

Minutes of a meeting of Council on Monday 26 July 2021

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Council members present:

Councillor Lygo (Lord Mayor)

Councillor Wolff (Sheriff)

Councillor Bely-Summers

Councillor Brown

Councillor Cook

Councillor Coyne

Councillor Dunne

Councillor Fry

Councillor Hayes

Councillor Hunt

Councillor Landell Mills

Councillor Malik

Councillor Mundy

Councillor Nala-Hartley

Councillor Pressel

Councillor Rowley

Councillor Roz Smith

Councillor Thomas

Councillor Turner

Councillor Wade

Councillor Goddard (Deputy Lord Mayor)

Councillor Abrishami

Councillor Blackings

Councillor Clarkson

Councillor Corais

Councillor Diggins

Councillor Fouweather

Councillor Haines

Councillor Hollingsworth

Councillor Jarvis

Councillor Latif

Councillor Miles

Councillor Munkonge

Councillor Pegg

Councillor Rehman

Councillor Linda Smith

Councillor Smowton

Councillor Tidball

Councillor Upton

Apologies:

Councillors Altaf-Khan, Arshad, Aziz, Chapman, Djafari-Marbini, Gant, Hall, Humberstone and Waite sent apologies.

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

18. Declarations of interest

Cllr Brown and Cllr Hayes declared that they would leave the meeting during debate on the motion 'Opposition to the Health and Care Bill' as this affected their employment and hence their disclosable pecuniary interests.

19. Minutes

Council agreed to approve the minutes of the ordinary meeting held on 22 March, 19 May and 23 June 2021 as a true and correct record.

20. Appointment to Committees

Council noted that, subject to the decision at Minute 27, the Labour Group's request to the Monitoring Officer to confirm the re-appointment of:

- Cllr Latif to the Audit and Governance Committee
- Cllr Lygo to the General Purposes Licensing Committee

once the period of 21 days to allow the Independent Group to accept or refuse allocated seats had elapsed (as set out in the report accompanying Minute 28).

The Leader of the Council announced the membership of the Shareholder and Joint Venture Group: Cllrs Arshad, Blackings, Brown (Chair) Hayes, Hollingsworth, Rowley, Turner (Vice-Chair).

Cllr Blackings would not attend meetings considering Oxford Direct Services and Cllr Arshad would not attend for meetings considering the other companies.

21. Announcements

The Lord Mayor outlined the many local and city-wide events he had attended online and increasingly in-person, including sporting and community gatherings and celebrations and commemorations of key events

The Deputy Lord Mayor outlined the events he had attended and looked forward to more in-person events as pandemic restrictions were relaxed.

The Sheriff outlined the dangers to the animals on Port Meadow caused by littering, including deaths from eating litter and serious injuries from broken glass. He praised the Port Meadow rangers for their work and encouraged everyone to take care of the meadow.

The Leader of the Council announced that the full list of Member Champions would be released once this was finalised.

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

There were no addresses or questions.

23. Salix decarbonisation grant funding

Council considered the report of the Head of Corporate Strategy submitted to Cabinet on 16 June 2021 seeking a recommendation to full Council for the approval of the loan to Low Carbon Hub to support investment in the Ray Valley Solar Project.

The Cabinet decisions are set out in the minutes of that meeting (included in this agenda).

Cllr Hayes, the Cabinet Member for Green Transport and Zero Carbon Oxford, introduced the report, proposed the recommendations and answered questions.

The recommendations were agreed on being seconded and put to the vote.

Council resolved to:

Approve a loan to Low Carbon Hub of up to £3,385,200 together with the associated capital budget for investment in the in the Ray Valley Solar (RVS) local renewable energy project. The investment will be fully funded by the Public Sector Decarbonisation Scheme grant awarded to the council by Salix Finance Ltd a wholly owned Government department funded by the Business Energy and Industrial Strategy Department (BEIS).

24. Financial Outturn report 2020/21 (Integrated Performance Report for Q4)

Council considered the report of the Head of Financial Services submitted to Cabinet on 21 July 2021 setting out the financial outturn for the year ending 31 March 2021 (titled Integrated Performance Report for Q4 on that agenda).

The decision of the Cabinet meeting of 21 July 2021 was reported in the Briefing Note.

Cllr Turner, the Cabinet Member for Finance and Asset Management, introduced the report, proposed the recommendations and answered questions.

The recommendations were agreed on being seconded and put to the vote.

Council resolved to

Approve a revision to the general fund capital budget in 2021/22 of £4,984,000, for the grant payment in relation to Oxfordshire Housing and Growth Deal (OGD) schemes. In addition to give a further approval for a capital budget for 2025/26 of £33,000 to fund the remaining grant balance payable for the schemes all of which will be funded by capital grant income from Oxfordshire Housing and Growth Deal (OGD) detailed in paragraph 26 of the report.

25. Decisions taken under Part 9.3 (b) of the Constitution

Council considered the report setting out the decisions made by the Chief Executive using the urgency powers delegated to the Chief Executive in Part 9.3 of the Constitution taken since the last report to Council.

Cllr Brown, the Leader of the Council, introduced the report and proposed the recommendations.

The recommendations were agreed on being seconded and put to the vote.

Council noted the decision taken.

26. Urgent Key Decisions taken since March 2020

Council considered the report of the Head of Law and Governance submitted to update Council on key decisions taken in cases of special urgency since March 2020.

Cllr Brown, the Leader of the Council, introduced the report and proposed the recommendations.

The recommendations were agreed on being seconded and put to the vote.

Council resolved to note the urgent key decisions taken in cases of special urgency as set out in the report.

27. Review of allocation of seats to political groups

Council considered the report of the Head of Law and Governance setting out a review the allocation of seats to political groups following notification of the formation of a new political group, the Independent Group.

Cllr Brown, the Leader of the Council, introduced the report and proposed the recommendations.

The recommendations were agreed on being seconded and put to the vote.

Council resolved to

1. **Approve** the revised allocations of seats to political groups as shown in Appendix 1 of the report;
2. **Approve** the following changes to the membership of committees appointed at the Annual Council meeting in accordance with the wishes of political groups in view of the revised allocations: Cllr Latif to come off the Audit and Governance Committee, Cllr Lygo to come off the General Purposes Licensing Committee, and Cllr Smowton to come off the Standards Committee;
3. **Delegate authority** to the Head of Law and Governance to appoint members to the seats allocated to the Independent Group based on the wishes of that group, or if no nominations are received within 21 days, to appoint members to those seats based on the allocations agreed at the Annual Council meeting on 19 May 2021 and the wishes of political groups.

28. Proposed amendments to the Constitution

Council considered the report of the Head of Law and Governance setting out recommended amendments to the Council's Constitution to reflect changes to the Council's arrangements for the governance of its companies and joint ventures and a proposed new whistleblowing policy.

Cllr Brown, the Leader of the Council, introduced the report and proposed the recommendations.

The recommendations were agreed on being seconded and put to the vote.

Council resolved to:

1. **Approve** the proposed changes to part 3 and 8 of the Constitution as set out in Appendix 1, and the inclusion of the terms of reference for the Shareholder and

Joint Venture Group as an annex to Part 3 and the Scrutiny Committee's Operating Principles as an annex to Part 8.

2. **Note** the revised programme of meetings for the Shareholder and Joint Venture Group shown in Table 1 of the report;
3. **Delegate authority** to the Head of Law and Governance to replace the current Whistle Blowing Policy with the new Whistle Blowing Policy in Part 25 of the Constitution, subject to the Audit and Governance Committee approving the new policy;

Note that political groups will be invited to nominate members to form a "Constitution Review Group" to oversee the next annual review of the Council's Constitution.

29. Questions on Cabinet minutes

a) Minutes of meeting Wednesday 14 April 2021 of Cabinet

There were no questions regarding these minutes.

b) Minutes of meeting Wednesday 16 June 2021 of Cabinet

Minute 14 – Housing First programme

Cllr Wade asked for an update on the progress of the procurement of a support service for the Council's Housing First programme.

Cllr Blackings, Cabinet Member for Affordable Housing, Housing Security and Housing the Homeless, agreed to circulate the information.

c) Minutes of the meeting Wednesday 21 July 2021 of Cabinet

There were no questions regarding these minutes.

30. Questions on Notice from Members of Council

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

These along with summaries of the 29 supplementary questions and responses asked and given at the meeting are set out in the minutes pack.

The meeting broke for 30min at the conclusion of this item, and Cllr Tidball left at that point.

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

Council heard three addresses and Cabinet Members read or summarised their written responses. Both addresses and responses are set out in full in the minutes pack.

1. Address by Linda Booker – in support of petition 'stop the so called regeneration of Blackbird Leys'
2. Address by Evelyn Sanderson, Friends of the Fields Iffley - The Value of the Meadows in Iffley Conservation Area as a Community Asset
3. Address by Roger Crisp, Friends of Old Marston – development in Old Marston

32. Health & Wellbeing Board /Health Improvement Board

Cllr Haines left at the start of this item.

Council considered the annual report on the work of the Oxfordshire Wellbeing/ Health Improvement Board submitted by the Head of Corporate Strategy.

Councillor Louise Upton, Cabinet Member for a Safer, Healthier Oxford introduced the report and answered questions.

Council noted the report.

33. Scrutiny Committee update report

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

Councillor Wade moved the report.

Council noted the report.

34. Motions on notice 26 July 2021

Council had before it 7 motions on notice submitted in accordance with Council procedure rules and reached decisions as set out below.

Motions agreed as set out below:

- DSS Discrimination (Cross-party motion: proposer Cllr Thomas, seconder Cllr Jarvis)
- Short term lets (proposer Cllr Diggins, seconder Cllr Hunt)
- East Oxford Low Traffic Neighbourhood (proposer Cllr Wolff, seconder Cllr Miles)

Motion not taken as withdrawn before the meeting:

- Trees for Life (proposer: Cllr Landell-Mills, seconder: Cllr Goddard)

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

- EU Nationals deserves to be treated with respect (proposer Cllr Corais, seconder Cllr Bely-Summers)
- Opposition to the Health and Care Bill (proposer Cllr Jarvis, seconder Cllr Pegg)

Oxford Stadium (proposer Cllr Pegg, seconder Cllr Jarvis)

a) DSS Discrimination (Cross party motion)

Cllr Thomas, seconded by Cllr Jarvis, proposed the submitted motion as set out in the agenda and briefing note.

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

Council resolved to adopt the following motion:

This Council notes that:

- The private rented sector (PRS) in Oxford has grown to 49.3% (2020) of homes in the city, one of the largest PRS populations of any housing authority in England;
- Private renters face a host of challenges, including disrepair and lack of affordable rent;
- Tenants in receipt of housing benefit or universal credit also face the prospect of 'DSS discrimination'¹;
- 'No DSS' policies have been found to be unlawful and discriminatory under the Equality Act but are still widespread.

This Council observes that:

- Some landlords and letting agents overtly practice DSS discrimination, e.g. by listing properties as 'no DSS' on websites;
- More often, landlords and letting agents covertly discriminate against benefits claimants, e.g. by using affordability or referencing checks that automatically fail benefit recipients, by systematically favouring non-benefit claimants when assessing tenancy applications, by demanding guarantors when a prospective tenant's income (be it from benefits or employment) is sufficient, etc.;
- Despite alleviating measures such as the council tax reduction scheme, people are struggling financially. More people rely on benefits due to the pandemic, so the effects of DSS discrimination are now particularly widespread.

This Council defends the right to decent housing, and will work to eliminate DSS discrimination from Oxford by asking Cabinet to take the following steps where possible:

- Revise the OCLAS code², adding the following wording: 'you must not discriminate on the basis of age, gender, race, language, sexuality or any other factor that might place an individual at a disadvantage. *This includes indirect discrimination such as 'no DSS' or related practices, namely refusing to let prospective tenants on housing benefit or universal credit view affordable properties and requiring guarantors in cases where a prospective tenant's income is sufficient*';

¹ this is discrimination against those in receipt of Department of Works and Pensions (DWP) benefits, referencing the previous initials (DSS) of the department

² the [Oxford City Council Landlord accreditation scheme](#)

- Advertise and ensure that the Welfare Reform Team will look out for and follow up on reported cases of discrimination;
- Ensure that duty housing officers are informed about the issue and refer cases to the Welfare Reform Team and independent advice centres;
- Establish a permanent “tenants’ forum”, which should:
 - Be composed of community groups and stakeholders representing tenants, both in private and council housing;
 - Be invited to consult directly with the Housing and Homelessness Panel bi-annually at least and whenever decisions significantly impacting the rental sector come before Council;
- Use official communication and media activities to improve awareness, as well as denouncing discrimination against benefits claimants clearly on the Council website, with a dedicated page detailing ways to recognise DSS discrimination and what actions to take in response.

This Council asks that the Housing and Homelessness Panel consider this issue, monitor actions taken to address it, and make recommendations accordingly.

Council recognises that DSS discrimination is one obstacle among many for those on benefits accessing housing.

Council asks that the Leader write to the Secretary of State for Work and Pensions, calling for benefit levels to be raised and uprated in line with rents so they are realistic for places like Oxford, and for the household benefit cap to be removed.

b) Short term lets

Cllr Diggins, seconded by Cllr Hunt, proposed the submitted motion as set out in the agenda and briefing note.

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

Council resolved to adopt the following motion:

This Council notes that an ever increasing number of homes in Oxford are being lost to local families as owners rent the out as short term lets. While numbers are difficult to quantify, we estimate that there are nearly 900 homes in Oxford entirely rented out on short lets for all or most of the year and that these numbers are increasing. This is very worrying in a city that is so reliant on the private rented sector to house its population. About 50% of our local residents live in private rented homes – the highest number in the country.

This Council notes that tourism makes a vital contribution to our local economy and there is no doubt that short lets will have an important part to play as this sector recovers from the effects of the pandemic. However, this loss of valuable family homes puts upward pressure on rents that are already among the most unaffordable in England. This council has deliberately encouraged the development of hotels and guest

houses through our planning policies to support tourism and resist the loss of family housing.

This Council welcomes the recent [letter from the Leader of the Council](#) to the Housing Minister on this subject and joins her call to ask the government to legislate to:

- designate homes used predominantly as short term lets as a separate planning class, allowing local authorities to introduce policies to restrict their numbers and location if appropriate for their local circumstances, and allow enforceable conditions to be applied if necessary;
- allow local authorities to introduce local licensing schemes for short term let properties and landlords, as appropriate, matching local and national HMO and/or PRS schemes;
- ensure that short term lets are subject to the same environmental health, food and fire safety regimes as hotels and guest houses, for consumer protection and to create a level playing field for those businesses;
- allow local authorities to charge short term let properties as commercial businesses for waste collection and so forth (rather than having those services provided for free via domestic waste collection services, when these properties pay no or reduced council tax or business rates).

This Council calls on the Leader to work with other councils and the Local Government Association to campaign to get these aims as part of the government's next Housing Bill and to write to the two local MPs asking for their support.

c) Trees for Life

This motion was withdrawn prior to the meeting.

d) East Oxford Low Traffic Neighbourhood

Cllr Wolff, seconded by Cllr Miles, proposed the original motion as published in the agenda and briefing note. Cllr Hayes, seconded by Cllr Hollingsworth, proposed the amendment as published in the briefing note.

Council debated the motion and amendment. On being put to the vote, the amendment was agreed.

On being put to the vote, the amended motion was then agreed.

Council resolved to adopt the following amended motion:

Following consultation on the introduction of East Oxford LTNs, this Council reaffirms the opening paragraph of a 5 October 2020 amended and agreed motion:

"This Council welcomes the public discussions which are taking place in this city about the value of Low Traffic Neighbourhoods (LTNs) in encouraging walking and cycling, preventing rat-running, and decreasing air pollution, while also having the positive

effect of opening up residential and shopping streets for local communities, supporting local businesses and boosting community ties. This ongoing discussion is informed by successful LTNs in Waltham Forest, Groeningen in the Netherlands and Ghent in Belgium.”

This Council notes that Oxford’s congestion has long been impossible as our roads frequently came close to gridlock before the pandemic. As the city gradually unlocks, there are more people driving cars and avoiding buses, contributing to rising traffic in the city. In the short-term, the city needs people to return to pre-lockdown levels of bus use to reduce traffic levels, and in the longer-term, to implement Connecting Oxford after further development and significant consultation, to ensure that bus service providers no longer have to run a third more buses than they need to meet timetables because they spend so much time sitting in congestion.

Council recognises that there are citizens for whom the use of powered vehicles is necessary in the course of their employment and because of physical impairment.

Council believes that this modal shift is unlikely to occur unless measures are taken to discourage car use and to make cycling and walking a safe and attractive option for all, and has stated this position most recently in the EV Strategy Cabinet Paper.

This Council notes that, under new leadership, the County Council has taken a new approach.

Council asks the Leader to write to the Leader of the County Council asking for the East Oxford LTN trial to proceed as swiftly as possible as part of a strategic plan and subject to the overriding need to undertake work to address issues raised at the last consultation and respond to them in the new consultation proposed by County Council officers on 22 July and then move on to complete that new consultation.

This Council reiterates its commitment on 5 October 2020 to

- encourage local residents’ groups and elected members in their efforts to engage communities in discussion about LTNs, so that they may be designed to get the main benefits without imposing unreasonable, adverse consequences. Local people know their streets better than anyone else and must be able to shape their communities. Consultation should precede the introduction of LTNs.
- support further studies and consultation to develop LTNs as an evidence-based and democratic approach. The benefits of transportation changes should not be conferred upon one community at the expense of any other.

e) EU Nationals deserves to be treated with respect

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

f) Opposition to the Health and Care Bill

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

g) Oxford Stadium

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

The meeting started at 5.00 pm and ended at 9.00 pm

Lord Mayor

Date: Monday 4 October 2021

Decisions on items of business take effect immediately:

Motions may be implemented immediately or may require further budget provision and/or reports to Cabinet before implementation.

Details are in the Council's Constitution.

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