

Agenda

Council

Summons

A meeting of the City Council will be held to transact the business set out below on

Date: **Monday 7 October 2024**

Time: **5.00 pm**

Place: **Council Chamber - Oxford Town Hall**



Proper Officer

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

- may register in advance to speak to the meeting in accordance with the [public speaking rules](#)
- may record all or part of the meeting in accordance with the Council's [protocol](#)

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Please contact the Committee Services Officer to register to speak; to discuss recording the meeting; or with any other queries.

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For further information please contact:

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 01865 529117

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Membership of Council

Councillors: Membership 48: Quorum 12.

Lord Mayor Councillor Mike Rowley

Deputy Lord Mayor Councillor Tiago Corais

Sheriff Councillor James Fry

Members	Councillor Asima Qayyum	Councillor Emily Kerr
	Councillor Mohammed Azad	Councillor Dr Amar Latif
	Councillor Theodore Jupp	Councillor Mark Lygo
	Councillor Dr Max Morris	Councillor Sajjad Malik
	Councillor Dianne Regisford	Councillor Katherine Miles
	Councillor Anne Stares	Councillor Lois Muddiman
	Councillor Ian Yeatman	Councillor Edward Mundy
	Councillor Judith Harley	Councillor Chewe Munkonge
	Councillor David Henwood	Councillor Susanna Pressel
	Councillor Kate Robinson	Councillor Anna Railton
	Councillor Mohammed Altaf-Khan	Councillor Rosie Rawle
	Councillor Lubna Arshad	Councillor Ajaz Rehman
	Councillor Susan Brown	Councillor Jo Sandelson
	Councillor Nigel Chapman	Councillor Linda Smith
	Councillor Mary Clarkson	Councillor Roz Smith
	Councillor Barbara Coyne	Councillor Dr Christopher Smowton
	Councillor Lizzy Diggins	Councillor Ed Turner
	Councillor Dr Hosnieh Djafari-Marbini	Councillor Louise Upton
	Councillor Laurence Fouweather	Councillor Naomi Waite
	Councillor Andrew Gant	Councillor Stephen Goddard
	Councillor Alex Hollingsworth	Councillor Simon Ottino
	Councillor Jemima Hunt	Councillor Alex Powell
	Councillor Chris Jarvis	

Apologies will be reported at the meeting.

Agenda

The business to be transacted is set out below

	Pages
PART 1 - PUBLIC BUSINESS	
1 Apologies for absence	
2 Declarations of interest	
3 Minutes Minutes of the ordinary meeting of Council held on 15 July 2024. Council is asked to approve the minutes as a correct record.	21 - 32
4 Appointment to Committees The Head of Law and Governance has submitted a report which notifies Council of the amendments made to the membership of Committees since the initial appointments made at Council on 16 May 2024. Recommendation: That Council resolves to: 1. Agree the appointments to Committees.	33 - 34
5 Announcements Announcements by: 1. The Lord Mayor 2. The Sheriff 3. The Leader of the Council (who may with the permission of the Lord Mayor invite other councillors to make announcements) 4. The Chief Executive, Chief Finance Officer, Monitoring Officer	
6 Public addresses and questions that relate to matters for decision at this meeting Public addresses and questions to the Leader or other Cabinet member received in accordance with Council Procedure Rules in the Constitution relating to matters for decision in Part 1 of this agenda. Up to five minutes is available for each public address and up to three	

minutes for each question. Questions must be less than 200 words.

The request to speak accompanied by the full text of the address or question must be received by the [Head of Law and Governance](#) by 5.00 pm on Tuesday, 1st October 2024.

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

A total of 45 minutes is available for both public speaking items. Responses are included in this time.

COMMITTEE RECOMMENDATIONS

- | | | |
|----------|---|---------|
| 7 | Statement of Gambling Licensing Policy | 35 - 90 |
| | <p>The Executive Director for Communities and People has submitted a report to agree the revised draft Statement of Gambling Licensing Policy following public consultation.</p> <p>Councillor Katherine Miles, Chair of the Licensing and Gambling Acts Committee, will present the Committee's report and the recommendations.</p> <p>Recommendation: The Licensing and Gambling Acts Committee recommend that Council resolve to:</p> <ol style="list-style-type: none">1. Agree the revised draft Statement of Gambling Licensing Policy following public consultation. | |

OFFICER REPORTS

- | | | |
|----------|--|----------|
| 8 | Council Senior Management Structure | 91 - 116 |
| | <p><i>This report contains exempt information pursuant to Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972. To discuss this item, it will be necessary for the Council to pass a resolution to exclude the press and public from the meeting (as set out at agenda item 14).</i></p> <p>The Chief Executive has submitted a report relating the proposed Senior Management Structure.</p> <p>Recommendation: Council is asked to approve the recommendations within the report.</p> | |

QUESTIONS

9 Questions on Cabinet minutes

This item has a time limit of 15 minutes.

Councillors may ask the Cabinet Members questions about matters in these minutes:

9a Draft Minutes of the Cabinet Meeting held on 11th September 2024

117 -
122

10 Questions on Notice from Members of Council

Questions on notice from councillors received in accordance with Council Procedure Rule 11.11(b).

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

The full text of questions must have been received by the Head of Law and Governance by no later than 1.00pm on Wednesday, 25th September 2024

These, and written responses where available, will be published in the briefing note.

PART 2 - PUBLIC INVOLVEMENT AND SCRUTINY

11 Public addresses and questions that do not relate to matters for decision at this Council meeting

This item will be taken at or shortly after 7.00pm

Public addresses and questions to the Leader or other Cabinet member received in accordance with Council Procedure Rules in the Constitution and not relating to matters for decision in Part 1 of this agenda.

Up to five minutes is available for each public address and up to three minutes for each question. Questions must be less than 200 words.

The request to speak accompanied by the full text of the address or question must be received by the [Head of Law and Governance](#) by 5.00 pm on Tuesday, 1st October 2024.

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

*A total of 45 minutes is available for both public speaking items.
Responses are included within the limit.*

12 Scrutiny Committee update report

123 -
130

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

Council is invited to comment on and note the report.

PART 3 - MOTIONS REPRESENTING THE CITY

13 Motions on notice October 2024

This item has a time limit of 60 minutes.

Motions received by the Head of Law and Governance in accordance with the rules in Section 11 of the Constitution by the deadline of 1.00pm on Wednesday, 25th October 2024 are listed below.

Cross party motions are taken first. Motions will then be taken in turn from the *Liberal Democrat Group, Green Group, Independent Oxford Alliance, Oxford Community Independent Group, Oxford Independent Group, Real Independent Group, Labour Group* in that order.

Substantive amendments to these motions must be sent by councillors to the Head of Law and Governance by no later than 10.00am on Friday, 4th October 2024 so that they may be circulated with the briefing note.

Minor technical or limited wording amendments may be submitted during the meeting but must be written down and circulated.

Council is asked to consider the following motions:

- a) Winter Fuel Payments (Proposed by Cllr. Chris Smowton, Seconded by Cllr. Lawrence Fouweather)
- b) Keep Campsfield Closed (Proposed by Cllr. Alex Powell, Seconded by Cllr. Dr. Hosnieh Djarafi Marbini)
- c) Zero Emission Zone (Proposed by Cllr. David Henwood, Seconded by Cllr. Ian Yeatman)
- d) Winter Fuel Payments (Proposed by Cllr. Ajaz Rehman, Seconded by Cllr. Dr. Amar Latif)
- e) Decent and Genuinely Affordable Housing for All (Proposed by Cllr. Alex Hollingsworth, Seconded by Cllr. Ed Turner)
- f) Protection of Carers from Exploitation (Proposed by Cllr. Jo

Sandelson, Seconded by Cllr. Theo Jupp)

- g) Bus travel for asylum seekers in Oxford (Proposed by Cllr. Alex Powell, Seconded by Cllr. Dianne Regisford)

13a Winter Fuel Payments (Proposed by Cllr. Chris Snowton, Seconded by Cllr. Lawrence Fouweather)

Liberal Democrats Group Motion

Council notes the recent resolution by the Labour Government to end universal winter fuel payments and restrict eligibility to only those in receipt of Pension Credits and other benefits.

Though many agree that universal Winter Fuel Payments are not necessary, Council is deeply concerned that many pensioners on lower incomes will now not receive the payments.

In Oxford the number of pensioners affected by the change in eligibility criteria is 15,285. That means 88.9% of pensioners currently eligible for winter fuel payments will no longer be able to claim the payment from this winter onwards.¹²

Council believes that a better, and cost-neutral, way to recover the cost of the universal payment would be to levy an appropriately sized tax on pensioners who either receive the highest incomes, have the greatest wealth, or both. This would mean the benefit is in effect withdrawn where there is positive evidence that they have the means to pay, rather than negative evidence drawn from non-registration for Pension Credit or other benefits.

Council is also concerned by the low take up of pension credit with only 63% of those eligible nationwide receiving them — and over 880,000 pensioners not doing so.³ Council recognises the role we have to play to increase awareness of benefits such as Pension Credit to ensure people are aware of the support they are entitled to.

Council further notes that the Energy Price Cap is due to rise by 10% in October, which combined by the removal of Winter Fuel Payments will push thousands of local pensioners into fuel poverty.

Council resolves to request that the Leader of the Council write to:

¹ <https://www.gov.uk/government/statistics/winter-fuel-payment-statistics-for-winter-2022-to-2023>

² <https://www.gov.uk/government/statistics/dwp-benefits-statistics-february-2023>, (on Stat-Xplore), table "Pension Credit - Data from May 2018"

³ <https://www.gov.uk/government/statistics/income-related-benefits-estimates-of-take-up-financial-year-ending-2022/income-related-benefits-estimates-of-take-up-financial-year-ending-2022>

- the Chancellor of the Exchequer calling for the policy on linking Winter Fuel Payments to Pension Credit receipt to be revised, attaching a copy of this motion, and both Oxford MPs requesting their support regarding the same.

13b Keep Campsfield Closed (Proposed by Cllr. Alex Powell, Seconded by Cllr. Dr. Hosnieh Djarafi Marbini)

Green Group Motion

Council Notes:

1. In November 2022, this council debated and passed a motion in response to reports that the then government was seeking to re-open Campsfield House for use as an immigration removal centre.⁴
2. The motion passed in 2022 condemned the proposed re-opening of the centre and called for the city to be a safe space for refugees.
3. On 21 August 2024, the Home Secretary Yvette Cooper confirmed the current government's plans to re-open Campsfield House.⁵
4. Cooper's announcement has been heavily criticised by numerous migrants' rights groups including Asylum Welcome,⁶ Detention Action,⁷ The Refugee Council,⁸ and Amnesty International UK.⁹
5. Summer 2024 saw violence and intimidation from far-right activists, some of which targeted - or threatened to target - organisations supporting refugees and asylum seekers - including those within Oxford.
6. Both Oxford City Council¹⁰ and Oxfordshire County Council¹¹ have committed themselves to the values of the City of Sanctuary programme, pledging to work for the creation of a

⁴ <https://mycouncil.oxford.gov.uk/documents/g7379/Public%20minutes%20Monday%2028-Nov-2022%2017.00%20Council.pdf?T=11>

⁵ <https://news.sky.com/story/immigration-detention-centres-to-re-open-in-removals-drive-13200380>

⁶ <https://www.asylum-welcome.org/labour-campsfield/>

⁷ <https://www.independent.co.uk/news/uk/home-news/home-office-immigration-detention-migrant-b2599540.html>

⁸ <https://www.independent.co.uk/news/uk/home-news/home-office-immigration-detention-migrant-b2599540.html>

⁹ <https://www.standard.co.uk/news/politics/james-cleverly-yvette-cooper-home-secretary-government-amnesty-international-b1177697.html>

¹⁰ <https://www.oxford.gov.uk/news/article/183/oxford-city-council-makes-commitment-to-city-of-sanctuary-status>

¹¹ <https://news.oxfordshire.gov.uk/oxfordshire-is-a-county-of-sanctuary/#:~:text=Migrants%2C%20including%20refugees%20and%20asylum,as%20a%20place%20of%20sanctuary>

safe and welcoming environment for those seeking sanctuary.

Council Believes:

1. Oxford and this council have a proud history of supporting and welcoming refugees and opposing detention. Maintaining our opposition to the re-opening of Campsfield House is an important part of this.
2. The recent steps to end the cruel Rwanda Plan and stop the state of permanent limbo¹² created by the Illegal Migration Act 2023 are to be welcomed,¹³ but do not go far enough in restoring the legal right to asylum.
3. Expanding detention and increasing deportations represents a worrying indication as to the government's intended direction of travel, one which is incompatible with the promise this city has made to stand up for the rights of those seeking sanctuary.
4. The UK's asylum system needs major overhaul, including through the opening of safe and legal routes for people to claim asylum.
5. It has been extensively documented that immigration removal centers are sites of violence which have no place in a democratic, rights respecting, society.¹⁴
6. As such, Campsfield House should not be re-opened, and the government should be moving to shrink, not expand, the UK's detention estate.
7. Rhetoric and policies that demonise and stigmatise asylum seekers have a contributory role in driving division in our society and fuel the far-right.

Council Resolves:

1. To reiterate this council's opposition to the re-opening of Campsfield House.
2. To request that the Leader of the Council write to the Home Secretary calling on her to:
3. Abandon plans to re-open Campsfield House.
4. Outline plans to reduce, rather than increase, the number of people held in detention.
5. Begin to introduce a more humane migration policy -

¹² <https://www.ippr.org/media-office/home-office-chaos-leaves-up-to-55-500-asylum-seekers-stuck-in-perma-backlog>

¹³ <https://www.legislation.gov.uk/ukxi/2024/815/made>

¹⁴ <https://www.who.int/europe/news/item/04-05-2022-immigration-detention-is-harmful-to-health---alternatives-to-detention-should-be-used>; <https://www.rainbowmigration.org.uk/news/lgbtqi-people-still-at-serious-risk-of-harm-in-immigration-detention/>

including through the establishment of safe and legal routes for people to claim asylum.

13c Zero Emission Zone (Proposed by Cllr. David Henwood, Seconded by Cllr. Ian Yeatman)

Independent Oxford Alliance Group Motion

In February 2024, Oxfordshire County Council committed to spending £5.2m¹⁵ developing plans to expand Oxford's existing Zero Emission Zone (ZEZ). Although previously agreed in principle as part of the Central Oxfordshire Travel Plan¹⁶, Oxfordshire County Council has not yet committed to proceeding with the ZEZ expansion.¹⁷

Each year, Oxford City Council produces an Air Quality Annual Status Report (AQASR)¹⁸. The report includes a detailed account of NO₂ pollution levels, across numerous monitoring stations in Oxford and surrounding areas in the preceding year. The report also includes a commentary and analysis of themes relating to NO₂ pollution in Oxford, such as the impact of the current ZEZ and Low Traffic Neighbourhoods on NO₂ pollution levels.

Given the current development work taking place by Oxfordshire County Council in relation to the planned ZEZ expansion, it could be useful to draw on the insights collected as part of the AQASR publication process to produce an in-depth analysis of NO₂ pollution levels in the planned ZEZ expansion zone.

Oxford City Council's policy on NO₂ pollution is that the local annual mean NO₂ target for Oxford should be 30 µg/m³ by 2025¹⁹, which reflects "step two" of the WHO's updated interim target for NO₂.

Oxford City Council notes that Oxford is currently in the process of taking delivery of numerous new electric buses, which have the potential to significantly reduce pollution in and around Oxford city centre²⁰.

The Council:

¹⁵

<https://mycouncil.oxfordshire.gov.uk/documents/s70023/Section%205.4%20Capital%20Programme%20Council%20Feb%2024.pdf>

¹⁶ <https://mycouncil.oxfordshire.gov.uk/ieDecisionDetails.aspx?AllId=26981>

¹⁷ www.oxfordshire.gov.uk/residents/roads-and-transport/connecting-oxfordshire/city-centre-zez#:~:text=A%20small%20pilot%20ZEZ%20became,assessments%2C%20engagement%20and%20formal%20consultation

¹⁸ www.oxford.gov.uk/air-quality-data/air-quality-annual-status-reports

¹⁹ www.oxford.gov.uk/air-quality-management/air-quality-action-plan

²⁰ www.oxford.gov.uk/news/article/1394/oxford-launches-major-all-electric-city-bus-fleet

- Believes it would be useful for Oxford City Council to publish a (non-statutory) supplement to its already-published 2023 AQASR. This supplement would help provide the public with the council's baseline analysis of NO₂ pollution levels in the planned ZEZ expansion zone, reusing existing data.
- Further believes that subsequent AQASRs should also include an in-depth analysis of NO₂ pollution levels in the planned ZEZ expansion zone.
- Collectively, these analyses would assist Oxford City Council in deciding whether – in the council's view – the ZEZ expansion remains objectively justified as a policy that the City Council should continue to endorse.

The Council therefore request that Cabinet ask those officers responsible for producing the Oxford City Council's AQASR to:

- Publish a supplement to 2023 AQASR (within three months of the date of this motion), which includes a detailed data table setting out the verified average NO₂ pollution levels between 2019 and 2023, for each pollution monitoring station within the proposed ZEZ expansion zone.
- To provide equivalent data in the 2024 AQASR, and in future years.
- To ensure this data is accompanied by a detailed analysis of recent NO₂ pollution trends within the planned ZEZ expansion zone, where reasonably possible, including an analysis of whether NO₂ pollution within the proposed ZEZ expansion zone have yet fallen to Oxford City Council's 30µg/m³ by 2025 target.

Council also asks Cabinet to consider not taking any decision about revenue and cost sharing arrangements with Oxfordshire County Council beyond the one agreed for the pilot (should they come forward) until the initial ZEZ pollution analysis has been completed.

13d Winter Fuel Payments (Proposed by Cllr. Ajaz Rehman, Seconded by Cllr. Dr. Amar Latif)

Oxford Independent Group Motion

This council is shocked and angered a Labour government would even contemplate a financial attack on pensioners just as we approach winter. The cost-of-living payments also ending this will have a devastating on some of most vulnerable in our society. Those who have given service their whole lives to this country, are being abandoned at the time of need.

This council writes to the Prime minister and Home secretary requesting the winter fuel payment to be re instated.

13e Decent and Genuinely Affordable Housing for All (Proposed by Cllr. Alex Hollingsworth, Seconded by Cllr. Ed Turner)

Labour Group Motion

The last fourteen years of Conservative Government, with chronic underinvestment in affordable and social housing and retreat in the face of opposition to housebuilding have left this country in the grip of a housing crisis.

Across the UK the shortage of housing and uncontrolled increases in private sector rents have led to ballooning costs for temporary accommodation.²¹ Those costs are so large that they are not just a threat to other council services, which will have to be cut to meet the bill, but they are putting the very existence of some local authorities in doubt.

In Oxford, despite the best efforts of our officers, costs for temporary accommodation have risen five-fold to over £4m, out of a total Council budget of £28.6m.

The watering down of Local Plan housing targets by Rishi Sunak, under pressure from wealthy NIMBY interest groups, means that far too many councils have been able to dodge their responsibility both to those in need now and to future generations by failing to plan for the homes that are so desperately needed.

Pressures on the budgets of housing associations and cuts to housing budgets in the name of ‘austerity’ mean that developers are finding it increasingly difficult to find buyers for the affordable homes they are supposed to build, meaning the developments simply aren’t starting.²²

- This Council therefore asks that the Leader of the Council writes to the Government to convey that:
- This Council believes that decent and affordable housing for all, where you want to live, is a right and not a privilege.
- This Council therefore applauds the new Government for its immediate reversal of cuts to housing numbers in Local Plans, and welcomes the return of strategic level planning to ensure that those Plans are delivered, particularly in

²¹ <https://www.local.gov.uk/about/news/councils-budget-set-aside-homelessness-has-more-tripled-last-eight-years-lga-warns>

²² <https://www.savills.co.uk/blog/article/365538/residential-property/why-falling-demand-for-section-106-homes-is-a-barrier-to-wider-housing-delivery.aspx>

Oxfordshire

- This Council welcomes the Government's approval of the long-overdue reservoir near Abingdon, something necessary to support the provision of new homes.
- This Council further welcomes the Government's commitment to the ending of Section 21 'no fault' evictions, which are a primary cause of the current levels of homelessness.
- This Council calls on the Government to implement as soon as possible powers to control and regulate the short-term let sector to prevent the shift of landlords from the private rented sector to the short term let sector
- This Council calls on the Government to continue to take action to ensure that investment in power, water and sewerage that has already been paid for by customers is delivered with immediate effect
- This Council calls on the Government to review the funding and borrowing rules as they apply to social housing, to ensure that this city, and this country, sees the expansion of social housing construction as soon as possible

13f Protection of Carers from Exploitation (Proposed by Cllr. Jo Sandelson, Seconded by Cllr. Theo Jupp)

Liberal Democrats Group Motion

This council has no confidence in the employee protection offered to migrant care workers in Oxfordshire and in the UK, and believe that visa design is driving exploitation.²³ Sponsorship agencies have been able to get away with exploiting these carers by demanding large sums of money (often thousands of pounds) in exchange for arranging the carers' journey to the UK, housing them (often in disgraceful conditions) and arranging work. Carers often find they are not given the number of hours work promised and are forced to use food banks to survive.²⁴ Many migrant carers have borrowed large sums from loan companies in their own country in order to pay the sponsorship fees, and are then trapped in the UK as they cannot return home without paying the money back. When migrants raise their concerns and needs with their sponsors they are threatened with being returned to their countries.²⁵

The consequences are many. Migrant carers doing much needed work are forced to live in poverty with very stressful working conditions causing bad health and inability to work.²⁶ For example, one Oxfordshire family with disabilities reported that their carer X from Ghana needed to arrive for work at a client's (rural) home at 6am. Public transport was not available but sponsors refused to pay for a taxi, so he spent all his wages paying for

²³ CAB; Restrictive Visas 11/03/24

²⁴ Citizens Advice Benefits and Work 11/03/2024

²⁵ Citizens Advice 2024

²⁶ Joseph Rowntree Foundation 26/07/2024

one himself.

Carers' clients are also affected, if carers become ill and are unable to work. This means their client either has no carer or numerous different cover carers to be instructed in the client's individual care needs. It can lead to clients' families being unable to cope so the client must go into residential care, at great emotional cost to the client and their family, and at great financial cost to Social Services. The Joseph Rowntree Foundation found that "despite need for care far outstripping current provision, care providers are losing business due to ongoing staff shortages. [A Care England study²⁷](#) found in 2023 that 44% of providers it surveyed had turned down new admissions and 18% had to close services altogether due to ongoing staff shortages."²⁸

Council believes the following steps should be taken to improve migrant carers' situation.

- 1. Simplify visa applications:** The 60-day time limit needs to be extended so that carers don't lose their visa if they haven't found a new sponsor.
- 2. Grant access to public funds:** Introduce a safety net whereby care workers can access public funds.
- 3. Provide flexible work visas:** Support migrant care workers with work visas that are simply amendable to reflect changing work situations. Currently the UK's labour market enforcement system is complicated, confusing and in dire need of reform.

Council resolves to request that Cabinet Member Cllr Chewe Munkonge write to Wes Streeting, Secretary of State for Social Care, calling on him to drive these actions forward promptly.

13g Bus travel for asylum seekers in Oxford (Proposed by Cllr. Alex Powell, Seconded by Cllr. Dianne Regisford)

Green Group Motion

There are an increasing number of asylum seekers being accommodated within the city, particularly in a hotel near to the Kassam Stadium.²⁹

Those asylum claimants who are in receipt of statutory support according to section 95 of the Immigration and Asylum Act 1999 receive average weekly financial support equating to just £8.86 per week for those in

²⁷ <https://www.careengland.org.uk/wp-content/uploads/2024/02/Care-England-End-to-End-Workforce-Solution.pdf>

²⁸ <https://www.jrf.org.uk/care/our-acceptance-of-low-pay-in-social-care-costs-us-more-than-we-think#:~:text=Despite%20need%20for%20care%20far,due%20to%20ongoing%20staff%20shortages.>

²⁹ <https://www.oxfordmail.co.uk/news/23116955.kassam-stadium-hotel-used-house-refugee-sparking-row/>

accommodation.³⁰

Oxford City Council has signed up to the values of the City of Sanctuary scheme undertaking a commitment to ensure that Oxford is a safe and supportive environment for sanctuary seekers.³¹

Oxfordshire County Council has also signalled its intention to become a County of Sanctuary, showcasing its own commitment to creating a safe and supportive environment for people seeking sanctuary.³²

Numerous charities and organisations have drawn attention to the harms that hotel accommodation poses for asylum seekers: such as isolation from communities and resources.³³ This makes it even more important that support is accessible.

That the financial costs of travel within Oxford City make it more difficult for asylum seekers to access and engage with available sources of support.

That asylum seekers have recently made representations regarding the need for free bus passes to Oxfordshire County Council.³⁴

Council Believes:

That Local Authorities, at both District and County Council level, have a moral and ethical duty, to the extent to which the law allows, to advocate for and protect all residents residing within their territorial area regardless of immigration status.

That access to support services should be open to all asylum seekers and should not be prohibited by transport costs.

As a City of Sanctuary, Oxford City Council has a responsibility to act in a manner that promotes the safety, security and well-being of sanctuary seekers.

As an aspiring County of Sanctuary, Oxfordshire County Council has a responsibility to act in a manner that promotes the safety, security and well-being of sanctuary seekers.

14 Matters exempt from publication and exclusion of the

³⁰ <https://www.legislation.gov.uk/ukpga/1999/33/section/95>

³¹ <https://www.oxford.gov.uk/news/article/183/oxford-city-council-makes-commitment-to-city-of-sanctuary-status>

³² <https://news.oxfordshire.gov.uk/oxfordshire-is-a-county-of-sanctuary/#:~:text=Migrants%2C%20including%20refugees%20and%20asylum,as%20a%20place%20of%20sanctuary>

³³ https://helenbamber.org/sites/default/files/2024-06/Suffering%20and%20squalor_Final_June%202024.pdf; <https://www.refugee-action.org.uk/wp-content/uploads/2023/03/Hostile-Accommodation-Refugee-Action-report.pdf>

³⁴ <https://www.bbc.co.uk/news/articles/cx77z1d57ydo>

public

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

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

Updates and additional information to supplement this agenda are published in the Council Briefing Note.

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

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

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 and Member 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 Councillors and members of the press and public 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 recordings 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.

Members Code – Other Registrable Interests

Where a matter arises at a meeting which directly relates to the financial interest or wellbeing** of one of your Other Registrable Interests*** then you must declare an

interest. You must not participate in discussion or voting on the item and you must withdraw from the meeting whilst the matter is discussed.

Members Code – Non Registrable Interests

Where a matter arises at a meeting which **directly relates** to your financial interest or wellbeing (and does not fall under disclosable pecuniary interests), or the financial interest or wellbeing of a relative or close associate, you must declare the interest.

Where a matter arises at a meeting which affects your own financial interest or wellbeing, a financial interest or wellbeing of a relative or close associate or a financial interest or wellbeing of a body included under Other Registrable Interests, then you must declare the interest.

You must not take part in any discussion or vote on the matter and must not remain in the room, if you answer in the affirmative to this test:

“Where a matter affects the financial interest or well-being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest You may speak on the matter only if members of the public are also allowed to speak at the meeting.”

Otherwise, you may stay in the room, take part in the discussion and vote.

*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.

** Wellbeing can be described as a condition of contentedness, healthiness and happiness; anything that could be said to affect a person’s quality of life, either positively or negatively, is likely to affect their wellbeing.

*** Other Registrable Interests: a) any unpaid directorships b) any Body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority c) any Body (i) exercising functions of a public nature (ii) directed to charitable purposes or (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management.

Minutes of a meeting of Council on Monday 15 July 2024

www.oxford.gov.uk



Council members present:

Councillor Corais (Deputy Lord Mayor)

Councillor Qayyum

Councillor Jupp

Councillor Regisford

Councillor Harley

Councillor Altaf-Khan

Councillor Brown

Councillor Clarkson

Councillor Diggins

Councillor Fouweather

Councillor Goddard

Councillor Jarvis

Councillor Malik

Councillor Muddiman

Councillor Ottino

Councillor Pressel

Councillor Rawle

Councillor Sandelson

Councillor Roz Smith

Councillor Turner

Councillor Waite

Councillor Fry (Sheriff)

Councillor Azad

Councillor Max Morris

Councillor Stares

Councillor Henwood

Councillor Arshad

Councillor Chapman

Councillor Coyne

Councillor Djafari-Marbini

Councillor Gant

Councillor Hollingsworth

Councillor Kerr

Councillor Miles

Councillor Munkonge

Councillor Powell

Councillor Railton

Councillor Rehman

Councillor Linda Smith

Councillor Smowton

Councillor Upton

Also present for all or part of the meeting:

Caroline Green, Chief Executive

Emma Jackman, Head of Law and Governance

Nigel Kennedy, Head of Financial Services

Tom Hook, Executive Director (Corporate Resources)

Tom Bridgman, Executive Director (Development)

Jonathan Malton, Committee and Member Services Manager
Celeste Reyeslao, Committee and Member Services Officer
Dr Brenda McCollum, Committee and Member Services Officer
Tanaka Merralls, Trainee Solicitor
Amber Khaloon, Trainee Solicitor

Apologies:

Councillor(s) Rowley, Yeatman, Hunt, Latif, Lygo and Mundy sent apologies.

The minutes show when Councillors who were absent for part of the meeting arrived and left.

Minute's silence and tributes

Council observed a minute's silence in memory of former councillors Mike Gotch and Mark Whitaker.

Councillors Gant, Goddard, Hollingsworth, Henwood, Malik and Clarkson spoke to pay tribute to the former councillors.

8. Declarations of interest

Item 15a: Oxford United Stadium

Cllr Andrew Gant declared an interest on this item on the grounds that it coincides with his County Council's responsibilities. He indicated he would leave the room during the consideration of this item.

Cllr Ed Turner stated that he was a Football Association match official and occasionally refereed matches for Oxford United Youth's and Women's teams. He indicated that he received monetary compensation for his services. He clarified that he had no specific relationships with Oxford United but made the declaration for reasons of transparency.

Cllr Nigel Chapman stated that he was season ticket holder for Oxford United for over 20 years. It was not a pecuniary interest. He indicated he made the declaration for reasons of transparency.

Item 15c: Making Oxford a Truly Walkable City and Item 15e: Bus travel for asylum seekers in Oxford

Cllr Andrew Gant declared an interest on these items on the grounds that they coincide with his County Council's responsibilities. He indicated he would leave the room during the consideration of these items.

9. Minutes

Council agreed to **approve** the minutes of the ordinary meeting of Council held on 18 March 2024 and the annual meeting of Council held on 16 May 2024 as true and correct records.

10. Announcements

The Deputy Lord Mayor announced that he participated in two recent foreign events: the Mosaic Indonesian Cultural Exhibition (ICE) on the 18th of May 2024, and the Carmina Burana Fundraising Dinner on the 13th of July 2024. He had also attended the Centenary Celebration of the Littlemore Village Hall and the Littlemore Play Day in June.

The Sheriff had invited two Year 10 pupils from Oxford Academy, Amiyah Cameron and Shavonne Allen, to join him in various events throughout the week, allowing them to observe the workings of local government. These events included this evening's Council meeting and a visit to the ODS Cowley Marsh Depot with other Councillors.

The Leader of the Council made the following announcements:

Expressed heartfelt sadness over the passing of former councillors Mike Gotch and Mark Whitaker, with whom she had previously served.

Sent her congratulations to Annaliese Dodds and Layla Moran on their resounding re-elections as Members of Parliament and expressed her commitment to continued collaboration in the interest of the people of Oxford.

The Council celebrated England's qualification for the Euro 2024 by flying the England flag until the close of the competition in support of the England national football team.

Had written to the Secretary of Transport and the Secretary of State for Environment, Food and Rural Affairs, requesting urgent action on the issue regarding Botley Road and the need for Network Rail and Thames Water to work closely together. The Leader also copied the letter to Oxfordshire County Council Leader, Cllr Liz Leffman. She hoped to seek urgent clarity on the introduction of traffic filters in Oxford, noting the significance this had to the people of Oxford.

Cllr Upton arrived at the meeting.

The City Rector addressed the Council, acknowledging its humility in commemorating former councillors. He reflected on Eric Liddell's principled decision during the 1924 Paris Olympics and concluded by drawing a parallel to Liddell's perseverance in pursuing secondary paths which had led to great achievements.

11. Public addresses and questions that relate to matters for decision at this meeting

There were no addresses or questions.

12. Leisure Investment Program

Council considered a report from the Head of Corporate Property which sought approval to enter into a contract for Rebuild Cost Assessments of the Council's property assets to assist with placing the property insurance policy.

Cllr Ed Turner, Deputy Leader (Statutory) and Cabinet Member for Finance and Asset Management introduced the report and moved the recommendations.

On being seconded by Cllr Linda Smith, Cabinet Member for Housing and Communities, the recommendations were put the vote and agreed.

Council resolved to:

1. **Recommend to Council** the provision of a revenue budget in the General Fund for the sum of £128,000 per annum for the next 3 years and in the HRA for the sum of £55,000 per annum;
2. **Give project approval** to tender a contract to undertake the rebuild cost assessments across all assets in both the General Fund and the HRA;
3. **Delegate authority** to the Head of Corporate Property to finalise the tender documents; and
4. **Delegate authority** to the Head of Corporate Property, in consultation with the Head of Law and Governance; the Head of Financial Services; and the Deputy Leader (Statutory) - Finance and Asset Management to agree the cost and final terms of, and enter into and make any necessary.

13. Contract for Rebuild Cost Assessments

Council considered a report from the Head of Corporate Property which sought approval to enter into a contract for Rebuild Cost Assessments of the Council's property assets to assist with placing the property insurance policy.

Cllr Ed Turner, Deputy Leader and Cabinet Member for Finance and Asset Management introduced the report and moved the recommendations.

On being seconded by Cllr Linda Smith, Cabinet Member for Housing and Communities, the recommendations were put the vote and agreed.

Council resolved to:

1. **Recommend to Council** the provision of a revenue budget in the General Fund for the sum of £128,000 per annum for the next 3 years and in the HRA for the sum of £55,000 per annum;
2. **Give project approval** to tender a contract to undertake the rebuild cost assessments across all assets in both the General Fund and the HRA;
3. **Delegate authority** to the Head of Corporate Property to finalise the tender documents; and
4. **Delegate authority** to the Head of Corporate Property, in consultation with the Head of Law and Governance; the Head of Financial Services; and the Deputy

Leader (Statutory) - Finance and Asset Management to agree the cost and final terms of, and enter into and make any necessary.

14. Oxford City Council Corporate Strategy 2024/2028

Council considered a report from the Head of Corporate Strategy which provided feedback from the public and stakeholder consultation on the Council Strategy 2024 to 2028 and sought approval for the draft strategy.

Cllr Susan Brown, Leader and Cabinet Member for Partnership Working, introduced the report, proposed the recommendations and answered questions.

Cllr Diggins left the meeting.

On being seconded by Cllr Chewe Munkonge, Cabinet Member for A Healthy Oxford, the recommendations were put the vote and agreed.

Council resolved to:

1. **Adopt** the Council Strategy 2024 to 2028 as attached as Appendix 1 to the report; and
2. **Delegate** authority to the Head of Corporate Strategy in consultation with the Council Leader to make any further amendments to the Council Strategy 2024 to 2028 before implementation and publication, provided that such amendments do not materially affect the substance of the Council Strategy 2024 to 2028.

15. Update of Byelaws for Parks and Open Spaces

Council considered a report from the Head of Corporate Property which sought approval to progress the submission of the proposed byelaws for parks and open spaces to the Secretary of State for approval following public consultation.

Cllr Chewe Munkonge, Cabinet Member for A Healthy Oxford, introduced the report and proposed the recommendations.

On being seconded by Cllr Susan Brown, Leader and Cabinet Member for Partnership Working, the recommendations were put the vote and agreed.

Council resolved to:

1. **Approve** the proposed byelaws for parks and open spaces following public consultation;
2. **Recommend** submission of the application to the Secretary of State for approval of the proposed byelaws;
3. **Note** that upon the Secretary of State granting leave for the Council to make the proposed byelaws there will be a further period of consultation of not less than 28 days; and
4. **Note** that a further report will be presented to Members to allow them to make a final decision to make the proposed byelaws.

16. Questions on Cabinet minutes

a) Minutes of the Cabinet Meeting held on 17th April 2024

None.

b) Minutes of the Cabinet Meeting held on 12th June 2024

Minute 6 – Community Infrastructure Levy (CIL) - Submission of Draft Charging Schedule for Examination

In response to a question from Cllr Chris Snowton, Cllr Louise Upton, Cabinet Member for Planning, explained that because land valuation was now attached to business premises, this made it viable to develop new businesses and contribute significantly to the Community Infrastructure Levy (CIL). Viability assessments indicated that business use could manage the higher CIL contribution.

c) Minutes of the Cabinet Meeting held on 10th July 2024

None.

17. Questions on Notice from Members of Council

33 written questions were asked of the Cabinet Members and the Leader. The questions and written responses were published before the meeting.

These along with summaries of the 14 supplementary questions and responses asked and given at the meeting are set out in the minutes pack.

The meeting broke for 15 min during this item and reconvened at 7pm. Council agreed to consider item 12 before returning to the remainder of this item, and then proceeded with the agenda as listed.

Cllrs Azad, Malik and Rehman left the meeting and did not return.

18. Public addresses and questions that do not relate to matters for decision at this Council meeting

Council heard five addresses and one question from members of the public. Cabinet Members read or summarised their written responses.

The addresses, question and responses are set out in full in the minutes pack.

1. Address from Sushila Dhall, Chair, Oxford Pedestrians Association – Make Oxford a Truly Walkable City Motion
2. Question from Chaka Artwell – Cabinet Decision for the Request for Exceptional Circumstances Relief from the Community Infrastructure Levy
3. Address from Paul Peros, OxVox Chairman, Oxford United Supporters Trust – Oxford United Stadium Motion
4. Address from Chaka Artwell – Glyphosate

5. Address from Ashley Smith, Windrush Against Sewage Pollution –Support for Motion of No Confidence in Thames Water and development of an Oxford City River Action Plan
6. Address from Dan Glazebrook, Friends of Grandpont Nature Park – Oxpens River Bridge Scheme

The Deputy Lord Mayor thanked the speakers for their contributions.

Cllrs Regisford, Kerr and Diggins re-joined the meeting.

19. Outside organisation/Committee Chair reports and questions

a) Outside Organisation Report: Oxford Strategic Partnership

Council considered a report from the Head of Corporate Strategy which noted the annual update on the Oxford Strategic Partnership.

Cllr Susan Brown, Leader and Cabinet Member for Partnership Working, introduced the report.

In response to a question from Cllr Roz Smith, Cllr Brown reaffirmed the Council's dedication to being a Fairtrade City. She stated that whilst promises to rent out premises in the Covered Market could not be made, any proposal from organisations selling fair trade products would be considered favourably.

Council resolved to:

1. **Note** the annual update report on the work of the Oxford Strategic Partnership.

b) Outside Organisation Report: Oxfordshire Health and Wellbeing / Health Improvement Board

Council considered a report from the Head of Corporate Strategy which noted the annual update on the Oxfordshire Health and Wellbeing / Health Improvement Board.

Cllr Chewe Munkonge, Cabinet Member for A Healthy Oxford, introduced the report.

Council resolved to:

1. **Note** the annual update report of the work the City Council does to support the Oxfordshire Health & Wellbeing Board and the Health Improvement Board.

20. Annual Scrutiny Report 2023 - 24

Councillor Katherine Miles, Chair of the Scrutiny Committee, introduced the report updating the Council on the Committee's activities during the 2023/24 municipal year, and thanked Cllr Lucy Pegg for her contributions as Chair during that period. She advised that 142 recommendations had been submitted to Cabinet, of which 100 were agreed, 12 agreed in part, 17 not agreed, and 12 provided with commentary only. She conveyed the Committee's disappointment in some of the Cabinet responses that were not always aligned with the overall thrust of their recommendations. Finally, she gave

thanks to the Councillors of the Committee and Panels, Cabinet Members, and Officers who had supported the Committee over the year.

In response to reflections on Cabinet's engagement with Scrutiny recommendations, Cllr Ed Turner, Deputy Leader (Statutory) and Cabinet Member for Finance and Asset Management emphasised Cabinet's effort to respond positively despite short time frames. He acknowledged that whilst some recommendations could not be fully implemented due to differences in views, the aim was to communicate openly and constructively. Cllr Brown, Leader and Cabinet Member for Partnership Working also expressed surprise at any disappointment, stating that the Cabinet aimed to adopt scrutiny recommendations as far as possible and provided explanations where there were disagreements. She highlighted the generally positive collaboration between Cabinet and Scrutiny, noting that their rate of adoption compared favourably with other councils.

Council resolved to note the report.

a) Scrutiny Committee update report

Councillor Katherine Miles, Chair of the Scrutiny Committee, introduced the report updating the Council on the activities of the Committee from 01 March 2024 to 30 June 2024. She highlighted work undertaken by the Committee, including the re-establishment of three standing panels, and the expanded remit of the Finance and Performance Panel, which replaced the previous Companies Scrutiny Panel. She welcomed the new Committee members and expressed her anticipation of working constructively with Cabinet Members, Councillors, and Officers.

Council resolved to note the update report.

21. Motions on notice July 2024

Council had before it five motions on notice submitted in accordance with Council procedure rules and reached decisions as set out below.

Motions agreed as set out below:

- a) Oxford United Stadium (proposed by Cllr Mark Clarkson, seconded by Cllr Ed Turner)
- b) Motion of No Confidence in Thames Water and development of an Oxford city river action plan (proposed by Cllr Jo Sandelson, seconded by Cllr Katherine Miles) [amendment proposed by Cllr Simon Ottino, seconded by Cllr Jarvis]

Motions not taken as the time allocated for debate had finished:

- c) Making Oxford a Truly Walkable City (proposed by Cllr Max Morris, seconded by Cllr Emily Kerr)
- d) Scrap the Two-Child Benefit Cap (proposed by Cllr Theodore Jupp, seconded by Cllr Chris Smowton)
- e) Bus travel for asylum seekers in Oxford (proposed by Cllr Alex Powell, seconded by Cllr Dianne Regisford)

a) Oxford United Stadium (Proposed by Cllr Mary Clarkson, seconded by Cllr Ed Turner)

Cllr Gant left the meeting, having declared an interest on this item, and returned to the meeting at the start of the next item.

Cllr Mary Clarkson, seconded by Cllr Simon Ottino, proposed the motion as set out in the briefing notes and clarified the motion referred to parcel of land known as 'The Triangle', where the stadium is proposed to be built.

Council agreed to take a recorded vote.

The following councillors voted in favour: Altaf-Khan, Arshad, Brown, Chapman, Clarkson, Coyne, Diggins, Djafari-Marbini, Fouweather, Henwood, Hollingsworth, Jupp, Miles, Munkonge, Ottino, Pressel, Qayyum, Railton, Linda Smith, Roz Smith, Smowton, Stares, Turner, Upton, and Waite.

No councillor voted against.

The following councillors abstained: Harley, Jarvis, Kerr, Morris, Muddiman, Powell, Rawle, Regisford, and Sandelson.

With 25 members voting in favour, the motion was agreed:

This Council expresses its support for Oxford United's proposals for a new stadium at Stratfield Brake.

b) Motion of No Confidence in Thames Water and development of an Oxford city river action plan (proposed by Cllr Jo Sandelson, seconded by Cllr Katherine Miles) [amendment proposed by Cllr Simon Ottino, seconded by Cllr Jarvis]

Cllr Jo Sandelson, seconded by Cllr Katherine Miles, proposed the motion as set out in the briefing notes.

Cllr Simon Ottino proposed a combined amendment to the motion and was seconded by Cllr Chris Jarvis. Council debated the amended motion. Following debate and on being put to the vote, the proposed amendment was agreed.

On being put to the vote, the amendment motion was agreed:

This council has no confidence in the water company Thames Water, which provides services to households in Oxford. For too long now water company bosses have been able to get away with paying themselves millions of pounds in bonuses while dumping millions of tonnes of raw sewage into the River Thames and under-investing in infrastructure. Despite increasing public scrutiny and despair, dividends continue to be paid out to investors that form part of the company's complex corporate structure. At

the same time, the company has been renegeing on its commitments to invest in infrastructure investments.¹

The consequences are many. Wildlife is disappearing and rivers are unfit to swim in. For example, Oxford has a long tradition of wild swimming in the River Thames at Port Meadow. The city celebrated when Wolvercote Mill Stream received designated bathing water status in 2022.² But the level of pollution caused by sewage means the Bathing site is currently classified as Poor and bathing is not advised.³

The current regulator Ofwat has demonstrated it is too weak to stand up to Thames Water.⁴

The Sewage Scandal must end to protect the River Thames. In response, this Council believes that water companies, including Thames Water, should be put into Special Administration and brought back into public ownership; and Ofwat should be replaced with a tough new regulator with new powers to prevent sewage dumps.

At a local level in response to the river water emergency, the City Council can demonstrate its commitment to support the restoration of river health, by signing up to the Local Charter for Rivers.⁵ This sets out steps that councils can take to use their powers to restore our rivers to health at a local level.⁶

To this end the Council resolves:

That it has no confidence in Thames Water.

That the Council requests the Leader:

- writes to the Secretary of State of His Majesty's Government with responsibility for water companies to call to: replace Ofwat with a tough new regulator with new powers to prevent sewage dumps; and place Thames Water into Special Administration to ensure the company's debt does not fall on the Government.
- commissions a cabinet report with an analysis of current actions and gaps in line with the Local River Charter, and recommendations for developing an Oxford City River Action Plan.⁷
- To reiterate this council's view that the long-term solution to the problems in our water system is to take the water firms - including Thames Water - back into public ownership.

¹ <https://www.theguardian.com/business/article/2024/jun/28/thames-water-board-150m-dividend-payout-funding-u-turn>

² <https://www.gov.uk/government/publications/bathing-waters-list-of-designated-waters-in-england/list-of-current-bathing-waters>

³ <https://www.oxford.gov.uk/waterways/bathing-water> ;
<https://environment.data.gov.uk/bwq/profiles/profile.html?site=ukj1402-11946>

⁴ <https://www.theguardian.com/business/article/2024/jun/28/thames-water-board-150m-dividend-payout-funding-u-turn>

⁵ <https://riveractionuk.com/local-charter-for-rivers/>

⁶ <https://drive.google.com/file/d/1hOKwnEXtzke2oO-MWrmXnXxFNHV5KZhV/view>

⁷ <https://riveractionuk.com/local-charter-for-rivers/>

- c) Making Oxford a Truly Walkable City (proposed by Cllr Max Morris, seconded by Cllr Emily Kerr)**

This motion was not taken as the time allocated for debate had finished.

- d) Scrap the Two-Child Benefit Cap (proposed by Cllr Theodore Jupp, seconded by Cllr Chris Smowton)**

This motion was not taken as the time allocated for debate had finished.

- e) Bus travel for asylum seekers in Oxford (proposed by Cllr Alex Powell, seconded by Cllr Dianne Regisford)**

This motion was not taken as the time allocated for debate had finished.

The meeting started at 5:00 pm and ended at 9:00 pm

Lord Mayor

Date: Monday 7 October 2024

Decisions on items of business take effect immediately:

Motions may be implemented immediately or may require further budget provision and/or reports to Cabinet before implementation.

Details are in the Council's Constitution.

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To: Council
Date: 7 October 2024
Report of: Head of Law and Governance
Title of Report: Appointments to Committees

Summary and recommendations	
Purpose of report:	Groups have amended the membership on the Committees since the initial appointments made at Council on 16 May 2024, this report outlines these amendments.
Recommendation: That Council resolves to:	
1. Agree the appointments to Committees.	

Appendices	
None	

Introduction and background

1. The purpose of this report is to outline the proposed appointment of members to allocated positions on the Council's Committees for the 2023-2024 municipal year. This report updates Council on the amended appointments to Committees since the initial decision at the Annual Meeting on 16 May 2024.
2. As per paragraph 11.3 (e) of the Council's Constitution, appointments to committees is a standing item for the Council agenda, however in line with a decision being taken, a report must be drafted when further appointments are made.
3. Ahead of this Council meeting, the Group Leaders of the Council were contacted to confirm any further appointments until the annual meeting scheduled for May 2025.

Appointments to Committees

4. The following amendments to Committees have been made by the Political Groups:
5. Councillor Kate Robinson to replace Councillor Chris Jarvis on the Appointments Committee.
6. Councillor Kate Robinson to replace Councillor Max Morris, on the Standards Committee.

Financial issues

7. There are no financial issues arising directly from this report.

Legal issues

8. There are no legal issues arising directly from this report.

Risk implications

9. There are no financial issues arising directly from this report.

Equality Impact Implications

10. Not applicable given the nature of this report.

Report author	Jonathan Malton
Job title	Committee and Member Services Manager
Service area or department	Law and Governance
Telephone	01865 602767
e-mail	jmalton@oxford.gov.uk

Background Papers: None

To: Council
Date: 7th October 2024
Report of: Executive Director for Communities and People
Title of Report: Statement of Gambling Licensing Policy

Summary and recommendations	
Purpose of report:	Recommendation for Council to adopt the amended Statement of Gambling Licensing Policy following public consultation and as agreed by the Licensing and Gambling Acts Committee
Committee Chair with responsibility:	Cllr Miles, Chair of the Licensing and Gambling Acts Committee
Corporate Priority	Strong, fair economy & thriving communities
Policy Framework	Statement of Gambling Licensing Policy – Gambling Act 2005
Recommendation(s): That Council resolves to:	
1. Adopt the amended Statement of Gambling Licensing Policy following public consultation and as agreed by the Licensing and Gambling Acts Committee	

Appendices	
Appendix 1	Amended Statement of Gambling Licensing Policy 2025-2028
Appendix 2	Revised Oxford City Council Local Area Profile
Appendix 3	Meeting minutes of the Licensing and Gambling Act Committee on Monday 23 rd September 2024.
Appendix 4	Equality Impact Assessment

Introduction and background

1. The Council is obliged to determine and publish the "Statement of Gambling Licensing Policy" and to keep it under review, and to renew the Policy at least every three years. In preparing the Statement, Licensing Authorities must follow the procedure set out in the 2005 Act, including who should be consulted. The

Policy sets out how the Licensing Authority intends to exercise its functions under the 2005 Act.

2. The first Policy was implemented on 31st January 2007, and with it being renewed every 3 years, the current policy is due to expire in 2025. Therefore, the 2005 Act requires the Council to implement a new Policy by 31st January 2025.
3. The Gambling Commission issued new Guidance to Licensing Authorities in April 2021, including various changes which summary can be found at <https://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities/gla-previous-changes>. There have been no further changes to this guidance since this date.
4. The revised Statement of Gambling Licensing Policy takes into consideration the new guidance. The changes made are detailed on page 2 of the revised policy but includes amendments to the Licensing Authority and other Responsible Authority's addresses, an amended map of Oxford with new ward names and boundaries along with textual amendments highlighted in pink throughout the revised policy.

A copy of the amended Statement of Gambling Licensing Policy can be found at **Appendix One**.

5. From April 2016 a mandatory requirement of the 2005 Act is placed on all applicants seeking a new licence or varying a current licence to "Assess Local Risk" in accordance with the requirements of the Gambling Commissions Social Responsibility Code Provision 10.1.1 and Ordinary Code Provision 10.1.2.
6. Completion of a local area profile is not a requirement on Licensing Authorities but there are significant benefits for both the Licensing Authority and operators, in having a better awareness of the local area and risks. It is for Licensing Authorities to determine whether to include a local area profile within the body of their policy statement or separately. As such, a review of the Policy includes reference to the Oxford City Council Local Area Profile. The Local Area Profile has been amended to reflect updated hyperlinks along with a new map of the City detailing new ward names and boundaries.

A copy of the Revised Local Area Profile is attached at **Appendix Two**.

Process and Decisions

7. A six (6) week consultation was conducted and advertised between 14th June 2024 and 26th July 2024; one response was received from Thames Valley Police who had no adverse comments to make on the revised policy.
8. On 23rd September 2024 a report was heard by the Licensing and Gambling Acts Committee where members voted in support of the amended Statement of

Gambling Licensing Policy with additional wording under section 25 stating reviews to gambling licences would be determined by the Licensing and Gambling Act Casework Sub-Committee.

9. Having voted in support of the amended Policy, the Committee resolved to:
 - a) **Agree** the revised draft Statement of Gambling Licensing Policy following public consultation.
 - b) **Recommend** the agreed Statement of Gambling Licensing Policy to Full Council for adoption.

A copy of the meetings minutes containing this decision can be found at **Appendix Three**

Equality Impact Assessment

10. The Council has a Public Sector Equality Duty under the Equality Act 2010 to have due regard to the need to:
 - Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act.
 - Advance equality of opportunity between people who share a relevant protected characteristic and those who don't share it.
 - Foster good relations between people who share a relevant protected characteristic and those who do not (which involves having due regard, in particular, to the need to tackle prejudice and promote understanding.
11. The relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion, sex, and sexual orientation. In respect of the first aim only (i.e. reducing discrimination, etc.) the protected characteristic of marriage and civil partnership is also relevant.
12. An assessment of the Statement of Gambling Licensing Policy's impact on the nine groups protected by the Equality Act 2010 was carried out. The policy assessment has highlighted that there are many positive benefits and no adverse impact for the nine protected groups.

A copy of the Equality Impact Assessment can be found at **Appendix Four**.

Financial implications

13. There are no financial implications arising from the adoption of the Gambling Licensing Policy

Legal Implications

14. Under Section 49 of the Gambling Act 2005 the Licensing Authority is required to prepare and publish a Statement of Principles that they propose to apply in exercising their functions under the Act. The process is repeated every three years.
15. The consultation process is laid out in the Gambling Act 2005, the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006 and the Guidance to Licensing Authorities issued by the Gambling Commission.
15. When carrying out its consultations, the Council must adhere to the 'Gunning' or 'Sedley principles' (*R (on the application of Moseley) v London Borough of Haringey* [2014] UKSC 56). These are that:
 - (i) consultation must be at a time when proposals are still at a formative stage;
 - (ii) the proposer must give sufficient reasons for any proposal to permit of intelligent consideration and response;
 - (iii) adequate time must be given for consideration and response; and
 - (iv) the product of consultation must be conscientiously taken into account in finalising any proposals.

Environmental Implications

16. There are no negative environmental impacts arising from the adoption of the Gambling Licensing Policy.

Conclusion

17. Considering section 349 of the Gambling Act 2005 it is understood that following the process undertaken, as set out in the report; as well as the considerations and decisions by the Licensing and Gambling Act Committee and Executive Director for Communities and People the proposed variation of Statement of Gambling Licensing should be adopted by the Council.

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Please note in the table below the version number of your report that was finally cleared at each stage.

Report Stage	Version Number
First Draft <i>Cleared by Service Manager/ Head of Service</i>	
Second Draft: <i>Cleared by Legal/ Finance</i>	
Final Draft <i>Cleared by lead Member</i>	

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Licensing Authority

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Statement of Gambling Licensing Policy

Gambling Act 2005



This statement will apply from 31st January 2025
until 30th January 2028

Contact details for licensing under the Gambling Act 2005
(in the Oxford City Council area)

Write to: The Licensing Authority
Oxford City Council
Town Hall
St. Aldates
OXFORD
OX1 1BX

Email: licensing@oxford.gov.uk

Telephone: 01865 252565

You can also find much information and links to other sources of information on Oxford City Council's website: <http://www.oxford.gov.uk>

This document remains valid for three years, during which the Council is likely to amend its website. So, rather than providing a direct link to "gambling", we suggest either looking for links for "licensing" then "gambling".

	Date	Areas of revision
First published:	02 Jan 2007	-----
Corrections:	26 Mar 2007	p.14 Textual amendments p. 27 Update to Gaming machine table p. 30 Update HMCE contact details
Revised:	17 Nov 2009	Update on legislation
Revised:	01 Feb 2013	Update on legislation Amendment of Licensing Authority and Responsible Authority addresses
Republished:	31 Jan 2016	p.29 Update on Gaming Machines: Maximum Stakes and Prizes
Revised:	31 Jan 2019	p.8 The Licensing Process - Local risk assessments p.11 Location - Local Area profile
Revised:	29 June 2021	p.27 Amended Map of Oxford for new ward names and boundaries p.29 Update on Gaming Machines: Maximum Stakes and Prizes p.33 Amendment to Responsible Authority Address
Revised:	27 March 2024 17 April 2024	Change of Licensing Authority Address p.27 Amended Map of Oxford for new ward names and boundaries p.32-33 Amendment to Responsible Authorities Addresses Textual amendments Grammatical amendments Formatting amendments

IMPORTANT NOTE

In producing this statement, the Licensing Authority is aware that the Government may amend the Gambling Act 2005, subordinate legislation and statutory guidance. Any such amendments made in the future will only ~~be~~^{be} incorporated into subsequent policy statements and not this document. Readers are advised to check on the Gambling Commission website to ensure they have the latest information.

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PART A: GENERAL MATTERS

1. The licensing objectives

The licensing objectives of the Gambling Act 2005 are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
- Ensuring that gambling is conducted in a fair and open way.
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

The Licensing Authority must have regard to these licensing objectives in exercising most of its functions under the 2005 Act.

2. The Licensing Authority

The Gambling Act 2005 has made Oxford City Council the Licensing Authority for its district. From 31 January 2007 the Council has been responsible for granting premises licences for:

- Betting premises, including tracks;
- Adult Gaming Centres;
- Family Entertainment Centres;
- Bingo premises; and
- Casino premises.

3. The Oxford City Council area

Oxford City Council is one of the five district councils of Oxfordshire. The City of Oxford has a population of 162,100 (ONS 2021 Census) in an area of 46 sq. km ha (17.6 square miles). A significant proportion of the land area within the city boundary is rural, with the population concentrated in the urban parts. The district is shown on the map in Appendix 1.

Oxford is one of the principal entertainment centres for Oxfordshire, however local road, bus and rail links foster a wider catchment area than this and also enable Oxford residents to use centres outside the county boundary, such as Aylesbury, Reading, Swindon and Newbury. Oxford residents also have reasonable access to the facilities offered by Bristol, London, Birmingham or Southampton.

Although Oxford is generally affluent, some of its wards are ranked amongst those of highest multiple deprivation in the country. 10 out of 83 Oxford neighbourhoods are amongst the 20% most deprived in England.

4. Glossary of terms

Within this Statement of Gambling Licensing Policy, the following words and terms are defined as stated:

Council	Oxford City Council
GC Guidance	The Gambling Commission's "Guidance to Licensing Authorities" under section 252(2)

Licensing Authority	Oxford City Council
The 2005 Act	The Gambling Act 2005
The 2003 Act	The Licensing Act 2003
LACORS	Local Authorities Co-ordinators of Regulatory Services

5. This Statement of Gambling Licensing Policy

The 2005 Act requires the Council to prepare and publish a statement of the principles that the Licensing Authority proposes to apply in exercising their functions under the 2005 Act before each successive period of three years.

In preparing this Statement of Gambling Licensing Policy, the Council has had regard to the licensing objectives and the Guidance issued by the Gambling Commission.

In determining the Statement of Gambling Licensing Policy, the Council had regard to the licensing objectives and the Guidance issued by the Gambling Commission and had due regard to comments received because of the consultation process.

This statement must be reviewed from “time to time” and any revisions must be published before they take effect. The 2005 Act requires each Licensing Authority to consult the following parties when preparing a new statement or revision.

- The Chief Officer of Police.
- One or more persons who appear to the Licensing Authority to represent the interests of persons carrying on gambling businesses in the Licensing Authority’s area.
- One or more persons who appear to the Licensing Authority to represent the interests of persons who are likely to be affected by the exercise of the Licensing Authority’s functions under the 2005 Act.

Before finalising and publishing this policy statement, the Council consulted the following.

- Thames Valley Police
- The Oxfordshire Safeguarding Children Board
- The management of all premises in Oxford with Gambling Premises Licences
- Gaming & Betting Organisations

The list of comments made and the consideration by the Council of those comments is available from the Licensing Authority or from the Council’s website (see inside front cover for contact details).

Consultation took place from 14th June 2024 for 6 weeks.

The Licensing Authority followed the best practice for consultation set out by the Department for Business Innovation and Skills. Revised Code of Practice (which came into effect in 2018) and the Cabinet Office Guidance on consultations by the public sector.

If you have any comments about this Statement of Gambling Licensing Policy, please write to the Licensing Authority (details inside front cover).

6. Effective period

This Statement of Gambling Licensing Policy becomes effective on 31st January 2025.

It will remain effective for three years (or any longer period in accordance with the 2005 Act) although the Council may adopt revisions within that period.

At the date of publication, this licensing policy is expected to last until 30th January 2028.

7. Functions of the Licensing Authority

7.1 Functions

The 2005 Act gives Licensing Authorities the following functions:

- Licensing premises where gambling activities are to take place by issuing Premises Licences
- Issuing Provisional Statements
- Regulating members' clubs and miners' welfare institutes who wish to undertake certain gaming activities, by issuing Club Gaming Permits and/or Club Machine Permits
- Issuing Club Machine Permits to Commercial Clubs
- Granting permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres
- Receiving notifications of the use of two or fewer gaming machines, from premises licensed (under the 2003 Act) to sell/supply of alcohol (for consumption on the premises other than with a meal).
- Issuing Licensed Premises Gaming Machine Permits where more than two machines are required for premises licensed (under the 2003 Act) to sell/supply alcohol (for consumption on the premises other than with a meal).
- Issuing Prize Gaming Permits
- Receiving and endorsing Temporary Use Notices
- Receiving Occasional Use Notices
- Providing information to the Gambling Commission on details of licences issued (see section above on 'information exchange')
- Maintaining registers of permits and licences issued under these functions.
- Revocation of premises licence due to failure to pay annual fee.

7.2 Delegation of functions

The 2005 Act (S154) delegates most licensing functions to the licensing committee, which can then further delegate to its sub-committees or to officers. Appendix 2 lists the lowest level to which decisions can be delegated.

From time-to-time the Licensing Authority may change the levels to which its decisions are delegated.

8. Functions of others

Under the 2005 Act, the role of the Gambling Commission includes the following matters, which are therefore **not** the responsibility of the Licensing Authority.

- Issuing and enforcing Operating Licences.
Operating Licences are required by organisations providing casinos, remote gambling, bingo, lotteries, facilities for betting and providing gaming machines etc. (There are exceptions within some of these categories.)
- Issuing and enforcing Personal Licences.
For each Operating Licence there must be at least one person who both occupies a specified management office in connection with that licence and holds a Personal Licence. Conditions may require more than one such person to hold a Personal Licence.

Conditions may also require persons performing specified operational functions to each hold a Personal Licence.
- Ensuring compliance by manufacturers, suppliers and repairers of gaming machines.

The Financial Services Authority regulates spread betting, and the National Lottery Commission regulates the National Lottery under separate legislation.

9. General principles

This Statement of Gambling Licensing Policy will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each matter will be considered on its own merits and according to the statutory requirements of the 2005 Act.

10. Responsible Authorities

Appendix 5 provides details for all the Responsible Authorities under the 2005 Act that have a role in the Licensing Authority's area.

The latest version of those details can be found on the Council's website, and the Licensing Authority will also provide this information in printed form on request (see details inside front cover).

The Licensing Authority recognises the Oxfordshire Safeguarding Children Board as the body that is competent to advise the authority about the protection of children from harm.

The principles on which it based this decision are the need for the body to:

- have broad experience of children's issues;
- be responsible for an area covering the whole of the Licensing Authority's area; and
- be answerable to democratically elected persons, rather than to any particular vested interest group. (The Licensing Authority notes that that body reserves the right to hold those persons to account on children's issues)

11. Interested parties

Interested parties can make representations about licence applications or apply for a review of an existing licence. However, the Licensing Authority has powers under the 2005 Act to determine whether a person is an interested party.

In doing so, the Licensing Authority will decide each case on its merits, based upon the following principles:

“a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the application is made, the person-

(a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,

(b) has business interests that might be affected by the authorised activities, or

(c) represents persons in either of these two groups. Licensing authorities will need to have regard to anything an interested party says about their status to make representations.” (2005 Act S.158)

11.1 Proximity to premises

In accordance with GC Guidance, when determining what “sufficiently close to the premises” means the Licensing Authority may include consideration of:

- *“the size of the premises;*
- *the nature of the premises;*
- *the distance of the premises from the location of the person making the representation;*
- *the potential impact of the premises (number of customers, routes likely to be taken by those visiting the establishment); and*
- *the circumstances of the complainant. This is not the personal characteristics of the complainant, but the interests of the complainant which may be relevant to the distance from the premises. (GCG 8.12)*
- *Relevant factors will depend on the particular application. For example, it could be reasonable for an authority to consider that living sufficiently close to be likely to be affected could have a different meaning for (a) a private resident (b) a residential school for children with truanting problems and (c) a residential hostel for vulnerable adults.” (GCG 8.13)*

The Licensing Authority will not generally view trade associations and trade unions, and residents’ and tenants’ associations as interested parties unless they have a member who lives sufficiently close to the premises to be classed as one.

11.2 ‘Business interests’

The Licensing Authority will also consider the GC Guidance that “has business interests” should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.

However, the Licensing Authority considers that “has business interests” should not entitle an operator to make representations on an application for premises anywhere. The *“factors that are likely to be relevant include:*

- *the size of the premises;*
- *the ‘catchment’ area of the premises (i.e. how far people travel to visit); and whether the person making the representation has business interests in that catchment area, that might be affected.”*

11.3 Representatives of interested parties

Interested parties can be persons who are democratically elected such as councillors and MPs. No specific evidence of being asked to represent an interested person will be required as long as the councillor / MP represent the ward likely to be affected. Likewise, any parish councils that are likely to be affected will also be considered to be interested parties. Other than these however, the Licensing Authority will generally require written evidence that the representative has been appointed by the person likely to be affected. A letter from one of these persons, requesting the representation is sufficient.

The Licensing Authority does not permit councillors who either are, or represent, an interested party in a case to participate as a member of the Licensing Committee (or sub-committee) that considers that case.

If individuals wish to approach councillors to ask them to represent their views, then care should be taken that the Councillors are not part of the licensing sub-committee dealing with that application. Licensing authority staff will help with this (contact details inside front cover).

12. Exchange of Information

The principle that the licensing authority will apply in respect of the exchange of information between it and the Gambling Commission and those bodies listed in Schedule 6 of the Act is that it will act in accordance with the provisions of the Gambling Act 2005 which includes the provision that the General Data Protection Regulations will not be contravened.

The licensing authority will also have regard to any guidance issued by the Gambling commission to Local Authorities on this matter when it is published, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

13. Enforcement

The Licensing Authority will apply the following principles in accordance with GC Guidance in exercising its functions about the inspection of premises (2005 Act, Part 15) and powers to institute criminal proceedings in respect of the offences specified (2005 Act, S.346).

The Licensing Authority will endeavour to be:

- **Proportionate:** regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
- **Accountable:** regulators must be able to justify decisions, and be subject to public scrutiny;
- **Consistent:** rules and standards must be joined up and implemented fairly;
- **Transparent:** regulators should be open, and keep regulations simple and user friendly; and
- **Targeted:** regulation should be focused on the problem, and minimise side effects.

The Licensing Authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

The main enforcement and compliance role for the Licensing Authority under the 2005 Act will be to ensure compliance with the premises licences and other permissions that it authorises. The Gambling Commission is the enforcement body for other matters under the 2005 Act, as noted above.

The Licensing Authority will also keep aware of advice from the Better Regulation Executive on the regulatory functions of local authorities.

13.1 Risk methodology

The Licensing Authority will adopt a risk-based inspection programme and in order to comply with the principle of transparency, the Licensing Authority will make available, on request, details of its risk methodology, and its protocols or written agreements for enforcement and compliance. (For contact details, see inside front cover).

The general approach of risk-based inspection is to avoid routine inspections of all premises. Instead, high-risk premises are inspected more frequently than low risk ones.

Amongst other things, this approach considers risks related to the size of the premises, the range of activities that take place there, and the time that those activities take place. Larger, more active premises are likely to be classed as higher risk and are therefore likely to be inspected more frequently.

PART B: PREMISES LICENCES

14. General Principles

Premises Licences will be subject to the requirements set out in the 2005 Act and regulations, and specific mandatory and default conditions detailed in regulations.

Where the Licensing Authority considers it appropriate, it may exclude default conditions, attach other conditions, or both.

In making decisions about premises licences, the 2005 Act (S.153) requires the Licensing Authority to aim to permit the use of premises for gambling in so far as it thinks it:

- in accordance with any relevant code of practice under s.24 (the LCCP).
- in accordance with any relevant guidance issued by the Gambling Commission under s.25.
- reasonably consistent with the licensing objectives and
- in accordance with the authority's Statement of Gambling Licensing Policy.

The Licensing Authority is also aware that that unmet demand (for gambling facilities) is not a criterion for a Licensing Authority and that GC Guidance states, "moral objections to gambling are not a valid reason to reject applications for premises licences". However, such reasons may be taken into account in considering any 'no casino resolution' (see the section on casinos below).

15. The Licensing Process

The powers of the Council as a Licensing Authority under the Act may be carried out by the Licensing and Gambling Act Committee and then put before Full Council. Applications under the Act will be dealt with in accordance with the Council's scheme of delegation. The attached table sets out how the Council will determine applications and other matters under the Act. (The table can be found at Appendix 2).

Application forms will be in the format prescribed by regulations. The form will need to contain information that describes the gambling activities to be provided, the operational procedures, hours, nature of the location, needs of the local community, etc. Most importantly, the applicant will have to detail the steps that will be taken to promote the three licensing objectives. Applicants must also carry out a local risk assessment before they apply for a licence in accordance with the Social Responsibility code of the Gambling Commission's Licence Conditions and Codes of Practice (code 10.1.1)

The Council will expect the local risk assessment to consider as a minimum:

- any Local Area Profile published by the licensing authority.
- the location of services for children such as schools, playgrounds, leisure/community centres and other areas where children will gather;
- the demographics of the area in relation to vulnerable groups. Information in this regard is available on the Council's website <https://www.oxford.gov.uk/population-statistics/oxfords-population>

- whether the premises is in an area subject to high levels of crime and/or disorder.

Local risk assessments should be shared with the Licensing Authority and demonstrate how any vulnerable people, including people with gambling dependencies, at risk from the proposed premises, will be protected.

Applicants are encouraged to fully consult the Police and other responsible authorities well in advance of submitting their applications. Application forms will be available on our website <https://www.oxford.gov.uk/licensing/gambling-licensing> this includes contact names for each of the responsible authorities that will be receiving applications. Most applications will require additional documentation and a fee to be included with the form. Incomplete applications will not be considered and will be returned to the applicant.

16. Definition of “premises”

Definition of “premises” – In the Act, "premises" is defined as including "any place". Section 152 therefore prevents more than one premises licence applying to any place. A single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track, or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place.

The Gambling Commission states in its Guidance to Licensing Authorities that: “In most cases the expectation is that a single building / plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer.

The Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises. **If a premises is located within a wider venue, a licensing authority should request a plan of the venue on which the premises should be identified as a separate unit.”**

The licensing authority will take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:

- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore, premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not “drift” into a gambling area. In

this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.

- Customers should be able to participate in the activity named on the premises licence.

The Gambling Commission's relevant access provisions for each premises type are reproduced below:

Adult Gaming Centre

- No customer must be able to access the premises directly from any other licensed gambling premises.

Betting Shops

- Access must be from a street or from another premises with a betting premises licence.
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind unless that shop is itself a licensed betting premises.

Tracks

- Customers must not be able to access the premises directly from:
 - a casino
 - an adult gaming centre

Bingo Premises

- Customers must not be able to access the premise directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

Family Entertainment Centre

- Customers must not be able to access the premises directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

Part 7 of the Gambling Commission's Guidance contains further guidance on this issue, which this authority will also consider in its decision-making.

(iii) Premises "ready for gambling"

The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the Licensing Authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a **provisional statement** should be made instead.

In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two-stage consideration process:

- First, whether the premises ought to be permitted to be used for gambling.
- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

17. Location

The Licensing Authority cannot consider the issue of demand for gambling facilities in any location but will address considerations in terms of the licensing objectives that relate to the location of premises. The Licensing Authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as to issues of crime and disorder that may relate to location.

Any existing Local Area Profile published by the Licensing Authority will be available from the authority directly or on its website. A Local Area Profile will assist applicants and operators by providing information on the local area and risks, including any sensitive locations within close proximity of proposed gambling premises.

Applicants will have to show that they have considered any potential impact of their proposed operation on the licensing objectives and provide information on how they plan to reduce or remove any likely adverse impact on them.

The Licensing Authority will pay particular attention, having regard to the gambling licensing objectives, to any proposals for new gambling premises that are in close proximity to accommodation or centres catering for vulnerable people, including those with mental health or learning difficulties, and those with gambling problems or with alcohol or drug abuse problems.

Such policies do not prevent submission of any application and each application will be decided on its merits. However, the Licensing Authority expects applicants to show how potential concerns would be overcome where location is an issue.

18. Duplication with other regulatory regimes

The Licensing Authority will seek to avoid any duplication with other statutory / regulatory systems where possible.

In considering a premises licence application the Licensing Authority will not take into account of whether the premises is likely to be awarded planning consent or building regulations approval. However, the Licensing Authority will carefully consider any concerns about conditions that licensees would be unable to meet due to planning restrictions.

19. Licensing objectives

Premises licences granted must be reasonably consistent with the licensing objectives. The Licensing Authority has considered the GC Guidance on these objectives, and comments as follows:

Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime:

The Licensing Authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime. The GC Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, if an area has known high levels of organised crime this authority will consider carefully whether gambling premises should be located there and whether conditions, such as the provision of door supervisors, may be necessary.

The Licensing Authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required at incidents and how threatening the behaviour was to those who could see it, to make that distinction.

Ensuring that gambling is conducted in a fair and open way:

The Licensing Authority notes that the Gambling Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences.

However, tracks are different from other premises, as track operators will not necessarily have an operating licence, and the Premises Licence may then need to contain conditions to ensure that the environment in which betting takes place is suitable.”

Protecting children and other vulnerable persons from being harmed or exploited by gambling

The Licensing Authority notes the GC Guidance that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to them).

The Licensing Authority will consider, as suggested in the GC Guidance and in any Gambling Commission Code of Practice, whether specific measures are required at particular premises to further to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.

The Licensing Authority notes that the Gambling Commission is not seeking to offer a definition for the term “vulnerable persons” but states that:

“It will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a health problems, learning disability or substance misuse relating to alcohol or drugs.”

The Licensing Authority will consider this licensing objective as it applies to each case on its merits. If a “vulnerable person” is adequately defined in future, then the Licensing Authority will revise this Statement of Gambling Licensing Policy accordingly.

20. Representations

The Licensing Authority may determine an application for a Premises Licence without a hearing, if the parties agree or if it considers that the representations made are:

- vexatious
- frivolous, or
- will certainly not influence the authority’s determination of the application.

If the Licensing Authority proposes to determine an application in this way, it will notify anyone who made a representation. (2005 Act s.162)

The Licensing Authority notes that the GC Guidance states that:

“Licensing authorities should be aware that other considerations such as moral or ethical objections to gambling are not a valid reason to reject applications for premises licences. In deciding to reject an application, a licensing authority should rely on reasons that demonstrate that the licensing objectives are not being, or are unlikely to be, met, and such objections do not relate to the licensing objectives. An authority’s decision cannot be based on dislike of gambling, or a general notion that it is undesirable to allow gambling premises in an area (with the exception of the casino resolution powers).”

The Licensing Authority also notes that the GC Guidance states that:

“Unlike the Licensing Act, the Gambling Act does not include the prevention of public nuisance. There is however other relevant legislation which deals with public nuisance and anti-social behaviour as a specific licensing objective. It would be helpful if licensing authorities could explain that objections to new premises or requests for a review should be based on the licensing objectives of the Gambling Act.”

21. Conditions

There are three classes of conditions that attach to premises licences:

- **Mandatory conditions under s167 of the Act**, which must be attached to premises licences.
- **Default conditions under s168 of the Act**, which will apply unless the Licensing Authority decides to exclude them or substitute conditions with others that are more or less restrictive.
The Licensing Authority is aware that the Gambling Commission considers that these mandatory and default conditions will normally be sufficient to regulate gambling premises.
- **Conditions imposed or exclude by Licensing Authority under s169 of the 2005 Act**: In exceptional cases, the Licensing Authority may consider attaching individual conditions related to the licensing objectives in order to deal with specific risks or problems associated with a particular locality, specific premises or class of premises.

Any conditions attached to licences will be proportionate and will be:

- Relevant to the need to make the proposed building suitable as a gambling facility.
- Directly related to the premises and the type of licence applied for.
- Fairly and reasonably related to the scale and type of premises; and
- Reasonable in all other respects.

The Licensing Authority will decide each application on its merits. Where appropriate it will consider using a number of control measures, such as the use of door supervisors or appropriate signage for 'adult only' areas etc.

The Licensing Authority expects the premises licence applicant to offer their own proposals to effectively meet the licensing objectives.

This policy includes specific comments on such issues under some of the licence types covered further below.

The Licensing Authority will also consider specific measures that may be required for buildings that are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises to pursue the licensing objectives. These matters are in accordance with GC Guidance.

This authority will also ensure that where machines of category C or above offer in any premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance.
- only adults are admitted to the area where these machines are located.
- access to the area where the machines are located is supervised.
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

This Licensing Authority is aware that tracks may be subject to more than one premises licence, provided each licence relates to a specified area of the track. In such cases, the Licensing Authority will consider the impact upon the third licensing objective in accordance with GC Guidance and the need to ensure that entrances to each type of premises are distinct and that children are excluded from those gambling areas that they are not permitted to enter.

The Licensing Authority cannot attach certain conditions to premises licences. Those conditions are:

- Any condition on the premises licence that makes it impossible to comply with a condition on an operating licence.
- Conditions relating to gaming machine categories, numbers, or method of operation.

- Conditions that require membership of a particular club or body (the 2005 Act specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and
- Conditions about stakes, fees, winning or prizes.

22. Door Supervisors

The GC Guidance advises that licensing authorities may consider whether door supervisors are needed in order to further the licensing objectives of “*protection of children and vulnerable persons from being harmed or exploited by gambling*” and “*preventing premises becoming a source of crime*”.

Where supervision of entrances / machines is required for premises, the Licensing Authority will decide with operators whether door supervisors need to be licensed by the Security Industry Authority.

At premises such as betting offices, the Licensing Authority will make a door supervision requirement only if there is clear evidence from the history of trading at the premises that the premises cannot be adequately supervised from the counter, and that door supervision is both necessary and proportionate.

23. Specific types of premises

23.1 Adult Gaming Centres

For these premises, the Licensing Authority will have specific regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and expects the applicant to satisfy the Licensing Authority of the adequacy of measures to ensure, for example, that no-one under 18 years old has access to the premises.

The Licensing Authority may consider measures to meet the licensing objectives, such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

23.2 Licensed Family Entertainment Centres

For these premises, the Licensing Authority will have specific regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and expects the applicant to satisfy the Licensing Authority of the adequacy of measures to ensure, for example, that no-one under 18 years old has access to adult-only gaming machine areas.

The Licensing Authority may consider measures to meet the licensing objectives, such as:

- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.
- Measures / training for staff on how to deal with suspected truant school children on the premises.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

In accordance with GC Guidance, the Licensing Authority will check the Gambling Commission's website for any potential conditions on operating licences that cover delineation of areas containing category C machines.

23.3 Casinos

a) **Casino proposals**

The Licensing Authority did not submit any proposal for a casino to the Independent Casinos Advisory Panel in early 2006, so Oxford will not be chosen as a location for one of the first 17 new casinos permitted under the 2005 Act.

b) **'No casino' resolution**

The Council passed a 'no casino' resolution (2005 Act, S.166) at its meeting on 20 November 2006 on the basis of a recommendation of the Licensing and Gambling Acts Committee, and this resolution has been maintained each time that this Policy has been renewed.

Potential licence applicants should note that, because the Council has passed a 'no-casino' resolution, the Licensing Authority will not consider any application for a casino premises licence. Any application received will be returned with a notification that a 'no-casino' resolution is in place.

The following paragraphs c), d) and e) appear in this Statement of Gambling Licensing Policy for consistency with other Licensing authorities. They have no role while a 'no casino' resolution remains in effect.

c) **Casinos and competitive bidding**

If circumstances arise where a number of operators want to run a casino in the area, the Council will run a 'competition' as required under the 2005 Act, Schedule 9 in line with any regulations issued under the 2005 Act.

d) **Self-service betting terminals in casinos**

The Licensing Authority notes that the section 181 of the 2005 Act contains an express power for licensing authorities to restrict the number of betting machines in casinos. (GCG 16.29) If the Licensing Authority receives an application for a casino premises licence it will take account of GC Guidance on this matter.

e) Credit

The Licensing Authority notes that section 177(3) of the 2005 Act does not prevent a casino licensee from permitting the installation of cash dispensers (ATMs) on the premises. If the Licensing Authority receives an application for a casino premises licence it will take account of GC Guidance on this matter.

23.4 Bingo premises

The Licensing Authority notes that the GC Guidance states that...

It is important that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted licensing authorities should ensure that:

- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where the machines are located;
- access to the area where the machines are located is supervised;
- the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and
- at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

The Licensing Authority will similarly note any further GC Guidance on the issues of suitability and layout of bingo premises.

23.5 Betting premises

a) Betting machines

When considering the number/nature/circumstances of betting machines an operator wants to offer, the Licensing Authority will follow the GC Guidance and take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by vulnerable people or by children or young persons.

This authority will consider limiting the number of machines only where there is evidence that such machines have been or are likely to be used in breach of the licensing objectives.

23.6 Tracks

The Licensing Authority notes that tracks are different from other premises in that:

- there may be more than one premises licence in effect provided each licence relates to a specified area of the track, and
- track operator may not be required to hold an operating licence as there may be several premises licence holders at the track which will need to hold their own operating licences.

The Licensing Authority will especially consider measures to ensure that children do not have access to 'adult only' gaming facilities.

The Licensing Authority notes that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, although not permitted to enter areas where gaming machines (other than category D machines) are provided. It will especially consider the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter, in furtherance of the licensing objective to ensure the protection of children and vulnerable persons from being harmed or exploited by gambling.

The Licensing Authority will consider measures to meet the licensing objectives, such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

a) Gaming machines at tracks

The Licensing Authority notes the GC Guidance that licensing authorities need to consider the location of gaming machines at tracks. An applicant for a track premises licence who plans to use any entitlement to four gaming machines (due to holding a pool betting operating licence) will need to demonstrate that machines (other than category D gaming machines) are located in areas from which children are excluded.

The Licensing Authority will similarly note any further GC Guidance on the location and supervision of gaming machines at tracks.

b) Betting machines at tracks

Licensing authorities have a power under the 2005 Act, to restrict the number of betting machines, their nature and the circumstances in which they are made available, by attaching a licence condition to a betting premises licence. The Licensing Authority notes that the GC Guidance states that:

“In relation to betting premises away from tracks, the Commission is proposing that licensing authorities should take into account the size of the premises and the ability of staff to monitor the use of the machines by vulnerable people when determining the number of machines permitted. Similar considerations apply in relation to tracks, where the potential space for such machines may be considerable, bringing with it significant problems in relation to the proliferation of such machines, the ability of track staff to supervise them if they are scattered around the track and the ability of the track operator to comply with the law and prevent children betting on the machine. Licensing authorities will want to

consider restricting the number and location of betting machines, in the light of the circumstances of each application for a track betting premises licence.”

c) Condition on rules being displayed

The Licensing Authority notes GC Guidance, which states that:

“...licensing authorities should attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office.”

d) Applications and plans –

The Licensing Authority notes the Gambling Commission's suggestion "... that licensing authorities gain a proper understanding of what they are being asked to license..."

Subject to regulations, which will set-out any specific requirements for applications for premises licences the Licensing Authority requires an application for a track betting premises licence to include detailed plans of:

- the racetrack itself;
- the area that will be used for temporary “on-course” betting facilities (often known as the “betting ring”);
- any area that will be used for fixed and mobile pool betting facilities operated by the Tote or track operator in the case of dog tracks and horse racecourses);
- areas proposed for any other gambling facilities.

Those plans should make clear what is being sought for authorisation under the track betting premises licence and what, if any, other areas are to be subject to a separate application for a different type of premises licence.

The Licensing Authority notes that,

“In the Commission’s view, it would be preferable for all self-contained premises operated by off-course betting operators on track to be the subject of separate premises licences. This would ensure that there was clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.”

23.7 Travelling Fairs

The 2005 Act allows travelling fairs to make available category D gaming machines and / or equal chance prize gaming without a permit, provided that they comply with the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair. The Licensing Authority has the power to decide whether travelling fairs comply.

The Licensing Authority may also consider whether the applicant falls within the statutory definition of a travelling fair.

Regardless of which travelling fairs occupy a site, if a site is used by fairs for more than the 27-day statutory maximum in a calendar year a permit is required for use of gaming machines and / or equal chance prize gaming. The Licensing Authority will liaise with adjoining authorities to ensure that statutory limits are not exceeded for land that straddles its area boundaries.

24. Provisional Statements

Developers may wish to apply to the authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

S204 of the Gambling Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:

- expects to be constructed; or
- expects to be altered; or
- expects to acquire a right to occupy.

The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.

The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:

- they concern matters which could not have been addressed at the provisional statement stage, or
- they reflect a change in the applicant's circumstances.

In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional statement stage;
- which in the authority's opinion reflect a change in the operator's circumstances; or

- where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

25. Reviews

Interested parties or responsible authorities can request a review of a Premises Licence. However, it is for the Licensing Authority to decide whether to review the licence. The Licensing Authority will consider whether the request is:

- Frivolous.
- Vexatious.
- Certain **not** to cause the Licensing Authority to wish to alter, revoke or suspend the licence; or
- Substantially the same as previous representations or requests for review.

The Licensing Authority will also consider whether the request is relevant to the following matters:

- In accordance with any relevant Code of Practice issued by the Gambling Commission.
- In accordance with any relevant guidance issued by the Gambling Commission.
- Reasonably consistent with the licensing objectives; and
- In accordance with this Statement of Gambling Licensing Policy.

The Licensing Authority can also initiate a review of a licence on the basis of any reason that it considers appropriate that is relevant to the same four matters.

Any review to a gambling licence will be considered and determined by the Licensing and Gambling Acts Casework Sub-Committee as per the Licensing Authority delegations located at **Appendix 2** on page 28.

PART C: PERMITS, TEMPORARY & OCCASIONAL USE NOTICES

26. Unlicensed Family Entertainment Centre gaming machine permits

(Statement of Principles on Permits (2005 Act, Schedule 10, para.7))

Where a premises has no Premises Licence, but the user wishes to provide gaming machines, it may apply to the Licensing Authority for this permit. The applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (2005 Act, s238).

The 2005 Act states that a licensing authority may prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit; and that it shall have regard to the GC Guidance (under section 25) and need not (but may) have regard to the licensing objectives in preparing this statement or considering applications, or both.

The Licensing Authority notes that the GC Guidance states that:
“In their three-year licensing policy statement, licensing authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits ... licensing authorities will want to give weight to child protection issues.”

The GC Guidance also states:

“An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application. Licensing authorities might wish to consider asking applicants to demonstrate:

- *a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs.*
- *that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act; and*
- *that staff are trained to have a full understanding of the maximum stakes and prizes.”*

The Licensing Authority cannot attach conditions to this type of permit.

Statement of Principles

The Licensing Authority expects each applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.

The Licensing Authority will consider on their individual merits the efficiency of such policies and procedures, which may include appropriate measures / training for staff as regards suspected truant school children on the premises, measures / training covering how staff would deal with any unsupervised very young children on the premises, or children causing perceived problems on or around the premises.

In accordance with GC Guidance, the Licensing Authority will also expect applicants to demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed Family Entertainment Centres; that the applicant has no relevant convictions (as set out in Schedule 7

of the Act); and that staff are trained to have a full understanding of the maximum stakes and prizes.

27. Alcohol-licensed premises gaming machine permits

(2005 Act, Schedule 13 para 4(1))

27.1 Notification for up to two gaming machines

The 2005 Act provides for premises licensed to sell alcohol for consumption on the premises (other than as part of a meal), to have up to 2 gaming machines of either category C or D or one of each. Authorisation is automatic if the person responsible for the premises notifies the Licensing Authority.

The Licensing Authority can remove the automatic authorisation for any premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives.
- gaming has taken place on the premises that breaches a condition of s.282 of the 2005 Act. (This requires a fee and written notice to be provided to the Licensing Authority, and compliance with any relevant code of practice issued by the Gambling Commission about the location and operation of the machine).
- the premises are mainly used for gaming; or
- an offence under the 2005 Act has been committed on the premises.

27.2 Permit for more than two gaming machines

A premises manager wanting more than 2 machines on the premises must apply for a permit and the Licensing Authority must base its consideration of that application based upon the licensing objectives, any GC Guidance, and “such matters as they think relevant.”

The Licensing Authority considers that “such matters” will be decided on the merits of each case. However, it will have general regard to the need to protect children and vulnerable persons from harm or being exploited by gambling. It will expect the applicant to demonstrate use of adequate measures to ensure that persons under 18 years old do not have access to ‘adult only’ gaming machines.

For this purpose, the Licensing Authority may be satisfied of the adequacy of measures that may include:

- Siting all ‘adult’ machines in sight of bar staff, or of other staff who will prevent use of those machines by those under 18.
- Appropriate notices and signage.

The Licensing Authority expects applicants to consider providing information leaflets or helpline numbers for organisations such as GamCare for the benefit of vulnerable persons.

A Licensing Authority can decide to grant a permit with fewer machines or a different category of machines than stated in the application. It can attach no conditions other than these.

The holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machines.

The Licensing Authority will distinguish between those parts of premises that are licensed for the consumption of alcohol on the premises (other than as part of a meal) and other parts. Gaming machines may **not** be provided in those other parts of the premises without a premises licence for an Adult Gaming Centre.

28. Prize Gaming Permits

(Statement of Principles on Permits - Schedule 14 para 8 (3))

The 2005 Act states that a Licensing Authority may:

“Prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority propose to consider in determining the suitability of the applicant for a permit”. (2005 Act Schedule 14 8 (1))

The Licensing Authority has prepared a Statement of Principles, which is that the applicant should set out the types of gaming that he or she is intending to offer, and that the applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations
- and that the gaming offered is within the law.

In making its decision on an application for this permit the Licensing Authority does not need to have regard to the licensing objectives but must have regard to any GC Guidance.

It should be noted that there are conditions in the 2005 Act by which the permit holder must comply, but that the Licensing Authority cannot attach further conditions.

The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with.
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played.
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

29. Club Gaming and Club Machines Permits

Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for either:

- a Club **Gaming** Permit, which will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in regulations; or
- a Club **Gaming Machine** Permit, which will enable the premises to provide gaming machines (3 machines of categories B, C or D) without other gaming.

The Licensing Authority notes GC Guidance that:

“The Act states that members’ clubs must have at least 25 members and be established and conducted ‘wholly or mainly’ for purposes other than gaming unless the gaming is restricted to that of a prescribed kind (currently bridge and whist). Members’ clubs must be permanent in nature but there is no need for a club to have an alcohol licence.”

The Licensing Authority notes that:

“Licensing authorities may only refuse an application on the grounds that:

- *the applicant does not fulfil the requirements for a members’ or commercial club or miners’ welfare institute and therefore is not entitled to receive the type of permit for which it has applied.*
- *the applicant’s premises are used wholly or mainly by children and/or young persons.*
- *an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities.*
- *a permit held by the applicant has been cancelled in the previous ten years; or*
- *an objection has been lodged by the Commission or the police.*

There is a ‘fast-track’ procedure available, under the 2005 Act, for premises that hold a Club Premises Certificate under the 2003 Act. The GC Guidance states:

“Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced”.

And

“The grounds on which an application under the process may be refused are:

- *that the club is established primarily for gaming, other than gaming prescribed under s.266 of the Act.*
- *that in addition to the prescribed gaming, the applicant provides facilities for other gaming.*
- *that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.*
- *Factors to consider when granting a club gaming permit.”*

There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

30. Temporary Use Notices

Temporary Use Notices are subject to a number of statutory limits.

The Licensing Authority is responsible for deciding what constitutes the extent of a set of premises to which a Temporary Use Notice applies, where separate notices are received for different parts of the same building or site.

The Licensing Authority notes GC Guidance that:

“The definition of 'a set of premises' will be a question of fact in the particular circumstances of each notice that is given. In considering whether a place falls within the definition, licensing authorities will need to look at, amongst other things, the ownership and/or occupation and control of the premises. For example, a large exhibition centre with a number of exhibition halls may come within the definition of 'premises'. A Temporary Use Notice should not then be granted for 21 days in respect of each of its exhibition halls. In relation to other covered areas, such as shopping centres, the licensing authority will need to consider whether different units are in fact different 'sets of premises', given that they may be occupied and controlled by different people.”

31. Occasional Use Notices:

The Licensing Authority has very little discretion in determining Occasional Use Notices, other than ensuring that the statutory limit of 8 days in a calendar year is not exceeded.

However, the Licensing Authority will need to consider the definition of a 'track' and whether the applicant is permitted to use such a notice.

Appendix 1 – Map of Oxford



Appendix 2 – Licensing Authority delegations

The 2005 Act (s154) delegates most licensing functions to the licensing committee, which can then further delegate to its sub-committees or to officers. The table lists the lowest level to which decisions can be delegated.

The Licensing Authority will determine the levels to which its decisions are delegated and may change that delegation from time to time.

Matter to be dealt with	Full Council	Sub-committee of licensing committee	Officers
Final approval of three-year licensing policy	X		
Policy not to permit casinos	X		
Fee setting (when appropriate)	X		
Application for premises licence (new variation and transfer) and provisional statements		Where representations have been received and not withdrawn	Where no representations received or all have been withdrawn
Review of a premises licence		X	
Initiate review of a premises licence			X
Application for club gaming/club machine permits		Where representations have been received and not withdrawn	Where no representations received or all have been withdrawn
Cancellation of club gaming/club machine permits			X
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	
Revocation of premises licence due to failure to pay annual fee			X

Appendix 3 – Gaming machines

3.1 Gaming machine categories

This table is included for general guidance. However, the details may become outdated as a result of Government Regulations; the stakes are subject to change.

Category of Machine	Maximum Stake	Maximum Prize
A	Unlimited – no Category A gaming machines are currently permitted	
B1	£5	£10,000 with the option of a maximum £20,000 linked progressive jackpot on a premises basis only
B2	£2	£500
B3	£2	£500
B3A	£2	£500
B4	£2	£400
C	£1	£100
D: non money prize (other than a crane grab machine)	30p	£8
D: non money prize (crane grab machine)	£1	£50
D: money prize	10p	£5
D: combined money and non- money prize (other than a coin pusher or penny falls machine)	10p	£8 (of which no more than £5 may be a money prize)
D: combined money and non- money prize (coin pusher or penny falls machine)	20p	£20 (of which no more than £10 may be a money prize)

The next page lists the numbers of machines in each category permitted in particular types of premises.

3.2 Gaming machines – permitted numbers.

The information in this table is subject to confirmation and may become outdated as a result of Government Regulations.

Premises type	Machine category						
	A	B1*	B2	B3	B4	C	D
Betting premises and tracks occupied by pool betting			Maximum of 4 machines categories B2 to D (except B3A machines)				
Bingo premises				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4		No limit on category C or D machines	
Adult gaming centre				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4		No limit on category C or D machines	
Family entertainment centre (with premises licence)						No limit on category C or D machines	
Unlicensed family entertainment centre (with permit)							No limit on category D machines
Members clubs or miners' welfare institute (with permits)				Maximum of 3 machines in categories B3A, B4, C or D*			
Commercial Clubs				Maximum of 3 machines in categories B4, C or D			
Qualifying alcohol-licensed premises						1 or 2 machines of category C or D automatic upon notification	
Qualifying alcohol-licensed premises (with gaming machine permit)						Number of category C-D machines as specified on permit	
Qualifying alcohol-licensed premises (with gaming notification)						Maximum of 2 category C-D machines	
Travelling fair							No limit on category D machines

* Category B1 machines are only available in Casino

Appendix 4 – Summary of Gaming Entitlements for Clubs and Alcohol-Licensed Premises

This table is included for general guidance. However, the details may become outdated because of Government Regulations.

	Members' club or MW institute with club gaming permit	Bridge or whist club	Members' club or commercial club with club machine permit	Members' club, commercial club or MW institute without a club gaming permit or club machine permit	Pubs and other alcohol-licensed premises
Equal chance gaming	Yes	Bridge and/or Whist only	Yes	Yes	Yes
Limits on stakes	No limit	No limit	Poker £1000 per week £250 per day £10 per person per game	Poker £1000 per week £250 per day £10 per person per game	Poker £100 per premises per day Other gaming £5 per person
			Other gaming No limit	Other gaming No limit	per game Cribbage & dominoes No limit
Limits on prizes	No limit	No limit	Poker £250 per game other gaming No limit	Poker £250 per game other gaming No limit	Poker £100 per game other gaming No limit
Maximum participation fees – per person per day	Bridge and/or whist* £20 Other gaming £3	£18 (without club gaming permit) £20 (with club gaming permit)	Bridge and/or whist* £18 Other gaming £3 (commercial club) £1 (members' club)	Bridge and/or whist* £18 Other gaming £1	None permitted
Bankers or unequal chance gaming	Pontoon <i>Chemin de Fer</i>	None permitted	None permitted	None permitted	None permitted
Limits on bingo	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	No bingo permitted	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.

* On a day when no other facilities for gaming are provided.

Appendix 5 – Responsible Authorities

The Responsible Authorities for the Oxford City Council area under the 2005 Act, and their contact details are as follows.

Contact details may change, and other responsible authorities may be designated by regulations by the Secretary of State. For latest information, please check with the Licensing Authority (contact details below).

Responsible Authority	Address	Contact details for preliminary discussions or follow-up enquiries Phone, email address and website
The Licensing Authority	The Licensing Authority Oxford City Council Town Hall St Aldate's OXFORD OX1 1BX	Tel: 01865 252565 licensing@oxford.gov.uk http://www.oxford.gov.uk/licensing
The Planning Authority	The Planning Authority Oxford City Council Town Hall St Aldate's OXFORD OX1 1BX	Tel: 01865 249811 planning@oxford.gov.uk www.oxford.gov.uk
Environmental Health	Environmental Protection Oxford City Council Town Hall St Aldate's OXFORD OX1 1BX	Tel: 01865 252296 foodsafety@oxford.gov.uk www.oxford.gov.uk
Gambling Commission	Gambling Commission Victoria Square House Victoria Square BIRMINGHAM B2 4BP	Tel: 0121 230 6666 info@gamblingcommission.gov.uk www.gamblingcommission.gov.uk
Thames Valley Police	Thames Valley Police Licensing Office Headquarters (South), Kidlington, OX5 2NX	Tel: 01865 266109 licensing@thamesvalley.pnn.police.uk
Fire and Rescue Service	Fire and Rescue Service Oxfordshire County Council Rewley Road Fire Station OXFORD OX1 2EH	Tel: 01865 242223 fire.service@oxfordshire.gov.uk

Responsible Authority	Address	Phone, email and website
Oxfordshire Safeguarding Children Board	Oxfordshire Safeguarding Children Board (OSCB) 3rd Floor, County Hall New Road OXFORD OX1 1ND	Tel: 01865 815843 oscb@oxfordshire.gov.uk https://www.oscb.org.uk/
Her Majesty's Commissioners of Customs and Excise	HM Revenue and Customs Excise Processing Teams BX9 1GL United Kingdom	Tel: 0300 322 7072 Option 7 nru.betting&gaming@hmrc.gsi.gov.uk https://www.gov.uk/government/organisations/hm-revenue-customs
Navigation Authority (Only applicable to vessels on the canal or a river)	Check with the Licensing Authority	
Any other person prescribed for the purpose by regulations made by the Secretary of State.	Check with the Licensing Authority	

Adjacent licensing authorities

Where premises straddle an area boundary, a licensing authority for the area in which the premises are partly situated is also a Responsible Authority.		
Responsible Authority	Address	Phone, email and website
(The Licensing Authority)	The Licensing Authority Cherwell District Council Bodicote House Bodicote BANBURY OX15 4AA	Tel: 01295 753744 www.cherwell-dc.gov.uk licensing@cherwell-dc.gov.uk
(The Licensing Authority)	The Licensing Authority South Oxfordshire DC Abbey House Abbey Close ABINGDON OX14 3JE	Tel: 01235 422422 www.southoxon.gov.uk licensing@southoxon.gov.uk

(The Licensing Authority)	The Licensing Authority Vale of White Horse DC Abbey House Abbey Close ABINGDON OX14 3JE	Tel: 01235 422422 www.whitehorsedc.gov.uk licensing.unit@whitehorsedc.gov.uk
(The Licensing Authority)	The Licensing Authority West Oxfordshire DC Wood Green WITNEY OX28 1NB	Tel: 01993 861000 https://www.westoxon.gov.uk/ers.licensingandapplications@publicagroup.uk

Statement of Gambling Licensing Policy

Gambling Act 2005

The Licensing Authority,
Oxford City Council,
Town Hall,
St Aldates,
Oxford,
OX1 1BX
Email: licensing@oxford.gov.uk
Telephone: 01865252565



The Licensing Authority
 Oxford City Council
 Town Hall
 St. Aldates
 OXFORD
 OX1 1BX

Email: licensing@oxford.gov.uk
 Telephone: 01865 252565

www.oxford.gov.uk



LOCAL AREA PROFILE

Statement of Gambling Licensing Policy

The Gambling Commission has introduced new provisions in its social responsibility code within the Licence Conditions and Codes of Practice. These require Gambling Operators to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises and to have policies, procedures and control measures in place to mitigate the risks. This provision came into force on 6th April 2016. Oxford City Council has produced this Local Area Profile to assist Gambling Operators in undertaking and preparing their Local (premises) Risk Assessment.

The document provides wide sources of data, statistics and information available through various bodies to allow Gambling Operators to identify relevant, sensitive and vulnerable matters and areas when preparing their Local Risk Assessment and to actively manage risks to each premises. Particular attention should be paid by operators to locations that contain premises of the type that the Licensing Authority has identified as sensitive. This should be considered by operators along with relevant matters identified in the Licensing Authority’s Statement of Gambling Policy when assessing and making their Local Risk Assessment.



Operators will need to consider the type of existing premises and how they operate in the local area surrounding any proposed licensed premises, especially in relation to the local profile and premises types that the Licensing Authority considers are sensitive. These include:

- Educational facilities in the local area
- Community Centres
- Any vulnerable group or venues relating to those vulnerable groups i.e.
 - Homeless shelters and care/support facilities.
 - Hospitals, mental health, or gambling care providers.
 - Alcohol or drug support facilities
 - Religious establishments

If an Operator intends to apply for a new Premises Licence or a variation to a Premises Licence, then a Local Risk Assessment must be carried out. The assessment should be based on how the premises are proposed to operate and will need to identify the risk factors associated with the local area in which the premises are located. These factors are risks that relate to the potential impact the gambling premises and its operation may have on the licensing objectives. Considerations for operators are also identified in the Licensing Authority Statement of Gambling Policy.

Operators are required to review their Local Risk Assessment if significant changes in local circumstances occur. The following lists sets out some examples of what the Licensing Authority considers to be significant changes in local circumstances:

- Any substantial building development or conversion of existing premises in the local area which may increase the number of vulnerable persons in the area.
- Educational facilities, including student living accommodation, increase in the local area. This may occur because of the construction of a new school/college or where a significant change is made to an existing establishment.
- Any vulnerable group is identified by the Licensing Authority or venues relating to those vulnerable groups are opened in proximity to gambling premises (e.g. additional homeless hostels or gambling or mental health care/support facilities are opened in the local area).

When preparing an application to vary the Premises Licence the Operator must undertake a review of the Local Risk Assessment and update it if necessary. Operators submitting a variation application to the Licensing Authority should provide a copy of the reviewed Local Risk Assessment when submitting the application.

An operator will need to consider risks in relation to how the Premises will be, or is, managed. Identification of risks associated with these elements will be dependent on the type of premises and the local area. Elements to be considered include:

- How the gambling operation will relate to how the operator conducts its business
- What gambling products it provides in the premises
- The facilities to enable gambling within the premises.
- The staffing levels within the premises
- The level and requirement for staff training
- Whether loyalty or account cards are used or not
- The policies and procedures it has in place in relation to regulatory requirements of the Act or to comply with the LCCP.
- The security and crime prevention arrangements it has in place.
- How it advertises locally and, on the premises,
- The marketing material within the premises
- The display and provision of information, etc.

The design and layout of the premises is a key consideration as this could have a significant impact on the risk to the licensing objectives. Premises which are located within an area which has a high number of children and young people present throughout the day may identify that standard external design is not appropriate. Control measures to mitigate the risk of attracting children to gambling or gaining access to restricted premises will need to be considered.

Mitigations to be considered may include:

- Whether the premises allows a direct line of sight of gaming machines from the cashier counter
- Whether the premises sufficiently covered by CCTV to enable the identification of offenders
- Whether the premises windows are screened or covered to obscure the interior of the premises
- What age verification policies are in place?
- Provision of magnetic door locks

Operators will be expected to identify the local risk factors surrounding the premises, which will differ from location to location. The Licensing Authority will consider the assessment and assess the risks identified and the measures implemented to mitigate those risks when a completed assessment is provided with a new application or with a variation application.

Some control measures identified in the assessment may be put forward as conditions to be attached to the Licence to address any significant local concerns.

Data – Statistics – Information for Oxford Area and its neighborhoods

Provides source of relevant various agencies (Police, Health Service, Child Protection, Oxfordshire County Council, Oxford City Council etc.) data on Health, Population, Education, Economy, Environment, Housing, Deprivation Areas, Crime etc. (this list is not exhaustive)

Oxford City Council (and other agencies)

<https://www.oxford.gov.uk/info/20122/statistics>

DataShine Census

<http://datashine.org.uk/#table=QS411EW&col=QS411EW0007&ramp=YIOrRd&layers=BTTT&zoom=13&lon=-1.2576&lat=51.7469>

Oxfordshire County Council - Oxfordshire Insight (and other agencies)

<https://insight.oxfordshire.gov.uk/cms/>

General

Oxfordshire County Council list of Schools

<https://www.oxfordshire.gov.uk/residents/schools/list>

Community Centres in Oxford

https://www.oxford.gov.uk/directory/21/community_centres

List of churches and religious groups in Oxford

<https://theoxfordmagazine.com/directory/chapels-churches/>

<https://www.dailyinfo.co.uk/oxford/guide/religion>

Homeless or rough sleeper shelters and care/support facilities in Oxford

<https://www.oxford.gov.uk/homelessness>

Hospitals, mental health or gambling care providers

<http://www.oxfordshirehealtharchives.nhs.uk/hospitals/>

<https://www.oxfordhealth.nhs.uk/omhp/>

<https://fisd.oxfordshire.gov.uk/kb5/oxfordshire/directory/advice.page?id=0-q1M6UzMeU>

Alcohol or drug support facilities

<https://www2.oxfordshire.gov.uk/cms/content/alcohol-and-drug-addiction>

<https://www.oxmindguide.org.uk/locationcategory/drugs-and-alcohol/>

**Minutes of a meeting of the
Licensing and Gambling Acts Committee
on Monday 23 September 2024**



Committee members present:

Councillor Miles (Chair)	Councillor Waite (Vice-Chair)
Councillor Ottino	Councillor Sandelson
Councillor Muddiman	Councillor Mundy
Councillor Yeatman	

Officers present for all or part of the meeting:

Alison Daly, Legal Adviser
Emma Thompson, Senior Licensing Compliance Officer
Celeste Reyeslao, Committee and Member Services Officer
Uswah Khan, Committee and Member Services Officer

Apologies:

Councillor(s) Qayyum, Jupp and Max Morris sent apologies.

8. Declarations of interest

None.

9. Statement of Gambling Licensing Policy 2025-2028

The Executive Director for Communities and People had submitted a report to agree the revised draft Statement of Gambling Licensing Policy following public consultation.

Emma Thompson, Senior Compliance Licensing Officer introduced the report. She informed the Committee that the Gambling Act 2005 required Licensing Authorities to review its policies every three years; the current Policy was due to expire on 30 January 2025. Proposed revisions include amendments to the Licensing Authority and other Responsible Authority's addresses, an amended map of Oxford with new ward names and boundaries, along with minor textual amendments as highlighted in the supplied report. Though not required, the Local Area Profile had also been revised to reflect update hyperlinks of relevant webpages for better awareness of the local area and risks.

The Licensing Officer added that an assessment of the Policy's impact on groups protected by the Equality Act 2010, as well as a six-week consultation, were carried out. The results of which had been appended to the report.

The Committee expressed thanks to the Officers involved in the revision of the Policy and managed the consultation process.

During the discussion, the Committee noted the following points:

- The Gambling Commission oversaw the process of a licence review initiated by Interested Parties or Responsible Authorities. Relevant applications would then be submitted to the Licensing Authority who would then bring the matter to the Licensing and Gambling Acts Sub-Committee for determination. This process was set out on page 28 of the Policy.
- The Committee queried why Gamblers Anonymous was not listed as an organisation consulted. It was confirmed that Gamblers Anonymous had been consulted as part of the process and received both email and paper notifications. It was assumed that the Gambling Commission did not designate them as a statutory consultee.
- A minor typo in the table of contents, under Part B, number 23.

The Committee suggested including additional text on page 21, under section 25, stating that any licence review requests would be referred to the LGA Sub-Committee, with a cross-reference to the table on page 28 of the Policy for further clarity.

The Committee resolved to:

1. **Agree** the revised draft Statement of Gambling Licensing Policy following public consultation;
2. **Recommend** the agreed Statement of Gambling Licensing Policy to Full Council for adoption.

10. Minutes of the previous meeting

The Committee resolved to **approve** the minutes of the meeting held 20 May 2024 as a true and accurate record.

11. Dates and times of meetings

The Committee noted the dates and times of future meetings.

The meeting started at 6:05 pm and ended at 6:20 pm

Chair

Date: Monday 10 February 2025

When decisions take effect:

Cabinet: after the call-in and review period has expired

Planning Committees: after the call-in and review period has expired and the formal decision notice is issued

All other committees: immediately.

Details are in the Council's Constitution.

Equality Impact Assessment

Statement of Gambling Policy – Gambling Act 2005

Service/Directorate:	Department:	Assessment Author:	Date of Assessment:
Communities and People	General Licensing	Joshua Curnow	27.08.2024

Name of Policy to be Assessed:	Statement of Gambling Policy under the Gambling Act 2005
New or Existing Policy	Revision of Existing Policy

1. Briefly describe the aims, objectives and purpose of the policy.	<p>The primary aim of the Statement of Gambling Policy is to set out how the Council will exercise their functions under the Gambling Act 2005 before each successive period of three years.</p> <p>This reviewed policy amends the Licensing Authority and other Responsible Authority's addresses, amends the map of Oxford with new ward names and boundaries and makes minor textual amendments.</p>
2. Are there any associated objectives of the policy? Please explain.	<ul style="list-style-type: none"> • To uphold the licensing objectives of the Gambling Act 2005. • To ensure that the Council fulfils its duty to administrate applications for gambling licences and permits. • To outline how the Council will have regard to the Gambling Commission's guidance in administering applications and conducting compliance and enforcement activities. • To detail how the Council will consider applications, including consultation with relevant parties and determination procedures. • To outline the rationale for ensuring compliance with licences or permits, and for taking enforcement action where required.
3. Who is intended to benefit from the policy, and in what way?	<p>The Statement of Gambling Policy intends to benefit both persons carrying on gambling businesses within the Oxford City District, and persons who are likely to be affected by the exercise of the Council's functions under the Gambling Act 2005.</p>
4. What outcomes are wanted from this policy?	<p>The Statement of Gambling Policy supports the following Council priorities as outlined in the Council Strategy 2024-28:</p> <ul style="list-style-type: none"> • Strong, fair economy. • Thriving communities. • A well-run Council.

5. What factors could contribute/detract from the outcomes?	<ul style="list-style-type: none"> • Change in central Government policies or legislation. • Changes to Gambling Commission guidance. • Reduction or loss of local authority resources.
6. Who are the key people in relation to the policy?	<p>Oxford City Council's General Licensing Team; Ward Members; the Gambling Commission; Gambling businesses within the Oxford City Council District; residents of and visitors to the Oxford City Council district (including customers of gambling establishments).</p>
7. Who implements the policy and who is responsible for the policy?	<p>The Statement of Gambling Policy is reviewed by the Councils General Licensing team, publicly consulted on, reviewed by the Licensing and Gambling Acts Committee, and then recommended for adoption by Full Council.</p>


8. Could the Policy have differential impact due to age?	<i>Yes/No</i>	Yes
<ul style="list-style-type: none"> • Applications for licences and permits under the Gambling Act 2005 may not be made by a child (under 18 years old). Applicants are required to declare that they are over the relevant age at the time of making an application and may be required to provide evidence. • Any application made by a child, where legislation prohibits this, will be rejected. • Any representations submitted regarding an application, where the reason (or one of the reasons) for representation is the applicant's age, will be disregarded as irrelevant. • Gambling activities permitted under licences and permits issued under the Gambling Act 2005 are largely restricted to those ages 18 years old and over. • The policy details the legal requirements and expectations of licensees and permit holders to uphold the licensing objective 'protecting children and other vulnerable persons from being harmed or exploited by gambling'. • Access by customers to the gambling premises / activities may be limited or determined by a customer's age, in circumstances where they are below the legal age to participate in the gambling activities available at the premises. • The amendments for this review are clerical and minor in nature, they have no impact. 		
9. Could the policy have differential impact due to disability?	<i>Yes/No</i>	No
<ul style="list-style-type: none"> • The Statement of Gambling Policy has no adverse impact on disability. Data regarding applicants' disabilities is not collected as part of any application process under the Gambling Act 2005 and is not a consideration in the consultation or determination of any application. • Any representations submitted regarding an application, where the reason (or one of the reasons) for representation is the applicant's disability, will be disregarded as irrelevant. • Suitability of gambling premises for access or use by disabled persons is dealt with under the Equality Act 2010 and not a relevant consideration in determining gambling applications. • An individual may refer to their own disability in a representation with respect to an application, either in passing or as a reason for the proposals adversely affecting them. In determining applications, the Council shall have regard to the Public Sector Equality Duty and ensure consideration is given to relevance of the disability to one or more of the licensing objectives. • Access by customers to gambling premises or activities should not be limited or determined by a customer's disability. As a protected characteristic, disability is not sufficient grounds for somebody to be refused access to gambling premises or activities. • The amendments for this review are clerical and minor in nature, they have no impact. 		


10. Could the policy have differential impact due to gender or gender re-assignment?	<i>Yes/No</i>	No
<ul style="list-style-type: none"> • The Statement of Gambling Policy has no adverse impact on gender or gender re-assignment. Data regarding applicants' or individuals' gender is not collected as part of any application process under the Gambling Act 2005 and is not a consideration in the consultation or determination of any application. • Any representations submitted regarding an application, where the reason (or one of the reasons) for representation is the applicant's gender, will be disregarded as irrelevant. • Access by customers to gambling premises or activities should not be limited or determined by a customer's gender. As a protected characteristic, gender is not sufficient grounds for somebody to be refused access to gambling premises / activities. • The amendments for this review are clerical and minor in nature, they have no impact. 		
11. Could the policy have differential impact due to marriage or civil partnership?	<i>Yes/No</i>	No
<ul style="list-style-type: none"> • The Statement of Gambling Policy has no adverse impact on marriage or civil partnership. Data regarding applicants' or individuals' marital status is not collected as part of any application process under the Gambling Act 2005 and is not a consideration in the consultation or determination of any application. • Any representations submitted regarding an application, where the reason (or one of the reasons) for representation is the applicant's marital status, will be disregarded as irrelevant. • Access by customers to gambling premises or activities should not be limited or determined by the marital status of the customer. As a protected characteristic, marital status is not sufficient grounds for somebody to be refused access to gambling premises or activities. • The amendments for this review are clerical and minor in nature, they have no impact. 		
12. Could the policy have differential impact due to race and/or ethnicity.	<i>Yes/No</i>	No
<ul style="list-style-type: none"> • The Statement of Gambling Policy has no adverse impact on race or ethnicity. Data regarding applicants' or individuals' race or ethnicity is not collected as part of any application process under the Gambling Act 2005 and is not a consideration in the consultation or determination of any application. • Any representations submitted regarding an application, where the reason (or one of the reasons) for representation is the applicant's race or ethnicity, will be disregarded as irrelevant. • Access by customers to gambling premises or activities should not be limited or determined by which racial group the customer belongs to. As a protected characteristic, racial group is not sufficient grounds for somebody to be refused access to gambling premises or activities. • The amendments for this review are clerical and minor in nature, they have no impact. 		
13. Could the policy have differential impact due to pregnancy & maternity?	<i>Yes/No</i>	No
<ul style="list-style-type: none"> • The Statement of Gambling Policy has no adverse impact on pregnancy or maternity. Data regarding applicants' or individuals' marital status is not collected as part of any application process under the Gambling Act 2005 and is not a consideration in the consultation or determination of any application. • Any representations submitted regarding an application, where the reason (or one of the reasons) for representation is pregnancy or maternity, will be disregarded as irrelevant. • Access by customers to gambling premises or activities should not be limited or determined by pregnancy or maternity. As a protected characteristic, pregnancy or maternity are not sufficient grounds for somebody to be refused access to gambling premises or activities. • The amendments for this review are clerical and minor in nature, they have no impact. 		
14. Could the policy have differential impact due to religion or belief?	<i>Yes/No</i>	Yes
<ul style="list-style-type: none"> • Data regarding applicants' or individuals' religion is not collected as part of any application process under the Gambling Act 2005 and is not a consideration in the consultation or determination of any application. 		

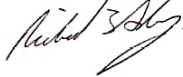
<ul style="list-style-type: none"> Any representations submitted regarding an application, where the reason (or one of the reasons) for representation is the applicant's religion, will be disregarded as irrelevant. Representations received by or on behalf of religious persons or groups, where the representation cites religion as a reason for the representation, may be considered in the determination of a gambling application provided that it relates to one or more of the three licensing objectives. Access by customers to gambling premises or activities should not be limited or determined by a customer's religion. As a protected characteristic, religion is not sufficient grounds for somebody to be refused access to gambling premises or activities. The amendments for this review are clerical and minor in nature, they have no impact. 		
15. Could the policy have differential impact due to sexual orientation?	Yes/No	No
<ul style="list-style-type: none"> The Statement of Gambling Policy has no adverse impact on sexual orientation. Data regarding applicants' or individuals' sexual orientation is not collected as part of any application process under the Gambling Act 2005 and is not a consideration in the consultation or determination of any application. Any representations submitted regarding an application, where the reason (or one of the reasons) for representation is the applicant's sexual orientation, will be disregarded as irrelevant. Access by customers to gambling premises or activities should not be limited or determined by a customer's sexual orientation. As a protected characteristic, sexual orientation is not sufficient grounds for somebody to be refused access to gambling premises or activities. The amendments for this review are clerical and minor in nature, they have no impact. 		
16. Could the adverse impacts identified in section 8-15 create the potential for the policy to discriminate against certain groups?	Yes/No	Yes
<ul style="list-style-type: none"> In determining applications, the Council must adhere with central government legislation and Gambling Commission guidance and therefore may not mitigate all concerns raised based on protected characteristics. For example, an application for a gambling premises may be granted despite representations received citing that it should not be granted due to its close proximity to a school or place of worship. It is essential that the Council clearly documents its decision-making process and reasons for making decisions, having regard to the Public Sector Equality Duty, and considering both the representations and the applicant's proposals. The amendments for this review are clerical and minor in nature, they have no impact. 		
17. Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or any other reason?	Yes/No	Yes
The Council shall clearly document its decision-making process and reasons for making decisions, having regard to the Public Sector Equality Duty, and considering both the representations and the applicant's proposals.		

Sign-off	Suggested include: <i>Project lead, Head of service or team, person completing EqIA, EDI lead, EDI specialist.</i>
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Name:	Emma Thompson (Project lead)
Job Title:	Senior Licensing Compliance Officer
Signature:	<i>E Thompson</i>
Date:	05/09/2024

Name:	Joshua Curnow (EqIA completing officer)
Job Title:	Supervising Senior Licensing Officer
Signature:	
Date:	27.08.2024

Name:	Anna Dumitru
Job Title:	Licensing Team Leader
Signature:	
Date:	27.08.2024

Name:	Richard Adams
Job Title:	Community Safety Service Manager
Signature:	
Date:	27/08/24

Name:	Sobia Afridi
Job Title:	EDI lead
Signature:	Sobia Afridi
Date:	3/9/24

Name:	Tazafar Asghar
Job Title:	Barrister – Law & Governance
Signature:	<i>Tazafar Asghar</i>
Date:	9/9/2024

Agenda Item 8

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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Minutes of a meeting of the Cabinet on Wednesday 11 September 2024



Committee members present:

Councillor Brown	Councillor Turner
Councillor Arshad	Councillor Chapman
Councillor Hollingsworth	Councillor Munkonge
Councillor Railton	Councillor Linda Smith
Councillor Upton	

Officers present for all or part of the meeting:

Mark Gibbons, Building Compliance and Safety Surveyor
Emma Gubbins, Corporate Asset Lead
Tom Hook, Executive Director (Corporate Resources)
Emma Jackman, Head of Law and Governance
Clare Keen, Policy and Partnerships Officer
Bill Lewis, Financial Accounting Manager
Emma Lund, Committee and Member Services Officer
Nerys Parry, Head of Housing Services
Mish Tullar, Head of Corporate Strategy
James Viljoen, Technical Services Manager

Also present:

Councillor Katherine Miles, Chair of Scrutiny

Apologies:

No apologies were received.

33. Addresses and Questions by Members of the Public

None.

34. Councillor Addresses on any item for decision on the Cabinet agenda

None.

35. Councillor Addresses on Neighbourhood Issues

None.

36. Items raised by Cabinet Members

None.

37. Scrutiny Reports

The Scrutiny Committee had met on 3 September 2024 and the Finance and Performance Panel had met on 4 September 2024. The Climate and Environment Panel had met on 10 September 2024 and the recommendations from that meeting would be submitted to a future Cabinet meeting.

The Scrutiny Committee had made recommendations relating to the following items:

- Oxfordshire Inclusive Economy Partnership Charter/Pledges – Annual Update
- Anti-Social Behaviour

The Finance and Performance Panel had made recommendations relating to the following items:

- Treasury Management Annual Report 2023-24
- Integrated Performance Report Quarter 1 2024-25.

Scrutiny had also considered, but had not made recommendations in relation to, the Annual Safeguarding Report 2023/24 and the Council Strategy 2024-28 Key Performance Indicators. It had also agreed the scope for the Budget Review Group.

All of the recommendations, together with Cabinet Members' responses, were included in the separately published supplement to the agenda.

One recommendation had been made in relation to Anti-Social Behaviour. This had related to ensuring that as part of budget-setting the Council conducts a review of future capacity challenges and resource implications of the complex anti-social behaviour cases which the Community Safety Service manages or is involved in with partners. The recommendation had been agreed.

Two recommendations had been made in relation to the Oxfordshire Inclusive Economy Partnership (OIEP) Charter/Pledges Annual Update. These had related to (i) reviewing the complete list of OIEP pledges and committing to additional pledges where it would advance practices or meet requirements of pledges not currently committed to, in order to ensure that the Council's pledge commitments were aligned to existing and advancing organisational practices; and (ii) the inclusion of quantitative data, including the use of disaggregated data, in future OIEP Charter/Pledges updates in order to evidence progress. The Leader – Inclusive Economy and Partnerships responded that the aims of these recommendations were accepted; however, there was a need to ensure that the additional information could be easily provided within existing resources.

One recommendation had been made in relation to the Treasury Management Annual Report. This had related to producing a benchmarking report which compared the Council's Treasury Management function with that of other local authorities over time, to be shared with the Finance and Performance Panel. The recommendation had been accepted, and a briefing note would be prepared for the next Finance Panel meeting.

One recommendation had been made in relation to the Integrated Performance Report for Q1. This had related to producing an analysis of the Council's inability to claim housing benefit subsidy in respect of Oxford residents living in supported accommodation provided by non-registered provider organisations and the options

available to address the related adverse variance within the Council finances. The Deputy Leader (Statutory) – Finance and Asset Management responded that this was already recognised by the Council as an issue, and the objective of better understanding the financial impact, as raised at Scrutiny, was shared. The recommendation had therefore been accepted and a briefing paper would be prepared for the next Panel meeting in December 2024. However, the Cabinet Member cautioned that mitigation was not something which could be achieved by the Council alone.

38. Replacement of Front Doors to Flats with Compliant Certificated Fire Doors

The Executive Director (Communities and People) had submitted a report to seek Cabinet approval and delegated authority to award contracts to enable the replacement of entrance doors to flats with compliant certificated fire doors for relevant properties in the portfolio as identified in fire risk assessments.

Councillor Linda Smith, Cabinet Member for Housing and Communities, drew attention to the legislative framework relating to fire doors in residential buildings as outlined in the report. The Council was currently unable to evidence that all of the fire doors in Council-owned residential buildings met all of these requirements. A programme to replace all fire doors with new, certificated fire doors had therefore been initiated, in order to give full assurance that all safety standards were being met. The programme had been completed for the highest risk high-rise blocks: the next stage would involve the next priority risk blocks of temporary accommodation, housing for older people and Pound House.

Cabinet resolved to:

1. **Grant project approval** for the replacement of front entrance doors to flats in higher risk buildings with compliant certificated fire doors as described in the report; and
2. **Delegate authority** to the Executive Director (Communities and People) in consultation with the Head of Financial Services, the Head of Law and Governance and the Cabinet Member for Housing and Communities to enter into a contract with ODS (subject to agreeing an appropriate price in line with previous similar works) or an alternative contractor in order to deliver the installation of certified fire doors across the housing portfolio.

39. Asbestos Surveying and Air Monitoring Contract

The Executive Director (Communities and People) had submitted a report to seek Cabinet approval to procure a new asbestos surveying and air monitoring contract across both the Housing Revenue Account (HRA) and General Fund budgets for 2024-29, and to seek delegated authority for officers to enter into contracts.

Councillor Linda Smith, Cabinet Member for Housing and Communities, highlighted the need for the procurement of the asbestos and air monitoring contract in order to ensure the safety of tenants and anyone visiting or working in Council-owned properties. The proposed contract would be for three years with an option for a further two extension periods of one year each.

Cabinet resolved to:

1. **Grant project approval** for the procurement of a new asbestos surveying and air monitoring contract across both HRA and General Fund budgets for 2024-29 as described in the report; and
2. **Delegate authority** to the Head of Housing in consultation with the Head of Financial Services; the Head of Law and Governance; and the Cabinet Member for Housing and Communities to enter into all contracts required in order to deliver the asbestos surveying obligations under the Control of Asbestos Regulations 2012.

40. Sale of Additional Land at Redbridge and Hinksey to the Environment Agency

The Executive Director (Development) had submitted a report to seek approval for the transfer of land as described in the confidential appendix.

The Deputy Leader (Statutory) – Finance and Asset Management highlighted that the Oxford Flood Alleviation Scheme (OFAS) was an essential measure to protect residents across the city and beyond from flooding. Should it go ahead, it would require the Environment Agency to deliver a biodiversity net gain. The report before Cabinet proposed the granting of an option to the Environment Agency over land owned by Oxford City Council, on terms set out in the associated confidential appendix, in order to support the delivery of biodiversity net gain for the Oxford Flood Alleviation Scheme.

Cabinet resolved to:

1. **Delegate authority** to the Executive Director (Development) in consultation with Head of Financial Services (Section 151 Officer), the Head of Law and Governance, and the Deputy Leader (Statutory) - Finance and Asset Management to agree the final terms and enter into the Option Agreement, Transfer and any associated documents required to complete the transaction.

41. Council Strategy 2024-28 Key Performance Indicators

The Head of Corporate Strategy had submitted a report to seek approval of the strategic key performance indicators for the Council Strategy 2024-28.

Councillor Susan Brown, Leader, highlighted that a significant amount of work had been undertaken in order to seek to ensure that the indicators addressed the recommendations of scrutiny and the LGA peer review challenge and input from Group Leaders; that they were specific to the Council (i.e. they addressed only those areas over which the Council had direct influence); and that they were not too numerous. The new indicators aimed to provide a clear measure of performance against the Council's overall aims and objectives as set out in the Council Strategy.

A Cabinet Member noted that the indicator 'Oxford greenhouse gas emissions measured by government tracking towards zero by 2024' showed a benchmark of 610.2kt and targets for 2024-25 of 453.7kt and for 2025-26 of 411.2kt. It was questioned whether the first year target was achievable, given the significant drop required.

Officers responded that it was thought that the data published by the government involved a two-year time lag; therefore the 2024-25 outcome would only be known in 2026-27. The Head of Corporate Strategy undertook to provide Cabinet Members with more detailed information relating to the calculation of this target, its achievability, and whether the targets covered the actual performance over the year or just the data which

was published in that year, in order to ensure there was clarity on what was being reported.

Cabinet resolved to:

1. **Agree** the draft Oxford City Council key performance indicators (KPI) at Appendix 1 as measures for the Council Strategy 2024-28;
2. **Note** the benchmarking and annual targets for each 2024-28 KPI; and
3. **Delegate authority** to the Head of Corporate Strategy in consultation with the Council Leader to make any further minor amendments to the draft KPIs 2024-28 before implementation and publication, provided that such amendments do not materially affect the substance of the KPIs.

42. Integrated Performance Report for Q1 2024/25

The Head of Financial Services had submitted a report to update the Cabinet on Finance, Risk and Corporate Performance matters as at 30 June 2024.

Councillor Ed Turner, Cabinet Member for Finance and Asset Management, drew attention to key points arising from the report. These included a forecast adverse variance of £2.132m on the General Fund, largely driven by the pressure associated with temporary accommodation. Whilst officers were working hard to mitigate the impact of these costs, it was highlighted that this budget would need to be considered carefully in the forthcoming budget setting process to ensure that it was realistic.

Other significant variances included insurance valuations and business improvement, although much of the latter was considered to be due to one-off costs.

Progress had been made in capital programme forecasting and anticipating slippage, and it was hoped that improvement in this area would continue to be made.

The HRA showed some areas of overspend, which would need to continue to be monitored.

It was noted that many of the areas of adverse variance, such as temporary accommodation costs and the inability of the Council to claim housing benefit subsidy in respect of residents living in supported accommodation provided by non-registered provider organisations, were not unique to Oxford, but were instead shared by many local authorities nationwide.

Cabinet resolved to:

1. **Note** the projected financial outturn as well as the current position on risk and performance as at 30 June 2024.

43. Treasury Management Annual Report 2023-24

The Head of Financial Services had submitted a report to set out the Council's Treasury Management activity and performance for the financial year 2023/24.

Councillor Ed Turner, Cabinet Member for Finance and Asset Management, highlighted that the report showed a favourable variance of £1.5 million on net interest earned during the year, which was largely explained by interest rates and slippage on the capital programme, including lower loan requirements from the housing companies due to internal borrowing.

It was also noted that the Council fully complied with its Treasury Management Strategy in relation to both debt and investment management in 2023-24.

Cabinet resolved to:

- 1. **Note** the report.

44. Minutes

Cabinet resolved to approve the minutes of the meeting held on 10 July 2024 as a true and accurate record.

45. Dates of Future Meetings

Meetings are scheduled for the following dates:

- 16 October 2024
- 13 November 2024
- 11 December 2024
- 22 January 2025
- 5 February 2025
- 12 March 2025

All meetings start at 6.00pm.

The meeting started at 6.00 pm and ended at 7.01 pm

Chair

Date: Wednesday 16 October 2024

When decisions take effect:

Cabinet: after the call-in and review period has expired

Planning Committees: after the call-in and review period has expired and the formal decision notice is issued

All other committees: immediately.

Details are in the Council’s Constitution.

To: Council

Date: 07 October 2024

Report of: Chair of the Scrutiny Committee

Title of Report: Scrutiny Committee Update Report

Summary and recommendations	
Purpose of report:	To update Council on the activities of the Scrutiny function
Scrutiny Lead Member:	Councillor Katherine Miles, Chair of the Scrutiny Committee
Corporate Priority:	All
Policy Framework:	Council Strategy 2024-28
Recommendation:	That Council resolves to note the update report.

Appendices
None

Introduction

1. This report provides an update on Scrutiny activity during the period from 01 July 2024 to 30 September 2024.
2. During this reporting period the Committee met twice, on 02 July 2024 (*informal remote meeting*) and 03 September 2024. In addition, there have been five Panel meetings (Housing and Homelessness Panel – 03 July 2024; Finance and Performance Panel – 18 July 2024, 27 August 2024 (*extraordinary meeting*) and 04 September 2024; Climate and Environment Panel – 10 September 2024). A summary of each meeting is set out below.

Scrutiny Committee: 02 July 2024 (*informal remote meeting*)

3. At its informal remote meeting on 02 July 2024, the Committee considered four substantive items:

- Citizen Experience Strategy Progress Report (*Cabinet report*)
 - Oxford City Council Corporate Strategy 2024-28 (*Cabinet report*)
 - Update of Byelaws for Parks and Open Spaces (*Council report*)
 - Leisure Investment Programme (*Cabinet report*)
4. The Citizen Experience Strategy Progress Report provided a comprehensive update on the delivery of the Citizen Experience (CEX) Strategy. The Committee asked a range of questions, including questions relating to digital accessibility and digital exclusion; the Council's face-to-face customer services in the Westgate Library; coordination with partners (e.g. Citizens Advice Oxford) on service delivery and signposting; community outreach work; and the rollout of the Council's online payment system. There were no recommendations.
 5. The Oxford City Council Corporate Strategy 2024-28 report sought a Cabinet recommendation to Council for the adoption of the Corporate Strategy 2024-28. The Committee asked a range of questions, including questions relating to the fact that a number of key and statutory Council services did not appear to be mentioned in the draft strategy – and whether this was an unintentional omission; which buildings fell into the category of 'other buildings' in relation to the Council's Zero Carbon Oxford priority: 'decarbonising homes and other buildings'; whether consideration had been given to 'Child Friendly City' status in Oxford as part of the strategy development process; the degree to which the Council's zero carbon ambitions were tempered by financial realities; and whether consideration had been given to explicitly referencing 'Vision Zero' (the countywide strategy aimed at eliminating deaths and serious injuries on Oxfordshire's roads by 2050) within the strategy. Three recommendations were agreed.
 6. The Update of Byelaws for Parks and Open Spaces report sought Council approval of the proposed byelaws for submission to the Secretary of State. The Committee asked a range of questions, including questions relating to the definition of a bicycle used in the byelaws; whether any conversations had taken place with the universities to influence them to change their policies in parks; concerns over the Council encouraging tree climbing, particularly during nesting season and in relation to public liability; whether there was a trial period for the byelaws once implemented, where revisions could be made if there were any negative repercussions; cycling; and whether the byelaws could include a requirement that boats at Council-owned river moorings must have the equivalent of a vehicle MOT. Two recommendations were agreed.
 7. The Leisure Investment Programme Report sought project approval from Cabinet for the Leisure Management Programme and a Cabinet recommendation to Council for the approval of an additional capital budget of £1.04m, above the £2m already agreed in the capital programme, necessary to deliver the Leisure Investment Programme. The Committee asked a range of questions, including questions relating to current usage of the sports hall at the Leys Leisure Centre in the evenings; maintaining adequate access to a variety of leisure facilities; communications with and feedback from residents/user groups on the proposals; provision for emerging sports (e.g. padel and pickleball); accessibility and inclusivity in relation to the athletics club; the proposed new state of the art inflatables included in the plans; and interdependencies between the Leisure Investment Programme and Leys Youth Hub. Two recommendations were agreed.

Cabinet Responses to Recommendations: July 2024

8. The following reports were submitted to Cabinet in July 2024:
 - Oxford City Council Corporate Strategy 2024-28 (*Cabinet report*)
 - Leisure Investment Programme (*Cabinet report*)
 - Update of Byelaws for Parks and Open Spaces (*Council report*)
9. Of the seven recommendations submitted across the three reports, three were agreed and one was agreed in part. The relevant Cabinet Member did not indicate whether or not recommendations were agreed in relation to three recommendations – providing a written commentary only.

Scrutiny Committee: 06 August 2024

10. The Scrutiny Committee meeting scheduled for 06 August 2024 was cancelled due to no business.

Scrutiny Committee: 03 September 2024

11. At its meeting on 03 September 2024, the Committee considered three substantive items:
 - Oxfordshire Inclusive Economy Partnership (OIEP) Charter/Pledges – Annual Update
 - Safeguarding Annual Report 2023-24
 - Anti-Social Behaviour
12. The OIEP Charter/Pledges – Annual Update report was the first annual report setting out an organisational audit against the OIEP pledges; the report was in response to a recommendation of the Committee in on 04 July 2023 when the OIEP Charter/Pledges was presented prior to Cabinet approval in July 2023. The Committee asked a range of questions, including questions relating to the use of data to evidence progressing pledges; the importance of disaggregated data in showing progress towards specific pledges; and social value in procurement exercises, particularly in relation to the Oxford Living Wage. Two recommendations were agreed.
13. The Safeguarding Annual Report 2023-24 set out the roles, responsibilities and performance of the Council in relation to its statutory safeguarding obligations. The Committee asked a range of questions, including questions relating to housing and homelessness; safeguarding migrants and individuals without right to remain in the UK; the Severe Weather Emergency Protocol (SWEPE); domestic abuse training; adult exploitation; and the identification of vulnerable tenants. There were no recommendations.
14. The Anti-Social Behaviour item was a presentation which provided the Committee with a general overview of Anti-Social Behaviour ahead of undertaking a review of the Council's Anti-Social Behaviour Policy later in 2024/25. The presentation covered topics including: roles, responsibilities, legislation, partnership working and performance/management information. The Committee asked a range of questions, including questions relating to fly-tipping by HMO landlords and students; littering

associated with the closure of recycling facilities; anti-social cycling using illegal e-bikes; enforcement; partnership working; noise nuisance; governance and transparency in relation to which agencies/sub-teams had responsibility for different aspects of anti-social behaviour, including reporting mechanisms; and resourcing. One recommendation was agreed.

Cabinet Responses to Recommendations: September 2024

15. The following reports were submitted to Cabinet in September 2024:

- Oxfordshire Inclusive Economy Partnership (OIEP) Charter/Pledges – Annual Update
- Anti-Social Behaviour
- Treasury Management Annual Report 2023-24 (*Cabinet report*)
- Integrated Performance Report Q1 2024/25 (*Cabinet report*)

16. Of the five recommendations submitted across the four reports, three were agreed. The relevant Cabinet Member did not indicate whether or not recommendations were agreed in relation to two recommendations – providing a written commentary only.

Housing and Homelessness Panel

17. The Housing and Homelessness Panel met once during this reporting period, on 03 July 2024. The Housing and Homelessness Panel scheduled for 07 August 2024 was cancelled due to no business.

18. At its meeting on 03 July 2024, the Panel considered four substantive items:

- 2024/25 Capital Programmes (HRA) Delegations (*Cabinet report*)
- Annual Review of the Housing, Homelessness and Rough Sleeping Strategy 2023-28 (*Cabinet report*)
- Temporary Accommodation Demand and Mitigations (*Cabinet report*)
- Housing Performance Monitoring Q4 2023/24

19. The 2024/25 Capital Programmes (HRA) Delegations report sought Cabinet approval for the Housing Revenue Account (HRA) Capital Programmes for 2024/25. The Panel asked a range of questions, including questions relating to prioritisation and delivery of Capital works; the HRA stock condition survey; damp and mould issues; and Energy Performance Certificates (EPCs). There were no recommendations.

20. The Annual Review of the Housing, Homelessness and Rough Sleeping Strategy 2023-28 report provided an update on the progress made in Year 1 of the Housing, Homelessness and Rough Sleeping Strategy 2023-28 and sought Cabinet approval for implementation of the Year 2 action plan. The Panel asked a range of questions, including questions relating to review of the action plan in-year; First Homes and affordable homes; the Home Upgrade (HUG2) Grant; Temporary Accommodation; Housing First; the asset management strategy referenced within

the report; and development of the HRA Business Plan. There were no recommendations.

21. The Temporary Accommodation Demand and Mitigations report provided an update on increasing levels of homelessness use of Temporary Accommodation and mitigations in Oxford. The Panel asked a range of questions, including questions relating to partnership working between the Council's Housing Services and Anti-Social Behaviour teams; the Council's statutory duties in relation to provision of Temporary Accommodation; long-term rough sleepers; Council housing stock; officer capacity; and the significant costs associated with the increased demand for Temporary Accommodation. There were no recommendations.
22. The Housing Performance Monitoring Q4 2023/24 report set out the Council's performance on a number of key performance indicators (KPIs) relevant to Housing Services for Quarter 4 of the 2023/24 municipal year. There were no recommendations.

Finance and Performance Panel

23. The Finance and Performance Panel met three times during this reporting period, on 18 July 2024, 27 August 2024 (*extraordinary meeting*) and 04 September 2024.
24. At its meeting on 18 July 2024, the Panel considered five substantive items:
 - Strategic Review of Services Across Community Services – Progress Update
 - Strategic Review of Services Provided by Oxford Direct Services (ODS) – Progress Update
 - Comparative Analysis – Capital Slippage
 - Financial Outturn Report 2023/24 (*Cabinet report*)
 - Scrutiny Performance Monitoring
25. The Strategic Review of Services Across Community Services – Progress Update item was considered by the Panel in private. The Panel was disappointed with the limited level of detail included within the report as it did not allow for any scrutiny; particular concerns were raised that a number of key budget savings were proposed which were contingent on the conclusion of the review and these should be subject to adequate scrutiny while proposals were still at the 'options' stage, rather than the Panel being presented with a final report. There were no recommendations, however the Panel requested consideration of an 'options' report related to the review at the appropriate point.
26. The Strategic Review of Services Provided by Oxford Direct Services (ODS) – Progress Update item was considered by the Panel in private. The Panel was disappointed with the limited level of detail included within the report as it did not allow for any scrutiny; particular concerns were raised that a number of key budget savings were proposed which were contingent on the conclusion of the review and these should be subject to adequate scrutiny while proposals were still at the 'options' stage, rather than the Panel being presented with a final report. There were no recommendations, however the Panel requested consideration of an 'options' report related to the review at the appropriate point.

27. The Comparative Analysis – Capital Slippage report had been submitted in response to a previous recommendation of the Panel made in March 2024: *‘That the Council undertakes a comparative analysis of the current overall slippage of the Capital Programme and how that aligns with the 40% optimism bias assumptions included in the MTFP 2024/25 to 2027/28, to understand the extent to which the 40% optimism bias assumptions from 2024/25 are realistic.’* The Panel asked a range of questions, including questions relating to the optimism bias assumptions applied to the Capital Programme; risks to Council income as a result of slippage; and the impact of OX Place scheme slippage on the dividend to the Council. There were no recommendations.
28. The Financial Outturn Report 2023/24 provided an update on the Council’s financial outturn for the financial year ending 31 March 2024. The Panel asked a range of questions, including questions relating to the ODS dividend; additional Council income; Council budget pressures; and the use of Robotic Process Automation (PRA) and Artificial Intelligence (AI) in Council services. There were no recommendations.
29. The Scrutiny Performance Monitoring report set out Key Performance Indicator (KPI) data as at March 2024. There were no recommendations.
30. At its extraordinary meeting on 27 August 2024, the Panel considered two substantive items:
- ODS Group Performance Report (*SJVG report*)
 - ODS Executive Pay and Executive Pay Policy (*SJVG report*)
31. The ODS Group Performance Report provided an end of year summary for the trading period 2023/24, including the expected timeframes for any declaration of dividend and an outline of progress on growing the commercial business (ODSTL). Commercial confidentiality prevents the provision of a summary report. Two recommendations were agreed, which were considered by SJVG in private on 02 September 2024.
32. The ODS Executive Pay and Executive Pay Policy report provided background information relating to the role of the ODS Remuneration Committee (RemCo) and the recent BDO audit into Executive Pay and sought SJVG agreement for an Executive Team pay increase outside of the Executive Pay Policy to reduce the amount awarded from 6% to 3.4%. Commercial confidentiality prevents the provision of a summary report. Two recommendations were agreed, which were considered by SJVG in private on 02 September 2024.
33. At its meeting on 04 September 2024, the Panel considered three substantive items:
- Council Strategy 2024-28 Key Performance Indicators (*Cabinet report*)
 - Integrated Performance Report Q1 2024-25 (*Cabinet report*)
 - Treasury Management Annual Report 2023-24 (*Cabinet report*)
34. The Council Strategy 2024-28 Key Performance Indicators report set out the proposed strategic key performance indicators (KPIs) linked to the Council Strategy 2024-28. The Panel asked a range of questions, including questions relating to measures which the Council had control versus influence over; the ongoing review of operational Key Performance Indicators; and whether the right measures had been selected as Key Performance Indicators. There were no recommendations.

35. The Integrated Performance Report Q1 2024-25 provided an update on finance, risk and corporate performance matters as at 30 June 2024. The Panel asked a range of questions, including questions relating to temporary accommodation demand and mitigations; the overspend on responsive and cyclical repairs; and the housing benefit subsidy. One recommendation was agreed (*see paragraphs 15 and 16 above*).
36. The Treasury Management Annual Report 2023-24 set out the Council's Treasury Management activity and performance for the financial year 2023-24. The Panel asked a range of questions, including questions relating to benchmarking against other local authorities; management accounting of interest in relation to Council loans to Council-owned companies and Joint Ventures; and external debt. One recommendation was agreed (*see paragraphs 15 and 16 above*).

Climate and Environment Panel

37. The Climate and Environment Panel met once during this reporting period, on 10 September 2024.
38. At its meeting on 10 September 2024, the Panel considered four substantive items:
 - Net Zero Masterplan
 - Annual Air Quality Status Report
 - Local Area Energy Planning and Mitigation Measures Regarding Local Grid Constraints [presentation]
 - Zero Carbon Oxford Partnership (ZCOP) Expansion
39. The Net Zero Masterplan set out Oxford City Council's actions over the next two years to achieve its two carbon targets: a Net Zero Estate and Operations by 2030 and a Net Zero City by 2040. The Panel asked a range of questions relating to the actions included on the Net Zero Masterplan. There were no recommendations.
40. The Annual Air Quality Status Report provided an update on air quality in Oxford in the past year. The Panel asked a range of questions, including questions relating to the anticipated impact on air quality of the reopening of Botley Road; site-specific air quality action plans; future plans for communications campaigns; monitoring and reporting on air quality; Central Government funding; and emissions breakdowns. Four recommendations were agreed, which will be submitted to Cabinet in October 2024.
41. The Local Area Energy Planning and Mitigation Measures Regarding Local Grid Constraints presentation set out an overview of local area energy planning and mitigation measures regarding local grid constraints. The Panel received the presentation followed by an opportunity for discussion. There were no recommendations.
42. The ZCOP Expansion report set out the work of the ZCOP and ambition of its corporate members to expand focus from a City to an Oxfordshire scale. The Panel asked a range of questions, including questions relating to the goals of other local authorities and members of ZCOP; ensuring that ZCOP membership had representation from the most significant carbon contributors in Oxfordshire; ZCOP membership of organisations outside of Oxfordshire; and ZCOP engagement levels

in different sectors. One recommendation was agreed, which will be submitted to Cabinet in October 2024.

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