

## Minutes of a meeting of the COUNCIL on Monday 1 October 2018

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### Committee members:

Councillor Cook (Lord Mayor)	Councillor Simmons (Sheriff)
Councillor Altaf-Khan	Councillor Arshad
Councillor Azad	Councillor Aziz
Councillor Bely-Summers	Councillor Brown
Councillor Chapman	Councillor Clarkson
Councillor Corais	Councillor Curran
Councillor Djafari-Marbini	Councillor Donnelly
Councillor Fry	Councillor Garden
Councillor Goddard	Councillor Gotch
Councillor Haines	Councillor Harris
Councillor Hayes	Councillor Henwood
Councillor Hollingsworth	Councillor Howlett
Councillor Iley-Williamson	Councillor Kennedy
Councillor Landell Mills	Councillor Lloyd-Shogbesan
Councillor Lygo	Councillor McManners
Councillor Munkonge	Councillor Pressel
Councillor Rowley	Councillor Rush
Councillor Simm	Councillor Linda Smith
Councillor Roz Smith	Councillor Tarver
Councillor Taylor	Councillor Tidball
Councillor Turner	

### Apologies:

Councillors Malik, Gant, Goff, Humberstone, Tanner, Upton and Wolff sent apologies.  
Councillors Iley-Williamson and Turner arrived after the start of the meeting.  
Councillors Fry and Tidball left at the break.

## **26. Declarations of interest**

Minute 41 a, 41 e

Councillor Turner declared he would not take part as he was on a secondment to the Foreign Office and so would not take part in Council debates or decisions on matters of government foreign policy. He left the chamber for these debates.

Minute 41 c

Councillor Harris clarified that although he was a barrister taking legal aid cases, the motion would have no impact on his income and his DPI\*. Accordingly he remained in the chamber and took part in the debate.

Minute 41 d

Councillor Lloyd-Shogbesan noted he had a personal interest but not a DPI as he was the subject of the motion. With the permission of the Lord Mayor he took the opportunity to unreservedly apologise to Council, councillors and residents for causing distress by naively and with poor judgement sharing unsuitable posts on Facebook two years ago. He left the chamber for this debate.

Minute 41 f

Councillor Brown and Djafari-Marbini declared that the motion affected their DPI as they were employed by OUH Trust. Councillor Hollingsworth's DPI was also affected as his spouse was employed by the Trust. They left the chamber for this debate.

(Councillor McManners confirmed that as a GP he was not employed by the Trust and unaffected by this motion.)

*\* DPI is a disclosable pecuniary interest.*

## **27. Minutes**

Council agreed to approve the minutes of the ordinary meeting held on 23 July 2018 as a true and correct record subject to correcting subject to correcting text in Minute 15 'to read 'older people's champion'.

## **28. Appointment to Committees**

On being proposed by the Lord Mayor, seconded and put to the vote, the recommendation of the Standards Committee was agreed.

**Council resolved to appoint Dorian Hancock, Littlemore Parish Councillor, as the co-opted non-voting member of the Standards Committee representing the four Parish Councils in Oxford until May 2020.**

## **29. Announcements**

The Lord Mayor thanked the Deputy Lord Mayor and Sheriff for their help with civic events, and reported highlights of the last two months.

The Sheriff reported on the unsuccessful round-up but successful count of clearly healthy and active cattle on Port Meadow.

The Leader thanked those who had supported her sponsored abseil down the John Radcliffe tower.

### **30. Public addresses and questions that relate to matters for decision at this meeting**

There were no addresses or questions.

### **31. Quarterly Integrated Report, Finance & Performance Q1**

*This item was taken after the break to allow the Board Member to present it.*

Council considered a report of the Head of Financial Services and Head of Business Improvement, submitted to the City Executive Board on 18 September 2018, updating Council on finance risk and performance and seeking agreement for new expenditure requests for 2018/19.

Councillor Turner, Board Member for Finance and Asset Management, presented the report and moved the recommendations which were adopted on being seconded and put to the vote.

#### **Council resolved to:**

1. approve the increase of the HRA capital budget for Social Rented Housing Acquisitions by £0.444 million to a total of £1.479 million. This will be fully funded by Retained Right to Buy capital receipts; and
2. approve the additional capital budget for the Replacement of the Housing Computer System of £0.450 million.

### **32. Dispensations - Localism Act 2011**

Council considered a report of the Head of Law and Governance, submitted to the Standards Committee in 11 September, recommending that Council approve a number of general dispensations under the Localism Act 2011.

Councillor Aziz, Chair of that Committee, moved the recommendations which were adopted on being seconded and put to the vote.

#### **Council resolved to:**

1. approve, under Section 33 of the Localism Act 2011, the general dispensations, listed at paragraph 4 of this report **and including a dispensation for recipients of Universal Credit**, for all elected and co-opted Members of Oxford City Council;
2. agree that those general dispensations should remain in force for a period of four years; and
3. agree that the granting of individual dispensations under Section 33 of the Localism Act 2011 be delegated to the Monitoring Officer.

### **33. Statement of Gambling Licensing Policy effective from 31 Jan 2019**

Council considered a report of the Head of Community Services, submitted to Licensing and Gambling Acts Committee on 19 September 2018, setting out the revised Statement of Gambling Licensing Policy to take effect from 31 January 2018.

Councillor Cook, in his capacity as Chair of that Committee and moved the recommendations which were adopted on being seconded and put to the vote.

**Council resolved to:** adopt the Statement of Gambling Licensing Policy attached to the report on this agenda with effect from 31 January 2019.

### **34. Barton Park planning permission 13/01383/OUT**

Council considered a report of the Head of Planning, Sustainable Development and Regulatory Services recommending that Council makes a modification order to amend the time period to submit reserved matters applications on planning permission 13/01383/OUT.

Councillor Hollingsworth, Board Member for Planning and Transport, presented the report, answered questions, and moved the recommendations which were adopted on being seconded and put to the vote.

**Council resolved to:**

1. make a modification order under section 97 of the Town and Country Planning Act 1990 in respect of planning permission 13/01383/OUT to enable further applications for reserved matters to be submitted for approval in respect of the development at Barton Park; and
2. delegate to the Development Management Services Manager (soon to be the Acting Head of Planning Services), the taking of any associated action following the making of the modification order.

### **35. City Executive Board Minutes**

#### **a) Minutes of meeting Tuesday 14 August 2018 of City Executive Board**

There were no questions.

#### **b) Minutes of meeting Tuesday 18 September 2018 of City Executive Board**

##### **Minute 61 Scrutiny Committee Reports – Fusion Lifestyle**

Councillor Simmons asked about progress on the audit of Fusion Lifestyle's performance data requested by Scrutiny Committee.

Councillor Linda Smith replied that the audit would be carried out to ensure these well scrutinised figures were accurate and reliable.

### **Minute 63 – Consultation on Wolvercote Neighbourhood Plan**

Councillor Goddard asked if his thanks and appreciation could be recorded for the hard work of the Wolvercote Neighbourhood Plan team and the neighbourhood forum who had brought the plan to this stage.

### **36. Questions on Notice from Members of Council**

Councillor Iley Williamson arrived during this item.

30 written questions on notice were submitted. These, written responses, and summaries of the 14 supplementary questions and responses are set out [in the printed pack of these minutes](#).

### **37. Public addresses and questions that do not relate to matters for decision at this Council meeting**

There were two addresses to Council and two questions to Board Members.

1. Artwell gave an address asking what measure the Council would make to ensure that Oxford people who are concerned to campaign for justice of the Semitic people of Palestine could do so without being labelled ‘anti-Semitic following the Council’s adoption of the IHRA code (*International Holocaust Remembrance Alliance*)
2. Judith Harley gave an address asking about the use by council staff of the Cowley Marsh Car Park
3. Artwell asked whether the Council would reconsider its use of glyphosate in light of new evidence.
4. Nigel Gibson reiterated his previous statement that in his view the charges at the Council’s leisure centres were still not correct and still resulted in Oxford City Council discriminating against disabled people, and asked how many times people with Bonus Cards had been charged £2 after evening peak hours.

The full text of these speeches and question where these were read as submitted; responses from the Board Members in writing before the meeting; and summaries of verbal responses given at the meeting are set out [in the printed pack of these minutes](#).

### **38. Outside organisation/Committee Chair reports and questions**

This item was taken before the public addresses.

Council had before it the report of the Leader of the Council, Councillor Brown, outlining the work of the Oxfordshire Local Enterprise Partnership

Councillor Brown introduced the report and answered questions.

Council noted the report without comment.

### **39. Scrutiny Committee update report**

This item was taken before the public addresses.

Council had before it the report of the Scrutiny Committee Chair.

In the absence of the Chair, the Vice-Chair Councillor Henwood introduced the report.

Council noted the report without comment.

### **40. Motions on notice**

Council had before it seven motions on notice and amendments submitted in accordance with Council procedure rule 11.17, and reached decisions as set out below.

**Council resolved to adopt the following motions as set out in these minutes:**

- a. Freedom of the City for Benny Wenda
- b. Opposition to Investment in Fracking
- c. Improve Legal Aid
- d. Brexit and the Sustainable Communities Act
- e. Oxford Weighting

**Council resolved not to adopt Motion d – call for resignation- as set out in these minutes.**

**Motion g** - Building a statutory youth service - was not taken as the time allocated for debate had elapsed.

#### **a) Freedom of the City for Benny Wenda**

This item was taken before the break.

Councillor Simmons, seconded by Councillor Howlett, proposed his submitted motion, amended as set out in briefing note. He expressed Council's condolences for the people of Sulawesi affected by the tsunami and earthquake, and explained that the proposal made no comment about the independence movement but recognised contributions as a campaigner for peaceful democracy and to the wider life of the city.

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

**Council resolved to adopt the following motion:**

**To request the Chief Executive in consultation with the Lord Mayor to convene a special meeting of Council at a later date to consider conferring the Honorary Freedom of the City on Benny Wenda, in accordance with Section 249 of the Local Government Act 1972.**

## **b) Opposition to Investment in Fracking**

This item was taken before the break.

Councillor Roz Smith left the chamber for the duration of the debate and then returned.

Councillor Howlett, seconded by Councillor Hayes, proposed the submitted motion as set out in the agenda and briefing note.

Councillor Hollingsworth proposed and Councillor Howlett agreed an amendment to correct the name of the pension fund and include the 'pool fund' manager Brunel Pension Partnership.

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

Council resolved to adopt the submitted motion, as amended to correct the name of the pension fund and add the fund managers.

### **Council resolved to adopt the following motion:**

Oxford City Council reaffirms its opposition to investment in fossil fuels. We deeply regret the investment by the Oxfordshire Pension Fund (*the Local Government Pension Scheme (LPGS) in Oxfordshire, with LGPS Pool fund manager Brunel Pension Partnership (Brunel)*) in companies which are promoting and engaging in fracking in the United Kingdom and overseas.

Campaigners calculate that out of a total pension fund of £2 billion (£2,174,177,881), £84 million (£83,645,909) or 3.85% is invested in companies which practice fracking. The pension fund has indirect fracking investments in Shell of £24,560,465 and direct investments in BHP Billiton — £4,936,494, EOG Resources — £3,908,397, Marathon Oil — £2,819,711 and Pioneer Natural Resources — £2,650,534.

Oxford City Council is part of LGPS in Oxfordshire through which it provides pensions for our staff.

Oxford City Council believes that:

- Investment in fracking is damaging to the environment
- Investment in fracking is not a sound investment for the future
- Fracking goes against the City Council's commitment to help combat climate change.

**Oxford City Council resolves to call on the LGPS in Oxfordshire (Oxfordshire Pension Fund) and pool fund managers Brunel Partnership to disinvest in fracking in particular and fossil fuels in general and to invest instead in renewable energy, and asks the Chief Executive to inform the pension fund managers of this resolution.**

**c) Improve Legal Aid**

Councillor Harris, seconded by Councillor Roz Smith, proposed the submitted motion as set out in the agenda and briefing note.

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

**Council resolved to adopt the following motion:**

Council notes that:

1. Legal Aid was created as part of the post-war welfare state of which Liberals such as Keynes and Beveridge were key architects;
2. Legal Aid, providing legal advice and legal representation, is a vital ingredient of a democratic society without which access to justice would depend on wealth;
3. Legal Aid, already grossly under-funded, is being subjected by the Government to unprecedented further cuts, which will result in a £600 million reduction by 2019/2020, a 40% real terms cut since 1997;
4. As a result many of the poor and vulnerable are being denied access to justice; and
5. The faith of the public in the legal system is being undermined by under-staffing and chaos in our courts.

Council therefore calls on the Government to:

1. Recognize the concerns of the legal profession at all levels about this issue;
2. Consider how the reduction in legal aid provision is affecting the Government's ability to comply with its international human rights obligations, and to ensure that effective remedies are provided under British legislation.
3. Undertake an urgent independent review of the cumulative effect of legal aid reductions on the provision of access to legal advice and assistance, taking evidence from professionals, from agencies which assist litigants such as Citizens Advice Bureaux and Law Centres, and from people who are themselves affected by the lack of legal aid support, to include recommendations to ensure adequate legal aid provision;
4. Abandon the cuts planned for 2019/2020.

**Council accordingly resolves to ask the Leader of the Council:**

1. **to ask the Oxford MPs Layla Moran and Anneliese Dodds to write to the Prime Minister to communicate the resolution of the Council as expressed above;**
2. **to ask Oxfordshire County Council to join us in this request to the Prime Minister.**

**d) Call for resignation**

Councillor Lloyd-Shogbesan left the chamber for the duration of this debate and then returned.

The Monitoring Officer advised councillors that the motion was non-binding and if agreed would not compel the councillor to resign and reminded them of that the independent investigation found the Code of Conduct was not engaged so no sanctions under the Code could be applied.

Councillor Haines, seconded by Councillor Harris, proposed the submitted motion as set out in the agenda and briefing note: Council calls for Councillor Ben Lloyd-Shogbesan to resign and step down immediately as an Oxford City Councillor following his reposting of articles on Facebook, especially the claim that Cancer is not a disease but a business.

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

**e) Brexit and the Sustainable Communities Act**

Councillor Turner left the chamber for the debate on this motion and then returned.

Councillor Simmons, seconded by Councillor Garden, proposed the submitted motion with minor amendments as set out in the briefing note.

After debate and on being put to the vote, the motion as amended by the proposer was agreed.

Council agreed the submitted motion as amended by the proposer.

**Council resolved to adopt the following motion:**

This Council notes the recent use of Section 5A(b) of the Sustainable Communities Act 2007 by Plymouth City Council to demand that the Government releases “all government departmental information and analysis pertaining to the impacts upon Plymouth’s communities and businesses of the UK’s withdrawal from the European Union, including any information deemed by the government to be confidential”. Like Oxford, where a report commissioned by Finance Panel has identified the risks to our City posed by Brexit, Plymouth City Council had also identified a number of risks to the economic and social wellbeing of its communities as a result of the European Union (Withdrawal) Act 2018.

**Council agrees to similarly invoke the Sustainable Communities Act and asks the Leader of the Council to write on its behalf to the Secretary of State for Housing, Communities and Local Government, so that this Council can obtain the accurate and up-to-date information it needs to best engage with businesses, institutions and communities and inform its own actions with respect to protecting Oxford, the Council and Council services from the effects of the Government’s approach to Brexit.**

## **f) Oxford Weighting**

Councillors Brown, Djafari-Marbini and Hollingsworth left the chamber for the duration of this debate and then returned.

Councillor Bely-Summers, seconded by Councillor Aziz, proposed the submitted motion as set out in the agenda and briefing note.

After debate and on being put to the vote, the motion was agreed.

### **Council resolved to adopt the following motion:**

Oxford is the most expensive city to live in the UK. A band 2 porter working for the NHS Hospital trusts and renting a single bedroom flat in Oxford can expect to pay 85% of their wages on rent.

For staff in higher bands the situation is little better. As a result the NHS in Oxfordshire has twice the national vacancy rate. Patient care is undermined; vital cancer operations are being delayed. Staff are having to work extra shifts due to high living costs and high number of vacancies.

With a much higher proportion of BAME staff among the lower bandings these issues are disproportionately affecting them.

Local MPs support the Oxford Weighting for NHS staff to help address the recruitment and retention crisis. NHS employers would like to see additional funds to help them recruit the workforce needed to provide care for the local population.

### **Oxford City Council resolves**

- 1. to campaign publicly for Oxford Weighting for NHS staff and against in work poverty with officer resources allowing data collection around this vital issue to contribute to the development of a comprehensive workforce strategy and tackle inequalities;**
- 2. to use its influence via Oxfordshire Joint Health Overview & Scrutiny Committee and the Oxfordshire Health & Wellbeing Board to call for higher wages for all;**

**to give a clear message to our NHS partners that the health of our Oxford residents is vitally important at a time when health inequalities are increasing especially in the most deprived areas of Oxford.**

## **g) Building a statutory youth service**

This was not taken as the time for debate on motions had elapsed.

**The meeting started at 5.00 pm and ended at 8.00 pm**

**Chair .....**

**Date: Monday 26 November 2018**