

**To: Council**

**Date: 18 April 2016**

**Title of Report: Public addresses and questions that do not relate to matters for decision.**

**This document was updated following the meeting.**

## **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. Addresses as submitted by the speakers and written responses where available were published with the briefing note in advance of the meeting.
3. This report was republished after the Council meeting as part of the minutes pack and replaces that published with the briefing note.
4. This lists:
  - the submitted text of speeches where delivered broadly as submitted, deleting parts not read out;
  - minor amendments to reflect the spoken address in italics.
  - summaries of speeches delivered which differed significantly from those submitted;
  - written responses published in the briefing note before the meeting; and
  - verbal responses by the Board Members given at the meeting.

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

### Addresses

1. Address by Nigel Gibson, Save Temple Cowley Pools – and summary of verbal response
2. Address by Dr. Stefan Piechnik - Economic rationale of Tower Block Refurbishments –and summary of verbal response
3. Address by Artwell - Barton refurbishment – and summary of verbal response

### Questions

4. Question from Nigel Gibson – demolition of Temple Cowley Pools – and summary of verbal response
5. Question from Cassi Perry – Waterways Public Space Protection Order (PSPO) and protection from complaints – and written response and summary of verbal response

6. Question from Sam Dent – PSPO - Draft Guidance to local housing authorities on the periodic review of housing needs – and written response and summary of verbal response
7. Question from Alex Wood - PSPO definitions – and written response and summary of verbal response
8. Question from Jon Ody – PSPO supporting evidence – and written response and summary of verbal response
9. Question from Jo Hamilton - PSPO alternative options – and written response and summary of verbal response
10. Question from Penny Schenk – PSPO – and written response and summary of verbal response
11. Question from Ruth Anderson - British Waterways Act 1995 and legislation – and written response and summary of verbal response
12. Question from Helen Marshall, Need not Greed – OxLEP’s Strategic Economic Plan – and written response

## **Addresses**

- 1. Address by Nigel Gibson, Save Temple Cowley Pools – and summary of verbal response**

### **From Councillor Price: summary of the verbal response given at the meeting**

Three points were made:

- Transparency – usage data and information about the leisure centres is published, as is all the information about planning applications and other schemes mentioned.
- Consultation is embedded and taken into account in decision making as appropriate: it is used as information and we do not automatically do everything people want us to.
- Voting in local elections is slightly better than the national average and so there is nothing to suggest people do not vote in significant numbers and that their views are not reflected.

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 –and summary of verbal response**

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 (from local estate agents)* 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.

### **From Councillor Rowley: summary of the verbal response given at the meeting<sup>1</sup>**

Thank you for your address. The full cost is being met from the Housing Revenue Account (from tenants’ rents) and leaseholders are charged their proportionate contribution, less those works considered in law to be enhancement works in excess of the council's obligations which are not rechargeable to leaseholders. We have referred the charges to the independent leaseholders’ tribunal and we will abide by their decision. It would not be fair to charge tenants more than their fair share nor to refrain from doing works to extend the life of the flats by 30 years.

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<sup>1</sup> **Note added on 24 May 2016, subsequent to the meeting, to clarify and correct the response:**

- (1) *In fact, at the time of this note, the application to the tribunal is in the process of being prepared. The Council will notify leaseholders when the application to the tribunal is made.*
- (2) *While this is the belief and the aim of the Council in undertaking the works, there is no guarantee or warranty to that effect.*

### **3. Address by Artwell - Barton refurbishment – and summary of verbal response**

#### **Summarised to reflect the speech as delivered**

*As you all know* 3.7 million pounds will be spent in Barton and most of that will go on Underhill Circus, the Neighbourhood Centre and a few other things, 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. *I understand the Neighbourhood Centre does not welcome parties.*

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 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. I have not received a reply of any kind.

Some of that money ought to be used to give the youth of Barton a place to party. I ask you to redirect some of the £3.7m to a policy to make the people happy.

#### **From Councillor Rowley: summary of the verbal response given at the meeting**

The existing pavilion has had great success holding celebrations as the new one will. St Mary's Church hall is a building for community use owned by the church, and since it closed we have been doing our best to find a way of providing a community hall. We cannot simply gift money to the church to refurbish it but are willing to enter partnerships with them. In the last months this approach is looking more promising as the church is more able and willing to help. I have written to the church and trustees to emphasise the need and will continue to work with potential partners to enable a community facility to reopen in Edgecombe Road.

## Questions

### **4. Question from Nigel Gibson – demolition of Temple Cowley Pools – and summary of verbal response**

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?

### **From Councillor Price: summary of the verbal response given at the meeting**

I was not aware of the email (from council officers) referred to until I saw this question, but the information in my email was substantially true and not misleading. The site is owned by Catalyst and they can decide when to clear it. I understand Council officers in July were concerned about the health and safety implications of the building left empty, hence the email that Nigel refers to. There is no obligation on Catalyst to act upon this on Catalyst as it is their decision and as you can see they have chosen not to act.

## **5. Question from Cassi Perry – Waterways Public Space Protection Order (PSPO) and protection from complaints – and written response and summary of verbal 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 *sometimes* 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 and?

### **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.

### **Summary of the verbal response given by Councillor Sinclair at the meeting**

As referred to in earlier debate, the Council is absolutely committed to people being adequately housed and it would be wonderful if the housing company can come up with alternative accommodation. I am particularly concerned at the totally unacceptable harassment and abuse and important that these are reported so that these can be addressed. I am concerned that these issues are only now coming to light and I am sorry that this has not been brought to our attention sooner. There is no stronger voice than those who live on the river and I am interested in what you have to say.



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

### **Summary of the verbal response given by Councillor Sinclair at the meeting**

Thank you for coming along and giving your statement. We understand and completely accept that your boat is your home with all the rights that go with that. I am concerned that these incidents are only now coming to light. Please report all of these. The Public Involvement Board is an officer group which has met to decide on the way forward with consultation. You will be given the opportunity to fully contribute. This is an opportunity to talk to boat dwellers as specific group to find ways of reducing the kind of behaviours that make life difficult for everyone.

## **7. Question from Alex Wood - PSPO definitions – and written response and summary of verbal response**

*I would like to thank Cllr Sinclair for her commitment to engaging boaters in the debate and hope she engages more fully with the discussion.* 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.

### **Summary of the verbal response given by Councillor Sinclair at the meeting**

Councillor Sinclair repeated her previous responses.

Question from Jon Ody – PSPO supporting evidence – and written response and summary of verbal response

My name is Jon Ody. I am a marine engineer working on boats in Oxford, founding partner of Green Boat Services.

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 City Executive Board report of the 17th March 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.

### **Summary of the verbal response given by Councillor Sinclair at the meeting**

I have asked the council's legal officers to investigate and anything detrimental to you personally will be removed if this is possible. Councillor Sinclair repeated previous assurances.

## **8. Question from Jo Hamilton - PSPO alternative options – and written response and summary of verbal 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.

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.

### **Summary of the verbal response given by Councillor Sinclair at the meeting**

Councillor Sinclair repeated her previous responses and said the introduction of the PSPO was still to be decided.

## **9. Question from Penny Schenk – PSPO – and written response and summary of verbal 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 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 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.

### **Summary of the verbal response given by Councillor Sinclair at the meeting**

The existing PSPOs were about preventing anti-social behaviour and decisions were taken by more than one officer and using the correct procedures. The council needed to work within the legislation available.

## **10. Question from Ruth Anderson - British Waterways Act 1995 and legislation – and written response and summary of verbal 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.

### **Summary of the verbal response given by Councillor Sinclair at the meeting**

She was not aware of the Canal and Rivers Trust’s work.

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

*Ms Marshall did not attend to ask her question, reproduced here as submitted in writing.*

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.

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