

MINUTES OF THE COUNCIL

Thursday 29 September 2016



COUNCILLORS PRESENT: Councillors Altaf-Khan (Lord Mayor), Humberstone (Deputy Lord Mayor), Brown (Sheriff), Cook, Abbasi, Azad, Brandt, Chapman, Clarkson, Coulter, Curran, Fooks, Fry, Goddard, Goff, Haines, Henwood, Hollingsworth, Iley-Williamson, Kennedy, Landell Mills, Lloyd-Shogbesan, Lygo, Malik, Munkonge, Paule, Pegg, Pressel, Price, Rowley, Sanders, Simm, Simmons, Sinclair, Smith, Tanner, Tarver, Taylor, Thomas, Turner, Upton, Wilkinson and Wolff.

Tribute to the Council's Monitoring Officer, Jeremy Thomas

The Lord Mayor announced the sudden and unexpected death of Jeremy Thomas, the Council's Monitoring Officer and Head of Law and Governance, on 11 September. The Lord Mayor and Councillors Price, Fooks and Simmons, on behalf of their groups, paid tribute to Mr Thomas and Council observed a minute's silence in his memory.

29. APOLOGIES FOR ABSENCE

Councillors Anwar, Gant, Hayes, and Wade submitted apologies.

30. DECLARATIONS OF INTEREST

Minute 39: Councillors Abbasi and Malik declared that this item affected one of their disclosable pecuniary interests and left the chamber for the duration of this item.

31. MINUTES

Council agreed to **approve** the minutes of the ordinary meeting held on 25 July 2016 as a true and correct record and that the Lord Mayor should sign these as such.

32. APPOINTMENT TO COMMITTEES

There were no changes to appointments.

33. ANNOUNCEMENTS

At the invitation of the Lord Mayor, the Deputy Lord Mayor spoke about the award of the Freedom of the City to Lesley Dewhurst at a ceremony on 14 September.

The Sheriff informed Council:

- she had attended the Battle of Britain commemoration ceremony;
- she had attended the match between MK Dons and Oxford City football teams;
- she had taken part in the successful annual round up of cattle on Port Meadow and thanked all who had supported this.

The Leader of the Council asked Councillor Rowley to make a statement.

Councillor Rowley said:

Members will be aware from press reports that I was involved in an incident at the count for the EU referendum held in the Town Hall on the evening of 23rd June 2015. I would like this evening to make a statement of apology to Council and to the wider public in respect of my conduct that night.

My actions on arriving at the count that night fell far short of the conduct which is expected of elected members of Council. I caused a number of members of staff an unnecessary degree of distress while they were simply doing their job.

I am sorry that my actions escalated the situation I have sent a personal apology to the town hall and security staff on duty that evening. However it has to be emphasised that all members of council staff are entitled to respect at work at all times. This statement therefor conveys a similar apology to my fellow councillors, the wider public, and everyone who works for this council

The Lord Mayor thanked Councillor Rowley and stated that this concluded the matter.

34. PUBLIC ADDRESSES AND QUESTIONS THAT RELATE TO MATTERS FOR DECISION AT THIS MEETING

There were no addresses or questions.

35. SUBMISSION TO ERDF INNOVATION CALL FOR OXFORDSHIRE

Council considered a report to the City Executive Board on 15 September 2016 requesting approval to commit match funding towards the Oxford City Council led element of the ERDF Innovation allocation for Oxfordshire if funds are successfully awarded.

Council resolved to approve the required match funding to deliver the capital (£33,939) and revenue (£45,000) elements of the projects detailed in this report.

36. QUARTERLY INTEGRATED PERFORMANCE 2016/17 - Q1

Council considered a report to the City Executive Board on 15 September updating Members on the Council's Financial Risk and Performance as at 30 June 2016, including requests for changes to the budget.

Council resolved to approve the additional budget of £0.118 million and £0.399 million for Super Connected Cities and Disabled Facilities Grant expenditure (*respectively*) to be financed from external grant funding in accordance with paragraph 12 of the report.

37. REVIEW OF BUILDING CONTROL FEES AND CHARGES 2016

Council considered a report to the City Executive Board on 15 September setting out revised Building Control application fees and introducing one new charge.

The Council's Constitution requires that in-year changes to fees and charges are referred to Council for decision.

Council resolved to approve the proposed Building Control application fees and charges as set out in the report and the appendix to take effect from 30 September 2016.

38. TREASURY MANAGEMENT ANNUAL REPORT 2015/2016

Council considered a report to the City Executive Board on 15 September 2016 setting out the Council's treasury management activity and performance for the financial year 2015/2016. Appendix 1 proposed limits to Money Market Fund investments, AAA rating, of £25m per institution, with a maximum maturity period of 'liquid'.

Council resolved to approve the amendment to the Specified Investments list attached at Appendix 1 and paragraphs 35 – 37 of the report.

39. HACKNEY CARRIAGE & PRIVATE HIRE: PROPOSALS TO AMEND THE CRITERIA AND CONDITIONS APPLICABLE - SAFEGUARDING

Councillors Abbasi and Malik, having declared that this item affected one of their disclosable pecuniary interests, left the chamber for the duration of this item.

Council considered a report to the General Purposes Licensing Committee on 20 September 2016 asking for approval of amendments to the criteria applicable to the Hackney Carriage and Private Hire trades in order to promote safeguarding and awareness of safeguarding.

Council resolved to adopt the amendments to the criteria applicable to the Hackney Carriage and Private Hire trades as set out in the report and appendix.

40. APPOINTMENT OF MONITORING OFFICER AND RETURNING OFFICER

Council considered a report from the Chief Executive recommending changes to the appointments of statutory officers.

Council resolved to

1. with immediate effect, appoint Peter Sloman, Chief Executive, as the Council's Returning Officer and Electoral Registration Officer; and
2. with immediate effect designate Lindsay Cane, Acting Head of Law and Governance, as the Council's Monitoring Officer.

41. ATTENDANCE MANAGEMENT POLICY AND PROCEDURE

Council considered a report of the Head of Business Improvement seeking approval of the implementation of a revised Attendance Management Policy and Procedure.

The Board Member for Customer and Corporate Services reported that the unions (Unison and UNITE) had raised no concerns about the policy.

Council resolved to:

1. approve the Attendance Management Policy and Procedure attached at Appendix 1 to the report with immediate effect; and
2. delegate authority to the Head of Business Improvement to amend the policies to reflect administrative changes and to correct any factual or legal errors.

42. CITY EXECUTIVE BOARD MINUTES

Council had before it the minutes of the City Executive Board meetings of 14 July, 8 August and 15 September 2016.

On Minute 56, Councillor Fooks asked for the breakdown of the £452M invested on the Northern Gateway project.

On Minute 56, Councillor Simons asked about the status of the Scrutiny Committee's comments. The Leader reported that these were included in the council's comments to the Local Enterprise Partnership (LEP) and were likely to be included in the final LEP document.

43. QUESTIONS ON NOTICE FROM MEMBERS OF COUNCIL

Councillor Azad joined the meeting at the start of this item.

Members of Council submitted 29 written questions to members of the City Executive Board. The questions, written answers, and summaries of supplementary questions and answers are in the supplement to the minutes.

44. PUBLIC ADDRESSES AND QUESTIONS THAT DO NOT RELATE TO MATTERS FOR DECISION AT THIS COUNCIL MEETING

Council heard addresses and questions to members of the City Executive Board from members of the public submitted in accordance with the Council's procedure rules.

Addresses were heard from:

Fran Ryan, Homes for Oxford – solutions to Oxford's housing need
Dr Ruvy Ziegler - Unaccompanied Refugee Children: Oxford's Role

Questions were heard from:

Mr Artwell - Community Centre Management
Dr Stefan Piechnik - Tower Block refurbishment

Board members responded to the addresses and questions.

The Lord Mayor thanked those speaking.

The supplement to the minutes contains the full text of addresses and questions delivered as submitted; and written responses and summaries of verbal responses from the Board Members.

45. OUTSIDE ORGANISATION/COMMITTEE CHAIR REPORTS AND QUESTIONS

Council had before it a report of the Board member for Clean and Green Oxford on the work of the Oxford Environment Partnership.

Councillor Tanner introduced the report.

In response to questions he said:

- he proposed that the council look at significantly improving standards in new buildings to reduce carbon emissions;
- all councils have and were continuing to make representations about the lack of electricity grid capacity in the county.

Council noted the report.

46. SCRUTINY COMMITTEE ANNUAL REPORT

Council had before it the 2015/16 Annual Report of the Scrutiny Committee.

Councillor Simmons, the Committee's Chair for 2015/16 spoke on the report and thanked the members and Chairs of the Panels and the committee members for their work and the difference this had made to the Council's policies.

The Leader thanked Councillor Simmons and the council's scrutiny officer for their work over the year.

Council noted the report without comment.

47. MOTIONS ON NOTICE

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

Motions adopted

1. Local Government reorganisation
3. Housing Benefit
4. Refugees and Immigration

Motions rejected

2. Banning Glyphosate

Motions not taken

Two motions were not taken because the time allowed in the Council's procedure rules had elapsed.

5. EUchoose: Oxford's future within the EU
6. Re-introduction of Grammar Schools

The full minute and text for each adopted motion is below.

(a) Local Government reorganisation

Councillor Wilkinson, seconded by Councillor Fooks, proposed Councillor Gant's submitted motion:

Council notes that government is still open to practical suggestions for local government reorganisation.

Council notes that the benefits are far more likely to be achieved if council leaders in Oxfordshire are serious about reaching a consensus.

Council also notes that both of the recently-commissioned reports identified strengths and weaknesses in each proposal, and made recommendations for addressing them.

Council believes these recommendations are capable of forming the basis for further discussion.

Council therefore:

- *Calls on all council leaders in the county to resume talks about a workable model of local government reorganisation, with the express intention of reaching a workable consensus, and with the primary objective of achieving the best outcomes for the people of Oxford in terms of service delivery and efficiencies, while ensuring local accountability is retained or enhanced.*
- *Calls on the leader of Oxford City Council to play a full and constructive part in such talks.*

Councillor Price, seconded by Councillor Tanner, proposed an amendment:

- *Sentence 1: replace 'local government reorganisation' with 'devolution of funding and powers to local government'*
- *Sentence 2: replace everything after 'notes that' with 'the government have made it crystal clear that devolution deals will only be agreed with groups of local authorities that make unified and consensual proposals to government' In the section after Council therefore: replace 'local government reorganisation' with 'devolution'.*

After debate and on being put to the vote, the amendment was declared carried.

After being put to the vote, the amended motion was declared carried.

Council resolved to adopt the motion as set out below:

Council notes that government is still open to practical suggestions for devolution of funding and powers to local government. Council notes the government have made it crystal clear that devolution deals will only be agreed with groups of local authorities that make unified and consensual proposals to government.

Council also notes that both of the recently-commissioned reports identified strengths and weaknesses in each proposal, and made recommendations for addressing them.

Council believes these recommendations are capable of forming the basis for further discussion.

Council therefore:

- ***Calls on all council leaders in the county to resume talks about a workable model of devolution, with the express intention of reaching a workable consensus, and with the primary objective of achieving the best outcomes for the people of Oxford in terms of service delivery and efficiencies, while ensuring local accountability is retained or enhanced.***
- ***Calls on the leader of Oxford City Council to play a full and constructive part in such talks.***

(b) Banning Glyphosate

Councillor Brandt, seconded by Councillor Thomas, proposed her submitted motion:

This Council notes that there is growing evidence that glyphosate is a higher health risk than previously assumed, and that the World Health Organisation has recently upgraded glyphosate to ‘probably carcinogenic to humans’.*

It further notes that other local councils in Britain - Hammersmith & Fulham being the most recent - have already decided to ban the use of glyphosate and other chemicals from all their own operations. This is in the wake of large cities all over the world - such as Barcelona, Hamburg and Paris - who have already decided on a ban, and the Netherlands and Denmark, which have banned the use of glyphosate in urban areas.

In light of the known risk to human health, this Council resolves to ask the City Executive Board to follow the precautionary principle and:

- 1. Pledge to cut out the use of glyphosate completely from all its in-house operations (including in Parks, and Streetscene) within one year.*
- 2. Consider the one year period until the ban takes effect as a testing period, during which the council will test non-chemical and mechanical alternatives to glyphosate. Banning glyphosate will not result in increased use of other chemical weed-killers.*
- 3. Use the opportunity of the end of the current weed spraying contract in April 2017 to request the contractor ceases to use glyphosate, or find another local contractor who will abide by a glyphosate ban.*
- 4. Grant an exception to the above ban regarding the control of Japanese knotweed, or other invasive species, where there are currently no effective mechanical techniques available. However, in this case glyphosate will only be stem-injected, rather than sprayed, to reduce its spread in the environment.*

* “The IARC Working Group that conducted the evaluation considered the significant findings from the US EPA report and several more recent positive results in concluding that there is sufficient evidence of carcinogenicity in experimental animals. Glyphosate also caused DNA and chromosomal damage in human cells, although it gave negative results in tests using bacteria.”(International Agency for Cancer Research (IACR), WHO, Monograph Volume 112: evaluation of five organophosphate insecticides and herbicides, 20th May 2015. <http://www.iarc.fr/en/media-centre/iarcnews/pdf/MonographVolume112.pdf>

Councillor Landell Mills, seconded by Councillor Goddard, proposed an amendment:

After point 4 add:

- 5. Undertake that the year-long ban on glyphosate is reviewed to assess the cost of using alternative weed controls, their effectiveness and the environmental benefits, and any extra demands placed on staff time.*

This amendment was accepted by the proposer.

After debate and on being put to the vote, the amended motion was declared lost.

Council resolved not to adopt the motion set out above.

(c) Housing Benefit

Councillor Hollingsworth, seconded by Councillor Simmons, proposed his submitted motion:

On being put to the vote, the motion was declared carried.

Council resolved to adopt the motion as set out below:

Council notes that the government has made a statement about the future of housing benefit in supported accommodation. Council believes that while the government's proposed delay in the restriction of housing benefit to the level of the Local Housing Allowance until 2019/20 is welcome, this change still runs the risk of jeopardising the future of hostels and other services such as refuges. Council believes that the proposed restriction of rents to the LHA level, with the remainder funded by a "top up" of funds locally, relies upon making an adequate level of funding available locally, and also giving certainty to supported accommodation providers to allow them to plan and invest. Council regrets the decision to insist upon a 1% rent reduction in supported housing for each of the next three years, and believes that, at a time of cuts to other public funding, this will impose unacceptable pressure upon hostel providers in Oxford and elsewhere.

Council resolves to ask the Leader and Chief Executive to make appropriate representations to our local MPs, and also respond robustly to the forthcoming government consultation on this issue.

(d) Refugees and Immigration

Councillor Landell Mills, seconded by Councillor Goddard, proposed his submitted motion, including his amendments submitted subsequent to publication of the agenda.

On being put to the vote, the motion was declared carried.

Council resolved to adopt the motion as set out below:

Council notes:

- 1. the refugee crisis over the summer including refugees from Syria but also from other countries; the publication of a House of Lords report on unaccompanied migrant children in July 2016 and the visit by a delegation of senior local government figures to the Calais 'jungle' migrant camp in August 2016.***

2. *that an estimated 88,000 unaccompanied children are believed to be travelling through continental Europe, falling prey to exploitation and abuse.*
3. *and celebrates the generous response of Oxford residents at the 'Refugees Welcome' event last September and the excellent ongoing work of Asylum Welcome and other refugee organisations, and confirms its commitment to build on that spirit of welcome.*
4. *that Coventry City Council initially undertook to accommodate 50 of the most vulnerable Syrian refugees, and now houses around 250 refugees.*
5. *the significant work of council officers in coordinating a county wide group to welcome refugees, and this week's announcement of a further 10 families*

Council believes and agrees:

1. *that the UK must welcome its fair share of refugees to ease this crisis including unaccompanied refugee children.*
2. *that Oxford, as a city of sanctuary, should be at the forefront of the effort to promote safety and inclusion to people seeking refuge and sanctuary.*
3. *that refugees contribute a huge amount to local communities throughout the UK.*
4. *that, the whole process of resettlement - from assessment overseas, through placement with individual councils, to accessing essential services – must be rooted in the best interests of the child and adequately resourced.*
5. *that central Government should make additional funding available to local authorities to help with this and to build capacity, recognising pressures on housing and schools.*
6. *that, working together, local and central government can provide safety, stability and support to children in desperate need.*
7. *with the comments of David Simmons, Chair of the Local Government Association's Asylum, Refugee and Migration task group, that councils require more funding to cope with the resettlement challenges.*

Council therefore:

1. *welcomes the central Government's commitment in the Immigration Act 2016 to create a resettlement scheme to bring unaccompanied refugee children from continental Europe to safety in the UK, but notes the very slow progress that has been made in implementing a scheme to cater for this highly vulnerable group.*
2. *calls council members to sign Liberty's statement of support, pressuring central government to honour its commitment without*

delay (<https://www.liberty-human-rights.org.uk/campaigning/protect-refugee-children>).

3. *recognises the important role that the City Council and residents of Oxford have been playing in caring for children and their families seeking sanctuary, and the excellent liaison with the County Council that has been developed over the past 18 months in caring for unaccompanied minors.*
4. *urges central Government, by writing to appropriate Ministers, to work closely with local government to ensure that councils have the funding and support to build the essential regional infrastructure necessary to secure the placement and support of children across the country, especially in relation to housing provision, educational needs, and English language provision, and help us build them a brighter, safer future.*
5. *endorses the proposal to accommodate a further ten families under the SVPRS in 2017, that has been lodged with the Home Office and the Regional Partnership.*

The meeting started at 5.00 pm and ended at 8.45 pm

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