

## MINUTES OF FULL COUNCIL

Monday 18 April 2011

**COUNCILLORS PRESENT:** The Lord Mayor (Councillor John Goddard), the Deputy Lord Mayor (Councillor Dee Sinclair), the Sheriff (Councillor Colin Cook), Councillors Mohammed Niaz Abbasi, Mohammed Altaf-Khan, Alan Armitage, Antonia Bance, Laurene Baxter, Elise Benjamin, Tony Brett, Stephen Brown, Clark Brundin, Jim Campbell, Mary Clarkson, Van Coulter, Roy Darke, Jean Fooks, Michael Gotch, Beverley Hazell, Rae Humberstone, Bryan Keen, Shah Jahan-Khan, Ben Lloyd-Shogbesan, Mark Lygo, Sajjad Malik, Stuart McCready, Joe McManners, Mark Mills, Matthew Morton, Suanna Pressel, Bob Price, Nathan Pyle, Mike Rowley, Gwynneth Royce, Gill Sanders, Scott Seamons, Val Smith, John Tanner, Bob Timbs, Ed Turner, Oscar Van Nooijen, Ruth Wilkinson, David Williams, Richard Wolff and Nuala Young.

### 129. MINUTES

Council resolved to approve:

- (a) The minutes of the ordinary meeting held on 21 February 2011
- (b) The minutes of the special meeting held on 14 March 2011

### 130. DECLARATIONS OF INTEREST

Councillors declared interests as follows:-

- (a) Councillor Beverley Hazell declared a personal interest in agenda item 11 (Rough Sleeping Grant Allocation and Grants Allocation for Homelessness Services – City Executive Board – 9<sup>th</sup> March 2011) as she was a City Council nominated representative on Oxford Homeless Pathways (Minute 141 refers).
- (b) Councillor Stephen Brown declared a personal interest in agenda item 11 (Rough Sleeping Grant Allocation and Grants Allocation for Homelessness Services – City Executive Board – 9<sup>th</sup> March 2011) as he had a family member employed by one of the organisations listed which to receive a grant (Minute 141 refers).
- (c) Councillor Stephen Brown declared a personal interest in agenda item 11 (Rough Sleeping Grant Allocation and Grants Allocation for Homelessness Services – City Executive Board – 9<sup>th</sup> March 2011) as he was a City Council nominated representative on Oxford Homeless Pathways. (Minute 141 refers).
- (d) Councillor Antonia Bance declared a personal interest in agenda item 11 (Rough Sleeping Grant Allocation and Grants Allocation for Homelessness Services – City Executive Board – 9<sup>th</sup> March 2011) as she had recently taken up employment with an organisation listed to receive a grant. (Minute 141 refers)

- (e) Councillor Mary Clarkson declared a personal and prejudicial interest in agenda item 13 (City Executive Board Decisions (Minutes) 13<sup>th</sup> April 2011 Minute 171 – Barton Area Action Plan – Preferred Options, in relation to the possible development of Ruskin Fields) as she lived in close proximity to the site. (Minute 143 refers).
- (f) Councillor Michael Rowley declared a personal interest in agenda item 13 (City Executive Board Decisions (Minutes) 13<sup>th</sup> April 2011 (Minute 171 – Barton Area Action Plan – Preferred Options, in relation to the possible development of Ruskin Fields) as he was a former member of Ruskin College. (Minute 143 refers).
- (g) Councillor Van Coulter declared a personal and prejudicial interest in agenda item 13 (City Executive Board Decisions (Minutes) 13<sup>th</sup> April 2011 (Minute 171 – Barton Area Action Plan – Preferred Options in relation to the possible development of Ruskin Fields) as he was a member of Ruskin College. (Minute 143 refers).
- (h) Councillor Clark Brundin declared a personal interest in agenda item 13 (City Executive Board Decisions (Minutes) 13<sup>th</sup> April 2011 (Minute 171 – Barton Area Action Plan – Preferred Options, in relation to the possible development of Ruskin Fields) as he was a City Council nominated representative on the Council of Ruskin College. (Minute 143 refers).
- (i) Councillor Matthew Morton declared a personal interest in agenda item 13 (City Executive Board Decisions (Minutes) 13<sup>th</sup> April 2011 (Minute 171 – Barton Area Action Plan – Preferred Options, in relation to the possible development of Ruskin Fields) as he was employed at Elsfield which was near to the site. (Minute 143 refers).
- (j) Councillor Mohammed Altaf-Khan declared a personal interest in agenda item 13 (City Executive Board Decisions (Minutes) 13<sup>th</sup> April 2011 (Minute 171 – Barton Area Action Plan – Preferred Options, in relation to the possible development of Ruskin Fields) as he was a former member of Ruskin College. (Minute 143 refers).
- (k) Councillor Mark Mills declared a personal interest in agenda item 19 (Motions on Notice – Motion (h) - Community Land Auctions) as he was employed by a think tank that promoted community land auctions. (Minute 150(h) refers).
- (l) Councillor Alan Armitage declared a personal interest in agenda item 19 (Motions on Notice – Motion (p) – Town Greens) as, in his role as County Councillor, he was a member of the County Council’s Planning Regulation Committee. (Minute 150(p) refers).
- (m) Councillor Mohammed Niaz Abbasi declared a personal interest in agenda item 22 (Programme of Council and Committee Meetings 2011/12) as he was associated with the hackney carriage and private hire licensed vehicle trade. (Minute 153 refers).

- (n) Councillor Mohammed Altaf-Khan declared a personal interest in agenda item 22 (Programme of Council and Committee Meetings 2011/12) as he was associated with the hackney carriage and private hire licensed vehicle trade. (Minute 153 refers).
- (o) Councillor Sajjad Malik declared a personal interest in agenda item 22 (Programme of Council and Committee Meetings 2011/12) as he was associated with the hackney carriage and private hire licensed vehicle trade. (Minute 153 refers).
- (p) Councillor Shah Jahan-Khan declared a personal interest in agenda item 22 (Programme of Council and Committee Meetings 2011/12) as he was associated with the hackney carriage and private hire licensed vehicle trade. (Minute 153 refers).
- (q) Councillor Mohammed Niaz Abbasi declared a personal interest in agenda item 26 (Policy on the Relevance of Offences, Cautions and Convictions) as he was associated with the hackney carriage and private hire licensed vehicle trade. (Minute 157 refers).
- (r) Councillor Mohammed Altaf-Khan declared a personal interest in agenda item 26 (Policy on the Relevance of Offences, Cautions and Convictions) as he was associated with the hackney carriage and private hire licensed vehicle trade. (Minute 157 refers).
- (s) Councillor Sajjad Malik declared a personal interest in agenda item 26 (Policy on the Relevance of Offences, Cautions and Convictions) as he was associated with the hackney carriage and private hire licensed vehicle trade. (Minute 157 refers).
- (t) Councillor Shah Jahan-Khan declared a personal interest in agenda item 26 (Policy on the Relevance of Offences, Cautions and Convictions) as he was associated with the hackney carriage and private hire licensed vehicle trade. (Minute 157 refers).

### **131. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Graham Jones and David Rundle.

### **132. APPOINTMENTS TO COMMITTEES**

No appointments were made.

### **133. LORD MAYOR'S ANNOUNCEMENTS**

- (a) Council stood for a minutes silence in memory of Bob Hoyle, former City Councillor and Deputy Lord Mayor, who had passed away following a long illness.
- (b) Council thanked Tim Cox, who was retiring after 42 years service with the City Council, and wished him well in his retirement.

#### **134. SHERIFF'S ANNOUNCEMENTS**

None.

#### **135. ANNOUNCEMENTS BY THE LEADER**

The Leader, Councillor Bob Price thanked the Lord Mayor, Councillor John Goddard for chairing Full Council for the 2010/11 Council Year as this would be his last full council as Lord Mayor. Councillor Stephen Browen on behalf of the opposition endorsed the comments of Councillor Price.

#### **136. ANNOUNCEMENTS BY THE CHIEF EXECUTIVE, THE CHIEF FINANCE OFFICER AND THE MONITORING OFFICER**

None

#### **137. ADDRESSES BY THE PUBLIC**

Council received eight addresses of which two were written addresses, as follow:-

- (1) Ian Salisbury, a local resident submitted in advance details of his address to Council (previously circulated, now appended) on the proposed changes to the democratic arrangements of the Council. He did not support the proposals and felt that the consultation was low key and hidden from view.
- (2) Vim Rodrigo, a resident of Rose Hill submitted in advance details of his address (previously circulated, now appended) on the non-parished areas Council Tax precept that was levied on the parts of the City which did not have a Parish Council.
- (3) Patrick Coulter, chair of Headington Action and chair of Highfield Residents' Association addressed Council and submitted in advance details of his address to Council (previously circulated, now appended) on how the North East Area Committee had been successful in the area, allowing cross party working, encouraged participation and were collectively democratic and worked with the various organisations in the area.
- (4) Nigel Gibson, a local resident addressed Council on the changing face of democracy in the City and how events in Oxford had an effect on local democracy. He used as an example the closure of the Temple Cowley Pools.
- (5) Nigel Gibson, a local resident addressed Council on the steps taken by the Council to improve the City's carbon footprint and how the carbon emissions of the City as a whole were likely to be affected by these initiatives.

During this address Nigel Gibson was warned to refrain from making personal attacks on Council officers who were not able to respond.

(6) Jane Alexander, a local resident addressed Council on what leisure facilities were currently available in Blackbird Leys, what demand there was for leisure facilities across the City as a whole and how the views of existing users of leisure facilities in Blackbird Leys were influencing and being influenced by events.

(7) Peter Oppenheimer, a local resident submitted a written address as follows:

“I write to petition Council against the proposed changes, in particular the abolition or amalgamation of existing Area Committees. This change will (or would) have the effect of reducing the influence of local knowledge and awareness on planning decisions. No justification has been offered for doing this. It goes against the principle of enhancing the role of local communities in decisions affecting their daily lives and environment, a principle supported by all political parties. It will also diminish the willingness of citizens to give time and effort to thinking about local concerns, when the prospect of influencing outcomes is much reduced – “they” will decide anyhow. Local democratic commitment is a valuable and tender plant: it should be encouraged, not swallowed up or trodden upon for the sake of vague bureaucratic convenience”

(8) Peter Riddell, a local resident submitted a written address as follows:

“I am writing to express my view that the abolition of the Area Committees is a retrograde step. It means that people from other areas will have too much say on the kinds of development that take place in our area – and vice versa. This is not fair. I do not know what developments are appropriate in other areas, and others do not know what developments we would feel appropriate in our area”

In accordance with the Council’s Constitution, items (1), (3), (7) and (8) were considered with the report on proposed democratic changes (minute 152 refers). Items (2), (4), (5), and (6) were, in accordance with the Constitution Procedure Rule 11.9(g), referred to the Chief Executive.

### **138. QUESTIONS BY MEMBERS OF THE PUBLIC**

12 questions were asked by members of the public.

**(1) Question to the Board Member, City Development  
(Councillor Colin Cook) from Vim Rodrigo**

“It appears that planning policy differs between areas of Oxford. Rose Hill has had some poor decisions that are contrary to the Planning Departments advisory leaflet entitled Corner Site Extensions.

The block of flats at the junction of Ashhurst Way/Lambourn Road goes against the principles set out in Council’s Advisory Leaflet No:1. Is it one rule for the Council and another for others?”

**Response:** I believe in this instance Mr Rodrigo has misunderstood the role of the leaflet which he refers to.

The advisory leaflet on Corner Site Extensions deals (as the name suggests) with extensions to properties on a corner site – and provides useful guidance in that respect.

Mr Rodrigo refers to the Lambourn Road redevelopment site where the site was cleared and a new building erected. In this type of development the design of the site is considered against the adopted Local Plan design policies (CP. 6 to CP.14), to national advice published by people like CABI and by best practice.

Planning policy is not applied differently across Oxford.

**(2) Question to the Board Member, City Development  
(Councillor Colin Cook) from Sietske Boeles**

“Could the City Council explain the anomaly that despite a massive student hall building programme, with at least new 1000 units completed over the last 5 years, the overall number of student units for both universities has not correspondingly increased and that, in fact, the number of purpose built student units has gone down for Oxford Brookes University.

For example, the 2005/6 Annual Monitoring Report (AMR) states that Oxford University had 13.863 units vs 14.058 reported in the 2009/10 AMR which is only a net increase of 195 units.

The 2005/6 AMR states that Oxford Brookes University had 3639 purpose built units whilst the figure is 3416 in the 2009/10 AMR, which is a decrease of 223 units.

In the academic year 2005 /6, Local Plan policies ED6 and 8 stated that planning permission will not be granted for academic expansion if, for each university, 3500 or more students live outside university provided accommodation, and 3000 after 2008. Thus, with fewer purpose built units available to achieve the current 3000 target, although student numbers have increased, it seems implausible that both universities would achieve the 3000 Local Plan target.

In the light of these figures and local plan policies, what is the explanation for planning permissions that have been granted for major university developments, such as at the Radcliffe Infirmary for Oxford University and the NTLB building for Oxford Brookes University?”

**Response:** In order to respond fully to this question, it will be necessary to research the number of purpose-built units that have been completed over the last 5 years. That information is not directly monitored in the Annual Monitoring Report, and a separate written response will therefore be provided to Ms Boeles *within 10 working days*.

Although there are several proposals for new student halls that are at various stages of the planning process, the number of developments actually completed over the last 5 years may not be as many as some residents suspect. Officers do not believe that there has been a 'massive building programme' over the last 5 years, as stated in this question.

It is also important to recognise that the Annual Monitoring Report covers the period 1<sup>st</sup> April – 31<sup>st</sup> March each year, and therefore the figures reported in December 2010 did not for instance include the development for Oxford Brookes at the former Territorial Army site in Mascall Avenue.

The reference in the 2009/10 Annual Monitoring Report was to occupied units of accommodation. It may of course be the case that some purpose-built units were available but not occupied at the time the universities provided this information to the City Council.

In relation to Oxford Brookes University, the permission for the NTLB building was subject to a Grampian style condition specifying that by the time of occupation of the new floorspace the number of students living outside university provided accommodation would be below the 3,000 threshold. In relation to Oxford University the 2009/10 Annual Monitoring Report showed the number of students living outside university provided accommodation to be just below the 3,000 threshold in any event.

**(3) Question to the Board Member, City Development  
(Councillor Colin Cook) from Sietske Boeles**

"How will the City Council ensure that the universities and independent operators who provide purpose built student accommodation are enforcing local plan policies ensuring that students living in student units don't bring a car into Oxford.

At present compliance is ensured by students signing an undertaking as part of their tenancy agreement that the student will not bring a car to Oxford. Both Oxford Brookes University and independent student accommodation provider A2 Dominion have admitted that such tenancy agreements are difficult to police since the DVLA has changed its policy to provide car ownership details to the university when student are suspected to have brought a car?"

**Response:** In areas designated as controlled parking zones (CPZs) there is no identifiable parking problem in relation to students housed in purpose built student accommodation, as those properties do not normally qualify for parking permits. The County Council has for the time being paused further expansion of CPZ coverage in the city as a result of the current budgetary pressures, but the City Council is encouraging the County

Council to explore ways that would bring an early resumption of the CPZ expansion programme.

Historically, in areas outside CPZ's the universities were in a position to use DVLA data to identify whether parked cars belonged to students. As this is no longer an option, the universities have had to adapt to the change in circumstances. As such Oxford Brookes have written to all students in purpose-built accommodation reminding them of their lease terms and penalties. Students are very clear about the implications were they to be caught in breach of their leases.

Oxford Brookes is currently setting up a pilot scheme of student community wardens who will visit and talk to student tenants at their halls, raising awareness of the issue of parking and the reasons for the restrictions. They will encourage the large majority of compliant students to be the eyes and ears of their university. They will walk the streets, especially where it has been alleged that there is parking stress as a result of parking by students in halls of residence. They will put effort into identifying offending tenant students.

In addition Oxford Brookes has indicated that it will be exploring other ways of dealing with the issue in discussion with the City and the County Councils, to minimise non-compliance. The institutions remain resolute and intent on identifying any problems that may occur and are prepared to take action.

The change in DVLA practice does not negate the use of planning conditions/obligations requiring restrictions to be imposed on leases. These conditions have a deterrent effect for the vast majority of students. It is likely that there has always been a very small proportion of students in halls in breach of their leases, who manage to have the use of a car and remain undetected either by the car not being registered in their name and/or in other ways. The situation has not changed with the change in DVLA practice.

It is important to recognise that in the absence of purpose-built student halls, the parking problem would be considerably worse since there are no existing controls on students living in privately rented (or owned) shared houses or flats. Student houses can potentially give rise to multiple car ownership.

**(4) Question to the Board Member, Leisure Partnerships  
(Councillor Bob Timbs) from Jane Alexander**

“Can you please clarify the forecast concerning visits to Blackbird Leys Leisure Centre and the proposed new swimming pool? When Tim Sadler announced this figure at the Scrutiny Committee in September 2010 he was clear as far as the general public were concerned that this figure of 400,000 visits a year related to visits to the proposed new pool – subsequently



council officers have asserted that the figure was actually for the whole complex. Who is right?"

**Response:** This statement is not correct, it has been consistently stated that the projected usage is for the combined site.

**(5) Question to the Board Member, Leisure Partnerships (Councillor Bob Timbs) from David Jackson**

"Consultation – at a recent City Executive Board we were told by Councillor Timbs that a majority of 30 households that had been 'doorknocked' had expressed a preference for a new pool in Blackbird Leys, and that that justified proceeding with the project. How is it that a majority of households carries more weight than the 11,000 signatories to the largest petition in Oxford's history, or the 2,600 signatories to the petition to be debated in Council on the 18th April?"

**Response:** The door knocking exercise was local consultation with residents. The full and extensive consultation that has been undertaken at relevant stages in the project can be found on the council's website, this includes;

- Stakeholder and partner consultation
- Focus groups (these are still running currently meeting every month)
- Numerous public open sessions
- Pre planning consultation
- The use of the citizen's panel

We fully recognise the petitions that have been submitted and their content has been acknowledged.

**(6) Question to the Board Member, Leisure Partnerships (Councillor Bob Timbs) from Steve Pottinger**

"This question concerns the City's website – why, despite repeated requests and the provision of evidence demonstrating that there is incorrect information concerning the justification for the proposed new pool at Blackbird Leys on the Council website, will the Council not correct it to give a balanced and unbiased view to its council taxpayers?"

**Response:** The website gives accurate, fair and transparent information about the process.

**(7) Question to the Board Member, Leisure Partnerships (Councillor Bob Timbs) from Owen English**

"Concerning existing users of the Temple Cowley Leisure Centre – what leisure provision is the council making for the thousands of members of the public who currently use the centre, but will be unable to use the proposed new pool in Blackbird Leys because of the additional time it will take to get there, the

additional cost, or because the additional distance makes a visit infeasible due to work or childcare arrangements?”

**Response:** While the proposed pool will be a City-wide facility and is only 1.6 miles from Temple Cowley, our leisure team are continuing to work with local schools and other leisure providers such as the new Feel Fit gym in Templars Square to ensure a well coordinated leisure offer. Our leisure offer is shown on the leisure pages of the Council’s website and is updated on a regular basis.

**(8) Question to the Board Member, Leisure Partnerships (Councillor Bob Timbs) from Philippa Willcox**

“Public transport provision in East Oxford – does the Council realise that its recommended mode of transport for getting to the proposed new pool in Blackbird Leys, the regular bus routes that only service the city centre and Cowley Road, means that existing users of the Temple Cowley Leisure Centre (that will be closed by Labour’s new pool policy decision), will incur additional costs that will be double what they are at present, and be more than the admission price to the Leisure Centre?”

**Response:** Wherever a pool is sited there will be a proportion of people who have to pay transport costs and some that will be able to walk or cycle to the site.

Our policy to enable equitable access is our concessions scheme rates. Our leisure centres are very inclusive offering over 15 groups concessionary rates, including dependants. We are also increasing our free swimming package for under 17’s this year. To enable this level of equitable access to all the city’s residents it is essential that we have a sustainable solution to our leisure facilities.

**(9) Question to the Board Member, Leisure Partnerships (Councillor Bob Timbs) from Patricia Wright**

“Why is the Council ignoring the disabled and older groups that currently use Blackbird Leys Swimming Pool for therapeutic reasons, and whose quality of life will deteriorate significantly if they do not have access to a pool temperature of 30 degrees, given that the temperature of the proposed new pool cannot be varied to accommodate their requirements as well as the daily requirement of the elite swimming club, none of whose members live in Blackbird Leys?”

**Response:** The proposed new pool would have a teaching pool, toddler pool and a main pool which has a moveable floor. This means not only the teaching pool, but an increased amount of the main pool can be used for mobility type session.

The focus group who has helped to shape the final designs includes a representative from the city’s disabled swimming club to make the pool as suitable as possible for people with disabilities.

Neither Temple Cowley Pools or Blackbird Leys Pool comply to the Equalities Act and have areas that are not accessible by people with certain disabilities. The proposed new pool would be fully accessible and have sufficient disabled parking so people with disabilities can access the facility from across the city.

**(10) Question to the Leader (Councillor Bob Price) from Christopher Williams and Katherine Robinson**

“After many years’ experience of observing the workings of the North Area Committee, and occasionally engaging with it on matters of local concern, the Hayfield Road Residents’ Association (a) believes that this system has worked increasingly well and has strengthened public confidence in the democratic processes of local government, in that issues are carefully considered by councillors who know the area well and who take the trouble to make site visits when appropriate; in that the meetings are easily accessible to the public, and participation is encouraged; and in that sufficient time is devoted to thorough consideration of complex and sometimes controversial planning applications; (b) appreciates the need to economise in the current financial climate but nevertheless feels that money spent on the local Area Committee system is money well spent given that the saving of replacing it with Area Forums (and the new Planning Committees) would result in a saving of only £50,000; and (c) wishes to know:

- what assurances can the City Council give us that a reduced structure consisting of only two area planning committees, combined with informal quarterly meetings of Area Forums with so-far unspecified powers, will be an improvement on the current structure?
- will members of the new planning committees make an effort to familiarise themselves (for instance by making site visits) with issues that might not affect their own wards?
- how can the delegation of certain decision-making powers to single members of the Executive Board be protected from abuse?
- similarly, how can we be sure that the process whereby each council member has £1,500 to spend in relation to his or her ward will be transparent and accountable?

**Response:** The Local Development Framework (LFD) is a Citywide framework which seeks to address the specific development context of each area of the City, that is the nature of the LDF as a general set of documents and ones which Members are familiar with. Members as both members of the Planning Committees, if they are approved, and as advocates for or against a particular application will be able to reflect those different contexts when they either appear as a representative or sit on the Committees themselves across the various parts of the City. The number of applications which are considered by each of the Committees will vary year to year and if a persistent imbalance occurs, the Council could adjust the numbers

covered. The features which the questioner claimed to highlight the situation in the Area Committee are also features of the old Planning Committee which existed prior to 2000 and also features of the new Planning Committees. Applications have to be considered objectively against the requirements of the LDF. They are quasi-judicial which Members are frequently reminded of and Members cannot prejudice themselves in advance of the decision making process by expressing a clear view for or against an applications. Applications will be carefully considered by Committee Members who in circumstances that they feel appropriate, will undertake site visits, a feature of Committees for many years. Meetings will be accessible and participation will be fitted in with the requirements of the law regarding the Planning Committees. Whether it will be an improvement will be based on subjective criteria chosen by the questioner or by others. Some aspects which in my view will represent an improvement are:

1. If a particular area that is to have a debate or discussion on a forthcoming controversial planning application, can do so free of any requirement of the Planning Committee decision process;
2. Decisions are less likely to be influenced by the views of local Councillors and less likely to lead to the 83% failure rate of the appeals in the North Area in the case of the previous year.
3. Members can in this system represent their local constituents without worrying about prejudicing their position because they know other Members can sit on the Committees.

### **139. SUSPENSION OF COUNCIL BY THE LORD MAYOR**

The Lord Mayor suspended Council at 5.50pm under Procedure Rule 11.21(a) of the Council's Constitution (Disruption by the Public). Council was reconvened at 6.00pm to take the final two questions by members of the public.

### **140. QUESTIONS BY MEMBERS OF THE PUBLIC**

#### **(11) Question to the Leader (Councillor Bob Price) from Philip Allen**

"The Linton Road Neighbourhood Association was founded over 50 years ago to support residents and councillors in handling planning and other issues of general concern. In that time we have been closely involved in many planning decisions both before and since the creation of the North Oxford Victorian Conservation Area. Like the Council, we are keenly aware of the legal framework which surrounds the planning process, and particularly the strictures imposed on all of us by the existence of the Conservation Area. As you know, the Conservation Area, by law, requires decisions to be made with specific consideration of the features that the Conservation Area was set up to protect. These features are distinct from other parts of Oxford, and cannot by law be treated in a manner "consistent" with other parts of the city. Over the past few years the Councillors on the North Area Committee, with the help and support of the Council officers, have built up deep expertise in the specialist issues relating to this specific Conservation Area, ensuring that the legal constraints of the Conservation Area are observed and that appeals are kept to a

minimum. How does the Council propose to ensure that this expertise is maintained and the Council's legal responsibilities are met under the new arrangement?"

**Response:** Conservation Area expertise exists all around the City in terms of the different Conservation Areas. As far as the City centre, Jericho, Iffley, Headington etc. all Councillors in these areas will have experience of this and which is not exclusively found in the North Ward. Expertise will be maintained as part of the Councillors' training programme. Indeed it is compulsory as regards the planning side of Councillors' duties and will be reinforced in relation to the new system.

## **CITY EXECUTIVE BOARD RECOMMENDATIONS AND DECISIONS**

### **141. ROUGH SLEEPING GRANT ALLOCATION AND GRANTS ALLOCATION FOR HOMELESSNESS SERVICES – CITY EXECUTIVE BOARD – 9 MARCH 2011**

Councillor Beverley Hazell declared a personal interest as she was a City Council nominated representative on Oxford Homeless Pathways.

Councillor Stephen Brown declared a personal interest as he had a family member employed by one of the organisations listed to receive a grant and because he was a City Council nominated representative on Oxford Homes Pathways.

Councillor Antonia Bance declared a personal interest as she had recently taken up employment with an organisation listed to receive a grant.

Council had before it the following:-

- (a) Report of the Head of Housing and Communities;
- (b) Minute extract and recommendation of the City Executive Board of 9 March 2011.

Councillor Bob Price (Leader of the Council), seconded by Councillor Ed Turner, moved and spoke to the City Executive Board's recommendation.

Following a debate, Council voted and resolved:

- (1) To approve the allocation of the homeless prevention grant for 2011-12 as follows:
  - (a) Street Services and Reconnection Team (Crime Reduction Initiatives) - £238,218
  - (b) Reconnection and Referral Co-ordinator (Under 25s) (Crime Reduction Initiatives) - £37,245
  - (c) Reconnection Rent (O'Hanlon House) - £520
  - (d) Severe Weather Beds - £10,000
  - (e) 6 Subsidised Beds for Under 25s (Simon House) - £4,165
  - (f) 6 Subsidised Beds for Under 25s (Lucy Faithful House) - £4,179
  - (g) Mental health practitioner at Luther Street - £25,000
  - (h) 2 education, training and employment workers (Aspire) - £60,519
  - (i) 1 specialist alcohol worker (O'Hanlon House) - £34,223

- (j) 1 multiple needs hostel worker (Elmore Community Services) - £40,757
  - (k) Service Broker – Big Issues - £18,750
  - (l) Unallocated - £568,424
- (2) To approve the allocation of Oxford City Council's Homelessness Grant budget for 2011-12 as follows:
- (a) O'Hanlon House Day Centre – Homeless Hostel for 25+, jointly commissioned with Supporting People - £133,432
  - (b) One Foot Forward – Homeless Hostel for 16-25 year olds, jointly commissioned with Supporting People - £42,992
  - (c) Elmore Community Services – Complex Needs Floating Support Service for clients in Oxford City Council temporary and permanent stock - £50,757
  - (d) Elmore Community Services, Anti-Social Behaviour Service - £20,000
  - (e) The Gatehouse – Café for the homeless - £9,502
  - (f) Steppin' Stone – Day Centre providing emergency provision and meaningful activity - £55,000
  - (g) Simon House Hostel – Provision of respite beds at an abstinence based hostel - £11,596
  - (h) Emmaus Oxford Furniture Store – Recycling Store attached to the Emmaus Community £25,000
  - (i) Aspire Oxfordshire – Social Enterprise providing work opportunities for homeless and ex-homeless people £104,000 (to be confirmed)
  - (k) Unallocated - Nil
- (3) To delegate authority to the Head of Housing and Communities to allocate the balance of the Homelessness Prevention Grant (£568,424) and any amendments to the Homelessness Grants Budget.

#### **142. ANNUAL LETTINGS PLAN – ALLOCATION PERCENTAGES 2011/12 – CITY EXECUTIVE BOARD – 9 MARCH 2011**

Council had before it the following:-

- (a) Report of the Head of Housing and Communities;
- (b) Minute extract and recommendation of the City Executive Board of 9 March 2011.

Council resolved to approve the proposed Annual Lettings Plan for 2011/12.

#### **143. CITY EXECUTIVE BOARD DECISIONS (MINUTES)**

Council had before it Minutes (previously circulated, now appended) for the City Executive Board held on 9 March and 13 April 2011.

Councillor Mary Clarkson declared a personal and prejudicial interest in the City Executive Board Decisions (Minutes) 13<sup>th</sup> April 2011 (Minute 171 – Barton Area Action Plan – Preferred Options, in relation to the possible development of Ruskin Fields) as she lived in close proximity to the site.

Councillor Michael Rowley declared a personal interest in the City Executive Board Decisions (Minutes) 13<sup>th</sup> April 2011 (Minute 171 – Barton Area Action Plan – Preferred Options, in relation to the possible development of Ruskin Fields) as he was a former member of Ruskin College.

Councillor Van Coulter declared a personal and prejudicial interest in the City Executive Board Decisions (Minutes) 13<sup>th</sup> April 2011 (Minute 171 – Barton Area Action Plan – Preferred Options, in relation to the possible development of Ruskin Fields) as he was a member of Ruskin College.

Councillor Clark Brundin declared a personal interest in the City Executive Board Decisions (Minutes) 13<sup>th</sup> April 2011 (Minute 171 – Barton Area Action Plan – Preferred Options in relation to the possible development of Ruskin Fields) as he was a City Council nominated representative on the Council of Ruskin College.

Councillor Matthew Morton declared a personal interest in the City Executive Board Decisions (Minutes) 13<sup>th</sup> April 2011 (Minute 171 – Barton Area Action Plan – Preferred Options, in relation to the possible development of Ruskin Fields) as he was employed at Elsfield close to the site.

Councillor Mohammed Altaf-Khan declared a personal interest in the City Executive Board Decisions (Minutes) 13<sup>th</sup> April 2011 (Minute 171 – Barton Area Action Plan – Preferred Options, in relation to the possible development of Ruskin Fields) as he was a former member of Ruskin College.

Council resolved to note the decisions of the City Executive Board held on 9 March and 13 April 2011.

#### **144. RECOMMENDATIONS AND REPORTS FROM SCRUTINY COMMITTEES**

None submitted.

#### **145. QUESTIONS ON NOTICE FROM MEMBERS OF COUNCIL**

##### **(a) Questions notified in time for replies to be provided in writing for Council**

##### **1. Question to the Board Member, City Development (Councillor Colin Cook) from Councillor Nuala Young**

“Would the portfolio holder agree that although the revised plan for the use of St. Clement,s Car Park does address some of the concerns of local residents and businesses the impact of the development will still be substantial?”

Would he agree to meet local residents and discuss a series of options that have been suggested including:

- (1) Expansion of current residents’ permits parking on a temporary basis, in concert with provision of single day residents’ permits to be issued to restaurants and businesses affected. In this way customers could be given a permit to park in the area. This would necessitate the expansion of the

current bays by the number of lost spaces in the St Clement's Car Park.

- (2) Scheduling the construction work in two phases to minimize the disruption and loss of car park spaces.
- (3) The use of private parking areas currently unused at certain times e.g. the playground and car park at Magdalen College School and the tarmac areas at the school and council properties in Union Street. Naturally this would mean a commercial arrangement with the owners of these areas, however for evening use this would provide parking which is unused at present and prove useful to restaurants in St Clements.

Obviously these suggestions would need to be worked on in conjunction with officers of the County Council.

However, if he is willing to meet local residents and discuss these and other options this would go a long way to meeting their objections?"

**Answer:** The impact on local residents and businesses of the proposed development will depend upon, and be proportional to, the scale of the measures put in place to mitigate that impact.

With reference to item (1) the Resident's Parking Zone is controlled and administered by Oxfordshire County Council. Officers have contacted the County Council but have not yet received a response to this suggestion.

With reference to item (2), I am informed that given the site and the extent of the proposals for the development, it is not possible to phase the development to ensure ongoing car park provision.

With reference to item (3), City Council officers and the developers have made concerted efforts to identify a suitable alternative temporary car park. This work is continuing. Officers have not limited their search to publicly owned land, privately owned land has also been considered. Any potential site will need to be in an appropriate location and economically viable. A paper will be presented to the local planning authority which will set out the options which have been considered and the resulting opportunities (or lack of the same). This paper is currently being finalised.

Officers have had significant input locally and are taking account of any appropriate suggestions. I have already had a meeting with representatives from the local business community. I do not think a meeting with local residents would be useful until viable options have been identified



**2. Question to the Board Member, City Development (Councillor Colin Cook) from Councillor David Williams**

“During the recent review of the Core Strategy the Inspector noted that the City consultation with the public was at times poor and recommended that the City should engage more with the community (Page 6 para. v11).

Could the Portfolio holder give a clear indication how the City will honour this recommendation and improve the public perception that the City does what it wants irrespective of public opinion ?

Furthermore would he agree that the decision to shelve the local Management Development Planning Document will be a backward step in the process of public consultation on such vital issues as heritage, housing and development.

Would he reconsider the abandonment of DPD's and (politely of course) ask the Supreme Leader if this measure could be reconsidered?”

**Answer:** I do not accept the Councillor William's “spin” on what the Inspectors wrote. What they actually said was:

*Several hearing sessions were typified by robust debate and strong arguments between the Council and some participants, which sometimes led to heated exchanges between the participants and several rulings by us. This emphasises the need for the Council to consult and fully engage with local organisations, the community and other stakeholders when preparing future DPDs/SPDs. This will ensure that some of the distrust, mis-information, confusion and uncertainty that typified some of the hearing sessions will not be repeated in subsequent DPD examinations. It will also help to ensure that the plans can be supported by the local communities and truly be the “Council's plan”, reflecting the new coalition Government's approach to localism.*

The Inspectors went on to say:

*It is evident from the details given in Appendix 1 to the Council's statement (C/M1/1), that the Council undertook an extensive range of consultation measures during the preparation stages of the plan. This included a public questionnaire sent to every household, questionnaires and leaflets sent to local organisations and public bodies, letters targeted to those who expressed an interest in the plan, workshops, exhibitions, public meetings and leaflets hand-delivered to houses around the strategic locations, reports to the Area Committees at each stage, along with online information and statutory notices.*

*It is regrettable that these consultation measures failed at the time to generate a great deal of interest or response from the general public. However, it is evident from the documents*

*submitted by the Council, including the Regulation 30(d) and 30(e) Statements (CDs 2/2 & 3/2) that the Council undertook extensive consultations at various stages in the plan-making process and that in doing so it met the requirements as set out in the Regulations and in its SCI. However, because of the concerns expressed to me by members of the public, I have endeavoured to ensure that all those who have expressed a wish to participate in the hearing sessions have been given that opportunity.*

I do not recognise or accept Councillor William's assertion that the "City does what it wants irrespective of public opinion".

I have every confidence in the excellent work of our Planning Policy team where the consultation on the forthcoming policy documents is well publicised to both the public and stakeholders alike. The consultation events they run are interesting and welcoming for all those who wish to comment.

The City Council had originally considered replacing the saved policies in the Oxford Local Plan 2001-16 with the production of the now adopted Core Strategy, a Sites DPD and a Development Management DPD, as well as an Area Action Plan for Barton.

The Core Strategy is adopted, and sets the overarching policies for Oxford to 2026, including those relating to housing, employment, heritage etc.

As a result of the unfortunate changes to local government funding we have had to consider the best way to deliver sound documents within tight resources, and an ever-growing demand from the Planning Inspectorate for evidence and detailed sustainability appraisals.

We considered the Corporate Plan objectives - especially the need to deliver more homes, and better housing for all. It was against this background that we decided that we could deliver a sound Sites and Housing DPD - which will make a significant contribution to ensuring the much needed new homes come forward, by making sure a greater range of sites are able to deliver affordable housing.

As part of this decision process we considered those saved Local Plan policies which would not, (or have not yet), been replaced by, (in chronological order), the adopted West End Area Action Plan, the adopted Core Strategy, and the emerging Sites and Housing DPD. We have concluded that these policies are still fit for purpose, and therefore did not need reviewing at the current time.

The only leaders I can find who use the sobriquet "Supreme" are, Ali Khamenei, Supreme Leader of Iran; Kim Jong-il, Supreme Leader of North Korea, and Asajj Ventress, a Dark Jedi, and one of Count Dooku's assassins who is Anakin Skywalker's arch

nemesis and a fictional character in the Star Wars expanded universe. None of these people have any influence over planning policy documents in Oxford.

**3. Question to the Board Member, City Development (Councillor Colin Cook) from Councillor Elise Benjamin**

"Can the portfolio holder tell us how he proposes to ensure residents know about planning applications that could directly affect them if the Council will no longer be notifying properties neighbouring an application?"

**Answer:** A site notice is displayed for all applications. All resident and amenity groups who have asked to be notified receive the weekly list, as do all councillors.

I would encourage residents to sign up to the excellent Plan Finder service on the City Council's website. All new planning applications are on the website. Plan Finder is an excellent way for the public to receive an alert when a new application is registered near them.

Under the Coalition Government's Big Society initiative there is no reason why any resident should not be made aware of a new planning application that affects them. I would encourage residents to speak to their neighbours. The arrangements are in accord with the Statement of Community Involvement and legal requirements.

**4. Question to the Board Member, Housing (Councillor Joe McManners) from Councillor Elise Benjamin**

"Can the Portfolio Holder confirm that some of the properties at Abbey Place are being refurbished so that they can be re-occupied?"

**Answer:** The Abbey Place property was sold to the Crown Estate some 12 months ago. They are indeed undertaking a modest refurbishment of the property to enable it to be brought back into beneficial use pending a decision on the overall scheme of redevelopment for Westgate. The council is aware of that and indeed is now in discussion with Crown in the context of two of the 2 bed flats being made available through the Council's Homechoice scheme. On the basis of the scope and phasing of any scheme of redevelopment not yet having been established it sounds feasible that the property could be available for letting for between 3-5 years.

In response to a supplementary question from Councillor Benjamin who asked whether it had been a mistake to treble the size of the proposed redevelopment of the Westgate Centre, Councillor McManners said no.

**5. Question to the Board Member, Housing (Councillor Joe McManners) from Councillor Elise Benjamin**

“Can the Portfolio Holder confirm that the contractors are under the impression that the flats at Abbey Place will be available to rent for at least 5 years?”

**Answer:** The Abbey Place property was sold to the Crown Estate some 12 months ago. They are indeed undertaking a modest refurbishment of the property to enable it to be brought back into beneficial use pending a decision on the overall scheme of redevelopment for Westgate. The council is aware of that and indeed is now in discussion with Crown in the context of two of the 2 bed flats being made available through the Council's Homechoice scheme. On the basis of the scope and phasing of any scheme of redevelopment not yet having been established it sounds feasible that the property could be available for letting for between 3-5 years.

**6. Question to the Board Member, Cleaner, Greener Oxford (Councillor John Tanner) from Councillor Matthew Morton**

“Could the Portfolio holder give an explanation as to why the Oxford Road, Horspath, Wind Turbine proposal has come to nothing and could he explain why so many Low Carbon projects recently reported to the Low Carbon Natural Resource Committee are now delayed or have been abandoned?”

**Answer:** The whole Council will share Cllr Morton's disappointment that a wind turbine will not now be built near Horspath Road. Partnership for Renewables, who were developing the project, have withdrawn after the Ministry of Defence said that the wind turbine would interfere with radar systems. The City Council's other low carbon projects, including reducing our own carbon footprint and Low Carbon Oxford, are proceeding very well are not being delayed.

**7. Question to the Board Member, Cleaner, Greener Oxford (Councillor John Tanner) from Councillor Clark Brundin**

“Would the Member please explain the logic of the recently announced charges for garden waste removal? Those living in terraced houses with no front gardens, and therefore not able to accommodate the brown wheelie bins now on offer, have the alternative of compostable bags. The annual charge for the collection of a 240 litre bin every two weeks, which is 6240 litres per annum, is £35. At a cost of £35 for 20 sacks with a capacity of 75 litres, the annual charge for a similar volume of collection is over £145, which is over four times as much.

The member notes that the cost per collection is only £1.34. For those who for whatever reason cannot use a bin, that cost rises to £5.60. Residents are urged to opt for a bin, but it should be noted that, quite correctly, the Council does not allow bins to be left on the pavement except during the time of collection. At the very least the cost of bags should be £35 for 80 bags (To be fair it should actually be 83 bags).

It should be noted that the announcement states that those on benefit may qualify for a free bin, but a similar provision for bags is not mentioned.

**Answer:** The whole Council will regret having to introduce a pay-for service for garden waste. This is one of the cuts we have been forced to make because of the damaging austerity policies of the Tory/Lib Dem Coalition, which I imagine Councillor Brundin supports. His fascinating calculations fail to recognise that anyone not able to find room for a 240 litre brown bin would also find it difficult to accommodate 4 bags per collection. The cost of the paper sacks reflects their cost and the cost of collection.

Councillor Brundin in a supplementary question asked if the Board Member was aware that people were unable to handle a bin because they would have to take it through their homes, would the Member agree and acknowledge that it was unfair? In response Councillor Tanner said that it was unfair due to the savage cuts that the Council had to make that a charge was being made. However on balance it was a fair system. The sacks being made available gave the same opportunity to those that lived in terraces that others had and was a responsible response. He gave an assurance that this issue would be reviewed in a year's time.

**8. Question to the Board Member, Leisure Partnerships (Councillor Bob Timbs) from Councillor Dick Wolff**

“Could the Portfolio Holder give the precise figures related to the costs of the design stage of the new pool to replace the Blackbird Leys Swimming Pool, giving both the cost to the consultants paid to complete the work, and the architect commissioned to complete the actual design?”

**Answer:** The Council appointed the Mace group following a competitive process in early 2010 to be the lead consultant for the pool project. Included in the Mace proposal was a full design team which included Faulkner Browns as the architects.

The full fee cost to Royal Institute of British Architects stage D (which is where design is fixed for planning and cost purposes) was £535,000.

These fees are very much in line with construction industry norms for such projects.

In s supplementary question, Councillor Wolff asked if Councillor Timbs could confirm that the sum was in additional to the costs for feasibility works. In response Councillor Timbs said that this was a detailed issue and a written response would be provided.

**9. Question to the Board Member, Leisure Partnerships (Councillor Bob Timbs) from Councillor David Williams**

“Could the Portfolio holder confirm that FUSION Leisure is now behind with their payments to our Low Carbon Team and their efforts to reduce our City’s Carbon Footprint as they are contracted to do. Could he illustrate why this is?

Would he also give an indication if FUSION Leisure have actually achieved improvements in the carbon emissions to the buildings they manage and clear recorded itemized improvements in the three years they have been in full control? “

Could he also take the opportunity of clearing up the confusion as to why FUSION Leisure were allowed to put up their prices so dramatically on the excuse of increased VAT payments when in fact Leisure Services do not charge VAT?”

**Answer:** There are quite complex arrangements between the Council and Fusion in respect of the payment for utilities reflecting the shared risk in respect of usage and tariff and the links with the Salix programme. I understand that the Carbon and Natural Resources Board have received assurances that the programme is on track and that the financial arrangements between the Council and Fusion are in order.

The Council has been operating the Salix scheme for over 3 years and in that time has committed to energy conservation projects across the estate to the value of £399,886 which are estimated to reduce energy consumption by ca 3,000,000 kwh per annum, equivalent to 1070 tonnes of CO2 and estimated annual savings of £212,718 which is being reinvested through the Salix scheme.

In the leisure area we have completed the following schemes using Salix funding: Pool covers at all wet facilities; Voltage optimisation at the Ice Rink and Blackbird Leys Leisure Centre; Variable speed drives (inverters) on air handling units and pool water circulation pumps; a low energy lighting upgrade at the Ice Rink (with dimming controls); and have more Salix funded projects planned in the leisure centres.

The measures installed so far in leisure centres are estimated to reduce energy consumption by ca 1,620,000kwh/year equivalent to 581 tonnes/year and estimated annual savings of £130,000.

I can also advise Councillors that carbon management is a key aspect of the leisure contract and the Leisure Partnership Board has reviewed progress on this topic.

**10. Question to the Deputy Leader of the Council  
(Councillor Ed Turner) Councillor David Williams**

“Could the portfolio holder give an indication of the number of full time and part time posts that have been lost by the City Council over the last 5 years? Could he itemize them under full time and part time in specific years since 2006?”

Could we also ask that as large numbers are now being made redundant on a voluntary or compulsory basis, will he be holding a collective meeting to thank the workers for their years of devoted service?”

**Answer:** The numbers of posts (either full or part time) made redundant over the last 4 years are as follows:

2007/08 = 9  
2008/09 = 27  
2009/10 = 37  
2010/11 = 12

The overwhelming majority of these redundancies were voluntary.

There are not large numbers of staff being made redundant at present, and we are committed to minimising the impact of, or requirement for, any compulsory redundancies.

The Council has taken a prudent and measured approach in response to the latest round of budget cuts, and has published (in its budget) necessary proposals which will reduce the number of posts in the Council's establishment over the next 4 years by approximately 110 in total.

Good vacancy management will mean that the impact on individuals losing their roles will be considerably less than 110, with many redundant posts currently vacant and, of the remaining occupied posts, it is expected the majority of employees will volunteer for redundancy. We are committed to keeping compulsory redundancies to an absolute minimum, and with that aim in mind a substantial contingency has been set aside for severance payments, which will help achieve this aim.

Everyone at Oxford City Council, officers and members alike, regrets the necessity for any redundancies and highly value the contribution made by all staff in providing services to the city.

It would not be appropriate to hold a single event for departing staff. It is for staff leaving our organisation to choose how to mark their departure.

Councillor Williams in a supplementary question asked if the Board Member would agree that the redundancies started when Labour took control of the Council and were not due to the coalition Government. In response Councillor Turner did not agree and said that under the previous Labour Government, funding to the Council had risen, but this year it had been cut. The Administration was doing all it could to keep redundancies to a minimum. He added that there would be a reduction of approximately 110 posts, but this did not mean that 110 employees would lose their jobs, as some of these posts were already vacant.

**11. Question to the Deputy Leader of the Council  
(Councillor Ed Turner) Councillor Elise Benjamin**

“Could the Portfolio Holder confirm that due to a series of final settlements the financial situation of the Council now appears to be better than the forecasts given during the budget settling in February. Could he give an indication of the level of improvement and the factors that have emerged recently to provide this more hopeful scenario?”

**Answer:** The Council's financial settlement for 2011/12 & 2012/13 was set out in the Council's Budget papers in February.

The Department of Works and Pensions has subsequently issued a circular to local authorities setting out the national control total for the main element of the Housing Benefit and Council Tax Benefit Administration Grant for 2012/13 (Year 2 of the Medium Term Financial Strategy (MTFS) and our Budget). The figure is £464.7m which is a 4.85% reduction on the 2011/12 figure.

The amount paid is dependent on caseload over the previous twelve months. Assuming the status quo on caseload, reducing our current main subsidy figure (£942.6k) by 4.85% provides an estimate of £896.9k for 2012/13.

On the 5<sup>th</sup> April the Minister for Housing and Local Government announced grant allocations in respect of the New Homes Bonus for 2011/12. The Council's grant is £473k. This is based on the net growth in our Council Tax dwellings totals between Oct 2009 and Oct 2010.

Year 2 funding will be based on the net growth in our tax base data between Oct 2010 and Oct 2011 plus an 'add on' element in respect of affordable homes, as well as the growth between Oct 2009 and Oct 2010. We won't therefore be able to make an accurate estimate of this figure until post October 2011.



The use of these funding streams will be assessed by members in the autumn as part of the Council's annual refresh of its MTFS.

This funding is welcome, although it should be noted that the New Homes Bonus does not represent “new” money to the local government sector. However, it will be important to assess all financial news “in the round”, including an up-to-date assessment of the impact of such central government policies as the introduction of the “Universal Credit”, the transition to a Single Fraud Investigation Service, and the changes to Housing Benefit, some of which have been brought forward. There is also a review of local government finance currently being undertaken, which could have profound consequences for Oxford City Council. We also need to take stock of progress against our ambitious targets for achieving savings and generating additional income upon which our budget is predicated, and consider latest levels of and projections with respect to interest rates and inflation.

I will look forward to the input of Scrutiny, on a cross-party basis, when we refresh the MTFS.

Councillor Benjamin in a supplementary question asked if there would be a mini budget with regard to the additional funds. In response Councillor Turner said that there would be a review of the MTFS and if the budget needed to be varied it would come back to Council. He added that it was sensible to do a ‘stock-take’ in the autumn.

**12. Question to the Leader of the Council (Councillor Bob Price) from Councillor David Williams**

“Given that we are now about to enter the era of the Supreme Leader would it not be wise to rename the City Executive Board (CEB) as the BEB (Bob’s Executive Board) or as they can now make individual decisions abolish the Committee altogether?”

**Answer:** Proposals affecting the Constitution can be made to any meeting of the Council.

**13. Question to the Board Member, Cleaner, Greener Oxford (Councillor John Tanner) from Councillor Jean Fooks**

“On Monday 12<sup>th</sup> July 2011, Council passed unanimously a Motion on Biodiversity which included the following commitment:

*“Council further notes that under the Natural Environment and Rural Communities Act 2006, since autumn 2006 all local authorities have been required to ‘have regard to the purpose of conserving biodiversity’, which is interpreted to mean that they should consider wildlife in every decision they take.*”

*Council applauds the work of the Oxfordshire Nature Conservation Forum and the many groups working to preserve wildlife habitats as an invaluable contribution to meeting our responsibilities under the Act. It asks the City Executive Board to require Officers to prepare a report on policies and practices which would enable the Council to fulfil its duties under this Act across all Council departments.”*

When can we expect the requested report on how the Council will fulfil its duties under the 2006 Act?

**Answer:** I'd like to thank Councillor Fooks for reminding the Council of our responsibilities for bio-diversity. I will investigate and consider when would be sensible time for such a report.

Councillor Fooks in a supplementary question said that it had been 9 months since the Motion had been passed and would Councillor Tanner give an assurance that it would be taken forward. In response Councillor Tanner gave an assurance that it would be taken forward.

(b) **Questions notified by the deadline in the Constitution (replies given orally at Council)**

**14. Question to the Board Member, Finance, Corporate Assets and Strategic Planning (Councillor Ed Turner) from Councillor Jean Fooks**

When the budget was set at Council on February 21<sup>st</sup>, in the Fees and Charges appendix the following was printed:

Green Waste Bags - Proposed charge for 2011/2, £7.50 for up to 4 additional bags – i.e. NO CHANGE to the charge.

The Council is now proposing to charge £35 per year for a brown bin or a pack of 20 Ecosacks. Residents are surprised and dismayed by this change to what was agreed and approved on February 21<sup>st</sup>. There has been no consultation on the change.

Will you agree that this is very bad practice and looks like an attempt to avoid public consultation on something which affects most residents in the city? Can you explain why this proposed new arrangement was not included in the budget proposals?

**Answer:** Councillor Tanner responded and said that the decision made in the budget was on the existing scheme, which detailed the figures up to the present time and from the change, so both figures are correct.

Councillor Fooks in a supplementary question asked if Councillor Tanner would agree that it was not in the budget and was not satisfactory. In response Councillor Tanner said that the present charging system was for the hessian sacks.

**15. Question to the Board Member, Cleaner, Greener Oxford (Councillor John Tanner) from Councillor Jean Fooks.**

The garden waste sacks have been very popular with residents, as practical and folding away when not in use. Will Councillor Tanner please confirm that he will listen to the views of residents before attempting to push them into using large bins for which they have no storage space? Will he further agree that to charge more than twice as much for ecosacks as for the same volume brown bin amounts to unreasonable pressure which hits people in terrace houses or others with little outdoor storage space particularly hard?

**Answer:** I share the anger of some residents that the City Council is having to charge for garden waste collection. The reason is the savage cuts being imposed on the City Council by the coalition Government, which presumably Councillor Fooks supports. The new garden waste scheme is entirely voluntary for residents. We prefer people to use wheelie bins if they can because it means fewer back injuries for our employees. But we understand that many people have no room for yet another wheelie bin. The price of the recyclable paper sacks reflects the cost of the bags and the cost of collection. We also encourage people to compost their garden waste where they can.

**16. Question to the Leader of the Council (Councillor Bob Price) from Councillor Jean Fooks.**

When will the City Council provided the list of community assets required by the Localism Bill: are discussions already under way with the County Council and PCT for instance?

**Answer:** No discussions are underway as the Localism Bill is not an Act, but a Bill, and once the Act is passed it will be dealt with then.

**147. STATEMENTS ON NOTICE FROM MEMBERS OF COUNCIL**

No statements were made.

**CONSIDERATION OF PETITIONS**

**148. KEEP PUBLICLY FUNDED LEISURE IN OXFORD - PETITION**

The Head of Law and Governance submitted a report (previously circulated, now appended) which advised on the procedure that Council needed to follow under the Council's Petitions Scheme in respect of large petitions and provided information specifically on the petition concerning publicly funded leisure in Oxford.

Nigel Gibson the head petitioner presented the petition and spoke on its contents.

Councillor Mark Mills moved the following recommendation:

“Council thanks Save Temple Cowley Pools Action Group for presenting this petition. Council believes that it reflects the views of the majority of the citizens of Oxford. Council endorses this petition and asks the Executive to do all in their power to implement its recommendations”.

Councillor Price moved a further recommendation:

“That the Council noted the petition and that publicly funded leisure was remaining in Oxford and that a report would be submitted in due course to the City Executive Board”.

Following a debate, Council voted and resolved not to support the recommendation by Councillor Mills, but to support the recommendation by Councillor Price that the Council notes the petition and that publicly funded leisure was remaining in Oxford and that a report would be submitted in due course to the City Executive Board.

#### **149. CHINESE ADVICE CENTRE - PETITION**

The Head of Law and Governance submitted a report (previously circulated, now appended) which advised on the procedure that Council needed to follow under the Council’s Petitions Scheme in respect of large petitions and provided information specifically on the petition concerning the Chinese Advice Centre.

Barbara Gatehouse the head petitioner presented the petition and spoke on its contents.

Councillor Alan Armitage moved the following recommendation:

“Council regrets the circumstances which have led to a significant reduction in our grant to the Oxfordshire Chinese Community and Advice Centre, in particular the fact that the specialist bilingual advice service may be unable to continue. Council recommends that the City Executive Board places a high priority on finding additional funds for grants, as money from other budgets may become available, and in the meantime offers every possible help to OCCAC in finding ways to continue to offer a full advice service to the Chinese Community.”

Councillor Antonia Bance moved the following recommendation:

“Council notes the petition and would continue to offer support to the Chinese Advice and Community Centre to secure further external funding”.

Following a debate, Council voted on the two recommendations. It did not adopt the recommendation by Councillor Armitage but supported the recommendation by councillor Bance that the Council notes the petition and would continue to offer support to the Chinese Advice and Community Centre to secure further external funding.

## 150. MOTIONS ON NOTICE

Council had before it 18 Motions on Notice and reached decisions as follows:

(a) **Localism Bill – Council Tenants’ Tenancies – (Proposer – Councillor Stuart McCready)**

“Council welcomes the spirit of the Localism Bill in devolving power from Westminster to local authorities, and – given the newly provided choice whether to provide life-time or fixed-term tenancies to new tenants – reaffirms that the right policy for Oxford is to stay with life-time tenancies for all.”

Following a debate, Council voted and the Motion was not adopted.

(b) **Bee Colony Collapse Disorder – (Proposer – Councillor David Williams)**

“With the with recent publication of evidence from scientists at the US Department of Agriculture Bee Research Laboratory, the French National Institute for Agricultural Research and Keele University studies on residual effects of pesticides saying that the cause of Bee Colony Collapse Disorder (CCD) is the range of chemicals known as neonicotinoids there is a need to protect bees in Oxfordshire from these potentially dangerous chemicals which are now being used in the UK.

Given that bees nationally and internationally play a vital role in the pollination of our crops and consequently in maintaining food stocks this Council calls on the Secretary of State to impose an immediate ban on the pesticides sold as imidacloprid and clothianidin which it is believed by the scientific community are behind the phenomena known as Colony Collapse Disorder in bees as a precautionary measure. In following this approach the Minister will bring the UK in line with Germany, Italy, France and Slovenia who have already banned the named neonicotinoid chemicals.”

***Councillor John Tanner moved an amendment:- to delete and insert the following words in the second paragraph:***

Delete - “to impose an immediate ban”

Insert - “to consider imposing a ban”

Delete - “which it is believed by the scientific community”

Insert - “which it is believed by some in the scientific community”

***Councillor Oscar Van Nooijen moved an amendment:- to insert in the sixth line of the second paragraph after the words ‘Colony Collapse Disorder in bees’ the following words “and any such other pesticides or other substances as the Secretary of State may have***

*reason to believe are injurious to the health and welfare of bee colonies”.*

**Councillor Bob Price moved an amendment:-** *to insert in the sixth line of the second paragraph after the word “measure” the following words “and work with the devolved administrations to protect and increase funding on bee research in the United Kingdom”.*

**Councillor Rowley moved an amendment:-** *to insert in the first line of the second paragraph after the words “play a vital role in the” the following words “culture and economy of our society, not least in the”.*

The mover of the substantive Motion, Councillor Williams accepted all of the amendments and following a debate, Council voted and the amended Motion was adopted as follows:

With the with recent publication of evidence from scientists at the US Department of Agriculture Bee Research Laboratory, the French National Institute for Agricultural Research and Keele University studies on residual effects of pesticides saying that the cause of Bee Colony Collapse Disorder (CCD) is the range of chemicals known as neonicotinoids there is a need to protect bees in Oxfordshire from these potentially dangerous chemicals which are now being used in the UK.

Given that bees nationally and internationally play a vital role in the culture and economy of our society, not least in the pollination of our crops and consequently in maintaining food stocks this Council calls on the Secretary of State to consider imposing a ban on the pesticides sold as imidacloprid and clothianidin which it is believed by some in the scientific community are behind the phenomena known as Colony Collapse Disorder in bees and any such other pesticides or other substances as the Secretary of State may have reason to believe are injurious to the health and welfare of bee colonies as a precautionary measure and work with the devolved administrations to protect and increase funding on bee research in the United Kingdom. In following this approach the Minister will bring the UK in line with Germany, Italy, France and Slovenia who have already banned the named neonicotinoid chemicals.

(c) **The Chancellor’s Budget 2011 – Planning Issues (Proposer – Councillor Ed Turner)**

“Council notes with concern proposals in the Budget 2011 to liberalise change of use for use classes subject to consultation.

Council expresses concern about any such liberalisation which removes from local authorities the ability to regulate change of use. In particular, Council is concerned that such a liberalisation would, in areas with a high cost of housing such as Oxford, erode our ability to protect employment sites and maintain a diverse local economy (the vision of which was recently endorsed by Council in the Core Strategy). If Section 106 / Community Infrastructure Levy contributions could not be sought associated with a change of use,

Council believes that such facilities as schools and leisure facilities associated with such development could well be lacking. Council also believes that such a change could lead to residential development in areas which are not suited to it, for instance due to air quality.

Council sees this as part of a troubling and incoherent planning policy being pursued by the Tory / Lib Dem government, which has seen over 200,000 homes which were planned being abandoned, and major planning changes being announced, without consultation, in the so-called "Localism and Decentralisation Bill" and the Budget.

Council requests the Executive to engage actively and critically in any consultation process upon this measure."

Following a debate Council voted and the Motion was adopted.

**(d) Cuts in funding for Community Matters (Proposer Councillor Antonia Bance**

"On the 22 March, Community Matters received the news that the Office for Civil Society have decided not to fund them through their strategic partners programme. This grant would have been Community Matters' core funding for the next three years and is a vital element of their budget.

The core funding for Community Matters now runs out at the end of March 2011 (they were given just nine days' notice). The management of Community Matters have decided to keep the organisation open for at least another year, but their future longer term is now in question.

Community Matters have been working alongside Oxford City Council and the Oxford Federation of Community Associations for several years, helping our community associations build their capacity and sustainability. Working alongside Community Matters, three of our community associations (Jericho, South Oxford and Cutteslowe) have achieved VISIBLE accreditation, and a large number more are working towards it.

Meeting the VISIBLE standard demonstrates that local community associations can act as:

- A voice to represent issues of local concern
- An independent and politically neutral organisation
- A service provider for local people
- An initiator of projects to meet locally identified needs
- A builder of partnerships with other local organisations and groups
- A strong local network of people and organisations
- A way to engage local people to become active in their communities

In rejecting Community Matters' bid, the Office has also rejected the voice of grassroots voluntary-led community organisations. There is now no strategic partner to represent the interests of these organisations, who make-up two thirds of all the civil society sector, to government.

Oxford City Council is concerned about the impact of Community Matters reducing its activities on our community associations in the city. We therefore resolve to write to Nick Hurd, the Minister for Civil Society, expressing our concerns and asking him to think again about the allocations of the strategic partners funding. We also encourage others, such as our local MPs and community associations themselves, to do likewise."

Following a debate, Council voted and the Motion was adopted.

(e) **Sub-Post Office Closures in Oxford – (Proposer Councillor Van Coulter)**

"Council is concerned that a further sub-post office has closed in one of the City of Oxford's estates.

The sudden closure of Barton sub-post office has caused inconvenience to many and hardship to some, particularly the less mobile and elderly members of the Barton community.

Whilst acknowledging that the Post Office has announced that it is seeking to find a new sub-post master and new premises to allow for the restoration of a Barton post office, it has been difficult to gain any information about what progress is being made.

Council is also mindful that when the sub-post office "temporarily" closed in Rose Hill, it failed to reopen.

Council therefore asks the Executive to write to request that the Post Office reaffirms that urgent action is being taken to restore a sub-post office for Barton and that the community is advised about what progress is being made and when sub-postal services are likely to resume within the Barton neighbourhood.

Council also invites the Leaders of all of the other political groups within the Council to join in with the spirit of this motion by countersigning the proposed letter."

Following a debate, Council voted and the Motion was adopted.

(f) **Oxfordshire County Council – Integrated Transport Fleet Funding (Proposer Councillor Gill Sanders)**

"This Council deplores the fact that the Conservative members of Oxfordshire County Council have approved the withdrawal of all funding of their current commitment of approximately £2.1 m to their Integrated Transport Fleet operation from 31 March 2012. This £2.1m covers all Social and Community Services commitments including



Older People's Day Services, Learning Disability and Physical Disability Day Services.

Instead, the onus will be on the service users and their carers to take responsibility for getting to and from the day services. They will have to get their family - if they have one - friends or neighbours, to provide the transport. Or they can use a taxi or request transport from a local community transport scheme - if one exists.

Already, new referrals for Older People's Day Centres are being advised that they should use family, volunteers or taxis.

This is a disgraceful state of affairs and, again, this is an example of the Conservatives hitting the most vulnerable members of our society the hardest.

There must be other ways of financing this very important service and we would plead with them to find them.”

Following a debate, Council voted and the Motion was adopted.

**(g) Abolition of the Code of Practice on Workforce Transfers (Proposer Councillor Bob Price)**

“This Council condemns the decision of the Tory/Liberal Democrat government to abolish the code of practice on workforce transfers which has protected local government employees from unfair competition in competitive tendering from private sector companies offering significantly worse pay, pensions and conditions of service.”

Following a debate, Council voted and the Motion was adopted.

**(h) Community Land Auctions (Proposer Mark Mills)**

“Council notes the provision in the budget of the 23rd March 2011 for the trialling of community land auctions on public land.

Council believes that such auctions are an attractive mechanism to encourage the release of additional land for home building and could also become a significant source of revenue for some local authorities. Council, furthermore, believes that given this potential, the scheme should be expanded to cover private as well as public land.

Council resolves to request the Chief Executive to write to the Secretary of State for Communities and Local Government to express our support for the auctions and for their expansion to private land, and to request that the Executive explore the possibility of Oxford City Council participating in the trials.

Councillor Mark Mills declared a personal interest as he was employed by a think-tank that promoted community land auctions.”

Following a debate, Council voted and the Motion was not adopted.

(i) **Post Office Closures – (Proposer – Councillor Jean Fooks)**

“Oxford residents have lost many Post Offices over the last decade and local communities have suffered both hardship and inconvenience from these closures. The Post Office is often at the heart of our communities.

Council notes that the Coalition government has committed to stopping the closure of any more Post Offices and to make the re-establishment of lost Post Offices much more possible.

Council therefore requests the Executive to ask the Chief Executive of the Council to contact the senior management of Post Office Limited (POL) with a formal request to enter a new partnership with POL, that aims to use the network of local sub post offices across Oxford to deliver as many services as possible, with the objectives of saving council taxpayers money, improving access to local services for residents and improving the revenues that flow through our sub post offices to assist in their revival, and to report back regularly to the council so we can monitor progress.”

***Councillor Price moved an amendment:- to delete the first and second paragraphs and all the words after the word “with” in the fifth line of the third paragraph.***

Following a debate, Council voted and the Motion as amended was adopted as follows:

Council requests the Executive to ask the Chief Executive of the Council to contact the senior management of Post Office Limited (POL) with a formal request to enter a new partnership with POL, that aims to use the network of local sub post offices across Oxford to deliver as many services as possible.

(j) **Cheques as a Method of Payment – (Councillor Ruth Wilkinson)**

“This Council notes with concern that:

- (a) High street banks are planning to stop accepting cheques despite protest from consumer groups and businesses;
- (b) In December 2009, the Payments Council agreed on behalf of the major banks to scrap cheques in 2018;
- (c) many people and organizations in Oxford including the elderly, businesses and charities, would be seriously affected as a result;

This Council notes that:

- (a) nearly four million cheques are still being written each day and that many people still prefer to pay for goods and services in this way;

- (b) 126 MPs from all parties signed the original Early Day Motion 258 calling for the banks to reconsider their proposals, and that 58 MPs from all parties have signed the current Early Day Motion 507 on the same topic.
- (c) on November 2nd 2010, David Ward MP presented a 10 minute rule bill to the House of Commons which would place a duty on the City Regulator, the Financial Services Authority, to ensure that cheques stay in use until suitable alternatives are found, and that the Bill will be debated in June 2011.

This Council resolves to express its concern about the plans to abolish cheques and urges Oxford's two MPs to use their influence to ensure Parliamentary time is provided to ensure that the 10 minute rule Bill is passed into law, and invites them to sign EDM 507 and to support the bill in Parliament."

Councillor Ruth Wilkinson withdrew her Motion on Notice.

**(k) Consultation Process on Planning Applications – (Proposer Councillor Nuala Young)**

"This Council believes that the proposed reforms to public consultation on planning applications recently approved by the City Executive Board are undemocratic in that those directly affected by planning applications will not have been adequately notified. The new system will not comply with the Council Statement on Community Involvement and the legally required equality impact assessment. With this in view the Council asks the Executive to maintain the present pro-active procedures with its more comprehensive range of consultative procedures, contacting directly all those who may be affected by the proposed applications."

Following a debate, Council voted and the Motion was not adopted.

**(l) Oxford City Health Monitoring Committee – (Proposer Councillor Elise Benjamin)**

"With the implementation of the Coalition Government's Health Service Reforms and the new Commissioning Authorities as recently announced, this Council believes it will be important to monitor for at least the first twelve months the impact these new bodies will have on the Primary Health Care sector in Oxford and the surrounding Districts.

Although the Government will establish with its reforms regional scrutiny bodies known as Regional Wellbeing Committees it is the opinion of this Council that these groups will be too remote from the commissioning groups and have insufficient powers to make their role meaningful. As a consequence this Council will establish a Health Monitoring Committee which will review the impact of the changes on local Health Service provision over the next twelve months.

The Health Service Monitoring Committee to be composed of 9 members reflecting a balance representation of the political grouping on the Council. The Committee will have officer support to research issues related to the effective delivery of health care in the Oxfordshire area with a particular reference to the City of Oxford, and to meet at least 6 times in the annual cycle.”

Councillor Elise Benjamin withdrew the Motion on Notice.

**(m) Retention of Area Committees – (Proposer Councillor Elise Benjamin)**

“Given the restraints and limited range of the public consultation process regarding the concept of abolishing the present Area Committees this Council believes that Area Committees as presently constituted should be retained and that the proposed reforms establishing Area Forums should now not progress.

A full report outlining the economic consequences of retaining the Area Committees with their present powers over such areas as planning, maintaining their present level of officer support and current devolved financial allocation be brought at an early stage to the Executive for approval.”

Following a debate, Council voted and the Motion was not adopted.

**(n) Equal Provision in Leisure Services – (Proposer Councillor Nuala Young)**

“The new Core Strategy commits the City to retaining any Leisure Service facility unless at least equal provision is provided for people to access on foot as well as by bicycle or public transport. This is a sustainable strategy, encouraging people to keep fit without the need for a car whilst at the same time recognising the financial difficulties at these times of people not able to afford public transport. Respecting the wisdom of this strategy, the Council asks the Executive not to proceed with the closure of any swimming pools unless, as stated in the Core Strategy equal if not better provision is made for the residents of the immediate locality to access the facilities on foot as well as by bike and public transport.”

Following a debate, Council voted and the Motion was not adopted.

**(o) Balanced Communities – (Proposer Councillor Matthew Morton)**

“Given the Planning Inspector’s recommendations that the City Council produce a planning document which deals with the impact of growing student numbers in the City (page 28 para 4.78), this Council asks the Executive to produce a clear policy statement that seeks to achieve balanced communities where there are no overwhelming concentrations of student residents in small areas.

The policy will monitor the effectiveness of purpose built student accommodation in creating residential balance that is to the advantage of both students and the wider community."

Following a debate, Council voted and the Motion was not adopted.

**(p) Town Greens – (Proposer Councillor David Williams)**

"The new Localism Bill requires local authorities to maintain a list of land of community value in their areas. However the Bill, although paraded as promoting empowering local communities, is seen by this Council as unlikely to achieve that aspiration as far as the protection of green spaces are concerned.

This Council believes that in order to protect its open spaces it should seek to register where it can all Oxford City's open spaces as Town Greens legally restricted from development. With this in view the Council asks the Executive to embark on a rolling programme of securing such legal status forthwith for our large open spaces and report on progress on a regular basis to the Executive.

Councillor Alan Armitage declared a personal interest in his role as County Councillor as he was a member of the Oxfordshire County Council Planning Regulation Committee."

Following a debate, Council voted and the Motion was not adopted.

**(q) Business Rate Concessions – (Proposer Councillor David Williams)**

"Given that the new Localism Bill will return the Business Rate back to local authority control and the new legislation may provide the Council with the opportunity to vary the Business Rate within the City, this Council asks the Executive to investigate the potential of establishing enterprise zones where a special reduced business rate focused on small independent traders are established in different parts of the City. The report on the possibility of introducing such a scheme to be brought to the Executive in the Autumn, once the full extent of the new legislation is known with a view to potential implementation in the financial year 2012 – 2013."

Councillor Williams Motion on Notice was not considered as the time allowed by the Constitution for Motions on Notice had lapsed.

**151. REPORTS AND QUESTIONS ABOUT ORGANISATIONS THE COUNCIL IS REPRESENTED ON**

None.

## 152. DEMOCRATIC ARRANGEMENTS – PROPOSED CHANGES

The Head of Law and Governance submitted a report and an extract from the minutes of the City Executive Board held on 13<sup>th</sup> April 2011 (previously circulated, now appended) which analysed the outcomes of the consultation on the proposed democratic changes and provided recommendation and supporting detail on the changes.

Councillor Ruth Wilkinson, seconded by Councillor Mark Mills, moved the following Motion:

“This Council deplores the exclusion of Headington Ward from the proposed changes to democratic arrangements, and refers the proposals back to the city Executive Board for the necessary amendments to include Headington Ward in the East Area Planning Committee”.

Following a debate:

- (1) Council voted in a named vote as follows on the Motion moved by Councillor Wilkinson:

17 Members voted to adopt the Motion: Councillors Mohammed Altaf-Khan, Alan Armitage, Elise Benjamin, Tony Brett, Stephen Brown, Clark Brundin, Jean Fooks, Michael Gotch, Stuart McCready, Mark Mills, Matthew Morton, Nathan Pyle, Gwynneth Royce, Ruth Wilkinson, David Williams, Richard Wolff and Nuala Young.

27 Members voted not to adopt the Motion: The Lord Mayor (Councillor John Goddard), the Deputy Lord Mayor (Councillor Dee Sinclair), the Sheriff (Councillor Colin Cook), Councillors, Mohammed Niaz Abbasi, Antonia Bance, Laurence Baxter, Mary Clarkson, Van Coulter, Roy Darke, Beverley Hazell, Rae Humberstone, Bryan Keen, Shah Jahan-Khan, Ben Lloyd-Shogbesan, Mark Lygo, Sajjad Malik, Joe McManners, Susanna Pressel, Bob Price, Mike Rowley, Gill Sanders, Scott Seamons, Val Smith, John Tanner, Bob Timbs, Ed Turner, Oscar Van Nooijen.

1 abstention: Councillor Jim Campbell.

The Motion was therefore not adopted.

- (2) Council voted in a named vote as follows on recommendations (a) (Planning) and (b) (Area Committees, Community Forums and Ward Member Budget) of the report:

26 Members voted to adopt recommendations: The Deputy Lord Mayor (Councillor Dee Sinclair), The Sheriff (Councillor Colin Cook), Councillors Mohammed Niaz Abbasi, Antonia Bance, Laurence Baxter, Mary Clarkson, Van Coulter, Roy Darke, Beverley Hazell, Rae Humberstone, Bryan Keen, Shah Jahan-Khan, Ben Lloyd-Shogbesan, Mark Lygo, Sajjad Malik, Joe McManners, Susanna Pressel, Bob Price, Mike Rowley, Gill Sanders, Scott Seamons, Val Smith, John Tanner, Bob Timbs, Ed Turner, and Oscar Van Nooijen.

19 Members voted not to adopt recommendations: The Lord Mayor (Councillor John Goddard), Mohammed Altaf-Khan, Alan Armitage, Elise Benjamin, Tony Brett, Stephen Brown, Clark Brundin, Jim Campbell, Jean Fooks, Michael Gotch, Stuart McCready, Mark Mills, Matthew Morton, Nathan Pyle, Gwynneth Royce, Ruth Wilkinson, David Williams, Richard Wolff and Nuala Young.

Recommendations were therefore adopted as follows:

A. On planning:-

1. That from the start of the 2011/12 Council Year three new committees be established as follows:-

- (a) (i) Two area planning committees, consisting of nine members, politically balanced, meeting once a month.
- (ii) The area planning committees to be responsible for reaching decisions on planning applications and associated matters as set out in the Appendix to Annex 2 to the report.
- (iii) The area planning committees to be responsible for determining planning applications in the following Wards –

West Area Planning Committee – North, St Margaret's, Summertown, Wolvercote, Carfax, Hinksey Park, Holywell, Jericho and Osney, Iffley Fields, St Clements and St Mary's Wards.

East Area Planning Committee – Barton and Sandhills, Churchill, Headington, Headington Hill and Northway, Marston, Quarry and Risinghurst, Blackbird Leys, Littlemore, Northfield Brook, Rose Hill and Iffley, Cowley, Cowley Marsh and Lye Valley Wards

- (iv) Where a planning application straddles area committee boundaries the area planning committee with the majority of the application site will determine the application.
- (v) The meetings of the committees generally to take place in the Town Hall.
- (b) (i) A Planning Review Committee consisting of nine members, politically balanced, meeting as and when required.
- (ii) The Planning Review Committee to be responsible for determining called in planning

applications from the area planning committees (but see also 2.(c) below).

- (iii) The Planning Review Committee meetings to be held in the Town Hall.

2. On call in of planning applications:-

- (a) There will be no call in of decisions of the Planning Review Committee which will deal only with called in applications from the area planning committees.
- (b) Call ins to the area planning committees of applications to be determined by officers to be supported by four members (the caller in and three others) but no planning reasons will be needed; and call in to the Planning Review Committee, accompanied by relevant planning reasons, to be supported by twelve members (the caller in and eleven others).
- (c) That the Constitution be altered with effect from 18<sup>th</sup> April by deleting all references to the ability to call in decisions of the Strategic Development Control Committee in order that Council is not required to determine any called-in planning applications, but that any call in of decisions reached by the April meeting of the Strategic Development Control Committee be considered and determined by the Planning Review Committee at its June meeting.

3. On membership of planning committees:-

Each of the three new committees to consist of a different set of members, with no member sitting on more than one of the new committees (substitutes excepted).

B. On area committees, community forums and Ward member budgets:-

1. That from the start of the 2011/12 Council Year:-

- (i) area committees are not appointed.
- (ii) area forums be introduced in the context of active neighbourhood management as described in Annex 3 to the report.

- 2. (i) To note that, the Leader had agreed to delegate to individual Ward members the authority to spend up to £1,500 in the Council Year 2011/12 on anything that improves the economic, social or environmental well being of their Ward.



- (ii) That Ward member budgets be spent subject to the conditions and restrictions set out in Appendix A to Annex 3 to the report, and that the Head of Law and Governance be authorised to amend the rules if it is considered necessary to protect the integrity of the Council.

(3) To adopt recommendation (C) as follows:

C. On the remit of the Board and single executive members:-

1. That from the start of the 2011/12 Council Year single Executive member decision making be adopted.
2. That the split of functions be as set out in Annex 4 to the report and that the Executive scheme of delegation be amended accordingly to take effect as from the start of the 2011/12 Council Year.

### **153. PROGRAMME OF COUNCIL AND COMMITTEE MEETINGS 2011/12**

The Head of Law and Governance submitted a report (previously circulated, now appended) which sought Council's agreement to a programme of Council and Committee meetings for the Council Year 2011/12.

Councillors Mohammed Niaz Abbasi, Mohammed Altaf-Khan, Sajjad Malik, Shah Jahan-Khan declared personal interests as they were associated with the hackney carriage and private hire licensed vehicle trade.

Council resolved:

- (a) To approve the timetable of Council and Committee meetings for the Council Year 2011/12;
- (b) To request the Head of Law and Governance to conduct a survey of Members on their preferred start time of Council and Committee meetings;
- (c) To request that Officers are mindful of major religious festivals and school holidays when arranging Council and Committee meetings.

### **154. CONSTITUTION REVIEW**

The Head of Law and Governance submitted a report (previously circulated, now appended) which presented an updated Constitution containing the changes necessary to implement the new democratic arrangements (Minute 152 also refers).

The Monitoring Officer recommended a further change to the Constitution (in order to be consistent with the proposals for single member meetings) –

The deletion of the wording to the second bullet point in 12.7 and replace it with 'when the Chair agrees, questions by the public for up to 15 minutes – these must be about the items for decision at the meeting (excluding the minutes) and must have been given to the Head of Law and Governance by 9.30am two clear working days before the meeting. No supplementary questions or questioning will be permitted. Questions by the public will be taken as read and, when the Chair agrees, be responded to at the meeting'.

Council resolved to adopt the amended and updated Constitution.

### **155. CORPORATE PLAN 2011-15**

The Head of Policy, Culture and Communications submitted a report and an extract from the minutes of the City Executive Board held on 13<sup>th</sup> April 2011 (previously circulated, now appended) which introduced the Corporate Plan 2011-15.

Council resolved to adopt the Corporate Plan update into the Policy Framework.

## **156. REGULATION OF INVESTIGATORY POWERS ACT 2000**

The Head of Law and Governance submitted a report (previously circulated, now appended) which detailed the Council's application of its powers under the Regulation of Investigatory Powers Act 2000.

Council resolved to note the Council's use of its powers under the Regulation of Investigatory Powers Act 2000 during the period 1<sup>st</sup> April 2010 to 31<sup>st</sup> March 2011 and the proposed changes to the Act following the recent Government review of counter-terrorism and security legislation.

## **157. POLICY ON THE RELEVANCE OF OFFENCES, CAUTIONS AND CONVICTIONS**

The Head of Environmental Development submitted a report (previously circulated, now appended) which sought the adoption of a Policy on the Relevance of Offences, Cautions and Convictions in relation to the function of the Licensing Authority.

Councillors Mohammed Niaz Abbasi, Mohammed Altaf-Khan, Sajjad Malik, Shah Jahan-Khan declared personal interests as they were associated with the hackney carriage and private hire licensed vehicle trade.

Council resolved to adopt the Policy on the Relevance of Offences, Cautions and Convictions,

## **158. STANDARDS COMMITTEE – APPOINTMENT OF MEMBERS**

The Head of Law and Governance submitted a report (previously circulated, now appended) which sought approval of Council to the appointment of one independent member to the Standards Committee.

Council resolved to appoint Dr. Anne Gwinnett to the Standards Committee for a further 4 year term commencing on 18<sup>th</sup> April 2011.

## **159. STANDARDS COMMITTEE END OF YEAR REPORT MAY 2010-APRIL 2011**

The Head of Law and Governance submitted a report (previously circulated, now appended) which summarised the work of the Standards Committee during the period May 2010 to April 2011.

Council resolved to note the report.

## **160. MATTERS EXEMPT FROM PUBLICATION**

None

The meeting started at 5.00pm, was suspended at 5.50pm, reconvened at 6.00pm, adjourned at 7.20pm, reconvened at 8.04pm, and finished at 10.40pm.

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