

Remote meeting

Minutes of a meeting of Council on Monday 5 October 2020

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Council members present:

Councillor Simmons (Lord Mayor)

Councillor Goddard (Sheriff)

Councillor Aziz

Councillor Brown

Councillor Clarkson

Councillor Corais

Councillor Djafari-Marbini

Councillor Fry

Councillor Garden

Councillor Hayes

Councillor Hollingsworth

Councillor Humberstone

Councillor Kennedy

Councillor Lloyd-Shogbesan

Councillor Malik

Councillor Munkonge

Councillor Rowley

Councillor Roz Smith

Councillor Tarver

Councillor Tidball

Councillor Upton

Councillor Wolff

Councillor Altaf-Khan (Deputy Lord Mayor)

Councillor Arshad

Councillor Bely-Summers

Councillor Chapman

Councillor Cook

Councillor Curran

Councillor Donnelly

Councillor Gant

Councillor Gotch

Councillor Henwood

Councillor Howlett

Councillor Iley-Williamson

Councillor Landell Mills

Councillor Lygo

Councillor McManners

Councillor Pressel

Councillor Linda Smith

Councillor Tanner

Councillor Taylor

Councillor Turner

Councillor Wade

Apologies:

Councillors Azad, Haines, Harris and Simm sent apologies.

The minutes show when Councillors who were absent for part of the meeting arrived and left.

27. Declarations of interest

Minute 32

During the item, Cllr Henwood sought advice. The Monitoring Officer advised that he not take part in the vote because one of the sites listed in the report was adjacent to his property and so the outcome of the vote may affect an area close to his property which was a disclosable pecuniary interest. It was not possible for the Monitoring Officer to check the location of the site relative to the property more precisely at that late stage, and upon advice Cllr Henwood abstained in the vote.

28. Minutes

Council agreed to approve the minutes of the ordinary meeting held on 20 July 2020 as a true and correct record.

29. Appointment to Committees

Council agreed to delegate authority to the Head of Law and Governance to confirm the appointment to the vacant seat on the Audit and Governance Committee following a nomination from the Leader of the Labour Group Cllr Brown.

30. Announcements

The Lord Mayor reminded Council this was his last time in the chair as Lord Mayor before handing over to his successor Cllr Lygo at the next meeting on 30 November.

It had been a more eventful extended year than he had hoped and planned for. He had been involved in communications (press releases and videos) around Covid to support public health messages, and attending online events and some in-person events as restrictions allowed. This included virtual conferences and events with Oxford's twin cities.

For Remembrance Day and Remembrance Sunday the Lord Mayor and Deputy Lord Mayor would be involved pre-recording a remembrance service and wreath laying hosted on the Council's social media platforms just before 11am on Sunday 8 November 2020. An in-person event was not possible due to Covid.

The Sheriff, Cllr Goddard, reported that he had attended fewer activities than planned and sadly many events had been cancelled because of Covid regulations. He had a thoroughly enjoyable year nonetheless despite the challenges Covid had brought.

The Leader of the Council, Cllr Brown, drew attention to the communications around Covid to support public health messages and to promote the practical and economic support the Council offered.

She welcomed new and returning students to the city.

She reported that Cllr Martyn Rush had stood down from the Council because he was leaving the city. His seat could not be filled as the government's Covid restrictions prevented by-elections until May 2021. She recorded, and the Lord Mayor on behalf of Council supported, her thanks to Cllr Rush for his excellent work as the Living Wage Champion.

The Lord Mayor asked the City Rector to speak. Rev Buckley reminded Council this was the season of harvest: a time of thanksgiving and sharing and he thanked the Lord Mayor, the Council and Councillors for all their work in the city.

31. Public addresses and questions that relate to matters for decision at this meeting

There were no addresses or questions.

32. Land acquisition and Project Approvals for the development of homes in the HRA

Council considered the report of the Head of Housing Services seeking project approval, delegations, and budget, to enable spending from the Housing Revenue Account (HRA), on land purchases, build contracts and other necessary agreements and associated development costs for the purpose of delivering affordable housing.

The Cabinet Member for Affordable Housing, Cllr Rowley, introduced the report, proposed the recommendations and answered questions. The recommendations were agreed on being seconded and put to the vote.

The Monitoring Officer advised and Cllr Henwood then confirmed that he would not take part in the vote because one of the sites listed in the report was adjacent to his property and so the outcome of the vote may affect an area close to his property which was a disclosable pecuniary interest. It was not possible for the Monitoring Officer to check the location of the site relative to the property more precisely at that late stage and upon advice Cllr Henwood abstained in the vote.

Council resolved to:

1. **approve** a revision to the HRA capital budget in 2020/21 of £31.647m, in order for the schemes listed in this report (paras 11 to 40) to be added into the capital programme funded predominantly from additional borrowing; and
2. **approve** a revision to the HRA base (revenue) budget from 2021/22 on, for £235k to be added, for the creation of the Affordable Supply Programme and Enabling Team to manage and co-ordinate the various work streams to deliver the programmes.

33. Quarterly Integrated Performance 2020/21 - Q1

Council considered the report of the Head of Financial Services and Head of Business Improvement giving an update on Finance, Risk and Corporate Performance matters as at 30 June 2020.

The Cabinet Member for Finance and Asset Management, Cllr Turner, introduced the report, outlined the pressures on the Council's finances caused by the impact of the Covid pandemic, and answered questions on the report before proposing the recommendation.

The recommendation was agreed on being seconded and put to the vote.

Council resolved to agree an increase in the capital budget relating to the replacement housing management system of £423k funding as outlined in paragraph 16 of the report.

34. Approval of a contract award for a revenues and Benefits system

Cllr Aziz joined the meeting during this item.

Council considered the report of the Head of Financial Services submitted to Cabinet on 9 September 2020 seeking project approval and delegated authority for the Head of Financial Services to award a contract for the Supply of a Revenues and Benefits system.

The Cabinet Member for Customer Focused Services, Cllr Chapman, introduced the report and proposed the recommendation. This was agreed on being seconded and put to the vote.

Council resolved to make a budget allocation of £735k within the Council's capital programme for 2020-21 and note the savings accruing to the Council's Medium Term Financial Plan.

35. Decisions taken under Part 9.3 of the Constitution

Council considered the report of the Head of Law and Governance setting out the decision taken by the Head of Paid Service (Chief Executive) using the powers delegated in Part 9.3(b) of the Constitution.

The Cabinet Member for Affordable Housing, Cllr Rowley explained the reasons for taking the decision to enter into an agreement with A2Dominion for the use of Canterbury House for 50 weeks from 3 August 2020 to accommodate rough sleepers and to allocate a budget for this.

Council resolved to note the decision taken as set out in the report

36. Extension of Chief Executive's Fixed Term Contract

The Chief Executive, Gordon Mitchell, withdrew from the virtual meeting for the duration of this item.

Council considered the report of the Head of Business Improvement asking Council to approve the recommendation of the Appointments Committee to extend the Chief Executive's fixed term contract.

The Leader of the Council, Cllr Brown, introduced the report and proposed the recommendation. This was agreed on being seconded and put to the vote.

Council resolved to extend the Chief Executive's fixed term contract to 30 April 2021.

37. Questions on Cabinet minutes

Questions asked on:

12 August - Minute 44

9 September - Minute 56.

a) Minutes of meeting Wednesday 12 August 2020 of Cabinet

Cabinet Minute 44 Quarterly Integrated Performance 2020/21 - Q1

Cllr Gant asked for an update on the eligibility for and amount of government support expected to offset additional costs, and government support to offset losses incurred, as a result of the economic and social impacts of the Covid pandemic.

Cllr Turner answered that the Council had to submit returns to Government after the Head of Financial Services had reviewed and certified that losses were Covid-related. So far roughly £3m support was anticipated, offset against £12m of losses. There may be some small support for specific work streams. It was now clear that Government expected local authorities to bear the brunt of losses.

b) Minutes of meeting Wednesday 9 September 2020 of Cabinet

Cabinet minute 56 Implementation of the Housing Infrastructure Funding (HIF) for Oxford North (Northern Gateway)

Cllr Wolff asked if the Council was exposed to bearing any of the costs for infrastructure for the Oxford North development.

Cllr Hollingsworth answered that the Council was not.

Cllr Wade asked for confirmation that if Thomas White Oxford (TWO)/ St John's College did not have to repay the £10m of HIF grant this upfront grant provision would be taken into account at a later stage when looking at the viability and the impact on provision of affordable housing, as she would like this increased from the current 35%.

Cllr Hollingsworth explained the background to the allocation of the HIF money: £10m was allocated pre-planning application based on assumptions including 25% affordable housing and the planning permission requires 35% affordable housing, a decision predicated on the £10m HIF not being repaid.

If it is to be repaid to Homes England it affects the scheme's viability. There is an ongoing discussion with Homes England about retaining the grant to be used as intended to support affordable housing, as its repayment makes it harder to secure additional affordable housing when the Council and TWO revise the viability assessments as agreed as part of the planning process.

38. Questions on Notice from Members of Council

40 written questions were asked of the Cabinet Members and Leader, and these and written responses were published before the meeting.

These along with summaries of the 12 supplementary questions and responses asked and given at the meeting are set out in the printed pack of these minutes.

39. Outside organisation/Partnership report - Children's Trust Board

The Lord Mayor took this and the next item before the public speakers were heard at around 7.00pm.

Council had before it the report on behalf of the Cabinet Member for Supporting Local Communities on the Oxfordshire Children's Trust.

Cllr Tidball introduced the report and the work of the Trust but was not able to respond to questions due to technical difficulties. She asked that members send their questions in writing to be answered outside the meeting.

Council noted the report.

40. Annual Scrutiny Report 2019-20

Council had before it the Annual Report of the Scrutiny Committee providing a report on the activity of the Scrutiny function over the civic year 2019/20.

Cllr Gant, Chair of the Scrutiny Committee, presented the report. He noted that more than half of back bench councillors participated in the work of the committee and the review groups, and he thanked all the councillors and officers involved for their contributions over the past year.

Council noted the report.

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

There were 7 addresses to Council:

- a) Clare Robertson spoke in support of motion 17a on Designated Bathing Water Status for the River Thames.
- b) Liz Sawyer spoke about Oxfordshire Liveable Streets and in support of motions 17d and 17j.
- a) Tim Jones, representing the Oxford African Caribbean MultiCultural Association, spoke about the association's plans.
- b) Tim Bearder and Andrew Heaver both spoke about the Oxford Green Belt and in support of motion 17h.
- c) A speaker spoke in support of motion 17k on Domestic abuse and Covid 19 workplace and community safety.
- d) Colin Aldridge spoke about the Vagrancy act of 1824.
- e) Magdalene Sacranie asked Council to support the Charter for Compassion.

The full text of these speeches as submitted and summaries of written responses and verbal responses from the Cabinet members given at the meeting are set out in the printed pack of these minutes.

42. Motions on notice 5 October 2020

Council had before it 12 motions on notice submitted in accordance with Council procedure rules and reached decisions as set out below.

Motions agreed:

- a) Designated Bathing Water Status for the River Thames Adopting the C40 Mayors COVID-19 Recovery Task Force principles
- b) Applying and monitoring Coronavirus Restrictions (as amended)
- c) Local Government reorganisation

- d) Introduction of Low Traffic Neighbourhoods to Oxford City (as amended)
- e) Going wild (as amended)

Motions were not taken as the time allocated for debate had finished:

- f) A consistent definition of net zero buildings
- g) Government Proposals for Planning Reform
- h) Planning system and undermining of Local Democracy
- i) Chinese New Year 2021
- j) Liveable Streets initiative
- k) Domestic Abuse and Covid-19 workplace and community safety
- l) Carbon targets

a) Cross party motion: Designated Bathing Water Status for the River Thames

Cllr Linda Smith, seconded by Cllr Wolff proposed the submitted cross-party motion as set out in the agenda and briefing note. Cllr Gant supported the motion.

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

Council resolved to adopt the following motion:

This Council notes that the River Thames is chronically polluted with sewage. It is currently legal for Thames Water to dump raw, untreated sewage into the river at times of heavy rainfall when treatment works are overwhelmed. Its sewage works spilled untreated liquid waste into the upper Thames for over 17,000 hours during 2019.

Contact with polluted water can endanger people's health; furthermore untreated sewage is bad for wildlife.

This Council asks Thames Water to immediately provide real time data of where and when sewage works are overflowing so that Oxford residents will know without delay about the risks of taking to the river to swim or participate in other water sports.

This Council calls on Thames Water to upgrade its sewage treatment works so they are fit for the 21st Century, and take account of a growing population and more extreme rainfall events due to climate change.

This Council notes that the Environment Agency has had its funding slashed since 2010 which has reduced its capacity to enforce environmental regulations. Environment Agency staff numbers have been cut and there has been a sharp decline in the amount of sampling carried out. Consequently pollution incidents have increased while the number of prosecutions have fallen.

This Council asks the Leader to write to urge the city's Members of Parliament to demand adequate government funding for the Environment Agency and to do all they can to hold the agency to account for the important responsibility it has protecting our waterways and to ask our MPs to support stricter environmental legislation for the UK after we leave the EU, and reject any proposals to use Brexit to weaken current environmental protection laws.

This Council requests Cabinet adopt plans for an application for Designated Bathing Water Status for a stretch of the Thames in Oxford.

Designation by the Department for Environment, Food & Rural Affairs would mean improved monitoring of water quality and better protection for the river from pollution. It

will ensure Oxford residents have access to the information they need to be properly informed about the risks of enjoying our beautiful river Isis.

b) Applying and monitoring Coronavirus Restrictions

Cllr Wolff, seconded by Cllr Simmons proposed the submitted motion as set out in the agenda and briefing note, and accepted the amendment proposed by Cllr Brown.

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

Council resolved to adopt the following motion:

Council notes that concerns over coronavirus (Covid19) continue with the ever present threat of even tighter restrictions being implemented here in Oxford. At the time of writing, Oxford City has entered amber alert on several occasions, based on weekly case numbers per 100,000.

On September 22 the Government announced further restrictions in England.

Under the Health Protection (Coronavirus, Restrictions) (England), published in July 2020, considerable powers have been given to Oxfordshire County Council to make a direction to, for example, to restrict access to, or close, individual premises, to prohibit certain events and to restrict access to, or close, public outdoor places in Oxford and elsewhere across the County. In September, the County agreed to pass on the powers to enforce these rules to the City alongside its existing environmental health duties.

This Council hopes that these new powers will never be needed, but agrees that it needs to be prepared to respond rapidly, strategically and decisively to the issuing of any direction as well as responding in a coordinated manner (alongside other authorities) on other local matters relating to management of coronavirus, the provision of public information and the impact on Council service delivery in Oxford (for example, liaising with the universities, public health authorities and others).

This Council therefore agrees to ask the Assistant Chief Executive and Head of Regulatory Services to *produce a detailed briefing for members* setting out how these powers will be implemented, including the decision making process, and how Members will be kept informed of action taken under these powers to ensure transparency and accountability.

c) Local Government reorganisation

Cllr Brown, seconded by Cllr Hayes proposed the submitted motion as set out in the agenda and briefing note,

Cllr Roz Smith, seconded by Cllr Gant proposed the amendment as set out in the briefing note.

After debate and on being put to the vote the amendment was not agreed.

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

Council resolved to adopt the following motion:

This Council notes that despite the urgent need to concentrate on recovery from the COVID pandemic and lockdown, the Government seem determined to pursue local government reorganisation as part of an explicit centralising and anti-democratic agenda. Evidence of the same agenda is clear in proposals for planning and for the

NHS. The Government's criteria require over-large local authorities remote from their populations, and elected mayors whose primary accountability will be to Central Government rather than to local people.

This Council recognises the enormous economic and social challenge currently facing our city and our most vulnerable citizens and states its firm resolve to take every opportunity to support local businesses, local people and their health and well-being.

Council notes that local business leaders and employers have clearly said that now is not the time for local government to be looking inward, but to be working together to solve the problems the current crisis has caused. This Council agrees.

This Council is appalled that it is in this context that the government is proposing instead to reorganise local government for ideological reasons, putting at risk our ability to support our city and its citizens in their time of need.

If, as now seems possible, the government itself feels that this is not the right approach, this Council calls upon them to make that clear. This council notes that leading Labour, Tory, Liberal Democrat and Green councillors from across the county are on the record as saying they do not support the imposition against local people's wishes of a large, remote and over centralised authority.

This Council makes clear that the expense and disruption caused by a reorganisation now would be a wilful act of harm to Oxford, our economy and our citizens.

This Council therefore asks the Leader to write to the Secretary of State to make clear their proposals for local government and to seek reassurance for local citizens that no such reorganisation will be imposed upon Oxford. Instead this Council asks that the Government gives the necessary powers and financial support to all Oxfordshire's local authorities in this time of crisis.

d) Introduction of Low Traffic Neighbourhoods to Oxford City

Cllr Landell Mills, seconded by Cllr Roz Smith proposed the submitted motion as set out in the agenda and briefing note, and accepted the amendment proposed by Cllr Hayes and the amendment proposed by Cllr Wolff

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

Council resolved to adopt the following motion:

This Council welcomes the public discussions which are taking place in this city about the value of Low Traffic Neighbourhoods (LTNs) in encouraging walking and cycling, preventing rat-running, and decreasing air pollution, while also having the positive effect of opening up residential and shopping streets for local communities, supporting local businesses and boosting community ties. This ongoing discussion is informed by successful LTNs in Waltham Forest, Groeningen in the Netherlands and Ghent in Belgium.

Council supports the efforts of Oxfordshire Liveable Streets (OLS) and the motion proposed by County Councillors John Sanders and Damian Haywood and passed unanimously by Oxfordshire County Council on 14 July 2020 to back Low Traffic Neighbourhoods and introduce them when and where feasible.

Nationwide there is a debate about LTNs. LTNs may create differences of views in a diverse city such as Oxford. In a democracy, we can all air our views and, through the pressing of points, deepening of understanding, and forging of consensus, we can

ensure that LTNs are introduced in the right way in the right places. That way change can be lasting and widely supported.

This Council notes that Tranche 1* money received by the County Council was half of that expected due in part to the lack of ambition and because of:

- The Department for Transport explicitly saying that bolder T1 proposals would win larger sums of funding, leading to the implication that less ambitious T1 proposals would win smaller sums of funding. Oxfordshire did not receive its entitlement because the schemes of the County Council were not sufficiently ambitious about meaningful change or reallocation of road space.
- Short timescales for the preparation and submission of a bid, although many other local authorities were awarded a full allocation of funding, with some receiving even more (for example, Bucks and Central Bedfordshire receiving 112% of their funding allocation).
- The rural focus of the County Council's T1 bid when the Department for Transport sought to fund areas capable of making tangible changes. This requirement should have led the County Council to focus on the transport needs of urban areas such as Oxford City.

The County Council Tranche 2 bid is more ambitious with LTNs for the St Mary's, St Clements, Divinity Road, Old Headington, New Headington, Quarry, Jericho and Walton Manor areas.

This Council therefore commits

1. to encourage local residents' groups and elected members in their efforts to engage communities in discussion about LTNs, so that they may be designed to get the main benefits without imposing unreasonable, adverse consequences. Local people know their streets better than anyone else and must be able to shape their communities. Consultation should precede the introduction of LTNs;
2. to support further studies and consultation to develop LTNs as an evidence-based and democratic approach. The benefits of transportation changes should not be conferred upon one community at the expense of any other;
3. to continue to encourage the County Council as transport authority to fund schemes including LTNs;
4. to continue to encourage the County Council to submit funding requests to national Government to deliver LTNs and related transportation changes.
5. to provide clear guidance to Councillors on the use of ward member CIL funds to support LTN scheme design and implementation.

e) Going wild

Cllr Henwood, seconded by Cllr Goddard proposed the submitted motion as set out in the agenda and briefing note, and accepted the amendment proposed by Cllr Linda Smith.

On being put to the vote without debate the motion as amended was agreed.

Council resolved to adopt the following motion:

Managed Wildlife corridors are an important means of preserving and developing bio-diversity in towns and cities and there is the potential in Oxford to create more of these important habitats.

Council resolves to work with stakeholders and partners including schools, colleges, Universities, community centres and Parish Councils to convert verges into wildlife habitats where possible.

Members of the council give their thanks to the council officers and ODS staff who have worked on proposals for increasing biodiversity in the city, these proposals include the possibility of less frequent mowing of some verges as well as the creation of additional wildlife areas in our parks and open spaces.

This Council notes that these proposals involve additional expenditure and are being considered as part of the 2021/2022 budget setting process.

This Council requests that the Cabinet Member for Leisure and Parks continues to work with officers, local councillors, residents, park user groups and other interested local community groups to improve biodiversity in our city.

f) A consistent definition of net zero buildings

This motion was not taken as the time allocated for debate had finished.

g) Government Proposals for Planning Reform

This motion was not taken as the time allocated for debate had finished.

h) Planning system and undermining of Local Democracy

This motion was not taken as the time allocated for debate had finished.

i) Chinese New Year 2021

This motion was not taken as the time allocated for debate had finished.

j) Liveable Streets initiative

This motion was not taken as the time allocated for debate had finished.

k) Domestic Abuse and Covid-19 workplace and community safety

This motion was not taken as the time allocated for debate had finished.

l) Carbon targets

This motion was not taken as the time allocated for debate had finished.

The meeting started at 5.00 pm and ended at 8.45 pm

Lord Mayor

Date: Monday 30 November 2020

*Decisions on items of business take effect immediately:
Motions may be implemented immediately or may require further budget provision
and/or reports to Cabinet before implementation.
Details are in the Council's Constitution.*

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