourage some commercial dog walkers to leave excess dogs in their vehicles, which can give rise to welfare concerns.

If a maximum number of dogs is being considered due to issues arising from commercial dog walkers, we instead suggest councils look at accreditation schemes that have worked very successfully in places like the East Lothian council area. These can be far more effective than numerical limits, as they can promote wanted good practice, rather than just curb the excesses of just one aspect of dog walking. Accreditation can also ensure dog walkers are properly insured and act as advocates for good behaviour by other dog owners.

Dog fouling

The Kennel Club strongly promotes responsible dog ownership, and believes that dog owners should always pick up after their dogs wherever they are, including fields and woods in the

wider countryside, and especially where farm animals graze to reduce the risk of passing Neospora and Sarcocystosis to cattle and sheep respectively.

We would like to take this opportunity to encourage the local authority to employ further proactive measures to help promote responsible dog ownership throughout the local area in addition to introducing Orders in this respect.

These proactive measures can include: increasing the number of bins available for dog owners to use; communicating to local dog owners that bagged dog poo can be disposed of in normal litter bins; running responsible ownership and training events; or using poster campaigns to encourage dog owners to pick up after their dog.

Assistance dogs

We welcome the intent to include exemptions for assistance dogs, however we would suggest further consideration of the wording contained within the Order, specifically with reference to “prescribed charity”.

While a proportion of assistance dogs relied upon by disabled people are trained by charities, many are not.

With regard to providing exemptions for those who rely on assistance dogs, we would urge the Council to review the Equality and Human Rights Commission guidance for businesses and service providers – <https://www.equalityhumanrights.com/sites/default/files/assistance-dogs-a-guide-for-all-businesses.pdf>

A number of well-known assistance dog providers are members of Assistance Dogs UK. This umbrella group, currently has eight member organisations which can be viewed here - <http://www.assistedogs.org.uk/>. However, it is important to note that the membership of Assistance Dogs UK is not a definitive list of all UK assistance dog organisations, and may change during the currency of the PSPO, it also does not provide for owner trained assistance dogs. We would therefore encourage the Council to allow some flexibility when considering whether a disabled person's dog is acting as an assistance dog.

The Council could consider adopting the definitions of assistance dogs as used by Mole Valley District Council which can be found on page 4 of this document - https://www.molevalley.gov.uk/media/pdf/1/b/83072_-_Completed_PSPO.pdf

Or that of Northumberland County Council -

“(4) The term “Assistance Dog” shall mean a dog which has been trained to assist a person with a disability.

(5) The expression “disability” shall have the meaning prescribed in section 6 of the Equality Act 2010 or as may be defined in any subsequent amendment or re-enactment of that legislation”

Appropriate signage

It is important to note that in relation to PSPOs the “The Anti-social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014” make it a legal requirement for local authorities to –

“cause to be erected on or adjacent to the public place to which the order relates such notice (or notices) as it considers sufficient to draw the attention of any member of the public using that place to -

- (i) the fact that the order has been made, extended or varied (as the case may be); and
- (ii) the effect of that order being made, extended or varied (as the case may be).”

With relation to dog access restrictions such as a “Dogs on Leads Order”, on-site signage should make clear where such restrictions start and finish. This can often be achieved by signs that on one side say, for example, “You are entering [type of area]” and “You are leaving [type of area]” on the reverse of the sign.

While all dog walkers should be aware of their requirement to pick up after their dog, signage should be erected for the PSPO to be compliant with the legislation.

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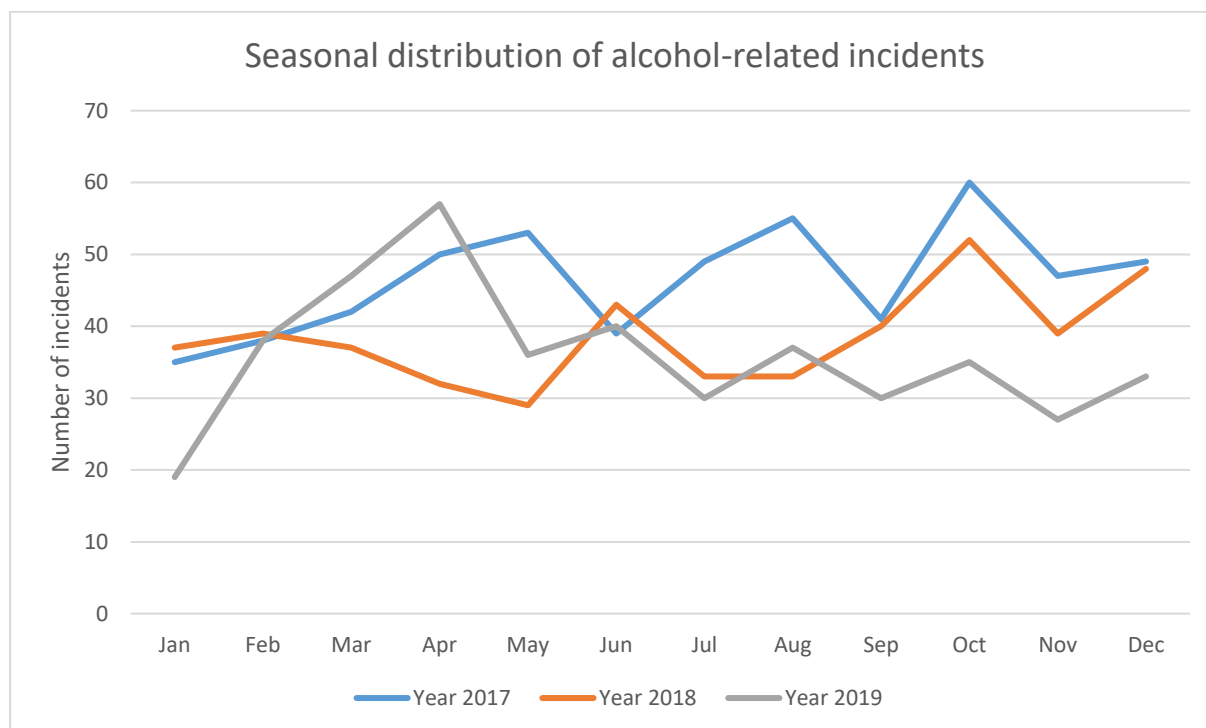
Appendix 5 Alcohol disorder and Dog Control PSPO evidence

Alcohol-related disorder

Source: Police Command and Control Data where alcohol is a factor in the incident in the Oxford Police Area.

Notes: It is not possible to separate incidents in a public space from those in a residential or business premises.

Seasonal trend in alcohol-related incidents



Notes

There appears to be no seasonal trend in alcohol-related incidents during the years 2017-2020. The number of incidents in each month during 2017 were higher than the following two years except in February and June when they were at the same level.

The average number of alcohol related incidents per month in 2017 was 47 incidents, in 2018, 39 incidents, and in 2019, 36 incidents.

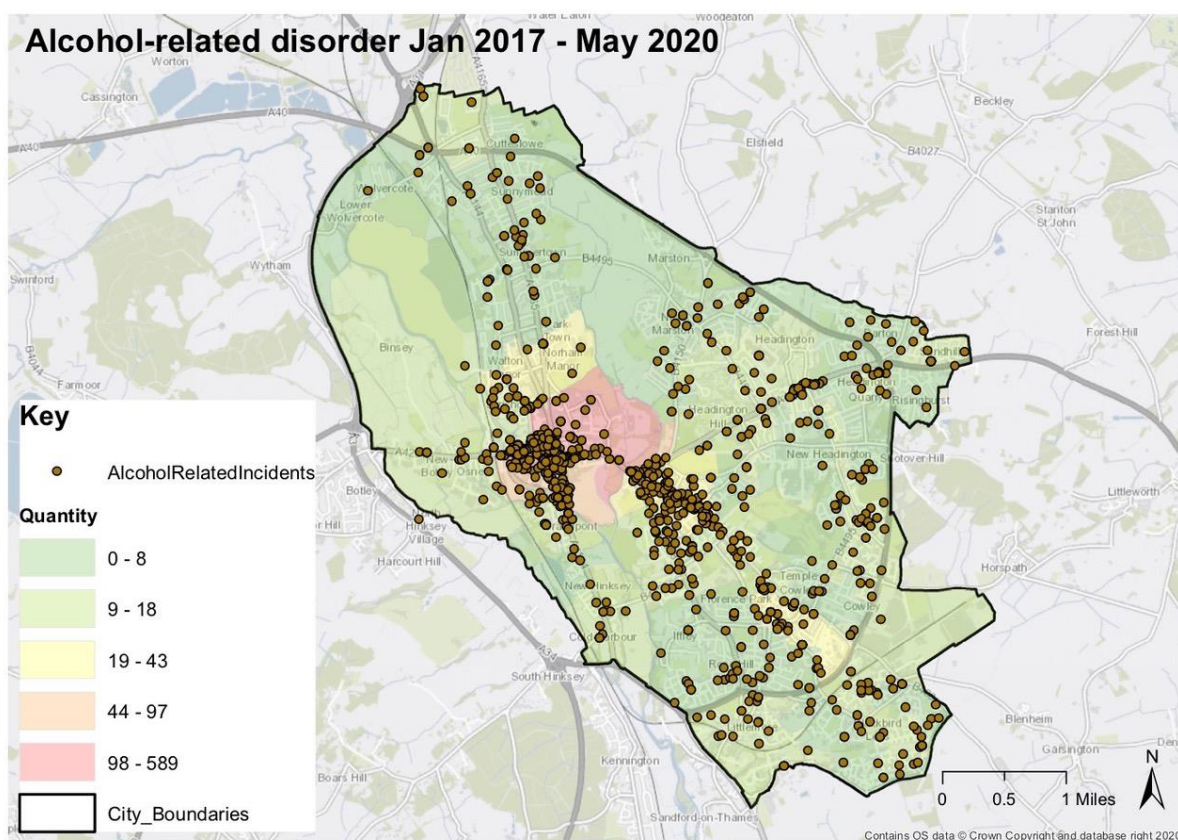
Police Neighbourhood annual totals

	2017 Total	2018 Total	2019 Total
Oxford Central	294	250	204
Oxford Cowley	49	27	40
Oxford East	77	72	67
Oxford North	20	25	24
Oxford North East	37	34	40
Oxford South East	43	30	24

Notes

Oxford Central has consistently the highest number of alcohol-related incidents, nearly 4 times greater than the next neighbourhood, Oxford East. This is to be expected with the prevalence of licensed premises in the area and areas where street drinking is known to take place. Over the three years the number of incidents in Oxford Central, whilst still over 200 per year, has fallen by a third.

Geographic spread of alcohol-related incidents



Notes

The yellow circles represent one or more incidents. They are sized so no specific residential address can be identified.

The colour key shows the number of incidents within a Lower Super Output Area.

The map clearly shows the relatively high numbers of incidents in the city centre, and another significant grouping in the St Clements and Cowley Road area of the city. There are other smaller groupings along the arterial roads into the city – London Road in Headington, Iffley Road and Abingdon Road. Other areas with some concentrations of incidents include Jericho, Summertown, Wood Farm and Temple Cowley shopping centre.

Source: Parks and Green Spaces Team

Notes: Data on alcohol litter is not logged separately to other types of litter. Feedback from the team on the amount and location of alcohol-related detritus has identified a number of repeat locations.

In terms of public space alcohol-related issues the main problem sites are Angel and Greyhound Meadow, the small seating area next to Botley Bridge (remnant of Twenty Pound Meadow), Middle Fisher Row, John Allen Park in Cowley (behind TKMax) and Manzil Way.

Student drinking is a seasonal problem in South Park and Headington Hill Park where the main campuses are, particularly when the language students are in the city during the summer months. This student drinking forms part of late night parties in the park which also lead to mass littering (some examples attached).

We also had the emergence of large parties and mass littering on Port Meadow and I suspect this will become another seasonal hotspot.

Examples of alcohol litter in South Parks:

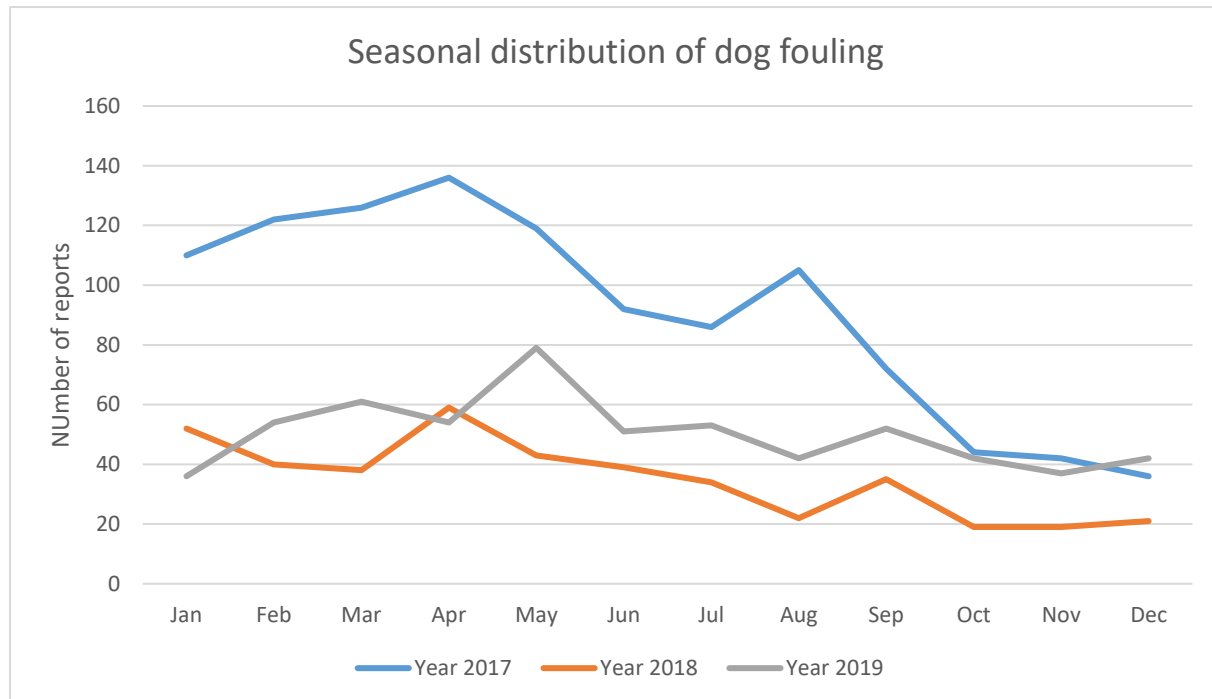


Dog control data

Source: Oxford Direct Services dog fouling data

Notes: There is no data relating to more than five dogs under the control of one person, dogs in play parks or dogs off a lead. However, the Parks and Green Spaces Team have anecdotal information on these issues through their regular visits to parks across the city.

Seasonal trend in dog fouling reports



Notes

There are slightly more dog fouling reports in the Spring and Summer months possibly due to longer daylight hours and therefore an increase number of people coming across the problem. The number of incidents in each month during 2017 were higher than the following two years except in December.

The average number of dog fouling reports per month in 2017 was 91 reports, in 2018, 35 reports, and in 2019, 50 reports.

Proactive dog fouling operations involving communications with residents may increase the quantity of reporting.

Ward annual totals

	2017	2018	2019
Barton And Sandhills Ward	121	40	74
Blackbird Leys Ward	61	25	34
Carfax Ward	67	3	2
Churchill Ward	69	23	25
Cowley Marsh Ward	63	41	46
Cowley Ward	45	17	18
Headington Hill And Northway Ward	32	2	64
Headington Ward	22	21	14
Hinksey Park	18	8	10
Holywell Ward	2		1
Iffley Fields Ward	29	11	13

Source: Parks and Green Spaces Team

Notes: Data on dog fouling reported by the Parks and Green Spaces Team will be included in the previous dataset.

In terms of the dog related activities it's certainly vital that prohibition is maintained against people taking dogs in play areas and ideally this would be extended to other enclosed areas signed as no dog areas (for example the former bowls green in Florence Park which is used as an outside space by the nursery).

People are increasingly wanting dog free spaces in parks and this is particularly important for some residents who won't use green spaces where dogs are allowed to roam free, some people having a pathological fear of dogs.

For similar reasons we need to maintain the no more than four dogs rule to ensure there is at least some ability to control dogs – without this rule the dog walking companies would become a problem.

Appendix 6: Dog Control and Alcohol Disorder Public Spaces Protection Order - Risk Assessment

Title	Risk description	Opp/ threat	Cause	Consequence	Date Raised	Owner	Gross		Current		Residual		Comments	Controls				
							I	P	I	P	I	P		Control description	Due date	Status	Progress %	Action Owner
Dog Control and Alcohol disorder PSPOs	Multi agency enforcement	Lack of enforcement officers	Financial cutbacks in police and council	Ineffective legislation and negative public feedback	30th Sept. 2020	Richard Adams	4	2	4	2	2	2	Police and Council officers have experience of using these powers. Parks and Green Spaces officers can supplement resourcing.	Training process in place.	11th November 2020	On-going		Simon Manton
Dog Control and Alcohol disorder PSPOs	Negative public perception due to negative press	Council reputation	Lack of clear communication over the introduction and management of the PSPO	Negative reputation of council	30th Sept. 2020	Richard Adams	3	3	3	3	2	2	Press releases and social media communications drawing on previous PSPO experiences.	Regular clear positive press briefings explaining ethos of council	11th November 2020	On-going		Tom Jennings/Lauren Edwards
Dog Control and Alcohol disorder PSPOs	Council reputation with regard to perception of targeting vulnerable members of society	Council reputation	Mismanagement of enforcement of the PSPO	Negative reputation of council, wasted resources, failure of prosecutions.	30th Sept. 2020	Richard Adams	4	3	3	3	2	2	Enforcement policy is being written in line with the ethos of Oxford City Council	Strong management of staff in accordance with Oxford City Councils ASB Enforcement Policy	11th November 2020	On-going		Richard Adams/Simon Manton

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OXFORD CITY COUNCIL
ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING
ACT 2014

PART 4, SECTION 59
PUBLIC SPACES PROTECTION ORDER

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Oxford City Council (the Council) in exercise of the power under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (the Act), being satisfied that the conditions set out in section 59 of the Act have been met, makes the following order:

Dogs on Leads

1. Any person in charge of a dog in a public place within the Restricted Area shall be in breach of this Order if he/she, at any time, on any land in the Restricted Area, does not comply with a direction given by an Authorised Officer to put and keep the dog on a lead, unless:
 - a. he/she has a reasonable excuse for failing to do so; or,
 - b. the owner, occupier or other person or authority having control of the relevant land has consented to him/her failing to do so.
2. For the purposes of this article an Authorised Officer of the Council may only give such a direction under this Order to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog likely to cause annoyance or disturbance to any other person, animal or bird.

Specified Number of Dogs

3. A person found to be in charge of more than four dogs at the same time whilst in a public place within the Restricted Area shall be in breach of this Order, unless:
 - a. he/she has a reasonable excuse for doing so; or,
 - b. the owner, occupier or other person or authority having control of the relevant land has consented to him/her doing so.

Dog Fouling of Land

4. Any person in charge of a dog in a public place within the Restricted Area shall be in breach of this Order if he/she, at any time, fails to remove the faeces from the land forthwith, unless:
 - a. he/she has a reasonable excuse for failing to do so; or,

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- b. the owner, occupier or other person or authority having control of the relevant land has consented to his failing to do so.
- 5. Placing the faeces in a receptacle on the land which is provided for the purpose, or for the disposal of waste, shall be sufficient removal from the land.
- 6. Being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces.

Exclusion from Children's Play Areas

- 7. A person in charge of a dog shall be in breach of this order if, at any time, he/she takes the dog onto, permits the dog to enter or to remain on, any land within the restricted area specified in article 8 of the Order, unless:
 - a. he/she has a reasonable excuse for failing to do so; or,
 - b. the owner, occupier or other person or authority having control of the relevant land has consented to his failing to do so.
- 8. This article applies to all land in the Restricted Area comprising any fenced (and /or hedged and/or walled) children's play area signed at its entrance(s) as a 'dog exclusion area' (whether the sign uses those particular words or words and/or symbols having a like effect).

Definitions

- 9. The Authority means Oxford City Council (the Council).
- 10. Authorised Officer means a police officer, an employee of the Council or other person who is authorised in writing by the Council.
- 11. Person in charge means the person who has the dog in his/her possession, care or company at the time the relevant offence is committed, or, the person who habitually has the dog in his/her possession, care or company.
- 12. Relevant Land means the piece of land in the Restricted Area.
- 13. Restricted Area means the land designated in the Schedule Of Land to this Order.

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14. This Order comes into force on 27 November 2017 and will remain in force for a period of three years from that date.

Exemptions

15. Nothing in this order applies to a person who:

- a. is registered as a blind person in a register complied under section 29 of The National Assistance Act 1948; or,
- b. has a disability which affects his/her mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he/she relies for assistance.

Penalty

16. Any person who, without reasonable excuse fails to comply with this Order shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

SCHEDULE OF LAND

This Order applies to all land in the administrative area of Oxford City Council that is open to the air and to which the public are entitled to or permitted to have access (with or without payment). For the purposes of this Schedule land which is covered is to be treated as land which is 'open to the air' if it is open to the air on at least one side.

OXFORD CITY COUNCIL
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CHALLENGING THE VALIDITY OF ORDERS

An interested person may apply to the High Court to question the validity of—

- a) This Order, or
- b) A future variation of this Order.

“Interested person” means an individual who lives in the restricted area or who regularly works in or visits that area.

An appeal against this Order or a future variation of this Order may be made to the High Court within six weeks from the date on which the order or variation is made, on the grounds that:

- a) Oxford City Council did not have power to make the order or variation, or to include particular prohibitions or requirements imposed by the order (or by the order as varied);
- b) a requirement under Chapter 2 of the Anti-Social Behaviour, Crime and Policing Act 2014 was not complied with in relation to the order or variation.

Date:

Signature:

Position:

**OXFORD CITY COUNCIL
ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING
ACT 2014
PART 4, SECTION 59
PUBLIC SPACES PROTECTION ORDER**

Oxford City Council (the Council) in exercise of the power under section 59 of The Anti-Social Behaviour, Crime and Policing Act 2014 (the Act), being satisfied that the conditions set out in section 59 of the Act have been met, makes the following order:

1. The Order applies to the public areas as described in the Schedule Of Land (the Restricted Area):
 - a) It shall be an offence for any person to refuse to stop drinking alcohol or hand over any containers (sealed or unsealed) which are believed to contain alcohol, when required to do so by a police officer or authorised officer in order to prevent public nuisance or disorder, unless:
 - b) He/She has a reasonable excuse for failing to do so.
2. Any person who, without reasonable excuse, fails to comply with the requirements of this Order commits an offence and shall be liable, on summary conviction, to a fine not exceeding level 2 on the standard scale.
3. This Order comes into force on 27 November 2017 and will remain in force for a period of three years from that date.

Definitions

4. The Authority means Oxford City Council (the Council).
5. Authorised Officer means a police officer, an employee of the Council or other person who is authorised in writing by the Council.
6. Restricted Area means the land designated in the Schedule Of Land to this Order.

Penalty

7. Any person who, without reasonable excuse fails to comply with this Order shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

Exceptions

8. This Order does not apply to premises as described in section 62 of the Anti-Social Behaviour, Crime and Policing Act 2014.

**OXFORD CITY COUNCIL
ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING
ACT 2014
PART 4, SECTION 59
PUBLIC SPACES PROTECTION ORDER**

SCHEDULE OF LAND

This Order applies to all land in the administrative area of Oxford City Council that is open to the air and to which the public are entitled to or permitted to have access (with or without payment). For the purposes of this Schedule land which is covered is to be treated as land which is 'open to the air' if it is open to the air on at least one side.

CHALLENGING THE VALIDITY OF ORDERS

An interested person may apply to the High Court to question the validity of—

- a) This Order, or
- b) A future variation of this Order.

“Interested person” means an individual who lives in the restricted area or who regularly works in or visits that area.

An appeal against this Order or a future variation of this Order may be made to the High Court within six weeks from the date on which the order or variation is made, on the grounds that:

- a) Oxford City Council did not have power to make the order or variation, or to include particular prohibitions or requirements imposed by the order (or by the order as varied);
- b) a requirement under Chapter 2 of the Anti-Social Behaviour, Crime and Policing Act 2014 was not complied with in relation to the order or variation.

Date:

Signature:

Position:

Appendix 9: ASB tools and powers summary

Anti-Social Behaviour enforcement remedies

- 5.1. Prior to formal enforcement action, the case officer will ensure all reasonable steps have been taken to identify any vulnerabilities and safeguarding needs, and that all appropriate supportive actions have been considered.
- 5.2. In complex cases enforcement options will be discussed with the Council's Legal Services Team and a written note of the advice given will be filed against the case notes. Having first obtained approval by their line manager the case officer will compile a full case file with all documentary evidence obtained during the investigation for enforcement by the Council's Legal Services Team. This will include all available evidence such as photographs, statements, letters, ABCs, Cautions and CCTV evidence. In these complex cases, all draft legal notices will be sent to Legal Services for their approval, prior to serving.
- 5.3. All complex cases that involve homeless people, or may bring a significant media attention on the Council will be signed off at a senior level, Head of Service or above.
- 5.4. Managers will provide advice and guidance in regard to appropriate legal measures, taking full account of the perpetrator's age, tenure, vulnerabilities and the seriousness of the case.
- 5.5. In line with Home Office guidance, no enforcement action will take place if it would result in an individual being disproportionately and unreasonably affected. Reasonable steps will be made to obtain relevant information and advice on a person's vulnerabilities from support agencies, which may include outreach teams, GPs, mental health services, housing providers and the police.
- 5.6. **Civil Injunction.** The ASB, Crime and Policing Act 2014 repealed the ASBO and replaced it with a Civil Injunction granted by the County court. It is available for perpetrators of ASB aged 10 years or over. There is no minimum and maximum term for an injunction for adults but for under 18s, the maximum term is 12 months and the local Youth Offending Team must be consulted.
- 5.7. The Injunction can include positive requirements which are relevant to getting the perpetrator to address underlying reasons for their ASB. A power of arrest can be attached if violence has or is threatened, or there is significant risk of harm to others.
- 5.8. Breach of an Injunction is a contempt of court and not a criminal offence. However, the county court can still apply serious sanctions including prison.
- 5.9. **s.152 Housing Act 1996 Injunction.** This injunction is granted by the County court in order to prohibit a person from engaging in or threatening to engage in conduct causing or likely to cause a nuisance or annoyance to a person residing in, visiting or otherwise engaging in a lawful activity in residential premises. This also includes using the premises for immoral or illegal purposes. A power of arrest ([s.153](#)) can be attached.
- 5.10. In very serious cases it may be possible to apply for an Interim Injunction whereby the court issues the injunction without the need for the perpetrator to be at the hearing. A full hearing is scheduled for a later date.
- 5.11. **Injunctions for trespass.** The Council can send a prohibition letter banning individuals from entering council owned land. If the letter is ignored this will be trespass and the Council can apply for an injunction banning the individual from continuing the trespass.

Appendix 9: ASB tools and powers summary

- 5.12. **Injunctions under s.222 Local Government Act 1972.** The Council can use the authority of s. 222 Local Government Act 1972 to bring proceedings in the County Court to prohibit a person from continuing to cause a public nuisance, if it can be shown that it is expedient for the promotion or protection of the interests of the inhabitants of the area.
- 5.13. **Closure Notices and Closure Orders.** The Council can issue a Closure Notice and if relevant apply for a Closure Order for a premise that is the cause of significant and persistent disorder, or persistent serious nuisance to a community. The Closure Notice lasts for a maximum period of 48hrs if signed by a police Superintendent or Senior Council Official, and 24 hours if signed by a police Inspector. A Notice can prohibit everyone from the premise or allow access to certain people, for example, the people who habitually live on the premise and the owner of the premise. A Closure Order is issued by the court and the application must be made within 48hrs of the issuing of a Closure Notice. The closure period is three months and can be extended to a maximum of 6 months.
- 5.14. **Seizure of sound equipment.** Section 10(7) of the Noise Act 1996 confirms the power of a local authority to abate any statutory noise nuisance by seizing and removing equipment used in the emission of the noise in question.
- 5.15. **Community Protection Notices.** Community Protection Notices (CPNs) can be issued to stop a person, 16 or over, business or organisation from causing anti-social behaviour. The behaviour must be unreasonable, persistent and have a detrimental effect on the quality of life of those in the locality. A warning of a CPN (CPW) must be issued first, followed by the CPN if the behaviour continues. Failure to adhere to the CPN can result in a fixed penalty notice, prosecution at court or the Council can undertake remedial action. The CPN can include positive requirements on the person or organisation, although the Council cannot prosecute for breaches of positive requirements.
- 5.16. CPNs are most commonly used for environmental crimes and noise complaints. For the less complex cases a set of common prohibitions are available for case officers to use. For more complex cases involving more bespoke prohibitions the CPWs and CPNs are agreed with Legal Services as set out in paragraph 7.2.
- 5.17. **Public Spaces Protection Order (PSPO).** PSPOs are designed to deter anti-social behaviour in public spaces by placing conditions on the use of the area. Breaches of a PSPO will usually result in officers issuing a verbal warning, often alongside an information sheet that explains the Order in more detail. Further breaches can result in the issuing of a fixed penalty notice or prosecution at court.
- 5.18. **Criminal Behaviour Orders (CBO).** Available to the Crown Prosecution Service and Local Authorities, these Orders can be applied for on conviction of a criminal offence and are designed to curb the behaviour of perpetrators of persistent ASB and criminality. The Council may apply for a CBO when a person is convicted of breaching a CPN, PSPO, Environmental Protection Act 1990, S80 abatement notice, bye-law or other criminal offence the Council has the power to prosecute.

Appendix 10: Oxford Dog Control PSPO – Equalities Impact Assessment



Service Area: Regulatory Services and Community Safety	Section: Community Safety	Date of Initial assessment: 30 th September 2020	Key Person responsible for assessment: Richard Adams	Date assessment commenced: 30 th September 2020
Name of Policy to be assessed:		Dog Control Public Spaces Protection Order		
1. In what area are there concerns that the policy could have a differential impact		<i>Race</i>	<i>Disability</i>	<i>Age</i>
		<i>Gender reassignment</i>	<i>Religion or Belief</i>	<i>Sexual Orientation</i>
		<i>Sex</i>	<i>Pregnancy and Maternity</i>	<i>Marriage & Civil Partnership</i>
Other strategic/ equalities considerations		<i>Safeguarding/ Welfare of Children and vulnerable adults</i>	<i>Mental Wellbeing/ Community Resilience</i>	
2. Background: Give the background information to the policy and the perceived problems with the policy which are the reason for the Impact Assessment.		Oxford City Council is considering the removal, extension or a materially new Public Spaces Protection Order to address dog control in Oxford. A breach of the order is a criminal offence that can result in the offender being reported to the court or the breach being discharged through a £100 Fixed Penalty Notice. Restrictions on the proposed behaviours may have an impact on protected characteristics or other strategic equalities considerations, in particular the safeguarding of children and vulnerable adults, mental well-being and community resilience, and disability. The impact on all factors has been considered.		

Appendix 10: Oxford Dog Control PSPO – Equalities Impact Assessment

	<p>The assessment makes due regard to whether implementation of the order will:</p> <ul style="list-style-type: none"> • Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Equalities Act; • Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; • Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
<p>3. Methodology and Sources of Data:</p> <p>The methods used to collect data and what sources of data</p>	<p>Data used to identify the types of behaviours within the proposed PSPO has come from the City Council and police databases.</p> <p>Use of the PSPO powers and advice given will be recorded in pocket note books and on council databases. The information will be analysed to determine whether the implementation of the powers has had a disproportionate effect upon the equality factors.</p>
<p>4. Consultation</p> <p>This section should outline all the consultation that has taken place on the EIA. It should include the following.</p> <ul style="list-style-type: none"> • Why you carried out the consultation. • Details about how you went about it. • A summary of the replies you received from people you consulted. • An assessment of your proposed policy (or policy options) in the light of the responses you received. • A statement of what you plan to do next 	<p>Implementation of a Public Spaces Protection Order requires public consultation as set out in the Anti-Social Behaviour Crime and Policing Act 2014. The consultation methodology was approved by the city council's Public Involvement Board.</p> <p>Consultation responses gave rise to concerns over:</p> <ul style="list-style-type: none"> ▪ Dog fouling ▪ Dogs on leads ▪ The number of dogs in a person's control ▪ Dogs in children's play parks <p>Please refer to the consultation report at Appendix 4 of the attached Cabinet report.</p>

Appendix 10: Oxford Dog Control PSPO – Equalities Impact Assessment

65

Nothing in the proposed Order shall apply to a person who –

- a) Is registered as a blind person on a register compiled under section 29 or the National Assistance Act 1948; or
- b) Is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (register charity number 293358) and upon which the person relies for assistance; or
- c) Has a physical or mental impairment which has a substantial and long term adverse effect on the ability to carry out common day-to-day activities in respect of a dog trained by any current or future members of Assistance Dogs UK, or any other charity registered in the UK with a purpose of training assistance dogs and upon which the person relies for assistance
- d) Has a physical or mental impairment which has a substantial and long term adverse effect on the ability to carry out normal day-to-day activities and in the reasonable opinion of the Council that person relies upon the assistance of the dog in connection with their disability.

Dog fouling

The most common complaint relating to dogs is fouling of the footpath and the associated public health risks, such as toxocariasis. Children are more likely to touch affected soil or faeces, increasing the risk of illness.

Addressing dog fouling will have a positive impact on people with physical disabilities including those with restricted movement.

Race	Disability	Age
Neutral	Positive	Positive
Gender reassignment	Religion or Belief	Sexual Orientation
Neutral	Neutral	Neutral
Sex	Pregnancy and Maternity	Marriage & Civil Partnership
Neutral	Neutral	Neutral

Dogs in children's play parks

Appendix 10: Oxford Dog Control PSPO – Equalities Impact Assessment

	Children are more likely to be afraid of dogs they don't know. The Kennel Club's response to the consultation state that children should be able to socialise safely with dogs, under adult supervision, but does not normally oppose orders restricting dogs from play parks.		
	Children and adults with a disability will be able to use the play parks without having concerns about dogs either running around the park, dog faeces, or leads being trip hazards.		
	Race	Disability	Age
	Neutral	Positive	Positive
	Gender reassignment	Religion or Belief	Sexual Orientation
	Neutral	Neutral	Neutral
	Sex	Pregnancy and Maternity	Marriage & Civil Partnership
	Neutral	Neutral	Neutral
	Dogs on leads by order		
	Enabling officers to direct dog owners to place their dogs on a lead will have a positive impact on those whose disability may mean they cannot protect themselves from a dog out of the owner's control. This also applies to children, young people and the elderly.		
	Race	Disability	Age
	Neutral	Positive	Positive
	Gender reassignment	Religion or Belief	Sexual Orientation
	Neutral	Neutral	Neutral
	Sex	Pregnancy and Maternity	Marriage & Civil Partnership
	Neutral	Neutral	Neutral
	Restricting the number of dogs under the control of a single person		

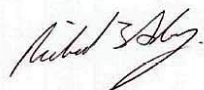
Appendix 10: Oxford Dog Control PSPO – Equalities Impact Assessment

	<p>Multiple dogs under the responsibility of a single person can result in dogs not being under control. This is particularly the case if they are not on a lead. Dogs on or off leads in large groups may mean people with a disability cannot protect themselves. This also applies to children, young people and the elderly.</p> <table><tr><td>Race</td><td>Disability</td><td>Age</td></tr><tr><td>Neutral</td><td>Positive</td><td>Positive</td></tr><tr><td>Gender reassignment</td><td>Religion or Belief</td><td>Sexual Orientation</td></tr><tr><td>Neutral</td><td>Neutral</td><td>Neutral</td></tr><tr><td>Sex</td><td>Pregnancy and Maternity</td><td>Marriage & Civil Partnership</td></tr><tr><td>Neutral</td><td>Neutral</td><td>Neutral</td></tr></table>	Race	Disability	Age	Neutral	Positive	Positive	Gender reassignment	Religion or Belief	Sexual Orientation	Neutral	Neutral	Neutral	Sex	Pregnancy and Maternity	Marriage & Civil Partnership	Neutral	Neutral	Neutral
Race	Disability	Age																	
Neutral	Positive	Positive																	
Gender reassignment	Religion or Belief	Sexual Orientation																	
Neutral	Neutral	Neutral																	
Sex	Pregnancy and Maternity	Marriage & Civil Partnership																	
Neutral	Neutral	Neutral																	
<p>6. Consideration of Measures:</p> <p>This section should explain in detail all the consideration of alternative approaches/mitigation of adverse impact of the policy</p>	<p>No adverse impacts of the policy have been identified.</p> <p>The measures are proportionate responses to problems caused by dogs and irresponsible owners.</p>																		
<p>6a. Monitoring Arrangements:</p> <p>Outline systems which will be put in place to monitor for adverse impact in the future and this should include all relevant timetables. In addition it could include a summary and assessment of your monitoring, making clear whether you found any evidence of discrimination.</p>	<p>The Community Safety Team will oversee the use of all enforcement actions in accordance with the Council’s ASB Enforcement Policy.</p> <p>Advice, warnings and enforcement of the PSPO will be logged in pocket notebooks and council and police databases.</p>																		

Appendix 10: Oxford Dog Control PSPO – Equalities Impact Assessment

7. Date reported and signed off by City Executive Board:		November 11 th 2020			
8. Conclusions: What are your conclusions drawn from the results in terms of the policy impact		The introduction of the Dog Control PSPO will impact positively on the lives of people who live, work and visit the city, particularly those with disabilities, children, young people and the elderly. The Council's approach to enforcement is detailed in Oxford City Council's Anti-Social Behaviour Policy, available on the council's website.			
9. Are there implications for the Service Plans?	No	10. Date the Service Plans will be updated		11. Date copy sent to Equalities Officer in HR & Facilities	5 th October 2020
13. Date reported to Scrutiny and Cabinet:	26 th October 2020	14. Date reported to Cabinet:	26 th October 2020	12. The date the report on EqlA will be published	26 th October 2020

Signed (completing officer)



Signed (Lead Officer)



Please list the team members and service areas that were involved in this process:

Richard Adams, Service Manager

Appendix 11: Oxford Alcohol Disorder PSPO – Equalities Impact Assessment



Service Area: Regulatory Services and Community Safety	Section: Community Safety	Date of Initial assessment: 30 th September 2020	Key Person responsible for assessment: Richard Adams	Date assessment commenced: 30 th September 2020
Name of Policy to be assessed:		Alcohol Disorder Public Spaces Protection Order		
1. In what area are there concerns that the policy could have a differential impact		<i>Race</i>	<i>Disability</i>	<i>Age</i>
		<i>Gender reassignment</i>	<i>Religion or Belief</i>	<i>Sexual Orientation</i>
		<i>Sex</i>	<i>Pregnancy and Maternity</i>	<i>Marriage & Civil Partnership</i>
Other strategic/ equalities considerations		<i>Safeguarding/ Welfare of Children and vulnerable adults</i>	<i>Mental Wellbeing/ Community Resilience</i>	
2. Background: Give the background information to the policy and the perceived problems with the policy which are the reason for the Impact Assessment.		<p>Oxford City Council is considering the removal, extension or a materially new Public Spaces Protection Order to address alcohol disorder in Oxford. A breach of the order is a criminal offence that can result in the offender being reported to the court or the breach being discharged through a £100 Fixed Penalty Notice.</p> <p>Restrictions on the proposed behaviours may have an impact on protected characteristics or other strategic equalities considerations, in particular the safeguarding of children and vulnerable adults, mental well-being and community resilience, and disability. The impact on all factors has been considered.</p>		

Appendix 11: Oxford Alcohol Disorder PSPO – Equalities Impact Assessment

	<p>The assessment makes due regard to whether implementation of the order will:</p> <ul style="list-style-type: none"> • Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Equalities Act; • Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; • Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
<p>3. Methodology and Sources of Data:</p> <p>The methods used to collect data and what sources of data</p>	<p>Data used to identify the types of behaviours within the proposed PSPO has come from the City Council and police databases.</p> <p>Use of the PSPO powers and advice given will be recorded in pocket note books and on council databases. The information will be analysed to determine whether the implementation of the powers has had a disproportionate effect upon the equality factors.</p>
<p>4. Consultation</p> <p>This section should outline all the consultation that has taken place on the EIA. It should include the following.</p> <ul style="list-style-type: none"> • Why you carried out the consultation. • Details about how you went about it. • A summary of the replies you received from people you consulted. • An assessment of your proposed policy (or policy options) in the light of the responses you received. • A statement of what you plan to do next 	<p>Implementation of a Public Spaces Protection Order requires public consultation as set out in the Anti-Social Behaviour Crime and Policing Act 2014. The consultation methodology was approved by the city council's Public Involvement Board.</p> <p>Consultation responses gave rise to concerns over:</p> <ul style="list-style-type: none"> ▪ Alcohol-related disorder in public spaces. <p>Please refer to the consultation report at Appendix 4 of the attached Cabinet report.</p>

Appendix 11: Oxford Alcohol Disorder PSPO – Equalities Impact Assessment

	<p>Alcohol related disorder Alcohol-related disorder in public spaces is concentrated in the city centre, Cowley Road and some of the main arterial roads in the city.</p> <p>Addressing alcohol-related disorder will have a neutral impact on all protected characteristics.</p> <table><tr><td>Race Neutral</td><td>Disability Neutral</td><td>Age Neutral</td></tr><tr><td>Gender reassignment Neutral</td><td>Religion or Belief Neutral</td><td>Sexual Orientation Neutral</td></tr><tr><td>Sex Neutral</td><td>Pregnancy and Maternity Neutral</td><td>Marriage & Civil Partnership Neutral</td></tr></table>	Race Neutral	Disability Neutral	Age Neutral	Gender reassignment Neutral	Religion or Belief Neutral	Sexual Orientation Neutral	Sex Neutral	Pregnancy and Maternity Neutral	Marriage & Civil Partnership Neutral
Race Neutral	Disability Neutral	Age Neutral								
Gender reassignment Neutral	Religion or Belief Neutral	Sexual Orientation Neutral								
Sex Neutral	Pregnancy and Maternity Neutral	Marriage & Civil Partnership Neutral								
<p>6. Consideration of Measures:</p> <p>This section should explain in detail all the consideration of alternative approaches/mitigation of adverse impact of the policy</p>	<p>It is important to note that some people are alcohol-dependent and may drink alcohol in public spaces. The PSPO enables the police and Council to address alcohol-related disorder and may designate specific areas where a total ban on alcohol is deemed appropriate due to evidence of regular anti-social behaviour in the area associated with alcohol. This prohibition is specific to an area, not an individual.</p>									
<p>6a. Monitoring Arrangements:</p> <p>Outline systems which will be put in place to monitor for adverse impact in the future and this should include all relevant timetables. In addition it could include a summary and assessment of your monitoring,</p>	<p>The Community Safety Team will oversee the use of all enforcement actions in accordance with the Council’s ASB Enforcement Policy.</p> <p>Advice, warnings and enforcement of the PSPO will be logged in pocket notebooks and council and police databases.</p>									

Appendix 11: Oxford Alcohol Disorder PSPO – Equalities Impact Assessment

making clear whether you found any evidence of discrimination.					
7. Date reported and signed off by City Executive Board:		November 11 th 2020			
8. Conclusions: What are your conclusions drawn from the results in terms of the policy impact		The introduction of the Alcohol Disorder PSPO will impact positively on the lives of people who live, work and visit the city. The Council's approach to enforcement is detailed in Oxford City Council's Anti-Social Behaviour Policy, available on the council's website.			
9. Are there implications for the Service Plans?	No	10. Date the Service Plans will be updated		11. Date copy sent to Equalities Officer in HR & Facilities	5 th October 2020
13. Date reported to Scrutiny and Cabinet:	26 th October 2020	14. Date reported to Cabinet:	26 th October 2020	12. The date the report on EqlA will be published	26 th October 2020

Signed (completing officer)



Signed (Lead Officer)



Please list the team members and service areas that were involved in this process:

Richard Adams, Service Manager

To: Cabinet
Date: 11 November 2020
Report of: Head of Law and Governance
Title of Report: Street Naming and Numbering Policy

Summary and recommendations	
Purpose of report:	To consider the updated Street Naming and Numbering Policy for the Council
Key decision:	Yes
Cabinet Member:	Councillor Nigel Chapman Cabinet Member for Customer Focused Services
Corporate Priority:	Foster an Inclusive Economy and Support Flourishing Communities
Policy Framework:	Council Strategy 2020-24
Recommendations: That Cabinet resolves to:	
<ol style="list-style-type: none"> 1. Approve the draft Street Naming and Numbering Policy; and 2. Delegate authority to the Head of Law and Governance to make any amendments to the draft Street Naming and Numbering Policy as a result of the Cabinet's consideration of it.. 	

Appendices	
Appendix 1	Draft Street Naming and Numbering Policy

Introduction and background

1. Oxford City Council ("the Council") has the legal responsibility for the naming and numbering of streets and properties within the Council's administrative area. The Council has the discretion to make decisions as to the naming of streets and the numbering of properties. The authority has the power to approve or reject property addresses submitted by developers or the general public, or prescribe its own addressing schemes.
2. The Council is reviewing its policy at this time for the following reasons:

The current policy is due for review after a three year period;

There has been some confusion in respect of the consultation process which has not always been a satisfactory process for consultees;

There has been increased interest nationally about the renaming of streets and it is important that the Council's Policy is fit for purpose.

3. The Council is empowered by the provisions of the Oxfordshire Act 1985 (sections 13 and 14), the Public Health Act 1925 (sections 17 to 19) for the purpose of naming streets and by Section 64 of the Towns Improvement Clauses Act 1847 for the purpose of the numbering of properties.
4. All elements of an address, with the exception of postcode and post town, are defined by the Council. Allocation of postcodes is managed by Royal Mail and must be confirmed by them. The maintenance of postcode information, and any future change to individual postcodes or postcode sectors, is the responsibility of Royal Mail.
5. The draft Policy is proposed as an update/revision of the existing policy to reflect best practice. It sets out the way in which consultation will be carried out and describes how street name and numbering schemes will be determined.
6. The objective of the street naming and numbering service is to provide a unique and unambiguous address for every property in the city of Oxford, this will ensure that:
 - emergency Services can find a property quickly;
 - mail is delivered efficiently; and
 - visitors can easily find where they want to go.
7. Many legal transactions associated with properties are delayed until they can be identified by street names and/or numbers. For instance, utilities suppliers will not normally connect their services until such time as premises have been given a formal postal address.
8. The aim of the Street Naming and Numbering Policy is to set out the correct process, rules and fees for the following activities within the administrative area of Oxford City Council:
 - Naming of new streets and numbering properties on those streets;
 - Naming or numbering new properties on an existing street;
 - Renaming or renumbering properties on an existing street;
 - Reviewing the names of existing streets
 - Registration of house names for properties with a number;
 - Allocation of numbers to properties with names only;
 - Renaming existing streets;
 - Consultation on naming new streets; and
 - Confirmation of what are considered to be acceptable street names, property names and numbering schemes by the Council.
9. The naming of a street includes any road, court, alley or thoroughfare.

Operation of the Street Naming and Numbering Policy

10. The draft Policy proposes that the Council will consult on the names for new streets. This will allow for consultation responses to be taken into account when naming streets, but the Council will retain the final decision-making power.
11. The officers responsible for the day-to-day operation of street-naming and numbering will be;
 - Customer Services Applications Officers (Street Naming and Numbering); and
 - The Authority Address Custodian
12. Oversight for these functions comes from;
 - The Customer Services Applications Team Leader and Team Manager; and
 - The Head of Law and Governance.
13. The Head of Law and Governance will have overall responsibility for the Policy.
14. The Cabinet currently has reserved to it the power to make decisions on naming and numbering of streets if there are unresolved objections following consultation. It is proposed that when a street is to be renamed following a review the Cabinet will determine any new name in the event of unresolved objections.
15. It is proposed that there is a delegation made to the Head of Law and Governance to make minor amendments to the Policy. Policy re-drafts or significant changes to the naming or numbering policy, as determined by the Head of Law and Governance, will require approval by the Cabinet.

Financial Implications

16. There are no financial implications as the new policy will operate in place of the existing policy and within the existing fee structure.

Legal issues

17. The Council can charge for the street naming and numbering process under section 93 of the Local Government Act 2003 which allows local authorities to charge where they provide a service. The charge must not exceed the cost of providing the service.
18. All other legal issues are addressed in the background to the report.

Equalities impact

19. The changes proposed in this report do not have any new equality impacts attached to them.

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Job title	Lawyer
Service area or department	Law & Governance
Telephone	01865 252208
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Background Papers: None

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Oxford City Council

Street Naming and Numbering Policy

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1. Introduction

- 1.1 Oxford City Council (“the Council”) has the legal responsibility for the naming and numbering of streets and properties within the Council’s administrative area. The Council acts under the provisions of the Oxfordshire Act 1985 (sections 13 and 14), the Public Health Act 1925 (sections 17 to 19) for the purpose of naming streets and Section 64 of the Towns Improvement Clauses Act 1847 for the purpose of the numbering of properties. The Council can charge for the street naming and numbering process under section 93 of the Local Government Act 2003 which allows local authorities to charge where they provide a service.
- 1.2 The objective of the Council’s street naming and numbering policy is to enable it to provide a unique and unambiguous address for every property in the city of Oxford. This will ensure that;
 - Emergency Services can find a property quickly;
 - Mail is delivered efficiently; and
 - Visitors can easily find where they want to go.
- 1.3 Many legal transactions associated with properties are withheld until they can be identified by street names and/or numbers. For instance, utilities suppliers will not normally connect their services until such time as the premises have been given a formal postal address.
- 1.4 The Council has an obligation to provide address data to the National Land and Property Gazetteer and the Council follows best practice by conforming to:
 - a) GeoPlace Data entry conventions and best practice for addresses: DEC-Addresses Version 3.4, September 2016.
 - b) This guide assists in making address data uniform across the UK; and
 - c) British Standard 7666 - Spatial datasets for geographical referencing. This guidance specifies a national format for holding details on every property and street.

2. Policy aim

- 2.1 The aim of the Street Naming and Numbering Policy (“the Policy”) is to set out the correct process, rules and fees for the following activities within the administrative area of Oxford City Council:
 - a) Naming of new streets and numbering properties on those streets;
 - b) Naming or numbering new properties on an existing street;

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- c) Renaming or renumbering properties on an existing street;
- d) Registration of house names for properties with a number;
- e) Allocation of numbers to properties with names only;
- f) Reviewing the names of existing streets;
- g) Renaming existing streets;
- h) Consultation on naming new streets; and
- i) Confirmation of what are considered to be acceptable street names, property names and numbering schemes.

2.2 The naming of a street includes any road, court, alley or thoroughfare.

3. Policy objectives

3.1 To achieve the above aims the Council will:

- Provide names/ numbers for streets as required;
- Alter the names of properties as requested/ required;
- Register new names for properties with an existing number only;
- Allocate numbers to properties with names only when requested; and
- Consult appropriate persons/groups on the naming of new streets
- Consult appropriate persons/groups when reviewing the names of streets

3.2 The above will be carried out in accordance with:

- The relevant legislation;
- The policy for street naming (See Appendix 2);
- The policy for property numbering (See Appendix 3);
- The policy for property naming (See Appendix 4); and
- The procedure for consultation (See Appendix 5).

4. Powers

4.1 The Council has the statutory power to name streets and number properties. It can allocate and re-name or re-number all of the roads, new developments and property conversions within its administrative area. This includes residential properties, conversions and subdivisions, commercial and industrial premises. It acts under the following guidance and legislation when naming and numbering streets:

- Oxford City Council's Constitution;
- The Oxfordshire Act 1985 (part III, sections 13-14) (see Appendix 1); and

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- Best-practice guidance:
 - GeoPlace Data entry conventions and best practice for addresses: DEC-Addresses Version 3.4, September 2016.
 - British Standard 7666 - Spatial datasets for geographical referencing.
- 4.2 The Policy operates in accordance with the following legal powers of the Council, as outlined in the Oxfordshire Act 1985:
 - To name any street as necessary;
 - To alter the name of any street as necessary;
 - To allocate numbers to buildings in a street as necessary; and
 - To alter numbers allocated to buildings in a street as necessary
- 4.3 Please see Appendix 1 for an extract of relevant sections from the Oxfordshire Act 1985.

5. Claims for compensation

- 5.1 The Council is not liable for any claims for compensation arising directly or indirectly from the naming of streets, re-naming of streets, numbering or renumbering of properties, naming or renaming of properties.
- 5.2 A property developer must not give any postal addresses, including the postcode, to potential occupiers, either directly or indirectly (for example via solicitors or estate agents) before the official naming and numbering scheme has been issued for it by the Council. The Council will not be liable for any costs of damages caused by failure to comply with this requirement.

6. Policy scope

- 6.1 This Policy applies to all functions undertaken relating to street naming and numbering and to all employees and council members involved. It also applies to all developers seeking to name/number developments and any consultee on any street naming scheme.

7. Roles and responsibilities

- 7.1 The Council officers responsible for the day-to-day carrying out of street-naming and numbering are;
 - Customer Services Applications Officers (Street Naming and Numbering); and
 - The Authority Address Custodian (the ICT Application DevOps

Specialist).

7.2 Oversight for these functions comes from;

- Customer Services Applications Team Leader and Team Manager; and
- Head of Law and Governance.

7.3 Final responsibility rests with the Head of Law and Governance in consultation with the relevant portfolio holder.

8. Consultees

8.1 The Council consults on names of new streets. Consultation responses will be taken into account when naming streets, but the Council has the final decision-making power. During any consultation, consultees must read and adhere to this Policy and associated documents, particularly Appendix 2 (Policy for naming of streets), and Appendix 5 (Consultation remit and process).

8.2 The Council has no duty to consult on property names or street numbering schemes. These will be determined solely by the Authority Address Custodian and the Street Naming and Numbering Team.

9. Related documents

9.1 In operating this Policy the Council will be guided by:-

- a) GeoPlace Data entry conventions and best practice for addresses: DEC-Addresses Version 3.4, September 2016. This guide assists in making address data uniform across the UK, and the Council is required to work within this guidance;
- b) British Standard 7666 - Spatial datasets for geographical referencing. This guidance specifies a national format for holding details on every property and street; and
- c) Any other appropriate documents.

10. Monitoring and review

10.1 This Policy will be reviewed every three years or as necessary to reflect changes in legislation.

10.2 Minor amendments to the Policy may be approved by the Head of Law and Governance. Policy re-drafts or significant changes, as determined by the Head of Law and Governance, after consultation with the relevant portfolio holder will require approval by Cabinet.

11. Naming of new streets

- 11.1 Where a new development creates a new street or streets, the developer is required to apply to the Council to have these officially named.
- 11.2 The process for street naming is outlined in Appendix 5. Developers are encouraged by the Council to submit proposals for street names but must be aware that the final determination will be made by the Council. Street names not adhering to the guidance in Appendix 2 will not be included in any form of consultation by the Council.
- 11.3 The Developer is responsible for the cost of installing the street signage.

12. Renaming of streets

- 12.1 Streets will only be renamed under exceptional circumstances, such as when there are potential problems for the emergency services in identifying and locating an address, or there is substantial evidence (including from residents in the street) that the current name is no longer deemed suitable. Having considered the particular circumstances if, in the opinion of the Head of Law and Governance having consulted with the relevant portfolio holder, it is necessary to rename any street in such exceptional circumstances, this will proceed as specified in the Oxfordshire Act 1985, Section 13(2) a-c. In the event of there being a balance of judgments to be made other than relating to potential problems for the emergency services or unresolved objections following consultation about possible names the Cabinet will take the decision, following a written report to it from the relevant portfolio holder.
- 12.2 The Cabinet would consider whether a review should be carried out on receipt, by the Council, of representations from local councillors and evidence that a substantial proportion of those who live in properties in the street or road are calling for a change in the street name. Having considered the particular circumstances if, in the opinion of the Cabinet, it is necessary to rename any street following such a review, this will proceed as specified in the Oxfordshire Act 1985, Section 13 (2) a-c. In the event of there being any unresolved objection(s) following consultation the Cabinet will take the decision on the new name for a street.

13. Addresses for properties

- 13.1 Official addresses will not be issued where the development does not have the necessary permissions. However, issuing of an address does not serve as confirmation that any building or structure is authorised under Planning, Building Regulations or any other legislation.

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- 13.2 The Council may allocate unofficial addresses as a temporary measure until an official address has been obtained for emergency services purposes and for internal authority purposes e.g. collection of Council Tax and no postcodes will be requested from Royal Mail.
- 13.3 Requests for new or amended addresses will only be accepted from or on behalf of the owner(s)/occupier(s) of the property. Where the request does not come from the owner of the property directly, written consent of the owner must be obtained or the occupier must have and evidence a minimum of three years for their lease left to run.
- 13.4 All new properties will be allocated a number, the only exception to this are new properties on existing streets where there is no numbering scheme, in such cases the property will be named. Numbering will accord with nationally accepted best practice to ensure that it is logical and sequential.
- 13.5 Once a property has been given a number it must be used and displayed on the property. Where a name has been given to a property together with its official number, the number must always be included in the address. The name is an optional addition, not an alternative. For example, if the name requested is "New Place" at 13 Banbury Road, the full address will be New Place, 13 Banbury Road.
- 13.6 All new addresses or changes of address will be notified to the relevant council services.
- 13.7 For further detail on how properties are numbered or addressed, please see Appendix 3.

14. Renumbering of properties

- 14.1 Properties will only be renumbered in exceptional circumstances, such as when there are potential problems for the emergency services in identifying and locating an address. Having considered the particular circumstances if, in the opinion of the Head of Law and Governance it is necessary to renumber a property, this will proceed as specified in the Oxfordshire Act 1985;

15 Allocation of postcodes

- 15.1 Once an official address has been assigned, the Council will apply to Royal Mail for a postcode (or postcodes). Allocation and maintenance of post codes is managed by Royal Mail and all post codes must be confirmed by Royal Mail who will also allocate a post town.

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15.2 The Royal Mail "not yet built file" holds addresses as being able to be activated for 10 years after they are added to the file. After a period of ten years any addresses remaining unused and have not been implemented are moved by Royal Mail to an "historic file". While it may be possible that these addresses in the "historic file" in some instances could be reactivated, there remains a risk that the allocated postcodes may have been re-used by Royal Mail after the ten year period has expired. In such cases a further street naming and numbering application and fee would need to be submitted to the Council.

15.2 Royal Mail can be contacted at:

Address Management Centre
Royal Mail
Admiral House
2 Admiral Way
Doxford International Business Park
SUNDERLAND SR3 3XW

Telephone 03456 011110
Email: addressdevelopment@royalmail.com

15.3 The Council will notify the Royal Mail of new addresses but it will be the responsibility of the Royal Mail to update their records.

Appendix 1: The Oxfordshire Act 1985 (Extract)

13(1) Subject to subsection (2) below a district council may name any street or any part of a street in their district which is without a name or which bears two names and may from time to time alter the name of any street or any part of a street in their district.

13(2) (a) Where the district council propose to alter the name of a street or part of a street they shall:

- (i) post notice of the proposal in a conspicuous position at each end of the street or part to which it relates; and
- (ii) serve a copy of the notice on the owner or occupier of every dwelling-house in that street or part.

(b) The notice under paragraph (a) above shall state the new name proposed and that objections to the proposal may be made in writing to the district council before a day, specified in the notice, not earlier than 28 days after the district council have complied with paragraph (a) above.

(c) Before determining any alteration of name in accordance with a proposal to which this subsection applies, the district council shall consider all objections made as provided in paragraph (b) above and, in the case of an objection by the owner or occupier of any dwelling-house in the street, give to the objector an opportunity of appearing before and being heard by a committee or sub-committee of the council.

13(3) A district council may from time to time cause the name of any street or any part of a street to be placed or marked on a conspicuous part of any building or other erection in their district in or near the street.

13(4) Any person who, without reasonable excuse, removes any such name shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

13(5) The following enactments shall cease to have effect in the county:

- (a) in the words in the Towns Improvement Clauses Act 1847 introducing sections 64 and 65, the words "naming the streets" and;
- (b) in the said section 64 the words from "and shall" to "to be known", and the words "or name" wherever occurring ;
- (c) section 21 of the Public Health Acts Amendment Act 1907; and
- (d) sections 17-19 of the Public Health Act 1925

14(1) A district council may allocate to buildings in a street in their district such numbers as they think fit.

14(2) Where a number has, or numbers have, been allocated to a building under this section or any other enactment, the district council may serve on the owner or occupier of the building a notice requiring him within such period,

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not less than three weeks, as may be specified in the notice to mark the building with that number, or those numbers, in such a way as to make the mark legible from the street

14(3) The owner or occupier of a building shall:

- (a) maintain the mark in such a way that it remains legible from the street; and
- (b) keep the view of the mark from the street unobstructed to such extent as is practicable.

14(4) A district council may alter the number or numbers allocated to a building. and where they do so subsections (2) and (3) above shall apply to the altered number or numbers.

14(5) A district council may, instead of requiring a building to be marked with a number or numbers under this section, require it to be marked with such other means of identification as they may, at the request of the owner or occupier, allow; and subsections (2) and (3) above shall have effect accordingly.

14(6) An owner or occupier of a building who without reasonable excuse:

- (a) fails to comply with a notice served on him under subsection (2) above; or
- (b) contravenes subsection (3) above;

shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

14(7) The following provisions of the Towns Improvement Clauses Act 1847 shall cease to have effect in the county:

- (a) in the words introducing sections 64 and 65, the words "and numbering the houses";
- (b) in section 64 the words from "shall from time to time" to "think fit. and": and the words "number or" wherever occurring; and
- (c) section 65.

Appendix 2: Policy on naming of streets

The Council recognises that Oxford has many distinctive street names, which reflect its history and culture. For new street names the following will normally apply:

- 1) Street names will not duplicate existing names in the Authority's area or adjoining Authorities' areas, nor will they be sufficiently similar as to cause confusion. For example "Bear Lane, Bears Lane, Bear Street" would not be allowed within the same area as it can cause problems in identifying the correct address in an emergency.
- 2) Street names should not be awkward to spell. In general, words of more than three syllables should be avoided as should multiple words.
- 3) Preference will be given to street names that refer to the history and heritage of the local area.
- 4) Proposals relating to a living person's name will not be permitted, with the exception of names relating to the Royal Family. If a developer or individual wishes to suggest a name relating to the Royal family or a Royal title (Queen, King, Princes etc.), then they must seek the appropriate consent from the Lord Chamberlain's Office (Constitutional Branch) prior to suggesting the name to the council. Additional time will not be given during the consultation period for this permission to be sought.
- 5) Proposals relating to the name of a deceased person will only be accepted when proof of death is provided and there is a proven historical connection to the land intended for development or the wider locale of Oxford. Evidence of historical connection such as newspaper articles or written testimonials must accompany such name proposals. Additional time will not be given during the consultation period for this information to be submitted. The part of the policy that avoids the duplication of names will still apply.
- 6) In order for a name of a deceased person to be considered the individual must have been dead for at least 5 years.
- 7) Before the name of a deceased person is proposed, due consideration should be given to possible sensitivities that may arise from naming streets after individuals, and should also consider the likelihood that the public perception of a deceased person may change considerably – for better or worse – in the future.
- 8) Where it is desired to name a street after a deceased individual, the person or organisation suggesting the name is responsible where practicable for obtaining any written permission from the estate of the deceased, as required, before suggesting the name to the Council. Additional time will not be given during the consultation period for this permission to be sought.

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- 9) Names of fictional characters will not be allowed due to issues of copyright.
- 10) If the name of another locale is proposed, only the anglicised version of the name would be allowed for consideration. This is to ensure that names comply with GeoPlace data entry conventions in terms of names being easily pronounceable in case of contact with the emergency services: e.g. Köln becomes Cologne.
- 11) Names that could be construed, either in themselves or in association with particular political or historical occurrences, as discriminatory or offensive under the Equality Act 2010; or those which could be considered as 'not in the spirit of' this act, will not be considered.
- 12) Names that could be construed as obscene will not be considered, nor will names which encourage nameplates to be defaced to create an obscenity.
- 13) Any names that would promote or advertise a company, service or product are not permitted. An exception to this may be made for a company that no longer exists, if used solely in a historical context where the claim of advertising cannot be made.
- 14) Names that would, in the opinion of the Head of Law and Governance having consulted with the relevant portfolio holder, give rise to spelling difficulties for the majority of residents or would involve punctuation should not be accepted.
- 15) Phonetically similar names within a postal area will be avoided; for example "Church Hill Road", "Birch Hill Road", "Tyne Road" and "Pine Road", or "Holly Well Road" and "Hollywell Road".
- 16) Street names should not commence with "The".
- 17) Names should not include a number either in numerical or written form. i.e. 'Two-Foot Lane', as it can cause confusion.
- 18) All new street names should end with a suffix which reflects the nature, history and / or location of the street:

Avenue	for residential roads (usually lined with trees)
Close	for a cul-de-sac only
Crescent	for a crescent shaped road
Drive	for residential roads
Gardens	for residential roads subject to there being no confusion with any local open space
Grove	for residential roads (usually relating to an area of trees)
Hill	for a hillside road only
Lane	for residential roads
Place	for residential roads

Appendix 1

Rise	for residential roads (usually relates to upward rising
Road	for any thoroughfare
Row	a group of attached properties not a thoroughfare
Square	for a square only
Street	for any thoroughfare
Terrace	a group of attached properties not a thoroughfare
Vale	for residential roads (usually relating to low land or near a
Way	for any thoroughfare
Wharf	for residential roads which are near water

19) All pedestrian ways should end with one of the following suffixes:

Walk, Path, Way

Appendix 3: Policy on numbering of properties

- 1) A new street should be numbered with the odd numbers on the left and the even numbers on the right from the most important street from which they lead.
- 2) In the case of a small cul-de-sac, consecutive numbering in a clockwise direction is preferred.
- 3) All numbers should be used in the proper sequence. No numbers will be excluded from a numbering scheme including the number 13.
- 4) Private garages and similar buildings used for housing cars should not be numbered
- 5) Where an existing street is to be extended and it would be appropriate to continue to use the same street name, the numbering will be a continuation of the existing scheme.
- 6) If a property is to be subdivided or a new property is to be built in the grounds of an existing property new property numbers will be required. Planning permission and building regulation consent should be obtained first. Infill developments on existing numbered streets will be numbered into the existing sequence by the use of suffixes (e.g. 15A, 15B etc.).
- 7) Buildings (including those on corner plots) will be numbered according to the street which provides direct access to the property, generally the street that the front door of the property faces. Any manipulation of numbering to obtain a different address, to secure a "prestige" address or to avoid an address, is not acceptable.
- 8) Where flats and units have individual doors to a street they shall be given individual numbers to the street where possible; the sequence of the numbering depends on access to front doors of individual premises.
- 9) If a multiple occupancy building has entrances in more than one street, then each entrance can be numbered in the appropriate road.
- 10) Where a property is sub-divided, individual properties should always be numbered rather than suffixed with a letter or described (e.g. Flat 1, 36 High Street rather than 36A, Flat A or First Floor Flat).
- 11) Where two or more properties on a numbered street are merged, the numbers of the original properties should normally be retained. For example, 4 and 6 High Street being combined would become 4-6 High Street.

Appendix 4: Policy on naming of properties

- 1) All new properties will be allocated a number, the only exception to this is new properties on an existing street where there is no numbering scheme, in such cases the property will be named.
- 2) Numbered properties may, in addition, be given a name. In these cases the number must always be included in the address and displayed on the property. Where a property has both a number and a name, Royal Mail will regard the number as the main identifier and will only hold the name as an “alias”, and may not pass this name on to other organisations that use their database to identify addresses.
- 3) Whilst the Council cannot impose a name on a property, it will not register as official any name which has not been agreed in line with the following guidelines:
 - a. The principal property name should be unique and not duplicated within the locality or postcode. For example, ‘Rose House’ and ‘Rose Cottage’.
 - b. Property names should not replicate street names.
 - c. The word “Flat” should not be used in the principal property name as this can cause confusion.
 - d. Properties should not be named with a business name; this will be added to the address separately
 - e. Names that could be construed as discriminatory under the Equality Act 2010, or could be considered as ‘not in the spirit of’ this act will not be considered.
 - f. Names that could be construed as obscene or offensive will not be considered.
 - g. No abbreviations or punctuation should be used; (Marks House and not Mark’s House).
 - h. Property names should not include a number either in numerical or written format

Appendix 5: Consultation remit and process for street naming

1. Street naming

- 1.1 The Council consults on new street names when these are required for new developments, or when a street must be re-named. Consultation is intended to make sure that street names chosen are appropriate and acceptable to the interested parties local to the area in which the street is to be named, and to confirm that any suggested names would also be acceptable to organisations such as the emergency services and Royal Mail.

The Oxfordshire Act 1985 gives the Council final determination on any street name within its area of authority. A decision will be taken by the Cabinet in the event of any unresolved objection(s) following consultation after presentation of the issues and any evidence by the relevant portfolio holder to the Cabinet.

- 1.2 Consultation will always include;

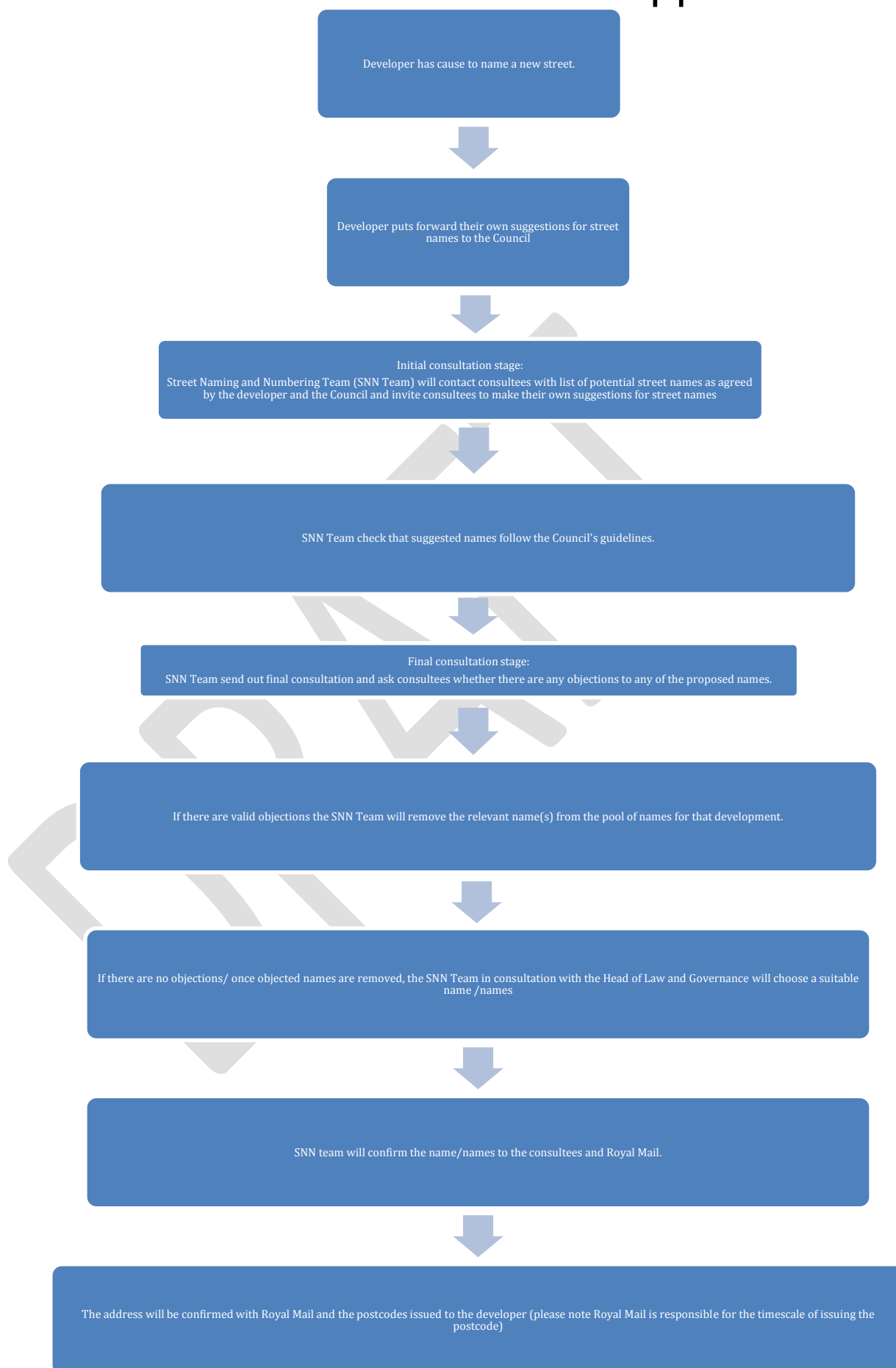
- Ward councillors for the area concerned
- Parish councillors for the area concerned
- Those individuals and organisations that were formally consulted as part of the planning application process,

The consultation process may also include societies or groups with a knowledge of relevant local history

2. Street naming consultation process

- 2.1 Below is the process to be followed when consulting on street naming cases.

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3. Guidelines for consultees

- 3.1 Consultees are selected based on council wards and parishes, and will include ward and parish councillors. The individuals and organisations who have been consulted on planning development proposals will be consulted if and when those proposals require street names to be allocated.
- 3.2 At the initial stage consultees will receive the names proposed by the developer and will be given the opportunity to make their own suggestions. Consultees should read the street naming and numbering policies carefully, along with all associated documents before submitting names for consultation. Where suggested names do not comply with the relevant policy there will be no extension of the consultation period to allow for consultees to suggest additional names;
- 3.3 Consultees will be sent the initial consultation documents and should return them to the Street Naming and Numbering (“SNN”) Team within the timescale set out in the papers (usually 14 days): incomplete consultation responses or those received by the SNN Team after the stated deadline will not be considered;
- 3.4 In the case of a naming proposal concerning a deceased person the consultee is responsible for submitting proof of death and the required proof of historical connection.
- 3.5 In the case of a naming proposal requiring the permission of an estate executor or family, the consultee submitting this name is responsible for submitting simultaneously, or before the close of the consultation period, the confirmation of consent in writing from the executor or family;
- 3.6 Where consultees act on the behalf of a group (such as a local interest group), the chairperson or appointed individual must collate any group response on one consultation form and return to the SNN Team: individual responses from members of such organisations will not be considered;
- 3.7 There may be more than one consultation stage but the opportunity for suggesting alternative names is closed after the initial stage and the opportunity for objections is closed after the final consultation stage. The end date of the final consultation stage will be notified to all consultees (usually 14 days).
- 3.8 Consultees are reminded that whilst the Council will take all comments on street naming proposals into consideration, the final decision for naming streets rests with the Council.

3.9 All consultees will be notified of the Council's naming decision.

4. Grounds for objection to a name proposal

4.1 When the Council consults on a proposed name for a street it will take all relevant considerations into account but certain categories of objection will be given more weight when deciding not to use a proposed name for a given street;

- The suggested name(s) does not comply with the Oxford City Council guidance for street naming;
 - The suggested name(s) does not comply with BS 7666 or GeoPlace Data entry conventions and best practice for addresses: DEC-Addresses Version 3.4, September 2016.
- It is foreseen that the suggested name could cause problems for the emergency or other services, and supporting evidence of this is supplied;

4.2 Objections to proposed street names will also be considered if they;

- Are provided within the required time period and before the final consultation period ends
- Provide strong reasons why an individual name may be unacceptable or preference for an alternative;

Appendix 6: Charges for the naming of streets and numbering of properties

1. Charges for naming and numbering

- 1.1 The Council charges for the administrative activities associated with the street naming and numbering process. Under Section 93 of the Local Government Act 2003, Local Authorities have the power to charge where they provide a service if they are authorised, but not required, to provide the service. The charge must not exceed the cost of providing the service.
- 1.2 Below are the charges for the street naming and numbering service. These charges will be reviewed by the Council on an annual basis.

Numbering of new developments (including sub-division of existing properties)

1 plot	£50
2 plots	£80
3 plots	£110
4-20 plots	£70 plus £20 per plot
21+ plots	£165 plus £15 per plot

Additional fees if required

New street name	£110
New building name (e.g. for blocks of flats/offices)	£50
Changes to new address caused by changes to development after issue of numbering scheme	£10 per plot
Reissue of address following demolition and reconstruction	£30
Change of house name	£45
Addition of house name to numbered property	£45

Appendix 1

2. Street naming and numbering in the absence of payment of charges

- 2.1 The Council will remind developers of new properties of the need for an official address and the process to follow. Preparation of new addresses will not commence until the appropriate fee has been paid to the Council.
- 2.2 If payment of fees is not received within 3 months of a development completion date, the Local Authority may allocate official addresses for emergency services purposes with no further consultation. If the developer or owner requests amendment to the allocated naming or numbering at a later date, the standard street naming and numbering processes and the current fees and charges will apply.
3. In this case internal notifications will be made for Authority business purposes only but no requests for postcodes will be made to Royal Mail.
4. If payment of fees is not received in relation to adding, amending or removing an existing property name, the official name will remain unchanged.

Appendix 7: Renaming of streets process

1. Once a street is thought to need re-naming, the Council will:
 - a) Post notice of the proposal in a conspicuous position at each end of the street or part to which it relates; and
 - b) Serve a copy of the notice on the owner or occupier or every dwelling-house in that street or part.
2. The notice under paragraph 1(a) above shall state the new name proposed and that objections may be made in writing to the Council by the deadline, specified in the notice, not earlier than 28 days after the posting of the notice.
3. Before determining any alteration of name, the Council shall consider all objections made as provided in paragraph 2. The Cabinet will make the final decision if there are any unresolved objections at the end of the final consultation period.
4. The Cabinet will give considerable weight to the views of those residents living in the street and would expect the proposed name to have the active support of a substantial proportion of those residents living in the street at the time of the consultation

Appendix 8: Notification of street naming and numbering changes

As part of the street naming and numbering process the SNN Team will inform the following internal council departments of any street naming and numbering changes;

Council Tax
Electoral Services
Local Land and Property Gazetteer
Development Control
NNDR (National Non Domestic Rates)
Waste Team

Occupiers should always check that the Council has the correct address for their property when dealing with the Council.

DRAFT

Minutes of a meeting of the Cabinet on Wednesday 14 October 2020

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Committee members present:

Councillor Brown (Chair)	Councillor Turner (Deputy Leader)
Councillor Hayes (Deputy Leader)	Councillor Chapman
Councillor Clarkson	Councillor Hollingsworth
Councillor Rowley	Councillor Linda Smith
Councillor Tidball	Councillor Upton

Officers present for all or part of the meeting:

Gordon Mitchell, Chief Executive
Tom Bridgman, Executive Director (Development)
Caroline Green, Assistant Chief Executive
Paul Leo, Interim Director of Housing
Nadeem Murtuja, Interim Executive Director for Communities
Anita Bradley, Monitoring Officer
Nigel Kennedy, Head of Financial Services
Carolyn Ploszynski, Planning Policy and Place Manager
Dave Scholes, Housing Strategy & Needs Manager (Affordable Housing Supply Lead)
Mish Tullar, Corporate Policy, Partnership and Communications Manager
Sarah Harrison, Team Leader (Planning Policy)
John Mitchell, Committee and Member Services Officer

Apologies:

No apologies were received

69. Declarations of Interest

None.

70. Addresses and Questions by Members of the Public

None.

71. Councillor Addresses on any item for decision on the Board's agenda

None.

72. Councillor Addresses on Neighbourhood Issues

None.

73. Items raised by Board Members

Councillor Linda Smith, Cabinet Member for Leisure and Parks, reminded the meeting that Council had, the previous week, asked Cabinet to adopt plans to make an application to DEFRA for designated bathing water status for a stretch of the Thames in Oxford. She asked Cabinet to acknowledge this request and to ask officers to undertake the necessary work, in consultation with her, before bringing back to Cabinet for agreement.

74. Scrutiny Committee Reports

There were no recommendations to Cabinet from the latest meetings of Scrutiny Committee or its Panels.

75. Project Approval and Allocation of Housing and Growth Deal Funding for Affordable Housing Delivery

The Head of Housing Services had submitted a report to seek project approval and delegations to enable capital grant allocations to be paid to Registered Providers and Community-Led Housing providers for schemes within the Oxfordshire Housing and Growth Deal programme, using grant received from Oxfordshire County Council for this purpose. To delegate officers to enter into funding and other necessary agreements for the purpose of delivery of affordable housing through this programme.

Councillor Mike Rowley, Cabinet Member for Affordable Housing, introduced the report. The project approval and allocation of funding was very good news for the City as together they would increase the proportion of social and other affordable housing available to residents. Some of the funding would be directed towards projects which already had planning approval. The report sought agreement, among other things, to the allocation of significant funding from the Oxfordshire Housing & Growth Deal to the William Morris Close site which would enable 100% of that site to be affordable, with an increase in the amount of social housing and an increase in shared ownership properties. Further budget reports to Cabinet for other sites would follow in due course.

Cabinet resolved to:

1. **Give project approval** to the proposals, to accept and distribute grant; enter into funding agreements; and any other necessary agreements or contracts, as set out in this report for sites at William Morris Close; Gibbs Crescent; and Champion Way, for the purpose of delivering more affordable housing in Oxford, through the Oxfordshire Housing and Growth Deal programme;
2. **Note** that the Head of Financial Services proposes to use financial delegations for grant funded capital schemes, to make the initial payment for William Morris Close, by the required deadline;

3. **Note** that the budget for further Growth Deal grant payments will be requested in future budget reports;
4. **Delegate authority** to the Director of Housing, in consultation with the Cabinet Member for Affordable Housing; the Head of Financial Services/Section 151 Officer; and the Council's Monitoring Officer, to enter into funding and other necessary agreements for the purpose of delivery affordable housing through the Oxfordshire Housing and Growth Deal programme, within identified budgets, for the schemes listed in this report;
5. **Delegate authority** to the Chief Executive, in consultation with the Cabinet Members for Finance and Asset Management, and Affordable Housing, to approve any agreements over £500,000 for affordable housing, within this project approval and budget envelope; and
6. **Recommend to Council** that it approves a revision to the general fund capital budget in 2020/21 of £3,123,000, for the initial grant payment in relation to the William Morris Close site, and a further capital budget for 2021/22 of £347,000 to fund the remaining grant balance payable for that scheme all of which will be funded by capital grant income from Oxfordshire Housing and Growth Deal (OGD).

76. Oxford City Council's response to the Planning for the Future White Paper August 2020

The Head of Planning Services had submitted a report requesting Cabinet to note the response on the White Paper Planning for the Future to be submitted to MHCLG.

Councillor Alex Hollingsworth, Cabinet Member for Planning & Housing Delivery, introduced the report. It was unusual for a Council response to a Government consultation to be put before Cabinet but the implications of the White Paper on Planning for the Future were such that they warranted Cabinet's attention.

The proposals contained in the White Paper as presently conceived would have a profound effect on the City's control of many important matters: its general development; its ability to respond appropriately to its heritage, to provide social and affordable housing, and to set its own standards in relation to the climate emergency.

The White Paper was explicit about the Government's intention to repeal the substance of the Town & Country Planning Act 1947. Despite the White Paper's references to "democracy" and "efficiency" these were not features which emerged from the substance of the proposals. There had been a great deal of criticism of elements of the White Paper at a national level, notably in relation to the proposed use of an algorithm to produce housing numbers. However there were many other elements of the White Paper which gave a cause for concern.

It was worthy of note that the Oxfordshire branch of the Campaign to Protect Rural England and the Council were united in their opposition to the White Paper, to its centralising tendencies, its lack of democracy and its impracticality as well as to the damage it would do to the provision of affordable housing, place making and local policy. These views were shared widely throughout the country and by councils of all political persuasions.

At a fundamental level the proposals would remove the crucial opportunity for local people to contribute to planning decisions, replacing it with the new version of the local plan. The zoning approach to plans suggested in the White Paper would be both complex and impractical. The proposals didn't, for example, address the many and

varied differences that exist in different parts of the City which would, in turn, require a multiplicity of zones to do them individual justice.

The White Paper set great store by the criterion of “beauty” as a key element in the decision making process but failed to define it.

The White Paper placed great emphasis on greater public engagement via digital means to provide certainty for the development industry whereas, since the 1947 Act, planning processes had sought to balance the needs of different interests in a more equitable way than the proposals would allow. The White Paper was explicit in its intention to remove what was regarded as the disputatious element of public consultation but this was something which, in practice, provided one of the cornerstones of the present system. The White Paper represented a profoundly damaging set of proposals which put the whole planning system, the communities which are protected by it and local democracy at risk and all efforts should be made to highlight and, ultimately, resist them.

The Cabinet was unequivocal in its view about the damaging nature of these proposals and the threat they proposed to local democracy as outlined in the response and described by Cllr Hollingsworth.

In discussion it was suggested that a few elements of the response might be expanded (eg that the “beauty” criterion is necessarily locality and subjectively based; the undesirability of a nationally introduced “identikit” house design; the need for clarity about the application of the proposals in the case of change of use; the need to tackle land banking by developers; a challenge to the focus on a digital approach; the potential consequences of the proposals on healthy place shaping; and the potentially negative effect of the proposals on environment and biodiversity (all members of the Cabinet having been contacted by constituents about the latter)).

Officers agreed to see that the points raised were sufficiently addressed in the proposed response or expanded before agreeing the text of the final submission with the Councillor Hollingsworth.

Summing up, Councillor Hollingsworth repeated the point that the proposals sought to bring to an end the benefits of the Town and Country Planning Act 1947. While data are of course important, it was unwise for planning decisions to be driven principally by algorithms, there was no substitute for local community consultation. The government had identified a need for more homes, particularly affordable homes and the White Paper was proposed as a means of addressing that need. The shortage was not, though, a function of the present planning regime it could, however, be addressed by the simple expedient of the Government choosing to invest in social housing.

The Chair thanked officers for their work in shaping this important response to a matter of such significance to the City.

Cabinet resolved to:

1.Delegate to the Cabinet Member for Planning & Housing Delivery agreement of the final response on the White Paper to be submitted to MHCLG .

77. Minutes

Cabinet resolved to approve the minutes of the meeting held on 09 September 2020 as a true and accurate record.

78. Decisions taken under Parts 9.3(b) of the Constitution

The Head of Paid Service (Chief Executive) had submitted a report asking Cabinet to note the decisions taken by him using the urgency powers delegated in Part 9.3(b) of the Constitution.

Cabinet resolved to:

1. **Note** the decisions taken as set out in the report.

79. Decisions taken under Parts 9.3(b) of the Constitution - Exempt Appendix

There was no discussion in confidential session.

80. Dates of Future Meetings

Meetings are scheduled for the following dates:

- 11 November
- 09 December

All meetings start at 6pm unless otherwise stated

The meeting started at 6.00 pm and ended at 6.50 pm

ChairDate: Wednesday 11 November 2020

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