

# COUNCIL

Monday 16 July 2012

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

## 14. MINUTES

- (1) The minutes of the Ordinary Meeting of Council held on 23 April 2012 were confirmed as correct record
- (2) The minutes of the Annual Meeting of Council held on 23 May 2012 were confirmed as a correct record subject in minute 7 to the deletion of the word 'Welfare' and its substitution by the word 'Welcome'.

## 15. DECLARATIONS OF INTEREST

Councillors declared pecuniary interest as follows:-

- (a) Councillor Altaf-Khan – pecuniary interest in Motions 4 (Passenger Rights to Privacy – minute 31) and 6 (Taxi Licenses City Quotas – minute 31) because his employment was in the licensed vehicle for hire trade.
- (b) Councillor Khan – pecuniary interest in Motions 4 (Passenger Rights to Privacy – minute 31) and 6 (Taxi Licenses City Quotas – minute 31) because his employment was in the licensed vehicle for hire trade.
- (c) Councillor Malik – pecuniary interest in Motions 4 (Passenger Rights to Privacy – minute 31) and 6 (Taxi Licenses City Quotas – minute 31) because his employment was in the licensed vehicle for hire trade.
- (d) Councillor McCready – pecuniary interest in Member Question on Notice 16 (minute 28) (which concerned an Ombudsman matter relating to a covenant) because the property in which he lived was subject to such a covenant.

In accordance with the Member Code of Conduct and the law the Councillors left the meeting whilst the matters in which they had a declarable pecuniary interest were discussed.

## 16. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Baxter, Brett, Humberstone, McManners and Smith.

## 17. APPOINTMENTS TO COMMITTEES

None.

## 18. LORD MAYOR'S ANNOUNCEMENTS

The Lord Mayor made announcements as follows:-

### (a) Visitors to Council

He welcomed to the meeting a party of Chinese public sector managers who were in England to learn about public service provision.

### (b) Conduct of Council Business

- Members should switch off mobile devices unless:-
  - ❖ They were expecting an urgent call, in which case they should use the vibrate mode for incoming calls and messages
  - ❖ They were using a mobile device to read the Council agenda
- Members should treat each other with mutual respect, should listen to what Members say and should not interrupt or disrupt Member speeches or addresses or questions by members of the public
- Council Business should be conducted through the Chair.
- When the Lord Mayor stood to speak all Members should sit down.

### (c) Council Clock

The clock on the wall in the Council Chamber had now been repaired and showed a correct time. The supplementary clocks had therefore been removed.

### (d) Freedom of the City

A presentation of the Freedom of the City certificate (the Freedom having been granted in 1997) had been made to Aung San Suu Kyi on 20<sup>th</sup> June 2012. Aung San Suu Kyi had thanked the Council for awarding her the Freedom. Her timetable of meetings and visits whilst in England had prevented her from receiving the Freedom certificate formally at a Council meeting and so instead the University of Oxford had agreed to the certificate being presented during an event that it had organised. Some Councillors had been invited to the event, and had been in attendance.

### (e) Crown Court Attendance

Judge Gordon Risius had invited him to observe Crown Court proceedings recently which he had found very interesting. He said that the Courts were interested in involving the Council in some way in their work and in developing a closer working relationship with the Council.

## **19. SHERIFF'S ANNOUNCEMENTS**

The Sheriff made announcements as follows:-

(a) Port Meadow Inspection

The Annual inspection of Port Meadow had taken place 22<sup>nd</sup> June 2012. Some issues had been noted and were being pursued.

(b) The Port Meadow Round-Up

This would take place in due course and she was preparing to play a central role in that event

(c) Aunt Sally Match

The Annual Aunt Sally match against the Freeman of Oxford had taken place on xx June 2012. She was pleased to report that after failing to win at this event for a number of years, the Sheriff's team had won on this occasion.

## **20. ANNOUNCEMENTS BY THE LEADER**

The Leader made announcements as follows:-

(a) Museum of Oxford

Phase One of a two year programme of improvements to the Museum of Oxford had opened to the public recently. The programme was being led by the Head of Policy, Culture and Communications with support from the Civic Society. The Leader thanked in particular Sadie Paige (Museum Development Support Officer) and Vanessa Lea (Museum Operations Officer) for their work on Phase One.

(b) Torch Relay

The Leader thanked officers for their work in making the Torch Relay and the events in South Park a highly successful occasion. LOCOG (London Organising Committee for the Olympic Games) had said that the arrangements in Oxfordshire had been the best of any county so far. The Leader thanked Alison Drummond (Events Officer) and Rachel Capell (City Events and International Links Officer) for their work on the Torch events.

## **21. ANNOUNCEMENTS BY THE CHIEF EXECUTIVE, THE CHIEF FINANCE OFFICER AND THE MONITORING OFFICER**

There were no announcements by the Chief Finance Officer or the Monitoring Officer.

The Chief Executive announced that Stephen Clarke had been appointed to the position of Head of Housing with the Council. Stephen had some 30 years experience in housing management. He brought unitary experience with him and had held substantive positions with two London boroughs and one ALMO. Stephen would start work with Council on 28 August 2012.

## **22. ADDRESSES BY THE PUBLIC**

Council received the following addresses from the persons mentioned below:-

- (1) Nigel Gibson – petition – ‘Labour must listen to Oxford’ – Mr Gibson presented a petition entitled ‘Labour must listen to Oxford’ which he explained contained just under 2000 signatures. It had been collected over a 3 week period. The preamble to the petition read as follows:-

‘In the Local elections in May Labour received 14,321 votes, 12.8% of the electorate. The save Temple Cowley Pools campaign has over 17,500 signatures on the petitions it has submitted to the Oxford City Council Labour still controls. As a result, we the undersigned, do not believe that Labour has a moral mandate to build a new 25 metre non-Olympic swimming pool in Blackbird Leys for over £13 million, one third of this years building budget affecting all Oxford Council tax payers when £3 million will refurbish and improve the existing leisure facilities in East Oxford. I call on Labour to stop the scheme now, keep the green in Blackbird Leys for the estate to enjoy and ensure that both the existing Blackbird Leys swimming pool and Temple Cowley Leisure Centre remain open.’

Council received the petition and noted that, provided it contained 1,500 signatures or more it would be considered formally at the Council meeting on 8<sup>th</sup> October 2012.

- (2) William Clark – Blackbird Leys Swimming Pool – Mr Clark made an address concerning the decision-making around the provision of a new swimming pool at Blackbird Leys. The full address is appended to the signed copy of these minutes.
- (3) Joshua Knight – St Clement’s Car Park – Mr Knight made an address opposing the sale of the St Clement’s Car Park. The full address is appended to the signed copy of these minutes.
- (4) David Quinn – Squash provision – Mr Quinn made an address concerning the impending closure of Squash courts at Ferry Sports Centre. Full address is appended to the signed copy of these minutes.
- (5) Martin Murphy – St Clement’s Car Park – Mr Murphy made an address concerning the nature of the proposed development at the St Clement’s Car Park and its impact on the surrounding area. The full address is appended to the signed copy of these minutes.
- (6) Mark Pitt – Barn, Bury Knowle Park – Mr Pitt made an address concerning the preservation of the Barn adjacent to Bury Knowle House in

Bury Knowle Park. The full address is appended to the signed copy of these minutes.

- (7) Nigel Gibson – Democracy in Oxford – Mr Gibson made an address concerning the ills as he perceived them of the current governance structure of the Council. The full address is appended to the signed copy of these minutes.
- (8) Nigel Gibson – Financing Leisure Services in Oxford – Mr Gibson made an address in which he analysed the cost per visit to leisure facilities under the Fusion Leisure contract. The full address is appended to the signed copy of these minutes.

### **23. QUESTIONS BY THE PUBLIC**

Five questions by the public were submitted to Council under Council Procedure Rule 11.9 and replies given as follows:-

**(1) Question to the Leader (Councillor Bob Price) from Nigel Gibson**

At the local government elections in May, Labour canvassers were overheard several times on the doorstep saying that Labour will rebuild Temple Cowley Leisure Centre and so people should vote Labour. As a member of the Save Temple Cowley Pools Campaign, I am of course delighted that Labour has decided to switch to evidence-based decision and policy making and support the campaign. Can I ask the Leader when he is going to be formally announcing this change in policy, and does this mean that he and Labour will not be wasting over £13m of public money on a white elephant of a vanity project that is the 25m swimming pool planned in Blackbird Leys, or were Labour supporters simply lying during the election to try and gain votes?

**Response:** The questioner's informers must have misheard doorstep remarks. The Councils policy has not changed; the Temple Cowley Pool and Leisure Centre had reached the end of its useful life and needs to be replaced. The Council is still planning to construct a new Pool at Blackbird Leys. If the questioner can supply evidence about the comments that are referred to they will be investigated.

**(2) Question to the Board Member, Customer Services and Regeneration (Councillor Val Smith) from Sietske Boeles**

Can you please provide a breakdown of student council exempt properties which are classified as Halls of Residence (M category) and private dwellings which are exempt due to be being occupied by full time students (N category)? Can you provide a breakdown of each category (either M or N) for the St Clements, Iffley and St Mary's Wards. Can you also give us a breakdown of these exemptions for these three wards for the year 2008.

**Response:**

	<u>2008</u>	<u>2012</u>
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	<i>Exemption M (Halls of Residence)</i>	<i>Exemption N</i>	<i>Exemption M (Halls of Residence)</i>	<i>Exemption N</i>
<i>St Clements</i>	139	408	145	389
<i>Iffley Fields</i>	29	139	20	153
<i>St Mary's</i>	81	383	102	377

**(3) Question to the Leader (Councillor Bob Price) from Diana Hutcheson**

On 4 April 2005, Oxford City Council adopted a policy in which it was recommended that there should be no overlap of membership between the Executive Board and the Strategic Development Control Committee (Planning Committee). For your ease of reference, I attach the link relating to this decision –

<http://www.oxford.gov.uk/Direct/26219item10.pdf>

It was also decided that the Council's Constitution confirms that there is a distinction of membership between the Executive Board and the SDCC. The rationale behind this policy was that, in line with Government guidance, there should be a clear distinction between the Council's Executive role (between landowner) and its regulatory role (between Local Planning Authority). Such a distinction would necessitate ensuring that any members of the Executive Board and its working groups are not also members of the SDCC (Planning Committee).

Can the Council please confirm when the above policy was withdrawn and replaced with a new policy; where this was recorded, and was the Constitution

**Response:** The Council's Constitution did earlier include, as the Questioner suggests, a provision that members of the Executive could not sit on the SDCC. However, following clarification of the law in *R (on the application of Lewis) V Redcar and Cleveland Borough Council* in 2008 the restriction that was introduced in 2005 was, following that judgement, no longer necessary and the Constitution was accordingly amended.

**(4) Question to the Board Member, Parks and Sports (Councillor Mark Lygo) from Jane Alexander**

I would like to know who made the decision to have the temporary toilets brought to South Park three full days before they were required for just 6 hours for the Olympic Torch event, who paid for them and how much this cost, how much the road closures cost and what was charged for the policing for the event and are councillors aware that for only £50,000, half the cost of hosting the Torch, we could have Temple Cowley diving pool refurbished so that all can use it especially young people inspired by Olympics?

**Response:** It had in fact proved cheaper to buy in the temporary toilets earlier than the event for which they were to be used. The road closures were the responsibility of the County Council, not the City Council. The event had been managed by some 700 volunteers.

**(5) Question to the Board Member, City Development (Councillor Colin Cook) from Sarah Lasenby**

In January 2008 the City Council adopted the Supplementary Planning Document "Balance of Dwellings". In this document it states that East Oxford and St. Margaret's Neighbourhood Area is a "red light" area meaning that there needs to be intense effort to safeguard family housing and build new family housing as part of mixed developments.

How many family dwellings have been given planning permission in East Oxford since January 2008? Please indicate how many of them are affordable?

Please give a breakdown of the totals of dwelling types by electoral wards; ie St Clements, St Mary's and Iffley Fields Wards?

*This question was not taken or responded to at the Council meeting because the time allowed for addresses and questions by the public had been fully used by this time. Council noted that in accordance with Council Procedure Rule 11.9(h) the answer to the question would be supplied to the questioner after the meeting.*

**24. TREASURY MANAGEMENT ANNUAL REPORT 2011/12**

Council had before it the report of the Executive Director, Organisational Development and Corporate Services together with a minute extract of the meeting of the City Executive Board held on 4<sup>th</sup> July 2012 (both documents previously circulated, now appended).

Council resolved:-

- (1) To agree changes to the Council's Treasury Investment Strategy that had been approved by Council on February 2012 (minute 94 refers) as set out in Sections 49-51 of the Executive Directors Report;
- (2) To note the Treasury Management Annual Report for 2011/12 as set out in Sections 41-48 of the Executive Director's Report;
- (3) To note that the City Executive Board had resolved to keep under review the effects of Right to Buy on the Housing Revenue Account Business Plan and had asked the Executive Director to report in the Autumn in the context of the medium term financial strategy review on the effects on the HRA Business Plan of Right to Buy take up.

**25. INTRODUCTION OF ALTERNATIVELY FUELLED VEHICLES TO THE COUNCIL FLEET**

Council had before it a report to the Head of Direct Services together with a minute extract of the meeting of the City Executive Board held on 4<sup>th</sup> July 2012 (both documents previously circulated, now appended).

Council resolved:-

- (1) To include in the Council's capital programme the additional budget highlighted in paragraph 9 of the Head of Direct Services' report, funded from savings in running expenses over the life of the asset (as shown in Table 3 of the report) as part of the spend to save initiative;
- (2) To note that the City Executive Board had approved the use of more electrically driven vehicles in the Council's vehicle fleet where viable and cost-effective.

## **26. CITY EXECUTIVE BOARD DECISIONS (MINUTES) AND SINGLE EXECUTIVE MEMBER DECISIONS (MINUTES)**

Council had before it minutes of Executive meetings as follows:-

- (a) City Executive Board – 23<sup>rd</sup> April 2012
- (b) City Executive Board – 4<sup>th</sup> July 2012
- (c) Single Member Decision – Corporate Governance and Strategic Partnerships – 29<sup>th</sup> May 2012
- (d) Single Member Decision – Housing – 22<sup>nd</sup> June 2012

Councillors spoke on the minutes relating to the Community Infrastructure Levy (minute 5, City Executive Board – 4<sup>th</sup> July), Periodic Reporting - Finance-Year End 2011/12 (minute 6, City Executive Board – 4<sup>th</sup> July) and the Oxford City Cycle Plan (minute 12, City Executive Board – 4<sup>th</sup> July) and Board Members commented upon the points made.

## **27. RECOMMENDATIONS AND REPORTS FROM SCRUTINY AND OTHER COMMITTEES**

Councillor adopted a recommendation of the Appointments Committee of 2<sup>nd</sup> July 2012, namely to alter the designation of Chief Finance (Section 151) Officer from the Executive Director, Organisational Development and Corporate Services (Jacqueline Yates) to the Head of Finance (Nigel Kennedy), the designation to take place with immediate effect.

## **28. QUESTIONS ON NOTICE FROM MEMBERS OF COUNCIL**

### **(a) Questions notified in time for replies to be provided before the Council meeting**

#### **1. Question to the Board Member, City Development (Councillor Colin Cook) from Councillor Sajjad Malik**

##### **Former Oxford Bus Garage development**

When the former Oxford Bus Garage site on the Cowley Road received planning permission, residents were told that part of the site



(on the left as you face the site) would be a one storey employment site, what has changed?

What efforts did the Council make to advertise the development site for employment purposes and where was it advertised?

If a mistake was made in the planning process who is responsible, the Planning Department or the Legal Department?

**Response:** The original outline application for this site dates back to twelve years ago in 2000. Ever since then, the City Council has sought to achieve some form of employment use on the site. However, as the years have passed the nature and scale of such a use have changed. The outline application 09/01201/OUT in 2009 was reported to the Cowley Area Committee on 4th November 2009 and the Strategic Development Control Committee on 25th November 2009 and is still extant. The reserved matters application 11/01150/RES was called in to the East Area Planning Committee and was approved on the 6th July 2011. It is my understanding that it is this permission which is currently being implemented, and business space will be provided and offered onto the market. I can find no reference to the B1 business space ever being described as "single storey" in any of these applications.

At the time of the original application the agreed process was to work in partnership with East Oxford Action, a Single Regeneration Bid organisation in existence at the time, to create a vehicle to own the employment part of the site through a development trust and that this trust would select a partner to fund, build and operate a start-up business centre. Therefore at the time there was no intention that the City Council would be involved in advertising the site for employment purposes.

I understand that Councillor Malik received a reply in November last year to his complaint that there had been irregularities in the way this site has been handled. This reply concluded that no mistake was made and it is not possible to attribute blame to any particular officer or department. Those originally involved, none of whom is still employed by the Council, worked with the best intentions. Present staff have sought to ensure that the Council can achieve the outcome desired when the original permission was granted.

In a supplementary question Councillor Malik asked if the Board Member had himself looked at the planning agreement between the Council and the developer. The Board Member said that he had not.

## **2. Question to the Board Member, City Development (Councillor Colin Cook) from Councillor Elise Benjamin**

### Westgate Development

Could the Portfolio Holder give a clear indication of what is precisely happening with the proposed new Westgate development and when we will be able to see exact plan?

Could he give an indication of what has been the total cost to the City Council of acquiring or achieving the emptying of Abbey Place housing from 2007 to 2011 and how has this money been used to replace the 14 unit facility with its generous storage space and gardens for vulnerable and disabled tenants in a city centre position?

Would he also say what is the justification in housing terms for the City Council, who has just published a Your Oxford bemoaning the lack of affordable housing in Oxford, in seeking to support the eviction and demolition of these 14 purpose built city centre units in good condition?

**Response:** Approval has previously been given by the City Executive Board on 8th February 2012 to the revised commercial terms with Crown Estates/Land Securities and the formal documenting of those terms is now progressing.

The direct costs to the Council in terms of acquiring the former Abbey Place properties, paying compensation, fees associated etc were met by the developer under the terms of a Compulsory Purchase Order Indemnity Agreement. The original transaction with the former developer Capital Shopping Centres effectively involved a swap, provision of the replacement units in consideration of the disposal of Abbey Place to them.

The demolition of Abbey Place was required for the previous scheme and is so likely to be so required for the new scheme being promoted by Crown Estates/Land Securities. The justification is that the level of housing has been maintained (with better quality properties being provided) and the removal of Abbey Place will facilitate significant commercial development in due course.

Land Securities are in the process of appointing a master architect and it is anticipated that the process of detailed design will commence in the near future. There will be full consultation with interested stakeholders.

In a supplementary question Councillor Benjamin asked about the identification of suitable alternative housing provision. The Board Member responded by emphasising the opportunities a new Westgate development would bring to the Council's area. He considered that it would not be in the Council's interests to turn away the development opportunity.

**3. Question to the Board Member, City Development (Councillor Colin Cook) from Councillor Craig Simmons**

Cowley Road Saturation Zone

Could the Portfolio Holder please indicate for the last 12 months how many license applications for extensions of hours and capacity increases have been approved and how many refused in the area covered by the East Oxford Saturation Zone?

**Response:** Two new applications approved, one variation approved, and no refusals.

In a supplementary question Councillor Simmons asked if the Board Member agreed that the Cowley Road Saturation Zone policy was not working and the members of the Licensing and Gambling Acts Committee needed to be reminded of the policy. The Board Member replied that he did not agree. Licensing hearings took decisions on licensing applications on the evidence before them.

**4. Question to the Board Member, City Development (Councillor Colin Cook) from Councillor David Williams**

Barton West School

Would the Portfolio Holder agree that with such a large development (over 800 units of accommodation) the proposed Barton West Development must have a local primary school deep within the new development and it is important not to fantasize that this will happen but to ensure that there is a direct and clear commitment from the County Council to build a school.

Would he indicate what absolute and fulsome guarantees have been given by the County Council to build a new primary school within the new development?

Would he agree that going ahead building houses without community support such as new shops, community centres and schools, would mean a new estate would become a characterless dispirited accommodation block without a community hub

**Response:** Policy BA11 in the Barton Area Action Plan requires the provision of a new Primary School as part of a Community Hub within the local centre. The onus to build the new school will fall on the developer not the County Council. The County Council are already having detailed discussions with the Limited Liability Partnership, the Joint Venture Partnership between the City Council and Grosvenor, as regards the needs of the school. There is no intention, and nor has there ever been any intention, to provide a characterless new estate. The City Council's aspiration is to provide an exemplar development and it is working hard to ensure this outcome.

In a supplementary question Councillor Williams put to the Board Member that to go ahead with any large scale housing development without guarantees about community development was risky. The Board Member said in reply that if absolute guarantees were sought before development, no progress would be made. He referred again to policy BA11 in the Barton Area Action Plan. He suggested moreover that as the Council was the landowner it had considerable control and influence on the makeup and mix of the development.

**5. Question to the Board Member, City Development (Councillor Cook) from Councillor Craig Simmons**

## Gloucester Green

In the tender documents currently being prepared to tender out management of the Gloucester Green Market, can the portfolio holder confirm that environmental, social and local economic development criteria will be incorporated as tender requirements and whether the contract will be open to a 'community right to challenge'.

**Response:** Any tender will include the Council's normal procurement requirements, and particularly related questions on economic and social benefits. If the Council receives a "community right to challenge" it will consider the request in the context of its plans for the development of an invigorated market solution.

In a supplementary question Councillor Simmons pursued the issue of community right to challenge. The Board Member responded that officer advice had and would continue to be taken on this matter.

### **6. Question to the Board Member, Leisure Services (Councillor Van Coulter) from Councillor David Williams**

#### Replacement Blackbird Leys Pool costing

(A) Could the Portfolio Holder confirm that the estimated cost of the non Olympic replacement pool at Blackbird Leys has increased by over 30% since the scheme was first proposed in 2007 to the present figure of £9.2m?

**Response:** Following the September 2010 feasibility and business case the administration decided to include fun water for toddlers. This increased the cost of the scheme from £7.6 million to £8.5 million. In July 2011 we increased the contingency, making the project budget £9.23 million.

In a supplementary question Councillor Williams pursued the matter of the cost of a new pool. The Board Member repeated that a fixed price contract had been agreed for £9.23 million

(B) Could the Portfolio Holder give a categorical assurance that £9.2m is the final figure for building this modest replacement 35 metre facility and give Council a fulsome assurance that persistent rumours that the costs are already escalating beyond that figure are incorrect?

**Response:** The new high quality pool will be adjoined to Blackbird Leys Leisure Centre and comprises a 25 meter main pool, teaching pool, moveable floor to enable improved programming, toddlers splash pool, sauna, soft play area and low carbon technologies such as a biomass boiler and combined heat and power unit.

A fixed cost contract has been signed with our construction company Willmott Dixon for £9.23 million. Legal challenges continue to delay the construction of the new pool and while we are confident we will

ultimately be able to deliver our leisure facility strategy, defending the challenges is a costly and slow process.

The council has been awarded a £75,000 grant from Sport England towards the new pool at Blackbird Leys and this is at risk if the matters are not resolved soon.

Originally it was planned to be able to close the older expensive pools during this year. Last year alone £97,000 was spent on maintaining Temple Cowley Pools in an attempt to keep the pool open until the replacement pool opens at Blackbird Leys. This is becoming increasingly difficult and there is an increased risk of unplanned closures for emergency works to be undertaken. The Council will therefore have to keep under review whether it is feasible to keep the pools open until such time as the replacement is open.

(C) Could the Portfolio Holder also give an assessment of how the massive new attractive Family Fun Pool, with slides, wave machines and superior facilities now being built in Didcot will have on the conventional traditional replacement Blackbird Leys Pool usage?

**Response:** The proposed pool at Didcot will be over 14 miles from Blackbird Leys and as such we do not believe it will have any real impact on usage of the new pool. As of the 10<sup>th</sup> of July 2012 the responsible officer at South Oxfordshire District Council has confirmed that the Didcot pool remains at concept stage and the facility mix has not yet been agreed. There is as yet no approved scheme although they do have a £15m budget and a site has been identified.

**7. Question to the Board Member, Housing (Councillor Scott Seamons) from Councillor Elise Benjamin**

Tenant Liaison

What is the next move of the Labour Party with regard to tenant liaison in the City Council's Housing Services?

Could the Portfolio Holder be clear as to what is being proposed for the new structure of Council Tenants Liaison illustrating if democratic structure will be taken away?

**Response:** Currently we are consulting with all tenants/leaseholders for their views on involvement and the draft Local Offers and the closing date is 16th July. There have been around 500 completed surveys returned so far which is very encouraging. This is part of the development of the strategy for tenants involvement which we are developing with TPAS(Tenants Participation Advisory Service). TPAS will analyse and collate the feedback which will be presented to a steering group that involves TPAS, Officers and tenants' representatives. The final report will be going to the City Executive Board in September outlining the way forward for Tenants Involvement.

**8. Question to the Board Member, Crime and Community Safety (Councillor Dee Sinclair) from Councillor Sajjad Malik**

CCTV and licensing issues

(A) At a meeting the City Centre Police Sergeant said, we have CCTV cameras in Park End Street, but they are not that good. Could the Portfolio Holder tell me what is wrong with them and why they are not good and what you will be going to improve them?

**Response:** The council jointly operate the city centre CCTV scheme of over 40 cameras, covering areas of the city from the railway station to Broad Street and down to St Aldates. All cameras adhere to relevant standards of construction, are operated through a Code of Practice and are regularly maintained.

Park End St is a high volume area and the police regularly use CCTV footage to identify and apprehend offenders. I am unaware of the particular incident the police sergeant is referring to but they may have been referring to the quality of the image. Image quality can be affected by the distance from the camera, whether a clear view of the face was available and the camera location.

(B) Could the Portfolio Holder provide the crime figures year by year in the City centre for 2008/09, 2009/10, 2010/11 and 2011 to date

**Response:**

Crime trend data from 2008/09 to 2011/12

Source: Thames Valley Police crime data

Crime type	2008/09	2009/10	2010/11	2011/12
Serious Acquisitive crime*	2770	2192	1910	1956
Theft from a person	611	578	638	618
Criminal damage	2883	2289	2294	1899
Total violence against the person with injury		1283	1024	800
Total violence against the person without injury		2722	2412	1764
Total violence against the person		4005	3436	2564
All crime	20627	18624	18243	17419

\* Comprises Burglary dwelling, theft from a vehicle, theft of a vehicle, personal robbery

(C) As most night spots are open till 3am and people are still on the street till 4.30am/5am does the Police stay till 5.00am or do their shifts end at 4.00pm?

**Response:** The police operate a specific Nightsafe operation at weekends when they have additional officers in the City centre and East Oxford, working closely with door staff, licensed premises and Street Pastors.

These additional officers end their duty at 4 a.m. but commonly continue working until the streets are cleared. Most people are leaving premises at 3 a.m. and are gone by 4 a.m.

The usual rota of early, late and night shift are maintained so at no time are there no police officers on duty in the city.

(D) Over the last year how many alcohol venues been given extension of hours against the Saturation policy within the Council's Saturation Zone?

**Response:** Three venues within the designated area have been given an extension of hours.

**9. Question to the Board Member, Cleaner Greener Oxford (Councillor John Tanner) from Councillor Graham Jones**

Defacement of residents' parking signs

How many residents' parking signs have had to be replaced in Oxford in the last year due to spray-paint defacement?

**Response:** We have replaced 22 parking signs specifically due to spray paint defacement in the last year. However we have dealt with a further 24 incidents where we have managed to remove the spray paint rather than replace the sign and another 48 incidents of refixing or replacing vandalised/damaged residents' parking signs.

The signs cost approx £30 each to replace and are mainly Controlled Parking Zone signs, and the City covers the cost from the Section 42 financial allocation.

In a supplementary question Councillor Jones asked whether the defacement of signs was increasing, whether expenditure on signs meant less money available to repair potholes and whether the police were involved. The Board Member said that he would ensure that incidents of sign defacement were brought to the attention of the police.

**10. Question to the Board Member, Cleaner Greener Oxford (Councillor John Tanner) from Councillor David Williams**

Recycling Rates

Could the Portfolio Holder give the recycling rates for the City of Oxford and compare them with the surrounding districts for the following years:

- 2006-7
- 2007-8
- 2008-9
- 2009-10
- 2010-11
- 2011-12

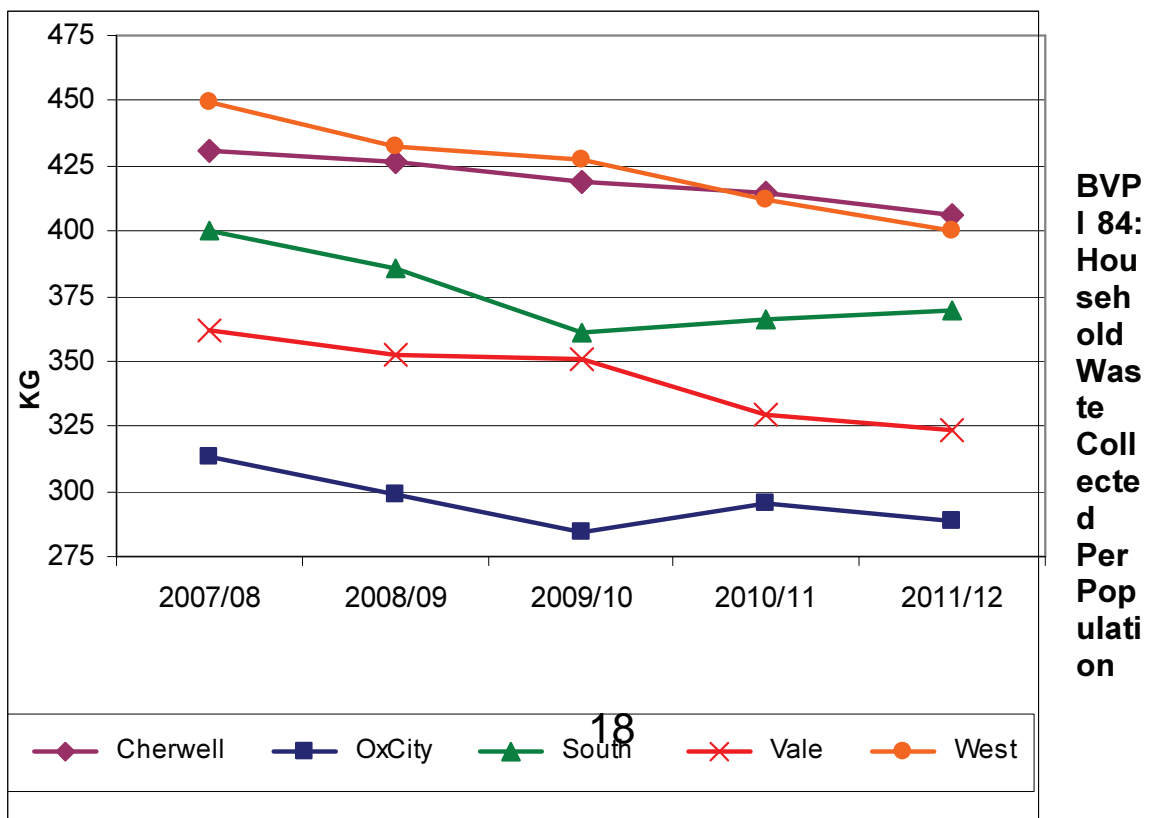
What does the Portfolio Holder deduce from these figures? Especially when contrasted against the rates for the surrounding District Authorities. Would he agree that progress is painfully slow?

**Response:** No. Progress has been good and continues to improve. Since 2008 the residents of Oxford have increased their recycling of household waste by a quarter. Just as important, the amount of total waste per household which is taken to landfill has continued to fall, as shown in the following charts:-

NI192: Oxfordshire LA Recycling and Composting Rates						
	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12
<b>Cherwell</b>	44.63%	47.46%	49.66%	51.36%	57.49%	57.27%
<b>OxCity</b>	24.04%	35.62%	37.78%	38.23%	43.18%	44.40%
<b>South</b>	33.04%	39.36%	42.80%	61.41%	65.11%	67.92%
<b>Vale</b>	29.10%	32.67%	35.67%	36.10%	51.77%	68.71%
<b>West</b>	26.82%	28.41%	28.89%	33.73%	42.37%	61.21%

\* All figures are from Waste Data Flow. However, 2011/12 data is provisional.

BVPI 84: Household Waste Collected Per Population Head (KG)					
	2007/08	2008/09	2009/10	2010/11	2011/12
<b>Cherwell</b>	430.90	426.37	418.59	414.68	406.13
<b>OxCity</b>	313.25	298.77	284.77	295.39	288.65
<b>South</b>	400.36	385.95	360.78	366.40	369.06
<b>Vale</b>	361.81	352.83	350.57	329.07	323.92
<b>West</b>	449.30	432.59	427.64	411.67	399.89





## Head (KG)

In a supplementary question Councillor Williams suggested that the figures supplied did seem to indicate that the recycling rate increase was slow and that it would not be until late 2020's before recycling would be up to 100%. In reply the Board Member said that it should not be assumed that the percentage increase in recycling would continue at the same rate. Overall, the City's recycling scheme was one to be proud of.

### 11. Question to the Deputy Leader (Councillor Ed Turner) from Councillor Craig Simmons

#### Redundancies – Senior Officers

Could the Portfolio Holder confirm that certain long serving senior staff may soon take voluntary redundancy under 'minor changes in senior management structure'?

Could he give an estimate of how much these redundancy packages will cost the authority? And confirm that there would be no large scale voluntary redundancy packages if these staff had worked until retirement.

Could he confirm that this was the real reason for earmarking £750,000 in a special redundancy pot in the budget when the policy for the Council was to meet the envisaged reduction in staffing by natural wastage?

For the record could the Portfolio Holder indicate in whose interest he is working for, the welfare of senior officers or the ratepayer?

**Response:** A redundancy has arisen following the recent senior management restructure which was carried out to ensure it remains fit for purpose in the light of the current challenges and aspirations of the Council - in particular, the continued drive for efficiency and performance improvement, plus an increased focus on community development and cohesion, education attainment and physical regeneration. The restructure also provides more balance to Executive Directors' portfolios and better alignment of service areas: Organisational Development and Corporate Services with all the corporate levers to drive efficiency and effectiveness; Community Services delivering through Direct Services, Leisure and Parks, Environmental Development and a Community Development team; and City Regeneration focusing on major regeneration projects, planning and developing our housing service.

Details of redundancy packages for senior officers are reported in the Council's Annual Pay Policy Statement (published each March for that financial year).

In total, is it estimated that the Council's establishment will reduce by approximately 110 posts over the period of the current Medium Term

Financial Plan. This figure includes our best estimate of the impact the introduction of Universal Credit will have on our Housing Benefit function (we have been advised by the Department for Work and Pensions that TUPE does not apply). Consequently, provision has been made for a contribution to the redundancy reserve of £750k in 2012/13 which will be added to the balance as at 31/3/2012 of £1.2 million. A further contribution of £250k is planned to be made in 2013/14. This figure is based on average costs over the previous 2 -3 years and is considered sufficient to fund future liabilities over the period.

All reserves are reviewed as part of the annual refresh of the Medium Term Financial Plan.

In the interests of transparency, details of staffing reductions have been clearly set out in recent budgets, and it will be obvious to most councillors that some redundancy funding is required (with a higher level needed to avoid compulsory redundancies). Regrettably that was not the case for the Green Group, which proposed a budget amendment last year which officers strongly advised against adopting, as it would not be deliverable, and would thus expose the authority to unacceptable risk.

This administration is completely committed to providing the best possible service to local people, in particular the most vulnerable. We want to avoid compulsory redundancies, and support the council's excellent workforce, in circumstances where council funding is being slashed by a government wedded to a failed Thatcherite economic dogma. Nobody's interests will be served by fantasy budget amendments, misinformation about the purpose of reserves, or a continued denial of the extent of the Council's financial challenges.

## **12. Question to the Deputy Leader (Councillor Ed Turner) from Councillor Ruth Wilkinson**

### Business Rates

How are preparations being made for the transfer of business rate retention at the local level next year?

**Response:** I am afraid the councillor is misinformed or has been misled by coalition government 'spin' - the vast majority of Business Rates (at a level set centrally) will be retained by the government or pooled centrally.

Business Rates Reform legislation was introduced in the Local Government Finance Bill in December 2011 with an intention for some business rate growth to be locally retained from 1<sup>st</sup> April 2013. More recently the Government have indicated that it will retain 50% of business rate receipts (the 'central share') with the remaining 50% being distributed back to local authorities through Revenue Support Grant, (RSG). Communities and Local Government have also listed a number of specific grants that they roll into mainstream funding, delivered through the new RSG, these include council tax support

grant, council tax freeze grant and homelessness prevention grant. The level of grant for 2013/14 and 2014/15, the last two years of CSR10 will be laid out in the 2013/14 finance settlement report.

Therefore, despite the creation of RSG (and its increased size due to the rolling in of specific grants), local authorities will continue to be reliant on the allocation of a grant from central government (i.e. RSG, rather than Formula Grant) and will continue to receive funding notifications through a local government finance settlement.

Under the business rate growth retention scheme, local government (as a sector) will retain 50% of any NDR growth (or decline) achieved locally. However, there is the potential for individual authorities to receive only a small proportion of any growth, due to the operation of a levy to dampen disproportionate gains or losses.

The current Medium Term Financial Plan provides for reductions in grant funding of 2% and 9% for 2013/14 and 2014/15 respectively and no prediction has been made at this stage for growth. Informally, we are hearing that central government funding cuts are likely to be greater than this level.

Discussions are ongoing with Customer Services staff, Finance and Economic Development as April 2013 approaches in order to support economic growth locally. Discussion will also be undertaken with the Valuation Office. In addition the City Council is part of a County wide Group of Districts and County considering the financial implications of the cut to funding for council tax benefit, and also the changes the Business Rates.

In a supplementary question Councillor Wilkinson asked about the percentage of non-collection of Business Rates and she asked how robustness was decided. The Board Member said that he would arrange for a written response to be given, copied to all Councillors.

**13. Question to the Board Member, Customer Services and Regeneration (Councillor Val Smith) from Councillor Ruth Wilkinson**

Housing Benefit

What is the current percentage of council errors in benefit claims?

**Response:** Following the Benefits Service Review we are in the process of establishing a new Quality Assurance system for Benefits processing. When this is established, performance will be reported on a monthly basis. In terms of Benefit Subsidy, Local Authorities only receive full subsidy in relation to overpayments they have raised, providing that their level of Official error is less than 0.48% of their total Benefit expenditure. We have been below this threshold for the last three years. Official error is classified as an error caused by the action of a Local Authority, or other government organisation, which the claimant could not have been expected to be aware of.

In a supplementary question Councillor Wilkinson asked how performance would be reported and in what document would it be reported to Councillors. The Board Member said that performance would be reported to the Department for Work and Pensions but could be copied to the questioner.

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

Green Travel Plan

When will the City Council's Green Travel Plan be ready for use? What basic data has been collected on staff's travel choices?

**Response:** I understand the Green Travel Plan for staff will be completed by the end of this financial year. Most City Council staff already travel to work sustainably by foot, bike, bus and train. At work some employees already travel by bus, bicycle or in vehicles using renewable and electric fuel.

In a supplementary question Councillor Fooks asked for some precise information. The Board Member said he would obtain this and let the questioner have it.

**15. Question to the Deputy Leader (Councillor Ed Turner) from Councillor Jean Fooks**

Dial-a-Ride

Now that the outturn figures for the year 2011/2 are showing a surplus of £500,000, which is proposed to be placed in a reserve, will you now reconsider your decision not to pay the County Council, as provider of Dial-a-Ride services across the county, the £58,000 needed to reprovide the much-missed second dial-a-ride bus for the elderly and disabled residents of the city for another year?

**Response:** The outturn position for 2011/12 is a one-off saving and as a matter of principle should not be used to fund ongoing revenue costs such as the Dial a Ride Service, as suggested.

With effect from 1<sup>st</sup> April 2012 concessionary bus services transferred to the County Council and grant monies from Department for Communities and Local Government are paid to the County Council through formula grant and as such it is considered that responsibility for delivering Dial-a-Ride lies with Oxfordshire County Council. It is very regrettable that the County Council decide to cut the level of service.

When planning its budget proposals for next year, the administration will bear in mind the strong representations it has had from pensioners' groups on this issue (and it is to be hoped that the County Council will do likewise). However, given the likely scale of further cutbacks to council funding, no promises about reinstatement can be made at this stage.

In a supplementary question Councillor Fooks asked whether some of the surplus could be used for a second Dial-a-Ride bus. The Board Member replied first by repeating that Dial-a-Ride responsibility was that of the County Council. He suggested that the questioner as a County Councillor should bring her influence to bear on the County Council in respect of Dial-a-Ride provision. He then repeated his earlier remarks about next year's budget and that the administration would bear in mind the representations received from pensioners groups on the matter but without commitment to the ability to provide money while faced with competing demands upon resources.

**16. Question to the Leader (Councillor Bob Price) from Councillor Jean Fooks**

Ombudsman

What was the outcome of the complaint to the Local Government Ombudsman about the basis of the calculation of the fee for the partial release of the 1933 covenant on the property of one of my constituents in Sunnymead?

**Response:** The Ombudsman has decided to discontinue the investigation because the Council has agreed to pay the complainant £8,250 and to review its policy and procedures (for dealing with the release/partial release of restrictive covenants).

In response to supplementary remarks the Leader said that all points would be taken into consideration in the review referred to and in the asset management plan review.

**17. Question to the Board Member, Customer Services and Regeneration (Councillor Val Smith) from Councillor Stuart McCready**

Housing Benefit

Given the uncertainty of the impact of Housing Benefit changes, can the Portfolio Holder for Housing assure Council that meetings of the City Executive Board and the Housing Scrutiny Panel will be kept informed by way of routine reports this year of the numbers affected by the Housing Benefit Cap, the numbers seeking supplementary relief as a result, and what relief the Council has been able to provide?

**Response:** The question is assumed to relate to the overall benefit cap. No cases are affected by the household benefit cap. We will be receiving quarterly reports from the Department for Work and Pensions in relation to this matter. The first report contained 230 households affected by the benefit cap. However it seems that some excluded cases may have been included with this information.

In response to a supplementary question the Board Member agreed that scrutiny would be updated regularly on numbers of Council Houses subject to Right to Buy.

**18. Question to the Leader (Councillor Bob Price) from Councillor Ruth Wilkinson**

Freedom of Information

Since January 1st 2011, what percentage of Freedom of Information requests to Oxford City Council have been answered in the time stipulated by law?

**Response:** From 1<sup>st</sup> January 2011 until 31<sup>st</sup> May 2012, 87.4% of requests were answered in the time stipulated by law (i.e. within 20 working days). During that time 928 requests were received.

In a supplementary question Councillor Wilkinson remarked that 1 in 8 Freedom of Information requests had not been answered in the time stipulated. What factors were contributing to this less than satisfactory situation. The Leader replied to say that the statistic did not represent unsatisfactory performance. Timescale to respond was short. Nevertheless, he would talk to officers about the Council's performance to see what could be done.

**(b) Questions notified by the deadline in the Constitution where no reply in advance of the Council meeting was given**

**19. Question to the Board Member, City Development (Colin Cook) from Councillor Jim Campbell**

(a) Today is exactly six months since the strategic workshop to look at the future of the Covered Market. Can you please tell us what action has been taken to implement the 12 Next Steps that were proposed in the review document produced after the workshop?

**Response:** A written response would be sent to the questioner.

(b) Despite frequent requests from the Market Traders Association for a decision to be made, more that three months have now passed since the relevant date for the latest three year review for Covered Market rents? While I accept the legal validity of the point "time is not of the essence", can you tell us when the new notices will be served?

**Response:** The notices would be issued on 18<sup>th</sup> and 19<sup>th</sup> July.

In a supplementary question Councillor Campbell said that the rate of increase was running at 40%-60%. Nine units in the Covered Market were vacant. Negotiations between Traders and the Council took a long time. Were the rent increases sought in the best interests of the Council, the City and the traders? In response the Board Member said that the increases sought were the result of the professional work conducted by the Council's officers. Oxford had a buoyant retail economy with one of the lowest overall vacancy rates. Footfall showed a 7.7% increase against a 5.4%

reduction nationally. He looked forward to working with the traders to improve uptake for the future.

**20. Question to the Board Member, Leisure Services (Van Coulter) from Councillor Jim Campbell**

- (a) Has a final decision already been made to close one of the three remaining Squash Courts at the Ferry Centre? If so, can you give us details of any consultation that has taken place with squash players and organisers in the city? If a decision has not been taken, what steps will you take to carry out such a consultation?
- (b) In the light of the response of the National Squash Association what will be the impact of the proposed decision on a sport which is aiming for Olympic status?

**Response:** On part (A) the project was approved by the City Executive Board in September 2011. The works include a new café, spinning studio (static bike class) and a soft play area.

The project is part of the City's leisure strategy to improve the quality of the centres that remain so they have a wider appeal. The success to date can be seen with Ferry Leisure Centre increasing its usage from 280,000 visits in 2009-10 to 456,000 visits in 2011-12.

The details of the proposal had been informed by Fusion's expertise and customer feedback and then developed by the Leisure Partnership Board which is made up of senior officers at the Council and Fusion Lifestyle, elected members, and representatives from young people, older people, centre users and health. 27 of quarter one membership cancellations at Ferry gave the reason as not being able to book classes, with two specifically citing the reason as being that the Centre does not offer spinning.

The new development will increase participation by at least 22,000 participants per year alongside further reducing the management fee which lets us invest in inclusive activities such as the new targeted free swimming lessons.

The usage of the squash courts overall is around 50% with some parts of the day as low as 5%. Squash continues to struggle to attract a broader range of participants, the first quarter of this year shows just 6% of squash bookings were from concessionary card holders. This compares to an average of 21% of all activities at Ferry being concessionary.

Following the return of public health as a responsibility for local councils, it is all the more important for the City's leisure offer to support the drive to increase participation and to encourage healthier local communities. Developing the leisure facilities and delivering high quality value for money services across the City will

have positive outcomes for service users and the community as a whole.

The works have been communicated to Ferry centre users. We are meeting with the squash players to listen to their views to see if there is anything we can do that helps them to continue to play squash such as improving the quality of the remaining courts, or more coaching sessions. It would though be disingenuous to launch a public consultation on this matter.

On part (B) we are retaining two squash courts at Ferry which will still enable competitive leagues to be played.

In a supplementary question Councillor Campbell pressed the Board member on consultation. The Board member said that the meeting he referred to earlier would take place tomorrow and the views expressed would be taken into account.

**21. Question to the Board Member, Leisure Services (Van Coulter) from Councillor David Rundle**

Considering the recent concern over provision for squash in this city, when will the Council be reviewing its decision to concentrate support on a small range of sports rather than the wide and impressive plethora of sports in which Oxford's citizens participate and gain enjoyment?

**Response:** Sport England recognised 46 sports and there are many more outside of this. To ensure that we can maximise opportunities in line with current resources we have focus and priority sports that the Council's Sports Development Team concentrate on and these are demonstrated within the Sport and Physical Activity review 2009. The Sports Development Team also work with the governing bodies of other sports when the opportunities arise, and have even been involved with Quidditch (from the Harry Potter books). This strategy has been extremely effective with 26.4% of adults participating in regular sports, placing us in the top quartile of district councils in the Country and also with one of the biggest increases in participation (5.7% (almost 10,000 more people)) of all districts since the baseline was first established.

In a supplementary question Councillor Rundle asked for more detail about non-focus sports and the Board Member agreed that this detail would be supplied to the questioner.

**22. Question to the Board Member, Housing (Scott Seamons) from Councillor Jim Campbell**

Last month Icolyn "Ma" Smith was told that she would no longer receive funding from the City Council for the weekly lunch she has been providing for the homeless in the City for more than 20 years. The grounds for the rejection of her application were that "research has shown that *this kind of facility encourages rough sleeping*". Do you agree with this view?



**Response:** Firstly I believe it would be useful to set out to council the history surrounding grant applications to 'Ma' Smith and why she did not receive a grant in 2010/11.

In respect of the homelessness grants – Mrs Smith received funding of £5,000 from the City Council in each of the years 2006/7, 2007/8, 2008/9, 2009/10. A further application for £8,000 in 2010/11 was turned down and it should be noted this coincided with a cut in the grants budget of £250,000 that year. In the year 2010/11 36 applications were received and a total of £216,658 requested against a budget of £68,000 for the homelessness in the open bidding programme.

During the latter two years that Mrs Smith received a grant she did so under the homelessness commissioning theme and subsequent monitoring information at the time told the council that a high percentage of the users of the Manzil Way facility had their own place. Further, full council with the support of all parties adopted the 'Place of Change' approach to our homelessness commissioning theme. This decided to prioritise grants for organisations that supported rough sleepers into settled accommodation and contribute to the reduction of repeat homelessness. Since Mrs Smith's facility doesn't reduce the number of rough sleepers, is used by some people who are not homeless and was unable to confidently say that it could be sustained on less than 50% of the requested grant (limiting options for officers) officers recommended that the facility not be funded that year. The recommendations of funding in the open bidding grants programme that year were supported by all parties.

Mrs Smith made no further grant applications in the most recent two years.

On the issue the questioners have asked if whether or not soup kitchens and facilities like that run by 'Ma' Smith encourage homelessness, this is an emotive and difficult question with differing opinions. Indeed there is division in opinion amongst homelessness charities: Jeremy Swain, chief executive of Thames Reach (homelessness organisation), said: "Street handouts do little to help people make the step away from rough sleeping. Instead they frequently prevent people from facing up to the reality of the harmful life-style they have adopted." Whilst former chief executive of Shelter, Adam Sampson said "Well-developed and co-ordinated soup runs play a valuable role in providing a mixture of practical and emotional help to vulnerable homeless people". Charles Fraser, chief executive of St Mungo's homeless charity, provided a more nuanced view, "While we recognise the compassion involved in providing food to vulnerable people, those in distress and rough sleeping need services that will support them off the streets for good". These quotes reference street handouts but I believe the debate to be similar.

For my own part I do not see soup kitchens or soup runs and facilities like Mrs Smith's as encouraging homelessness although they may not alleviate the problem. Consequently, I would not have expressed the

view that “this kind of facility encourages rough sleeping” quoted in the Oxford Mail. I believe the Council to be taking the right approach in focussing its limited funding through grants to organisations like the many hostels in the city that provide shelter, food and clothing for the homeless; provide skills, work or training to help people secure accommodation. I welcome the compassion shown to vulnerable people by Mrs Smith and her team of volunteers and am happy that she has received considerable financial support for her work from the ‘Secret Millionaire’. Finally it is important that institutions providing hot food or clothing to the homeless link those people up with the range of hostels in the city or the city outreach team workers as we strive to end rough sleeping in Oxford and ensure ‘No Second Night Out’.

**23. Question to the Board Member, Housing (Scott Seamons) from Councillor Sam Hollick**

Could the portfolio holder please present and explain the evidence that soup kitchens encourage rough sleeping, as suggested by a City Council spokesperson in the Oxford Mail of 8th June?

**Response:** The Board Member referred to his response to Councillor Campbell.

In a supplementary question Councillor Hollick said that he had not considered the language used in the Oxford Mail of the 8<sup>th</sup> of June as attributed to a City Council spokesperson to have been helpful. In response the Board Member said he tended to agree. The Council’s response had not been approved politically. He would make sure that this did not happen again.

**29. STATEMENTS ON NOTICE FROM MEMBERS OF COUNCIL**

There were no member statements.

**30. PETITIONS**

There were no petitions for debate

**31. MOTIONS ON NOTICE**

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

**(1) Council Estate Management – (Proposer – Councillor Stuart McCready, seconder Councillor Jean Fooks)**

‘Up until the start of the 2011/12 financial year, twelve estate managers provided a landlord presence that reached all Council housing in Oxford. The estate manager visited frequently and kept

a constant pro-active eye out for problems and knew which department had the solutions. Tenants knew who their estate manager was and could depend on getting a reply when they asked their estate manager to visit, see what a given problem was, and provide advice, help and advocacy in identifying and dealing with the City departments that had the solutions.

For the past year we have had only five estate managers for the whole City, and the emphasis has been on tenants identifying and contacting for themselves the specialist team most likely to help with a given problem - and then they cannot be sure of dealing with the same person twice in a row. This has meant that tenants are faced with a more fragmented, and consequently less effective, landlord service. There is a sense on some estates that cases that were progressing when an estate manager was on the case have stalled and even very simple matters sometimes seem a bewildering challenge to get seen to.

The Council therefore asks the Executive to investigate restructuring the landlord function to ensure that every tenant has a single familiar officer to whom they can reliably turn for a home visit and advice when they need help or service from the Housing Department.'

Following a debate Council voted on the adoption of the Motion but this was not carried, 16 Members voting in favour of Motion and 24 Members voting against it.

Following the vote the Chief Executive said that in the light of the points made in the debate he would arrange for estate managers to receive further training on their wider role in the community.

**(2) Failure of the Green New Deal – (Proposer – Councillor David Williams, seconder Councillor Craig Simmons)**

'This Council is concerned that the Government flagship policy, the so called 'Green Deal' to be launched in Oxford and other Cities in the Autumn, is already set to herald (by the Government's own figures) a massive decline in roof insulation and cavity wall insulations year on year.

By listening to the energy companies demands to remove some of their obligations, plus narrowing considerably the social criteria for subsidized insulation and most important setting the public loans at a commercial rate, as illustrated by the Secretary of State in his statement on the 11<sup>th</sup> of June, the impact of the Green New Deal will be totally counter productive. His own revised figures indicate a drop of roof insulation from 900,000 per year (2012) to 150,000 (2013) (-83%) plus a fall in the number of cavity wall insulations from 700,000 (2012) to 400,000 (-67%). This will mean that the UK will without doubt miss its future climate change targets.

Council asks the Chief Executive to make representations as follows:-

- (1) To bring to the attention of the Secretary of State that a primary objective of his office should be to reduce carbon emissions and to reduce energy usage and that to achieve that a loft insulation programme and cavity wall schemes are the most cost effective ways to reduce heating bills and reduce costs to consumers;
- (2) To advise the Secretary of State that a Government prediction of a dramatic decline in roof insulation and cavity wall schemes to 150,000 and 400,000 respectively is a fraction of the target set in 2009 of 2.1 million homes with roof insulation each year and 1.4 million cavity wall schemes and unless these targets are met the UK will without doubt miss its own targets for carbon emissions;
- (3) To call on the Government not to restrict loan subsidies to only the very poorest pockets in a limited number of communities and not to rely on market forces via commercial loans to deliver the necessary increases in loft insulation and cavity wall insulation that are needed but to expand the social criteria so that large areas of Oxford City may benefit;
- (4) To inform the Secretary of State that with an expanded social criteria to include low income families, all pensioners, those with a disability or on income support and other vulnerable groups the primary objective of maintaining the insulation programme can be achieved.'

Following a debate Council have voted on the adoption of the Motion and this was carried, 30 Members voting in favour of the Motion and 10 voting against.

**(3) Local Authority Co-operative Network – (Proposer – Councillor Elise Benjamin, seconder Councillor David Williams)**

'This Council resolves to investigate becoming a member of the Local Authority Co-operative Network and to that end asks the Chief Executive to prepare a report to the City Executive Board in the Autumn illustrating the advantages that may accrue from membership in terms of a range of policies especially in the area of economic development, the creation of local co-operatives and housing trusts.

Council believes that this would assist the Council in developing the Co-operative ideal with possible trader's co-operative such as the Covered Market, co-operative housing trusts, small co-operative productive enterprises and many more.'

Councillor Rundle proposed an amendment to the Motion, and before it was seconded, the mover of the Motion and the seconder agreed to accept the amendment. The affect of the amendment

was to delete the second paragraph and replace it with alternative wording so that the Motion for debate read as follows:-

'This Council resolves to investigate becoming a member of the Local Authority Co-operative Network and to that end asks the Chief Executive to prepare a report to the City Executive Board in the Autumn illustrating the advantages that may accrue from membership in terms of a range of policies especially in the area of economic development, the creation of local co-operatives and housing trusts.

This Council, moreover, is determined to assist Oxford in becoming a city of co-operatives. To that end, it considers that, alongside investigating membership of the Local Authority Co-operative Network, it is a matter of priority to consider how the Council can support and promote co-operatives and requests that officers and Community and Partnerships Scrutiny Committee investigate all possible means to develop and embed co-operatives further in the fabric of our City's life.'

Following a debate Council voted on the adoption of the amended Motion and this was carried by general assent.

**(4) Passenger Right to Privacy – (Proposer – Councillor David Williams, seconder Councillor Craig Simmons)**

'Given the intrusion into privacy and the abuse of civil liberties this Council will oppose the introduction of recording (secret or explicit) of passenger conversations in public transport vehicles including buses, taxi cabs and licensed private hire vehicles. To that end Council resolves as follows:-

- (1) The concept of a passenger right to privacy in the passenger space will be incorporated into Oxford licensing conditions for taxi and private hire vehicles.
- (2) Oxfordshire County Council will be approached to seek a joint policy endorsing the same passenger rights to privacy in the passenger space concept to be a condition of all operators using bus routes in Oxfordshire.
- (3) The views of the Council are brought to the attention of the Stagecoach Company and a request made that they limit their present pilot project of recording passenger conversations on the Oxford to London Oxford Tube service to driver/passenger conversations whilst driving and that there is no recording in the passenger seating space.'

Following a debate Council voted on the adoption of the Motion but this was not carried, 14 Members voting in favour of the Motion and 21 Members voting against.

**(5) Support for Gay Marriage and Civil Rights Partnerships – (Proposer – Councillor Criag Simmons, seconder Councillor Sam Hollick)**

‘This Council places on record its support not only for the right of gay, lesbian and bi-sexual individuals to have the right to marry but also for heterosexuals to have a civil partnership if that is their preferred option. The Council believes that it is the right of all Oxford residents and those beyond the City to marry or enter civil partnerships in the manner they desire, whatever their sexuality.

The Chief Executive to submit this stance by the Council to the relevant Secretary of State as a part of the Governments recent consultation leading up to the promised primary legislation on the issue.’

Councillor Van Nooijen proposed an amendment to the Motion and, before it was seconded, the mover of the Motion and the seconder agreed to accept the amendment. The effect of the amendment was to add a paragraph at the end so that the Motion for debate read as follows:-

‘This Council places on record its support not only for the right of gay, lesbian and bi-sexual individuals to have the right to marry but also for heterosexuals to have a civil partnership if that is their preferred option. The Council believes that it is the right of all Oxford residents and those beyond the City to marry or enter civil partnerships in the manner they desire, whatever their sexuality.

The Chief Executive to submit this stance by the Council to the relevant Secretary of State as a part of the Governments recent consultation leading up to the promised primary legislation on the issue.

Noting that no rooms in the Town Hall are currently used for religious marriage ceremonies, and that 'marriage' in the context of this motion is not a matter relating to the conscience of any one of the many religions represented in this City and this Council Chamber but rather a simple matter of administrative procedure, Council wholeheartedly affirms its intention that the rooms in the Town Hall currently used for civil marriage ceremonies should continue to be used for marriages once the law has been changed to provide equal civil marriage rights for same-sex couples.’

Following a debate Council voted on the adoption of the Motion and this was carried, 37 Members voting in favour of the amended Motion and 3 Members voting against.

**(6) Taxi Licenses City Quotas – (Proposer – Councillor Criag Simmons, seconder Councillor Dick Wolff)**

‘This Council is conscious of the present review of taxi licensing laws being carried out by the Law Commission and would place on record its desire for local authorities to retain the power to establish

a restricted quota of taxi licenses in Oxford City. The Council takes this stance in the belief that limiting the number of licenses will assist the City in enforcing regulations on the taxi and private hire operators that may be laid down from time to time.

The Chief Executive is instructed to forward a clear statement to that effect to the Secretary of the Law Commission illustrating the advantages that accrue to local authorities from not adopting a free market unrestricted unregulated system.'

Councillor Price proposed an amendment to the Motion and, before it was seconded, the mover of the Motion and the seconder agreed to accept the amendment. The effect of the amendment was to delete the first paragraph and to amend the second paragraph by deleting the words 'to that effect' and inserting the words 'of current Council policy on taxi Licensing' so that the Motion for debate read as follows:-

'The Chief Executive is instructed to forward a clear statement of current Council policy on taxi Licensing to the Secretary of the Law Commission illustrating the advantages that accrue to local authorities from not adopting a free market unrestricted unregulated system.'

Following a debate Council voted on the adoption of the amended Motion and this was carried by general assent.

**(7) Localising Democracy – (Proposer – Councillor David Williams, seconder Councillor Dick Wolff)**

'The present Area Forum structure is not seen as a meaningful devolution of power and responsibility in tune with the present Localism Act.

Abolition of Area Committees diminished local participation in planning decisions and engagement of local voluntary organisations and citizens in real local grass roots democracy.

The replacement Area Forum structure introduced in 2011 is not seen as a meaningful devolution of power in tune with the present Localism Act, having no defined responsibilities or budget.

Consequently there is a need to reconsider devolved decision making in Oxford with a new approach that focuses on localising democracy to reflect the diversity of the City and its many communities.

In Blackbird Leys, Littlemore, Old Marston, and Risinghurst and Sandhills, the Parish Councils have statutory powers regarding planning and services, and in some other areas local communities and neighbourhoods are seeking a greater say in local planning through neighbourhood and community forums.

To ensure consistency and to advance fairness and democracy across the City, the Chief Executive is tasked to conduct a Community Governance Review, in accordance with the Local Government and Public Involvement in Health Act (2007) and the more recent Localism Act (2011) with a view to establishing new local elected councils (which may be called: Parish Councils, Community Councils, Neighbourhood Councils or Village Councils), to cover all areas of the City of Oxford.

In addition to these local councils' powers of precept, the City will provide additional funding to support real devolved decision making in a defined range of services. The new local councils would thus be publicly elected bodies with clearly identified powers, responsibilities and budgets.

The Chief Executive to produce a report to Council in the late autumn after a period of consultation illustrating the defined communities the local councils would serve, the services that could be devolved to the new local councils, and the funding mechanism that could be deployed to ensure their effectiveness.'

Councillor Fooks proposed an amendment to the Motion and, before it was seconded, the mover of the Motion and his seconder agreed to accept the amendment. The effect of the amendment was to delete the sixth and seventh paragraphs and replace them with revised paragraphs so that the Motion for debate read as follows:-

'The present Area Forum structure is not seen as a meaningful devolution of power and responsibility in tune with the present Localism Act.

Abolition of Area Committees diminished local participation in planning decisions and engagement of local voluntary organisations and citizens in real local grass roots democracy.

The replacement Area Forum structure introduced in 2011 is not seen as a meaningful devolution of power in tune with the present Localism Act, having no defined responsibilities or budget.

Consequently there is a need to reconsider devolved decision making in Oxford with a new approach that focuses on localising democracy to reflect the diversity of the City and its many communities.

In Blackbird Leys, Littlemore, Old Marston, and Risinghurst and Sandhills, the Parish Councils have statutory powers regarding planning and services, and in some other areas local communities and neighbourhoods are seeking a greater say in local planning through neighbourhood and community forums.

In accordance with the Local Government and Public Involvement in Health Act 2007 and the more recent Localism Act 2011, Council asks the Chief Executive to conduct a community Governance



review, with a view to establishing whatever form of Local Governance is supported by the residence of an area. This might be Parish Councils, Community Councils, Neighbourhood councils or Community Assemblies.

Council further asks the City Executive Board to work with the new bodies to determine what powers and budgets they would like to give the real influence over what happens in their areas.

The Chief Executive to produce a report to Council in the late autumn after a period of consultation illustrating the defined communities the local councils would serve, the services that could be devolved to the new local councils, and the funding mechanism that could be deployed to ensure their effectiveness.'

Following a debate Council voted on the adoption of the amended Motion but this was not carried, 17 Members voting in favour of the amended Motion and 25 Members voting against.

*At this point the time allowed in the Constitution to deal with Motions had been fully used. The remaining three Motions on notice were therefore not taken.*

### **32. REPORTS AND QUESTIONS ABOUT ORGANISATIONS THE COUNCIL IS REPRESENTED ON**

No reports were made or questions asked under this item.

### **33. APPOINTMENT OF INDEPENDENT MEMBERS FOR STANDARDS PURPOSES UNDER THE LOCALISM ACT**

Council resolved to appoint the following persons, each for a five year term, as the Council's Independent Persons for Standards/Members Code of Conduct purposes under the Localism Act 2011:-

Chris Ballinger  
Godfrey Cole  
Jill McLeery  
Ben Simpson

### **34. ATTENDANCE MANAGEMENT POLICY AND PROCEDURE**

The Head of Human Resources and Facilities submitted a report (previously circulated, now appended).

Council resolved:-

- (1) To approve with immediate effect the Attendance Management Policy and Procedure agreed with the Trade Unions as attached to the report of the Head of Human Resources and Facilities;

- (2) To authorise the Head of Human Resources and Facilities to implement the policy and procedure within an appropriate timeframe, make changes as required to put right any clerical mistakes or to reflect changes in the law and agree any changes to absence score intervention levels in consultation with Trade Unions.

### **35. COMMUNITY GOVERNANCE REVIEW - BLACKBIRD LEYS PARISH COUNCIL - REDUCTION IN MEMBERS**

The Head of Law and Governance submitted a report (previous circulated, now appended).

Council resolved to authorise the Head of Law and Governance to make an Order under the Local Government and Public Involvement in Health Act 2007 to reduce the number of Parish Councillors on Blackbird Leys Parish Council from 16 to 14 (7 Councillors in each of the 2 Parish wards) and to note that the change would take effect on 1<sup>st</sup> August 2012.

The meeting started at 5pm. It ended at 9.16pm. It broke for refreshment between 6.54pm and 7.38pm.