

Scrutiny Committee reports for City Executive Board - Thursday 17 March 2016

6. Scrutiny Committee Reports (Pages 3 - 16)

Scrutiny Committee reports on the following items have been submitted to this meeting:

- a. Waterways Public Space Protection Order: pre-consultation
- b. Universal Credit Delivery Partnership Agreement
- c. Suggested CEB response - Universal Credit Delivery Partnership Agreement
- d. A Housing Company for Oxford

Scrutiny also pre-scrutinised the following decisions but has not submitted reports on these:

- Allocation of Homelessness Prevention Funds
- Working With Those Already NEET (Not in Employment, Education or Training) – Application to European Structural & Investment Fund

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To: City Executive Board

Date: 17 March 2016

Report of: Scrutiny Committee

Title of Report: Oxford Waterways Public Spaces Protection Order consultation

Summary and Recommendations

Purpose of report: To present recommendations of the Scrutiny Committee on the Oxford Waterways Public Spaces Protection Order consultation

Scrutiny Lead Member: Councillor Craig Simmons

Executive lead member: Councillor Dee Sinclair, Board Member for Crime, Community Safety and Licensing

Recommendation of the Scrutiny Committee to the City Executive Board:

That the City Executive Board states whether it agrees or disagrees with the recommendation set out in the body of this report.

Introduction

1. The Scrutiny Committee pre-scrutinised the Oxford Waterways Public Spaces Protection Order (PSPO) consultation decision at its meeting on 7 March 2016. The meeting was held in public and the Committee would like to thank all those who attended. In particular the Committee would like to thank the Board Member Councillor Dee Sinclair and Council Officers who presented this item, Simon Manton and Jeremy Franklin, as well as five members of the public and one Councillor who addressed the Committee. All these contributions informed the Committee's deliberations.

Summary of the discussion

2. The Executive Board Member for Crime, Community Safety and Licensing and the Community Response Team Supervisor presented the report. They said that the draft PSPO was intended to promote appropriate behaviours on the City

waterways and to improve the overall environment for the boating community, residents and all visitors and users of the waterways.

3. The Committee then heard from five public speakers and one Councillor.
4. The Committee recognised that there are a number of issues affecting the Oxford waterways and users of the waterways that should be addressed.
5. The Committee expressed a number of concerns about the proposed consultation, including but not limited to:
 - The need for early engagement with key stakeholders, such as multiple landowners, in order to seek their views prior to a public consultation.
 - Whether some issues could be resolved if a more collaborative approach was taken to addressing these with interested parties such asUMBEG (Unlawfully Moored Boat Enforcement Group) and NBTA (National Bargee Travellers Association).
 - The need to provide more context and explanation as to why a PSPO is being considered and what difference it could make, including a preamble to the consultation.
 - The need for sufficient time to identify and engage with people who may be affected by the proposed PSPO, including land owners, and for officers to hand-deliver consultation letters to people who may move in and out of accommodation on the waterways and in and out of the city.
 - The need to allow sufficient time after the consultation to reflect on responses received.

The Committee also expressed reservations about the robustness of the evidence presented in Appendix 1. These included:

- The age and relevance of some of the instances presented, some of which may have been resolved.
 - The rationale and justification for the proposed boundaries. For example, there may be a lack of evidence to justify including some specific Oxford waterways, such as the river Cherwell, in the proposed restricted area.
6. The Committee also expressed concerns about the wording of the draft PSPO, in particular but not limited to:
 - That the wording of part c) 'no person shall store items...or erect structures' had significant implications for the homeless population.
 - That the wording of part d) 'no person shall create smoke...causing annoyance to others' could potentially include boat owners burning wood fuel to heat their boats, which should be treated differently from, for example, diesel fumes being emitted for a long period of time from stationary vessels. The Committee enquired whether smoke nuisance issues could be dealt with using existing environmental powers.
 - That the wording of part e) 'No person shall tamper with the waterways habitats' is too unclear given that many habitats require active management and conservation.
 - That the wording of part g) 'in charge of more than four dogs' could potentially include 'the lady with several small poodles'.

7. There was also some discussion about whether the proposed PSPO, if introduced in its current form, could be legally challenged.
8. In conclusion the Committee reflected as to whether the issues and concerns raised should be picked up during the proposed consultation or addressed before the start of the proposed consultation. The Committee then voted on which of the following two proposals to support:
 1. Proceed with the consultation as planned with the existing documentation and PSPO as currently drafted.
 2. Revise the documentation, draft PSPO and consultation proposals in collaboration with interested parties before consulting on an improved proposal for an Oxford waterways PSPO.
9. By majority vote the second proposal was agreed.

Recommendation – That the Council should revise the documentation, draft Public Spaces Protection Order (PSPO) and consultation proposals in collaboration with interested parties before consulting on an improved proposal for an Oxford Waterways PSPO.

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List of background papers: None
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To: City Executive Board

Date: 17 March 2016

Report of: Scrutiny Committee

Title of Report: Universal Credit Delivery Partnership Agreement

Summary and Recommendations

Purpose of report: To present recommendations of the Scrutiny Committee on the Universal Credit Delivery Partnership Agreement

Scrutiny Lead Member: Councillor Craig Simmons

Executive lead member: Councillor Susan Brown, Board Member for Customer and Corporate Services

Recommendation of the Scrutiny Committee to the City Executive Board:

That the City Executive Board states whether it agrees or disagrees with the three recommendations set out in the body of this report.

Introduction

1. The Scrutiny Committee pre-scrutinised the Universal Credit Delivery Partnership Agreement decision at its meeting on 7 March 2016. The Committee would like to thank Councillor Susan Brown and Paul Wilding for presenting this item.

Summary of the discussion

2. The Committee sought reassurance that staffing posts and skills were being safeguarded so that ongoing support could be provided to benefits claimants. The Revenues & Benefits Programme Manager confirmed that while some staffing posts would be lost in future years due to Housing Benefit being subsumed into Universal Credit, the Council was actively seeking to safeguard jobs through the use of fixed term contracts, active redeployment and forward planning, and did not expect to lose any permanent members of staff. Current resources to support claimants during the Universal Credit application process were considered to be sufficient and the current cohort tended to be IT literate. There was an expectation that as Universal Credit is extended and rolled out

across the city, demand for this support would increase but the resources required to meet these needs were unknown at this stage.

Recommendation 1 - That appropriate workforce planning is conducted to ensure future demand for support can be met by the Council

3. In response to a question about the stability and accessibility of the online application system, the Committee heard that there was a mechanism in place for the Council to feedback concerns about problems encountered during the online application process to the Department for Work and Pensions. The Council was also talking to local libraries about the services on offer to support applicants, and computer appointments had been extended in order to support claimants completing online applications. It was noted that as Universal Credit is rolled out, people with less awareness and IT literacy would face difficulties and need extra support.

Recommendation 2 - That the City Council writes to the County Council encouraging them to maintain and promote library based IT access to support customers making Universal Credit applications

4. The Committee expressed particular concern that the timescales of the application process were such that it was inevitable that clients would accrue rent arrears, potentially leading to some facing eviction. The Committee was pleased to note that the Council was seeking to address this situation through discussions with Job Centre Plus about a pilot scheme on referrals and that the Council's own Housing service would be working with local housing associations on solutions to the problem.

Recommendation 3 - That the Council works with social landlords and other agencies to try and address the problem of rent arrears caused by the move to Universal Credit

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Suggested City Executive Board response to Scrutiny Committee recommendations on the Universal Credit Delivery Partnership Agreement

Provided by the Board Member for Customer and Corporate Services

<i>Recommendation</i>	<i>Agreed? (Y / N / In part)</i>	<i>Comment</i>
Recommendation 1 - Recommendation 1 - That appropriate workforce planning is conducted to ensure future demand for support can be met by the Council	Y	Workforce planning has been carried out in respect of Universal Credit for the last four years. This has been conducted to plan for the reduction in workload within the Benefits service and the Contact centre, and also the increase in workload as a result of the need to support people migrating to Universal Credit. This will continue to be reviewed on an annual basis but as we flagged at Scrutiny it is unlikely that in the future the council will be able to provide directly all the support required by claimants. We continue to fund and work closely with advice agencies in the city who provide valuable additional help and support.
Recommendation 2 - That the City Council writes to the County Council encouraging them to maintain and promote library based IT access to support customers making Universal Credit applications	Y	A meeting was held with the library service prior to the rollout of Universal Credit in Oxford to understand their capacity to support claimants. Provision is currently sufficient as most people migrating to UC at the moment are familiar with accessing services online. We will contact the Library Service again in order to start thinking about catering for people in the next phase of UC rollout, where support needs may be greater.
Recommendation 3 - That the Council works with social landlords and other agencies to try and address the problem of rent arrears caused by the move to Universal Credit	Y	We will continue to engage with social landlords and other stakeholders in the city to share best practice in relation to managing arrears that arise as a result of migration to the new benefit,

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To: City Executive Board

Date: 17 March 2016

Report of: Housing Panel and Finance Panel (Panels of the Scrutiny Committee)

Title of Report: A Housing Company for Oxford

Summary and Recommendations

Purpose of report: To present recommendations of the Scrutiny Committee on A Housing Company for Oxford

Scrutiny Lead Member: Councillor Craig Simmons

Executive lead members:

Councillor Mike Rowley, Board Member for Housing

Councillor Ed Turner, Board Member for Finance, Asset Management & Public Health

Recommendation of the Scrutiny Committee to the City Executive Board:

That the City Executive Board states whether it agrees or disagrees with the two recommendations set out in the body of this report.

Introduction

1. The Housing Panel and Finance Panel pre-scrutinised this decision in a joint session held in public on 9 March 2016. The joint Panel would like to thank the Board Member Councillor Mike Rowley and council officers David Edwards, Stephen Clarke, Nigel Kennedy, Jeremy Thomas and Alan Wylde, who attended to present this item and answer questions. The Panel would also like to thank a representative of Homes for Oxford for speaking on this item.

Summary of the discussion

2. The Housing Development and Enabling Manager introduced the report and explained that it sought agreement to the principle of setting up a Local Authority wholly owned housing company and delegated authority to set up an appropriate company structure. The overarching aim of the Company was to increase the supply of affordable housing.

3. In response to a question about the merits of a Community Land Trust model of ownership, the Panel heard that initial discussions had taken place. The Council needed to view any opportunities at specific sites on their merits and ensure best value. The report was not seeking decisions on any sites other than Barton and nothing else was being ruled out or given a green light at this stage. In the short term, the Company would not be doing anything the Council wasn't planning to do anyway. These plans included delivering homes at Barton and estate regeneration. Other sites the Council was planning to develop would come forward in due course and be subject to separate decisions. The Company would also enable further opportunities that may follow in future, such as developing outside the city.
4. In response to a question about whether the articles of the Company could preclude it from investing in alternative housing models, the Panel heard that the articles of the Company would be drawn as flexibly as possible and the Company structure would enable the Company to partner with anybody but there was a need to balance risk given that the Company would be wholly Local Authority owned.

Recommendation 1 - That the Company articles should be drafted in such a way so as not to preclude entering into any funding arrangements or partnerships that could help to increase the supply of affordable housing, including working with alternative housing providers and models (such as co-housing or a community land trust).

5. The Panel observed that there may be merit in appointing non-executive Directors from the start in order to bring in outside expertise and high profile support.
6. The Panel also sought and received assurances on the following:
 - That there was sufficient officer capacity at senior levels.
 - That the Company would be able to rent out properties on a range of tenures including social and market rent.
 - Any General Fund borrowing would be prudent and affordable.
 - That the terms of the loan facility would be determined when the Company required the funding.
 - That future executive decisions would be open to scrutiny.
7. The Panel noted that important decisions about the articles of the Company, shareholder agreements, and agreements regarding the acquisition of affordable housing at Barton Park would be delegated to Council officers, in consultation with the relevant Board Members. The Panel suggested that there should be wider member oversight of these decisions, either through the scrutiny process or other means.

Recommendation 2 - That consideration should be given to enabling wider member oversight and input into decisions delegated to officers, in particular decisions about the articles of the Company, shareholder agreements, and details of agreements regarding the acquisition of affordable housing at Barton Park.

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List of background papers: None

Version number: 1

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