

**To: Council**

**Date: 18 April 2016**

**Title of Report: Public addresses and questions that do not relate to matters for decision – as submitted by the speakers and with written responses**

## **Introduction**

1. Addresses made by members of the public to the Council, and questions put to the Board members or Leader, registered by the deadline in the Constitution, are below. Any written responses available are also below.
2. This report will be republished after the Council meeting as part of the minutes pack. This will list the full text of speeches delivered as submitted, summaries of speeches delivered which differ significantly from those submitted, and any further responses.

## **Addresses and questions to be taken in Part 2 of the agenda.**

### Addresses in part 2

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3. Address by Artwell - Barton refurbishment

### Questions in part 2

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## **Addresses in part 2**

1. **Address by Nigel Gibson, Save Temple Cowley Pools**

My name is Nigel Gibson, and I have been observing the way Oxford City Council operates since 2009, when I became involved in the Campaign to Save Temple Cowley Pools, the health and fitness centre that you eventually closed in 2014. Since then you have failed to track what the previous users have been doing to maintain their health and fitness – claiming instead that most have transferred to the Blackbird Leys pool when the reality was that you moved the database of users to the Blackbird Leys system. And this claim is a prime example of the topic of this address – what passes for openness and transparency in Oxford City Council, or in my experience the lack of openness and transparency.

We forecast what the closure of Temple Cowley Pools would mean for the thousands of users – exercising less frequently or not at all, increased costs and time to go to another facility, a loss of fitness and health compromised; as well as an increase in crime rate in the area. All of these predictions have come true, and you have failed in your promise to monitor these people, instead preferring a ‘good news’ approach and ignoring the consequences that your actions have had on real people.

And the legacy of this Labour administration, as we come up to another set of elections, is simply that you have actively and knowingly removed health and fitness facilities from 40,000 people, a quarter of Oxford’s population.

And there has been a lack of transparency and openness over the whole Temple Cowley Pools affair since 2009; some would say it has been cloaked in secrecy. Some examples include:

Consultations – yes, you did ‘consult’, but not in any meaningful way. The public engage in consultations believing they can make a difference – you have refused a Freedom of Information request to identify when any consultation on any topic over the last three years has made a real difference to your plans. And it’s not surprising that you refuse – public consultation is something you have to do, not something you enter into willingly.

Outsourcing Leisure Services to Fusion – you’ve engaged in a buddy relationship with Fusion that conveniently avoids tax through its charitable status, keeps the very same people employed that delivered your failed service in the first place. And now, under yet more secrecy, and zero scrutiny, you nod through their requests to increase admission prices for the public. No oversight, no accountability. I spent over a year attempting to have the contract released to public scrutiny, but you refused the FOI request.

And the demolition of Temple Cowley Pools - as the intent to demolish the site became clear, you have consistently and forcibly maintained that it has nothing to do with you. Yet more lack of transparency – the veil has been pulled back, but only using Freedom of Information. And there we see that it was indeed Oxford City Council, not Catalyst, that decided that demolition should happen before any planning application for redevelopment was approved.

Now the Freedom of Information process is something that you have spoken about in the media, where you very openly supported a reduction in power of the FOI Act; not surprising when you consider how much you do not reveal openly and transparently, forcing the public

to do the only thing they can to get information, which is to try and use FOI. If you were more open, transparent, and even accountable, then we the public would not need to use the FOI process and you could put your resources to better use.

My personal experience of your FOI process is that you take as long as possible to respond, delaying unreasonably beyond the required 20 day response time. Clearly from the result of recent FOI requests I can see why – in one example officers discussed the impact of releasing information as the public may take it to the media, and this would not fit your ‘only good news at any cost’ agenda. The answer is simple – don’t do the wrong thing in the first place. Act openly, act transparently – take responsibility and be accountable.

Put as simply as I can:

You are here as a district council, with one sole objective – to provide services to the public, that we want and need, where we want and need them.

You have failed in this time and time again over the last 7 years; and you have shown no sign of changing this attitude. Consultation? Mere lip service to your policy – decide what you want to do, show the public what’s going to happen, and employ ‘experts’ who will give you the answer you want to justify to yourselves that it is the right thing to do.

Temple Cowley Pools; Barns Road Community Centre; Barton ‘Park’ link road through Northway; East Oxford Community Centre; Northern Gateway; the threat to the unique ecology of the Lye Valley Site of Special Scientific Interest – even Rose Hill Community Centre, and now Barton Community Centre. They’ve all followed a similar process – let the public have their say, making as little information about your real intent available to them as possible, then ignore them.

When you stand in front of the Oxford public on their doorstep in the coming weeks, remember the lack of transparency and openness you have shown over all these issues and many more – even the housing register, where you conveniently inflated the figures to justify your strategy. Remember all the people that you are ignoring, safe in the knowledge that so few people vote nowadays that it doesn’t actually matter any more. Democracy, like openness and transparency, is truly dead in Oxford, and will remain so while Oxford City Council continues to ignore the real needs of the public.

## **2. Address by Dr. Stefan Piechnik - Economic rationale of Tower Block Refurbishments.**

I am Dr. Stefan Piechnik, a Leaseholder in Plowman Tower where I have moved in 4 years ago, in the clear knowledge of pending major works quoted then as £9,500 per flat until 2020.

Since then, Oxford City has increased the budget to £20M and widely advertised improvements and regeneration aspects under slogans such as “Building a world-class city for everyone”. Given that neither improvements or building Cities are chargeable leaseholder obligations there was little reason to question any of the measures.

However, recently Oxford City Council handed £50,000 invoices to Leaseholders, five-fold increase over prior expectations and typical caps for such works. It also appears that until £20 million contract was signed, council officers made all effort to avoid any cost scrutiny from the prudent home-owner leaseholders. Only at this stage it is possible to reveal several worrying economic aspects:

**Relative Value:** £60,000 makes for over a half of the typical market value of affected properties (in my case 65% of the actual purchase price). This is really a lot to spend on one’s home, unless a complete ruin.

**Increase in property valuation:** Unofficial estimates obtained by leaseholders indicate that maybe £10,000 may be gained. This is 80% loss on investment from the day one.

**Investment returns:** Improvements to energy efficiency of windows and external cladding total an estimated £30,000 per flat. The official EPC- energy performance certificate I have for my flat indicates that such measures are expected to generate annual savings in order of only £100. This yields the time to return to profit on the proposed energy saving measures to be 300 years –THREE full centuries to see first penny of profit.

**Rationale:** All windows are to be replaced at the cost of approximately £18,000 per flat. For certain I have no single problem with my windows. In Plowman Tower I see not a single window frame or glass pane broken anywhere. Few tilt-and-turn windows in the staircase do not close properly, which is a problem I had with my kitchen window. All needed was a replacement gear mechanism costing £20. Instead of few minor repairs, the windows will cost on average £3,000 - each and every one to replace whole. Over 100-fold waste of money and natural resources too, as new aluminium and glass has to be melted, and working-condition plastic and glass disposed as waste.

These just few observations from the leaseholders on the major works. Council officers failed to provide any evidence on the economy of the project.

I urge the Council to request their staff to account fully for the rationale and economy of the proposed measures and answer all detailed observations by Oxford Towerblock Leaseholder Association dated February 7th, and subsequent complaint letter dated March 14th this year.

### **3. Address by Artwell - Barton refurbishment**

It has been publicly announced that 4 million pounds will be spent in Barton on the Neighbourhood Centre and the Underhill Shops, at a time when Barton is in great need of accessible Public Space where the residents of Barton can celebrate the milestones of life like, Weddings, Birthdays and Funerals.

Barton has over 800 people under the age of eighteen, with no Public Space available for them to Dance and hold celebrations. At the Barton Community Association's AGM in 2015, in response to my question, I was informed that the last party held at Barton's Neighbourhood Centre was held two years previously. Clearly the Barton's Neighbourhood Centre does not welcome Party Celebrations from Barton's teenagers.

Barton's Royal British Legion has been closed for over two years now, and St. Mary's Community Hall has also closed, whilst the Church tries to gather the money needed to modernise the Community Hall. Barton Sports Pavilion will shortly close for eighteen months to allow site access for the new Barton Park construction vehicles.

I have used our democratic process of government and written to the two Labour Councillors for Barton, our Labour MP, and the Labour Leader and CEO of Oxford City Council, expressing the concerns of many people on Barton, at the acute lack of Public Space especially for the Youth of Barton to hire. Very sadly, I have not received a reply of any kind.

Barton is the home of two very successful Dance Troupes, which attract boy, and girls of all ages and colours. Messy Jam continues to be very popular for the Youth of Oxford, and Messy Jam continues to win national awards. Messy Jam started on Barton, and the founder would love to be able to base Massy Jam on Barton. If St., Mary's Church and Community Hall could also benefit from this 4 million pound grant, then St., Mary's could be in a position to offer a home or a space for Barton's Messy Jam Dance Troupe.

St., Mary's Community Hall has been available for the people of Barton for over forty years and with a much-needed refurbishment St., Mary's Community Hall could once again be a Public Space for the people of Barton.

Elected Councillors, the people of Barton need Community Space where the Youth and people of Barton can Dance, Sing and Celebrate life's achievements. I am requesting that some of this 4 million pound be spent on refurbishing St. Mary's Community Hall, for the benefit of the people of Barton, who currently have nowhere on Barton to Dance and Celebrate.

## Questions in part 2

### 4. Question from Nigel Gibson – demolition of Temple Cowley Pools

Question to the Leader of Oxford City Council, Cllr Bob Price

In autumn last year, Catalyst Housing announced their intention to demolish the Temple Cowley Pools building. Supporters of the Campaign to Save Temple Cowley Pools asked Oxford City Council to intervene and ensure that demolition did not take place until after Catalyst had submitted and had approved planning permission for their development of the site. This was because it makes no sense to demolish this structurally sound building when a community group is ready, willing and able to take ownership and operate it as a going concern at no cost to the Council if planning permission was not granted for its replacement.

The Council made it clear in responding to these concerned citizens that any demolition would be Catalyst's decision alone, and had nothing to do with the Council itself. This message was relayed to Andrew Smith, our local MP, who passed on the same message to the public. This position has been maintained by the Council numerous times.

However, in an email from a Council officer to Catalyst, dated 3rd July 2015, timed at 7:49 am, it says, "The Council have decided that they want to demolish the Pool..." – this information only became public in a response to a Freedom of Information request.

Why have you and Oxford City Council in your emails responding to concerns over demolition misinformed both the public and our local MP, and what are you going to do, in the interests of open and transparent government, to correct this position?

**Councillor Price will give a verbal response at the meeting.**

## **5. Question from Cassi Perry – PSPO protection from complaints – and response**

My name is Cassi Perry. I am residential boater who has been based in and around Oxford for the last two years, and a resident in the city for more than a decade. I am here as part of the official PSPnO campaign. I am a keyworker and, Child and Adolescent Psychotherapist, working with young survivors of sexual abuse and sexual exploitation here in Oxford. I am also currently a part time Masters Student at Oxford University.

I am here because I am very concerned about the potential impact of the proposed Waterways PSPO.

Over the last few years, life as a residential boater has become increasingly difficult in Oxford.

Constant reductions in services have made life physically demanding, particularly in the winter months.

Increasingly discriminatory language being used in the press by local elected councillors has fuelled harassment on the towpath. During a recent 5 day stay within the city, I was verbally abused by 3 separate local residents, each one of them mentioning the proposed PSPO as justification for their aggression. I was dismayed to see these repeat complainers made up the bulk of the evidence (and I use the term evidence lightly here), that was used to justify the suggestion of a PSPO in the first place.

For me the PSPO was the proverbial straw that broke the camel's back, and has driven me out of Oxford, a city I deeply love and where my friends and support are. Seeing local councillors proposing to legitimize the harassment we receive into law was horrifying, and for me as a single woman living alone, deeply frightening.

I have decided not to renew my mooring here, and have purchased a mooring in Banbury. This is depriving Oxford of yet another needed keyworker.

My Question for the council is this.

In considering a Waterways PSPO, how do Oxford City Council intend to protect boaters from individual homeowners making multiple malicious complaints, when it's clear they are giving these homeowners a stronger voice in this debate?

### **Written Response from Councillor Sinclair**

The council are seeking the views of all members of the public interested in the Waterways. All comments will be given equal regard. Responses found to be malicious are unwelcome and will be disregarded.

## **6. Question from Sam Dent – PSPO - Draft Guidance to local housing authorities on the periodic review of housing needs – and response**

My name is Sam Dent; I am a lifelong boater and an Associate of the Institute of Chartered Accountants in England and Wales. I have been living on boats since 1990 across the waterways of the country, both with and without permanent moorings. Currently I am fortunate enough to have one of the very few residential moorings in Oxford, in Hinksey Park Ward.

What I have found almost unique to Oxford since I moved here in 2012 is the extreme tension between boaters and other communities in the city. Given the inflammatory and prejudicial language used about boaters by both elected council members and council staff, some of which has been referred to during Councillors' questions, this is unsurprising but deeply saddening. I have suffered, and seen my friends and neighbours suffer, direct and indirect discrimination. One of the multiple contributors to the so-called evidence backing up this proposal recently referred to boaters in my hearing as living on the fringes of society. Another individual named in the scrutiny committee documentation has boasted of making more than 60 complaints about boaters in a single season.

I am part of the PSPnO campaign as I believe both that PSPOs are poor legislation and specifically that this proposed PSPO breaches Oxford City Council's Statutory Duty of Care, the Equalities Act of 2010 and articles 8 and 14 of the European Convention of Human Rights. Given my privileged mooring position the proposed PSPO is less likely to impact on me than many of my friends, however I live on a boat because I enjoy boating, so I do regularly moor and run my stove as required within the boundaries of the proposed PSPO.

I feel that the proposed PSPO is believed by some sections of the Council to be required due to a fundamental misunderstanding of both the needs and the makeup of the boating community. Councils and their elected officials have a duty to protect the interest of all groups within the community – whether they be settled, unsettled, or travellers. In passing a PSPO, Oxford City Council would be acting in direct opposition to a minority group's interests and well-being.

In this context, I would like to ask if the Council is aware that the Department of Communities and Local Government ruled in April 2009 that "bargee travellers" are covered by the Housing Act 2004, s 225, if the council has received a copy of the March 2016 Draft Guidance to local housing authorities on the periodic review of housing needs from that department which makes specific reference to those with a preference to house boat dwelling, and what is the Council doing to assess, look after and protect the interest of us as a minority group?

### **Written Response from Councillor Sinclair**

The Council is aware of its statutory housing duties and supports a number of people currently living on boats. A PSPO is used to prevent persistent and detrimental activities in a specified area, without a reasonable excuse.



## **7. Question from Alex Wood - PSPO definitions – and response**

The 'Anti-social Behaviour, Crime and Policing Act (2014)' gives councils the statutory power to make a PSPO if the activities being banned are persistent and will have a detrimental effect on quality of life. Moreover, according to the 'Crime and Disorder Act (1998)' anti-social behaviour is defined as acts causing 'harassment, alarm or distress.' Having read the PSPO waterways supporting evidence document, I was left wondering on what grounds Cllr Dee Sinclair was able to conclude that many of the activities documented genuinely constitute 'harassment, alarm or distress.' In particular, I am referring to activities such as mooring without consent and smoke and noise from engines, generators or stoves. I also wonder how Cllr Dee Sinclair was able to conclude that these activities are having a significant and persistent detrimental effect on quality of life. I would, therefore, like to ask Cllr Dee Sinclair to clarify under what circumstances mooring without consent or heating one's home with a stove causes harassment, alarm or distress and has a persistent substantive detrimental effect on the quality of life of others?

### **Written Response from Councillor Sinclair**

The purpose of the consultation is to seek views on activities in the draft PSPO. No conclusions have been made; they are dependent upon the outcome of the consultation.

## **8. Question from Jon Ody – PSPO supporting evidence – and response**

My name is Jon Ody. I am a marine engineer working on boats in Oxford, founding partner of Green Boat Services. Since 2009 I have worked on a self-employed basis repairing boats on and around the waterways of Oxford, as well as the wider UK canal network and the River Thames. As part of my work on the waterways I participated in the 2012 Thames Jubilee Pageant where over 1,000 boats paraded through London in front of the Queen.

I was born in Oxford, I attended school here, and I have called Oxford my home for over 35 years. I trained as a marine engineer in the Royal Navy, specialising as a Submarine Nuclear Reactor Panel Operator. I am also a graduate of Plymouth University where I studied and further specialised in underwater robotics and automated systems. I've spent time serving on ships in the North Sea, Irish Sea, English Channel, Bay of Biscay and the Mediterranean, as well as crossing each of the Atlantic, Pacific and Southern Oceans by ship.

I am incredibly fond of the boating lifestyle, through my work on the waterways I meet many people who live on boats, as well as other waterways and towpath users, who on the whole are supportive of my role in the community. I now live on a narrowboat on a residential mooring the Oxford Canal at Wolvercote. I am appalled by the proposed PSPO being suggested by Oxford City Council, and I have campaigned against its development since I first learned of its existence as late as February this year, helping to form the PSPnO campaign group. I spoke at the Scrutiny Committee, and I asked questions of the City Executive Board, although I did not receive a satisfactory response.

I would like to further press my concerns regarding the supporting evidence document, since I have recently been subjected to alienation and verbal abuse from members of the waterways community, my neighbours, which I believe is due to inclusion of so-called evidence which I have not been asked for my permission to use, which clearly identifies myself as the contributor. One example of this is a tweet from 2012 by Green Boat Services, which contains a photograph taken by me, with a link to a response from the City Council explaining that the issue should be dealt with by the Environment Agency and the Canal and River Trust.

There are at least two other photographs taken by myself in the PSPO Supporting Evidence document, and due to the recent lack of cooperation from councillors and council officers I have had to resort to submitting a Data Protection Request to establish what data the council holds from my social media accounts which are being claimed as evidence for the PSPO. I firmly believe that the supporting evidence does not demonstrate by any clear means any behaviour which is conclusively detrimental, unreasonable, and persistent, which I note are the tests required to be satisfied by the council by the 2014 Crime and Policing Act.

And so onto my question:

Will councillors work with me to establish by what methods the PSPO supporting evidence document has been produced, from what sources the alleged evidence has been gathered, and by what means the council believes that it has permission to reuse data that it has collated; and will the council remove from this document all the evidence that is not relevant or that they do not have permission to use?

### **Written Response from Councillor Sinclair**

The Council is sorry to hear that you have been subject to verbal abuse from members of the waterways community. The information attached to the CEB report of the 17th

March Council was received from members of the public, partner agencies, or it was gathered from publicly accessible web sources. This information was de-personalised but anything that can be directly attributable to you as the source of the information will be removed from future documentation.

## **Question from Jo Hamilton - PSPO alternative options – and response**

My name is Jo Hamilton, and I have lived on a boat in and around Oxford (on the River Thames and the Oxford Canal) for over seven years. In that time I have worked with a variety of community groups to improve the quality of their environment, and to minimise their carbon footprint. I am deeply concerned about the implications of the proposed Oxford Waterways Public Spaces Protection Order as it narrows down the options for collaborative solutions which could utilise the experience and expertise of many waterways residents, which could provide genuinely workable solutions to some of the problems expressed.

Prior to the scrutiny committee hearing on the 8th March 2016, two Oxford Mail articles (on 29th February and 1st March 2016) described using byelaws to prevent illegal mooring as “unworkable”, and that “The new PSPO has been drawn up with support from the Environment Agency (EA) and the Canal & Rivers Trust (CRT)”, yet we have seen no evidence of input from the EA or CRT.

We note that the council must consult with any representatives of the local community that they feel appropriate prior to introducing a PSPO, and that the council claims to have already done so during the 18 months that it has taken to develop the draft PSPO. As waterways residents, and some of the most interested of parties, we have seen no evidence of this, as we have never heard of the Waterways PSPO until the Oxford Mail articles appeared in March. We also note that the council must consult with the chief of police and the crime commissioner prior to introducing a PSPO, yet we have seen no evidence that this has occurred either. Additionally, we note that some Police Supervising Officers, who has worked closely with boaters in recent months, has not been included in the development of the Waterways PSPO.

We note that the council has indicated in some instances in response to questions submitted to the City Executive Board that “equal weight will be applied to all responses” and in other cases it states that in some cases “responses will be given no weight”, this seems contradictory. We believe that existing residents of the oxford waterways should be given priority weighting over, for example, a dog-walker who visits once a week, or a person who responds from America or Australia. We would like to draw to the council’s attention the 2008 HM Government Code of Practice on Consultation.

We note that no other Local Authority in the entire UK has used a PSPO for enforcement on the waterways, Oxford is conspicuous in being the only authority pursuing this, which is surprising given its strong record in Council- community collaboration in other areas. There are many examples of how multiple interest groups have worked together to produce positive solutions to issues around waterways issues, for example: the Mooring Strategy Steering Group that was established on the Western Kennet and Avon Canal; the Blue Ribbon Network that advises the Greater London Authority on waterways issues; working with CRT/EA to improve the condition of existing temporary visitor moorings in order to relieve pressure at popular sites.

From first-hand experience of supporting and helping to develop low carbon community groups across Oxford, I know the power of collaborative community action, working in partnership with other bodies such as the City and County Council. Such collaborations open up rather than close down the range of possible solutions and constructive dialogue.

Instead of bringing in a PSPO, this is an opportunity for creative thinking that capitalises on the rich expertise and experience of waterways users and residents, both those living on the Waterways and those in houses. The council could for example, establish a sub-committee or working group along the lines of its already established area forums, with full participation of all waterways users and residents.

My question is: does the City Council agree that the proposed consultation regarding the waterways PSPO should be expanded to include a range of alternative options for the waterways of Oxford, rather than just a yes or no outcome regarding only the PSPO?

**Written Response from Councillor Sinclair**

The consultation process is certain to raise many views, opinions and proposed solutions to some of the broader issues on the waterways. The Council welcomes the opportunity to work with interested parties in trying to resolve these issues.

## **9. Question from Helen Marshall, Need not Greed – OxLEP’s Strategic Economic Plan – and response**

Question to the Leader of the Council

As the Council’s representative on the Oxfordshire Local Enterprise Partnership (OxLEP), can the Council leader confirm:

- Whether he is happy that the City’s future economic strategy is being decided by an unaccountable and unelected limited company?
- What steps he has taken to ensure that the public will be consulted on the overall growth figures in OxLEP’s forthcoming ‘refresh’ of its Strategic Economic Plan?
- That all councillors will have an opportunity to debate the appropriateness of this Plan at a full Council meeting?’

### **Written Response from Councillor Price**

#### **1. LEP Accountability**

The LEP Board includes all the elected Leaders from the Oxfordshire local authorities who are individually accountable to their own Councils. There is therefore democratic accountability and an electoral mandate.

#### **2. Growth Figures**

CPRE has misunderstood the basis for the SEP refresh. The overall growth figures have already been set out in the Strategic Housing Market Assessment, an independent expert assessment jointly commissioned by the Oxfordshire Local Authorities and approved by them for planning and economic development policy. The Local Authorities confirmed their approval of the growth figures in the Oxford and Oxfordshire City Deal, and again most recently in the recent Devolution bid.

The SHMA figures have been accepted in a series of Local Plan public examinations by Planning Inspectors, where the CPRE has lost the argument on every occasion. It is the Local Plans which provide the statutory basis for planning-not the SEP.

The LEP has asked independent consultants to review the economic forecasts as part of the SEP refresh. It is already apparent that the current economic growth in the county is exceeding the earlier forecasts, which is not surprising as it is known that the SHMA assessment for housing need is conservative.

#### **3. SEP Approval**

The original SEP was debated by full Council and there is also an annual report to Council on the programme of the LEP. The revised SEP will come to full Council, as before.

## **10. Question from Penny Schenk – PSPO – and response**

My name is Penny Schenk. My partner and I have lived in Oxford since 2002, and on a narrowboat since 2011. Despite sounding American, I am a UK citizen, and have worked at the University's Bodleian Law Library since 2005.

The fact that we were fortunate enough to secure a residential mooring on private property in Oxford, and would not be immediately affected by the proposed PSPO at home (and we know that the intent is to pass the PSPO, let's not be coy about all the options being open) has done nothing to allay my extreme disquiet at the possibility of so-called Waterways PSPO's going into effect here and in other cities across the UK.

The track record of PSPO's in their short and chequered history is not good. Because (and I wonder why?) the Home Office does not collect data on PSPO's, it is only through the efforts of the Manifesto Club and their FOI requests that we can get the full picture, and it is not pretty.

PSPO's put the power to \*criminalise\* behaviours in the hands of a single council officer. I think you would be hard pressed to find one constituent who thinks that the ability to make an activity a crime, without any statutory necessity for public consultation, is something they want a single council officer to have. And this is not a hypothetical: the Manifesto Club report found that HALF of councils passed a PSPO through a single council officer. To quote the report: "Never has the creation of crimes been attended to with so few procedural requirements..."

So my question to the Council is, are you pleased to be one of the Councils at the forefront of wielding these heavy-handed, ill-conceived instruments against your own citizens, a year after celebrating the 800th anniversary of Magna Carta?

Thank you for your attention.

### **Written Response from Councillor Sinclair**

The Council was thorough and considered when deciding whether to introduce the two PSPOs currently in place in Oxford. They are succeeding in tackling the behaviours they were designed to through education and information about what is acceptable behaviour

## **Question from Ruth Anderson - British Waterways Act 1995 and legislation – and response**

My name is Ruth Anderson. I am a residential boater on a Local Agenda 21 mooring in Oxford. I work for Oxfordshire County Council as a Senior Traffic Management and Control Engineer. My work involves the management of the highway network during incidents, roadworks, events such as the Oxford Half Marathon and adverse weather. During adverse weather events, such as those that closed the Abingdon and Botley Roads in Oxford, I am often required to come into the office outside of normal office hours to ensure there are appropriate skills available. I am representing the PSPnO campaign.

Members of the boating community have been struck by a recent undertaking by the Canal and River Trust to spray messages on the towpath at Isis Lock referring to a polite zone. Given the draft of the proposed PSPO specifically states “No person shall tamper with waterways habitats, signage, lifebelts, fencing or other waterways infrastructure” this seems to be a particularly ironic campaign by CRT and I can’t help but wonder what Oxford City Council’s input on this has been.

I remember a couple of years ago when the TV show Great Canal Journeys visited the Oxford Canal, and the presenters Timothy West and Prunella Scales were scathing about the graffiti around the canal in Jericho.

Given that a council officer acknowledged shortly before the recent Scrutiny Committee meeting, where this PSPO was on the agenda, that he was not aware of the British Waterways Act 1995, which is the basis on which the Canal and River Trust manage their Waterways, would the Council agree that there is a fundamental lack of joined up thinking between the two authorities, and what plans are there to ensure that no local legislation attempts to override full Acts of Parliament?

### **Written Response from Councillor Sinclair**

The Canal and Rivers Trust are fully aware of the draft PSPO. The Anti Social Behaviour, Crime and Policing Act 2014 is a piece of primary legislation that allows for the implementation of a PSPO to tackle behaviours that are nuisance and detrimental to the public.