

**To: Council**

**Date: 1 October 2018**

**Title of Report: Public addresses and questions that do not relate to matters for decision – as submitted by the speakers and with written 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. The text reproduces that sent in the speakers and is not to be taken as statements by or on behalf of the Council and represents the views of the speakers.
3. This report is republished after the Council meeting as part of the minutes pack. This list the full text of speeches delivered as submitted, written responses, and summaries of further verbal responses.

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

### Addresses in part 2

1. Address by Artwell – IHRA code
2. Address by Judith Harley – Cowley Marsh Car Park

### Questions in part 2

3. Question from Artwell – use of glyphosate
4. Question from Nigel Gibson – Why is Oxford City Council STILL Discriminating Against the Disabled, and WHAT PRICE DISABILITY

## Addresses in part 2

### 1. Address by Artwell – IHRA code

Oxford City Council has bravely offered support to the oppressed people of Palestine by twinning with Ramallah, a Palestinian city in the central West Bank. This is to be welcome and celebrated, especially as Ramallah is only 12 miles from the village birthplace of Ahed Tamimi, a 17-year-old Semitic Palestinian girl who was imprisoned last year for slapping an Israeli soldier when (as it was reported) a soldier shot her fifteen-year-old cousin in his head.

However, Oxford City Council has also adopted the IHRA definition of anti-semitism, which effectively outlaws all criticism of the 'Jewish Only' State of Israel, and of British Jewry. The courage of Ahed Tamimi in confronting the Israeli military needs to be matched by all people, especially first world people, and Oxford people need to use their courage and liberty to speak for the Semitic people of Palestine who live under a military occupation, which is brutal in my opinion, administered by the official 'Jewish Only' State of Israel.

What democratic measures will Oxford City Council make to ensure that Oxford people who are concerned to campaign for justice for the Semitic people of Palestine, can lawfully campaign without being labelled 'anti-Semitic?'

A statement from Oxford City Council is especially important, as the IHRA code interprets criticism of the 'Jewish Only' State of Israel as 'anti-Semitism.'

### **Written Response from Councillor Brown, Leader of the Council**

I have already highlighted in this chamber that neither the definition nor the examples cited in the International Holocaust Remembrance Alliance declaration document preclude anyone from criticising Israeli government policy, but quite rightly demand that the language used to do so is appropriate. Indeed, in July I voiced my strong opposition to Israel's Nation State Law, that Jewish people have an exclusive right to national self-determination that doesn't extend to those of other faiths in that country.

*There was no further response at the meeting.*

## 2. Address by Judith Harley – Cowley Marsh Car Park

Lord Mayor, Councillors,

Just over a year ago, in August 2017, the City Council granted itself planning permission to temporarily extend, for up to 5 years, the City Council's Marsh Road Depot, and to reconfigure and extend the adjoining Cowley Marsh Park car park.

The decision notice was issued in September 2017.

Condition 14 of the grant of approval states:

“Prior to use, a management plan outlining the control measures to be employed at the Cowley Marsh Park car park in order to prevent misuse of the car park for long-stay / commuter purposes must be submitted to, and agreed by, the Local Planning Authority. The measures outlined in the plan must subsequently be implemented upon occupation.”

How is it that “misuse of the car park for long-stay / commuter purposes” does not seem to apply to employees of ODS?

The car park management plan was approved in February this year. It states:

1.1 The Marsh Recreation Ground Car Park will be managed in line with similar facilities at other Council owned Park locations;

1.2 Pay and Display machines will be sited at convenient points and a parking tariff will be applied.

Planning officers deemed this plan acceptable, and in compliance with condition 14. However, it is now October. The extended car park and Depot have been occupied for several months, yet there are still no car park Pay and Display machines. The management plan measures have not been implemented on occupation, so the City Council is in breach of planning condition 14. What will you do about this?

When the expansion proposal and budget were debated by the CEB in June 2016, I asked about the proposed use of the extended car park.

The CEB's reply envisaged enlarging the car park “for recreation users and Direct Services employees and reduce parking problems in the neighbourhood”.

Where else in Oxford has a City Council owned public car park been declared for use by City Council employees?

The City Council's stated policy is to encourage use of public transport and cycles, rather than use of private cars. Employees of ODS should be encouraged to use public transport, just like everyone else, and leave Cowley Marsh Car Park available for users of Cowley Marsh Park. How, exactly, will the Council encourage such behaviour? I asked this same question at Council over two years ago, in July 2016. The essence of the reply I received was that the Depot workers had to start so early that they couldn't use public transport and had to use private vehicles. Many residents start work just as early as ODS employees, yet they do not have the privilege of a free public car park at their disposal.

Our dilemma is, as acknowledged by the June 2016 CEB, that if ODS workers cannot park in the Cowley Marsh car park they will cause problems by parking on neighbouring streets – which they do already, especially in neighbouring Owen's Way and Temple Road. On-street parking in neighbouring streets should remain available for residents and their visitors, but the only remedy from the Council to protect this is to threaten to impose a CPZ on Temple Cowley, which residents do not want. Many properties are Victorian terraces with no off-street parking, and recent developments have minimal parking provision thanks to the City Council's short-sighted planning policies. The solution is clearly to relocate ODS. Removing ODS and the Depot would remove much

of the local parking problems. It would also remove considerable noise nuisance, and unsociable working practices, from the area. ODS have now had one year of their temporary planning permission. What progress have they made in their relocation plans?

We would like to liaise with the City Council over the tariff structure for the Cowley Marsh car park so that local businesses, especially the Marsh Harrier and MOT business are not adversely affected.

So, in summary:

1. The Depot expansion planning condition 14, car park management plan measures, have not been implemented on occupation, and the City Council is in breach of this planning condition. What will be done to rectify this, and when?
2. How is it that “misuse of the car park for long-stay / commuter purposes” does not seem to apply to employees of ODS?
3. Where else in Oxford has a City Council owned public car park been declared for use by City Council employees?
4. Employees of ODS should be encouraged to use public transport, just like everyone else, and leave Cowley Marsh Car Park available for users of Cowley Marsh Park. How and when, exactly, will the Council encourage such behaviour?
5. What progress have ODS made in their relocation plans?
6. Will the City Council agree to liaise with local residents over the tariff structure for the Cowley Marsh car park so that local businesses, especially the Marsh Harrier and MOT business are not adversely affected?

### **Written Response from Councillor Chapman, Board Member for Customer Focused Services**

It is absolutely right and proper that the planning rules are applied fairly and consistently in accordance with our policy. After investigating this matter, it would appear that there have been a number of minor issues that have culminated in delaying the swift implementation of a parking scheme. However, I am pleased to confirm that these concerns have now almost been resolved and therefore imminent progress will be made.

As regards your second question, ODS is committed to encouraging staff to use public transport. We currently operate a staff loan scheme, which enables employees to purchase reduced annual bus permits, although regrettably this does not meet the needs of a significant proportion of our staff because they live away from the bus routes servicing Oxford City and start at 5 am.

I can confirm that no car park operated by the City Council has been declared for the sole use of City Council staff. This includes Marsh Road car park, as whilst staff may elect to use this facility there is nothing to prevent others from doing so.

I believe I have addressed your fourth point, although to reiterate we are committed to encouraging use of public transport and will always explore options on how best to maximise this. That having been said, it is my view that we do need to adopt a pragmatic approach. Whilst the depot may not currently be situated in the optimum location, the Council for the time being does need to operate services from this area. To effectively manage this, it is essential that staff are recruited. However, as with any employer, it is not always possible to recruit staff from the local vicinity. In these instances, where staff are required to commute and public transport is not an option,

given the particularly early start required, they will naturally look to drive and park elsewhere.

As you have noted, it was acknowledged that if the Marsh Road car park ceased to be an option, it is highly likely that these staff would look for the nearest alternative. In this instance, the most probable outcome would be to park on-street, which would not be welcomed by most residents. I can confirm that before any parking scheme is implemented, a consultation period is undertaken. This will provide customers with an opportunity to comment on the proposal including the tariff structure. It is certainly not our intention to make the parking situation worse in Marsh Road.

In respect of Cowley Marsh Depot itself, this is Oxford Direct Services' main operations centre, with all Oxford's waste collection lorries, street cleaning vehicles, spare bins and de-icing salt stockpiles. While we are continually looking across our operations to see if there are better ways to locate and configure them, there are no current plans to change arrangements at Cowley Marsh.

*There was no further response at the meeting.*

## Questions in part 2

### 3. Question from Artwell – use of glyphosate

Question to Councillor Chapman, Board Member for Customer Focused Services, The former Oxford City Council Board Member for a Cleaner and Greener Oxford, Councillor Tanner, supported the City Council's public use of the weed killer Round Up; stating that the Council's position could be amended if the link between Round Up and cancer is better established. Councillor Tanner was replying to a Green Councillor who had questioned the safety of the City Council's Parks department using Round Up for weed control in the City.

It has been reported in the Guardian on the 10th August 2018, that Mr Dewayne Johnson has been awarded \$298m in damages after a Jury at San Francisco's Superior Court of California found that Monsanto had failed to warn consumers of the risk posed by its weed killers. The Californian Court accepted that Johnson, a former school groundskeeper's Lymphoma cancer was caused by continual contact with Glyphosate; the main ingredient of Round Up and a chemical that in 2015 the World Health Organisation has stated was "probably carcinogenic to humans." (Guardian on the 16<sup>th</sup> May 2016.)

Clearly, it is time for Oxford City Council to put the safety of its employees and the residents of Oxford first and reform its public use of this Glyphosate containing weed killer.

### **Will Oxford City Council now ban the use of all Monsanto manufactured weed killers, because of the clear danger, which Glyphosate causes to human health?**

#### **Written Response from Councillor Chapman, Board Member for Customer Focused Services**

A detailed response (below for reference) regarding the use of glyphosate was provided to the July Council meeting (23.07.18). Therefore we will continue to use the product in a controlled manner whilst it is still licenced.

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*Response to July Council meeting*

*ODS (via a specialist contractor, Charlton Environmental) applies glyphosate in accordance with manufacturers and industry standards to all street pavements and associated hard surface areas two to three times annually throughout the city (approximately 320 litres used in total). This is carried out as a pedestrian operation and is a spot treatment only, meaning only visible weeds are targeted. We do this using controlled droplet applicators (CDA), and so very little visible residue is left behind on the street surface. This helps to minimise the volume of pesticide being applied, and is the safest method of application available for our operators and for the public. This method of application uses far less product, down from 200L per hectare through*

*conventional knapsack sprayers, to between 15L and 40L per hectare using CDA machines. The products themselves have also changed, so that formulations are now safer to the public, operatives and wildlife, and most are 'clean label' and do not now even carry an irritant warning.*

*In recent years we have also applied glyphosate around the bases of all trees, so that the need for strimming throughout the season is minimised. This was brought in due to concerns surrounding the strimming causing damage to the trees across Oxford, and is usually a one off treatment in April, or in line with the first cut of the season.*

*We continue to monitor any debate about the future licencing of this product and we will only continue to use it whilst it is licenced.*

### **Supplementary response from Councillor Nigel Chapman**

Studies have produced mixed results. Some have reported a link between glyphosate and cancer and illness but studies in 2016 and 2017 have found no link. Overall there is no scientifically established link between the chemical and cancer or danger in its use. The product is still licensed. So we consider it is still proper that we use this in a safe and correct manner.

#### **4. Question from Nigel Gibson – Why is Oxford City Council STILL Discriminating Against the Disabled, and WHAT PRICE DISABILITY**

Question to the Councillor Linda Smith, Board Member for Board member for Leisure and Tackling Homelessness and Improving the Private Rented Sector

In two previous Council meetings I've brought to your attention the way in which you are discriminating against the disabled and others qualifying for a Bonus card by increasing the admission charge by 53.85%, from £1.30 to £2.00.

I am surprised that you have chosen to do nothing about this. Last time Councillor Smith provided us with a list of all the benefits that Bonus Card holders may receive, as though that was some sort of explanation. The result is that someone who qualifies for those benefits is now using central government money to subsidise your operator Fusion. I didn't think this is how it was supposed to work.

You have continued to charge a peak rate of £2 between 4 and 8 pm during weekdays – as Councillor Smith explained last time, this is apparently to discourage the disabled and other Bonus Card qualifiers from taking their exercise at times when more worthy people deserve to be able to go. Worse, these charges continue to be made even after 8pm when they should reduce by 50p.

This is something that could have been fixed the first time I brought it to your attention. I cannot believe that a Labour administration would willingly discriminate against the disabled in this way, and continue to endorse Fusion charging more than what is shown on the Price List. I understand that the Fusion computer system cannot be changed to accommodate this pricing profile, so you surely must question yourself as to who suggested it in the first place and why they thought they could get away with it.

**Can you tell me how many times people with Bonus Cards have been charged £2 after 8pm during weekdays and after 4pm at weekends since the prices were raised in April?**

##### Background

The 2018/19 increases for the Bonus Card concession increases were buried in the middle of an Appendix 7 of the budget document voted through by Council in February.

The Council offers a concessionary rate, called a Bonus card, for a range of people in need, including the disabled and their carers and different types of income support. The admission price for these concessions was increased by 53.85% from £1.30 to £2.00 at the start of April, with no advance warning, and discriminates against the disabled and those on benefits who now have to find extra money in order be able to participate in exercise. The pricing shown on the Fusion websites is in line with the Budget appendix, but not what people are being charged.

##### Written Response from Councillor Linda Smith, Board Member for Leisure

My response is the same as that I gave verbally at the last Council meeting on 23 July. In summary:

The scheme does not discriminate against disabled people. I would remind you that the Bonus card is available to people in receipt of many different benefits and offers generous discounts. The more generously low off-peak pricing is to encourage use when the centre is less busy. Fees are just part of ensuring accessibility for all residents: we also offer free swimming for under-17s and free swimming lessons for children whose families are in receipt of benefits. We will be working with Fusion on better disabled access and improving their IT systems.



### **Supplementary response from Councillor Linda Smith**

The simple answer to the question is that there is no evidence of overcharging so **there are no times** people with Bonus Cards have been charged £2 after 8pm during weekdays and after 4pm at weekends.

I have spoken to Fusion's manager who assures me that this is not something which should happen. If anyone has been overcharged in error they should contact the leisure centre with details of the Bonus Card and time of the visit and ask for a refund.

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