

To: Council

Date: 27 November 2017

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

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 is republished after the Council meeting as part of the minutes pack. This lists the full text of speeches delivered as submitted, summaries of speeches delivered which differ significantly from those submitted, and written and summarised verbal responses.

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

Addresses in part 2

1. Address by Dr Ramzy – removal of Freedom of the City
2. Address by Gunnar Niels, Chair, Summertown Stars AFC and Richard Lawrence-Wilson - Request to rebuild pavilion at Five Mile Drive Recreation Ground
3. Address by Elise Benjamin - Please provide agreed cycle parking at Westgate
4. Address by Artwell - Public accountability for the ODS
3. Address by Artwell – Standards Committee

Questions in part 2

1. Question from Judith Harley – part of Local Plan Policy SR2

Addresses in part 2

1. Address by Dr Ramzy – removal of Freedom of the City

Dear honourable members of Oxford City Council,

I write with reference to the widely reported ethnic cleansing and forced exodus of hundreds of thousands of Rohingya people and the role of Ms Aung San Suu Kyi, the noble peace prize winner and the de facto leader of Myanmar, in these atrocities.

I would like to bring your attention to the worldwide criticism of Ms Suu Kyi for standing in support of Burma's military campaign of murder, rape and torture against the Rohingya minority Muslim group.

I, and millions of people in Oxford and across the UK, believe that Ms Suu Kyi has ignored her duty to humanity and peace and has failed to speak out against the ethnic cleansing, rape and torture of innocent people whose only crime was to be Muslim.

Ms Suu Kyi has decided to stand in silence whilst the people of Rohingya are killed, tortured, and raped on her doorstep. Her only reaction has been to say this is "fake news". She has failed to recognise the UN's description of the action against Rohingya as a "textbook example of ethnic cleansing".

Standing silent in the face of the horrific acts against the Rohingya people calls the people of Great Britain to question whether Ms Suu Kyi deserves to hold the honour of the freedom of many cities in the UK, including the city of Oxford.

As one of the representatives of Muslims in Oxford and Oxfordshire, I would strongly endorse that Ms Suu Kyi is stripped of any outstanding or honorary titles that she has received in Oxford or any other part of the country.

I strongly believe the Honourable members of the Oxford City Council will keep upholding the standards of Oxford City, the best academic city in the world, and maintain the highest possible standards of justice and fairness that Oxford City deserves.

I thank you and God bless you all.

Dr Sheikh Ramzy

2. Address by Gunnar Niels, Chair, Summertown Stars AFC and Richard Lawrence-Wilson - Request to rebuild pavilion at Five Mile Drive Recreation Ground

Summertown Stars AFC

Request to rebuild pavilion at Five Mile Drive Recreation Ground

Address to Oxford City Council on 27 November 2017 (first part)

We request the Council to build a permanent pavilion at Five Mile Drive to replace the one that was demolished a few years ago, and to support us meanwhile with a temporary Portakabin. This is vital for the club to continue to offer football to hundreds of girls and boys.

Summertown Stars is the largest youth football club in Oxfordshire. We have around 750 players, a quarter of them girls, and over 50 teams, from under-6 to adult, plus a team for the visually impaired. A third of these teams, in the younger age groups, play at Five Mile Drive.

At Cutteslowe Park, our other home ground where two-thirds of our teams play, the Council and Club successfully completed the Bottom Pavilion in September 2016, an £800k project for which Summertown Stars had secured £600k of funding from the Football Foundation thanks to our Community Charter Standard status.

But at Five Mile Drive we are still without any proper facilities since the old pavilion was demolished a few years ago. This is unacceptable. Around 250 girls and boys from the younger age groups play at Five Mile Drive every weekend, and the club cannot provide even the most basic facilities to players, visiting teams and parents. We have had many complaints, and indeed a formal warning from the Oxford Mail Girls Football League last month.

Our needs are basic, but they are essential: a facility with two toilets (male and female), a small kitchen and room to offer refreshments to players, parents and the teams visiting from across the County, and separately a room or container for storage.

The Council provided a small, temporary welfare unit after the Club last addressed the Council (February 2016), but this is not fit for purpose. We seek the support from the Council for a new temporary solution involving a Portakabin – paid for by the Club – and a container for storage.

But the real long-term solution we are urging the Council to provide is a new pavilion that can be shared with the local Community, and that provides the right basic facilities to the 250 girls and boys playing at Five Mile Drive every weekend.

Thank you.

Gunnar Niels, Chair, Summertown Stars AFC Five Mile Drive Area Residents

Request for a replacement pavilion with a community space at Five Mile Drive Recreation Ground and support for Summertown Stars AFC

Address to Oxford City Council on 27 November 2017 (second part)

I am speaking on behalf of the community living around Five Mile Drive recreation ground. You have just heard about the desperate need for toilets and facilities for hundreds of girls and boys who play football there every week. Their situation is an absolute disgrace and shames us all. Local residents fully support the Summertown Stars request, and we are also desperate to see Five Mile Drive pavilion replaced with a building that includes a space for the community.

About 480 families, 1,300 people of all ages live within 500 metres of the pavilion. We are hemmed in on three sides by busy trunk roads and on the fourth by private land.

Apart from the recreation ground we have no amenities whatsoever - no shop, no pub, no community centre, no church, no school. There is no local hub or meeting place.

Community celebrations and meetings were held in the pavilion for over 50 years. It was our polling station. But it gradually became unsafe until only the toilets could be used. In 2013 we were delighted when the City Council announced that 12 pavilions including Five Mile Drive were going to be improved. Since then all the others have been upgraded or replaced. Most recently the lovely new pavilion in Headington Quarry was opened on 27 October. The essential replacement of our pavilion has not happened. It has simply been demolished.

To sum up, I would like to quote what Councillor Linda Smith said to the press when opening the new Quarry pavilion. She said: *"By the way, it has a fantastic community space - this is something for the whole local community not just footballers"* and *"I hope to see lots of people using it for all sorts of activities from birthday celebrations to group meet ups."*

We recognise exactly what Councillor Smith had in mind. A survey of residents has shown overwhelming support for a pavilion with space for community activities. We desperately need a focus, to tackle isolation and loneliness amongst older people and get youngsters together. We join Summertown Stars in asking the Council to keep its promise, and replace the pavilion at Five Mile Drive.

Thank you.

Richard Lawrence-Wilson

Summary of verbal response from the Board Member, Councillor Smith

Thank you for the address and for the excellent work Summertown Stars do to give so many people the opportunity to participate in football. We have been very successful working in partnership to invest in two pavilions in Cutteslowe and Summertown stars were instrumental in obtaining substantial external funds for these facilities we can all be proud of.

We have assessed the need for community facilities in the city and published our community centres strategy. The assessed need in Five Mile Drive does not support council expenditure on community facilities at the moment. There are nearby suitable alternative venues. To support football on the site, we recognise the need for adequate toilets and storage and there are a number of possible solutions. We will meet to discuss options and I am sure we can provide adequate facilities to allow you to carry on with your excellent work.

3. Address by Elise Benjamin - Please provide agreed cycle parking at Westgate

Statement to Full Council meeting, 27th November 2017

Elise Benjamin

In November 2014 the West Area Planning Committee met to decide on the application for the new Westgate shopping centre.

I was a member of that committee and I remember a representative of Cyclox raising concerns about the provision of adequate cycle parking. Those concerns were shared by some members of the committee, myself included, as stated in the meeting minutes.

It was agreed that

“Details of cycle parking” as conditioned, should be presented to the Committee for decision at a later stage to “ensure that the concerns of Cyclox were addressed”.

The Committee papers also included a response from the developers, Westgate Oxford Alliance

“... applicant and City Council support aspiration to provide circa 1000 cycle parking spaces on or close to development site”

The cycle parking conditions were finally discussed over 13 months later at another West Area Planning Committee meeting in January 2016.

At that meeting it was minuted that

“The Committee were concerned to ensure that the remaining spaces for the final discharge of condition 21 (providing 1000 cycle parking spaces) were secured.”

The committee wanted the Westgate Alliance to have further talks with the County Council, and to also engage with Cyclox to ensure that the conditioned number of cycle parking spaces were met.

To be absolutely clear, Condition 21 of the outline planning permission plainly stated that details of cycle parking had to be approved in writing within 12 months of the start of construction.

Another key part of Condition 21 is that

“The cycle parking scheme as approved shall be available for use upon first occupation of the development and retained at all times thereafter.”

Anyone reading that condition would be justified in the belief that the cycle parking would be installed ready for use on the day The Westgate opened. But as we know, this is far from the case.

Planning Condition 21 actually specifies “1022 spaces in total” and goes on to say:

“The provision of cycle parking is a key element of the public realm and transport design for the Westgate Development. In coordination with Oxford City Council and Oxfordshire County Council [Westgate Oxford Alliance] have identified a range of cycle parking locations at all the main approach routes to the Westgate Development to ensure cyclists have safe, easy approach routes and locations to park their cycles.”

This is repeated in the Westgate developers own Public Realm Design Report.

Not only was there an assurance that cycle parking was to be part of the public realm of the new Westgate, but there was also an assurance that cyclists would have safe and easy approach routes and parking locations.

So, last month we had the long-awaited opening of the new Westgate, with an expectation that cyclists would be welcome. But sadly the reality was far from what was expected. Not only were there insufficient cycle spaces to comply with Condition 21, but the assertion that *“cycle parking is a key element of the public realm”* was a smokescreen for what is clearly an attempt to avoid cluttering the curtilage of a high end shopping centre with bikes.

How inconvenient for a shopping centre to have to accommodate cyclists when they want people to drive in so that they can buy more things.

As a well known local cycling blogger put it a few days after the Westgate opened

“Westgate’s website boasts of the 1000 cycle parking spaces they have provided, and the ‘Cycle Hub’ – covered, secure bike parking with a workshop run by Oxford’s well-regarded Broken Spoke Cooperative. But wait – where are all these spaces? Where is the Hub?”

Yes, when the Westgate opened there was a blatant reference on their website of a local Cycle Co-op’s apparent involvement in cycle provision at the shopping centre, adding to the cycle friendly smokescreen.

Well, I’m a member of the Broken Spoke Board and I can tell you that no such arrangement exists; which is probably why the Westgate Alliance took the page down a few days after the shopping centre opened.

So, back to what happened to the bike parking.

Well, the Westgate travel web page has been changed. It now claims

“If you come to Westgate by bike, you’ll be able to park conveniently around the centre using our bicycle spaces in the vicinity of Westgate. Indoor secure parking stands as well as outdoor parking ...is also available.”

The web page then lists the locations where they have provided cycle spaces; three around the outside of the John Lewis building, and one on Speedwell Street.

That’s a total of just 240 stands.

If you deduct the 176 spaces lost from the front of the old Westgate, and the 46 lost from the top end of St Ebbe’s, that means just 18 additional cycle spaces!

And as for the hub. It still isn’t open, has no signage or information on the web site to say when it will open, and is a mystery to staff at the Westgate information desk.

As the Chair of Cyclox recently put it, in one of many newspaper articles

“There are no cycle parking spaces in convenient locations – none at all. Overall, the storyline for cycling at new Westgate has been one of wholly inadequate planning, complete marginalisation...”

The Westgate car park was up and running in time for the opening, and the temporary council car park at Oxpens is still open, so it’s clear that for the Westgate Alliance and the

City Council Administration, car parking takes priority over cycling provision.

If you, as the political administration of this Council, are genuinely serious about making Oxford zero emission in a couple of years then you need to take action to prove that non-polluting modes of transport are important.

You need to show us that actions speak louder than words.

You need to take action to prove to cyclists that you aren't simply sitting back and letting the Westgate Alliance ride roughshod over planning conditions.

You need to take action to show that marginalising cyclists is unacceptable.

You need to take action to stop the current bike parking chaos around the Westgate with cyclists chaining their bikes to anything they can including lamp posts, the railings at Bonn Square, street signs, and public seating, because the bike racks aren't there.

Written Response from the Board Member, Councillor Hollingsworth

I think it would be helpful to spell out exactly how many cycle parking spaces are to be provided by the Westgate development. The original planning permission that was approved included 1034 spaces, of which 118 were for the residential units, 184 were in the secure cycle hub, and 732 were in the public realm.

As part of the development 88 spaces were removed from at the northern end of the site in Bonn Square. As the committee report made clear this was taken into account, so the net increase in the number of spaces was 944 spaces in total. Other spaces temporarily removed during the construction phase, such as those in St Ebbe's, will be replaced and are NOT therefore part of the calculation.

The cycle hub, which now contains 186 spaces, is fully fitted out and (at the time of writing) is planned to open in a week to ten days time when the electronic fob operating system has been tested and becomes operational. The residential cycle parking, of 118 spaces, is due for completion soon and will be open when residents start to move into the flats.

The remaining spaces are provided on street, in 25 locations around the Westgate centre. Many of these spaces have been installed, and were installed before the centre was opened – for example in Faulkner Street. Others, such as those on Old Greyfriars Street, can only be installed once the paving works are completed over the next couple of weeks. As of Thursday morning (23rd November) 410 of these spaces have been installed, with 384 currently available for use and 26 about to be when resurfacing work near them is completed. This does NOT include spaces currently installed in St Ebbe's and Pennyfarthing Place, as these are replacements of temporarily removed parking spaces, as noted above.

In order to comply with the total figure in the planning permission a further 320 spaces need to be installed (322 if the public realm figure is treated as a separate target). Westgate believe that they have identified sites for 350 spaces, and these sites have been or are being discussed with planning officers and where appropriate the County Council to ensure that they do not obstruct access for pedestrians or emergency vehicles. It is believed that there is scope for a increase in the number of spaces in St Ebbes for example.

These remaining spaces will be installed as soon as the areas in question are paved and clear of any remaining construction works, so there will be a rolling programme of cycle parking installation over the next few weeks. However because cycle parking can only be installed once there is pavement on which to install it, it is likely that the final few spaces will only be operational near the end of the final construction works, in the few weeks after Christmas.

In addition, the Council is increasing its resources for ensuring that cycle parking is kept clear of abandoned bikes, meaning that more spaces are available for use. Historically racks were inspected approximately on a quarterly basis by the Abandoned

Vehicles Officer, with a focus on machines which could be considered unroadworthy - having 2 or more repair issues, for example one flat tyre and a broken chain. This narrow definition did not of course include bikes which were abandoned.

The frequency of inspections has now been increased, with all cycle parking inspected at least monthly. The bikes that appear to be abandoned are tagged 7 days in advance or removal, and then stored for at least six weeks before disposal. In addition each rack will be deep cleaned once a year, allowing a further opportunity to identify and remove abandoned bikes.

In addition all Streetscene staff have been tasked with reporting any seemingly 'unroadworthy' bikes during their routine work or inspections, and these will be tagged at the immediately rather than being waiting for the monthly inspections.

4. Address by Artwell - Public accountability for the ODS

The Oxford Mail and the Oxford Times have recently reported the request from the soon-to-retire Labour City Council Leader, Cllr Price, asking us, the residents to “help us to create the sort of city we can be happy with.”

Consultation, if honestly conducted, is to be welcomed, and can be empowering for Oxford residents. However, there are significant areas where consultation is glaringly missing. Major changes are currently taking place within the Council Tax funded Oxford City Council, which will transform part of the Council – at the Cowley Marsh Depot – into a private, for profit company, named Oxford Direct Services (ODS); the turnover of ODS will be over forty million pounds, and the majority of the current City Council’s 300 employees at the Cowley Marsh Depot will have their contracts transferred to ODS. Where was the public consultation for all of this?

Why was this policy, to transform the City Council into a private, for Profit Company, not presented as a major Labour Party policy at the last local elections? This is a major change of accountability, and local Labour should have presented this to the people of Oxford, giving them the opportunity to comment, prior to the development of this private entity ODS. On Monday 6th November, Cllr James Fry, as Chairman of the Scrutiny Shareholder Panel, referred to ODS, and its creation, as a “Beast.”

This is a huge and major change in the nature of the City Council, and a major change in how local services are managed and delivered. Surely, Cllr Price should have sought a referendum of the people of Oxford? The Council Tax payers should have been consulted and consented prior to this.

Currently, executing citizen’s democratic duty of holding the City Council to account by writing to the servants of the Council and elected Councillors is already tardy, and the response is often shockingly unsatisfactory; even with the help and assistance of Freedom Of Information (FOI) powers. Why is the City Council permitted to create a third layer of local government that is a private company, which is not subject to public transparency, nor accountability, nor FOI requests, without this plan being offered for consultation, or as a referendum question, to the people of Oxford?

Elected Councillors, you are about to create a private company called ODS whose function is to delivery Oxford City Council services. Before you agree to this, will you please hold a referendum of the people of Oxford City, asking if they consent to the creation of this privatised company? This would determine how many residents are “happy” with this proposal, in line with Cllr Price’s recent request. In addition, will you please make it a legal requirement of the privatised ODS that it is to be subjected to the terms and conditions of the Freedom of Information Legislation?

Artwell

Barton.

Summary of verbal response from the Board Member, Councillor Turner

We are really clear this is not about privatisation: the Council is going to be the sole shareholder in its company and the point actually is to enable the Council continue to run front line services. Additional trading will be directed back into front-line services

This Council has a proud record of in-sourcing work and doing work for other organisations in the private sector, in not for profit sector, and in the public sector. Setting up this vehicle allows us to take control of our services and bring more work in so it is actually the reverse of privatisation. We can demonstrate our commitment to the values of public service through the values of our local authority trading company.

The proposal was set out in the local party manifesto and I think the vision was shared in some degree by others in the chamber at local elections so I wouldn't want to spend local people's money on a referendum.

5. Address by Artwell – Standards Committee

Artwell gave a speech about the Standards Committee meeting on 1 November which was significantly different from that submitted in writing.

In summary he said that:

Holding councillors to account and probity in public office was very serious and should rise above political colours. He attended the Standards Committee meeting on May 1st because he had submitted a complaint and wanted to hear how the Standards Committee would address these complaints. He was disappointed that Chair and the committee did not deal afresh with the complaints, and with the Chair's remarks about the untimely recent newspaper coverage. He asked Council to consider removing the Chair and replacing her with an independent Chair, independent and bold enough to speak up for probity of elected Councillors without prejudice to party politics

Summary of verbal response from the Board Member, Councillor Price

Firstly, there is no longer any requirement in the law to have a standards committee: the current government back in 2010 abolished the requirement. We retained it because we felt it was important to have the public reassurance that standards and public probity are maintained.

Because it is a committee set up under the local government act 2000 it has to conform to the proportionate membership of groups on the Council.

It is chaired by a member of the majority Labour group currently. It has four invited non-voting attendees: the Council's 'independent persons' who are chosen for their expertise and advise the Monitoring Officer and take part in the individual examination of the particular cases referred to them. They play a very important role and their contribution has been very significant in determining the outcomes of cases referred to them.

In the meeting that Mr Artwell refers to there was a report on the cases that have been dealt with in the course of the year. These were not cases to be considered at that meeting: they were cases which had been dealt with and resolved already. The Chair was perfectly right in her actions. I can assure Mr. Artwell that the Chair will not be withdrawn from that Committee.

Questions in part 2

1. Question from Judith Harley – part of Local Plan Policy SR2

Judith Harley gave a speech about the application of policy SR2 to the wildflower area of Cowley Marsh Park which was different from that submitted in writing.

In summary she said that:

Lord Mayor, Councillors,

At the last Full Council, on 2nd October, I asked a question about part of Local Plan Policy SR2 I was disappointed that my question seemed so unclear that it was not answered so I am asking it again: about the level of proof required to show that an open area provides an important green space for local residents and thus allow planning permission to remove this space to be denied.

In his reply Cllr Hollingsworth acknowledges the space at Cowley Marsh Park is important to those who wrote in but SR2 appears to contradict his stance.

I understand planning applications must be judged on their merits but surely SR2 has been met and permission should not have been granted. Which is why I am asking: what evidence is sufficient to trigger the balance of SR2 against permission? We are still not sure what the precise criteria are: what precisely and exactly do we need to provide to satisfy you and have permission refused?

Written Response from the Board Member, Councillor Hollingsworth to the original question.

The premise of the question appears to be based on a misunderstanding of the planning system. Each planning application has to be judged on its merits, and against all current national, local and neighbourhood planning policies that apply. In many cases an application that supports one planning policy may run counter to another, and in those cases it is up to the planning officers, and where appropriate a planning committee of councillors, to weigh up the competing policies and decide on balance whether the application should be approved or refused. The planning process is not a tick-box exercise.

In the case of Cowley Marsh Depot, it was acknowledged that the level of response indicated that this space was important to those local residents who had written in. However it is not the case that demonstrating that importance would automatically lead to the refusal of the planning application, as this question appears to suggest that it should. As with all planning applications, the assessment of this application took into account planning policies and other material planning considerations. The assessment has to balance the requirements of this policy against all other relevant policies and factors.

In reaching a decision in this instance, the identified harm was balanced by the size of the area where the development was proposed, the quality of that space, the fact that the majority of the park would be retained for use by local residents and the wider benefits that stemmed from the proposal. The minutes from the Planning Review Committee on 21st August record that “In determining this application a majority of the Committee were persuaded that there was a proven need for a temporary extension to the depot and that this outweighed the harm caused by the loss of open green space under policy SR2.”

In other words, the Committee recognised that there was harm because the application ran counter to policy SR2, but this was outweighed by the benefits. Different councillors could and did form different views on this balance, as demonstrated by the majority

rather than unanimous decision, but all councillors accepted that there was harm as defined by policy SR2.

Any subsequent planning application would be subject to the same process, and would be judged on the balance of its benefits and harms when measured against planning policies.

Summary of verbal response from the Board Member, Councillor Hollingsworth

Planning decisions are taken in a quasi-judicial process. Each member has to come to their own decision on the facts. There is an officer report written on basis of professional expertise but each member has to form their own view based on the weight of the policies and facts which is why you get majority not unanimous decisions. So it's impossible to answer the question as posed as each individual committee must weigh up the evidence in front of it and come to a conclusion – there is no other legal way of doing this.

This page is intentionally left blank