

Agenda

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City Executive Board

Date: **Wednesday 11 September 2013**

Time: **5.00 pm**

Place: **Oxford Town Hall, St Aldate's, Oxford**

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City Executive Board

Membership

Chair

Councillor Bob Price

Corporate Governance, Strategic Partnerships and Economic Development

Councillor Ed Turner

Finance, Efficiency and Strategic Asset Management

Councillor Susan Brown

Benefits and Customer Services

Councillor Bev Clack

Youth and Communities

Councillor Colin Cook

City Development

Councillor Pat Kennedy

Education, Crime and Community Safety

Councillor Mark Lygo

Parks and Sports

Councillor Mike Rowley

Leisure Services

Councillor Scott Seamons

Housing

Councillor John Tanner

Cleaner, Greener Oxford

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AGENDA

PART ONE PUBLIC BUSINESS

Pages

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

Board Members are asked to declare any disclosable pecuniary interests they may have in any of the following agenda items. Guidance is contained at the end of these agenda pages.

3 PUBLIC QUESTIONS

When the chair agrees, questions from 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 on a day so that there are two clear working days before the meeting (email executiveboard@oxford.gov.uk or telephone the person named as staff contact). 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.

4 SCRUTINY COMMITTEE REPORTS

The following scrutiny committee reports have been, or may be, submitted to this meeting:-

- Customer Contact Strategy
- Housing Strategy Action Plan 2012-16 – Periodic Review
- Homeless Accommodation Supply
- Allocations Review and Changes to the Allocations Scheme
- Finance, Performance and Risk – Quarter 1 Progress
- Treasury Management Annual Report

5 COUNCILLOR ADDRESSES ON ANY ITEM FOR DECISION ON THE BOARD'S AGENDA

6 CUSTOMER CONTACT STRATEGY

Lead Member: Councillor Susan Brown, Executive Board Member for Customer Services and Benefits

Report of the Head of Customer Services

1 - 22

This report asks the Board to agree a draft Customer Contact Strategy for consultation. Following consultation, the outcome of that exercise and the proposed Strategy for adoption will be brought back to the Board in February 2014.

7 HOUSING STRATEGY ACTION PLAN 2012-16 - PERIODIC REVIEW

23 - 48

Lead Member: Councillor Seamons, Executive Board Member for Housing

Report of the Head of Housing and Property

This report provides the Board with an update of the Council's progress against the Housing Strategy Action Plan priorities. It proposes revisions to Housing Strategy Action Plan targets.

The report recommends the Board to:-

- (1) Note the progress made against the tasks in the Plan;
- (2) Revise Plan targets as detailed in Appendix B to the report;
- (3) Note that progress will be reported annually to the Board.

8 HOMELESS ACCOMMODATION SUPPLY

49 - 70

Lead Member: Councillor Seamons, Executive Board Member for Housing

Report of the Head of Housing and Property

The report concerns the supply of temporary accommodation in order to meet the Council's duties to homeless households. It proposes improvements to it.

The report recommends the Board as follows:-

- (1) To endorse the approach being taken to procure additional properties for temporary accommodation as part of the discharge of the Council's homelessness duties;
- (2) To give project approval to the Homeless Accommodation Supply Project identified in the report, and to grant delegated authority to the Executive Director for Regeneration and Housing in consultation with the Chief Executive to decide on the final management model, to tender contracts to set up and operate a scheme, and to award appropriate contracts and, as necessary, to agree property acquisitions, that are the most financially advantageous for the Council with respect to the Council's Medium Term Financial Plan, following approval from

the Council's Head of Finance;

(3) To ask officers report progress to the Board after the first £5million spend to evaluate the impact of the scheme;

(4) To recommend Council as follows:-

(a) That the 2013/14 General Fund Capital Budget be updated with the inclusion of a new scheme, namely "Homeless Property Acquisitions", estimated at £5 million, funded from borrowing, and to include a further £5 million budget in 2014/15;

(b) To increase General Fund external borrowing of up to £10 million to finance the capital expenditure.

9 ALLOCATIONS REVIEW AND CHANGES TO THE ALLOCATIONS SCHEME

71 - 186

Lead Member: Councillor Seamons, Executive Board Member for Housing

Report of the Head of Housing and Property

This report reminds the Board that it agreed to consultation upon changes to the Housing Allocation Scheme at its meeting in February 2013. The report asks the Board to approve a new Housing Allocations Scheme following consultation. Specifically, it recommends the Board to:-

(1) Note the proposed changes to the existing Allocation Scheme and responses to consultation:

(2) Recommend Council to approve the new Allocation Scheme;

(3) Give delegated authority to the Head of Housing and Property to introduce the new Allocations Scheme within three months of its approval by Council (in order to allow time to implement the changes);

(4) To agree to the Council leaving the Oxfordshire sub-regional Choice-Based Lettings Scheme.

10 AFFORDABLE HOUSING AND PLANNING OBLIGATIONS - SUPPLEMENTARY PLANNING DOCUMENT - ADOPTION

187 - 244

Lead Member: Councillor Cook, Executive Board Member for City Development

Report of the Head of City Development

This report recommends the Board to adopt an Affordable Housing and Planning Obligations Supplementary Planning Document. The report also refers, in paragraph 11, to the submission of related reports to Council in September and the Board in October.

11 JERICHO CANALSIDE SUPPLEMENTARY PLANNING DOCUMENT - CONSULTATION

245 - 302

Lead Member: Councillor Cook, Executive Board Member for City Development

Report of the Head of City Development

This report asks the Board to approve a draft Jericho Canalside Supplementary Planning Document for consultation. It also asks the Board at this stage to approve the draft Supplementary Planning Document as a material consideration in determining planning applications. It asks the Board to endorse the strategic environmental assessment screening report referred to in paragraph 34 of and Appendix 4 to the report. And it asks the Board to authorise the Head of City Development to make editorial corrections as and if necessary to the Supplementary Planning Document (in consultation with the Board Member) before consultation starts.

12 FINANCE, PERFORMANCE AND RISK - QUARTER 1 PROGRESS

303 - 350

Lead Member: Councillor Turner, Executive Board Member for Finance, Efficiency and Strategic Asset Management

Report of the Executive Director Organisational Development and Corporate Services

This report provides an update to the Board on financial and non-financial performance and corporate risk for the period April to June 2013 (Quarter 1). It recommends the Board generally to note the position but specifically in relation to waste, to:-

- (1) Agree that the Council's performance indicator for the recycling rate target be amended to 44% for 2013/14 and 2014/15 and 45% for 2015/16 and 2016/17 as referred to in paragraph 8 of and Appendix B to the report;
- (2) Agree that the weight of residual waste per household per annum should in future be used as the Council's key indicator (published in the Corporate Plan) to measure its recycling performance as referred to in paragraph 8 of and Appendix B to the report.

13	TREASURY MANAGEMENT ANNUAL REPORT	351 - 362
	Lead Member: Councillor Turner Executive Board Member for Finance, Efficiency and Strategic Asset Management Report of the Head of Finance. This report asks the Board to receive and to note the contents of this report which sets out the Council's treasury management activity and performance for 2012/13.	
14	TRANSFERS FROM HOUSING REVENUE ACCOUNT TO GENERAL FUND	363 - 384
	Lead Member: Councillor Turner Executive Board Member for Finance, Efficiency and Strategic Asset Management Report of the Head of Finance This report asks the Board to recommend Council to transfer non-dwelling assets from the Housing Revenue Account to the General Fund together with a proportion of Housing Revenue Account cash balances.	
15	15 - 19 GEORGE STREET - LEASE RESTRUCTURE	385 - 392
	Lead Member: Councillor Turner, Executive Board Member for Finance, Efficiency and Strategic Asset Management Report of the Head of Housing and Property This report asks the Board to agree to a restructuring of the lease of parts of 15-19 George Street so that a hotel development can proceed. There are not for publication appendices to this report.	
16	LANHAM WAY - COMPULSORY PURCHASE	393 - 404
	Lead Member: Councillor Seamons, Executive Board Member for Housing Report of the Head of Housing and Property This report seeks Board approval to initiate compulsory purchase proceedings in relation to a dwelling in Lanham Way that has been unoccupied for ten years.	

The report has a not for publication appendix.

17 GAMBLING POLICY - UPDATE

405 - 462

Lead Member: Councillor Cook, Executive Board Member for City Development

Report of the Head of Environmental Development

This report concerns the outcome of consultation on a revised Statement of Gambling Licensing Policy. Local licensing authorities are required periodically to review their Gambling Licensing Policies and to renew them. It is for Council to decide upon the adoption of the Gambling Licensing Policy.

A review of the Council's Gambling Licensing Policy has taken place. The Licensing and Gambling Acts Committee on 5th September will consider the consultation outcome of the review. The Committee will recommend the Board to recommend Council upon a renewed Policy.

The Committee's recommendation will be reported orally to the Board.

18 TAXI LICENSING: EURO EMISSIONS AND VEHICLE AGE LIMITS

463 - 568

Lead Member: Councillor Cook, Executive Board Member for City Development

Report of the Head of Environmental Development

This report concerns the introduction of certain amendments, as follows, to the hackney carriage and private hire vehicle 'conditions of fitness' criteria:-

- Age limit for vehicles
- Annual tests for vehicles that are eight or more years old

It is for Council to reach the final decision on this policy matter.

Last Autumn the General Purposes Licensing Committee asked for consultation to be carried out on the implementation of age limits. The Committee will be considering a report on the outcome of that consultation on 5th September. The Committee's recommendations will be reported orally to the Board and it will be for the Board to frame a recommendation to Council.

19 HACKNEY CARRIAGE VEHICLE LICENSES - REGULATION OF NUMBERS

569 - 588

Lead Member: Councillor Cook, Executive Board Member for City Development

Report of the Head of Environmental Development

The Board is asked to consider the recommendation of the General Purposes Licensing Committee of 21st May 2013 in relation to the Policy on hackney carriage quantity control.

The Board is recommended to:-

- (1) Approve the recommendation of the General Purposes Licensing Committee that accepted the conclusions of the hackney carriage "unmet demand" survey report prepared by Halcrow Group Limited, that there is currently no significant unmet demand for hackney carriage vehicles;
- (2) Agree that there is currently no significant demand for the services of hackney carriage vehicles which is unmet and to therefore resolve to maintain the Council's policy of quantity control on the number of hackney carriage vehicle licences;
- (3) Agree that a further unmet demand survey be commissioned in 2015, subject to any future changes to legislation, and to recommend Council accordingly.

20 FUTURE ITEMS

This item is included on the agenda to give members the opportunity to raise issues on the Forward Plan or update the Board about future agenda items.

21 MINUTES

589 - 600

Minutes of the meetings held on 10th and 31st July 2013.

22 MATTERS EXEMPT FROM PUBLICATION

If the Board wishes to exclude the press and the public from the meeting during consideration of any of the items on the exempt from publication part of the agenda, it will be necessary for the Board to pass a resolution in accordance with the provisions of Paragraph 21(1)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 on the grounds that their presence could involve the likely disclosure of exempt information as described in specific paragraphs of Schedule I2A of the Local

Government Act 1972.

The Board may maintain the exemption if and so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

PART TWO
MATTERS EXEMPT FROM PUBLICATION

23 15-19 GEORGE STREET - LEASE RESTRUCTURE

601 - 608

This paper is a not for publication appendix to the report at agenda item 15.

It contains information concerning the terms of the lease restructure.

The public interest in maintaining the exemption from publication is in order not to compromise commercially sensitive information.

24 LANHAM WAY - COMPULSORY PURCHASE

609 - 612

This paper is a not for publication appendix to the report at agenda item 16.

It contains information concerning compulsory purchase terms.

The public interest in maintaining the exemption from publication is in order not to compromise commercially sensitive information.

DECLARING INTERESTS

General duty

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed “Declarations of Interest” or as soon as it becomes apparent to you.

What is a disclosable pecuniary interest?

Disclosable pecuniary interests relate to your* employment; sponsorship (ie payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council’s area; licences for land in the Council’s area; corporate tenancies; and securities. These declarations must be recorded in each councillor’s Register of Interests which is publicly available on the Council’s website.

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest.

If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members’ Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members’ Code of Conduct says that a member “must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself” and that “you must not place yourself in situations where your honesty and integrity may be questioned”. What this means is that the matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

**Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those of the member’s spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.*

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To: City Executive Board

Date: 11th September 2013

Report of: Head of Customer Services

**Title of Report: DRAFT CUSTOMER CONTACT STRATEGY FOR
CONSULTATION**

Summary and Recommendations

Purpose of report: To agree the Council's Draft Customer Contact Strategy (attached at Appendix 1) for consultation. The consultation will take place between September 2013 and January 2014 and take a number of different forms as set out at paragraphs 5 and 6. The outcome of the consultation together with the proposed Strategy will be brought back to City Executive Board in February 2014.

Key decision? No

Executive lead member: Cllr Susan Brown

Policy Framework:

Recommendation(s): To approve the Draft Customer Contact Strategy for consultation.

Appendix 1: Draft Customer Contact Strategy for Consultation

Appendix 2: Risk Assessment

Appendix 3: Equalities Impact Assessment

Introduction

1. Oxford City Council has an aspiration to create a world-class city for everyone and deliver world-class services.

World class customer service for Oxford City means:

- Consistent; right first time service delivery.
 - Proactively seeking customer feedback to inform service delivery.
 - Customer service being at the heart of our values and behaviours.
 - Working in partnership with complementary organisations to provide added value to our customers
 - Enabling as many customers as possible to access our services using the most efficient and cost effective channels (web and contact centre), whilst ensuring our face-to-face service is available for those customers who most need it.
 - Ensuring our end to end processes are as efficient as possible and that the customer journey and contact can be tracked.
2. The Council's current Customer Contact Strategy was agreed in October 2009. The strategy has been reviewed in light of current working practices, best practice and changes in technology. It is proposed that the draft strategy, attached at Appendix 1 is now consulted on to inform the future direction of customer contact for the City Council.

Draft Customer Contact Strategy

3. The Draft Customer Contact Strategy at Appendix 1 is intended for extensive consultation with users and stakeholders. The customer insight gathered throughout the consultation will be reported to the City Council's Executive Board in February 2014 together with a final proposed Strategy.
4. In developing the draft strategy we have pulled together a picture of who our communities are, and what they might need from the City Council in order to make their experience of using our services positive because their interaction with us has been quick and easily accessible. We have used the 2011 census to provide an initial outline of our potential customer base.
5. The Draft Customer Contact Strategy sets out where we are now, what areas we believe we need to develop, and how we will consult and work with our customers and stakeholders to inform how we develop future service delivery. Using demographic data, consultation will be carried out using a number of methods to ensure we offer varied opportunities for customers to give their feedback. Consultation methods will include:
 - Customer Focus Groups – Groups will be representative of the community and be used to discuss and inform service improvements
 - Surveys – surveys will be carried out to ensure customers unable to attend focus groups are able to be involved in the consultation process. Surveys may be carried out on the web or in paper form to ensure all customers are able to access them.

6. The detailed work to be undertaken is included in the Strategy itself at Appendix C, summarised below are the key milestones in the consultation process and the estimated dates for delivery.

- Draft Customer Contact Strategy for Consultation agreed by City Executive Board. (September 13)
- Inform delivery of accessible, user friendly access channels - We will ask customers whether there are additional ways they would prefer to access our services, for example using social media or mobile applications. We will also ask them what they believe great customer service is, including what our customer service standards should be and how they would like to be able to provide customer feedback. We will use our demographic data to identify hard to reach groups and investigate how we can reach them. We will also use our demographic data to analyse who our partner organisations should be. (September to December 13)
- Involve customers in service design to remove avoidable contact - To understand how best to encourage self-service generally via both the web and telephone and more specifically for housing repair requests. (August 13 to January 14)
- Customer Contact Strategy 2014 -2016 agreed by City Executive Board - Following analysis and evaluation of customer and stakeholder feedback. The Strategy will contain a high level implementation/action plan for. (February 14)

Risk

7. A risk assessment is attached at Appendix 2.

Climate Change/Environmental Impact

8. There will be no impact on climate change or the environment.

Equalities Impact

9. An equalities impact assessment has been is attached at Appendix 3.

Financial Implications

10. The costs of consulting on the strategy are contained within the Customer Services budget for 13/14.

Legal Implications

11. There are no legal implications.

Name and contact details of author:-

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List of background papers: Customer Consultation Report Jan-Apr '13

Version number: 0.5

Draft Customer Contact Strategy for Consultation

2013 - 2016

Authors	Customer First Programme Team
Version	12 DRAFT
Date Issued	August 2013
Document status	Draft for Comment

Distribution

Name	Title	Purpose
Jackie Yates	Director	Review and input
Helen Bishop	Head of Customer Services	Review and input
Cllr Susan Brown	Portfolio Holder	Review and input
Peter Sloman, Peter McQuitty, Jane Lubbock, Stephen Clark	Customers First Programme Board	Review and input
Corporate Management Team		Review and input

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1. INTRODUCTION

- 1.1 This draft Strategy is intended for extensive consultation with users and stakeholders who access information and advice on the services delivered by Oxford City Council. The customer insight gathered throughout the consultation will then be used to inform the final Customer Contact Strategy which will be reported to the City's Executive Board for approval in February 2014.
- 1.2 In developing this strategy we have analysed who our communities are and what they might need from the City Council in order to make their experience of using our services positive; because their interaction with us has been quick and easy. We have also assessed the backdrop of other external drivers that will help to drive up service performance to deliver right first time value for money services. We have used the 2011 census to provide an initial outline of our potential customer base.
- 1.3 We already receive customer feedback via focus groups and customer feedback mechanisms such as GovMetric (satisfaction survey) complaints, comments and compliments. However, to inform the final Strategy we propose to undertake further targeted consultation with our customers and stakeholders. In summary we will consult on the following:
- What good customer service looks like for our customers.
 - What service standards our customers find acceptable
 - How we can encourage the takeup of online services;
 - Which services voice automated messaging could be used for (if any); and
 - How we can improve our current telephony service.

2. BACKGROUND

- 2.1 Oxford City Council has an aspiration to create a world-class city for everyone, delivering world-class services.

World class customer service for Oxford City means:

- Consistent; right first time service delivery.
 - Proactively seeking customer feedback to inform service delivery.
 - Customer service being at the heart of our values and behaviours.
 - Working in partnership with complementary organisations to provide added value to our customers
 - Enabling as many customers as possible to access our services using the most efficient and cost effective channels (web and contact centre), whilst ensuring our face-to-face service is available for those customers who most need it.
 - Ensuring our end to end processes are as efficient as possible and that the customer journey and contact can be tracked.
- 2.2 'Customers First' is one of the Council's transformation themes, focusing on putting customer needs at the forefront of its work and improving customer service. The Customer Contact Strategy sets out where we are now, what areas we believe we need to develop, how we will consult and work with our customers and stakeholders to inform how we develop future service delivery. The Strategy is built upon the key values of the City Council which are:
- Excellent public service at the heart of everything we do
 - Putting communities and customers first
 - Taking personal responsibility
 - Embracing innovation
 - Valuing diversity

3. INSIGHT INTO OXFORD CITY CUSTOMERS

3.1 The demographics of Oxford's population dictate to some extent the nature of the service needs. The 2011 Census had the following key headlines:

- Rapid population growth over the last decade with large increases in the number of children and young people
- International migration has driven population growth and ethnic diversity has increased and is expected to get increasingly diverse
- Large increase in the number of students
- Large increase in the number of people in the labour market
- More households live in flats, and more rent their home
- Growth in households has been driven by families with children, single adults and 'other' households (e.g. houses in multiple occupation)

3.2 Oxford's population in 2011 was estimated to be 151,900, an increase of 12% since 2001 and is deemed to be one of the fastest growing local authority areas in England. The council itself has approximately 7,800 tenants. Because of the very large university student population (which has increased by 6,000 over the last decade), Oxford's population is very young. 35% of the population is aged between 15 and 29 years (compared to a UK average of 20%). Although the UK is experiencing an ageing population, Oxford's population is expected to get younger in the future, with most population growth coming from the working age population.

3.3 The Index of Multiple Deprivation 2010 ranks Oxford 131st out of 354, placing it in the top half most deprived local authority areas in England. Of 85 areas in Oxford, 12 are among the 20% most deprived areas in England. These areas are in the Leys, Barton, Littlemore and Rose Hill areas of the city, and experience multiple levels of deprivation - low skills, low incomes and high levels of crime; the majority of the council's 7,800 tenants live in these areas. Men and women from the least deprived areas can expect to live six years longer than those in the most deprived areas.

3.4 In 2012, 80% of all UK households had internet access. 93 per cent of households with Internet access used a fixed broadband connection, of which 30 per cent used a cable or fibre optic connection. In 2012, 67 per cent of adults in Great Britain used a computer every day, rising to over 80% amongst people under 45 years of age. Access to the Internet using a mobile phone more than doubled between 2010 and 2012, from 24% to 51%. In 2012, 32% of adults accessed the Internet using a mobile phone every day.

3.5 Whilst we do not have statistics about the level and type of Internet use in Oxford, as the city has a very young population due to the large number of university students, we can expect that internet usage in Oxford is higher than the national average. Education is also an important determinant of whether people have internet access at home. Almost all adults (93%) who had a degree-level qualification are estimated to have internet access at home – compared to 56% of people with no formal qualifications. Oxford has a higher than average proportion of the population with degree-level qualifications, and a lower than average proportion of the population with no qualifications. This is another reason why we can expect internet usage in Oxford to be higher than the national average. However in the deprived areas of the city very high proportions of the population have no qualifications, so in these areas there may be lower than average rates of internet usage.

3.6 Further demographic information can be found at Appendix A.

4. WHERE ARE WE NOW?

4.1 Since writing the original Customer Contact Strategy in 2009, the Council's Customer First Programme has delivered the following outcomes:

- Constant measuring of customer satisfaction, which is monitored and benchmarked with over 100 other local authorities. The corporate target for customer satisfaction is set at 75% (and is being achieved), and covers the service experienced in our contact centre, customer service centres and website. Customer satisfaction with the telephone contact centre specifically is at 91%, putting us just outside top ten performances with our benchmark peers. More work needs to be done to improve satisfaction levels with our face-to-face service and the Council's website.
- Single customer contact centre with one telephone number for the organisation, providing access to a wide range of council services. Over 90% of all customers get through first time using this number.
- A modern walk in customer service centre providing access to officers via appointment or "drop in" alongside self-service facilities. The customer service centre is also available for partner surgeries and is being effectively used by Carers Oxfordshire and Sheltarto introduce a one-stop-shop of local services.
- Multi skilled Customer Service Officers who are able to deal with a wide range of customer enquiries; Housing Repairs, Tenancy Services, Rents and Homeless, Housing Benefits and Council tax, Waste recycling and Garden waste. Environmental Development – Pest and Dog warden services and Planning enquiries. Over 90% of all enquiries handled either face-to-face or over the telephone are resolved at point of contact and without hand off to the back office.
- The implementation of a Customer Relationship Management (CRM) system which has enabled service delivery and resolution at the first point of contact in the majority of cases in our customer service centres and contact centre.
- Consistency of business processes associated with customer contact and simultaneously improvements in service levels and consequently customer satisfaction.
- Provision of more self-service opportunities e.g. online application forms, payments, service requests and improved website information.
- 24/7 automated payment telephone line.
- Out of hours duty officer service, to handle urgent customer enquiries.
- Customer Service Excellence accreditation, achieving full compliance with all 57 parts of the standard.
- New telephony software is currently being implemented, which will offer a reduced number of service options for customers to select. The system provides a range of increased functionality to the contact centre to be implemented during the financial year, including:
 - Improved management information
 - 'Queue Buster' technology
 - Message facilities
 - Voice recognition
 - Home working opportunities
 - Workforce management and planning
 - Website 'Call me Back' function

4.2 Customers currently resolve their enquiries by visiting one of our Customer Service Centres at St Aldates or Templar Square, Cowley; telephoning our customer contact centre; or visiting our website. The customer enquiry numbers per year for each channel are as follows:

Channel	Enquiries Per Annum
Face-to-face	15,600
Telephone	261,850
Web – on line form usage	25,000
Total	302,450

In the contact centre the call volume per service area is as follows:

Service area	Enquiry Volumes
Waste	40,000
Elections	2,050
Housing repairs	37,000
Tenancy and rent	22,000
Housing benefit	29,000
Council tax	38,000
Business rates	3,400
Planning	8,900
Pest and dogs	5,500
No option selected by customer *	76,000
Total	261,850

* This data is taken from the telephone system and denotes customers who do not select a particular option from the automated options presented

4.3 The unit costs associated with each channel compared to the benchmark average are as follows:

Access Channel	Current Unit Cost £	Benchmark Unit Cost £
Face-to-face	£30	£10 - £14
Telephone	£5.80	£3 – £5
Web		£0.08

- Benchmarks sourced from SOCITM and PWC

5. CUSTOMER CONSULTATION AND THE WAY FORWARD

5.1 To date customer feedback has been collated through focus groups and customer feedback mechanisms such as GovMetric (satisfaction survey) complaints, comments and compliments. A high level summary report on what our customers have been telling us is at Appendix B.

5.2 Following a restructure in Customer Contact, two Quality and Customer Insight roles have been created so that we continue to collate customer data and feedback to ensure services are developed and our commissioning strategy informed to meet customer need. They will work with customers to identify opportunities for service improvement. The roles will also continue to develop partnerships with other like-minded organisations to ensure we provide a relevant and complementary range of services to our customers.

5.3 As part of the consultation on the Draft Strategy we will seek to engage with customers to understand how they wish to access services and how we can proactively encourage access via the web and promote the advantages of self-service. This will include where appropriate turning off other, traditional, access channels for certain customers e.g. paper invoices for business customers.

Encouraging customers to 'channel shift' is a key element of the strategy, and implemented well it can lower costs, build reputation, empower the citizen and improve the overall service proposition. However, to change customer behaviour it is important to understand what is important to them and what barriers they experience in accessing services. Oxford City Council will seek to enable and encourage customers to access our services using the most cost effective channels whilst ensuring a face-to-face service is available for those customers who most need it.

5.4 The key themes we will focus on in delivering the Strategy are listed below. Action Plans to establish the detailed milestones can be found in Appendix C.

- Accessible User friendly Services
- Use customer insight to inform service design
- Embedding Customer Service Excellence across the Council.

5.5 The current targets for delivering Customer Service in 2013/14 are:

- Increase the level of online transactions incrementally from 12/13 base. 18% in 13/14; 23% in 14/15.
- Increase net customer satisfaction rating to 91% for telephones and 45% for face-to-face (net satisfaction)
- 95% of customers getting through first time on the Council's main telephone number
- 85% of telephone customers answered within 20 seconds
- 90% of enquiries answered at first point of contact
- Improve numbers of customers self-serving to 5%

6. KEY MILESTONES IN 2013/14

6.1 The detailed work to be undertaken is in Appendix C. Using demographic data, consultation will be carried out using a number of methods to ensure we offer varied opportunities for customers to give their feedback. Consultation methods will include:

- Customer Focus Groups – Groups will be representative of the community and be used to discuss and agree service improvements
- Surveys – surveys will be carried out to ensure customers unable to attend groups are able to be involved in the consultation process. Surveys may be carried out on the web or in paper form to ensure all customers are able to access them.

Summarised below are the key milestones for the financial year 13/14 and the estimated dates for delivery. The milestones beyond this period will be established as the outcomes from work undertaken are realised.

- Customer Contact Strategy for Consultation agreed by City Executive Board. (September 13)
- Ensure we have accessible, user friendly access channels. We will ask customers whether there are additional ways they would prefer to access our services, for example using social media or mobile applications. We will also ask them what they believe great customer service is, including what our customer service standards should be and how they would like to be able to provide customer feedback. We will use our demographic data to identify hard to reach groups and investigate how we can reach them. We will also use our demographic data to analyse who our partner organisations should be. (September to December 13)
- Involve customers in service design to remove avoidable contact, help design the new telephony system, understand the needs to encourage self-service generally and more specifically for housing repair requests. (August 13 to January 14)
- Customer Contact Strategy agreed by City Executive Board. Having undertaken an analysis of the available demographic data, and full consultation with customers and stakeholders as per our plan, we will then evaluate the insight gathered to set out the vision for customer contact for the City Council to take us to 2016. The Strategy will contain high level actions plans for delivery of the strategy. (February 14)

:

Demographic Information

1. Oxford is a relatively diverse population in terms of people's ethnicity. In 2011, 22% of the population were from black or minority ethnic backgrounds, compared to an England average of 13%. An additional 14% of residents were of white but non-British backgrounds. This is partly a result of the large number of people born outside the UK - in 2011, 28% of Oxford residents had been born outside the UK compared to 19% in 2001. The largest non-white ethnic groups represented are Pakistani, Indian, Black African, 'other Asian' and Chinese ethnic groups. The diversity of the population varies considerably by age. The child population is considerably more ethnically diverse than the older population and as a result the population is expected to get more ethnically diverse in the future.
2. In 2011, 23,700 Oxford residents said they had a main language which was not English. At 16% of the population, this is twice the 8% national average. Of those residents whose main language was not English, the vast majority reported that they could speak English well or very well. 1.8% of residents (2,600 people) said they could not speak English or could not speak it well. This is similar to the 1.7% national average. After English, the most common main languages were Polish and Chinese languages, followed by French, Portuguese and Spanish. South Asian languages - Urdu, Bengali and Panjabi - made up a large proportion too.
3. The Index of Multiple Deprivation 2010 ranks Oxford 131st out of 354, placing it in the top half most deprived local authority areas in England. Of 85 areas in Oxford, 12 are among the 20% most deprived areas in England. These areas are in the Leys, Barton, Littlemore and Rose Hill areas of the city, and experience multiple levels of deprivation - low skills, low incomes and high levels of crime; the majority of the council's 7,800 tenants live in these areas. Men and women from the least deprived areas can expect to live six years longer than those in the most deprived areas
4. A large proportion of the population – 43% has degree-level qualifications or above. At the other end of the spectrum, 14% (17,000 people) have no qualifications at all. This is strongly age-related – older people are more likely than younger people to have no formal qualifications.
5. Oxford's high housing prices – both in the property market and the rental sector – make it one of the least affordable places in the country. The percentage of households who own their home is relatively low in Oxford - 47% compared to 63% in England. The percentage of households renting their home in the private sector is high - 28% in Oxford compared with 17% in England. Over the last decade the number of households renting their home in the private sector rose by almost 50%, from nearly 11,000 households in 2001 to nearly 16,000 households in 2011. We have approximately 12,000 benefits claimants. The number of households who owned their house declined.
6. 144 households were living in temporary accommodation we provide in the city as of December 2011. At the same time our waiting list figures exceeded 6,000 households. This is a much higher rate than those of neighbouring districts and the South East region.
7. Unemployment rates for Oxford City are presently at 5.7%, compared to an average for Great Britain of 7.9% (2012 estimate). The large universities and hospitals mean that Oxford has a larger than average number of jobs in the service sector – most notably, 46% of all employee jobs are in the public administration, education or health sectors. The second largest employment sector is financial and business services, accounting for 24% of jobs. Manufacturing accounts for 9% of jobs, half of which are at the BMW car plant. Retail employment accounts for around one-tenth of jobs in Oxford. There has been steady

growth in the number of businesses registered in Oxford over the past decade, from 2,600 in 1995 to 4,000 in 2011.

8. In 2012, 80% of all UK households had internet access. This has grown from 57% of households in 2006. 93 per cent of households with Internet access used a fixed broadband connection, of which 30 per cent used a cable or fibre optic connection. In 2012, 67 per cent of adults in Great Britain used a computer every day, rising to over 80% amongst people under 45 years of age. Access to the Internet using a mobile phone more than doubled between 2010 and 2012, from 24% to 51%. In 2012, 32% of adults accessed the Internet using a mobile phone every day.
9. We do not have statistics about the level and type of Internet use in Oxford. However, as the city has a very young population due to the large number of university students, we can expect that internet usage in Oxford is higher than the national average. Education is also an important determinant of whether people have internet access at home. Almost all adults (93%) who had a degree-level qualification are estimated to have internet access at home – compared to 56% of people with no formal qualifications. Oxford has a higher than average proportion of the population with degree-level qualifications, and a lower than average proportion of the population with no qualifications. This is another reason why we can expect internet usage in Oxford to be higher than the national average. However in the deprived areas of the city very high proportions of the population have no qualifications, so in these areas there may be lower than average rates of internet usage.

Customer Consultation Report Jan-Apr '13: High Level Summary

1. Consultation activities were held between Jan-Apr '13 to:

- Provide information on overall satisfaction with services provided by and via Customer Contact
- Identify customer use, views, and preferences regarding channels of communication
- Identify issues with service provision and channels as identified by customers
- Inform & support the review of the Customer Contact Strategy
- Understand issues influencing customer satisfaction
- Understand customers awareness and view of channel shift options
- Develop Customer insight for future service improvement

2. The following consultation methods were used:

- Focus Groups: January – March 2013
 - specific groups in the community, targeting customers that might not normally participate in surveys or accept invitations to focus groups in the Town Hall
 - 8 groups involving approximately 66 people (group size ranged from 3 to almost 20)
- Mystery Shopping: January - February 2013
 - Ten residents were trained, and carried out a total of 65 shops
 - 40 telephone
 - 19 visits to SAC or TSQ
 - 5 email
 - 1 website
- Survey: February – April 2013
 - On-line
 - Face to face
 - 129 in total
- GovMetric: ongoing, year round, feedback
 - Compare themes and satisfaction levels with those from the other sources above

3. The overall findings of the consultations were as follows:

- The good levels of satisfaction with the telephone service expressed in focus groups and mystery shopping is consistent with satisfaction levels from GovMetric
- The service delivered via the phones is generally regarded as having improved overall during the past 18 months. CSOs are seen as pro-active, polite and helpful
- Customers are aware of the changes made to St Aldates Customer Service Centre and feel the refurbishment has helped to improve the atmosphere and service
- There is a willingness to channel shift, or to consider channel shift.
- There is a willingness to do more online self-service (survey and focus groups)
- 64% in the survey were happy to receive statutory information, for example Council Tax mailing, by email.
- Only 20% of customers in the survey would not consider using a single-sign on customer account on the website
- 43% in the survey access the internet using a mobile phone
- Email and telephone were the top preferences in the survey for contact between the customer and Council.

4. The focus groups revealed some additional information

- Self-service needs to be pro-actively supported to encourage inexperienced customers to use the website more
- Printing facilities would make self-service more attractive
- Low income communities find web-based transactions attractive. They are effectively 'free' (either because a fixed subscription is paid, or access is via community facilities). This is better than running out of credit on the phone.
- Concerns were expressed about replacing emails with web forms (no record of input; quality of information in automated response).
- A strong preference was expressed for receiving a phone call rather than a letter, especially about debts, so that the issue could be understood and resolved quickly, perhaps avoiding court costs

The full version of this report is available as a background paper.

Customer Contact Strategy – Action Plan**Consultation Methodology**

Using the demographic data, consultation will be carried out using a number of methods to ensure we offer varied opportunities for customers to give their feedback. Consultation methods will include:

- Customer Focus Groups – Groups will be representative of the community and be used to discuss and agree service improvements
- Surveys – surveys will be carried out to ensure customers unable to attend groups are able to be involved in the consultation process. Surveys may be carried out on the web or in paper form to ensure all customers are able to access them.

Aim	Key miles stones	Target Date
	Verify our 'hard to reach' groups or customers who do not make contact with us	September 13
Accessible User Friendly Services	Using the data analysed, identify additional access channels that customers would use to access Council services, to include the use of social media and mobile phone applications. To also identify the preferred range of devices that are used. This could include getting self-service terminals, or access to the contact centre in the community. To also understand customer need for single sign-on to the Council's website.	November 13
	Using the data analysed, identify changes to existing access channels that would enable customers to access Council services better, including what we can turn off	December 13
	Using the data analysed, identify relevant partners and consult customers on how we could work together	September 13
	Develop partnerships with appropriate partners and analyse opportunities for service delivery	December 13
	Ask customers what great customer service looks like, including customer contact service standards and how they can provide feedback on an ongoing basis to the whole Council	December 13

Key outcomes from consultation:

- Definition of who the hard to reach groups are in Oxford and how we can access them.
- The access channels to be used to engage with our customers, together with any improvements to existing channels
- Definitive list of partner organisations we should seek to engage with as an organisation in order to deliver relevant joined-up customer services (this to also inform the Local Support Services Framework)

- Definition of great customer service (including customer contact service standards and providing customer feedback) that could be translated into an organisation-wide promise to all customers

Use Customer Insight to inform Service Design	Use demographics to understand customer segments with propensity to embrace self-service across entire customer database and particularly with City Council's tenants	September 13
	Customer consultation on requirements to embrace self-service	November 13
	Customer consultation with City Council tenants regarding online housing repair requests	December 13
	Customer Consultation on voice recognition services	December 13
	Carry out customer journey mapping	Jan 14
	Identify avoidable contact	Jan 14
	Identify opportunities for service redesign	Jan 14

Key outcomes from consultation:

- Specification of what customers need to embrace self-service generally
- Specification of how we can encourage our tenants to book their housing repairs and appointments online
- Specification of how we can proactively remind customers about our services
- Development of the telephone voice recognition services

Embedding Customer Excellence across the Council	Review lessons learnt from implementation in Customer Contact	Sep 13
	Agree areas where City Council can apply for Compliance Plus standard – as an exemplar of best practice in those areas	Oct 13
	Develop a strategy for rolling out CSE lessons learned across organisation where appropriate	Jan 14

Key outcomes from internal & external consultation:

- Customer Service Excellence Strategy and Implementation Plan

Appendix 2

Risk Register

No.	Risk Description Link to Corporate Objectives	Gross Risk		Cause of Risk	Mitigation	Net Risk		Further Management of Risk: Transfer/Accept/Reduce/Avoid	
		I	P			I	P	Action: Reduce Owner: :	Outcome required:
1.	Failure to consult with a representative sample of customers/residents so opportunity missed to improve services to meet customer need.	3	3	Failure to make available a range of consultation activity which all can access and contribute to in a way that suits them.	Ensure a full range of consultation methods are used. Ensure we carefully identify all demographic and hard to reach groups	3	2	Customer Contact Manager	Robust consultation plan that reviews and assesses all outcomes.
2.	Failure to use feedback from customers to inform final strategy & improve service delivery	2	3	Failure to consider outcomes from consultation to identify trends in feedback	Ensure all consultation outcomes are reviewed and considered carefully in final Strategy	2	2	Customer Contact Manager	Able to evidence how insight into customer views and needs has been incorporated into final strategy.
3.	The consultation process has a cost and customers may already be content with the service as it is and do not want to see any change	2	3	First time analysed available information for this purpose, and used it to consult further	Keep costs down by utilizing customer insight already available to City Council, and use streamlined approach to consult customers using existing resources. As part of consultation process sell the benefits for customers, and assurance that the process will be simple and easy to access	2	2	Customer Contact Manager	Able to evidence utilisation of existing data and resources

Equalities Impact Assessment

1. Within the aims and objectives of the policy or strategy which group (s) of people has been identified as being potentially disadvantaged by your proposals? What are the equality impacts?

The draft Customer Contact Strategy aims to reach a representation of residents for their feedback on our aims and objectives to further improve our current services and extend others (i.e web access).

We have identified that some groups may not have the resources to access the internet and therefore we will be carrying out a range of consultation activity that all could take part in; we will also specifically target harder-to-reach residents.

2. In brief, what changes are you planning to make to your current or proposed new or changed policy, strategy, procedure, project or service to minimise or eliminate the adverse equality impacts?

Please provide further details of the proposed actions, timetable for making the changes and the person(s) responsible for making the changes on the resultant action plan

There are some changes currently planned that will increase accessibility by offering additional channels, for example offering online requests for housing repairs for our tenants. In the consultation proposed we will be verifying with all of our customers whether there are any other additional channels that would also improve accessibility, and understanding how we can maximise their potential.

A final version of the strategy, informed by the consultation activities, will be presented to CEB for approval by February 2014.

3. Please provide details of whom you will consult on the proposed changes and if you do not plan to consult, please provide the rationale behind that decision.

Please note that you are required to involve disabled people in decisions that impact on them

We plan to consult with a representative sample of all residents in Oxford who would need to access our services.

4. Can the adverse impacts you identified during the initial screening be justified without making any adjustments to the existing or new policy, strategy, procedure, project or service?

Please set out the basis on which you justify making no adjustments

No formal adverse impacts were assessed to result from the draft Customer Contact Strategy. Any adverse impacts will be considered at throughout the consultation period.

5. You are legally required to monitor and review the proposed changes after implementation to check they work as planned and to screen for unexpected equality impacts.

Please provide details of how you will monitor/evaluate or review your proposals and when the review will take place

We will continuously monitor throughout the consultation period and review before the final strategy is presented to CEB in April 14.

Lead officer responsible for signing off the EqIA: Helen Bishop

Role: Head of Customer Services

Date: July 13

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To: City Executive Board

Date: 11th September 2013

Report of: Head of Housing and Property

Title of Report: HOUSING STRATEGY ACTION PLAN – PERIODIC REVIEW

Summary and Recommendations

Purpose of report: To provide the City Executive Board with an update of the Council's progress against the Housing Strategy Action Plan priorities and to revise future Housing Strategy Action Plan targets

Key decision? No

Executive lead member: Councillor Scott Seamons

Policy Framework: Housing Strategy 2012-15

Recommendation(s): The City Executive Board is asked:

- (1) To note the progress made against the tasks in the Housing Strategy Action Plan;
- (2) To revise Housing Strategy Action Plan targets as detailed in Appendix B; and
- (3) To report progress annually to City Executive Board

Appendices

- A - Progress against Housing Strategy Action Plan Targets
- B - Housing Strategy Action Plan – Revised Programme
- C - Risk Assessment
- D - Equality Impact Assessment

Introduction

- 1 When the Council adopted the Housing Strategy for 2012-2015 it requested six month reviews on progress. This report sets out performance against the Housing Strategy Action Plan priority tasks to date.
- 2 The targets are distributed between the five Housing Strategy priorities which are:
 - Provide more affordable housing
 - Prevent Homelessness
 - Address Housing Needs of Vulnerable People and Communities
 - Improve Housing Conditions
 - Improve quality and effectiveness of housing services

Progress to date

- 3 All Housing Strategy targets were assessed against the councils RAG (Red, Amber, Green) definitions as at end June 2013 looking at progress, these are shown in Appendix A. The overwhelming majority are either completed or are rated 'Green' (on target). Those that are rated 'Amber' (significant issues) or 'Red' (unlikely to deliver on time, to budget, or to requirements) are annotated with an explanation as to why the targets have not yet been achieved.

A brief overview of progress against each priority is outlined below:

- 4 **Provide More Affordable Housing**
 - The Affordable Housing Programme target for 2012/13 was achieved together with planning policy work to support the provision of new affordable housing.
 - A new Empty Homes Strategy was adopted in February 2013 and the empty homes targets were met.
 - Delivery of the current affordable housing programme is on target

Prevent Homelessness

- 5
 - A new Homelessness Strategy, a policy for Discharge of Duty into Private Rented Sector and a revised housing Allocations Scheme for consultation were approved by CEB in February 2013
 - A report to CEB (Sept 11) has been prepared to make recommendations with regard to the supply of accommodation for homelessness prevention

Address Housing Needs of Vulnerable People

- 6
 - There have been significant changes to the organisation of the Supporting People programme within the County Council. Officers continue to work in partnership, to re-commission services, and to maintain adequate service provision for

vulnerable persons in Oxford and across Oxfordshire. A review of Homeless Hostel provision is currently underway for re-commissioned services to start from April 2015.

- A review of the No Second Night Out (NSNO) initiative was undertaken six months after the launch of the new approach, involving all relevant commissioning stakeholders, and changes made to the operation of the scheme.

7 Improve Housing Conditions

- There has been good progress in developing the council's role as a landlord in terms of maintaining decent homes standard within its own stock, and updating stock information to inform future priorities
- There has been good progress on addressing poor standards in the private rented sector. This includes meeting challenging targets with respect to HMO licensing. Research has been undertaken in relation to the private rented sector in 2012/13 and updated private sector stock condition information is being obtained.

8 Improve quality, cost effectiveness and efficiency

- A fundamental review of arrangements for tenant engagement was undertaken with a revised Resident Involvement Strategy approved by CEB (Nov 12). New structures and approaches to resident engagement are being implemented in 2013/14.
- A fundamental service review for repairs and planned maintenance is nearing completion and a review of the tenancy management function completed.
- Following adoption of the 30 year HRA Business Plan in 2011/12 and the subsequent refresh of the budget in February 2013, good progress has been made against the assumptions, to ensure that it will support the Council's ambitions with regard to building new affordable homes, investment in the existing stock and the delivery of first class landlord services.

Review of future Housing Strategy Targets

- 9 The Housing Strategy approved in April 2012 stated that the Housing Strategy Action Plan will be reviewed with partners and actions refreshed in September 2013 – the mid point of the Strategy.
- 10 Officers have reviewed priorities and actions and conclude that the Housing Strategy Action Plan targets remain highly relevant. However, there is a need to re-schedule or make minor amendments to targets in some cases. Details of the proposed revisions are contained in Appendix B.
- 11 Following consideration by City Executive Board, consultation will be undertaken with partners on the proposed amendments, and to solicit comments to help refresh the Strategy Action Plan for the remainder of

the period. It is proposed that a report is prepared for CEB in December 2013 with regard to this refresh and to approve the new plan. As to progress, this report proposes an annual report to Council, not six months as Council requested. The Board Member and officers feel that an annual progress report will be sufficient, noting that as and if necessary Scrutiny has the right to ask for more frequent progress reports.

Level of Risk

- 12 A risk register is attached as Appendix C. It should be noted that risks associated with specific projects and work programmes identified in the action plan are identified and addressed in the relevant project documentation for those projects /programmes.

Environmental Impact

- 13 The Housing Strategy 2012 to 2015 does not have any explicit environmental impacts in itself. Specific projects identified in the Housing Strategy Action Plan will have environmental impacts, specifically the provision of additional housing to meet housing needs. These environmental impacts associated with specific projects and work programmes identified in the action plan are identified and addressed in the relevant project documentation for those projects / programmes.

Equality Impact Assessment

- 14 The original EIA is attached as Appendix D and is still current. The Housing Strategy and Action Plan are very specifically targeted at meeting the housing needs of the most vulnerable people in Oxford and as such no adverse impacts on any equalities group are expected as a result of this strategy.

Financial Implications

- 15 Any financial implications for specific projects and work programmes identified in the action plan are identified and addressed in the relevant project documentation for those projects /programmes.
- 16 In February 2013 the Council approved its General Fund Medium Term Financial Plan and Housing Business Plan for the medium term. Included within both plans were the financial implications of meeting all actions within the Housing Strategy. Provision has specifically made within the HRA Business Plan for :
 - Delivery of new housing at Barton
 - The delivery of 112 new dwellings over the coming two years, part funded by HCA grant
 - On-going repairs, maintenance and refurbishment to its stock of council dwellings, including the tower blocks

- Management related costs in providing all landlord services to our tenants
- 17 In the General Fund Budget there is provision for the costs of homelessness and providing other private sector housing advice. No new financial implications are brought forward by this report.
- 18 There are financial pressures both on the HRA and the General Fund but so far these have been containable, through prudent estimating and the use of contingencies. However there are risks around homelessness building, due to reducing supply of available accommodation and increasing demand arising from welfare reforms, which have the potential of causing some concern. Officers are currently examining a number of options to address these issues and will come forward to CEB (Sept 13) with recommendations.
- 19 Officers will continue to robustly monitor the Councils budgetary position and an update of this position will be presented to Members during the financial year.

Legal Implications

- 20 The Local Government Act 2003 requires local housing authorities to have in place a Housing Strategy for the district.
- 21 Meeting the Council's statutory housing obligations is reflected in the objectives of the Housing Strategy, including statutory homelessness duties; provision of housing advice; and landlord responsibilities.

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List of background papers:

None

Version number:

0.3

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Appendix A - Housing Strategy Action Plan - Update to end June 2013 (Sept 2013 CEB)

This plan shows all projects/ tasks that should have been started by this date, including completed projects.

Key Action	Outcomes	Milestone	Due Date	RAG	Comments
Strategic Objective One: Provide More Affordable Housing in the City to Meet Housing Needs					
Bring forward new housing schemes and develop a post 2015 programme.	New developments and a post 2015 programme are brought forward.	Working with developers and landowners, identify and bring forward potential sites as funding and economic circumstances allow	Mar 2015	G	Planning in discussion with landowners on major DPD sites
		Bring forward new affordable housing opportunities in any new transformational projects in the City e.g. West End sites, Grenoble Road and new allocated sites	Sep 2014	G	Ongoing discussion with RPs on redveloping outdated housing stock
		Development of a post 2015 affordable housing programme	Sep 2014	G	In development - As above
Deliver 3 year affordable housing programme: A) provided by Oxford City Council.	112 new Council homes.	20 homes at Barton by March 2015 46 homes at Bradlands 46 homes on miscellaneous City sites	Mar 2015	G	Bradlands scheme approved by Planning Committee. Planning applications submitted on all other programme sites. CEB approval to let build contract
Deliver 3 year affordable housing programme: B) through partnership with Housing Associations.	184 affordable homes by March 2015.	New homes at Shotover View (55), Lake St (8) , Lamarsh Road (4), Manor Ground (27), Lanham Way (8), Balfour Rd (9), Luther Court (42), Butler House (14), Lawn Upton House (8), Leiden Rd (9)	Mar 2015	G	94 units completed 2012/13 4 units on site - expected to complete August 2013
Deliver 3 year affordable housing programme: C) through physical regeneration projects at Cowley Northway, to deliver new housing and jobs.	76 affordable homes by March 2015.	Barns Rd (18), Westland Drive (28), Dora Carr Close (30)	Mar 2015	A	Programme slippage due to planning issues. Consent now given for 75 affordable units - 20 at Barns Road; 21 at Westlands Drive; & 34 at Dora Carr Close. All due to complete by end of 2015.
Develop a Tenancy Strategy to set out the Council's Policy incorporating tenure and rent policy for affordable housing in the City.	Tenancy Strategy adopted.	Consultation Draft Tenancy Strategy approved – July 12	Dec 2012	Completed	Completed
		Consultation on Draft Tenancy Strategy completed- Summer 12	Dec 2012	Completed	Completed
		Tenancy Strategy adopted by end 2012	Dec 2012	Completed	Completed
Develop physical regeneration projects at Blackbird Leys to deliver new housing and jobs.	New physical regeneration projects developed at Blackbird Leys.	BBL: Consultation and involvement with Neighbourhood Management Groups and Area Forums to shape Regeneration Strategy by Autumn 2012	Dec 2012	Completed	Consultation workshops completed Dec 2012 and reports issued February 2013
		BBL: Develop Leys Area Project Plan by December 2012	Dec 2012	Completed	Completed.

		BBL: Bring forward new sites for development by April 2013	Apr 2013	Completed	Minchery Farm site identified - Now part of the Affordable Housing Programme delivering 42 of the 112 units	
		BBL: Review results of maisonettes options appraisals by December 2012	Dec 2012	R	Appraisal will now be undertaken citywide as part of the Asset Mant Strategy. BBL maisonettes to be considered within BBL Regeneration project	
		BBL: Undertake feasibility analysis and develop schemes by April 2013	Apr 2013	A	Preparation of a neighbourhood wide regeneration programme by Dec 2013. Programme plan is now underway due to be completed in draft by end December.	
30	Ensure robust planning policy exists to drive new social housing including via s106 agreements and deliver sustainable homes.	New Sites Plan document. New affordable Housing SPD adopted. Policies adopted requiring financial contribution to affordable housing.	Submission following consultation by May 2012 for examination Sept/Oct 2012 Adopt and implement the Sites and Housing Development Plan Document building on SHLAA by Feb 2013	Feb 2013	Completed	Completed
			Refresh Local Investment Plan for adoption in June 2012	Jun 2012	Completed	Completed
			New Affordable Housing SPD: Review consultation by Dec 12, adopt April 2013	Apr 2013	A	Consultation completed and final version due to be considered by CEB in Sept 2013
			Adopt policies requiring a financial contribution to support affordable housing (4-9 dwellings, student accommodation) by Dec 12, adopt April 2013	Apr 2013	Completed	Completed
	Ensure understanding of current and future housing needs is kept up to date and is fit for purpose.	Up to date housing needs and market information.	Analyse and provide data from Oxford Housing Register to inform needs data including demand and availability of specialist accommodation and to ensure new housing meets the aspirations of home seekers by Sept 2012	Sep 2012	Completed	Analysis of housing register completed, and data on mobility needs provided to Planning. An updated analysis will be done for 2013. Data on housing register and lettings provided in June 2013 for Strategic Housing Market Assessment.
			Review current housing market data by Sept 2012	Sep 2012	Completed	Housing market data included in the Homelessness Strategy evidence base. Housing market data for Strategy evidence bases will be updated in 2013.
			Review census data as it becomes available	Sep 2013	Completed	Initial census data reviewed and included in draft Strategy evidence bases. Additional census data will be included in Strategy evidence bases in 2013.
			Explore opportunities for commissioning research, including joint commissioning to improve housing needs and market information: and update by April 2013	Apr 2013	A	GL Hearn appointed to carry out SHMA for Oxfordshire SPIP (Lead authority West Oxon DC). Interim report due Aug 2013
	Preparation for delivery of the new housing development at Barton.	Delivery programme and agreements in place to develop c.800 new homes.	Barton Area Action Plan adopted Dec 2012	Dec 2012	Completed	Completed

	including 320 new affordable.	Barton: Outline planning permission by early 2013	Mar 2013	G	Planning application submitted in May 2013. On target for determination in Sept 2013. Phase 1 marketing on target to start Autumn 2013
Review new delivery models to bring forward new affordable housing to meet needs.	New models evaluated and introduced where feasible. New Council building house programme evaluated and produced. Bring empty property back into use as affordable housing.	#####	Sep 2013	Completed	Report on homeless accommodation prepared for Sept 13 CEB. 14/15 budget preparation will include consideration of funding for enabling role, including recycling RTB receipts
		Review the role of Oxford City Council in developing new homes by reviewing funding opportunities and flexibilities allowed under new HRA funding regime by September 2012	Sep 2012	G	Funding in place for 112 new council properties. CEB July 2013 agreed purchase of social rented units at Barton and other properties in open market.
		Develop a Council building programme and development process by April 2013	Apr 2013	Completed	Completed
		Evaluate potential for schemes to bring empty property back into use as affordable housing	Mar 2013	Completed	#####

Strategic Objective Two: Prevent Homelessness

Develop services to tackle rough sleeping	No Second Night Out for rough sleepers	Implement new working arrangements for street services for more presence out hours – linked to supported provision.	Jul 2012	Completed	Oxford City Outreach on 3 year contract until March 2015 with longer and more flexible hours. Any new arrangements will be influenced by Supporting People's remodelling of the pathway.
Develop the role of private rented sector housing in meeting housing needs including homeless households or those threatened with homelessness	Annual meeting of landlord forum	Undertake a landlord/lettings agencies survey consultation to understand expectations of private landlords by Sept 2012	Sep 2012	Completed	All consultation is now complete. The survey was delayed by data protection difficulties which were later resolved.
	Undertake landlord/lettings agencies consultations Undertake consultations with current and prospective private tenants Homelessness Policy reviewed	Develop information and incentives to encourage private landlords to offer accommodation to homeless households or those threatened with homelessness by April 2013	Apr 2013	G	On-going work - but full range of incentives provided. Recently signed up to a new insurance related scheme for landlords. Landlord survey completed. Next LL Forum being prepared with Env Devt. New marketing campaign (countywide) planned for Sept 2013

		Undertake consultation with prospective and current private sector tenants to undertake their expectations and barriers to investment and attaining a settled home in the private rented sector by Dec 2012	Dec 2012	Completed	Consultation complete. Evaluation and analysis now underway.
		Consider introducing a private tenants forum by April 2013	Apr 2013	Completed	This has been considered and there is currently no appetite or budget for developing a private tenants forum.
		Develop information and education current and prospective tenants and Investigate the use of Tenant Ready Schemes by November 2013	Nov 2013	G	Tenant Ready schemes in other areas being researched. Initial discussions with Crisis re providing some training to support such a programme.
		Review homeless policy in relation to re-housing in private sector and discharge of duty following legislative change and new guidance by September 2012	Sep 2012	Completed	New policy approved by CEB on 13th Feb 2013. To go live from 1st April 2013
Ensure effective debt and welfare advice services are available to the public	Effective debt, welfare advice, services are provided and taken up	Review need and provision of debt and welfare advice/training by April 2013	Apr 2013	Completed	Completed
		Develop action plan for debt and welfare advice/training to address any gaps, unmet needs and maximise take up by Sept 2012	Sep 2012	Completed	Complete
Reduce the number of households in temporary accommodation 32	Households in temporary accommodation reduced to 120 by 2012/13, 100 by 2013/14, 87 by 2014/15	Prepare planning and implementation of new forms of temporary accommodation by June 2012	Jun 2012	R	#####
Research, consult and adopt a new Homelessness Strategy and Action Plan	New Homelessness Strategy, targets and Action Plan	Review progress since last Homelessness Strategy – May 2012	May 2012	Completed	Completed
		Produce Homelessness Strategy evidence base and issues by July 2012	Jul 2012	Completed	Completed
		Undertake consultation on Homelessness Strategy – July - Sept 2012.	Sep 2012	Completed	Completed
		Adopt Homelessness Strategy Dec 2012	Dec 2012	Completed	Completed
		Publish homelessness Strategy – by end of March 2013	Mar 2013	Completed	Completed
Review of allocations policy	New Allocations Policy approved and implemented	Allocations policy review to commence April 2012	Apr 2012	Completed	Allocations Review underway
		Consultations on draft Allocations policy planned to be completed by Sept 2012 (subject to Government Guidance issued)	Sep 2012	Completed	Delayed (Govt Guidance also delayed), but consultation period on draft Allocations Scheme (approved by CEB on 13th Feb 2013) open from 8th April to 19th May 2013

		New Allocations Policy completed by December 2012	Dec 2012	R	#####	
Strategic Objective Three: Address the Housing Needs of Vulnerable People and Communities						
33	Develop housing strategies for specific vulnerable groups.	New Housing Strategy incorporates needs of young people, older people, BME households and families in difficulty.	Develop evidence base and housing strategy objectives for specialist needs groups – Young people	Sep 2013	Completed	An evidence base has been produced to feed into cross Council plans and the development of the new Housing Strategy.
			Develop evidence base and housing strategy objectives for specialist needs groups - BME	Sep 2013	G	A draft evidence base is in progress to inform the development of the new Housing Strategy.
			Develop evidence base and housing strategy objectives for specialist needs groups – Older people	Sep 2013	G	This is being re-scheduled to ensure co-ordination and synergy within wider specific strategies being developed across Oxfordshire and City Councils. A draft evidence base is in progress.
			Develop evidence base and housing strategy objectives for specialist needs groups – Families in difficulty	Sep 2013	Completed	Milestone reconsidered and specific work undertaken instead to assist with targeting suitable families for the Thriving Families initiative
33	Ensure commissioning of services for vulnerable people is co-ordinated across agencies and partnerships to ensure the preservation and most effective use of resources and meets identified need.	Retain or remodel hostel accommodation that provides sufficient bedspaces to meet needs and meaningful activity for clients. Successful re-commissioned services.	Review and implement Supporting People Financial Strategy by March 2013	Mar 2013	Completed	Oxford City Council have worked in partnership with Oxfordshire County Council to meet financial targets.
			Engage in County Council review for SP services – Single homelessness	Sep 2013	G	on-going work - progressing well
			Engage in re-commissioning of SP funded services – DV	Dec 2013	G	Successful re-commissioned services.
	Ensure hospital discharge is facilitated to reduce 'bed blocking'.	Effective hospital discharge mechanisms in place.	Review existing hospital discharge protocols, systems and promote awareness – including early warning	Mar 2015	G	Operational meetings being developed (inc Broadway and Oxford City Housing Options staff) to consider changes to policies (Mental Health and Physical Health discharges). Strategic meeting to be convened by County Council (Adult Social Care) in Aug 13
	Ensure housing options are available for people moving through and from supported housing.	Supported housing is available for people who need it and clients are enabled to attain independent living.	Review Move on Plan Protocol, identify barriers and actions to deal annually	Mar 2015	Completed	New MOPPS process and forms agreed at meeting with providers and all stakeholders on 14th May 2013. Base data and Q1 and Q2 data now received. New approach to now continue with admin support from Oxford City Council on a quarterly basis.
	Ensure supply of wheelchair adapted housing to meet needs.	Wheelchair accessible housing is available for households that need it.	Improved knowledge, analysis of need for and provision of fully wheelchair adapted social housing by Sept 2013	Sep 2013	G	A report presented to Housing Strategy Delivery Board in June 13. Further assessment of current stock information underway and will be reported on later in 2013

Produce housing guides for older and young people.	Older persons and young persons housing guides published.	Review existing Older persons guide with service users and partners by Dec 2012	Dec 2012	R	Item progressing following reorganisation of project. New guide expected in Autumn 2013
		Review existing Young persons guide with service users and partners by Dec 2012	Dec 2012	Completed	Project reviewed and decision taken that we don't need a separate guide as much of the information is already available elsewhere such as in the Survival Guide.
Re-model hostel to incorporate assessment centre, new referral and move on pathways.	New pathways for rough sleepers implemented.	Work with Supporting People Team to review existing provision with providers with the aim of remodelling services within diminished budgets whilst retaining sufficient bedspaces to meet needs and meaningful activity for clients throughout 2012-14	Mar 2014	G	On track. Needs analysis completed. Pathway framework developed and being populated. Districts at officer and member level consulted. A significant project, so new contract start date negotiated (after re-commissioning/ re-modelling) of March 2015
Strategic Objective Four: Improve Housing Conditions					
Ensure knowledge of private housing stock and conditions is fit for purpose, enabling strategies and investment to be effective.	Fit for Purpose knowledge of housing stock and standards.	Review existing private housing stock data and gaps by Dec 2012	Dec 2012	Completed	BRE stock modelling procured.
		Review available census data for private housing stock by Dec 2012	Dec 2012	Completed	Reviewed and included in BRE stock modelling methodology.
		Recommend methodology to improve knowledge of private housing stock and condition by April 2013	Apr 2013	G	Feasibility study for second stage of BRE stock modelling complete. Over 150,000 lines of data to be included in improved data set to inform strategy changes.
Improve energy efficiency and reduce carbon emissions in homes in Oxford and address fuel poverty for households.	#####	Fuel poverty etc: Develop officer group and assess current standards, baselines and issues by Sept 2012	Sep 2012	Completed	Completed
		Fuel poverty strategy: Consult with partners, residents, energy companies etc by Dec 2012	Dec 2012	R	#####
		Develop a Strategy to cover issues of home energy, carbon emissions, fuel poverty & retrofitting of homes by April 13	Apr 2013	R	See above
		Publicity and awareness Promote Green Deal	Mar 2015	G	#####
		Develop specific retrofitting element and programmes for Council stock including external cladding for 5 tower blocks (400 homes)	Dec 2013	A	This will form part of the Housing Asset Management Strategy to be adopted in April 2014. Project managers for the tower block cladding were commissioned in March 2013.
		Set zero carbon target for all new council homes	Mar 2013	Completed	New council homes will be built to Code for Sustainable Homes Level 4. This is considered to be as close to a zero carbon target that is economically feasible
Improve the quality of individual private rented properties including those used via the Homechoice scheme.	Improvements are made to the quality and management of individual private rented properties.	Review landlord and lettings agencies accreditation schemes by December 2012	Dec 2012	Completed	The accreditation scheme was reviewed by December 2012. Increased discounts on HMO licensing fees were introduced and consideration is currently being given to how the scheme could be expanded, possibly using external providers.

		Implement new landlord and lettings agencies accreditation schemes from April 2013	Apr 2013	A	Consultation exercise not carried out yet. Planned for Q2.
		Private rented housing: Consider targeted interventions to tackle specific problems e.g. Hit Squad activities by November 2012	Nov 2012	Completed	£150k agreed in reserve for unlawful dwellings. Proactive targeting of landlords underway. Full HHSRS inspections of properties being carried out in reactive cases instead of just dealing with issue being raised by tenant.
Increase the number of individual HMOs subject to agreed licence provisions Baseline = 1100 (2011/12).	Every HMO in the City is inspected and accredited.	2180 licensed HMOs in 2012/13	Mar 2013	Completed	The figure of 2180 licensed HMOs was achieved by 12/13
		2950 Licensed HMOs in 2013/14	Mar 2014	G	2880 licensed so far in 13/14. Target on track to be achieved.
Maximise take up and impact of Home Improvement Loans.	Home Improvement Loans made available to improve standards in private housing.	Ongoing publicity and promotion of Home Improvement Loans including partner organisations e.g. social services, health	Mar 2015	G	Publicity agreed for Health Watch Guide.
Sustain improvements in the condition of council homes.	Condition of council housing is continually improved.	Evaluate progress made following attainment of Decent Homes Standard, considering aspirations of tenants & availability of funds	Mar 2013	Completed	Significant investment in Council stock, with additional new kitchens and bathrooms included in the capital programme. A stock condition survey has been commissioned to measure progress. This starts in Sept 13.
		Consider setting a Local Oxford Standard for Council homes	Mar 2013	R	To form part of Housing Asset Management Strategy to be adopted in April 2014.
Work with owners and communities to bring long term empty homes back into use.	New Empty Homes Strategy adopted. 10 long term empty homes returned to use annually.	Empty homes: Review progress to date and barriers/opportunities to increase success by Sept 2012	Sep 2012	Completed	#####
		Empty homes: Investigate procedures and if necessary implement the use of Compulsory Purchase Orders by Nov 2012	Nov 2012	G	Working with Planning, Corporate Assets, Legal and Environmental Health to assess potential to CPO a property with a view to partnering an RSL throughout the process.
		Empty homes: Undertake consultation and surveys by December 2012	Dec 2012	Completed	#####
		Empty homes: Development of new Empty Homes Strategy by April 2013	Apr 2013	Completed	CEB endorsement and approval March 2013.
Strategic Objective Five: Improve Quality, Cost Effectiveness and Efficiency of Housing Services.					
Deliver the Demonstration Project for direct payment of benefits to council tenants.	Direct payment of housing benefit to council tenants project successfully completed and lessons learnt.	Direct payments: Scoping of project with DWP and partners by May 2012	May 2012	Completed	Complete
		Direct payments: Tenants contacted and supported with information and assistance Spring 2012 and beyond	Mar 2015	G	We continue to derive learning from the project. In particular the arrears process and support provided to tenants is being further developed. Project extended to remaining tenants on HB subject to suitability assessment.
		Direct payments: ICT issues resolved and system live by June 2012	Jun 2012	Completed	Complete

Develop and improve opportunities for tenants and leaseholders to get involved in managing the delivery of the council's housing services.	Tenant and Leaseholder Involvement Strategy adopted. Local Offer agreed and implemented. Co-regulation with tenants implemented.	Develop Tenant and Leaseholder Involvement Strategy by September 2012	Sep 2012	Completed	Completed
		Draft Local Offer prepared with tenants representatives including Local Offer Planning Day to define services and set standards by May 2012	May 2012	Completed	Completed
		Consultations on Local Offer with all tenants during Spring 2012	May 2012	Completed	Completed
		Local Offer adopted by September 2012, implemented and reviewed annually in September	Sep 2012	Completed	Completed
		Tenants trained in co-regulation by Summer 2012	Aug 2012	Completed	Completed
		Detailed implementation of co-regulation including role of member and tenant scrutiny by September 2012	Sep 2012	R	#####
Develop detailed Landlord Operational Plan to support HRA Business Plan.	A detailed Operational Action Plan exists for Council housing.	A Landlord Operational Action Plan is prepared by Sept 2012 and adopted by Dec 2012	Dec 2012	Completed	This has been incorporated into Housing Board structure and Housing Service Plan.
Improve performance in tenancy services.	Improve rent and income collection performance. Reduce rent arrears. Achieve greater VFM for repairs (cost and quality).	Review rent and income collection by November 2012	Nov 2012	Completed	Completed
		Undertake fundamental review of repairs service by Dec 2012	Dec 2012	A	The review is under way - 4 out of 5 workstreams are complete. Final workstream to be delivered in 2013.
Improve the percentage of council tenants satisfied with our landlord services.	82% tenants satisfied 2012/13. 84% tenants satisfied 2013/14. 86% tenants satisfied 2014/15.	Undertake annual tenant satisfaction survey	Mar 2015	G	The 2013 STAR survey has been carried out. The final report is due to be released 22 July 2013. Satisfaction at 88% (up 1% from last year)
Manage council housing to ensure it best meets the needs of individual households and tenants and the community as a whole.	Reduce underoccupation freeing up homes for larger households. Overcrowding is reduced in council homes. Actions to tackle and minimise Tenancy Fraud are up to date and effective.	Review under-occupation policies and incentive schemes by December 2012	Dec 2012	Completed	#####
		Review over-crowding and allocations/transfer policies by October 2012	Oct 2012	Completed	Transfer policies and overcrowding considered as part of the overall Allocations Scheme review. Proposed new scheme being reported to CEB in Sept 13.
		Review use of pods/extensions to provide enlarged homes for larger households for tenants and prospective tenants by June 2013	Jun 2013	A	#####

		Review the implications of new Government guidance or legislation on the policies and work of Tenancy Fraud Team within 4 months of release Publicise	Mar 2015	G	#####
Review Housing Strategy targets mid term to ensure they are being delivered and refreshed in light of changing circumstances.	Housing Strategy targets are monitored and refreshed.	Housing strategy refresh: Review performance at end of financial year by July 2013	Jul 2013	Completed	See main body of report
		Housing strategy refresh: Consider policy, performance, trends and wider changes by July 2013	Jul 2013	Completed	See main body of report
		Housing strategy refresh: Produce progress information, any proposed revisions and consult with partners April to September 2013	Sep 2013	A	Consultation to take place after Sept CEB - see main body of report.
		Housing strategy refresh: Adopt September 2013	Sep 2013	A	To be reported to CEB in Dec 13.
Review policies and services to reduce administration to secure VFM efficiency savings in housing services.	Lower administration costs for low priority housing applications.	Online housing applications by April 2013	Apr 2013	R	Project cannot proceed until after the upgrade of the Housing ICT application. Awaiting prioritisation of this upgrade in the City ICT Strategy.
		Reduced validation processes for applicants in low housing need by April 2013	Apr 2013	Completed	Largely dependant on on-line apps. Validation process already minimised as far as possible for cases likley to be Band 5 (within existing system)
Review, update and improve housing communications provided by the council.	Housing Communications Plan in place. High quality and relevant housing information is available. New style tenants newsletters produced annually. New Tenants Handbook is produced. Information and on-line reporting of repairs is reviewed.	A housing communications plan is developed by July 2012	Mar 2013	Completed	Completed.
		Housing publications, publicity and website reviewed on rolling programme	Mar 2015	Completed	on-going work - 'business as usual'
		New tenants and leaseholders newsletter trailed and reviewed with tenants by June 2012	Jun 2012	Completed	Newletter issued quarterly in 2012/13. Format to continue in 2013/14. Tenants and leaseholders to be involved in content, design and production as new involvement structure is rolled out.
		Tenants Handbooks reviewed with tenants and new version/s published by April 2013	Apr 2013	R	#####
		Review use and production of Repairs Handbook, information on website and on line reporting of repairs following fundamental review of repairs	Mar 2014	G	Review will follow on from the Fundamental Review of Repairs.

Appendix B - Housing Strategy Action Plan - Revised Programme (Sept 2013 CEB)

This plan shows projects/ tasks not yet scheduled to start (so not listed in Appendix A) **and** projects/ tasks underway (with revised timescales proposed, if required).

Ref	Key Action	Outcomes	Milestone	Revised Due Date	Revised RAG	Comments
Strategic Objective One: Provide More Affordable Housing in the City to Meet Housing Needs						
1	Bring forward new housing schemes and develop a post 2015 programme.	New developments and a post 2015 programme are brought forward.	Working with developers and landowners, identify and bring forward potential sites as funding and economic circumstances allow	Mar 2015	G	Planning in discussion with landowners on major DPD sites
			Bring forward new affordable housing opportunities in any new transformational projects in the City	Sep 2014	G	Ongoing discussion with RPs on redeveloping outdated housing stock
			Development of a post 2015 affordable housing programme	Sep 2014	G	To identify new sites to deliver from 2015/16 budget on
2	Deliver 3 year affordable housing programme: A) provided by Oxford City Council.	112 new Council homes.	20 homes at Barton by March 2015 46 homes at Bradlands 46 homes on miscellaneous City sites	Mar 2015	G	Bradlands scheme approved by Planning Committee. Planning applications submitted on all other programme sites. CEB approval to let build contract
3	Deliver 3 year affordable housing programme: B) through partnership with Housing Associations.	184 affordable homes by March 2015.	New homes at Shotover View (55), Lake St (8) , Lamarsh Road (4), Manor Ground (27), Lanham Way (8), Balfour Rd (9), Luther Court (42), Butler House (14), Lawn Upton House (8), Leiden Rd (9)	Mar 2015	G	94 units completed 2012/13 4 units on site - expected to complete August 2013
4	Deliver 3 year affordable housing programme: C) through physical regeneration projects at Cowley Northway, to deliver new housing and jobs.	75 affordable homes by March 2015.	20 affordable units at Barns Road; 21 at Westlands Drive; & 34 at Dora Carr Close	Dec 2015	G	Planning consent secured. Some completions in 14/15. All due to complete by end of 2015.
5	Develop physical regeneration projects at Blackbird Leys to deliver new housing and jobs.	New physical regeneration projects developed at Blackbird Leys.	BBL: Undertake feasibility analysis and develop schemes	Dec 2013	G	Preparation of a neighbourhood wide regeneration programme by Dec 2013. Programme plan is now underway due to be completed in draft by end Dec 13.
6	Ensure robust planning policy exists to drive new social housing including via s106 agreements and deliver sustainable homes.	New Sites Plan document. New affordable Housing SPD adopted. Policies adopted requiring financial contribution to affordable housing.	Adopt new Affordable Housing SPD	Sep 2013	G	Consultation completed and final version due to be considered by CEB in Sept 2013
7	Ensure understanding of current and future housing needs is kept up to date and is fit for purpose.	Up to date housing needs and market information.	Explore opportunities for commissioning research, including joint commissioning to improve housing needs and market information	Sep 2013	G	GL Hearn appointed to carry out SHMA for Oxfordshire SPIP (Lead authority West Oxon DC). Interim report due Aug 2013
8	Preparation for delivery of the new housing development at Barton.	Delivery programme and agreements in place to develop c.800 new homes, including 320 new affordable.	Barton: Outline planning permission	Oct 2013	G	Planning application submitted in May 2013. On target for determination in Sept 2013. Phase 1 marketing on target to start Autumn 2013
			Barton: Commence on-site in early 2014	May 2014	G	

9	Review intermediate housing products including those for First Time Buyers and those on lower and middle incomes.	Housing opportunities for low to mid income households, key workers and first time buyers are explored and brought forward where feasible.	#####	April 2014	G	
10	Review new delivery models to bring forward new affordable housing to meet needs.	New models evaluated and introduced where feasible. New Council building house programme evaluated and produced. Bring empty property back into use as affordable housing.	Review the role of Oxford City Council in developing new homes by reviewing funding opportunities and flexibilities allowed under new HRA funding regime	Sep 2013	G	Funding in place for 112 new council properties. CEB July 2013 agreed purchase of social rented units at Barton and other properties in open market.
Strategic Objective Two: Prevent Homelessness						
11	Develop the role of private rented sector housing in meeting housing needs including homeless households or those threatened with homelessness	Annual meeting of landlord forum Undertake landlord/lettings agencies consultations Undertake consultations with current and prospective private tenants Homelessness Policy reviewed	Develop information and incentives to encourage private landlords to offer accommodation to homeless households or those threatened with homelessness	Oct 2013	G	On-going work - but full range of incentives provided. Recently signed up to a new insurance related scheme for landlords. Landlord survey completed. Next LL Forum being prepared with Env Devt. New marketing campaign (countywide) planned for Sept 2013
			Develop information/ education for current and prospective tenants and Investigate the use of Tenant Ready Schemes	Nov 2013	G	Tenant Ready schemes in other areas being researched. Initial discussions with Crisis re providing some training to support such a programme.
12	Reduce the number of households in temporary accommodation	Households in temporary accommodation reduced to 120 or less in 13/14, 14/15 & 15/16	Prepare planning and implementation of new forms of temporary accommodation	Feb 14	G	#####
13	Review of allocations policy	New Allocations Policy approved and implemented	New Allocations Policy completed	Dec 2013	G	Draft Allocations Scheme approved for consultation at CEB in Feb 2013. Consultation completed. New proposed Allocations Scheme for CEB to recommend to full Council in Sept 2013, with the scheme due to go live in late Autumn 2013.
Strategic Objective Three: Address the Housing Needs of Vulnerable People and Communities						
14	Develop housing strategies for specific vulnerable groups.	New Housing Strategy incorporates needs of young people, older people, BME households and families in difficulty	Develop evidence base and housing strategy objectives for specialist needs groups - BME	Sep 2014	G	A draft evidence base is in progress to inform the development of the new Housing Strategy.

		uncertainty.	Develop evidence base and housing strategy objectives for specialist needs groups – Older people	Sep 2014	G	This is being re-scheduled to ensure co-ordination and synergy within wider specific strategies being developed across Oxfordshire and City Councils. A draft evidence base is in progress.
15	Ensure commissioning of services for vulnerable people is co-ordinated across agencies and partnerships to ensure the preservation and most effective use of resources and meets identified need.	Retain or remodel hostel accommodation that provides sufficient bedspaces to meet needs and meaningful activity for clients. Successful re-commissioned services.	Engage in County Council review for SP services – Single homelessness	Mar 2014	G	Oxford City Council have worked in partnership with Oxfordshire County Council to meet financial targets.
			Engage in re-commissioning of SP funded services – DV	Dec 2013	G	Re-commissioning of services underway
			Engage in re-commissioning of SP funded services – Supported independent living	Mar 2015	G	Re-commissioning of services due next year
16	Ensure hospital discharge is facilitated to reduce 'bed blocking'.	Effective hospital discharge mechanisms in place.	Review existing hospital discharge protocols, systems and promote awareness – including early warning	Mar 2015	G	#####
17	Ensure supply of wheelchair adapted housing to meet needs.	Wheelchair accessible housing is available for households that need it.	Improved knowledge, analysis of need for and provision of fully wheelchair adapted social housing	Dec 2013	G	A report presented to Housing Strategy Delivery Board in June 13. Further assessment of current stock information underway and will be reported on later in 2013
			Develop plan to meet any shortfall or gaps in provision of wheelchair accessible housing	Sep 2014	G	Will follow the task above
18	Produce housing guide for older people.	Older persons housing guides published.	Review existing Older persons guide with service users and partners	Dec 2013	G	Item progressing following reorganisation of project. New guide expected in Autumn 2013
19	Re-model hostel to incorporate assessment centre, new referral and move on pathways.	New pathways for rough sleepers implemented.	Work with Supporting People Team to review existing provision with providers with the aim of remodelling services within diminished budgets whilst retaining sufficient bedspaces to meet needs and meaningful activity for clients	Mar 2015	G	On track. Needs analysis completed. Pathway framework developed and being populated. Districts at officer and member level consulted. A significant project, so new contract start date negotiated (after re-commissioning/ re-modelling) of March 2015
Strategic Objective Four: Improve Housing Conditions						
20	Ensure knowledge of private housing stock and conditions is fit for purpose, enabling strategies and investment to be effective.	Fit for Purpose knowledge of housing stock and standards.	Recommend methodology to improve knowledge of private housing stock and condition	Dec 2013	G	Feasibility study for second stage of BRE stock modelling complete. Over 150,000 lines of data to be included in improved data set to inform strategy changes.
21	Improve energy efficiency and reduce carbon emissions in homes in Oxford and address fuel poverty for households.	#####	Fuel poverty strategy: Consult with partners, residents, energy companies etc	Apr 2014	G	#####

			Develop a Strategy to cover issues of home energy, carbon emissions, fuel poverty and retrofitting of homes	Jun 2014	G	See above
			Publicity and awareness Promote Green Deal	Mar 2015	G	#####
			Develop specific retrofitting element and programmes for Council stock including external cladding for 5 tower blocks (400 homes)	Apr 2014	G	This will form part of the Housing Asset Management Strategy to be adopted in April 2014. Project managers for the tower block cladding were commissioned in March 2013.
22	Improve the quality of individual private rented properties including those used via the Homechoice scheme.	Improvements are made to the quality and management of individual private rented properties.	Implement new landlord and lettings agencies accreditation schemes	Oct 2013	G	Consultation exercise not carried out yet. Planned for Q2.
23	Increase the number of individual HMOs subject to agreed licence provisions Baseline = 1100 (2011/12).	Every HMO in the City is inspected and accredited.	2950 Licensed HMOs in 2013/14	Apr 2014	G	2880 licensed so far in 13/14. Target on track to be achieved.
			3540 licensed HMOs in 2014/15	Apr 2015	G	
24	Maximise take up and impact of Home Improvement Loans.	Home Improvement Loans made available to improve standards in private housing.	Ongoing publicity and promotion of Home Improvement Loans including partner organisations e.g. social services, health	Mar 2015	G	Publicity agreed for Health Watch Guide.
25	Sustain improvements in the condition of council homes.	Condition of council housing is continually improved.	Consider setting a Local Oxford Standard for Council homes	Apr 2014	G	To form part of Housing Asset Management Strategy to be adopted in April 2014.
26	Work with owners and communities to bring long term empty homes back into use.	New Empty Homes Strategy adopted. 10 long term empty homes returned to use annually.	Empty homes: Investigate procedures and if necessary implement the use of Compulsory Purchase Orders	Jun 2014	G	Working with Planning, Corporate Assets, Legal and Environmental Health to assess potential to CPO a property with a view to partnering an RSL throughout the process.

Strategic Objective Five: Improve Quality, Cost Effectiveness and Efficiency of Housing Services.

27	Deliver the Demonstration Project for direct payment of benefits to council tenants.	Direct payment of housing benefit to council tenants project successfully completed and lessons learnt.	Direct payments: Tenants contacted and supported with information and assistance	Mar 2015	G	We continue to derive learning from the project. In particular the arrears process and support provided to tenants is being further developed. Project extended to remaining tenants on HB subject to suitability assessment.
			Direct payments: Completion of project	Mar 2015	G	See above - project to be extended
			Direct payments: Roll out to all tenants	Mar 2015	G	See above
28	Develop and improve opportunities for tenants and leaseholders to get involved in managing the delivery of the council's housing services.	Tenant and Leaseholder Involvement Strategy adopted. Local Offer agreed and implemented. Co-regulation with tenants implemented.	Detailed implementation of co-regulation including role of member and tenant scrutiny	Oct 2013	G	Tenant Scrutiny Steering group has been set up & is meeting regularly. The final recruitment & selection of tenants for the panel was completed in Aug 2013 with the first meetings to be held end Sept/early Oct

						13.
29	Improve performance in tenancy services.	Improve rent and income collection performance. Reduce rent arrears. Achieve greater VFM for repairs (cost and quality).	Undertake fundamental review of repairs service	Dec 2013	G	The review is under way - 4 out of 5 workstreams are complete. Final workstream to be delivered in 2013.
30	Improve the percentage of council tenants satisfied with our landlord services.	82% tenants satisfied 2012/13. 84% tenants satisfied 2013/14. 86% tenants satisfied 2014/15.	Undertake annual tenant satisfaction survey	Apr 2015	G	The 2013 STAR survey has been carried out. The final report is due to be released 22 July 2013. Satisfaction at 88% (up 1% from last year)
43	Manage council housing to ensure it best meets the needs of individual households and tenants and the community as a whole.	Reduce underoccupation freeing up homes for larger households. Overcrowding is reduced in council homes. Actions to tackle and minimise Tenancy Fraud are up to date and effective.	Review use of extensions to provide enlarged homes for larger households for tenants and prospective tenants	Apr 2014	G	#####
			Review the implications of new Government guidance or legislation on the policies and work of Tenancy Fraud Team within 4 months of release Publicise	Mar 2015	G	#####
32	Review Housing Strategy targets mid term to ensure they are being delivered and refreshed in light of changing circumstances.	Housing Strategy targets are monitored and refreshed.	Housing strategy refresh: Produce progress information, any proposed revisions and consult with partners Sept to Oct 2013	Nov 2013	G	Consultation to take place after Sept CEB - see main body of report.
			Adopt refreshed Housing Strategy	Dec 2013	G	To be reported to CEB in Dec 13.
33	Review policies and services to reduce administration to secure VFM efficiency savings in housing services.	Lower administration costs for low priority housing applications.	Online housing applications	Dec 2014	G	Project cannot proceed until after the upgrade of the Housing ICT application. Awaiting prioritisation of this upgrade in the City ICT Strategy.
34	Review, update and improve housing communications provided by the council.	Housing Communications Plan in place. High quality and relevant housing information is available. New style tenants newsletters produced annually. New Tenants Handbook is produced. Information and on-line reporting of repairs is reviewed.	Tenants Handbooks reviewed with tenants and new version/s published	Apr 2014	G	#####
			Review use and production of Repairs Handbook, information on website and on line reporting of repairs following fundamental review of repairs	Jun 2014	G	Review will follow on from the Fundamental Review of Repairs.

Appendix C: Housing Strategy Risk Register - City Executive Board - Sept 2013

No.	Risk Description Link to Corporate Obj	Gross Risk	Cause of Risk	Mitigation	Net Risk	Further Management of Risk: Transfer/Accept/Reduce/Avoid	Monitoring Effectiveness	Current Risk									
Risk Score Impact Score: 1 =Insignificant; 2 = Minor; 3 = Moderate; 4 = Major; 5 = Catastrophic Almost Certain									Probability Score: 1 = Rare; 2 = Unlikely; 3 = Possible; 4 = Likely; 5 =								
		I	P		Mitigating Control: Level of Effectiveness: (HML)	I	P	Action: Action Owner: Mitigating Control: Control Owner:	Outcome required: Milestone Date:	Q 1 ☹ ☹ ☹	Q 2 ☹ ☹ ☹	Q 3 ☹ ☹ ☹	Q 4 ☹ ☹ ☹	I	P		
1.	Failure to meet the objectives of the Housing Strategy and Action Plan 2012 to 2015.	4	3	Ineffective monitoring of the strategic objective action plans.	Establish clear monitoring process within the Council's structure through relevant Board, Scrutiny and Tenant Involvement Structures	3	2										
2.	Changes to housing policy or context and, local, regional and national, making objectives invalid or inappropriate.	3	3	Economic circumstances, government policy and legislation, political changes.	In addition to regular monitoring, review of the strategy and objectives in 2013 to ensure it remains relevant to current circumstances.	3	3	Establish regular and robust monitoring arrangements Strategy and Enabling Manager	Mid point review completed by September 2013								
3.	Negative public understanding / perceptions of housing strategy objectives.	3	3	Failure to communicate objectives and impacts on housing in Oxford.	Establish clear communication strategy for the housing strategy for when it is adopted.	2	3	Ongoing communication and engagement of housing strategy objectives and in particular of individual projects and programmes. Strategy & Enabling Manager	Communication Strategy in place by May 2012.								

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Appendix D: Equality Impact Assessment – CEB - Sept 2013

1. Which group (s) of people has been identified as being disadvantaged by your proposals? What are the equality impacts?

No groups have been identified as being disadvantaged by the Housing Strategy 2012 – 2015 and Action Plan. The strategy and action plan are very specifically targeted at meeting the housing needs of those most vulnerable in Oxford.

2. In brief, what changes are you planning to make to your current or proposed new or changed policy, strategy, procedure, project or service to minimise or eliminate the adverse equality impacts?

Please provide further details of the proposed actions, timetable for making the changes and the person(s) responsible for making the changes on the resultant action plan

As no negative impacts are predicated no changes are being proposed.

3. Please provide details of whom you will consult on the proposed changes and if you do not plan to consult, please provide the rationale behind that decision.

Please note that you are required to involve disabled people in decisions that impact on them

As no changes are proposed because no negative impacts are predicted, no additional consultation relevant to such changes is required.

4. Can the adverse impacts you identified during the initial screening be justified without making any adjustments to the existing or new policy, strategy, procedure, project or service?

Please set out the basis on which you justify making no adjustments

Not applicable as no adverse impacts are predicated.

5. You are legally required to monitor and review the proposed changes after implementation to check they work as planned and to screen for unexpected equality impacts.

Please provide details of how you will monitor/evaluate or review your proposals and when the review will take place

Not applicable

Lead officer responsible for signing off the EqIA: Dave Scholes
Role: Housing Strategy & Needs Manager
Date: August 2013

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To: City Executive Board
Council

Date: 11th September 2013
30th September 2013

Report of: Head of Housing and Property Services

Title of Report: HOMELESS ACCOMMODATION SUPPLY

Summary and Recommendations

Purpose of report: To make recommendations to improve the supply of suitable temporary accommodation in order to meet the Council's duties to homeless households.

Key decision? Yes

Executive lead member: Councillor Scott Seamons, Housing
Councillor Ed Turner, Finance

Policy Framework:

Corporate Plan (Meeting Housing Needs & Efficient, Effective Council)
Housing Strategy 2012-15 & Homelessness Strategy 2013-18 (Prevent and Respond to Homelessness)

Recommendation(s): The City Executive Board are recommended:

(1) To note the report and endorse the approach being taken to procure additional properties for temporary accommodation as part of our discharge of homelessness duties.

(2) To recommend to Council that the 2013/14 General Fund Capital Budget be updated with the inclusion of a new scheme, namely "Homeless Property Acquisitions", estimated at £5 million, funded from borrowing and to include a further £5m budget in 2014/15

(3) To recommend to Council an increase in General Fund external borrowing of up to £10million to finance the capital expenditure;

(4) To give project approval to the Homeless Accommodation Supply project identified in this report, and to grant delegated authority to the Executive Director for Regeneration and Housing in consultation with the Chief Executive, to decide on the final management model, to tender contracts to set up and operate a scheme, and to award appropriate contracts, and as necessary, agree property acquisitions, that are the

most financially advantageous for the Council with respect to the Council's Medium Term Financial Plan, following approval from the Council's Head of Finance; and

(5) To request that Officers report progress to CEB after the first £5m spend to evaluate the impact of the scheme.

Appendices to report:

Appendix A - Risk Register

Appendix B - Equality Impact Assessment

Context

- 1 Local housing authorities have a statutory duty to ensure that households believed to be homeless, eligible for assistance, and in priority need (primarily if the household is vulnerable or has dependents) are provided with interim accommodation. Following homeless investigations, the Council may accept that it has a statutory duty to find suitable settled (permanent) accommodation for that household. Temporary accommodation is the accommodation provided by the Council on either an interim basis or, where it has accepted a statutory homeless duty, for the period until it discharges that duty. The Council may exercise its discretion and continue to accommodate households that are appealing a negative homeless decision, or, for a limited time period, those families that may have been found intentionally homeless.
- 2 Best practice, as recognised by the Homeless Code of Guidance, is to try to prevent statutory homeless applications and acceptances, by taking action at the earliest possible stage to either prevent homelessness (by keeping the household in their current accommodation) or to alleviate it by finding alternative suitable accommodation available to them. This is recognised in Oxford City Council's Homelessness Strategy (2013-18) approved by CEB on 13th Feb 2013. As part of this report, the Council also agreed to use new powers in the Localism Act (commenced from 9th Nov 2012) to discharge the Council's homeless duty into suitable private rented accommodation, where this was appropriate. This report is concerned with trying to ensure a ready supply of suitable accommodation for this purpose.
- 3 Nationally statutory homeless acceptances have been increasing. In Oxford, we have presently 'bucked' this trend, reducing acceptances by 13%, and reducing households in temporary accommodation by 7% (from 129 to 120) over the same period. The number of households in temporary accommodation in Oxford has steadily declined from a peak of around 1,000 households in 2004, to 120 as at the end of March 2013. As at the end of June 2013, 123

households were in temporary accommodation (excluding any accommodated pending appeal). The significant reductions in temporary accommodation have been through exemplary and innovative combined work across Housing Needs. Specific initiatives in homelessness prevention; in temporary accommodation management; in the allocation of housing; and in the supply of permanent housing, have all contributed to targets being consistently exceeded.

- 4 The Council's target is to ensure that the number of households in temporary accommodation, at any one time, is 120 or less. However, concerns exist that the impact of the following factors could lead to an increase in homelessness presentations namely.
- Welfare Reform – LHA changes (to 30th percentile); Benefit Cap; Bedroom Tax; Universal Credit (and direct payments)
 - Deficit reduction/ public sector cuts – impacting in various ways, including increased pressure on the resources of partners; reduced house building; and less mortgage lending
 - Rising living costs and increasing personal debts

Temporary Accommodation

- 5 The Council uses a variety of models of temporary accommodation. This comprises of:

First Stage	
First stage accommodation is generally the initial accommodation that a household is placed in, should they be deemed to need temporary accommodation. The accommodation is actively and intensely managed by the Council's own Accommodation Team.	
Nightly Charge (NC)	Accommodation that is usually provided on a night by night basis only (including out of hour's placements). Accommodation is procured as required, and is now predominately guest house or hotel rooms (as available). <i>A typical nightly charge is around £350-500 per week, (£18,000 to £26,000 per annum), per unit, and is the most expensive form of accommodation</i>
Council-owned Hostel (OCC)	Accommodation that is owned and managed by the Council for this purpose. This consists of one property of 8 units. This has been supplemented by two decommissioned sheltered housing schemes (albeit on a shorter term basis) and two further 'hard to let' properties. <i>The cost to the Council of this accommodation is broadly cost neutral and is</i>

	<i>accounted for in the HRA.</i>
Private Sector Lease (PSL)	Property that is leased by the Council (typically on 1 to 5 year leases) from the private sector. This comprises of the majority of first stage accommodation. <i>The net cost is around £2,800 per annum, per unit (exc staff costs).</i>
Second Stage	
Second stage accommodation was generally for households to whom the Council had accepted a statutory homeless duty. It mostly comprises of family accommodation.	
Oxford Social Lettings Agency (OSLA) – Now operated by Green Square only and being wound-up	OSLA comprised of Oxford Citizens Housing Association and Catalyst Communities Housing Association (formerly Ealing Family HA) who worked together to operate the scheme. They leased property from the private rented sector to be used as temporary accommodation, with the Housing Association effectively acting as the managing agent – This is under a Housing Association Leasing Scheme (HALS) model. This scheme is now in a wind-down period with the providers no longer willing to continue with this ‘non-core/ higher risk’ activity for much smaller numbers of households than originally housed. <i>The net cost is now around £1,400 per annum, per unit, this being the Nomination fee. (The Council is also liable for voids costs on ready property, but this is now negligible).</i>

- 6 As at 30th June 2013, the breakdown of households, by the type of temporary accommodation (TA) used, was as follows*:

First Stage			Second Stage		
NC	OCC Hostel	PSL	OSLA	Hard to Lets	Total
0	40	70	8	5	123

* These figures use the Government definition for the P1e return and exclude a small number of households in temporary accommodation, where homeless duties have ended; that the decision has not been appealed; and where the household is not yet evicted. (This comprised of only 1 household at the end of June 2013).

- 7 At the same date, the status of households in TA was as follows:

Status	Number
Pending case	41
Accepted case	73
Negative decision/ appealing/ exiting	9
Total	123

Current Expenditure

- 8 The current cost (2013/14) of temporary accommodation to the General Fund is set out below:

Reason	(£)
Nightly Charge expenditure	40,000
Nightly Charge rental income(capped at HB subsidy)	- 20,000
Nightly Charge bad debt provision	10,000
Nightly Charge Net Cost	30,000
PSL lease expenditure	750,000
PSL utility costs	75,000
PSL & OCC Hostel council tax costs	10,000
PSL damage/ dilapidations costs	35,000
PSL rental income (capped at HB subsidy cap levels, plus service charge)	- 700,000*
PSL bad debt provision	30,000
PSL Net Cost	200,000
OCC Hostel costs to the General Fund (other costs and income in the HRA)	5,000
Second Stage (OCHA) costs (£1,400 pa nomination fee and void losses) – wind-down	15,000
Sub-total (accommodation costs)	250,000
Staffing costs (managing PSL and OCC units)	250,000
Vehicle costs	15,000
Storage/ Removal costs	6,000
Sub-total (other costs)	271,000
Total	521,000

* PSL rental income may hit £740,000 this year, due to very low void rates – presently at about 0%. The target is for void rates to be at 10% to ensure sufficient units are available and ready when needed – to avoid ‘overspill’

into expensive nightly charge accommodation, and to ensure officers have a range of property type, size & location in order to make suitable placements.

- 9 The main pressure point in spend is on Nightly Charge accommodation because if additional accommodation is required, that is either unexpected, or because it cannot be sourced elsewhere, then this costs in the region of £350-£500 per week per household. We are very restricted as to the rent that can be charged for such accommodation under Housing Benefit subsidy regulations, that effectively limits this charge to £160 per week.
- 10 The Council has operated a very successful Home Choice scheme for the past ten years, helping to prevent homelessness by providing clients that might otherwise have required temporary accommodation (under the Council's statutory duties) with a deposit or bond in order to secure access to private rented sector (PRS) accommodation. Approximately 1,000 households are currently supported in this way through the scheme. The number of new tenancies established by the scheme has fallen significantly however – from 200 in 2010/11 to 110 in 2012/13. The changes to LHA rates and concern over other benefit changes, plus a very buoyant local rental market, have resulted in landlords increasing rent charges significantly above LHA rates, and favouring working tenants over those more reliant on benefits and with less favourable tenancy histories. About 10% of existing Home Choice clients are in property which is outside of Oxford City, and the team increasingly have to look beyond Oxford to access additional property, although the disparity between supply and demand, and LHA rates and actual rents, are increasingly similar across the County.
- 11 Budgeted revenue expenditure on the Home Choice scheme in 2013/14 is expected to be approximately:

Reason/ Costs	(£)
Staffing	230,000
Deposits, Bond Settlements, Finders Fees, Rent in Advance, Rent Top-ups	400,000
Deposit Returns	- 50,000
Total	580,000

- 12 This is a similar cost to past years, but less new starts of accommodation are being achieved. At present however, the team are still able to sustain most existing tenants in the scheme, albeit that this is requiring some to move to alternative landlords or properties.

Challenges and Pressures

- 13 Since the Council's Private Rented Discharge Policy went live from

1st April 2013, the immediate opportunities have been limited because of the limited supply of affordable private rented accommodation (within the Local Housing Allowance) in the city and surrounding area. Officers are now searching the next nearest urban areas out of County. Households at imminent risk of homelessness are usually prioritised over households already placed in temporary accommodation, in order to prevent their homelessness. Access to more PRS accommodation is needed, both short and medium term, to address this need.

- 14 A number of measures have been put in place to mitigate the impact of some pressure on the service, including:
- Increased funding for DHP payments
 - Welfare reform outreach work
 - Funding for additional debt surgeries to prevent homelessness
 - Developing more affordable homes (e.g. Barton West/ HCA programme)
 - Improved homeless prevention and casework
- 15 There are pressures on current temporary accommodation. These include:
- Opportunities to release Council owned accommodation for the redevelopment of permanent housing (namely Alice Smith House and Eastern House)
 - The winding-up of the OSLA (second stage) contract
 - Further minimising Nightly Charge use
 - Maintaining approximately a 10% void rate in TA to ensure sufficient suitable property is available when required (currently the void rate is close to 0%).
- 16 In the absence of more accommodation, the Council will need to secure increasing volumes of temporary accommodation in order to meet its statutory homeless obligations. If such accommodation cannot be secured, increased use of nightly charged bed and breakfast style accommodation will be necessitated, having negative impacts on both the households placed there, and on the Council's budgets.

New Approaches

Efficiency Improvements

- 17 In order to improve the financial efficiency of homelessness accommodation, the Council intends to focus increasingly on assisting clients into suitable private rented accommodation, and to keep the number of households in temporary accommodation to the minimum possible. It is recognised that to do so in the local private rented market, the Council needs to explore a number of other options. This approach is therefore one where we are intending to adopt a more sustainable approach, and also to remodel from a revenue to a capital

investment one, for homelessness accommodation.

- 18 In addition to our use of PRS discharge, It is proposed that an additional complementary approach is used to provide flexible options for the Council to address homelessness in Oxford.

Local PRS accommodation at LHA Rates

- 19 Temporary accommodation within the City or as near as possible will continue to be required when homelessness prevention fails and discharge in the private rented sector is unachievable or otherwise not appropriate. Placement of households in this accommodation will be subject to Chief executive and director approval and will only be available for those where there is an ongoing housing liability and there are particular circumstances where PRS discharge and out of area would be inappropriate. In these cases, the supply of more local accommodation, that can be sustained at LHA rates, is required. It is increasingly becoming apparent that the local private rented market is unable to provide this, at the rates required, for both homeless prevention accommodation and for temporary accommodation. To address this, it is proposed that the Council procures a limited number of properties (approximately 45-50) as part of a revised capital programme, and this accommodation is made available, for homeless clients to access at LHA rates. **This report seeks approval for this.**

Options Considered

- 20 Delegated authority to enter into a new contract to provide temporary accommodation, under a 'Temporary to Permanent' model, was agreed, under the Single Member Decision (Housing Needs) process, on 9th November 2011. However, following that, there were significant changes in the banking and finance markets, and the loans required by the successful tenderer in order to operate the scheme were no longer available. The Council has continued to explore options, and has considered a number of alternative options, including a 'Long Term Affordable' model, using private pension fund equity. However, this option was dropped as there were unacceptable risks with the funding over 35 years and the Council can fund or borrow more cheaply.

- 21 Do Nothing

This is not an option. Without sufficient accommodation, increased use of temporary accommodation will be required, and this is most likely to have to take the form of B&B accommodation, due to the lack of other accommodation available. The cost, currently around £18,000 to £26,000 per family, per year, is predicted to grow year-on-year in line

with homeless presentations, as existing households in temporary accommodation have few viable move-on options.

Alternative Models to supply suitable PRS Accommodation

- 22 Various approaches, such as the 'Long Term Affordable' model (described above) have been considered by officers, but discounted as the cost and risks are considered to outweigh the benefits. It may be possible to re-tender for a 'Housing Association Leasing Scheme' type model (as used for the OSLA scheme previously), but this would also be dependent on the PRS market for the supply of accommodation, and it would require the payment of a nomination fee which would not allow for the Council to make savings in temporary accommodation costs. The 'Temporary to Permanent' model (using an organisation that will secure 10-15 year bank lending to procure property) is also no longer viable.
- 23 Alternatives, such as an Equity Investment model, with the Council entering into a long-term partnership with another organisation, such as a Registered Provider, to provide accommodation in return for an equity investment, are innovative new approaches and will be explored as a medium term option. Other approaches also being pursued, as 'business as usual', include exploring whether any large scale accommodation providers may wish to lease surplus accommodation, although, to date, this does not appear likely.

Recommended Option

Overview

- 24 Under this model, the Council would use additional General Fund borrowing to purchase properties on the open market. These properties would then be let on license or be leased and then let on Assured Shorthold Tenancies, at Local Housing Allowance (LHA) rates, to households that would otherwise be homeless or to whom the Council has accepted a homeless duty.
- 25 It is proposed that the capital borrowing envelope for this scheme is capped at £10m. That should procure approximately 45-55 properties.

Benefits

- 26 This model is beneficial, compared to alternatives, as:
- It could deliver access to new units of accommodation, in or close to Oxford, to a good quality standard, that are well managed, and rented at LHA rates.
 - The Council can secure better interest rates than the alternative

models discussed to date

- Operationally, the scheme would be under the Council's direct ownership. This provides more flexibility, including allowing for the disposal of units (at the end of lease terms), should unforeseen changes occur in the future
- The model is flexible enough, to allow for the property to be used for other purposes (social or market renting) if the need for homeless accommodation declines at any point in the future
- The model is more sustainable and will provide a Council saving in that no nomination fees; finder's fees; deposits/ bonds; agent admin fees; top-up payments; or DHPs are required. If homeless approaches to the Council stay constant, the model will allow for further temporary accommodation reductions and make further budget savings as a result. If homeless approaches increase, then this initiative should help to contain that growth within existing resource provision.
- It is assumed within the model that purchasing the properties will save in the region of £60k per annum from the existing budgeted homeless accommodation costs which is in addition to the £100k per annum saving currently allowed for in the Medium Term Financial Plan.

27

Model Sensitivities

Assumptions around key factors such as numbers of units purchased, cost of units, property improvements, running costs, rent and rent increases and borrowing rates have been modelled. All assumptions could change and the most sensitive is around borrowing rates and whether internal as opposed to external borrowing is undertaken. PWLB borrowing rates for 30 year money are currently running at around 4.75% with shorter 10 years monies running at around 3.7%. In addition a Minimum Revenue Provision would be charged to the revenue account based on the life of the asset (currently estimated at 60 years). The Minimum Revenue Provision is to 'ensure that debt is repaid over a period that is commensurate with that over which the capital expenditure provides benefit'.

Whilst the rate of interest on borrowing will be determined and fixed at the time borrowing is taken out at the prevailing rates, based on current rates this would be around 4.75% and at the rate it is estimated that there would be a small deficit over the 30 year period in the order of £476k (average £15k per annum) without any MRP charge. Should this scenario occur then the £60k saving used in the model will be reduced to around £45k.

28

Procurement Options

A procurement strategy for this project is to be developed. This will need to consider a number of issues including the approach taken to each of the key elements:

- Acquisition
- Management
- Maintenance

29 The following framework will inform the development of this approach:

Properties – Good quality property standards - ideally to Decent Homes (although this is not be mandatory). Accessible to local transport and amenities. Any units procured should be capable of being brought up to suitable letting standards within 4 weeks of purchase, and should not require more than £5,000 of initial refurbishment works (unless the purchase price presents a clear business case for an exception). Properties may be flats or houses, and may include ex-Council homes bought under the Right to Buy, or flats where the Council has the leasehold.

Location – Likely to be Oxford or neighbouring urban areas, should property be secured at better value in these areas.

Acquisition – Initially, to be phased over a period of 9-12 months to ensure that property values are not impacted, although this may be subject to review pending the financial impact of the scheme. Purchases could be directly from individuals, via agents, or direct from developers. The initial preference is that this should be outsourced to ensure that sufficient resources are quickly mobilised to undertake this work. Properties should be secured for under 90% of the marketing value. The Council will need to undertake independent valuations in order to comply with the need to meet and seek value for money.

Management – The initial preference is that the operation of the scheme will need to be outsourced. This will ensure the scheme is managed arms-length from the Council, identifying this product as a very different one from social rented housing. Legally, a third party is also required, in order for Assured Shorthold Tenancies (ASTs) to be used if some of the properties were to be used for prevention. Detailed contractual arrangements will clearly identify the expectations and responsibilities for performance around key areas such as rent collection; void relet times; bad debts; and service standards.

It is proposed that a business case for an internal model of management is also developed as a comparator to ensure the Council achieves value for money and that the final decision on the management model to be adopted, be delegated to the Corporate Director for Regeneration and Housing following procurement. This final decision whilst delegated to the Director for Regeneration and

Housing will be made in consultation with the Board Members for Finance and Housing.

Maintenance – There are possible benefits of tendering this as a parcel with the above two elements. This will provide a more viable scheme for a third party to tender for and operate. It is likely to minimise ‘hand-over’ issues between acquisition, management and maintenance functions. The opportunity for maintenance work to be carried out by Direct Services as additional Council trading should also be explored.

Governance

- 30 It is proposed that an officer group, including the Chief Executive, Corporate Director of Regeneration and Housing, Heads of Housing, Finance, Legal, and Business Improvement have operational oversight of this project, including the monitoring of spend and the accuracy of the modelling used. The group will report quarterly to the Housing Programme Board. In addition, Directors will review the on-going business case for the additional accommodation throughout the phased procurement period (expected to be 9 months following a 3 month mobilisation period).
- 31 After the scheme is fully operational (after the procurement stage) the scheme will also be fully reviewed by this group, and this will continue annually, with the initial report also being submitted to CEB. The scheme should also be independently reviewed, and valuations undertaken every five years.

Environmental impact

- 32 There will be minimal environmental impact from this initiative. Any impact however is likely to be positive, as the Council is likely to be able to make modest improvements to property standards and efficiency over the term of the initiative.

Equalities impact

- 33 Regular monitoring of homeless clients is undertaken – most recently reported as part of the evidence base for the Homelessness Strategy. Analysis consistently shows that homeless clients are usually younger than the usual resident population, and predominantly women. Assessments as to vulnerability are made, as necessary, under homelessness law. BME groups are represented to a higher degree than the base population, in presentations as homeless, although research commissioned by the Council has shown this to link to lower income status, rather than to particular racial issues. The PRS Discharge policy identifies households that may, or may not be considered for out-of-area moves. (This was approved by CEB in Feb 2013 as part of the Homelessness Strategy Report.) An impact

assessment is attached at Appendix B to this report.

Risk and mitigating any possible detrimental impact

- 34 There are a number of risks associated with the project. These are shown Risk Register is shown at Appendix A.

Non-financial risks are:

Whether the scale of the proposal is too small.

- 35 Predictions from initial research as to the impact of the first wave of changes to LHA rates (Shelter/ Cambridge CHPR Report on the LHA impacts, 2010) suggests that up to 269,000 households in England are likely to get into severe difficulties as a result, with 35,000 presenting as homeless (and half of these found to be in Priority Need). This could be taken to apply to at least 1,000 Oxford households, with 80 being in Priority Need on top of current cases. This would indicate that this initiative would not address all of the extra needs of presenting households. Should this be the case, this would be identified as part of the on-going review of the scheme, and options would need to be considered, including the up-scaling of this initiative.

Whether the scale of the proposal is too much.

- 36 There is also a risk that the expected increase in homelessness does not arise, and that all the additional units of accommodation are not required. Again, this would be identified through on-going reviews of the housing need; business case; and scheme progress throughout the procurement period. Subsequent to this, the scheme is flexible enough to use for a range of options, including changing the households referred into the scheme (to broaden it); shifting the model to renting at market rent or sub-market/ Affordable Rent; disposing of property; or moving the property into the HRA to use as social rented accommodation. This is highly unlikely however. Demand for suitable, affordable, private rented accommodation is at a premium, and the Home Choice scheme has maintained an internal list of referred cases (households considered at risk of homelessness) of over 50 for over two years.

That suitable arrangements can be found to acquire, manage and maintain the properties

- 37 This report has already outlined the principles to be followed in developing a procurement plan, and this seeks to minimise risk and ensure the initiative delivers successfully. It is proposed to undertake some soft-market testing to ensure that there is appetite in the market to tender for such a proposal. Assuming there is, the Council will seek to minimise operational risks through placing contractual obligations on the provider to meet minimum performance standards, including those

relating to income collection.

- 38 Officers will develop an alternative in-house model as a substitute to out-sourcing, if required. This is expected to be possible, although the mobilisation prior to procurement is likely to be delayed, to ensure sufficient resourcing; operational risks (including rent collection) will fall to the Council; the management approach of using ASTs will also have to change, with one consideration being that an Affordable Rent model is used; costs may also need to be reviewed.

Financial risks of the initiative are:

- 39 In summary, the key financial risks and mitigations are:

<i>Ref</i>	<i>Description</i>	<i>Mitigation /Notes</i>
I	Comparative variations in RPI, CPI, LHA rates, and borrowing costs	The model has made conservative assumptions on these, particularly for borrowing. The GF revenue Implications of adverse budgetary issues materialising needs to be identified and form part of the MTFP.
li	Procurement costs exceed expectations	The purchase price of the properties significantly influences the modelling. Where lower prices can be achieved, additional units can be procured (yielding greater income) or borrowing levels can be reduced. If purchases cannot be secured to budget forecasts, then less units or more borrowing may be required, subject to its affordability within the GF MTFP. It is proposed that scheme monitoring will identify this however, and procurement will be suspended or delayed (in order to find properties within budget) if this occurs. The model also allows a 1% contingency for some cost overruns, if needed.
lii	The accuracy of assumptions relating to income collection/ bed debts; management costs; maintenance costs; and voids	The assumptions in the model have been sense-tested against other models (Council, RP and private) and appear reasonable – ranging from 23% of gross rental income (in year 1) to 25% of gross rental income (in year 15).

iv	There is no plan in place for the £60k saving and should it not materialise there will be a cost on the General Fund	Track and monitor the spend on homelessness. Defer purchase of properties if there are no indications of pressures.

Financial implications

- 40 If homeless approaches to the Council stay constant, the model will allow for further temporary accommodation reductions and make further budget savings as a result. If homeless approaches increase, then this initiative should help to contain the financial impact than might otherwise have been the case.

Should additional savings be possible, then these might be in the region of £60,000 – This being the reduction of B&B budgets by 75% (£30,000); the elimination of the remaining second stage temporary accommodation budgets (£15,000); and the reduction of PSL budgets (expenditure net of rental income) by 10% (£15,000). This reflects the equivalent of losing about 50 units of accommodation. Temporary Accommodation budgets have been reduced by £100,000 in 2013/14 in anticipation of this approach being initiated in this financial year. It should be noted that the savings of £60k per annum are included in the attached financial analysis (Appendix A), summarised in the table at paragraph 29. The current assumption used is that annual surpluses would be used to repay borrowing and therefore would not accrue to the revenue account. Equally the borrowing could be rolled after maturity or decisions could be taken about dwelling disposal to repay borrowing depending on need.

For establishing an initial revenue budget a capital financing rate of around 4.6% will be used at which point revenue costs will be covered over the 30 year period. The position will be monitored monthly and a review undertaken in the next Budget cycle

	2013/14	Full Year effect
	£000's	£000's
Income	278	557
Management	23	46
Maintenance	38	76
Less savings in current budget	(23)	(45)
Loan Interest	240	480
Total Expenditure	278	557
Net Surplus/deficit	0	0

The property acquisition up to the approved level of £10m will be classed as General Fund borrowing.

Legal implications

- 41 A legally compliant procurement process will need to be followed, as outlined previously in this report. A legally binding contract (for acquisition services) and lease (for the on-going management and maintenance of the properties, let under Assured Shorthold Tenancies) will be entered into with the successful tenderer(s), or an alternative contractual arrangement established to achieve the same outcomes, which could include purchasing through a SPV (Special Purpose Vehicle) or similar.
- 42 The Council's authority to enter into these arrangements are contained in the Local Government Act 2000 (Section 2), as amended by the Localism Act 2011; all relevant enabling provisions in the Housing Acts; and all other relevant enabling legislation.

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List of background papers:

None

Version number:

0.4

Appendix A - Homeless Accommodation Supply - CEB Report Risk Register - 11th Sept 2013

Risk Score Impact Score: 1 =Insignificant; 2 = Minor; 3 = Moderate; 4 = Major; 5 = Catastrophic										Probability Score: 1 = Rare; 2 = Unlikely; 3 = Possible; 4 = Likely; 5 = Almost Certain							
No.	Risk Description Link to Corporate Obj	Gross Risk		Cause of Risk	Mitigation	Net Risk		Further Management of Risk: Transfer/Accept/Reduce/Avoid		Monitoring Effectiveness				Current Risk			
		I	P		Mitigating Control: Level of Effectiveness: (HML)	I	P	Action: Action Owner: Mitigating Control: Control Owner:	Outcome required: Milestone Date:	Q 1 ⊗ ⊙ ☺	Q 2 ⊗ ⊙ ☺	Q 3 ⊗ ⊙ ☺	Q 4 ⊗ ⊙ ☺	I P			
1	Scale of the project is too small to address the potential growth in homeless presentations	3	3	That the pressures on homeless identified in the report are such that the model cannot contain the growth in households requiring access to accommodation	The approach will be kept under regular review by officers; reported quarterly to Housing Programme Board; and annually to CEB. If the need arises and the business case is sound, then this approach could, with the necessary approvals, be up-scaled	2	3	Review of approach by Head of Housing and Property	Review of scheme and the request of approvals to procure more units								
65																	
2	Scale of the project is too large and not all the property procured is required for homeless prevention use	3	2	That insufficient homeless households require accommodation.	This is considered highly unlikely. The reason for this includes: - The Council has 120 households not yet in temporary accommodation that are facing homelessness identified. - This approach can also be used for households to whom the Council has accepted a homeless duty. - PRS accom in Oxon is becoming less available, with a widening gap between actual rents and LHA rates	1	2	Review of approach by Head of Housing and Property	Review of scheme on a monthly basis during procurement stages. Flexibility in any contractual arrangements to exit the scheme and/or sell property at suitable intervals. Flexibility within the model and contracts to shift some units into sub-market/ market rent for alternative client groups								

3	The procurement exercise does not identify any suitable providers willing to operate the scheme to the Council's satisfaction	3	2	That the type or scale of the proposal does not attract providers that can meet the specifications	This is considered unlikely, but an in-house option is to be considered alongside offers from external providers.	2	2	Review by officers throughout procurement process	Soft market testing prior to procurement Flexibility within the tender specification for various provider models to be put forward to deliver the same outcomes						
4	That numbers of homeless being presented does not meet expectations	3	2	Numbers of homeless are overly cautious	Slow down purchase of additional properties. Let properties out at market rents Dispose of surplus properties			Head of Housing	Review through Housing Board					3	1
5	Sensitivities in the financial model exceed forecasts and tolerances. Especially: - Cost of Financing - Rent Increases & LHA rates - Procurement costs - Management, Maintenance, bad debts, and void costs	4	3	That the financial modelling estimates prove inadequate or that model sensitivities are exceeded	Conservative assumptions have been made throughout the model, and there is sufficient flexibility in the model (see 2 above) to cover unexpected variations. Sensitivity analysis shows the main sensitivities to be the procurement costs; the LHA increases and the most significant being the cost of financing. Other variables have significantly less impact on the model. <u>Cost of Financing</u> Various rates have been modelled within the sensitivity analysis, showing that there is scope in the model to provide for these variations. Long term borrowing will also help to fix rates in advance to improve forecasting of spend. In the event that there are insufficient surpluses to repay debt then consideration will need to be given to renewing the debt or disposing of properties to repay.	2	2	Review of approach by Head of Housing and Property and Head of Finance, reported quarterly to Housing Programme Board. Undertake property purchases in tranches and review after each tranche	Regular review of actual activity against the model					4	3

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Appendix B: Equality Impact Assessment – CEB - Sept 2013

1. Which group (s) of people has been identified as being disadvantaged by your proposals? What are the equality impacts?

No groups have been identified as being disadvantaged by procuring property to secure access to additional PRS accommodation for homeless households, indeed the report is targeted at meeting the housing needs of those most vulnerable in Oxford.

2. In brief, what changes are you planning to make to your current or proposed new or changed policy, strategy, procedure, project or service to minimise or eliminate the adverse equality impacts?

Please provide further details of the proposed actions, timetable for making the changes and the person(s) responsible for making the changes on the resultant action plan

As no negative impacts are predicated no changes are being proposed.

3. Please provide details of whom you will consult on the proposed changes and if you do not plan to consult, please provide the rationale behind that decision.

Please note that you are required to involve disabled people in decisions that impact on them

As no changes are proposed because no negative impacts are predicted, no additional consultation relevant to such changes is required.

4. Can the adverse impacts you identified during the initial screening be justified without making any adjustments to the existing or new policy, strategy, procedure, project or service?

Please set out the basis on which you justify making no adjustments

Not applicable as no adverse impacts are predicated.

5. You are legally required to monitor and review the proposed changes after implementation to check they work as planned and to screen for unexpected equality impacts.

Please provide details of how you will monitor/evaluate or review your proposals and when the review will take place

Not applicable

Lead officer responsible for signing off the EqIA: Dave Scholes
Role: Housing Strategy & Needs Manager
Date: August 2013

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To: City Executive Board

Date: 11 September 2013

Report of: Head of Housing & Property

**Title of Report: ALLOCATIONS REVIEW AND CHANGES TO THE
ALLOCATIONS SCHEME**

Summary and Recommendations

Purpose of report: To receive approval for the proposed new Allocations Scheme

Key decision? Yes

Executive lead member: Councillor Scott Seamons

Policy Framework: Meeting Housing Needs

Recommendation(s): (1) To note the proposed changes to the existing Allocations Scheme and responses to the consultation

(2) To recommend the new Allocations Scheme is approved by Full Council

(3) To give delegated authority to the Head of Housing & Property to introduce the new Allocations Scheme within 3 months of final approval by Full Council to allow time to implement the changes

(4) To agree to the Council leaving the Oxfordshire Sub-regional Choice-Based Lettings scheme

Appendices to report

- Appendix 1 Housing Allocations Scheme Consultation Draft Report approved by CEB on 13/2/13 (showing a summary of the proposed changes)
- Appendix 2 Proposed new Allocations Scheme
- Appendix 3 Summary report on the responses received during the Allocations Review consultation
- Appendix 4 Equality Impact Assessment on the proposed changes
- Appendix 5 Risk Register

Introduction

1. The Council is in the process of changing the Allocations Scheme. This is the policy the Council uses to allocate social housing within Oxford to those in housing need. All housing authorities must have an Allocation Scheme. Housing authorities are required by s.166A(1) Housing Act 1996 to have an allocation scheme for determining priorities, and for defining the procedures to be followed in allocating housing accommodation; and they must allocate in accordance with that scheme (s.166A(14)). All aspects of the allocation process must be covered in the scheme, including the people by whom decisions are taken.
2. A draft of the proposed Allocations Scheme and a report detailing the changes (see Appendix 1) was submitted to the CEB on 13/2/13 and approval was received to consult on the proposed changes. The consultation took place between 3/4 and 19/5/13. Registered Providers of Social Housing with stock in Oxford, every applicant on the housing register (over 4700), members of the public and other key stakeholders (including advice and support agencies and housing staff) were given the opportunity to comment on the proposed changes.
3. The overall response to the proposed changes has been generally positive, although some proposals are more popular than others and the responses received have been taken into consideration when drafting the final version of the proposed Allocations Scheme shown in Appendix 2. A report providing a summary of the responses received in the consultation is shown in Appendix 3. The impact of the proposed changes to the Allocations Scheme on households in housing need has also been taken into consideration in the drafting of the new Allocations Scheme. An Equality Impact Assessment has been undertaken and is shown in Appendix 4.
4. The proposed Allocations Scheme has not been significantly altered to the version submitted to the CEB on 13/2/13 and includes most of the proposed changes listed in Appendix 1. Although minor areas have been re-drafted to make the changes clearer. The proposal to exclude adult students studying and living away from home part of the time where their main residence is still at the applicant's home has been removed, following the consultation and impact analysis. The sections on when a housing applicant with rent arrears is likely to be excluded from qualifying for inclusion on the Housing Register or unlikely to receive an offer have been made clearer.

Oxfordshire Sub-regional Choice-Based Lettings Scheme

5. The Council is currently part of a sub-regional partnership with three other District Councils in Oxfordshire. All four District Councils are currently reviewing their allocations schemes. It is expected that the priority bands and assessment criteria adopted by these amended schemes will differ to the extent that equitable sub-regional bidding will

no longer be possible. Consequently, the participating Councils have decided to leave the sub-regional scheme. However, it is expected that reciprocal arrangements for inter-district moves will still be used on occasion.

Level of Risk

6. The new Allocations Scheme is considered to represent a low risk to the Council and has been represented as such in Appendix 5. The old Allocations Scheme is out of date and needs to be updated. The new Allocations Scheme has been re-drafted taking into account changes in legislation introduced by the Localism Act and Welfare Reform Act and the new Allocations Code of Guidance issued by the Department of Communities and Local Government.

Climate Change/Environmental Impact

7. The new Allocations Scheme will have a low impact on climate change and the environment. The Council will continue to seek to minimise the impact of the allocation of social housing in the future and the introduction of an on-line application form should help to reduce the amount of paperwork required to administer the housing register.

Equalities Impact

8. The impact of the proposed changes has been considered in the Equality Impact Assessment shown in Appendix 4 and taken into consideration in the drafting of the new Allocations Scheme. The Council will continue to seek to ensure under the new scheme, that the allocation of social housing does not indirectly discriminate against or disadvantage housing applicants within BME groups and/or those with disabilities, by effective monitoring of those applying for housing and those allocated social housing by the Council.
9. The Council will continue to provide advice and assistance to those on the housing register and monitor applicants in high housing need who are “not bidding”, to ensure they receive the support necessary to use the Choice-Based Lettings (CBL) scheme and receive a suitable offer of housing.

Financial Implications

10. Social housing is a scarce resource. The new Allocations Scheme continues to prioritise those in the most housing need for an allocation of social housing to make the best use of the limited number of properties becoming available each year.
11. Procedures remain in place to assess the suitability of housing applicants for an offer of social housing with the aim of ensuring applicants are only normally offered social housing where the tenant is

considered suitable for an offer and the property meets their housing requirements. To ensure any new tenants are able to comply with the terms of their tenancy including the payment of their rent and where adaptations are required to the property costs are kept to a minimum.

12. The Allocations Scheme continues to award high priority to existing tenants in social housing seeking to downsize to a smaller property so the property they have left can be re-let to a family in housing need. Council tenants of working age, who are under-occupying a family property and have requested to move, will continue to be offered assistance with finding alternative housing and compensation through the Removal Expenses Mobility Scheme, including Council tenants affected by the “bedroom tax” where the tenant is taking reasonable steps to pay their rent. The Allocations Scheme continues to allow some flexibility in making offers to housing applicants with rent arrears who are affected by the introduction of the “benefit cap” where the applicant is taking reasonable steps to pay their rent and is considered suitable for an offer of housing.
13. The proposed changes to the size of properties applicants are eligible to apply for will help, to minimise the allocation of social housing to tenants who could be affected “bedroom tax” in the future, and fail to pay the shortfall in rent to the Council. The changes are also consistent with the Council’s aim to prevent homelessness and reduce the number of households in temporary accommodation and the cost to the Council and take into account recommendations from an independent review of the service.
14. The costs associated with the changes required following the introduction of the Allocations Scheme, including updates to the Housing Management Information System, Choice-Based Lettings system, new literature and staff training have been accounted for in the budget for 2013/14. Changes will be undertaken by existing staff where possible to keep the costs to a minimum.

Legal Implications

15. The new Allocations Scheme has been drafted to take into account changes introduced since the drafting of the existing Allocations Scheme in July 2009. This includes changes in legislation introduced by the Localism Act 2011 and Welfare Reform Act 2012, the “Allocation of accommodation: guidance for local housing authorities in England” 2012 issued by the department of the Communities and Local Government and the Council’s new Tenancy and Homeless Strategies.
16. Advice has been taken from the Council’s legal team during the drafting of the new scheme and it is considered to comply with current legal requirements. Although all Allocations Schemes are open to legal challenge, it is considered unlikely at this time that any such challenge against the legality of the allocations scheme would be successful.

Name and contact details of author:

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Housing Needs
Tel: 01865 252713 Email: tporter@oxford.gov.uk

List of background papers: None

Version number: Final Draft V.1

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Appendix 1: Housing Allocations Scheme Consultation Draft Report approved by CEB on 13/2/13 (showing a summary of the proposed changes)

To: City Executive Board

Date: 13/2/13

Report of: Stephen Clarke – Head of Housing

Title of Report: Housing Allocations Scheme Consultation Draft

<u>Summary and Recommendations</u>	
Purpose of report:	For the new Draft Allocations Scheme to be approved to go out to consultation
Key decision?	No
Executive lead member:	Scott Seamons
Policy Framework:	Meeting Housing Needs
Recommendation(s):	To note the proposed changes to the existing Allocations Scheme To approve for the draft of proposed new Allocations Scheme to go out to consultation

Appendices to report – list here by Appendix number and description (already seen by the CEB on 13/2/13 – due to the size of this report already they have not been re-included)

- Appendix 1 Draft Allocations Scheme
- Appendix 2 Summary of Bands & Current Reasons
- Appendix 3 Mobility Levels
- Appendix 4 Risk Register

1.	Introduction There is a high demand for social housing in Oxford and only a limited number of properties become available each year. There are over 5700 applicants on the housing register and it is expected only 550 properties will become available to let during 2011/12. The Allocations Scheme is the policy the Council uses to allocate social housing within Oxford to those in housing need. All housing authorities must have an allocation scheme. Housing authorities are required by s.166A(1) Housing Act 1996 to have an allocation scheme for determining priorities, and for defining the procedures to be followed in allocating housing accommodation; and they must allocate in accordance with that scheme (s.166A(14)). All aspects of the allocation process must be covered in the scheme, including the people by whom decisions are taken. When framing or modifying their scheme, authorities must have regard to their current tenancy and homelessness strategies (s.166A (12)).
2.	Why do we need to review the Allocations Scheme? The current Allocations Scheme came into effect in July 2009. The scheme is also being revised to take into account the Council's new tenancy and homeless strategies and to balance local needs and aspirations with: • Recent changes introduced by the Localism Act and changes that are due to be introduced by the Welfare Reform Act during 2013/14 (including the "bedroom tax") • The new Allocations Code of Guidance issued by Communities & Local Government • Recommendations from the Chartered Institute of Housing following their review of the Housing Needs Service last year • The ending of the Oxfordshire Sub-Regional Partnership for allocating properties through Choice-Based Lettings (the local CBL scheme used by Oxford will continue to operate) Although the Allocations Scheme largely meets current legislation and recommendations set out in the Allocations Code of Guidance there are number of key areas that will need to be considered before revising the existing scheme.
3.	Qualification for Inclusion on the Housing Register The Council now has greater powers to decide who does and does not qualify for inclusion on the housing register (with some exclusions notably members/families of the armed forces). The Code of Guidance also recommends that the Allocations Scheme

	has some discretion put in it to accept individual applicants who are considered to have exceptional circumstances.
4.	Local connection – by residence, employment or close family members The Council currently maintains an open register – so applicants eligible for housing are able to apply to be included on the housing register in Oxford irrespective of where they live in UK and/or of their chances of being housed (apart from those excluded for serious anti-social behaviour). However, when allocating properties preference is normally given to applicant's with a local connection to Oxford through residence, work or family. So in practice most applicant's on the housing register, with no local connection, have little chance of ever receiving an offer of accommodation unless; they are an applicant living in the Oxfordshire Sub-Region applying for a property advertised sub-regionally through the Choice-Based Lettings scheme or are from elsewhere in the UK and are applying for a low demand sheltered property.
5.	The draft Allocations Scheme proposes that in future the Council should be able to take into account whether an applicant has a local connection to Oxford when deciding whether they can qualify for inclusion on the Housing Register. In most cases it is proposed that access to the housing register is restricted to those with a local connection with some exceptions; including members of the armed forces.
6.	Capital, savings & income Social housing is a scarce resource and applicants who are considered to have sufficient capital (including property), savings and/or income can be excluded from the housing register or given reduced priority because they have sufficient funds to resolve their own housing situation. The current Allocations Scheme allows applicants to be included on the housing register, even if they own a property &/or have sufficient capital and savings and income to resolve their own housing situation. However, they are normally placed in a low priority band and will be unlikely to shortlist for an offer of accommodation.
7.	The draft Allocations Scheme proposes that in future the Council should be able to take into account Capital, Savings and Income when considering if an applicant should qualify for inclusion on the Housing Register and in some cases an applicant may be excluded (with some exceptions for complex or high needs cases unable resolve their own housing situation).

8.	Rent arrears The current Allocations Scheme allows applicants with rent arrears to be included on the housing register but they will normally be overlooked for any offers of accommodation if they are a: • Former tenant who has been evicted by the Council or another Registered Social Provider of social housing until their arrears are re-paid in full. • Current tenant of the Council or another Registered Social Provider with rent arrears outstanding covered by a court order • Current tenant with outstanding rent arrears that are in excess of £200 unless they have a re-payment arrangement in place to re-pay the arrears that has been kept to consistently by the tenant for at least 6 months.
9.	Exceptions can be made by the Allocations Manager in some cases – such as social housing tenants seeking to downsize from their current accommodation where the arrears will be cleared in full by any “compensation” payment they are entitled to, homeless applicants living in temporary accommodation where they are considered to be engaging with re-payment of the rent and “life and limb” cases where a tenant would be at risk if they were not moved from their current home.
10.	Applicants with rent arrears can also be given reduced priority too, although this currently rarely happens, because if they are already being overlooked for offers it makes little difference to their chances of being re-housed.
11.	The changes being brought in by the Localism Act mean the Council could be stricter on those in rent arrears & could also extend the criteria currently being used to include other property related debts owed to the Council such as lost deposits paid for by the Private Sector Team &/or re-charges owed to other landlords. However, we also need to be realistic about the vulnerable applicants in housing need on the housing register and leave enough flexibility to ensure that we are not being too strict or inflexible.
12.	The views of other Private Registered Providers of Social Housing that work together with the Council and form the Oxford Register for Affordable Housing (ORAH) partnership will need to be considered as part of the consultation, as each will have their own tenancy policy and approach to those with rent arrears.
13.	The draft Allocations Scheme proposes that in future the Council should be able to take into account rent arrears when considering if an applicant should qualify for inclusion on the Housing Register (with some exceptions such as those with low level rent arrears,

	tenants who have demonstrated that they can now pay their rent regularly and other for complex or high needs cases unable resolve their own housing situation where there is evidence appropriate support is in place to help them sustain their tenancy in the future).
14.	Anti-Social Behaviour (ASB) Applicants guilty of ASB are currently overlooked for offers until they can demonstrate that they would be potentially suitable tenants and are also sometimes given reduced priority. Historically due to strict legislation it has been very hard to exclude applicants from the housing register on the grounds of ASB but the rules have now been changed and this is no longer a problem.
15.	The Council and ORAH partners will need to consider what behaviour is considered sufficient to exclude an applicant from qualifying for inclusion on the Housing Register. However, it is proposed the following types of behaviour are taken into account: • Applicants who have been evicted from council, registered social provider or private rented property for, illegal subletting or antisocial behaviour in the last 5 years. • Breach of tenancy for behaviour which is a nuisance or annoyance to those in the locality of the dwelling; or conviction for using the dwelling for immoral or illegal purposes or committing an indictable offence in the dwelling house, or in the locality of it • Domestic violence causing a partner or other family member to leave the property • Deterioration of the dwelling house or furniture provided for use under the tenancy due to waste, neglect or fault • Tenancy induced by false statement
16.	The draft Allocations Scheme proposes that in future the Council should be able to exclude an applicant from inclusion on the housing register where they, or a member of their household, have been responsible for ASB. With some exceptions such as where there is persuasive evidence behaviour has been amended and another tenancy has been successfully maintained for a reasonable period of time.
17.	Housing Need Priority Bands Applicants applying for housing are placed in a Housing Need Priority Band based on their current housing need. There are currently 5 housing need bands used to prioritise applicants for housing: Band 1 (very high housing need)

	Band 2 (high housing need) Band 3 (significant housing need) Band 4 (moderate housing need) Band 5 (no or little housing need) There are around 5700 applicants on the housing register and the majority (around 3700) are in Band 5 and unlikely to receive an offer of accommodation in the foreseeable future unless their circumstances change and housing need increases. To be placed in each Band an applicant must meet the Band criteria. If they do not meet the criteria for Bands 1 to 4 they are placed in Band 5. A summary of the current criteria used for each priority Band is shown in Appendix 2. To fall within Bands 1 to 4 an applicant must be in a “reasonable preference group” or an “additional preference group”.
18.	Reasonable preference groups The Council is required to give reasonable preference to the following categories of person who fall within “reasonable preference group”: • Those who are homeless within the meaning of Part 7 of the 1996 Act (including those who are intentionally homeless and those not in priority need) • Those who are owed a duty by any housing authority under section 190(2), 193(2) or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any housing authority under s.192(3) • Those in insanitary or overcrowded housing or otherwise living in unsatisfactory conditions • Those who need to move on medical or welfare grounds, including grounds relating to a disability • Those who need to move to a particular locality in the district, where failure to meet that need would cause hardship to themselves or others These categories are not discrete, and applicants can fall under different categories.
19.	Additional preference groups The Council <i>can</i> take into account local circumstances and is also able to give “additional preference” to applicants who fall within a “reasonable preference group” and have urgent housing needs. For example to: • Those who need to move urgently because of life threatening illness or sudden disability • Families in severe overcrowding which poses a serious health

	hazard Those who are homeless and require urgent re-housing as a result of violence or threats of violence, including intimidated witnesses, and those escaping serious anti-social behaviour or domestic violence
20.	The Council's Allocations Scheme <i>must</i> give "additional preference" to a person who falls into a reasonable preference group <i>and</i> is considered to have <i>urgent</i> housing needs where the person: - is serving in the regular forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service, or - formerly served in the regular forces, or - has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service, or - is serving or has served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service.
21.	Changes to existing priority bands Although applicants falling within a reasonable or additional preference group must normally be included on the housing register the Council can decide how to prioritise each group within priority bands 1 to 4 and can move some groups to a different band.
22.	Homeless Applicants There are two separate groups of homeless applicants: (1) Applicants found to be homeless by the Council, <i>in a priority need group</i> (such as homeless families, pregnant applicants or a vulnerable single applicant or couple with health issues) that the Council has a duty to place into homeless temporary accommodation and make a suitable offer of housing. Currently placed in band 2. (2) Applicants found to be homeless and <i>not in a priority need group</i> (such as a single applicant or couple who are not considered vulnerable and/or to have sufficient health needs to give them a "priority need") that the Council has no duty to place in homeless temporary accommodation and make an offer of suitable housing under homeless legislation. Currently placed in Band 3.

23.	The draft Allocations Scheme proposes that in future the following changes are made: Homeless applicants in a priority need group are moved from Band 2 to Band 3. To improve the chances of other applicants in similar housing need on the Housing Register receiving an offer of accommodation, such as applicants with children living with their parents in overcrowded or unsuitable accommodation or in the private sector, to help prevent them becoming homeless. While still continuing to give sufficient priority to those already accepted homeless in temporary accommodation.
24.	Homeless applicants not considered to be in a priority need group are moved from Band 3 to Band 4. To ensure that more priority is given to homeless applicants on the housing register within a priority need group than to those not in a priority need group. While still continuing to give them priority through the Allocations Scheme.
25.	“Policy” Successors Applicants living in social housing who are legally entitled to succeed to a tenancy after the previous tenant has passed away are referred to as “successors” in the Allocations Scheme and are placed in Band 1 if they are required to move to a smaller property. It is not proposed to change their priority. Applicants living in social housing who are not legally entitled to succeed to a tenancy after the tenant of the property they are living in has passed away are referred to a “policy successors” and are placed in Band 1 if they meet the criteria within the existing Allocations Scheme.
26.	The draft Allocations Scheme proposes that “policy successors” are restricted in future, to only include close family members that would have been entitled to succeed to the tenancy, if a succession had not already taken place. So more properties will be available to allocate to those in housing need on the housing register. The Allocations Scheme will still allow discretion for some cases to be referred to the Exceptional Circumstance Panel on social and welfare grounds to request the panel to consider awarding an applicant no longer able to stay in property after the tenant has passed away priority to move by awarding a “social and welfare” award.

27.	Time on List Compared To Time in Housing Need/Band There are two main ways of prioritising applicants in the same housing need (priority band) for housing: (1) Registration date - the time they have been on the housing register Or (2) Priority Band Start Date - the time they have been in housing need/band Although it simpler to prioritise applicants based on the time they have been on the housing register and possibly easier to understand, it is arguably fairer for applicants to be prioritised on the time they have actually been in housing need – for example the time they have been living in overcrowded accommodation or have spent being homeless.
28.	The draft Allocations Scheme proposes: To prioritise all applicants by Priority Band Start Date instead of their Registration Date. To have provisions to ensure that where an applicant's housing need changes and they go down a priority band that they are not disadvantaged by this. To put in place transitional arrangements for existing applicants to minimise the initial impact of this change. So applicants currently on the housing register when new Allocations Scheme comes into effect will have their registration date used as their Priority Band Start Date if this is an earlier date.
29.	The Size of Property an Applicant Is Eligible To Apply For Social housing is a scarce resource and it is important that the Council and other Private Registered Providers of social housing within Oxford make the best use of the stock which is available. The existing Allocations Scheme has rules that are used to calculate number of bedrooms an applicant requires. However, they will need to be changed and made stricter due to changes being introduced through the Welfare Reform Act including the introduction of the "bedroom tax" from April 2013. So as to not place working age applicants and their families into accommodation that they cannot afford where their housing benefit could fall substantially short of the rent due. The recommendations in the new Allocations Code of Guidance, issued by the Department of Communities & Local

	Government, also need to be taken into account.
30.	Age of Household Members The draft Allocations Scheme proposes: (1) To increase the age at which children of the opposite sex are considered to be able to share a bedroom: From “Two children of the opposite aged under 7” To “Two children of the opposite sex aged under 10” (2) To increase the age at which children of the same sex are considered able to share a bedroom: From “Two children of the same sex where the oldest child is between 10 and 15 and the age gap is less than 10 years” To “Two children of the same sex aged under 16”
31.	Under-Occupiers & Other Exceptions The Draft Allocations Scheme proposes: To continue to allow some flexibility when offering social housing to tenants who are under-occupying their current home. To allow tenants on the Transfer List who are currently under-occupying a property to continue to be able to move to a property one-bedroom larger than they require. If they are downsizing to a smaller property or moving to non-family two-bedroom property (only considered suitable for 55+ and/or in a sheltered scheme) and they can still afford the rent. To continue to allow some discretion to the Allocations Manager &/or flexibility within the Allocations Scheme to offer some applicants properties larger than they would normally be considered to require where they are: • A legal successor who needs to move from a three-bedroom

	property or larger and they will still be able to afford the rent of the property they move to or will not be affected by the bedroom tax due to their age. • Long Term Foster Carers (who have fostered children continuously for 3 years or more) and they will still be able to afford the rent. • Applicants (or household members) with very high housing needs due to a health or disability, for example a child who cannot share with another due to their disability, where they are still able to afford the rent • Applicants in high housing need with other exceptional circumstances.
32.	Household Composition The draft Allocations Scheme proposes that: Expectant mothers no longer have their unborn baby “counted” for the purpose of assessing the number of bedrooms their household will require until the baby is actually born. To make better use of existing stock by ensuring applicants are normally only offered properties based on the number of children they have in their household and to ensure affordability under the new bedroom tax rules for those in receipt of housing benefit. To exclude existing adult children (or other adult members) from an applicant’s housing application and for the purposes of assessing the size of property they will require and assessing their housing need where: An adult (other than the applicant or joint applicant) in the household has sufficient savings, investments and/or income to resolve their own housing situation or is studying away from home and living elsewhere for part of the time in student, private rented or other accommodation. & There is not an over-riding health need for the adult child, or other adult resident, to live with the applicant and be included on their housing application as person requiring housing.
33.	Large Families A very low number of four-bedroom properties or larger become available to let each year. Only around 10 four-bedroom properties will become available during 2012/13.

	To improve the options available for large families living in overcrowded accommodation or homeless applicants living in temporary accommodation the draft Allocations Scheme proposes in future to allow: Large families with a four-bedroom housing need “lacking two-bedrooms or more” and living in a one or two bedroom property to be given the opportunity to apply for a suitable three-bedroom property if they choose to do so (and not just three-bedroom parlour or four-bedroom houses as now). & Homeless Applicant’s in temporary accommodation with a four-bedroom housing need, to whom the Council has accepted as duty to make an offer of housing, to be given the opportunity to apply for three-bedroom properties if they have a four-bedroom housing need, if they wish to do so (and not just three-bedroom parlour or four-bedroom houses as now).
34.	On the following conditions: The Council or ORAH partner that owned the property would need to be satisfied that the property was large enough for the family and agree to consider larger families for the particular property. The allocation of a large family to a particular property would not have significant impact on others living in the local area. If an applicant opted to do this, then they would not be able to apply for a Transfer again within a year moving in, unless the size of their household changed or in exceptional circumstances.
35.	Sub-regional Allocations Scheme The Council is currently in a sub-regional partnership, with three other District Council’s in Oxfordshire; Cherwell DC, Vale of the White Horse DC and South Oxfordshire DC. All four Councils are currently reviewing their allocations schemes. The priority bands and way housing needs are assessed by each District are expected to differ to the extent that in the future applicants will no longer be able to “compete” with each other equally when bidding for properties sub-regionally. Due to the limited amount of properties becoming available across the sub-region there has also been less movement between the Districts than hoped when the scheme was originally set up. All four Councils are proposing to leave the Sub-Regional Allocations Scheme so the draft Allocations scheme makes no

	reference to the scheme any longer.
36.	Choice-Based Lettings The Council allocates most properties owned by the Council and ORAH partners that become available, by advertising them through a Choice-Based Lettings Scheme. Applicants on the Housing Register are able to express an interest in being offered a property by placing a bid through the Choice-Based Lettings Scheme for properties they are eligible to apply for. The property is normally offered to the applicant in the highest housing need who has bid for the property once the lettings cycle ends each fortnight.
37.	Unreasonable Refusals Each advert includes details of the property type, location, size, rent and other additional details such as if the property is on the ground floor or adapted. If an applicant has successfully bid on a property they will be contacted where possible to check that they are still interested in the property before they are made an offer of accommodation. Once an offer has been made the applicant will be given the opportunity to view the property and make a final decision about whether they want to accept the offer.
38.	The majority of applicants accept the first offer they are made, however, some will refuse one or more offers. If an applicant's reasons for refusing are considered unreasonable there are limited actions that can be taken within the existing Allocations scheme. One in five offers are refused and each refusal incurs a cost to the Council and other ORAH partners in staff time and also in lost rent if the property is ready to let and the refusal results in a delay of the property being re-let.
39.	Applicants on the General Register or Transfer Lists can be treated differently from applicants on the Homeless List because they come under different parts of the Housing Act 1996. Although the Allocations Scheme must still give priority to homeless applicants to whom the Council has accepted a statutory duty homeless – which the Council currently does by placing them in Band 2. Homeless applicants do not need to be given the same level of choice. In order for the Council to discharge a homeless duty a homeless applicant needs to have been made a suitable offer of accommodation.
40.	The Council can allow homeless applicants to bid for properties through CBL but is under no obligation to do so and can offer a homeless applicant the first suitable property that becomes available. Once a homeless applicant has been offered a suitable property – by either successfully bidding for a property via CBL, or by having a bid placed for them if they are failing to bid or by being

	offered a property as a direct match outside of CBL – if they refuse without good grounds the Council’s duty under homeless legislation can cease and they can be asked to leave their temporary homeless accommodation.
41.	Applicants on the General Register & Transfer Lists The draft Allocations Scheme proposes in future: Applicants on the General Register & Transfer Lists who are considered to have unreasonably refused two suitable offers of accommodation within the last 12 months are suspended from bidding for 12 months. (Excludes homeless applicants on the Homeless List to whom the Council has accepted homeless duty who fall under homeless legislation).
42.	Applicants on the Homeless List (to whom the Council has accepted as homeless duty) The draft Allocations Scheme proposes in future: Applicants on the homeless list will now only be made <u>one suitable offer</u> of accommodation – this could be an allocation of social housing through the Allocations Scheme or an offer of suitable accommodation within the private rented sector made outside of the Allocations Scheme by the Housing Options Team to discharge the Council’s homeless duty. (Subject to Private Rented Offers being the sign off by members).
43.	If a homeless applicant refuses a suitable offer the Council will no longer have a duty to accommodate them and ask them to leave their temporary accommodation and to resolve their housing situation themselves. Homeless applicants who are considered to have unreasonably refused an offer by the Council because they consider the property is not suitable for them or a member of their family will continue to have the right to appeal. The Council will not be able to end the duty to accommodate the applicant unless they lose the appeal.
44.	Applicants already accepted as homeless or placed in homeless temporary accommodation awaiting for a decision on their homeless application, prior to the 9/11/12 will only be made offers of social housing and will not be offered private rented accommodation (unless they request the Council to assist them in moving into the private rented sector).

45.	Homeless Applicants – Time In Temporary Accommodation The Council continues to seek to prevent homelessness and to reduce the number of homeless households in temporary accommodation. Although most homeless applicants, accepted as homeless and placed in temporary accommodation, bid regularly or are assisted in doing so if required some choose not to.
46.	The existing Allocation Scheme states homeless applicants failing to bid for properties through the Choice-Based Lettings Scheme can have bids placed for them or be offered a property as a direct match outside of Choice-Based Lettings.
47.	The new scheme proposes homeless applicants to whom the Council has accepted a homeless duty will be given a time-limited priority to bid for properties through CBL. During this time they could also be made an offer of suitable private rented accommodation to discharge the Council's homeless duty by the Housing Options Team outside of the Allocations Scheme (if they have approached the Council as homeless and been accepted as homeless on or after 9/11/12).
48.	If a homeless applicant after a reasonable time has passed, 3 to 6 months normally, has not been actively bidding for properties and short listed for an offer, it is proposed that bids may be placed automatically for the applicant on all suitable properties. Regardless of the property or type or area in Oxford until the applicant shortlists for an offer or is offered a suitable property in the private sector by the Housing Options Team. The time limit can be extended where an applicant is actively bidding and/or no suitable properties have become available because they require a large property, an adapted property or it has been accepted that only certain areas of Oxford are suitable.
49.	The Choice-Based Lettings Cycle Properties advertised through Choice-Based Lettings are advertised every fortnight. The lettings cycle lasts for 13 days and applicants included on the housing register are able to bid for properties that are advertised as available to let that are considered suitable for their housing needs. On the 14th date the cycle is closed – historically this has been to allow time for OCC and the sub-regional partners to produce and distribute a newsletter for the next lettings cycle. The existing Allocations Scheme states the duration of “the length of the lettings cycle may be reviewed periodically”, however, it does not state specifically who can authorise for the duration of the scheme to be changed. Although it is not proposed at this stage to alter the length of the Lettings cycle (except when it is necessary to do so at Christmas as currently) it may be that in the future we wish to do so.

50.	The draft scheme proposes the Head of Housing is given delegated responsibility within the Allocation Scheme to alter the length of the Choice-Based Lettings cycle on a temporary or permanent basis.
51.	Short listing Rules These are the “rules” used to prioritise applicants who have bid for a property. Normally applicants are prioritised based on their Band and the registration date (or band start date if they are in Band 1). However, properties can also be advertised with preference to specific groups: • Applicants with a local connection - used for most properties that become available except some general needs properties that are sometimes advertised sub-regionally (as part of the agreement with the other districts who do the same) • Larger families – for properties considered particularly suitable for larger families due to their size and layout • Applicants assessed as needing a ground floor property and/or an adapted property, ranging from; Mobility 1(ground floor level access flats and bungalows) to Mobility 4 (fully adapted wheelchair accessible properties). See appendix 3 for a summary of the different mobility levels. • Applicant type – some properties are advertised with preference to a specific housing list – Homeless List, Transfer List or General Register List to ensure properties are allocated in line with the Annual Lettings Plan targets set each year to ensure the number of properties allocated to each list represents the demand on each list balanced with housing those in homeless temporary accommodation. Some properties are only considered suitable for applicants with an assessed need for sheltered accommodation and/or for older applicants aged 40, 55 or 60 years or older and are advertised as such. It is not proposed this is changed.
52.	The rules used for short listing applicants for bungalows are slightly different from those above and need to be explicitly stated in the Allocations Scheme (following the Council’s decision to de-designate bungalows and to remove the minimum age restriction of 40 from 1/4/11). To allow younger applicants with mobility issues and requiring ground floor level access accommodation to be able to bid for bungalows too and younger existing social housing tenants seeking to downsize from family accommodation to apply for bungalows too.
53.	The Draft Allocations Scheme proposes: To change the existing rules used to prioritise applicants with Mobility issues requiring Mobility 1, 2, 3 or 4 properties (see

	appendix 3). So applicants in Bands 4 or 5 in low housing need who would benefit from Mobility 1 & 2 properties are overlooked if an applicant in higher housing need in Bands 1 to 3 bids for the same property even if they don't have a Mobility 1 & 2 property on the ground floor. It is expected that usual practice will be to allocate some adapted properties meeting Mobility 3 and most of Mobility 4 standard as a direct match outside of Choice-Based Lettings scheme. In order to best meet needs and make best use of the limited stock available.
54.	Any reference to sub-regional applicants or parish/village connection in the short listing criteria will also be removed as they are no longer required as it is proposed the sub-regional allocations scheme is ends.
55.	The draft Allocations Scheme is proposed to have the following added to state that bungalows will normally only be allocated to: (1) Applicants aged 55+ (2) Applicants with a need to move to ground floor level access property or (3) Existing tenants seeking to downsize from their current accommodation (irrespective of their age) & Only if no-one in groups (1) to (3) bids for a bungalow (which is unlikely) will the property be offered to another applicant.
56.	The draft Allocations scheme proposes to allocate properties in Riverside Court (exact number to be confirmed) as supported housing for vulnerable applicants or couples. In order to accommodate applicants who otherwise might not be able to sustain a tenancy in general needs house with floating support alone. No existing tenants will be asked to move. However, the Council will help to facilitate the move of tenants in those properties that no longer require supported housing into general needs accommodation if they wish to move.
57.	Additional Advert Labels are proposed: To clearly indicate Affordable Rent or Fixed Term Tenancies as a separate advert from traditional social housing. Customers will be able to make informed decisions about the type of property they are applying for and the type of tenure they will be offered.

58.	Officer Roles & Delegated Officer Responsibilities The Allocations Scheme includes details of the roles and responsibilities for the operation of the Allocations Scheme. Some areas could be made more streamlined to speed up the decision making process and ensure the scheme can be adjusted where minor changes following changes in legislation and/or best practice are identified.
59.	The draft Allocations Scheme proposes The Head of Housing is authorised to have delegated authority to: Approve the annual lettings plan targets proposed each year by the Allocations Manager – where the targets remain the same as the previous year or include only a small adjustment (up to 5% or less than 10 properties per annum) to the target of properties to be allocated to each list. Change the annual lettings plan targets after 6 months if the demand on the housing register has changed significantly and corrective action is required. Such changes should be subsequently reported to CEB if the annual lettings plan was approved by CEB.
60.	The draft Allocations Scheme proposes The Head of Housing is authorised to have delegated authority to: Authorise minor amendments to the Allocations Scheme proposed by the Allocations Manager where: • Legislation changes and the Allocations Scheme needs a minor change to comply with new legislation <i>and</i> the change will have a low impact on those on the housing register. • Best practice or new guidance is introduced that needs to be reflected in the Allocations Scheme <i>and</i> the change will have a low impact on those on the housing register Authorise offers of accommodation outside of the Allocations Scheme for “management cases” to make the best use of stock for existing tenants. To include: • Adapted properties no longer required by the tenant • To facilitate a move as an alternative to adapting a property • To maximise bedroom occupation and ensure affordability

61.	The Health & Housing Panel It is proposed to: Increase the delegated authority for Allocations Officers to grant applicant's both moderate (Band 4) <u>and</u> significant (Band 3) Health & Disability Awards without referring cases to the panel. (Currently Officers can only award a "moderate" Band 4 award) & Reduce the minimum number of members of the Health & Disability Panel from 3 members to 2 Senior Members of the Team or 1 Senior Member of the Team and 1 Health Professional depending on staff availability.
62.	Level of Risk This report is not requesting authority for the current Allocations Scheme to be changed only permission to consult on proposed changes so the risk to the Council is low and has been reflected as such in the risk register in appendix 4. The changes proposed if accepted in the future are considered to represent a low risk.
63.	Climate Change/Environmental Impact The allocation of social housing under the current scheme has a minimal impact on the climate and environment. As this report is not changing the current Allocations Scheme the report is not considered to have an impact. The changes proposed if accepted in the future are considered to have a minimal impact on the climate/environment. In the future the Council will introduce an on-line application form which should help to reduce the amount of paperwork required to administer the housing register.
64.	Equalities Impact The Council seeks to ensure under the current scheme, that the allocation of social housing does not indirectly discriminate against or disadvantage housing applicants within BME groups and/or those with disabilities, by effective monitoring of those applying for housing and those allocated social housing by the Council. As this report is not changing the current Allocations Scheme it will have no impact on these groups. In the future, the proposed changes will have an impact on some households on the Housing Register in housing need, including some in BME groups and/or those with disabilities. The Council will undertake an impact assessment which will take into account responses from the consultation to determine whether there will be

	any adverse impacts and to consider any mitigating action where appropriate before any final changes are implemented. The Council provides advice and assistance to those on the housing register and continues to monitor applicants in high housing need who are “not bidding”, to ensure they receive the support necessary to use the Choice-Based Lettings (CBL) scheme and receive a suitable offer of housing.
65.	Financial Implications The report does not change the existing Allocations Scheme so has no financial implications except for the cost of the consultation that will be kept to a minimum. The proposed changes to the size of properties applicants are eligible to apply for will help, if accepted in the future, to minimise the allocation of social housing to tenants who could be affected “bedroom tax” and fail to pay the shortfall in rent to the Council. The changes are also consistent with the Council’s aim to prevent homelessness and reduce the number of households in temporary accommodation and the cost to the Council.
66.	Legal Implications Before the Council makes any changes to Allocations Scheme reflecting a major change in policy, Section 166A(13) requires the Council to send a copy of the draft scheme to every Private Registered Provider of social housing within the ORAH partnership to ensure they have a reasonable opportunity to comment on the proposals. The report correctly requests authority to consult on the proposed changes before any major alternations are made to the existing allocations scheme. The proposed changes in the draft Allocations Scheme are considered to comply with current legislation. If the changes are put into effect and are later legally challenged it is considered unlikely any such challenge against the legality of the allocations scheme would be successful.
67.	It is proposed that following the authorisation of the draft Allocations Scheme, the report will go out to consultation and the final version with any amendments will be re-submit to CEB for approval before a request is made to full Council to authorise the new scheme. Subject to authorisation by full Council the new scheme is likely to come in to effect in Autumn 2013.

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Appendix 2: Proposed new Allocations Scheme

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This document forms part of the Policy Framework of Oxford City Council.

Agreed by Council on: **tbc**

Effective from: **tbc**

1 Introduction

1.1 Preamble

Oxford is an area of high demand for social housing. There is a scarcity of affordable housing, and a high number of people who wish to be housed. There is also a substantial level of homelessness in the City.

Oxford City Council aims to allocate the resources available fairly, objectively and systematically.

Oxford City Council has formed a partnership with the major Private Registered Providers of Social Housing operating within the City. This is the Oxford Register for Affordable Housing Partnership (ORAH Partnership). The Council maintains a common register of social housing on behalf of the Partnership. There is a single application process for all housing.

Oxford City Council works within the legal and regulatory framework governing the allocation of social housing. This scheme also takes into account local need and demand as well as local housing conditions.

Oxford City Council operates a Choice Based Lettings scheme. This allows applicants to have as much choice as possible over where they live, within the limits of what types of accommodation they are eligible for. It is also a system which gives a range of information to applicants, allowing their choices to be informed and realistic, based on the limits of what stock is available.

This Allocation Scheme is subject to periodic review to ensure that the allocation of properties continues to be fair, objective and systematic whilst meeting local need and statutory obligations.

1.2 Definition of Terms

An Allocation

- a) the selection process by which a person becomes a secure or introductory tenant of accommodation held by a housing authority; *or*
- b) the nomination process by which a person becomes a secure or introductory tenant held by another housing authority; *or*
- c) the nomination process by which a person becomes an assured tenant of accommodation held by a Private Registered Provider.

The term 'assured tenant' includes a person with an assured shorthold tenancy, including of an Affordable Rent property. 'Secure tenant' includes a person with a flexible tenancy granted under s.107A of the Housing Act 1985.

Bidding

Applicants expressing an interest in a property where they would like to be housed. An applicant must be eligible for that type of property.

Children

Children are defined as dependents, in a household, under the age of 18 years of age.

Choice Based Lettings

The advert based system that Oxford City Council uses to let properties. Applicants are assessed, properties are advertised and applicants bid for them.

General Register List

The General Register is the waiting list held by Oxford City Council, on behalf of the ORAH Partnership, open to all persons over the age of 18 who are not current tenants of Oxford City Council or living in the city as one of our partner PRPs' tenants and who are eligible for an allocation of social housing, excluding those persons to whom Oxford City Council owes a duty under the homelessness legislation.

General Register Applicants

People who have been accepted onto the ORAH general register list as being eligible to apply for social housing.

Homeless List

Applicants to whom the Council has accepted a statutory homeless duty living in temporary accommodation provided by the Council or on behalf of the Council.

Oxford Register for Affordable Housing (ORAH)

Instead of the Council and PRPs keeping their own different waiting lists, applicants join a single waiting list for housing within Oxford City (ORAH). Social housing in the city owned by the Council and its partner PRPs is let through the Oxford Register for Affordable Housing. It is administered by Oxford City Council and managed by Oxford City Council and its partners.

Priority Band Start Date

The date on which an applicant is eligible to be included in Priority Bands 1 to 4. and the date used for prioritising order within each of these bands

Registration Date

The date on which an applicant is eligible to be included within Band 5. For assessed applications added to the Housing Register, this is the date the application was received. This is the Priority Band Start Date for applicants placed in Band 5.

PRP

A Private Registered Provider of social housing. The official name for housing associations, housing cooperatives and housing companies that are registered with the Homes & Community Agency.

REMS

The Removal Expenses and Mobility Scheme available to Council tenants living in family accommodation seeking to downsize to a smaller property.

Social Housing

Low cost housing that you rent or part rent/part buy from a council, PRP, charity or faith organisation.

Transfer Applicant

A secure tenant of Oxford City Council or an Assured tenant or Secure tenant of one of our partner PRPs who lives in the city and whose application has been accepted onto the ORAH Transfer List.

1.3 Oxford City Council's Principal Housing Objectives

- To allocate housing fairly, consistently and carefully
- To allocate suitable accommodation to households in housing need
- To work to meet the Council's responsibilities to homeless households in Oxford and to work to prevent homelessness
- To provide a high quality service with courteous and efficient staff
- To make the best use of the Council and our partner PRPs' stock, and any other stock available to us
- To ensure that empty properties are let quickly and efficiently
- To promote the widest possible access to housing to residents of Oxford or those assessed as having local connection to the City, including directing applicants to private rented stock in appropriate circumstances
- To allow applicants to express choice in selecting their accommodation wherever possible (with restrictions for applicants accepted under Part 7 of the Housing Act 1996 who may be made a Private Sector Offer outside of the Allocations Scheme by the Housing Team or made a direct offer)
- To provide clear and easy to understand information to allow applicants to make informed choices
- To set out clear standards so that applicants know what to expect
- To offer appropriate advice to applicants who we are unable to house, including accurate and timely referrals to other agencies
- To promote sustainable communities
- To act legally and adopt best practice
- To review the advice and allocation service with the intention of producing continuous improvement
- To not discriminate against members of the armed forces/former members of the armed forces in housing need, with regard to local connection

2 Responsibilities

2.1 The Council's Responsibilities

2.1.1 The Legal Framework

In framing this allocation scheme, Oxford City Council complies with the relevant legislation, including, but not exclusively: the 1985 and 1996 Housing Acts, as amended by the Homeless Act 2002; the Equality Act 2010; The Localism Act 2011 and other Acts specified within this document. The Council also takes due account of case law, best practice and government regulations and guidelines, such as the Code of Guidance on Allocations and Oxford City Council's Homelessness and Tenancy Strategies.

2.1.2 Reasonable Preference

The Council is required to give reasonable (but not over-riding) preference to the following categories of person:

- Those who are homeless within the meaning of Part 7 of the 1996 Act (including those who are intentionally homeless and those not in priority need)
- Those who are owed a duty by any housing authority under section 190(2), 193(2) or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any housing authority under s.192(3)
- Those in insanitary or overcrowded housing or otherwise living in unsatisfactory conditions
- Those who need to move on medical or welfare grounds, including grounds relating to a disability
- Those who need to move to a particular locality in the district, where failure to meet that need would cause hardship to themselves or others

These categories are not discrete, and applicants can fall under different categories.

2.1.3 Additional Preference

Under Section 167 (2) of the Housing Act 1996, the Council can give additional preference to applicants in urgent need. This means the Council can decide which applicants within a particular category should be given the greatest priority for housing, and which of the groups should be prioritised over others.

The Council's Allocations Scheme must also give "additional preference" to a person who falls into a reasonable preference group *and* is considered to have *urgent* housing needs where the person:

- is serving in the regular forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's

service, or

- formerly served in the regular forces, or
- has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service, or
- is serving or has served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service.

2.1.4 Information Provision

The Council is required to provide information about Allocations Scheme.

The Council will provide a free summary of the Allocation Scheme to any member of the public who asks for one.

The Council will provide a full copy of the Allocation scheme, which can be inspected at our offices. The Council will provide a full copy of the Housing Allocation Scheme (at a reasonable cost) to any member of the public who asks for one.

The full copy and summary are available on the Council's website at www.oxford.gov.uk

Personal Information

Applicants have the right to see the information held about them, and receive a copy of information held on computer, or on paper file. This is a "subject access request" for which the Council charges a reasonable administration fee.

Personal information will be handled in accordance with the Data Protection Act 1998 and will be subject to appropriate confidentiality.

Additional Information

Applicants have the right to be told in writing if they are considered ineligible for housing or do not qualify for inclusion on the Housing Register.

2.2 Equality and Diversity

Oxford City Council:

- Acknowledges and values the diversity of people who live in Oxford
- Is committed to the promotion of equality of opportunity for all and the

prevention of discrimination. Oxford City Council aims to promote equal opportunities to contribute to a fair and socially inclusive City

- Recognises the importance of delivering services and running facilities that are accessible to all, and where these are managed by the Council directly, aims to ensure that no-one will be prevented from accessing services and facilities
- Has produced a housing strategy whereby it has committed to improve its monitoring of take up of housing services by different groups

2.3 Targets and Monitoring

2.3.1 Annual Lettings Plans

The Housing Register consists of three-separate housing lists:

- **The Homeless List** for applicants to whom Oxford City Council has accepted a statutory homeless duty and placed in temporary accommodation who are waiting an offer of permanent accommodation
- **The Transfer List** for Council and eligible Housing Association Tenants living in Oxford applying for a move to alternative accommodation
- **The General Register List** for all other households applying for social housing in Oxford

The Annual Lettings Plan is designed to set allocation percentages, which are targets set by the Council to determine the proportion of social housing offered to different lists within the Council's Housing Register, in order to best balance their competing demands and needs. The Head of Housing will approve the Annual Lettings Plan setting out the percentage of allocations to be made to each group. If any significant changes are proposed the Head of Housing will request the City Executive Board to approve these changes (see Appendix II).

Factors take into account in setting the Annual Lettings Plan each year will include:

Supply

- The number of properties that are expected to become available to let during the year (consisting of re-lets and new build properties)
- The proportion of properties expected to become available to let for single-applicants and couples, including designated elderly and sheltered accommodation
- The proportion of two-bedroom, three-bedroom and four-bedroom properties or larger that are expected to become available to let

Demand

- The number of applicants in assessed housing need on each Housing List waiting for one-bed, two-bed, three-bed and four-bedroom properties or larger

2.3.2 Local Lettings Plans

From time to time Oxford City Council may decide to develop Local Lettings Plans for specific blocks or areas, in order to develop balanced and sustainable communities, particularly where there are new developments of 100 units or more. The decision to implement a local lettings plan will be approved by the City Executive Board and be made available for members of the public.

Where local lettings plans are introduced, clear evidence will be required of the need to vary the usual policy. The decision will always take into account the implications for equal opportunities and consider the “reasonable preference” & “additional preference” criteria. A local lettings plan will generally be expected to be part of a wider action plan to address the issues in that locality.

Local lettings plans are designed to be time limited, and will be monitored to ensure that the plans do not discriminate directly or indirectly on racial or other equality grounds and that reasonable preference is given overall to applicants in the reasonable preference categories.

2.3.3 Monitoring the Allocation Scheme

Oxford City Council will monitor the allocation outcomes so that targets can be altered, should there be a risk that the reasonable preference requirements will not be adequately met.

2.3.4 Statistical Records

Statistical records by ethnic origin, gender and disability of those applying for and being allocated housing are essential for a proper examination of allocation systems, to enable analysis in terms of the type, age, location and quality of accommodation applied for and subsequently obtained. Such monitoring will demonstrate whether housing resources are distributed according to need, and will highlight any inequality in the allocation of particular property types, or within particular areas of the City.

This information is collated on an anonymous basis from data recorded on housing application forms.

Records are kept and monitored of the entire allocation process. The purpose is to identify how different groups are receiving and taking up offers and to highlight the quality and type of accommodation. This information will provide an indication of the length of time people wait, according to band, bidding patterns and refusal rates after viewing.

Diversity and equality monitoring is by self-assessment by the applicant as part of the application process. This includes disability but does not necessarily mean that the applicant will be considered for accommodation suitable for disabled people. Such property is usually allocated on the recommendation of the Council's Health and Housing Assessment Panel, or by using other assessments, for example, an Occupational Therapist report, and is dependent on the type of property and the level of adaptations an applicant is assessed as requiring.

2.4 Verification

All documents should be verified in line with the Council's verification processes and anti-fraud processes as appropriate.

2.5 Confidentiality

Confidentiality is about having a professional and lawful approach to handling disclosed information.

Information passed on to officers will be handled sensitively. All information provided by customers will be held securely under the provisions of current Data Protection legislation.

The purpose of information sharing is to:

- Assist in addressing housing need
- Enable the provision of appropriate assistance and support
- Combat fraud
- Improve risk assessment
- Help create sustainable tenancies
- Improve communities

Information will be passed on in the following circumstances *with* the customer's consent. Disclosure of any sensitive information will have to be authorised by an Allocation Officer and will be provided on a need to know basis only.

- Oxford City Council is under a duty to protect public funds and may use the information provided and match it against other information held by the Council and other public bodies, or similar external agencies, for the purpose of the prevention or detection of crime and fraud, and to verify the information provided.
- Oxford City Council and other ORAH partners will have consent to make such enquiries as is considered necessary in order to assess the application, and all other departments, organisations and agencies are authorised to provide such information as requested.
- Oxford City Council and other ORAH partners are consented to share information on the application form between themselves, with other statutory and voluntary agencies, including other housing providers,

health trusts, support providers, police, probation, social services and other local authorities, where deemed necessary, and/or to provide the applicant with advice or assistance regarding their re-housing, or other services that may assist the applicant. The Council and other ORAH partners will not give information about an applicant to anyone else, unless the applicant provides written authorisation to do so.

Customers should note that, where consent is refused, it may not be possible to process a housing application and they will not be included on or removed from the housing register

Information may be passed on in the following situations **without** the customer's express consent:

- For the purpose of the prevention or detection of crime and fraud
- Where not passing on the information is reasonably considered to constitute a serious risk to the customer or a third party. In such cases a risk assessment will be conducted and any actions must be proportionate.

2.6 Applicants' Responsibilities

2.6.1 Supplying Information

- Applicants are responsible for giving full and accurate details on all forms and correspondence about their application for housing.
- Applicants must inform the Council of any change in circumstances straight away, especially those which may affect their needs for re-housing
- Applicants should reply to any correspondence from the Council or ORAH partnership which needs a reply, within the specified timescales
- Applicants who are made an offer should let the Council know their decision about whether to accept it within the timescale specified
- If information is not supplied, the Council or an ORAH partner may cancel an application or withdraw an offer of housing

2.6.2 False Statements

Applicants who give false or misleading information can be removed from the ORAH housing register, and may be liable to prosecution. Tenancies obtained as a result of false or misleading statements can be terminated.

2.6.3 Deliberately Altering Circumstances

Applicants have a responsibility not to deliberately worsen their circumstances to progress to a higher band. They have the responsibility to make best use of the accommodation they have and will be assessed as if this is the case.

Should an applicant give up more suitable accommodation, or where a deliberate act results in the worsening of circumstances without good reason, the Council may assess the application based on the applicants housing need in

their previous accommodation, prior to the “deliberate” act. Furthermore, if an applicant is not using accommodation that they could reasonably be expected to use to improve their housing situation, their housing need and priority they are awarded will be assessed as if they are occupying this accommodation.

Applicants considered to have lost previous accommodation due their own actions or behaviour, or that of a member of their household or a visitor, may also be excluded from the Housing Register.

3 Application and Assessment

3.1 Applying for Social Housing through the Oxford Register for Affordable Housing (ORAH)

The ORAH is a single housing register operated by Oxford City Council, together with partner Private Registered Providers of Social Housing with stock in the City. The standards and expectations on all parties are set out in a Partnership Agreement. A Partnership Board comprising of senior representatives from the City Council and the partner Housing Associations manages the partnership.

There is a single application process with a set of information leaflets to guide applicants. These are available from local offices of the ORAH partners. Applicants can go to any of these offices for information, advice and support. Further information is also available on the Council website including information about the Housing Options available in Oxford.

3.2 How to Apply

New applicants who are not currently tenants of Oxford City Council or one of the partner PRPs in Oxford can apply for housing by completing a housing application form and supplying additional information to support their application. Before applying for housing, applicants are advised to consider other housing options that may help improve their housing situation. Applicants can also seek advice on the range of housing solutions that may meet their needs from the Housing Options team at the Council.

Older Applicants

There are some Sheltered Schemes in Oxford that are only considered suitable for older applicants (see the Sheltered Accommodation section 5.5.5)

Transfer Applicants

Applicants, who are already tenants of Oxford City Council, or one of its partner associations in Oxford City, should approach their own landlord for a transfer pack and return the completed form to their landlord. The landlord will check the form and complete a reference before forwarding this onto the Housing Needs Team. Transfer applicants are also encouraged to apply for a mutual exchange.

Joint Applicants

Applications from partners who are cohabiting may be registered as joint applicants giving both parties joint and several rights and responsibilities for any future tenancy. Partners include same sex couples.

In some cases one partner may be ineligible due to their immigration status. In this case the other partner will be registered as the sole applicant.

Dependents, family members or other adults who are not partners of the applicant (such as residential carers) cannot usually be joint applicants.

If joint applicants wish to change to sole applicants (for example due to a relationship breakdown) they will need to notify the Council and one of the applicants' will need to make a sole application. Normally the application will continue in the name of a partner with residency and/or parenting responsibilities. The remaining applicant can make a new application and may be issued with a new registration date.

There are number of other housing options for applicants which are dealt with in *section 6*

3.3 Eligibility and Qualification

Only applicants who are eligible for housing and who qualify for an allocation of housing will be included on the Council's housing register and considered for offers of accommodation. Applicants who are not eligible or do not qualify for housing will not be included on the housing register. If an applicant has already been included on the housing register and is found to no longer be eligible for housing, or to no longer qualify for housing, they will be removed from the housing register and notified.

3.3.1 Who is not Eligible

Persons from abroad

A person may not be allocated accommodation under Part 6 if he or she is a person from abroad who is ineligible for an allocation under s.160ZA of the 1996 Act. There are two categories for the purposes of s.160ZA:

(i) *a person subject to immigration control* - such a person is not eligible for an allocation of accommodation unless he or she comes within a class prescribed in regulations made by the Secretary of State (s.160ZA(2)), and

(ii) *a person from abroad other than a person subject to immigration control* - regulations may provide for other descriptions of persons from abroad who, although not subject to immigration control, are to be treated as ineligible for an allocation of accommodation (s.160ZA(4)).

The regulations setting out which classes of persons from abroad are eligible or ineligible for an allocation are the Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006 (SI 2006 No.1294) ('the Eligibility Regulations').

Existing secure and introductory tenants - the Council does not need to question eligibility and an allocation can be made regardless of immigration status or habitual residence. (Transfer applicants)

Persons who are able to produce evidence of an in time appeal of their leave to remain will be treated as though they continue to have leave to remain.

Age of Eligibility

Applicants under the age of 18 who are eligible can only be considered for some supported properties held by our PRP partners unless accepted as statutory homeless (usually if they have a guarantor) and in other exceptional circumstances.

3.3.2 Who Qualifies For Inclusion on the Housing Register?

The sections below provide information on who will normally qualify to be included on the Oxford Register for Affordable Housing. Once on the Housing Register, applicants are prioritised in terms of housing need and waiting time. **However, inclusion on the register does not guarantee an offer of housing, as there are many more applicants than properties available.**

3.3.3 Qualification For Inclusion On the General Register List

Only applicants who have a local connection to Oxford will qualify to be included on the Housing Register.

A local connection is established by way of one or more of the following:

1. The applicant or joint applicant is permanently resident in Oxford and that residence is of their own choice.
2. The applicant or joint applicant was previously resident in Oxford as a matter of choice and the period of residence was either:
 - At least six out of the last twelve months or
 - Three out of the last five years
3. The applicant or joint applicant is employed in Oxford for a minimum of sixteen hours per week and the employment is not of a short-term or temporary nature.
4. The applicant or joint applicant has close family associations with Oxford.

Family association will normally be defined in relation to close relatives (i.e. parents, children or siblings) and where there is no estrangement. However, other family associations may be taken into account (e.g. grandparents, grandchildren and step relations) where there is evidence of frequent contact, commitment or dependency.

To qualify, the relatives must live in Oxford now and have been continuously resident for a minimum of five years.

With the exception of:

- Applicants aged 60 years or older with no local connection to the City assessed as eligible and suitable for sheltered accommodation
- Persons who are serving in the regular forces or have done so in the five years preceding their application for an allocation of housing accommodation;
- Bereaved spouses or civil partners of those serving in the regular forces where their spouse or partner's death is attributable (wholly or partly) to their service and the bereaved spouse or civil partner's entitlement to reside in Ministry of Defence accommodation then ceases;
- Seriously injured, ill or disabled reservists (or former reservists) whose injury, illness or disability is attributable wholly or partly to their service.
- "Life and Limb" and other exceptional cases that have moved to Oxford and approached the Council for housing assistance who are considered to be in urgent or exceptional housing need by the Exceptional Circumstance Panel. Such applicants may be allowed to qualify for inclusion on the Housing Register at the discretion of the Allocations Manager but it is expected these cases to be very rare due to the high levels of applicants in housing need with a local connection to Oxford already on the Housing Register.
- Homeless clients excluded from the Council's re-connection policy in relation to Rough Sleeping who have no local connection with any area *may* at the discretion of the Allocations Manager be included on case by case basis.

A local connection is **not** established in situations including, where the applicant is:

- in prison within Oxford or in a probation hostel
- detained in Oxford under the Mental Health Act
- living in temporary supported accommodation that would normally

be able to access the “Move-on” scheme within City, but whose only connection to Oxford is established through residence in such accommodation

An applicant on the General Register List or applying to be included on the General Register List who would normally fall into to a qualifying group can be disqualified under certain circumstances.

3.3.4 Qualification For Inclusion on the Transfer List

The ORAH transfer list is open to secure tenants of Oxford City Council, and secure/assured tenants (including tenants on fixed term tenancies that have successfully completed the first year of their tenancy) of one of our partner PRPs living in Oxford.

Tenants of our ORAH partners not living in Oxford are not eligible to be included on the Transfer List but they can apply for inclusion the General Housing Register if they meet the qualification criteria.

Transfer cases are given priority for an allocation of housing on the same basis as General Register applicants, each applicant being awarded a band according to housing need and taking into consideration both the statutory requirement to give reasonable preference to particular groups, and the locally established additional preferences, if any, which apply.

Where an applicant is an existing secure tenant of the Council or a secure/assured tenant of a PRP the tenant cannot be disqualified from receiving an allocation of housing on the basis of their immigration status - section 160ZA of the Housing Act 1996.

There are a number of locally determined additional preferences that, because they relate to specific rights of secure and assured tenants, or to the management needs of the Council, are applicable only to applicants on the Transfer List. These include additional preference for tenants who are currently under-occupying Council or PRP family properties and wish to move to a smaller home, and are dealt with in *Section 4* of this document.

See also section 7.2 on “under occupation” for details of the Removal Expenses and Mobility Scheme (REMS) for Council Tenants applying for a transfer to downsize.

An individual applicant on the Transfer List, or applying to be included on the Transfer List, who would normally fall into to a qualifying group can be disqualified under certain circumstances.

3.4 Who May Not Qualify

Individual Applicants Who May Not Qualify For Inclusion on the Housing Register

The Housing Act 1996 s.160ZA (amended by the Localism Act 2011) states that social housing may only be offered to a qualifying persons and the Council is given the power determine what classes of person are or are not qualified to be allocated social housing under s.160ZA.

Where the behaviour of an applicant or a member of the applicant's household is unacceptable, as described above; or where the applicant has not demonstrated financial responsibility; the Council may not register the application.

The Allocations Manager may exclude an applicant whose behaviour has been unacceptable. The reasons can include rent arrears and anti-social behaviour.

3.4.1 Applicants Unlikely to be Re-Housed due to Financial Circumstances

The Council may take into account the financial circumstances of housing applicants (including existing tenants living in social housing) and/or those who fall into one or more of the reasonable or additional preference groups within the Allocations Scheme, when considering if an applicant qualifies for inclusion on the Housing Register. Social housing in Oxford is a scarce resource, and those applicants with sufficient resources to secure alternative forms of accommodation without undue hardship may be excluded from the Housing Register. (See Appendix III).

3.4.2 Rent Arrears

The Council and the other ORAH partners treat the non-payment of rent very seriously.

Rent arrears are defined as including any money owed to Oxford City Council, another Local Authority, a PRP or a Private Landlord in the form of non-payment of rent, former tenant arrears, hostel charges, chargeable repairs (including any deductions from deposits paid for by the Council's Private Sector Team where the damage is considered to be wilful or unreasonable) and associated Possession Order court costs. Amounts under £200, when combined, may be disregarded for this purpose.

Housing applicants with rent arrears will fall into one or both of the categories below:

- Former tenants – with property related debts relating to a property/or properties where they have previously lived
- Current tenants – with property related debts relating to where they currently live

Where a housing applicant has rent arrears they may be excluded from

qualifying for inclusion on the Housing Register.

3.4.3 Individual applicants that have previously held a tenancy and meet one or more of the following criteria will not normally qualify for inclusion on the Housing Register and will be excluded where they are:

(1) A former tenant of the Council, another Local Authority or a PRP and have been evicted from, or given up their former property, owing rent arrears and still have unpaid rent arrears outstanding (which are legally recoverable) and have not been re-paid in full.

(2) A former tenant of a Private Landlord and have been evicted from, or given up their former property, owing rent arrears in excess of 2 months or more (which are legally recoverable) and have not been re-paid in full. This includes the loss or partial loss of a deposit paid for the by Private Sector Team due to re-charges caused by wilful or unreasonable damage to a property (not due to reasonable wear and tear).

NB Criminal damage to a property is covered under ASB.

Where a former tenant has been excluded from the housing register and still owes rent arrears that have not been re-paid in full they will not usually qualify for inclusion on the housing register until the Council is satisfied that they have proved they are suitable to become a tenant. Suitability can be demonstrated by the applicant making a reasonable re-payment agreement with the landlord, and adhering to it consistently for at least 12 months. The exclusion may be re-imposed where an applicant who has kept to a re-payment arrangement later defaults after being included on the housing register.

3.4.4 Individual applicants that currently hold a tenancy and meet one or more of the following criteria will not normally qualify for inclusion on the Housing Register and will be excluded where they are:

(1) A tenant of The Council, another Local Authority or a PRP where a Court Possession Order has been issued regarding rent arrears, the tenant is in breach of the Court Order and/or on-going action is being taken to evict the tenant.

(2) A tenant of a private sector landlord where a Court Possession Order has been issued regarding rent arrears, the tenant is in breach of the Court Order and/or on-going action is being taken to evict the tenant.

If an applicant with rent arrears has been allowed to join, or remain on, the Housing Register they will not normally be considered for an offer of housing until they have demonstrated they are suitable to be a potential tenant and have paid their arrears in full or maintained a satisfactory payment arrangement for a reasonable period of time (see section 5.8.3).

3.4.5 Unacceptable Behaviour

Oxford City Council and its ORAH partners take anti-social behaviour very seriously.

Individual applicants where they, or members of their household, meet one or more of the following criteria will not normally qualify for inclusion on the Housing Register and will be excluded:

- Applicants who have been evicted from a Council, PRP or private rented property, for illegal subletting or antisocial behaviour.
- Breach of tenancy for behaviour which is a nuisance or annoyance to those in the locality of the dwelling; or conviction for using the dwelling for immoral or illegal purposes or committing an indictable offence in the dwelling, house, or in the locality of it
- Domestic violence causing a partner or other family member to leave the property
- Deterioration of the dwelling house or furniture provided for use under the tenancy due to waste, neglect or fault
- Tenancy induced by false statement
- Housing applicants or members of their household who are considered by the Council responsible for serious ASB
- Housing applicants or household members or who permit visitors that cause serious ASB.

Exceptions may be made by the Allocations Manager if there is persuasive evidence that behaviour has been amended and another tenancy has been successfully maintained.

3.4.6 Duration of Exclusion for ASB

Where an applicant has been dis-qualified for inclusion on the Housing Register:

1. For unregistered applications the sanction for anti-social behaviour will normally last for a minimum period of 5 years, after which the applicant must be able to prove that the exclusion is no longer valid
2. Where an applicant's circumstances change significantly they may reapply.

WHERE AN OFFENCE HAS BEEN COMMITTED WHICH POTENTIALLY COMPROMISES ANOTHER PERSON'S SAFETY, THIS CONDITION MAY BE INDEFINITE PENDING REVIEW

3.4.7 Applicants Not Meeting the Eligibility &/or Qualification Criteria

Applicants that do not meet the eligibility &/or qualification criteria to be included on the Housing Register will be notified of the reasons in writing.

Applicants no longer meeting the eligibility or qualification criteria will be

removed from the register, and notified in writing of the reason(s) why their application has been cancelled.

Applicants have the right to a review of this decision (see reviews and appeals).

3.5 Household Make-up/ Households with Dependants

3.5.1 Children in Care

Where care is:

- Compulsory: children are treated as though at home, subject to written confirmation from Social and Community Services that the children are to live with the parents on a permanent basis should they be allocated a suitable property. Failing such confirmation, children should not be included on the application
- Voluntary, children are treated as though at home

No offer should be made in either case without confirmation from Social and Community Services that the children are to live on a permanent basis with their parent(s)

3.5.2 Day To Day Residence and Parenting Responsibilities

In making an assessment of whether a child can legitimately appear on an application, officers should seek to determine who the child normally lives with by looking at the circumstances. The courts have held for instance that where children have social housing available with one parent it would only be in exceptional circumstances that another unit of accommodation would be made available. A child could live with its parents on a split week basis. The same child may therefore legitimately appear on two applications but this would be exceptional. In such cases, the tests below should be used, evidence for this must be available, for example a written agreement and/or sanction of Social and Community Services, or a residence order from the Courts. However, these are not determinative. The assessment can for example “look behind” a residence order to establish what the practicalities of the child care are such as taking the children to school, looking after them in school holidays and so on. In the absence of documentary evidence an investigation would be required to determine who cares for the child, takes them to school etc. A similar test to that contained in part 7 of the Housing Act 1996 should be used:

- Does the child currently **reside** with the applicant?
- Is the child **dependent** on the applicant?
- Is it **reasonable** in the circumstances for the child to reside with the applicant?

Generally, weekend access will not count as day-to-day residence. The applicant must have significant day-to-day parenting responsibilities. As a rule of

thumb, this would be for a minimum of three days and nights.

Possible types of documentary evidence which will be considered are:

- A parental responsibility order from a court
- A residence order
- Proof of receipt of current child benefit
- Legal guardianship

Generally there is a distinction between married /divorced parents and those formerly cohabiting.

- Where parents are or have been married there will often be a Residence order settling the arrangements as to where a child will live.
- Unmarried fathers may acquire parental responsibility by inclusion on the child's birth certificate, Residence Orders or making a written Parental responsibility agreement with the mother. This should be formalised by completing a signed agreement via a solicitor, which is then registered with the Family Division of the High Court.

Officers may discuss individual cases with senior officers in the first instance, and seek guidance from Oxford City Council Legal Services if required.

3.5.3 Extended Families – Minors

In cases where a minor is to be included in, or added to an application, but no parental responsibility exists within the household (e.g. grandchildren, nieces, nephews), proof must be obtained of legal guardianship or confirmation from Children and Family Services that this action is necessary and permanent

3.5.4 Adult Households Members

The Council seeks to make the best use of the very limited amount of family properties becoming available and will normally only offer family properties to households with dependent children.

Adults aged 18 years or older requesting re-housing will normally be expected to apply separately for inclusion on the Housing Register and not be included on another applicant's housing application as a household member unless they are applying as a joint applicant with their partner. This includes adult students studying and living elsewhere.

Established Household Members

Persons may request to continue to be considered as part of the household after they reach the age of 18 years of age, if they still reside with the applicant, and wish to continue to do so, and have continually resided within the household as a child up to that point. However, the Council reserves the right to exclude adult household members where they are not considered a permanent member of the

household, are considered to have sufficient funds to resolve their own housing situation (see Appendix III), have been responsible for Anti-Social Behaviour or where it is not considered reasonable by the Council for the adult to continue to be included on the applicant's housing application, for example older adult members.

Any adults excluded from an applicant's household will not be "counted" for the purposes of assessing the size of property they require or when assessing their housing need, such as any overcrowding they may be experiencing.

Persons aged 18 years or older may be required to provide a statement regarding their financial circumstances on request – failure to do so will result in them being excluded from applicant's housing application.

3.5.5 Adding Adults To An Application

Adults should not be added to an application where this results in the need for larger accommodation than for which the applicant's household was originally eligible, unless an over-riding need such as ill health or disability can be shown (for example, where an applicant needs to look after an elderly parent and live with the parent to provide full-time care, or where a new partner requires a separate bedroom). Such cases must be thoroughly investigated, and discretion rests with the Options/Allocation Officers in the first instance.

The desire to be part of the household is not sufficient reason for inclusion on the application in these circumstances.

Adults requiring an extra bedroom must only be added to an application if they have a demonstrable need to live with the applicant and if they plan to make their long-term home on a permanent basis with the applicant.

Applicants who require a full time residential carer may include the carer on their application. Proof of the requirement should be sought from Social and Community Services or a primary health care professional. The carer should be assessed as part of the household even if not resident (i.e. lack of bedroom priority may be due) if 24-hour care is required. The requirement for a separate bedroom should be recorded so that the household is eligible for the correct size of property.

3.5.6 Expectant Mothers

Expectant mothers should provide a MATB1 form or other adequate proof of pregnancy from a health professional (followed by a MATB1 form). Expectant mothers will be placed in an appropriate band based on their current housing circumstances. The unborn child will not be 'counted' as a member of the household, for assessing over-crowding, until proof is received by the Council that the child has been born.

3.5.7 Fostering

Families undertaking long term fostering may be able to include foster children as part of their application to ensure that they are eligible for the appropriate sized property. Long term fostering is normally defined as being fostering for a period in excess of three years (not necessarily involving the same child or children). In exceptional circumstances fostering for less than 3 years will be considered where a long term relationship is evidenced – in such cases the Exceptional Circumstance Panel will consider whether to allow the child to be included on the housing application. It is essential that written confirmation of the fostering arrangement be obtained from Children and Family Services. Consideration will be given to this in assessing the application. This does not apply to households living in temporary accommodation to which the Council has accepted a statutory homeless duty. Short term fostering is discounted.

Due to changes introduced by the Welfare Reform act and the new “bedroom tax”, before an offer of family accommodation is made to an applicant on a low income with foster children, the Council will need to be satisfied that the applicant is able to pay any shortfall in rent that may be due from the applicant due to the “bedroom tax”. Foster children are not normally “counted” as household members under the new “bedroom tax” rules (but this may change).

3.6 Assessment of Housing Need and Priority for Housing

All applications require officer assessment before being entered onto the Housing Management Information System (HMIS). This section gives information and guidance on matters relating to the assessment process. It is vital that such assessments are carried out correctly, as an incorrect assessment could affect an applicant’s banding position, and therefore the applicant’s priority.

As a general principle, applicants/household members can only be registered on one application at any given time. However, there may be situations relating to the care of children where individuals are recorded on two applications. Household formation will be determined on the basis of evidence provided (it is the responsibility of applicants to make such evidence available).

If an applicant moves address, it is their responsibility to notify the Council as soon as practicably possible, and usually within 28 days. In such cases, a new application form should be completed, and the application re-assessed.

All applicants within Oxford City are expected to have normally been visited, at least once, by an ORAH officer or another member of staff from the Council, before an offer of permanent accommodation is made. Applicants applying from outside Oxford City will usually have their circumstances verified by their own Local Authority, or if they are a tenant in Social Housing, by their current landlord.

3.7 Calculation of Overcrowding and Under-Occupation

Definition of Bedroom Usage

Assessing bedroom usage is a major element in determining an applicant's current circumstances and determines what the situation could be, rather than how resources are currently being used.

An award of priority is given for each bedroom lacking in the applicants current accommodation, based on this assessment.

The two key aspects that must always be considered are:

The Best Use Principle - *The best use should be made of the bedroom resources available so that, for example, a bedroom used for storage should be counted as a bedroom available for use as defined by this principle.*

The Control Principle - *There may be sufficient bedrooms in a property but the applicant cannot control how the bedrooms are actually used. They may, for instance, be lodgers or living with a family who control how bedrooms are used.*

The most common issues relating to bedroom usage are listed below:

- Studios - Count as having a bedroom, lacking a living room
- Bedroom availability - Bedrooms available must be counted, even if not used. If claimed not used because unfit for use, advice of the Environmental Health Department must be sought
- Sharing a bedroom with non – applicant(s) - Counts as lacking a bedroom
- Size of bedrooms - Bedroom under 4.2 square metres (45 sq ft) discounted
- Best Use (mixture of sexes) - If bedrooms can be better used, assume they are for assessment purposes
- Need for carer - Where there is a recognised need for a full-time residential carer, then notionally a second bedroom may be lacking for the carer in the current accommodation. Priority can be awarded for the lack of this bedroom
- Under-occupiers - Under occupying transfer applicants in two bed or larger family properties, may be eligible for incentives to transfer to smaller properties
- 'Exceptional' cases* – Some cases that have been awarded a priority award by the Exceptional Circumstances Panel may be made eligible to under-occupy a property, by decision of the panel, where the panel considers that the existing housing circumstances of a transfer applicant should not be disadvantaged by having to move
- Decant cases* – Transfer Applicants requiring a permanent decant move can maintain their existing bedroom number, even if they are not eligible

for this size of property due to their current circumstances

- Succession cases* – Where a legal successor to a three bedroom, or larger, property is required to move to smaller accommodation, they may be allowed one additional bedroom more than they would normally be eligible for, at the discretion of the Allocations Manager

* Due to the introduction of the “bedroom tax” by the Welfare Reform Act applicants including the cases above will not normally be able to move to a property where they are under-occupying a property unless they are exempt from the “bedroom tax” or the Council is satisfied they will be able to afford the shortfall in rent.

The following rules will be used to decide whether a household has either too many or too few bedrooms available for its use when assessing priority.

Each of the following will be considered to require their own bedroom

- Each couple or a single applicant
- Each additional adult (aged eighteen and over) considered eligible to be part of the household
- Two children of the same sex aged under 16.
- Two children of the opposite sex aged under 10
- Any other child

3.8 Exceptional Circumstances Panel (ECP)

The Exceptional Circumstances Panel for the ORAH partnership is the body responsible for making priority awards to applicants whose circumstances are not otherwise adequately covered by the Banding Scheme (see Section 4). The Exceptional Circumstances Panel will hear evidence about exceptional cases of housing need.

The banding scheme has been devised to take account of most circumstances, but there will sometimes be applicants in exceptional circumstances, or whose needs are complex and cannot be accommodated by the banding scheme.

The objectives of the Exceptional Circumstances Panel are as follows:

- To make evidence based assessments of exceptional cases of housing need
- To make evidence based assessments of cases of complex need
- To award additional priority within the banding scheme, where appropriate
- To make decisions on whether to give a “commitment to re-house” to previous ORAH partner tenants within Oxford who have surrendered, or

- tenants who are about to surrender, their tenancies
- To ensure a fair and transparent process
- To comply with the statutory requirement to give reasonable preference to particular groups
- To assist in making the best use of the housing stock available to the ORAH partnership
- To assist in achieving the aims of settled communities and sustainable tenancies

The Exceptional Circumstances panel will:

- Hear and assess evidence about applicants on the Oxford Register for Affordable Housing
- Make awards as appropriate
- Impose conditions on awards as appropriate
- Give advice as appropriate, including alternatives to be pursued
- Be overseen and monitored by the ORAH partnership board

The Exceptional Circumstances Panel will usually meet monthly. In cases of emergency, where there is a threat to 'life and limb' the panel will be available to convene within 24 hours.

Referrals, in the first instance, can be made by officers within the Housing & Property Team including the Housing Needs Team or by their equivalents in our partner PRPs. Self-referral by applicants or their representatives is not possible.

Applicants should provide evidence to the referring officer, in the first instance, to support their application to the Exceptional Circumstances Panel. This can include (though not exclusively): a summary of events which led up to the application being made; reports from police; education professionals; social and community services, or other agencies involved with the case; details of any action being taken against alleged perpetrators, if applicable, and a proposal for future action to resolve the situation. Independent evidence must be produced for the Panel to be able to review the case. If not satisfied that there is adequate evidence the officer may decide not to refer until there is.

Any additional priority awarded by the Exceptional Circumstances Panel will be made for a minimum of 3 months in the first instance, with a date set for review by the panel. The Panel can impose other conditions, for example, ensuring that victims of domestic violence are not being re-housed in areas where there they are at risk. The applicant's circumstances will be monitored and the award can be renewed if appropriate, or withdrawn where the applicant's circumstances have changed, making them ineligible for the award. In cases where suitable properties have been advertised but the applicant has failed to place a bid, a direct offer may be made or the case referred back to the panel, for the panel to consider removing the original award. If an applicant is made a reasonable offer of accommodation and refuses the case may also be referred back to the panel to consider whether the award should be moved.

The Exceptional Circumstances Panel will consist of senior officers from the City

Council (and sometimes other ORAH partners)

The Exceptional Circumstances Panel can make the following awards:

- Exceptional Priority (Band 1)
- Urgent Social or Welfare Needs Priority (Band 2)
- Significant Social or Welfare Needs Priority (Band 3)
- Moderate Social or Welfare Needs Priority (Band 4)

Housing Needs Officers using the set protocols may make an award of Moderate Social or Welfare Needs Priority (Band 4) see Appendix II.

3.9 Commitment to Re-house

This 'award' may be made by the Exceptional Circumstances Panel as part of a 'negotiated surrender' of a social tenancy by the tenant. Applicants awarded a commitment to re-house are likely to be awarded an Urgent Social & Welfare Award and placed in Band 2 by the Exceptional Circumstance Panel. Conditions may be imposed on the award. The award will not normally be open ended and time restrictions will normally be placed on any commitment to re-house.

The purpose of this, is to give tenants, who may be unable to sustain their tenancy in the short term, the assurance that if they surrender the tenancy, they can be given increased priority on the housing register should they reapply when they are better able to manage a tenancy again. Such an agreement may be appropriate where elderly or unwell tenants are struggling to maintain a tenancy, and need a period of hospitalisation, respite care, or residential rehabilitation.

Should the panel make this award, the Manager Responsible for Allocations is delegated to apply the award should the person subsequently apply for housing to Oxford City Council, and if the Manager Responsible for Allocations is satisfied that the applicant is ready to take up and sustain a tenancy again.

3.10 Health and Housing Assessments (HAHA)

The Health and Housing Assessment Panel is the body responsible for making priority awards to applicants whose health is either detrimentally affected by their housing or where it is likely to affect their future housing need, and whose circumstances are not otherwise adequately covered by the Banding Scheme (see Section 4).

The objectives of the Health and Housing Assessment Panel are as follows:

- To make the best use of the social rented housing stock
- To make evidence based assessments of priority for housing where it is affected by health or disability
- To increase consistency of assessment
- To improve efficiency
- To improve partnership working

- To reduce the number of letters received from health care professionals

Oxford City Council and the Primary Health Care Trusts have an agreed method of assessing health and housing and all applications with a potential impact on health will be assessed through this. This process seeks to determine both housing requirements as well as relative priorities of applicants, and to consider whether any other options could address the issue.

The Health and Housing Assessment Panel can make the following awards:

- Urgent Health or Disability Need(s) (Band 2)
- Significant Health or Disability Need(s) (Band 3)
- Moderate Health or Disability Need(s) (Band 4)

Housing Needs Officers, using the set protocols, may also make an award of a Significant (Band 3) or Moderate Health (Band 4). See Appendix II.

Where a household has more than one person with a health need, the HAHA Panel (or Housing Needs Officers following the HAHA protocol) should award the applicant's household the highest appropriate band. Applicants may not move up to another band because more than one person is suffering a housing-related health issue. If Housing Needs Officers, or the HAHA Panel, feel that this award is inadequate given the multiple needs of the applicant's household, the matter may be escalated to the ECP. If the applicant requests a review based on multiple housing-related health needs of the household, the matter should also be escalated to the ECP.

3.11 How Applications are Processed

Once an application has been accepted at a local office it is sent through to the Housing Needs Team. This is done by hand, by courier or by recorded delivery to ensure safe arrival. In the future applicants may be required to normally apply on-line and assistance will be available should help be required to do this.

Once received in the team, applications are logged on to the database system and assessed by a Housing Needs Officer. The forms include a number of 'trigger' questions that may prompt, for example, a support needs assessment or health and housing assessment. Once the housing needs team has received an application and any supporting information required the Council will seek to assess an application within 10 working days.

Once assessed, applications are put into a Housing Need Priority Band (see Section 4) and the applicant will receive notification of their banding, the reason for it and the Registration Date (and Priority Band Start Date, if the applicant is placed in Bands 1 to 4). Applicant's not considered eligible and/or to qualify for inclusion the Housing Register will be notified. If in the future an applicant is no longer considered eligible and/or to qualify for inclusion on the Housing Register they will be notified and removed the Housing Register.

The Housing Needs team will maintain the database until the applicant is housed

or resolves their housing situation. This includes updating changes of circumstance, and carrying out regular reviews of the list.

3.12 Re-registering and Change of Circumstances

Applicants must re-register periodically when they are sent a review form. If the form is not returned by the date stated on the review form the application will be cancelled.

Applicants have a responsibility to ensure they inform the council of any changes in their circumstances, such as someone joining or leaving the household, by notifying the Housing Needs Team in writing. If an applicant moves house they need to complete a new application form so that their housing need can be re-assessed. Where applicants' circumstances change they should inform the Council promptly within 28 days (or as soon as practicably possible if they have exceptional circumstances where it is not possible to inform the Council sooner) so their housing need can be re-assessed based on their new circumstances. If an applicant is unsure whether a change in their circumstances needs to be reported, they should contact the Housing Needs team, or make an appointment to visit the Council.

Where a General Register applicant moves and notifies the Council within 28 days their Housing Application will be treated as continuous and they will retain their original registration date, however, their Priority Band Start Date may change if their housing need has changed and they move into/or within one of Bands 1 to 4 (see section 4.10). Any applicants that move will have their housing need re-assessed based on their new circumstances and their priority band may change. General Register applicants failing to notify Oxford City Council within 28 days of a change of their address, will have their Housing Application cancelled and will be removed from the General Register unless they have exceptional circumstances (see above). In such circumstances if an applicant re-applies for housing in the future (after 28 days of moving) their registration date and Priority Band Start Date will be the date their new application is received and the application will not be treated as continuous.

4 The Banding Scheme

4.1 Banding

Once accepted as eligible and qualifying for inclusion on the Housing Register by the Council, applicants will be placed in one of the five bands, which have been designed to reflect broad categories of housing need. The Banding scheme enables the Councils and other ORAH partners to meet their legal responsibilities for housing and also provides a fair and easily understood way of selecting applicants to receive offers of accommodation.

Some applicants' circumstances may make them eligible to be placed in more than one band. In this case, they will normally be placed in the highest band for which they are eligible.

4.2	Band 1 (Exceptional Housing Need)
4.2.1	Exceptional Circumstances
	Any applicant awarded this priority by the Exceptional Circumstances Panel, where there is an immediate risk to health and safety, complex needs cases, 'place of safety' cases or other exceptional or emergency needs. <i>This category is intended to be reserved for only the most urgent cases. This includes cases where rehousing is needed to protect the health or safety of the applicant or a member of their family, where there are complex needs, 'place of safety' cases etc. This could include the immediate threat of domestic violence and any other "life and limb cases".</i> <i>The award of Exceptional Circumstances priority will normally be time limited (to 3 or 6 months) and priority will be reviewed at the end of the period.</i>
4.2.2	Under-occupying by Two or More Bedrooms
	Council tenants or other ORAH partner tenants living in Oxford with an assured or secure tenancy, who will be giving up permanent family accommodation with at least two bedrooms more than they require. <i>Applicants should check whether they are eligible for any incentive schemes to assist with the cost of removals and associated expenses being operated by their landlord. See section 7.2 for more details and the assistance available to downsizing Council tenants through the Removal Expenses & Mobility Scheme.</i>

4.2.3	Decants and other Housing Management Moves
	Council tenants, or tenants of partner Private Registered Providers living in Oxford, who need to move because refurbishment or repairs* are due to be carried out, which cannot be done with the tenant living there and who have been awarded 'decant' status by the Manager Responsible for Allocations. <i>Awards of this priority will be time limited. Transfer applicants would normally qualify for this status 6 months before they are required to vacate the property. At the end of the six months the Council may decide to make a direct offer, if the applicant has not been successful in bidding for a suitable property. This would not prevent an applicant from registering for a transfer at any time before this and being assessed on their current circumstances.</i>
4.2.4	Successor Tenants
	These fall into two categories: • Legal successors other than spouses or civil partners • Policy successors i.e. Applicants (close family members) who would have been entitled to succeed to the tenancy but for the fact that one succession has taken place already In both instances priority will usually be awarded where: • they are occupying a property with adaptations for a disabled person which they do not need, or • they are occupying a property larger than they would qualify for under the allocation policy, or • where occupying the property gives the benefit of facilities and or services for which they would otherwise not qualify. Legal successors will qualify as transfer applicants and policy successors will be classified as general register applicants for the purposes of the Allocations Scheme.
4.2.5	Prohibition/ Demolition Notices
	Households where a statutory notice of prohibition or demolition has been issued by the Environmental Health department and it is not possible to remedy the defects in a reasonable time.
4.2.6	Statutory Overcrowding
	Households where the level of overcrowding exceeds the statutory limit.

4.3	Band 2 (Urgent Housing Need)
4.3.1	Urgent Social or Welfare Needs
	Applicants assessed as having an urgent need to move on social or welfare grounds and awarded this priority by the Exceptional Circumstances Panel. Including applicants assessed as being in urgent housing needs where the applicants: • formerly served in the regular forces, or • has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service, or & <i>This may also include applicants assessed as:</i> • <i>serious harassment cases</i> • <i>having multiple needs not already covered by other band categories</i> • <i>urgently needing to move to give or receive care or support</i>
4.3.2	Urgent Health or Disability Needs
	Applicants assessed as having an urgent need to move because of a health problem or disability, and awarded this priority by the Health and Housing Assessment Panel. Including applicants assessed as being in urgent housing need where the applicant: • is serving in the regular forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service, or • is serving or has served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service.
4.3.3	Under-occupation by One Bedroom
	Council tenants, or tenants of another ORAH partner living within Oxford, with an assured or secure tenancy, who will be giving up permanent family accommodation with one bedroom more than they require. <i>Applicants should check whether they are eligible for any incentive schemes to assist with the cost of removals and associated expenses being operated by their landlord. See section 7.2 for more details and the assistance available to downsizing Council tenants through the Removal Expenses & Mobility Scheme (REMS).</i>

4.3.4	Move-on
	Applicants who have been assessed as ready to move-on from supported accommodation, including: • Applicants from voluntary sector hostels and move-on projects (including the Oxford Young Parents Project) • Care leavers: applicants who are former “relevant children” as defined by the Children (Leaving Care) Act 2002 <i>Applicants will be awarded this band category in accordance with the protocols of the council, when the council is satisfied that the applicant is ready to move to secure independent housing and that on-going support will be in place where this is needed to sustain the tenancy.</i> <i>Quota arrangements may be used to ensure a minimum supply of vacancies suitable for those ready to move on from supported housing</i>
4.3.5	Overcrowding by 2 or more Bedrooms Short
	Families assessed as being two or more bedrooms short of their needs
4.3.6	Band 3 Upgrade
	Any applicant who qualifies for two or more compoundable categories in Band 3

4.4	Band 3 (Significant Housing Need)
4.4.1	Priority Homeless (<i>not compoundable</i>)
	Existing applicants living in homeless temporary accommodation accepted as homeless by the Council under s.193 of Part 7 of the Housing Act 1996 Existing applicants living in private rented accommodation accepted as homeless by the Council under s.195A of Part 7 of the Housing Act 1996 where: If within two years beginning with the date on which an applicant accepts an offer under section 193 the applicant re-applies in the first incidence of homelessness for accommodation, or for assistance in obtaining accommodation, and the Council is: • satisfied that the applicant is homeless and eligible for assistance, and • satisfied that the applicant did not become homeless intentionally, regardless of whether the applicant has a priority need and • a valid notice under section 21 of the Housing Act 1988 (orders for possession on expiry or termination of assured shorthold tenancy) has been given the applicant will be awarded this priority from the date the section 21 was issued.
4.4.2	Significant Social or Welfare Needs
	Applicants assessed as having a significant level of social or welfare need arising from their housing situation, and awarded this priority by the Exceptional Circumstances Panel
4.4.3	Significant Health or Disability Needs
	Applicants assessed as having a significant level of housing need as a result of health problems or a disability, and awarded this priority by the Health and Housing Assessment Panel

4.4.4	Unsatisfactory Housing: Level 1
	Applicants living in sub-standard accommodation that a qualified officer has assessed as a category 1 hazard, where repair is not possible or it is not practical in a reasonable timescale. Applicants living in homes lacking the use of one or more of: A kitchen (or cooking facilities)*, a bathroom, an inside WC, running water, or electricity will usually be deemed to meet this criteria. <i>Applicants whose existing housing is of a low standard will have their need assessed against the Housing Health and Safety Rating System (known as HHSRS). In the most urgent cases, or where an inspection is needed, the assessment will be carried out by an Environmental Health Officer or other qualified officer.</i> <i>A Category 1 Hazard is a defect where the consequences could include serious harm to applicants. For example: accommodation lacking any bathroom facilities, cooking facilities, or a water supply. The band category will not be awarded, if it is possible for repairs or other remedial action to be carried out within a reasonable timescale. Where a landlord has been served with an improvement notice but remedial work has not been carried out, the Council may decide to award priority at its discretion.</i> * Persons living in Move-on Hostel accommodation, where meals are available, are excluded from this category unless a qualified officer has assessed as a category 1 hazard
4.4.5	Overcrowding by One Bedroom Short
	Applicants assessed as being one bedroom short of their needs where they permanently reside
4.4.6	Insecure Tied Accommodation
	Applicants who are living in accommodation tied to their employment and who have received a formal notice to quit from their employer and where the loss of employment is through no fault of the applicant. This category includes members of the armed forces in married quarters and agricultural workers. <i>Priority category will only be given where there is clear documentary evidence that the employer is terminating the employment and the use of the accommodation in the near future.</i>

4.4.7	Insecure Private Rented Accommodation
	Tenants of private landlords where the landlord is taking action to recover possession of the property and has demonstrated a real intention to proceed to eviction. <i>Before priority for Insecure Accommodation can be given documentary evidence of the date of eviction will be needed by the Council, depending on the type of tenancy or licence held. The landlord must have shown a real intention to proceed with an eviction. Evidence of Court proceedings for Possession may be required to establish a genuine intention.</i>
4.4.8	Band 4 Upgrade
	Any applicant who qualifies for at least two compoundable categories in Band 4.
4.5	Band 4 (Moderate Housing Need)
4.5.1	Moderate Social or Welfare Needs
	Applicants assessed as having a moderate level of social or welfare need arising from their housing situation, and awarded this priority under the Exceptional Circumstances Panel protocols
4.5.2	Moderate Health or Disability Needs
	Applicants assessed as having a moderate level of housing need as a result of health problems or a disability, and awarded this priority by the Health and Housing Assessment protocols

4.5.3	Homeless and Not in a Priority Group (<i>not compoundable</i>)
	• Applicants who have been assessed as being of No Fixed Abode (NFA), or • Applicants who are Homeless but have been given a decision that they are not in Priority Need (or are Intentionally Homeless and allowed to remain on the Housing Register), or • Applicants living in Move-on Homeless Projects who could otherwise access the Move-on Scheme <i>This category is given where a formal assessment has been carried out under the homelessness legislation and the applicant is found to be homeless but not in a defined priority group. The category will also be given without a formal assessment, where it is clear that the applicant has No Fixed Abode. This includes those living in voluntary sector Move-on Projects.</i> <i>This category does not include applicants who have been assisted to access the private rented sector through a rent deposit scheme.</i> <i>This category is not compoundable with other factors. Those who are homeless and have other priority needs will be assessed in accordance with the Homelessness legislation and, if they qualify, will be given a Band 2 priority.</i>
4.5.4	Unsatisfactory Housing: Level 2
	Applicants living in sub-standard accommodation that is deemed to have a category 2 hazard and where repair is not possible or it is not practical in a reasonable timescale. Applicants living in homes lacking a fixed heating system will usually be deemed to meet this criterion. <i>The band category will not be awarded if it is possible for repairs or other remedial action to be carried out within a reasonable timescale. Where a landlord has been served with an improvement notice but remedial work has not been carried out, the Council may decide to award priority at its discretion.</i>
4.6	Band 5 (Low or No Housing Need)
4.6.1	Adequately Housed
	• Applicants who are adequately housed • Applicants with no immediate need for rehousing • Applicants sharing where the accommodation is of sufficient quality and there is no overcrowding • Applicants who do not meet any other category

	<i>This category includes applicants who may have a low level of housing need, but where the circumstances do not give rise to any exceptional problems. This includes:</i> <i>• formal and informal house-sharing arrangements where the size and standard of the accommodation is adequate for the needs of those living there</i> <i>• those living with family or friends where the size and standard of the accommodation is adequate for the needs of those living there</i> <i>• families living in flats where the internal accommodation is adequate for the family's needs but where there is no private garden.</i>

4.7 Compound Needs

Where applicants in Bands 3 or 4 have compound needs (that is, they qualify for more than one compoundable category in the band) they will usually be upgraded to the next band. Compounding is not available for those placed in Bands 2 or 5 because Band 1 is reserved only for the most exceptional cases and Band 5 has no compoundable categories.

Those applicants in Band 4 with a category of 'Homeless and not in a Priority Group' cannot compound this category to move up to Band 3 because the assessment of their homelessness takes into account all other relevant circumstances. If they have additional needs then this would be reflected in a decision to award either an Exceptional Need category placing them in a higher category band or a Priority Homeless category (Band 3).

4.8 Time Limited Priority

In certain cases priority will be time limited. For example, a decision to grant a high band on the grounds of an urgent social or welfare need might be for a limited period. This will normally be three to six months. In all cases the applicant will be given a reasonable amount of time to bid for alternative accommodation, and the length of time may be adjusted according to the availability of suitable accommodation. Priority will be re-assessed at the end of the period.

4.9 Date Order

The time an applicant has been in housing need is taken into account when prioritising applicants for an offer of accommodation. Where two or more applicants in the same priority band have bid for the same property, through choice-based lettings scheme, the applicant who is considered to have been in housing need for the longest period of time will be normally be offered the property. In some circumstances there are exceptions (see 5.8)

4.9.1 Priority Band Start Date

The Priority Band Start Date is the date used for comparing applicants who are in the same band and who have bid for the same property.

The Priority Band Start Date is normally the date an applicant is placed into a particular band. Most applicants who apply for housing remain in the same band so their Priority Band Start Date does not change and is the date they first applied to be included on the housing register (also known as the Registration Date). If an applicant's circumstances change and their housing need changes their Priority Band Start Date may change.

4.10 Change of Circumstances

Changes of Circumstance & Priority Band Start Dates

Where an applicant's circumstances have changed they should notify the housing needs team within 28 days to check whether this has affected their housing need and whether they need to supply any further information.

If the change in an applicant's circumstances (including a change of address) has resulted in:

- Their priority band going up because of an increase in their housing need and they have moved to a higher band they will be issued with a new Priority Band Start Date from the date the change took place or they were awarded additional priority to move.
- Their priority band going down because of a decrease in their housing need if they move down to Bands 2 to 4 their Priority Band Start Date will remain the same, however, if they go down to Band 5 their Priority Band Start Date will change back to their registration date (the date they first applied for housing).
- Their priority band staying the same the applicant should retain their original priority band start date.

Where an applicant has failed to notify the Housing Needs Team of a change of their circumstances within 28 days without good reason, if the change in the applicant's circumstances has resulted in:

- Their priority band going up because of an increase in their housing need and they have moved to a higher band they will be issued with a new Priority Band Start Date from the date the Housing Needs Team were *notified* of the change and not the date the change took place.
- Their priority band going down because of a decrease in their housing need they will be issued with a new Priority Band Start Date from the date the change took place and not keep the same date.
- Their priority band staying the same the applicant will be issued with a new Priority Band Start Date if they have moved. If the applicant has not moved their Housing Needs Priority Band Start date will remain the same.

5 Choice Based Lettings

5.1 Statement on Choice in Allocation

The Council operates a Choice-Based Lettings Scheme to advertise the limited number of properties becoming available to let each year for those who are eligible and qualify for inclusion on the Housing Register. The Choice Based Lettings Scheme increases the choice available to most applicants (with restrictions for homeless applicants) but cannot make more social housing available, which will remain a scarce resource. The availability of feedback on previous lettings enables applicants to make informed choices about their future housing options; including whether to look at alternatives to social rented housing, and what types of properties are available.

Below is Oxford City Council's Choice Based Lettings Scheme. This applies to permanent social housing in Oxford; it does not apply to temporary accommodation.

5.2 Assisting Vulnerable Applicants

Staff from Oxford City Council (and its partner PRPs where technology allows) may assist applicants to view property advertisements and to make bids through the website.

Oxford City Council may make information available to staff at support agencies on how the scheme works, and may provide updates when changes happen, so that they are able to offer the most appropriate support to their clients.

Oxford City Council is aware that some applicants with support needs may need longer to obtain advice or support and will endeavour to work with them to help to participate in the scheme.

5.3 Advertising

All the members of the ORAH partnership are committed to advertising their properties as widely as possible. Empty properties will normally only be excluded from the CBL scheme for exceptional reasons, for example when the property is needed to deal with an emergency or is particularly suitable for a household assessed as in high housing need – such as an adapted property suitable for a disabled person.

- Properties will be advertised on a regular cycle. The length of the cycle may be reviewed periodically
- Properties will be advertised in the following locations:
 - On the website
 - In newsletters available in Council and PRP offices
 - In a PDF format on the website suitable for downloading by

statutory and voluntary support agencies

- The Council may choose to advertise in other locations in the future
- All advertisements will carry a deadline by which the bids for the property must be received. It is not possible for an applicant to make bids after the bidding cycle closes
- The advertisement will carry a photograph of the type of property, where available
- The advertisement will carry a floor plan of the property, where available
- The advertisement will carry a full description of the property, including the following details, where available:
 - Type of property
 - Number of bedrooms/ number of people the property is suitable for
 - Location (street and area)
 - Any adaptation or a description of the level of accessibility for people with mobility difficulties
 - Services provided e.g. warden, caretaker, key worker
 - Heating type
 - Communal/own entrance
 - Floor level (for flats)
 - Availability of a garden, if any
 - Parking
 - Rent
 - Service charge
 - Landlord
 - Property reference number
 - Expected tenancy start date where available
 - Tenancy type and conditions (for PRPs this will include details of whether the property is being let as a Fixed Term Tenancy or at an “Affordable Rent” where applicable)

5.4 Properties in the Choice Based Lettings Scheme

As far as possible all properties will be entered into the Choice Based Lettings scheme and will be available for applicants to make bids. However, at certain times, and in order to meet our objectives of assisting in the development of sustainable communities and meeting the Council's letting targets, some properties will be labelled as being available to certain categories of applicant only; for direct match only; or with initial preference being given to certain categories of applicant. See *section 5.14* on properties not in the choice based lettings scheme.

5.5 Advert Labels

The following labels will be used for certain properties. The Council uses these labels to ensure the Council meets its letting plan targets to distribute social housing fairly amongst different groups of applicant.

The descriptions used below will be represented by symbols in the property advertisements. A key to the symbols will be provided in the scheme guide and in the advertising medium. This will be clearer and easier to interpret than text, as well as making the descriptions shorter.

Statutory Homeless Applicants

The label will say 'preference for statutory homeless applicants'

To qualify applicants will need to have confirmation that Oxford City Council has accepted a duty under the homelessness legislation and placed them on the Homeless List (see 4.4.1 of the Banding Scheme).

General Register Applicants

The label will say 'preference for general register applicants'

To qualify applicants will need to have been included on to the general register, and not to have been accepted as homeless and in priority need and placed on the General Register List.

Transfer Applicants

The label will say 'preference for applicants on the transfer list only'

To qualify applicants will need to be a secure tenant or an Assured tenant of the Council or another ORAH partner and living within Oxford. They will have been verified as eligible to be on the transfer list through the application process.

This label is used to ensure the Council and other ORAH partners, can make optimum use of the stock. When a tenant transfers this creates a further vacancy which will normally be available for letting. This helps ensure there is mobility within the stock.

Supported Accommodation

The label will say 'Supported housing. For applicants with an assessed support need only'.

Supported Housing will have accommodation-based support provided as part of the scheme to give additional care and support to the residents of the scheme and include some properties at Riverside Court.

Sheltered Accommodation

The label will say 'Sheltered housing. For applicants with an assessed support need only'.

Sheltered housing is defined as housing with communal facilities and with

visiting or residential staff support. Facilities usually include a communal common room, a laundry and a guest room. Properties are also linked to 24hour emergency call centres for total cover 365 days a year. A property that is designated as sheltered housing will be clearly indicated on the advert label.

This housing is usually let to people aged 60 or over who have an identifiable support need. Some properties have an age criteria of 55+. This housing may sometimes be let to younger applicants who would benefit from the support provided.

Sheltered properties are let to applicants who would like to move to sheltered accommodation and who have been assessed as having suitable support needs by a member of the housing needs team or a member of staff at one of our partner PRPs, and/or who meet the age criteria for the scheme. Support needs are assessed by carrying out a standard support needs assessment at the application stage or where an applicant's support needs have increased.

Some sheltered housing is suitable for people with disabilities and this will be specified in the advert label.

The reason for labelling properties as for 'assessed support needs only' is to ensure these properties attract applicants who will benefit from the support provided. These properties also carry a 'support charge' that needs to be paid either by the tenant or through the Supporting People Fund. The fund is restricted to those with a need for the support provided (more information on how to apply for assistance from the supported people fund is available on Oxfordshire County Council website).

Other Specialist Housing for Older People

The Council has two types of designated elderly accommodation:

Designated elderly accommodation only suitable for applicants aged 55 years or older that the Council has no plans to currently de-designate.

Designated elderly accommodation only currently considered suitable for applicants aged 40 years or older that *may* in the future be de-designated to allow younger applicants to apply for these properties too.

Designated Elderly Housing (with a Community Alarm)

The label will say 'Housing with a community alarm. For applicants over 55 with an assessed support need only' and includes flats at North Place.

This housing is usually let to people over 55 (or over 40 for some properties) who have an assessed support need for the community alarm service. A community alarm provides 24-hour cover through a telephone link to a Care-line service, staffed by operators who can respond to calls and summon help as appropriate. (Such property may also be referred to a Category One Sheltered Property.)

This need will be assessed through a support needs assessment. However the level of support required to be considered for this type of housing is generally lower than that for sheltered housing.

Designated Housing Minimum Age 40+

The label will say 'for applicants aged over 40 with no dependent children'.

This is housing that is let to people aged 40 or older with no dependent children. There is no support provided although tenants can be assessed for a community alarm if they require this.

Disabled Adapted Properties

The label will say 'for applicants with an assessed need for disabled adapted property only' and will specify the level of adaptation using the four categories set out below

Disabled adapted properties are defined as properties that have been specially built or adapted for people with disabilities. The level of adaptation will be specified in the property advertisement. An adapted property is one containing one or more of the following features:

- Level access shower
- Ramps/ Level access
- Stair lifts
- Walk-in Bath

Assessment of a need will normally be validated through the Health and Housing Assessment process.

Oxford City Council will attempt to make the closest match between the applicant's housing need and the level of adaptation needed by short listed applicants. The reason for this is to ensure these properties are used to their maximum potential and to make best use of resources by not having to adapt properties elsewhere.

Applicants choosing to live in disabled adapted properties should not expect to have adaptations removed or to reinstate properties to their original condition (and for example remove a level access shower and install a bath again)

There are a number of properties which have been specially built or adapted for people with disabilities. Where these met the Mobility Standard or Wheelchair Standard, Oxford City Council will attempt to match these most closely to applicants that specifically require this type and standard of accommodation and will specifically label these properties as such. The Council may allocate some adapted Mobility 3 and 4 standard properties outside of Choice-Based Lettings, to applicants in high housing need requiring an adapted property by offering an applicant a property as a direct match when a particularly suitable property becomes available.

	Level Access. Level access into the property (from the street to the front door) and level access throughout the property (no internal steps)
	Mobility Standard. Level access into and throughout the property, although all rooms may not be accessible by a wheelchair. Meets part M of the Building Regulations (e.g. minimum door widths)
	Disabled Adaptations. The property may not meet the other standards, but it has a significant adaptation, such as a level access shower; a stair-lift; or a walk-in bath. Specific details available
	Wheelchair Standard. The property is specifically designed for wheelchair users. Design features include parking and level access; enhanced circulation space; and specialist fixtures and fittings

Other Properties that may carry an Advert Label

Properties do become available that are for a defined client group (an example would be supported projects for young people). These will be labelled to indicate the client group for the particular scheme and bids will be restricted to this group. These schemes have specialist support for the identified client group.

Advert labels may also be applied to properties where a Local Lettings Plan is in operation in order to comply with its requirements, or where a priority may be given to larger families.

Bungalows will normally only be allocated to applicants aged 55 years or older, or to applicants under 55 who have been assessed by the Housing Needs Team as requiring a ground floor level access property (or an adapted property if the bungalow is adapted) or existing tenants on the Transfer List seeking to downsize from a their current accommodation.

5.6 Bidding

Applicants who are eligible for a property advertised as available to let can express an interest in the property by placing a “bid” through the Choice-Based Lettings scheme. Applicants will normally only be able to bid for a property suitable for their needs and for which they are eligible. This means that applicants will not normally be able to bid for more bedrooms than they need or for properties specifically designated for other groups of applicants (such as the elderly or disabled).

Bids can be made by the following methods:

- By phone

- Website
- Assisted bidding in the offices of Oxford City Council, or it's ORAH partners

The Council may offer other methods as appropriate in future

Property Size Eligibility

The rules used to calculate the number of bedrooms an applicant is eligible to apply for are set out in section 3.9. Applicants will notified in writing of the size of property they are eligible to apply for and will not normally be able to bid for a smaller or larger property.

5.7 Lettings Cycle

A letting cycle will normally consist of the following:

- All ORAH partners upload properties available to let onto the Council's Choice Based Lettings database in a pre-agreed format
- The Council produces and distributes adverts, as described elsewhere, on behalf of the partners
- The advertising and "bidding" period commences
- The bidding period closes
- The Council generates shortlists
- Council officers check shortlists for eligibility and verification purposes and make an offer or nomination for each property to the successful applicant and notify the landlord
- Landlords arrange a viewing
- Landlords offer a tenancy
- If the successful applicant at the top of the shortlist refuses the property or is rejected by the landlord, the offer or nomination is made to the next suitable short-listed applicant. This continues until a tenancy is agreed

Where no tenancy is agreed the property goes back into the next available letting cycle.

5.8 The Selection Process

The successful applicant for each property will normally be the one who is eligible for the size and type of property being offered, and who is in the highest band. Where there is more than one applicant in that band, priority will normally be by date (see below).

However, the council and ORAH partners reserve the right not to offer the property to the person highest on the short-list, if the property offers a better match with the needs of another high priority applicant. The property may be offered to another housing applicant in such cases.

Applicants will be able to bid for up to three social rented properties and any number of shared ownership or private rented properties in any one

advertisement cycle. Applicants can withdraw bids and add new ones in the course of the cycle. The Council may also place bids for some applicants (including applicants on the Homeless List and other high needs cases) if a property is identified as being potentially suitable.

5.8.1 Priority Order

Short-lists will be created with the following priority order:

1. Applicant Type (only if an applicant type preference is specified for property)
2. Mobility Level (only if a mobility level preference is specified for the property)
3. Band – Band priority order is: 1, 2, 3, 4, 5.
4. Local Connection
5. Size of household (only if a preference to larger families is specified for the property) – larger household has priority
6. Priority Band Start Date (when applicants in the same priority band are compared)

The Council reserves the right not to offer an applicant in Band 4 or 5 with a need for a ground floor level access (Mobility 1) or Mobility 2 property if another applicant in higher housing need in Band 1, 2 or 3 has bid for the property. Even if the applicant in Band 1 to 3 does not require a Mobility 1 or 2 property.

5.8.2 Shortlists

Each potentially successful applicant will be checked to ensure they are eligible and suitable for the property and an applicant will only be offered a property where they meet the criteria.

Allocations Officers will investigate whether or not the property matches all the needs of the applicant in first place on the resulting shortlist. There may, for example, be a good reason not to offer an otherwise suitable property to an applicant because health advice has been received that the applicant needs a property in a quiet location and the property on offer is adjacent to a major road, or that the person cannot sustain the tenancy without adequate support arrangements and these arrangements are not able to be set up before the proposed start of the tenancy – such issues cannot be catered for in the generation of the shortlist.

If it can be demonstrated that the property does not match the needs of the applicant, then this is recorded, and the decision verified by the manager responsible for allocations. The allocating officer then proceeds to investigate the suitability of the property for the next applicant on the list, and the process continues until a suitable match is found.

If an applicant is successful for more than one property they will be contacted where possible and asked to express their preference over which property they would like to be offered.

The Manager Responsible for Allocations is responsible for:

- a) Checking paperwork relating to all allocations and nominations, to ensure that correct procedure has been followed
- b) Authorising offers and nominations, including decisions as to the reasonableness or otherwise of an allocation or nomination
- c) Deciding whether to make an allocation of housing where the applicant has been guilty of anti-social or unacceptable behaviour
- d) Decisions relating to the authorisation of “like-to-like transfers, outside the Allocations Scheme, in sheltered accommodation and other schemes
- e) Authorising the making of a Direct Offer to an applicant (see Section 5.14)

5.8.3 Housing Applicants with Rent Arrears on the Housing Register

This section is concerned with making an allocation of a property to applicants who have made a bid.

Where a housing applicant has rent arrears and/or a poor payment history they will not normally be considered suitable for an offer of housing. In order for an applicant to successfully maintain a tenancy they must be able to comply with the terms of the tenancy and to pay the rent regularly and keep up to date with the rent. When considering whether a housing applicant is suitable for an offer of housing their ability to pay the rent and their rental payment history will be taken into account.

Housing applicants who owe rent to their current landlord or a previous landlord can be excluded from qualifying for inclusion on the Housing Register (see section 3.5.2 and the definition of “rent”).

Where a housing applicant with rent arrears has been allowed to remain on the housing register and they bid for a property and shortlist for a potential offer, an Allocations Officer will make further enquiries into the applicant’s ability to sustain a tenancy before considering them for an offer of housing. If a Transfer Applicant has rent arrears covered by a Court Possession Order and has been not been excluded from the Transfer List, no offer will usually be made, unless:

- the tenant has an Exceptional Band 1 Social & Welfare award sanctioned by the ECP & payments have been received in line with the order made, or
- the tenant is seeking to downsize from a general needs property suitable for a family and any compensation due through the REMS (or a similar scheme provided by another ORAH landlord) will clear the debt in full or
- the debt is cleared in full by the tenant.

If a housing applicant is allowed to be included on the Housing Register but has any outstanding rent arrears (but no Court Possession Order), they will not usually receive an offer of accommodation unless:

- either the debt is cleared in full, or

- they have made an agreement to repay the debt, and kept to it for a minimum of 6 months.

The following cases will usually be exempt from this:

- Applicants awarded an “Exceptional” Band 1 Social and Welfare award and permission to apply for a move with rent arrears has been sanctioned by the ECP panel *and* agreed by the landlord of the property the applicant is applying for
- All Temporary Decants, or Permanent Decants where the Council may incur a significant expense if the person is not moved
- Transfer applicants under-occupying a family home eligible for assistance through the Council’s REMS (or the tenant’s landlord) where the compensation will clear the debt in full.
- Technical arrears, where it is confirmed that a Housing Benefit award is due that will clear the arrears
- Persons accepted as statutory homeless and housed in temporary accommodation where a satisfactory payment arrangement is in place and the housing applicant is considered to be engaging and suitable for an offer of housing in order to minimise temporary accommodation costs to the Council (unless possession action is being taken due to a breach of tenancy)

The Manager responsible for Allocations may also exempt other cases. This discretion might be exercised where the applicant has made an agreement to clear the debt and has made consistent payments for a period of time (usually a minimum of 6 months) or where the situation was deemed to be out of the applicant’s control; or relates to physical, mental or learning disability.

The Allocations Manager may also consider authorising an offer in other exceptional cases where an applicant has fallen into rent arrears as a direct result of the introduction of changes introduced by the Welfare Reform Act including the “bedroom tax” or “benefit cap”. Where an applicant is in high housing need and considered to be taking reasonable steps to pay their on-going rent and the rent arrears they have accrued. In such cases an offer may be considered where the Allocations Manager and landlord of the property the applicant has applied for agree that the housing applicant is considered suitable for an offer and the accommodation is more affordable.

Where a former tenant has been evicted by a PRP within the ORAH partnership and allowed to re-join the housing register, they will not normally be nominated to the same PRP once they have demonstrated they are suitable to be a tenant, without prior agreement with the PRP.

5.9 Feedback

Feedback on previous bidding rounds will be available to help applicants assess whether accommodation appropriate to his or her needs is likely to be made available and, if so, how long this is likely to take.

General information about the profile of the stock will be made available, including: the type, size and location of the stock, whether it is accessible or could be adapted, and how old it is. In the case of stock, which is in short supply, an indication of how frequently it is likely to become available will also be included.

Specific information will be published each cycle about accommodation, which has been let through the CBL scheme. This will specify the number of bids received for the property, the band and priority band start date of the applicant who finished first at the end of the cycle. The information will be available in the same media in which the properties are advertised, and will be regularly reported.

Applicants who have expressed an interest in the particular vacancy but are unsuccessful may request more personalised feedback on why they were unsuccessful.

Periodically, Oxford City Council will extract generalised information from feedback data to help inform applicants' bidding strategies. This will include tables giving estimated waiting times by area and property type.

Oxford City Council will process all personal data in line with the Data Protection Act 1998 and relevant successive legislation. Where information is published about particular accommodation that has been allocated, the information shall not enable a member of the public to ascertain the identity of the individual applicant who has been allocated the accommodation, or to put them at risk of violence or intimidation by other individuals or members of the public. In some cases, the Manager responsible for allocations may make the decision not to publish the fact that a property has been let.

Oxford City Council will provide more detailed feedback to unsuccessful bidders at regular intervals, particularly after they have made a number of unsuccessful bids. This will involve advising applicants about the need to change their bidding strategy, or providing them with advice about alternative housing options available to them.

Applicants will be able to review their own bidding history through the website, or ask a member of Oxford City Council or its partner PRP to help them do so.

5.10 Refusals

Oxford City Council acknowledges that a "bid" is an expression of interest in a property and that applicants may not be in a position to make a firm decision until the property has been viewed. However, there is a high demand for social rented accommodation and the Council and its partner PRPs want to let homes advertised through Choice Based Lettings as soon as possible so applicants should be choose carefully before making a bid. If an applicant refuses an offer after a bid has been placed on the property without good reason the Council reserves the right to apply a penalty (see 5.13).

5.11 Failure to Bid

Oxford City Council will look at who is bidding and how often. If an applicant in a high priority group is not bidding despite properties of the right size being advertised, the Council may contact the applicant to make sure that they have understood the CBL system and that they have found a method of bidding that suits them. If they are struggling with the system we may be able to offer help ourselves or we may be able to refer the applicant to a support agency. We may also place a bid for an applicant or make a direct offer of accommodation in some circumstances, such as where a homeless applicant lives in temporary accommodation supplied by Oxford City Council, or is a “legal” or “policy” successor required to move, and is not bidding, despite suitable accommodation being advertised and help being offered (see 5.13).

5.12 Time Limits

Most applicants will have no time limits placed on how often they should bid in recognition of the scarcity of social housing in Oxford. Although all applicants are encouraged and expected to actively engage with the scheme once they have registered. If they no longer wish to be included on the Housing Register they should contact the Housing Needs Team to inform them so their housing application can be cancelled.

There will, however, be some exceptions where housing applicants in high priority bands are given time limits in which to bid for a property and penalties may be applied (see section 5.13). Including:

- Applicants accepted as homeless and placed in temporary accommodation (in Band 3) in order to minimise to the Council
- Applicants assessed as ready to “move-on” from supported accommodation (placed in Band 2) in order to ensure supported housing becomes available to those that require it within the City.
- Applicants awarded “policy successor” priority (placed in Band 1) in order to ensure that they move out of the accommodation they are occupying promptly so the property to can be re-let to another applicant in housing need

5.13 Penalties for Unreasonable Refusals or Non-bidders

The Allocations Manager will be responsible for authorising penalties. Before imposing a penalty the applicant will be contacted by a member of the Housing Needs Team, Tenancy Management Team or an equivalent ORAH officer to ensure they are satisfied the applicant understands the process. Where an applicant is not considered to have understand the process they may be given a further opportunity to bid at the discretion of the Allocations Manager.

Penalties will only be imposed where, after investigation, it appears that either:

- An applicant is deliberately failing to bid (or withdrawing bids placed on

- their behalf) when suitable properties have been advertised, or
- An applicant has turned down a property when they are deemed to have no valid reason for refusing the property when offered

5.13.1 **Penalties for Statutory Homeless Applicants to whom the Council has accepted a duty and placed in temporary accommodation**

Applicants on the homeless list will normally be made one suitable offer of accommodation – this could be an allocation of social housing through the Allocations Scheme or an offer of suitable accommodation within the private rented sector made outside of the Allocations Scheme by the Housing Options Team or Private Sector Team to discharge the Council's homeless duty.

Applicants accepted as homeless before 1/4/13 changes will only be made offers of social housing and will not be offered private rented accommodation (unless they request the Council to assist them in moving into the private rented sector).

Homeless applicants will be given a time-limited priority to bid for properties through CBL. During this time they could also be made an offer of suitable private rented accommodation to discharge the Council's homeless duty by the Housing Options Team or Private Sector Team outside of the Allocations Scheme.

Homeless applicant will normally be given 3 to 6 months to successfully bid for a property, or longer, if for example a household requires a very large property, an adapted property or the Council accepts that they cannot go to certain areas within Oxford. If a homeless applicant has not successfully bid for a property or been offered a suitable property in the private rented sector they may have bids placed for them automatically on all suitable properties becoming available (all suitable property types and in all areas) by the Allocations Team and will be offered the first property they shortlist for an offer on, irrespective of whether they have bid for the property or not.

Penalties for an Unreasonable Refusal

If a homeless applicant refuses a suitable offer without good reason the Council will no longer have a duty to accommodate them and ask them to leave their temporary accommodation and to resolve their housing situation themselves. If the applicant does not move out the Council will take action to take possession of the property.

Homeless applicants who are considered to have unreasonably refused an offer by the Council because they consider the property is not suitable for them or a member of their family will continue to have the right to appeal. The Council will not normally be able to end the duty to accommodate the applicant unless they lose the appeal.

5.13.2 Penalties for Applicants on the General Register & Transfer Lists

Unreasonable Refusals

Unreasonable refusals delay other applicants in housing need moving into a property, cost the Council and other landlords in lost staff time and can result in the landlord losing rental income from having longer void periods

Applicants on the General Register or Transfer Lists who are considered to have unreasonably refused two suitable offers of accommodation within the last 12 months will be suspended from bidding for 12 months. With the exception of tenants on the Transfer List occupying a property suitable for a family and seeking to downsize to a smaller property. Other exceptions may also be made on a case by case basis by the Allocations Manager.

If the applicant is suspended from bidding and disagrees with this decision they have the right to request a review of this decision (see Reviews & Appeals). If the appeal is successful they will be able to continue to bid. If the appeal is unsuccessful they will remain suspended for 12 months.

Policy “successors” will normally be given up to 6 months to bid for a suitable property, after this time, if they have failed to bid or failed to successfully bid for a property the Council will place bids for them on all suitable properties becoming available and may make a direct offer outside of CBL. Policy “successors” will normally be made only one suitable offer of accommodation. If they are made an offer and refuse without good reason the Council will ask them to leave the property and resolve their own housing situation and take action to gain possession of the property if they fail to leave.

5.14 Properties not advertised through CBL (Direct Offers)

Oxford City Council may choose not to advertise certain properties if they are needed for management reasons. This may include temporary lettings as emergency accommodation for homeless families, some types of supported housing, direct lettings to national mobility schemes, or permanent decants (where the properties are being sold, demolished or otherwise disposed of, or where tenants have been given the choice of not returning to a property following refurbishment or re-modelling, and it is not practicable to allocate the property through CBL).

In other cases, for example, very highly adapted properties or for applicants with very individual needs, it may be necessary to make a direct offer of a property in order to make the most effective use of the scarce resource of social housing and to obtain best value for money for the Council and its ORAH partners.

Oxford City Council will monitor the impact to ensure that it continues to comply with its duty to give reasonable preference to applicants in the reasonable preference categories and choice to General Register and Transfer List applicants wherever reasonably possible.

5.15 Temporary Decants

Where a temporary move is required while modernisation, refurbishment, or repair work is undertaken to any property of Oxford City Council, or its partner RSLs, and the tenant cannot remain in the property for a temporary period while this is being undertaken, the Manager responsible for Allocations may award a Decant category.

This category is authorised by the Manager responsible for Allocations, and only at such time as the need for the move and its programming has been confirmed by a senior manager in Housing or a partner PRP, as appropriate.

Officers seeking or authorising these categories must be assured that the move is necessary and that appropriate timescales are in place for work to begin on the vacated property, in order to minimise disruption for existing tenants.

Tenants must complete a transfer application where practicable and sign an undertaking to confirm that they will return to their original home once the work is completed, prior to transferring.

The Manager responsible for Allocations may make a Direct Offer outside of the CBL scheme to help facilitate such moves.

5.16 Hard to Let Properties

There are very few “hard to let” properties within Oxford, however, from time to time a sheltered property only suitable for an older applicant may have to be advertised more than once before a suitable applicant is offered the property.

A property will be declared “hard to let”:

- If it has been advertised over 2 consecutive bidding cycles and received no eligible bidders, or
- if it has been advertised over 3 consecutive cycles without a tenancy being created, or
- if an identical property (type, size & area) has been declared ‘hard to let’ within the previous 4 bidding cycles.

At the discretion of the Manager responsible for allocations, such properties may be let on a “first come, first served” basis; that is, any applicant may be granted a tenancy. The Manager responsible for allocations has the discretion to change eligibility criteria (including allowing under-occupation) in these circumstances. “Hard to let” properties will be advertised with other properties, but may also be let outside of the advertising cycle.

5.17 Inter-District Moves

The Council may from time to time agree a reciprocal arrangement with another District Council within Oxfordshire, or elsewhere, so that an applicant in high housing needs from Oxford can be housed outside of the City in

another District in return for the Council housing another similar case within Oxford. Even if the applicant does not have a local connection to Oxford. Any such allocation would need to be agreed by the Allocations Manager and the other District authority and be made outside of CBL as a direct match.

5.18. Priority for Local Connection

As part of the allocations policy priority will also be given to applicants who have a local connection over applicants in similar housing need without a local connection. Normally only applicants with a local connection will qualify for inclusion on the Housing Register; however, there are some exceptions (see 3.5.1).

Local Connection

Most housing vacancies will be advertised as giving priority to those applicants with a local connection to Oxford.

The following rules will be used to define Local Connection:

A local connection is established by way of one or more of the following:

1. The applicant or joint applicant is permanently resident in Oxford and that residence is of their own choice and has continuously been so for at least 6 months.
2. The applicant or joint applicant was previously resident in Oxford as a matter of choice and the period of residence was either:
 - At least six out of the last twelve months or
 - Three out of the last five years.
3. The applicant or joint applicant is employed in the Oxford for a minimum of sixteen hours per week and the employment is not of a short-term or temporary nature.
4. The applicant or joint applicant has family associations with Oxford:

Family association will normally be defined in relation to close relatives (i.e. parents, children or siblings) and where there is no estrangement. However, other family associations may be taken into account (for example Grandparents, grandchildren and step relations) where there is evidence of frequent contact, commitment or dependency.

To qualify the relatives must live in Oxford now and have been continuously resident for a minimum of five years.

A local connection is **not** established where the applicant is:

- is in prison within the district or
- is detained in Oxford under the Mental Health Act.

6 Housing Options

6.1 Housing Options and Choice

Oxford City Council will give all home-seekers and applicants information on other housing options that may be available to them, to assist the applicant in making a reasonable choice as to their best prospect of securing suitable accommodation. This will include information on low cost home ownership, private sector rented property (including any rent deposit schemes which may be operated by Oxford City Council) mutual exchanges and key worker accommodation, as appropriate.

6.2 Home Choice

This is a scheme managed by the Private Sector Team within the Housing Needs Team that provides people who might otherwise become statutorily homeless with advice, support and financial assistance to be able to successfully secure tenancies in the private rented sector.

Only applicants towards whom the Council has or would have a statutory duty to re-house (i.e. statutorily homeless or threatened with homelessness applicants) can be housed under by this team.

6.3 Private Renting

From time to time there may be opportunities to advertise privately rented properties, with the agreement of the landlord. These are most likely to be properties being made available for lettings with the help of rent deposit assistance from the local authority.

The adverts will appear in the Housing Options area of the web site and in the property newsletter.

6.4 HomeBuy and Other Low Cost Home Ownership Options

Lower cost home ownership includes a number of schemes designed to enable people who wish to buy a property and cannot afford to do so. It is targeted at people on housing waiting lists, social housing tenants, key workers as defined by current government legislation and other priority groups identified by the HomeBuy website.

Lower cost home ownership schemes are co-ordinated by the HomeBuy Agent who manages a register for all schemes in the Oxford. There are a number of different scheme types. Depending on your individual circumstances, and subject to availability, you may find that one or more of these are available to you.

HomeBuy includes the following schemes.

- **Shared Ownership**, also often referred to as part-buy/part-rent, allows you to buy a part share of a property and pay a subsidised rent for the part that you don't own. This gives you the opportunity to buy additional shares as your financial situation evolves or save a deposit for the next step on the property ladder. *Nominations for vacancies for New Build HomeBuy are made by Oxford City Council and anyone interested in the scheme must apply to the Oxford Register for Affordable Housing as well.*
- **Equity Loans Scheme** - offer low-interest loans that boost your affordability by topping up your mortgage. These schemes allow you to purchase a property that you would normally be unable to afford. The loans offered will have varying repayment requirements depending on the specific scheme provider and will sometimes offer interest free periods,
- **Intermediate Rental Schemes** - offer properties at rents at least 20% lower than private rental. Sometimes individuals will also have the opportunity to purchase their property at a discount later on. Applicants will usually be first time buyers but assistance is sometimes given if someone needs to buy due to circumstances such as relationship breakdown or because a family has outgrown their current property.

Eligibility criteria including financial criteria will vary between schemes.

Applicants should register with HomeBuy and because the Council needs to prioritise applications for New build HomeBuy, applicants for schemes in Oxford City also need to complete an application form for the Oxford Register for Affordable Housing. Please note the schemes listed above can change, for up to date information on the schemes currently available check the Homebuy Website.

Advertising and Bidding for Home Ownership Properties

Partner housing associations and private developers offering subsidised forms of home ownership will from time to time be able to advertise their properties via the Choice-Based Lettings website and Property Newsletters. These properties will be listed separately from properties for rent. Registered applicants may apply by bidding in the same way as for rented properties.

Applicants registered with the Council may bid for any properties advertised as available for sale. The short-list will be prioritised in the same way as for rented vacancies. However, the PRP or developer will be supplied with the contact details of all qualifying* applicants and those selected to proceed to purchase may not necessarily be those highest on the list.

*Qualifying applicants are those who are eligible to register who have been assessed as having sufficient income and savings to proceed to make a purchase on the terms on offer by the Homebuy Agent.

7 Special Circumstances

7.1 Reviews and Appeals

The Right of Review

An applicant has the right to request an internal review of a decision taken that:

1. The Council has decided that an applicant is not a qualifying person for an allocation.
2. Not to register the application even if the applicant is in a reasonable preference group
3. Not to allow applicants to bid for a specific period of time, or overlook them in shortlists while an outstanding issue is being resolved (for example investigations into certain circumstances or the agreed payment of tenancy arrears).
4. Not to make an offer to the highest bidding applicant, where information is available that would make the new tenancy unsustainable or unsafe (for example where an applicant has been allowed to register and has been given a priority, there may be certain properties or areas where it is inappropriate for them to be housed) - also see section 5.8.2
5. They are ineligible for an allocation by virtue of being a person subject to immigration control who is ineligible for a housing allocation.
6. They do not qualify for inclusion on the Housing Register.

Where an authority decides an applicant is ineligible, by reason of their immigration status or serious unacceptable behaviour or any other reason that they do not qualify for inclusion on the Housing Register, it must notify them of the decision and grounds for it in writing.

An applicant has the right on request (under s167 4A(c)) to be informed of the facts which will, or will likely, be taken into account in considering whether to make an allocation and has the right to request a review of the facts of their case

An applicant also has the right to request a review of any adverse allocation decision.

Review of Material Facts (Reassessment)

Any decision may be reassessed at any time on the following basis:

- The applicant's circumstances have changed materially since the decision was made, meaning that their eligibility has changed
- Substantive new information has become available, not previously available to the Allocations Team, meaning that the new information changes the applicant's eligibility.
- The Council has made an administrative error, which is substantially detrimental to the applicant

Process for Internal Reviews

1. The original officer will first consider the review, and in light of any new information, may wish to reverse the original decision. If not, the case will be passed to another officer to review.
2. The reviewing officer must not have been party to the original allocation decision and should be senior to the original decision maker.
3. A request for a review must be made, in writing, within 21 days of the date that the applicant is notified of the Council's decision
4. The review must be considered on the basis of policy, law and known fact at the date of review.
5. Reviews should be completed wherever practicable within a 56-day time limit. If the review exceeds 56 days, the applicant must be notified of the delay, in writing.
6. The applicant should be notified that s/he, or a representative acting on their behalf, may make representations in writing in connection to the review.
7. The applicant will be asked for any further information needed in order for the assessment to be completed.
8. Any adverse material must be put to the applicant for their comment.
9. The outcome of the review decision must be notified in writing, with reasons, to the applicant.

An applicant who has been accepted as statutorily homeless by the Council also has the right to request a review of the 'suitability' of a final offer of permanent accommodation. However such reviews are authorised under the regulations that apply to Homelessness decisions which are similar to the process described above, but are not the same, for example the factors to be taken into account are prescribed by the regulations.

The Right of Appeal

If the applicant believes that Oxford City Council has not acted reasonably or in accordance with its set procedure, they may have the right to seek a Judicial review of the decision.

7.2 Under Occupation (and the Removal Expenses & Mobility Scheme)

Under Occupation

Under occupation of properties is a concern for Oxford City Council, given the high demand for larger properties in the city. Under-occupation is listed in the Code of Guidance on Allocation of Accommodation as being one of the unsatisfactory housing conditions that may be used to determine additional priority within and between the groups to which any Allocation Scheme must give reasonable preference. In addition, the Council has the power (under the Housing Act 1996, Schedule 18, Part I, section 2) to make payments to encourage local housing authority tenants to move to other accommodation within the authority's stock, or accommodation supplied by a registered Social

landlord such as a Housing Association. (Powers are also provided for in sections 21 and 26 of the Housing Act 1985 and section 111 of the Local Government Act 1972.) PRPs may have their own expenses and other incentives schemes in place, and each PRP should be contacted for details of current schemes. These may also be supported by the Council.

In order to encourage under occupiers to move to smaller accommodation, the following arrangements are in force.

Any Oxford City Council tenants, or tenants of partner PRPs within the City, who have 2 or more bedrooms than they need, and who currently live in family accommodation, will be placed in Band 1.

Any Oxford City Council tenants, or tenants of partner PRPs within the City, who have 1 bedroom more than they need, and who currently live in family accommodation, will be placed in Band 2.

Permitted Under Occupation

There are situations where a degree of under-occupation may be permitted in making an allocation of accommodation:

- 'trading down' from larger accommodation to two bed accommodation
- medical recommendation
- mutual exchanges
- tenancy successions to a spouse or civil partner
- urgent or exceptional moves (e.g. on moving a victim of harassment) (at decision of ECP)
- decants
- where permitted by the provisions of a Local Lettings Plan

Under-occupation priority is not awarded to homeless applicants placed in temporary accommodation

The Removal Expenses and Mobility Scheme

Oxford City Council operates a Removal Expenses and Mobility Scheme (REMS). Oxford City Council Tenants who are granted REMS status are eligible for compensation based on the number of bedrooms released by any move, and expenses covering costs associated with moving. Details of the levels of compensation and expenses payable under this scheme are available to members of the public on request.

8 Tenancies which are Treated Separately from the Normal Allocation Process

8.1 Succession

Secure Tenancies for Oxford City Council tenants

Existing tenants at 1 April 2012

The rights of occupiers of council housing to succeed to a secure tenancy are governed by sections 87 and 88 of the *1985 Housing Act*. Secure tenants are able to pass on their tenancy to a spouse, civil partner or family member on the death of the tenant. Assured tenants can pass their tenancy on to a spouse or civil partner.

There is only one legal right to succession per tenancy.

Those entitled to succeed by law are:

- spouses and civil partners (secure and assured tenants)
- family relatives (including blood and step relatives but not cousins)
- co-habiting opposite sex couples, are regarded as family members
- co-habiting same sex couples, without a civil partnership are not entitled to succeed by law

The following conditions apply:

- A spouse or civil partner must have occupied the property as their only or principal home at the time of the tenant's death.
- A family member must have resided with the tenant continuously for 12 months as their only or principal home before the tenant's death.
- There can only be one successor to a tenancy.
- A spouse or civil partner will usually take precedence over a family member where more than one person is entitled to succeed.

If the tenant was a successor, there is no right to succeed.

A succession will also have been deemed to be created by:

- A joint to sole tenancy
- An assignment to a person qualified to succeed

Mutual exchanges are not successions unless the tenant was a successor in relation to the tenancy being assigned by way of exchange (s88 (3) 1985 Act)

Tenants after 1 April 2012

The *Localism Act 2011* has amended the succession rights of new tenants for

tenancies that began on or after 1st April 2012.

Now only the following have the legal right to succeed to a secure tenancy:

the tenant's:

- Spouse; *or*
- Civil partner; *or*
- Cohabiting partner (of either sex).

The successor must have been living with the tenant at the time of her/his death and the property must have been her/his only or main home.

A landlord may wish to provide additional rights in the tenancy agreement which would allow a family member to succeed, such as the tenant's son or daughter.

The law says that other people can only succeed to a secure tenancy which began on or after 1 April 2012, if, when the tenant dies:-

- there is no spouse, civil partner or cohabiting partner living in the property as her/his only or principal home; *and*
- the tenancy agreement allows for someone else to succeed.

Oxford City Council's position is set out in the Tenancy Agreement for secure tenants. From time to time the Council may revise the terms of the tenancy agreement and tenants are therefore strongly advised to check with the Council to confirm their position on succession and whether they are eligible to succeed.

Housing Association Assured Tenants/PRPs

Housing Association tenants' right to succeed is laid down in the Housing Act 1988, and advice should be taken from the Housing Association.

Points to Note on Successions

Where a succession results in the successor, other than spouses or civil partners, living in a property which:

- is too large; or
- has significant adaptations for disabled persons which are not required by the successor; or
- is otherwise inappropriate to their needs

the Council may require the successor tenant to move to alternative, more appropriate, accommodation;

If a successor refuses to move from the property, the Council will pursue possession proceedings in the County Court.

Where a succession results in the successor occupying a property of the appropriate size for their needs, they will normally be allowed to remain as a tenant of that property.

Otherwise Excluded Successors

In addition to legal successions, the Council may also agree to “policy successions”.

“Policy successions” generally apply to people who would have been entitled to succeed but for the fact one legal succession has happened, usually where a joint tenancy has become a sole tenancy. Band 1 priority may be awarded to a close family member who would have been entitled to a legal succession, but is not, because one previous succession has already taken place, by authorisation of the Manager responsible for Allocations, based on the recommendation of the Tenancy Management Manager or equivalent ORAH officer. If under the affordability guidelines a housing applicant is considered to be able to resolve their own housing situation they will not normally be included on the Housing Register.

A potential “policy successor” (persons potentially entitled to a new offer of accommodation through the Allocation Scheme) can be asked to move immediately to more appropriate accommodation where a “policy succession” would result in the occupation of a property, which, is more extensive than their needs; or has significant adaptations for disabled persons, which are not required by the occupant.

In this case if the “policy successor” refuses to move then the Council will treat them as an unauthorised occupant and pursue possession action.

Civil partners are treated the same as spouses.

“Policy successions” are not successions in law, but new tenancies, which bring their own rights of succession.

8.2 Assignment

Assignment of a secure tenancy can take place on the following grounds (s91(3) of the Housing Act 1985 Act). These are:

- the assignment is pursuant to a Property Transfer Order under Section 24 of the Matrimonial Causes Act 1973.
- the assignment is to a person who would be qualified to succeed if the tenant had died immediately before the assignment.
- mutual exchange

8.3 Mutual Exchange

Mutual Exchanges are exchanges by way of Assignment. All permanent social housing tenants are able to go onto the register (Assured Shorthold Tenants or Introductory Tenants are excluded). The Council encourages all eligible tenants who want to move to consider applying for an exchange, and the transfer application form allows applicants to register on the Mutual Exchange Register at the same time.

Oxford City Council is responsible for maintaining the mutual exchange register on behalf of ORAH. Exchanges are possible between multiple tenants – for example, a three way exchange.

Secure tenants have a right to exchange under section 92 of the Housing Act 1985. Assured tenants have a right to exchange under the 1988 Housing Act. Mutual exchanges may be refused in accordance with the Housing Act 1985 (for Council properties) or the Housing Act 1988 (for RSL properties). Consent will only be made conditionally on the breaches of tenancy being rectified. All mutual exchanges can only proceed with the written consent of both landlords.

8.4 Joint To Sole and Sole To Joint Tenancies

Joint to Sole

On receipt of written notice (normally 4 weeks notice) that one party wishes to end the tenancy, a new sole tenancy for the same property may be granted at the discretion of the Tenancy Management Manager. (The receipt of this confirmation will not necessarily lead to an automatic eviction of the other tenant).

Sole to Joint

On written notice by the sole tenant and the proposed joint tenant, a new, joint, tenancy for the same property may be granted at the discretion of the Tenancy Management Manager. The decision will be confirmed in writing.

Other Properties Within The ORAH Partnership

It is at the discretion of each landlord how they treat applications to transfer from either joint to sole, or sole to joint tenancies.

Appendices

- I People not Eligible for Social Housing in Oxford, including those subject to Immigration Controls
- II Officer Roles in Relation to the Allocation of Housing and Associated Processes
- III Guidelines for Calculations on Affordability

Appendix I – Classes Of Person Ineligible for an Allocation of Housing By Reason Of Their Immigration Status

The following classes of persons are not eligible for an allocation of housing by reason of their Immigration status or lack of habitual residence, unless they are already a secure or introductory tenant of a housing authority, or an assured tenant of accommodation allocated to them by a housing authority. The requirement to be habitually resident in the UK does not apply to “qualifying” EEA nationals such as those working lawfully in the UK. Non-qualifying persons such as EU nationals who are not economically active or exercising their initial 3 month right of residence are ineligible.

- a) A person registered with the Home Office as an asylum seeker.
- b) A visitor to this country (including an overseas student) who has limited leave to enter or remain in the UK granted on the basis that he or she will not have recourse to public funds.
- c) A person who has a valid leave to enter or remain in the UK which includes a condition that there shall be no recourse to public funds.
- d) A person who has a valid leave to enter or remain in the UK which carries no limitation or condition and who is not habitually resident in the Common Travel Area.
- e) A sponsored person who has been in this country less than five years (from date of entry or date of sponsorship, whichever is the latest) and whose sponsor(s) is still alive.
- f) A person who is in the United Kingdom illegally, or who has overstayed his/her leave.

The Secretary of State may make regulations which allow allocations to be made to prescribed classes of persons subject to immigration control within the meaning of the Asylum and Immigration Act 1996, but such prescribed classes of persons shall not include any person who is excluded from housing benefit by Section 115 of the Immigration and Asylum Act 1999 (exclusion from benefits). Further information and assistance on these matters is available on request.

The Council will refer to the relevant UK Border Agency Guidelines to ensure compliance with current immigration legislation.

Appendix II – Officer Roles In Relation To the Allocation of Housing and Associated Processes

(1) General. The power to operate the Allocation Scheme is a power delegated by full Council in accordance with Oxford City Council's Constitution

(2) The Head of Housing, may further delegate operation of the Scheme to officers within the service (or on occasion to other officers)

Officer Roles and Responsibilities

Officer Designation	Role and Responsibilities
Housing Needs Assistant	a) Provision of advice and assistance in accessing appropriate accommodation for all applicants b) Inputting data relating to individual applications onto the HMIS computer system c) Answering general queries by telephone, in writing, and in person d) Verification of documents relating to applications for housing e) Home visits to applicants for housing
Allocations / Options Officer/ Housing Needs Officers/Assessment Officers/Assessment & Support Team Leader/Senior Allocations Officer	a) Assessment of incoming applications, including application forms and any additional material, carrying out home visits, verification, and any additional investigations required to ensure that those applications truthfully reflect the housing situation of the applicants concerned, and to determine eligibility and qualification for inclusion on the housing register and an allocation of housing b) Drawing up shortlists for allocations of housing, and nominations to PRP properties, investigation of suitability of short-listed applicants for such allocations and nominations, and ensuring that the most suitable allocation or nomination is made, in line with policy c) Provision of general housing advice and assistance to applicants, including signposting and referral to internal and external sources of further advice and assistance, ad home visits to applicants d) Initial determination of the reasonableness or otherwise of a refusal of an allocation of housing/nomination to a PRP property e) Awarding Band 3 or 4 priority based on a HAHA assessment as directed by the Allocations Manager f) Awarding Band 4 on an ECP assessment as directed by the Allocations Manager g) Answering general queries by telephone, in writing, and in person
Manager	a) Checking paperwork relating to all allocations and nominations,

Responsible for Allocations (the Assessment & Support Team Leader and Senior Allocations Officer also have delegated authority to authorise day to day work on behalf of the Allocations Manager)	to ensure that correct procedure has been followed, and authorising offers and nominations, including decisions as to the reasonableness or otherwise of an allocation or nomination b) Monitoring allocations and nominations to ensure that the correct percentage of lettings are made to each re-housing list, in accordance with the allocations percentages set by Oxford City Council c) Decisions as to whether or not an applicant is eligible &/or qualifies for an allocation of housing in light of previous unacceptable behaviour (including outstanding rent arrears) d) Decisions as to whether or not an applicant should be excluded from qualifying for inclusion on the Housing Register, in light of previous unacceptable behaviour (including outstanding rent arrears), or in light of their financial resources e) Decisions relating to the authorisation of 'like-to-like' transfers, outside the Allocations Scheme, in sheltered accommodation and other schemes f) Authorisation of over-riding categories to applications where: • a previous commitment to re-house has been made by the Exceptional Circumstances Panel • a status of permanent or temporary decant is required to facilitate works to the applicant's home • a successor or 'policy successor' award is required to Band 1 may be awarded to expedite this move g) Decisions to make Direct Offers of accommodation
Principal Housing Facilitator	a) Responsible for carrying out all internal reviews of allocations decisions b) Advice and assistance to all officers in respect of, technical, policy, or other matters which may affect the progress of an application, including decisions regarding eligibility or the lack of it, for whatever reason
Exceptional Circumstances Panel	Responsible for review of cases in which circumstances not dealt with by the banding Scheme may have an impact on an applicant's housing need, and the award of increased priority, or other condition or restriction, as appropriate to reflect the applicant's situation. The panel does not have a fixed membership, but will be drawn from officers within the Housing Business Units and from ORAH partners, who have sufficient knowledge and experience to contribute to the Panel's effectiveness. The panel will comprise of a minimum of three persons, including two managers. The Panel will be chaired by a Senior Officer for the Housing Needs Team. Officers referring cases to the panel will make representations on behalf of the applicant in question, but may not sit on the Panel for cases they have referred to it
Head of	Resolution of disputes between officers regarding interpretation

Housing & Property	of the Allocations Scheme and decisions arising from that interpretation The Head of Housing & Property has delegated authority to: Authorise minor amendments to the Allocations Scheme proposed by the Allocations Manager where: • Legislation changes and the Allocations Scheme needs a minor change to comply with new legislation <i>and</i> the change will have a low impact on those on the housing register. • Best practice or new guidance is introduced that needs to be reflected in the Allocations Scheme <i>and</i> the change will have a low impact on those on the housing register Authorise offers of accommodation outside of the banding priority scheme for “management cases” to make the best use of stock for existing tenants, or other applicants (on an exceptional basis). To include: • Adapted properties no longer required by the tenant • To facilitate a move as an alternative to adapting a property • To maximise bedroom occupation and ensure affordability Approve the annual lettings plan targets proposed each year by the Allocations Manager – where the targets remain the same as the previous year or include only a small adjustment (up to 5% or less than 10 properties per annum) to the target of properties to be allocated to each list. Change the annual lettings plan targets after 6 months if the demand on the housing register has changed significantly and minor corrective action is required. Such changes should be subsequently reported to CEB if the annual lettings plan was approved by CEB. and Amend the Choice Based Lettings cycle (periods and dates) after appropriate consultation
Tenancy Management Manager, Area Housing Managers & Area Housing	a) Approval and counter signature of submissions to the Exceptional Circumstances Panel, and Health & Housing Assessment Forms. b) Decisions on Joint to Sole and Sole to Joint tenancy applications (Tenancy Operations Manager)

Team Leaders (or equivalents in partner PRPs)	c) The authority to make a recommendation to award a succession status to an applicant
Senior Furnished Tenancy Officer/ Furnished Tenancy Officer	Responsibility for administering cases under the Removals Expenses Scheme.
Tenancy Management Officers (or equivalent role in within the Council or partner RSLs)	a) Approval, inspections, and tenancy changes relating to requests for Mutual Exchange of Tenancies b) Home visits to some transfer applicants c) Landlord references for tenants
Mobile Wardens	Home visits for all applications for sheltered housing, at application and offer stages of the allocation process.
Environmental Health Officers	Assessment of disrepair, and award of priority for housing condition, where requested by an applicant.
Customer Service Officers/ORAH equivalents	General advice and verification of documents provided by applicants.
Health and Housing Assessment (HAAH) Panel	Responsible for awarding priority and assessing cases in which the health of the applicant, or their household, is worsened due to their current housing circumstances, in accordance with this Allocation Scheme. The award of increased priority, as appropriate, should reflect the applicant's situation. The panel does not have a fixed membership. This will be drawn from officers from Housing and ORAH partners, and may include a health professional, who have sufficient knowledge and experience to contribute to the Panel's effectiveness. The panel will comprise of a minimum of 2 persons, including 1 manager and health professional or 1 managers and another officer. The Panel will be chaired by a Senior Housing Needs Officer. Officers referring cases to the panel may make representations, but may not sit on the Panel for cases they have referred.

Appendix III – Guideline Calculations for Affordability

Social housing is a scarce resource. New Applicants applying for housing or existing housing applicants may be excluded from the Housing Register, regardless of their housing circumstances, if there is evidence to suggest that they have sufficient income or assets to resolve their housing situation through the housing market by renting or buying a suitable home. Furthermore, other adult members (including their partner's where applicable) may also be excluded from being included on an applicant's housing application if there is evidence to suggest that they have sufficient income or assets to resolve their own housing situation (or if they refuse to provide this information when requested). Each case will be considered on its merits and where there would otherwise be hardship, priority may be awarded in accordance with the policies and protocols of the Allocations scheme.

Property

Housing applicants who own a property in the UK or overseas that is considered suitable for their households housing needs will not normally qualify for inclusion on the Housing Register. However, the property must be physically and legally accessible. If the equity in the property is £16 000 or more and this would provide sufficient funds to resolve their housing situation then the applicant would normally be expected to make their own housing arrangements.

Adult household members of housing applicants who own a property in the UK or overseas that is considered suitable for their housing needs will not normally qualify for inclusion on an applicant's housing application.

Property can include: narrow boats and caravans as well as other dwellings that are suitable for occupation and reasonable to occupy.

Savings/Investments/Assets

Housing applicants with savings/investments or assets of £16 000 or more will not normally qualify for inclusion on the Housing Register.

Adult household members with savings/investments or assets of £16 000 or more may also be excluded from an applicant's housing application if they are considered to have sufficient funds to resolve their own housing situation.

Income

Applicants with sufficient income to resolve their own housing situation may be excluded from the housing register. An applicant's income combined with savings less than £16000 could be taken into account when making this decision.

Exceptions

The Manager responsible for Allocations can agree for exceptions in appropriate cases.

Those applicants to whom the Council has accepted a duty under Homelessness Legislation may not be included in this policy as it would not be in the best interests of the Council to delay getting such persons housed due to the high cost of temporary accommodation. However, adult household members meeting the criteria for exclusion under the guidelines could still be excluded from an applicant's homeless application for the purposes of assessing the size of property they require.

Those applicants applying for Shared Ownership will be included on the Shared Ownership Register for the purposes of assessing their housing need, but they will not normally be included on the General Housing Register or another applicant's housing application.

Exclusion from the Housing Register

Should a decision be made to exclude an applicant, or a member of their household, they will be informed of this, with the right to request a review, and will be given information as to how to source alternative accommodation and resolve their own housing needs through the open market or private sector.

Verification

Applicants and their household members can be asked to provide evidence of their income, savings and assets in order to verify the affordability assessment. If applicant fails to provide sufficient evidence then their registration may not be able to proceed and they will not be included on the Housing Register or removed if they are an existing applicant. If a member of their household fails to provide sufficient evidence they will not be "counted" as a member of their household for re-housing purposes or assessing their housing need.

Appendix 3: Report on the results of the Allocations Review Consultation

1.	Background The Allocations Scheme is the policy the Council uses to allocate social housing in Oxford and to prioritise those in housing need on the Housing Register for offers of housing. The existing Allocations Scheme came into effect in July 2009 and now needs to be changed to take into account: • The Council's new Tenancy and Homeless Strategies; • Recent changes in legislation, guidance and best practice, balanced with local needs and aspirations A draft copy of the proposed new Allocations Scheme was approved by the CEB on 13/2/13 to go out to public consultation and the questionnaire to be used for the consultation was approved by the Public Involvement Board on 1/3/13. The consultation took place between 3/4 and 19/5/13. Registered Providers of Social Housing in Oxford, every applicant on the housing register (over 4700) and other key stakeholders (including the advice and support agencies) were given the opportunity to comment on the proposed changes and to complete an on-line questionnaire on E-consult. A paper version of the form was made available to those without access to a PC and the responses also logged onto E-consult. There were 271 responses received to the on-line survey (including paper versions of the form loaded on to E-consult by the Housing Needs Team).
2.	This report provides a summary of the responses received to the questionnaire in addition to the additional feedback and comments received during the consultation including the views of the Registered Providers of Social Housing with stock in Oxford.
3.	Qualification - Local Connection The proposal in the New Allocations Scheme to restrict access to the Housing Register in the future, in most cases, to those with a local connection through work, residence or close family connection was strongly supported by the majority of respondents including 84% of those who completed the survey. This is not surprising as most of the existing applicants on the Housing Register (around 4200) have an assessed local connection to the City. Comments on the proposed changes included suggestions to allow applicants with a health and disability needing to move to Oxford to still be able to apply for housing. The proposed Allocations Scheme already allows the Allocations Manager discretion to include such cases.

4.	Qualification – Capital of £16K &/or Sufficient The proposal to normally exclude access to the Housing Register to Housing Applicants and/or members of their household with £16 000 or more and/or income to resolve their own housing situation was supported by most (61%) of respondents and only 20% disagreed with this proposal. Comments on the proposed changes included that £16 000 might not be enough for some households to resolve their housing situation. The Allocations Scheme allows for this by considering each case on its own merits.
5.	Qualification – Rent Arrears The proposal the Council should be able to take into account rent arrears when considering if an applicant should qualify for inclusion on the housing register was strongly supported by Registered Providers of Social Housing and supported by the majority (71%) of respondents to the survey, only 11% disagreed with this proposal. Comments on the proposed changes included that the Council should allow some exceptions. The proposed Allocations Scheme already allows some exceptions; such as cases where housing applicants have low level rent arrears, have demonstrated that they can now pay their rent regularly and other for complex or high needs cases unable resolve their own housing situation where there is evidence appropriate support is in place to help them sustain their tenancy in the future.
6.	Qualification – Anti-Social Behaviour (ASB) The proposal the Council should be able to excluded applicants from the housing register where they or a member of their household has been responsible for ASB unless they can evidence their behaviour has been amended or another tenancy has been successfully maintained, was strongly supported by Registered Providers of Social Housing and supported by the vast majority (88%) of respondents to the survey. Only 5% disagreed. Comments including those from the Registered Providers was that the definition of what constituted ASB sufficient to exclude an applicant would need to be defined in more detail and consideration should be given, particularly for families in housing need, in providing support to address any ASB issues before excluding them from the opportunity of housing. This has been taken into account in the proposed Allocations Scheme.
7.	Priority on the Housing Register The overall feedback from the consultation is that while it is acknowledged different groups in housing need should be given priority through the Allocations Scheme there is no easy way to decide who should be given the most priority for the limited amount of properties that become available to let in Oxford. Registered Providers supported the

	use of the priority bands for assessing Housing Need. The response from those completing the survey was that the Council and its partner's should do more to build affordable and social housing within Oxford and to house those in housing need. The proposed Allocations Scheme seeks to give priority to those in the most assessed housing need. Plans for new affordable housing within Oxford including the new Barton West development will go some way to increasing the supply of housing in the City.
8.	Priority on the Housing Register to Statutory & Non-Statutory Homeless The proposal to reduce the priority on the Housing Register to homeless applicants owed a statutory homeless duty (placed in homeless temporary accommodation) and the non-statutory homeless received a mixed response. Although most, 47% of the respondents, agreed with this proposal there were 17% who disagreed, however, as 16% of the respondents stated they were homeless this is perhaps not surprising. Feedback from the Registered Providers and others was while they recognised priority needed to be given to the homeless this should be balanced against the needs of existing tenants and other households needing re-housing on the housing register including those with health or disabilities, households living in over-crowded accommodation and existing tenants affected by the bedroom tax needing to downsize (which the proposed Allocations Scheme seeks to do).
9.	Time In Housing Need The comments from the consultation were that "time" should in some way be taken into account when prioritising households in similar housing need for housing. The proposal in the new Allocations Scheme that "time in housing need/priority band" should be used for all five priority bands in the future, instead of just for applicants in Band 1 as currently, was supported by Registered Providers and agreed by a majority (71%) of respondents to the survey, only 11% disagreed with this proposal.
10.	Age of Household Members The proposal to change "rules" in the Allocations Scheme used, to calculate the size of property a family with children, is eligible for based on the age and sex of their children, by aligning them with the new "bedroom tax" rules has not surprisingly received a mixed response in the consultation. Registered Providers strongly supported this approach to avoid housing new tenants in unaffordable accommodation and to make the best use of the limited stock available. Although 48% of respondents to the survey agreed with the proposals to increase the age at which 2 children of the opposite sex are considered able to share from 7 to 10, 43% disagreed. Furthermore although 49% agreed with the proposal that in the future 2 children of the same sex should normally be

	able to share until the eldest in 16, 34% disagreed. The proposed Allocations Scheme seeks to reduce the impact of the proposed change, by leaving discretion in the Allocations Scheme for some households with children to be eligible for larger properties where a child has been assessed as requiring a separate bedroom on health or social and welfare grounds.
11.	Under-occupiers in Social Housing Tenants Downsizing The proposal to allow existing social housing tenants in Oxford who are currently in a property that is too big for them to be able to move to a smaller property, even if it is still has one more bedroom than they require, to free up a larger family property was supported. Registered Providers agreed with the proposal on the basis the downsizing tenant could still afford the rent at the smaller property. The majority of respondents to the survey (65%) also agreed this was desirable and only 13% disagreed. The proposed Allocations Scheme will only allow downsizing tenants to be offered a larger property than they require if they can afford the rent if they are of working age and will still be affected by the “bedroom tax” after the move. Long-term Foster Carers The vast majority (80%) also agreed with the proposal that long-term foster carers could be offered a property larger than they would normally require if they have fostered children continuously for 3 years or more. Registered Providers supported the proposal too as long as the tenant could afford to pay the rent at the property they were offered. Pregnant Applicants The proposal to “no longer” count an unborn baby when assessing an applicant’s housing requirements until the baby is born received mixed a response. While most (51%) respondents agreed with this proposal, 21% disagreed and 27% were undecided. Registered Providers confirmed they would consider accepting a housing applicant who was pregnant before the birth of the baby but only if they could afford to pay the rent. The Allocations Scheme allows some discretion in such cases in exceptional circumstances.
12.	Household Members – Adult Students Living Away from Home The proposal to no longer “count” adult children or household members who are who are studying and living away from home elsewhere for part of the time in student, private rented or other accommodation received a mixed response. Although 51% of the respondents agreed with this proposal, 21% disagreed and 27% were undecided. Comments ranged from requesting a clearer definition on what constituted “part of the time”

	to concern over the lack of space for a student returning during term-time for studying and the impact this might have on student applications in Oxford from families on a low income. It is no longer proposed to include this change in the new Allocations Scheme.
13.	Over-crowded Large Families The proposal to allow large families with a 4 bedroom housing need living in a 2 bedroom property or smaller, or in homeless temporary accommodation, to bid for 3 bedroom properties (as well as 3 bedroom parlour houses) to improve their housing situation was supported by 71% of respondents and only 8% disagreed. Comments received included that applicants should not be put under pressure to bid for smaller properties than they actually required unless they choose to. The Allocations Scheme allows for this and it is up to the housing applicant to make the decision if they want to request moving to a smaller property too. Registered Providers supported this proposal on the basis they would have the final decision on the maximum number of children that could be housed into any of their 3 bedroom properties as they vary in size and layout.
14.	Unreasonable Refusals The proposal the Council will normally suspend (with some exceptions) a housing applicant from the General Register or Transfer List from bidding for up to 12 months if they have refused two offers without good reason in less than 12 months was supported by Registered Providers and the majority (71%) of respondents to the survey. Only 14% disagreed. The new Allocations Scheme proposes to allow a housing applicant to appeal against this decision if they disagree.
15.	Offers To Homeless Applicants The proposal that Homeless Applicants placed in temporary accommodation provided by the Council to whom the Council has accepted a statutory homeless duty, will be made only one suitable offer of accommodation in the future, which could be in the Private Rented Sector was supported by Registered Providers. The majority of respondents (61%) to the survey agreed too. 20% disagreed.

Appendix 4 Equality Impact Assessment

1.	Equality Impact Assessment on the proposed changes to the Allocations Scheme Before drafting the final version of the proposed new Allocations Scheme an impact assessment has been completed profiling those potentially affected to ensure that BME groups, the disabled and other groups such as the homeless or older applicants are not inadvertently disadvantaged by the proposed changes. This document provides a summary of the main proposed changes and the potential impact.														
2.	Profile of the Housing Register There are 5 Housing Need Priority Bands ranging from Band 1 very high housing need down to Band 5 low/or no housing need. A summary of the total number of housing applicants with a live housing application on the Housing Register (including those without a Local Connection) by Housing Need Priority Band is shown in Table 1 below (1/7/13). Table 1 <table> <tr> <th>Housing Need Priority Band</th><th>Number of Housing Applicants</th></tr> <tr> <td>Band 1</td><td>62</td></tr> <tr> <td>Band 2</td><td>363</td></tr> <tr> <td>Band 3</td><td>1079</td></tr> <tr> <td>Band 4</td><td>86</td></tr> <tr> <td>Band 5</td><td>2696</td></tr> <tr> <td>Total</td><td>4286</td></tr> </table>	Housing Need Priority Band	Number of Housing Applicants	Band 1	62	Band 2	363	Band 3	1079	Band 4	86	Band 5	2696	Total	4286
Housing Need Priority Band	Number of Housing Applicants														
Band 1	62														
Band 2	363														
Band 3	1079														
Band 4	86														
Band 5	2696														
Total	4286														
3.	Due to the high demand for housing and the limited amount of properties becoming available each year most housing applicants in Bands 4 or 5 are unlikely to receive an offer of housing in the foreseeable future. Unless they are 60 years or older and are eligible to apply for low demand sheltered studio flats that become available more frequently, or require an ground floor level access property or adapted property. The majority of the proposed changes will have little or no impact on the chances of housing applicants in Bands 4 or 5 receiving an offer of housing.														
4.	Households with a Disability There are a number of properties which have been specially built or adapted for people with disabilities, where these met the Mobility Standard or Wheelchair Standard, Oxford City Council seeks to match these most closely to applicants that specifically require this type and standard of accommodation and will continue to specifically label these properties as such when they are advertised through Choice-Based														

	Lettings.								
5.	There are 4 Mobility Levels used to identify the type of property a housing applicant requires where they and/or another member of their household has a disability and requires ground floor level access and/or adaptations to a property. A summary of the Mobility Levels used is shown in Table 2 below. Table 2 Mobility Levels <table> <tr> <td></td><td>Mobility Level 1: Level Access. Level access into the property (from the street to the front door) and level access throughout the property (no internal steps).</td></tr> <tr> <td></td><td>Mobility Level 2: Mobility Standard. Level access into and throughout the property, although all rooms may not be accessible by a wheelchair. Meets part M of the Building Regulations (e.g. minimum door widths).</td></tr> <tr> <td></td><td>Mobility Level 3: Disabled Adaptations. The property may not meet the other standards, but it has a significant adaptation, such as a level access shower; a stair-lift; or a walk-in bath.</td></tr> <tr> <td></td><td>Mobility Level 4: Wheelchair Standard. The property is specifically designed for wheelchair users. Design features include parking and level access; enhanced circulation space; and specialist fixtures and fittings.</td></tr> </table>		Mobility Level 1: Level Access. Level access into the property (from the street to the front door) and level access throughout the property (no internal steps).		Mobility Level 2: Mobility Standard. Level access into and throughout the property, although all rooms may not be accessible by a wheelchair. Meets part M of the Building Regulations (e.g. minimum door widths).		Mobility Level 3: Disabled Adaptations. The property may not meet the other standards, but it has a significant adaptation, such as a level access shower; a stair-lift; or a walk-in bath.		Mobility Level 4: Wheelchair Standard. The property is specifically designed for wheelchair users. Design features include parking and level access; enhanced circulation space; and specialist fixtures and fittings.
	Mobility Level 1: Level Access. Level access into the property (from the street to the front door) and level access throughout the property (no internal steps).								
	Mobility Level 2: Mobility Standard. Level access into and throughout the property, although all rooms may not be accessible by a wheelchair. Meets part M of the Building Regulations (e.g. minimum door widths).								
	Mobility Level 3: Disabled Adaptations. The property may not meet the other standards, but it has a significant adaptation, such as a level access shower; a stair-lift; or a walk-in bath.								
	Mobility Level 4: Wheelchair Standard. The property is specifically designed for wheelchair users. Design features include parking and level access; enhanced circulation space; and specialist fixtures and fittings.								

6.

Table 3 below shows a summary of the total number of housing applicants on the housing register and shows those with a disability identified as requiring a ground floor level access property and/or an adapted property.

Table 3

Mobility Level Required	Number of Housing Applicants	Percentage
None	3960	92.61%
Mobility Level 1	208	4.86%
Mobility Level 3	102	2.39%
Mobility Level 4	6	0.14%
Total	4276	100%

7.

When assessing the impact of the proposed changes to the Allocations Scheme the Ethnicity of the households affected has also been considered to ensure that the changes do not adversely affect particular groups.

Each of the proposed changes and the potential impact on different groups has been gone into in more detail later on in the report. Table 4 overleaf shows the Ethnicity of Housing Applicants on the Housing Register (including those without a Local Connection). The number of applicants varies slightly from Table 1 because the data is based on a report slightly more recently on 16/7/13.

8.

Table 4 Ethnicity of Housing Applicants on the Housing Register

Ethnicity	No of Housing Applicants	Percentage
ASIAN OR ASIAN BRITISH BANGLADESHI	74	1.73%
ASIAN OR ASIAN BRITISH INDIAN	56	1.31%
ASIAN OR ASIAN BRITISH OTHER	53	1.24%
ASIAN OR ASIAN BRITISH PAKASTANI	108	2.53%
BLACK OR BLACK BRITISH AFRICAN	318	7.44%
BLACK OR BLACK BRITISH CARRIBBEAN	120	2.81%
BLACK OR BLACK BRITISH OTHER	154	3.60%
DECLINED TO ANSWER	1	0.02%
MIXED OTHER	13	0.30%
MIXED WHITE AND ASIAN	13	0.30%
MIXED WHITE AND BLACK AFRICAN	17	0.40%
MIXED WHITE AND BLACK CARIBBEAN	58	1.36%
NONE STATED	825	19.29%
OTHER ETHNIC ORIGIN CHINESE	19	0.44%
OTHER ETHNIC ORIGIN OTHER	58	1.36%
WHITE BRITISH	1986	46.45%
WHITE IRISH	40	0.94%
WHITE OTHER	363	8.49%
Total	4276	100%

9.

Qualification for Inclusion on the Housing Register

The new Allocations Scheme proposes that some housing applicants will in future be excluded from qualifying for inclusion on the Housing Register and being considered for offers of housing. Each housing applicant affected will be informed of the reasons why they do not qualify and be given the opportunity to appeal and provide supporting information if they disagree with the decision. If their appeal is successful they will be allowed to join or remain on the housing register.

10.	Local Connection – by residence, employment or close family Although there are currently around 4300 housing applicants on the Housing Register and the majority have a local connection to Oxford, there are around 350 that do not have a local connection. Table 5 below shows a summary of the total number of housing applicants with a live housing application on the Housing Register without a Local Connection to Oxford by Housing Need Priority Band. Table 5 Housing Applicants with no Local Connection to Oxford <table border="1"> <tr> <th>Housing Need Priority Band</th><th>Number of Housing Applicants with No Local Connection to Oxford</th></tr> <tr> <td>Band 1</td><td>0</td></tr> <tr> <td>Band 2</td><td>5</td></tr> <tr> <td>Band 3</td><td>49</td></tr> <tr> <td>Band 4</td><td>6</td></tr> <tr> <td>Band 5</td><td>283</td></tr> <tr> <td>Total</td><td>343</td></tr> </table>	Housing Need Priority Band	Number of Housing Applicants with No Local Connection to Oxford	Band 1	0	Band 2	5	Band 3	49	Band 4	6	Band 5	283	Total	343
Housing Need Priority Band	Number of Housing Applicants with No Local Connection to Oxford														
Band 1	0														
Band 2	5														
Band 3	49														
Band 4	6														
Band 5	283														
Total	343														
11.	The Council already advertises properties becoming available in Oxford with preference to applicants with a local connection. So most applicants without a Local Connection on the housing register are unlikely to successfully bid for a property. The proposal to restrict access to the housing register in most cases to only those with a local connection will have a minimal impact. The Allocations Scheme proposes to allow exceptions and some individual high needs cases without a local connection to join the housing register, even if they don't have a local connection, where for example they are a member of the armed forces, fleeing domestic abuse or applying for sheltered accommodation.														
12.	Capital, Savings & Income There will only be around 500 properties becoming available to let within Oxford during 2013/14. Due to the high demand for social housing in Oxford and the low amount that become available it is important to prioritise those in housing need and unable to resolve their own housing situation. Although the Allocations Scheme proposes that applicants can be excluded from the housing register if they have sufficient capital, savings &/or income each case will be considered on its merits and where there would otherwise be hardship, priority may be awarded in accordance with the policies and protocols of the Allocations scheme. The exact number of households that are likely to be affected is not known as this information is not currently recorded. However, it is expected to be a low number since it will only affect those housing applicants in higher priority bands (1 to 3) likely to receive an offer of housing and based on past experience most are on a low income and/or in receipt of benefits which is why they are unable to secure alternative accommodation and request housing assistance. Housing applicants in														

	lower priority bands who may be affected are unlikely to shortlist for an offer anyway so the impact is expected to be low. It is proposed that following the new Allocations Scheme coming into effect to identify such households at either the point of application or if they are existing applicants at the point they are asked to re-register or shortlist for a potential offer.
13.	Qualification – Rent Arrears The proposed changes to exclude housing applicants from inclusion on the Housing Register with significant rent arrears owed to the Council, an ORAH partner, or a Private Landlord in the future will have little impact on the chances such applicants being re-housed. Under the existing Allocations Scheme tenants (or former tenants) with rent arrears are not normally considered for an offer of housing (with some exceptions) unless they have demonstrated they are suitable to be a potential tenant by clearing their rent arrears in full or making a satisfactory payment arrangement and maintaining it consistently for at least 6 months. So the proposed changes will have little impact on most housing applicants currently in rent arrears. However, to minimise the impact on some households, for example those affected by the new “bedroom tax” or benefit cap, the new Allocations Scheme proposes to continue to allow some exceptions and for the Allocations Manager to have the discretion to allow some high needs households to stay on the housing register and be considered for an offer of housing. The Welfare Reform Project Team and the Allocations Team will continue to work together to try and assist those households with rent arrears identified as being affected by the changes introduced by the Welfare Reform Act. It is proposed that following the new Allocations Scheme coming into effect to identify such households at either the point of application or if they are existing applicants at the point they are asked to re-register or the Council is advised that they have fallen into rent arrears. For example when a landlord reference stating an applicant has rent arrears is received at the point they have shortlisted for a potential offer.
14.	Qualification Anti-Social Behaviour Under the existing Allocations Scheme housing applicants responsible for ASB (or with a household member responsible for ASB) are not normally considered for an offer of housing. Unless they have demonstrated they are suitable to be a potential tenant by addressing their behaviour for a satisfactory period of time. So the proposed changes to exclude Housing applicants responsible for ASB will have a minimal impact on their chances of being re-housed. Where an applicant’s circumstances change significantly they can reapply for housing and a new housing application will be considered. If they disagree with being excluded they can still appeal against this decision.

15.	Priority on the Housing Register to Statutory and Non-Statutory Homeless There are currently 123 households (as of 30/6/13) living in homeless temporary accommodation provided by the Council and around half have been accepted a “Statutory Homeless” and are owed a duty to be offered housing. Although the proposal to move them from priority Band 2 to Band 3 will affect their priority relative to other housing applicants in housing need on the housing register, this will not significantly impact the time it takes to for them to receive an offer of housing. The Allocations Scheme proposes the Council should continue to be able to advertise some properties with preference to a specific housing list, such as the homeless list, to ensure sufficient homeless households are re-housed and the numbers in temporary accommodation are kept to a minimum. Where there homelessness cannot be prevented.
16.	There are currently 142 “non-statutory” homeless applicants on the Housing Register, the vast majority living in supported “move-on” accommodation across the City. Although under the proposals these households will move from Band 3 down to Band 4, this will have a low impact on their actual chances of being re-housed. As housing applicants living in “move-on” accommodation, are not normally considered for an offer of housing unless they have been assessed as ready to move to independent accommodation. The Council will continue to operate a “move-on” Scheme and normally allocate up to 50 places a year to house applicants considered as ready to move-on. These applicants will be placed into Band 2 once they are accepted as ready to move-on (the same high priority as in the current Allocations Scheme) and will not be impacted on by the changes.
17.	The breakdown of BME statutory and non-statutory homeless households (including those with a disability) is representative of the whole housing register so the proposed change does not inadvertently impact more on these groups although some individual households will be affected. The new Allocations Scheme continues to give priority to housing applicants requiring a ground floor and/or adapted property over others that do not in similar housing need so housing applicants with a disability and requiring a ground floor or adapted property will still have similar priority under the new Allocations Scheme.
18.	Time in Housing Need The proposal to use time in Housing Need Priority Band instead of the Registration date will have a low impact on housing applicants on the housing register because transitional arrangements are proposed to ensure that existing housing applicants are not disadvantaged. If a housing applicant’s registration date is earlier than the Housing Need Priority Band date, when the new Allocations Scheme comes into effect, the earlier date will be used so the housing applicant does not lose out.

19.	The Size of Property an Applicant is Eligible to Apply For Households with children The changes introduced by the Government through the Welfare Reform Act including the “bedroom tax” and “benefit cap”, effectively require Councils and Registered Providers of Social Housing across the UK to apply stricter “rules” when determining the number of bedrooms an applicant with children require to meet their housing need. In order to ensure tenants are not housed in unaffordable accommodation where they could potentially lose their homes due to non-payment of their rent. The Allocations Scheme proposes to continue to allow some households to apply for larger properties, for example, where households are assessed as requiring an extra bedroom due to a household member’s disability or if a tenant is downsizing to a smaller property and they are still able to afford the rent.
20.	The impact of the proposed changes will effectively mean that some households with younger children will no longer be considered over-crowded (or as over-crowded) until their children are older and they will only be able to apply for smaller properties until their children are older. For example, in the future some housing applicants with 2 children will only be able to apply for properties with two instead of three bedrooms properties and some applicants with 4 children will only be able to apply for properties with three instead of four bedrooms until their children are older. Households with older children sharing will continue to receive priority to move (and a small number will be awarded higher priority due to the changes).
21.	There are currently 252 housing applicants on the housing register lacking 1 bedroom in Housing Need Priority Band 3. Based on the proposed changes up to 70% will be unaffected, 27% will move down from Band 3 to Band 5 until their children are older and 3% will be assessed as “lacking 2 bedrooms” and move up to Band 2 (due to the change in rules).
22.	There are currently 53 housing applicants on the housing register lacking 2 or more bedrooms in Housing Need Priority Band 2. Based on the proposed changes 70% will be unaffected and up to 30% will be affected and move down to Band 3 because they will only be considered to be “lacking 1 bedroom” (unless one of their children has been assessed as requiring a separate bedroom due to health or social and welfare reasons). Those applicants affected will “move” up to Band 2 again as their children get older if they are not housed in the meantime and their circumstances remain the same.
23.	Expectant Mothers The proposal to exclude unborn babies from “counting” as a household

	member for determining the size of property an applicant is normally eligible for to ensure affordability under the new bedroom tax rules will affect a low number of housing applicants. The majority of housing applicants are unlikely to receive sufficient priority for an offer housing until after the birth of their child (except if they have children already) as their housing need and band will only be adjusted at this point. Although some housing applicants with children who are pregnant are offered properties from time to time this happens fairly infrequently. Those most affected by the change are likely to be homeless applicants living in temporary accommodation the Council has accepted a duty to house who are pregnant and have been placed in priority Band 2. These applicants it is proposed will no longer be considered eligible for 2 bedroom properties until after the birth of their babies (and they are considered ready for an offer of housing).
24.	Adult Household Members (other than the applicant) There is no information currently available on the number of households that are likely to be affected by the proposal to exclude adult household members who are considered to have sufficient capital, savings or income to resolve their own housing situation and there is no over-riding need on health grounds for them to remain part of the household. This information is not recorded, however, since many family properties are allocated to households with children under 18 and many adults who remain living at home do not do so out of choice, it is expected only a very small number of households will be affected.
25.	There is no information currently available on the number of households that are likely to be affected by the proposal to exclude adult household members who are studying and living away from home and living elsewhere in student, private rented or other accommodation. Based on feedback from the consultation it is no longer proposed to exclude these applicants, however it is proposed if two families in the same priority band bid for the same property that if one family has adult household members studying and living away from home for part of the time that the property is normally offered to the family where their children are permanent residents and have nowhere else to live. This is expected to only impact on a low number of households in high housing need who are competing with other similar households with children permanently living at home.
26.	Large Families The proposal to allow larger families with a 4 bedroom housing need lacking 2 bedrooms to apply for suitable 3 bedroom properties will affect up to 20 households and allow them to opt to bid for a smaller property in order to improve their housing situation should the wish to do so.

27.	Sub-Regional Allocations Scheme The proposal that all four districts, including Oxford, leave the Sub-Regional Partnership will have a very low impact due to the limited amount of properties that became available through this scheme due to the shortage of social housing in the region. However, the Allocations Scheme proposes that the Council can make reciprocal arrangements with other Districts to facilitate the move of high needs cases that need to move out of the district in exceptional cases.
28.	Penalties for Unreasonable Refusals: General Register & Transfer Lists The proposal to impose penalties for unreasonable refusals is only likely to affect a low number of housing applicants. Housing applicants will be notified when they are made an offer of the potential implications of refusing without good reason and only refusals that are considered unreasonable will be taken into account and may incur a penalty. Only those who refuse two reasonable offers of accommodation within 12 months will be affected and could be suspended for up to 12 months. Where a housing applicant has good reasons for refusing a property for example because they are disabled and the property does not meet their housing requirements they will not be penalised. If a housing applicant disagrees with a decision that they have refused an offer without good reason they will have the right to appeal against the decision.
29.	Penalties for Unreasonable Refusals: Homeless List The proposal to treat homeless applicants differently and to normally allow only one reasonable offer of accommodation to housing applicants accepted as homeless and placed in temporary accommodation by the Council (due to the cost and shortage of temporary accommodation) will impact on a low number of households. Although there are currently 74 homeless households who could be potentially affected most bid regularly for properties and accept the first offer they are made and only those that refuse a property without good reason could be affected by the changes. If a homeless applicant disagrees with a decision that they have not been bidding and have been made a direct offer and/or they have refused an offer without good reason they will have the right to appeal against the decision.
30.	Summary The changes proposed to the Allocations Scheme will not have a dis-proportionate impact on the chances of households within a BME group, the disabled and other groups such as the homeless or older applicants receiving an offer of housing. However, as with all changes some individual households will be affected by some of the proposed changes and this has been taken into account in the drafting of the Allocations Scheme.

Appendix 5

Risk ID	Risk					Gross Risk		Residual Risk		Current Risk	Control Description
Category-000-Service Area Code	Risk Title	Opportunity/Threat	Risk Description	Risk Cause	Consequence	Date raised	Owner	I	P	I	P
CEB-001-HP	Risk of legal challenge	T	Legality of the Allocations Scheme is challenged	Major changes in legislation or case law are introduced shortly after the new Allocations Scheme is introduced	The Allocations Scheme becomes more susceptible to successful legal challenge	1/8/13	Tom Porter	1	1	1	1
CEB-002-HP	Risk of delay in ICT Implementation	T	Delay in the implementation of the ICT systems required for the new Allocations Scheme	ICT suppliers are unable to complete work required within specified timelines & budget	There is a delay in the new Allocations Scheme being implemented						
											The Allocations Manager will keep update with changes in legislation or case law & where appropriate request for the scheme to be revised. By on-going monitoring Specifications for supply work prepared and meetings with suppliers already undertaken. Window for implementation of up to 3 months allowed within this report.

To: City Executive Board

Date: 11th September 2013

Report of: Head of City Development

**Title of Report: DRAFT AFFORDABLE HOUSING AND PLANNING
OBLIGATIONS SUPPLEMENTARY PLANNING
DOCUMENT**

Summary and Recommendations

Purpose of report: To adopt the Affordable Housing and Planning Obligations Supplementary Planning Document (SPD).

Key decision? No

Executive lead member: Councillor Colin Cook

Policy Framework: The SPD will assist in the delivery of the planning policies of the Local Development Framework/Local Plan

Recommendation(s): That City Executive Board:

1. Adopt the Affordable Housing and Planning Obligations Supplementary Planning Document.
2. Authorises the Head of City Development to make any necessary editorial corrections to the document prior to publication.

Appendix 1 – Affordable Housing and Planning Obligations SPD

Appendix 2 – Risk Assessment

Introduction

1. City Executive Board is asked to consider the final Affordable Housing and Planning Obligations Supplementary Planning Document (SPD) (Appendix 1). Please note that this version includes track changes in order that proposed amendments can be easily viewed. These will be removed from the final published version.
2. The City Council has an adopted Affordable Housing SPD (November 2006) and adopted Planning Obligations SPD (April 2007). It has become necessary to replace both these documents because of recent changes in the planning policy framework. The adoption of the new affordable housing policies of the Sites and Housing Plan and the forthcoming introduction of the Community Infrastructure Levy mean that both these adopted SPDs are (or are soon to be) out-of-date. The new Affordable Housing and Planning Obligations SPD will replace both these documents.

3. The SPD will be a material consideration in the determination of planning applications, supporting the policies of the adopted Core Strategy, Sites and Housing Plan and saved Local Plan policies in particular. The SPD does not set out any additional policy requirements, but instead provides clarity and advice on how the City Council's adopted planning policies will be implemented.
4. The purpose of the SPD is to set out the City Council's approach to all forms of planning obligations when considering applications for development, and to clarify how the use of planning obligations will operate alongside the Community Infrastructure Levy. The SPD will provide clarity to all users of the planning system regarding the basis on which planning obligations will be sought and the process by which they will be negotiated and calculated. It also deals with procedural matters relating to the provision of planning obligations. The SPD will also help to ensure both the delivery of affordable housing and the provision of the necessary measures required to mitigate the impact of development of all types.

Affordable Housing

5. The recently adopted Sites and Housing Plan (together with the Core Strategy) sets the policy framework for affordable housing. The Sites and Housing Plan takes every opportunity to ensure affordable housing is delivered, with new policies that seek financial contributions from small sites (4-9 homes) and student accommodation, in addition to the established affordable housing requirements from large housing sites (10 or more homes) and from commercial development.
6. The SPD provides helpful details and sets out the procedures that the City Council will use in the application of these policies. This will help ensure that they are complied with and will deliver the much needed affordable housing that the City Council wishes to see.

Planning Obligations and the Community Infrastructure Levy

7. Members will be aware of the current project to prepare for the implementation of the Community Infrastructure Levy (CIL). CIL is a non-negotiable levy on development to help fund infrastructure to support new development. CIL differs fundamentally from planning obligations in that the funds collected are not tied to a specific development or the provision of specific infrastructure.
8. The regulations which introduce CIL also require planning obligations to be scaled back to generally cover only affordable housing and other site-specific obligations. The reason for this scaling back is to avoid so called "double dipping"; the scaling back of site specific planning obligations will ensure that no developer is requested to pay for the same piece of infrastructure twice.

9. For the avoidance of doubt, larger off-site infrastructure projects such as transport schemes, education provision and environmental or public realm projects will receive developer funding through the Community Infrastructure Levy. The new scaled-back Section 106 mechanism will be focused on on-site infrastructure provision directly related to the proposed development.
10. The SPD has been produced alongside the work on the CIL Charging Schedule. The SPD addresses all developer contribution issues not covered under CIL; together these documents provide all the information required to help deliver the City Council's planning policies on affordable housing and planning obligations.
11. A separate report will go to Council on 30th September to approve the bringing into force of CIL on 14th October 2013. Linked to this, a report will come to the CEB meeting on 9th October to agree the "Regulation 123 list". This list will detail those infrastructure projects that may be funded (in part or in whole) by CIL.

Content of the SPD

12. In brief the main matters covered in the SPD are:

Affordable Housing

Explanation of the policies and procedures governing the:

- delivery of affordable housing from residential developments of 4-9 homes (Sites and Housing Plan Policy HP4)
- delivery of affordable housing from residential developments of 10 or more homes (Sites and Housing Plan Policy HP3)
- delivery of affordable housing from student accommodation (Sites and Housing Plan Policy HP6)
- delivery of affordable housing from commercial development (Core Strategy Policy CS24)
- tenure mix and size of units
- assessment of viability and the cascade mechanism

Planning Obligations

Explanation of the policies and procedures governing the:

- types of infrastructure for which contributions will be sought
- maintenance contributions and transfer of land
- use of legal agreements
- calculation of fees and indexing

Results of consultation

13. Public consultation took place from 12th April to 24th May 2013. In total, approximately 1,300 organisations and individuals were contacted and invited to submit representations on the content of the SPD. A total of 112 comments were made by 25 organisations and individuals during the consultation period.

14. The key issues raised were:

- Support from neighbouring local authorities, but noting some concern that impact on delivery of housing in Oxford due to viability issues could increase demand for housing in adjoining districts;
- Objections to classification of self-contained student accommodation as dwellings falling within Use Class C3;
- Objections to wording of parts of SPD relating to how the City Council will consider affordable housing on mixed use developments;
- Question as to whether the mix and distribution of unit tenures and sizes on a site should be prescriptive, and suggestion that more flexibility should be applied (including allowing for more affordable rent units);
- Consistency with the Core Strategy and Sites and Housing Plan questioned with respect to student accommodation;
- Objection to threshold for affordable housing contributions from commercial development;
- Objections to the methodology for viability assessment set out in the SPD, particularly Appendix 3;
- A request from the developers of the Westgate for further clarity on the future use of Section 106 agreements;
- Support from several local planning consultancies for the clarity provided on the future use of Section 106 agreements
- Request from the County Council to further explore the implications for County legal agreement processes

15. Representations made during the consultation period were carefully considered and a number of minor revisions to the SPD have been made as a result. A Consultation Statement has been prepared, which summarises the main issues raised, and the Council's response to these issues. This is available on the Council's website at www.oxford.gov.uk/spd.

The next stages

16. City Executive Board is asked to adopt the SPD and also to authorise the Head of City Development, in consultation with the Board Member, to make any editorial corrections necessary prior to publication. When adopted, the SPD will be a material consideration in considering planning applications submitted to the Council. The SPD will replace the Affordable Housing SPD

(2006), and the Planning Obligations SPD (2007), these documents will no longer be material for planning purposes.

17. It should be noted that the parts of the SPD relating to CIL and planning obligations other than affordable housing apply to planning applications that are determined once the CIL schedule is implemented. It is possible that one or more planning applications which require planning obligations to mitigate the impact of development may be considered by planning committee and then be formally determined (i.e. have a decision notice issued) prior to the implementation of CIL. In the unlikely event of this happening, the old Planning Obligations SPD (April 2007) will be used as the basis of negotiation regarding planning obligations set out in the legal agreement.

Environmental impact

19. Sustainability Appraisal is no longer required for SPDs under UK law, however to comply with European regulations, a Strategic Environmental Assessment (SEA) Screening Statement has been produced to identify whether the SPD would have any significant environmental impacts. This exercise concluded that the SPD would not give rise to any significant environmental effects and as such no further SEA work is required.

Equalities impact

20. Consideration has been given to the public sector equality duty imposed by s149 of the Equality Act 2010. Having paid due regard to the need to meet the objectives of that duty and of the SPD the view is taken that the duty is met.

Financial implications

21. Following its adoption, the SPD will have a positive impact on the City Council's financial position, as it will support the provision of affordable housing units, and financial contributions towards further off-site provision, which directly supports the corporate priority of 'More and Better Housing for All'. Financial contributions in particular will provide a source of funding to support the provision of new Council Housing.

Legal implications

22. The information contained in the SPD will assist in the implementation of the planning policies of the Local Development Framework/Local Plan and in this regard will assist with the determination of planning applications.
23. Officers consider that the Affordable Housing and Planning Obligations SPD has been produced in compliance with the statutory requirements governing SPDs in the regulations.

Risk assessment

24. A risk assessment has been undertaken and the risk register is attached (Appendix 2). All risks have been mitigated to an acceptable level.

Name and contact details of author:-

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List of background papers:

Public Participation Statement (Consultation Statement) (August 2013)
Screening Assessment for Affordable Housing and Planning Obligations SPD
(March 2013)

Version 1.1

Affordable Housing and Planning Obligations

Supplementary Planning Document

Draft April 2013



Affordable Housing and Planning Obligations SPD

This Supplementary Planning Document supersedes the Affordable Housing SPD (November 2006) and the Planning Obligations SPD (November 2007).

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1. OVERVIEW

Background

- 1.1** The provision of new homes, economic development and other forms of development are essential to ensure the prosperity of Oxford and to meet the needs of residents, workers and visitors. The City Council has established a planning policy framework that seeks to achieve well-planned and sustainable development, and to ensure that development in Oxford comes with the necessary supporting infrastructure.
- 1.2** Oxford is one of the least affordable cities in the UK and the provision of new affordable housing is a key priority for the City Council. The adopted planning policies in Oxford seek to meet the pressing need for new affordable housing as far as is possible within a city that has many environmental constraints, and to deliver a wide choice of high-quality homes to create sustainable, mixed and balanced communities.
- 1.3** In order to help fund the provision of the infrastructure necessary to support new development across Oxford, the City Council is introducing a Community Infrastructure Levy (CIL). CIL is a tariff in the form of a standard charge on new development to help the funding of infrastructure. As a consequence of the introduction of CIL, the use of Section 106 planning obligations for most types of infrastructure, other than affordable housing, will be much more limited than in the past.

Purpose of this SPD

- 1.4** Section 2 of the Supplementary Planning Document (SPD) provides further guidance to support the implementation of the affordable housing policies of the Core Strategy and the Sites and Housing Plan, specifically:
- Core Strategy Policy CS24 (Affordable Housing). This policy relates to both residential and commercial development;
 - Sites and Housing Policy HP3 (Affordable Homes from Large Housing Sites);
 - Sites and Housing Policy HP4 (Affordable Homes from Small Housing Sites); and
 - Sites and Housing Policy HP6 (Affordable Housing from Student Accommodation)

- 1.5** It provides further detail on the mechanisms for delivering affordable housing, the mix of dwelling sizes and the tenures expected.
- 1.6** Section 3 of the SPD supplements in particular Core Strategy Policy CS17 (Infrastructure and Developer Contributions), but it also supports a number of topic based policies in the Core Strategy and the Local Plan. The SPD clarifies the difference between CIL and Section 106 planning obligations and sets out the City Council's approach to all forms of planning obligations when considering planning applications for development. The SPD explains the basis on which planning obligations will be sought and the process by which they will be negotiated and calculated where appropriate.
- 1.7** Section 4 provides details on the processes used to ensure the delivery of affordable housing, contributions and other planning obligations. This includes further information on negotiating contributions in the case of non-viability, the drafting and enforcement of legal agreements and administrative costs.
- 1.8** This SPD will assist in securing both local and national objectives in respect of the provision of sustainable development across Oxford. It will help to ensure both the delivery of affordable housing and the provision of the necessary measures required to mitigate the impact of development of all types, resulting in a high quality urban environment and socially inclusive communities.
- 1.9** Proposals for development that may require the provision of planning obligations should be made in accordance with the relevant policies of Oxford's Local Plan. This SPD constitutes an important material consideration in the decision-making process.

Planning policy context

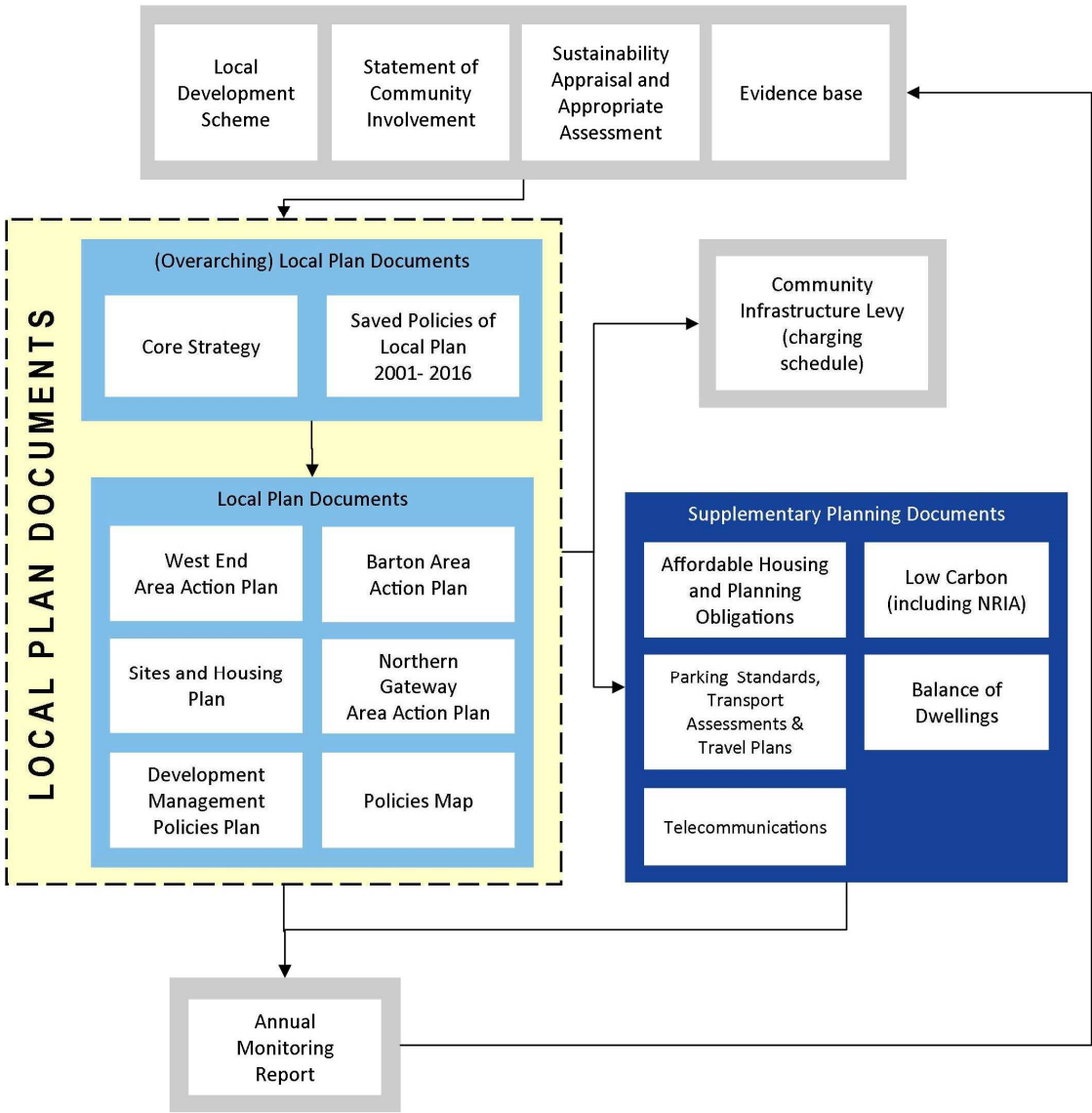
- 1.10** The National Planning Policy Framework (NPPF) indicates that "*Local Plans are the key to delivering sustainable development*" (paragraph 150) and highlights the importance of planning positively for the development and infrastructure required to meet the objectives of the NPPF (paragraph 157).

The NPPF advises that SPDs “should be used where they can help applicants make successful planning applications or aid infrastructure delivery and should not be used to add unnecessarily to the financial burdens on development” (paragraph 153).

1.11 This SPD replaces the City Council’s adopted SPDs on Affordable Housing (November 2006) and Planning Obligations (April 2007) and their supporting documents. In so doing it not only updates, but also streamlines and consolidates the City Council’s existing guidance on these matters.

1.12 The guidance in this SPD is consistent and in conformity with the adopted planning policies set out in Oxford’s Local Plan. The term ‘Local Plan’ includes a number of policy documents that have been prepared and adopted separately. Oxford’s Local Plan currently comprises ‘saved’ policies from the Oxford Local Plan 2001-2016 (adopted November 2005), the Oxford Core Strategy 2026 (adopted March 2011); the Sites and Housing Plan (adopted February 2013); the West End Area Action Plan (adopted June 2008); and the Barton Area Action Plan (adopted December 2012).

Figure 1: Oxford’s Local Plan



2. AFFORDABLE HOUSING

2.1 The Sites and Housing Plan sets out the way in which housing and student accommodation development must contribute to affordable housing, in line with Policies HP3, ~~and HP4~~ and HP6 of the Sites and Housing Plan. Further guidance on applying these policies is found in the following sections.

When will Policies HP3 and HP4 apply?

2.2 Policies HP3 and HP4 will be applied to all self-contained dwellings (except for developments under the trigger threshold), i.e. all uses that fall within Use Class C3. A dwelling under Use Class C3 is described as a building that ordinarily affords the facilities required for day to day domestic existence, i.e. all the rooms (including kitchen, bathroom and toilet) in a household's accommodation are behind a single door which only that household can use.¹ This includes, but is not necessarily limited to:

- Self-contained accommodation which is intended to be occupied by students (either as a single person or single household occupation)
- Extra Care Housing
- Sheltered housing
- Retirement homes (In these cases it may be more appropriate for the provision to be affordable retirement, sheltered or Extra Care housing.)

2.3 Care homes and nursing homes that are not self-contained are not required to provide for affordable housing. Similarly, specialist or supported housing schemes provided and managed by a local authority or partner Registered Provider that are not self-contained (e.g. accommodation for homeless or vulnerable people) need not provide for additional affordable housing.

2.4 The policies apply to the gross development within the red line indicated on the planning application. The City Council considers that a site will include all existing elements of built development that are being materially modified (e.g. extended, reconfigured or converted). As such, any existing dwelling or building on a plot proposed for

development will only be excluded if there is no material alteration to that building proposed. If there are changes to the access, garden or parking to an existing dwelling or building that is necessary for the wider development to go ahead, the City Council is likely to conclude that the land and building in question form part of the same development site. The Council will be mindful of Policies HP3, HP4 and HP6 which state that developers may not circumvent the policy by artificially subdividing sites.

2.5 The City Council will consider carefully whether the number of homes proposed is an efficient use of the site, taking into account genuine site constraints. Provided the City Council agrees that the land is to be used efficiently, Policies HP3 and HP4 will apply to the gross number of dwellings proposed on the site. If the developer proposes a scheme that does not make optimum use of the land (for example, where unusually large dwellings are proposed), and the policy threshold is not reached, the City Council will seek to apply Policy HP3 or HP4 based on the site capacity rather than based on the number of dwellings. **Appendix 2** sets out guideline dwelling sizes. These are for guidance only: site context will be critical in judging the site's residential capacity.

2.6 The thresholds that trigger affordable housing requirements are set out in detail below but where homes, student accommodation or commercial development are proposed as part of a mixed-use scheme, account will be taken of the overall floorspace of all development on the site. The relevant method for calculating the contribution will be used in respect of each qualifying use, in a pro rata approach to the uses on site. As a rule of thumb, the total gross development floorspace (for all uses) For example, if the principal use is housing, and the total gross development floorspace of all uses combined is equal to or exceeds the floorspace of a 4 dwelling development appropriate to that site, financial contributions will may be sought for affordable housing.

2.7 If Similarly, if the principal use is housing, and the total gross development floorspace total gross development floorspace (for all uses) is equal to or exceeds the floorspace of a 10 dwelling development appropriate to that site, the City

¹ Definition taken from Definitions of General Housing Terms (DCLG, 2012) (www.gov.uk)

Council ~~will~~ is likely to seek on-site provision of at least 50% of the C3 dwellings as affordable housing in line with Policy HP3. ~~An exception may be made~~ Where the housing element is deemed by the City Council as ancillary to the main use (in which case a financial contribution will may be sought as outlined in the preceding paragraph).

- 2.8** The Council will not accept proposals where ~~a non-qualifying commercial element or student accommodation uses~~ is are proposed in order to avoid making a contribution toward affordable housing provision ~~that is related in scale to for~~ the qualifying uses proposed. This would be viewed as artificial subdivision.

Use of financial contributions

- 2.9** Policies HP3, HP4 and HP6 include financial contributions toward affordable housing as a mechanism for providing affordable housing. This is additional to the Community Infrastructure Levy, which does not cover contributions towards affordable housing. Financial contributions will be used to support the delivery of affordable housing elsewhere, in line with Oxford's Housing Strategy. Possible uses of financial contributions are:

- Increase the number of affordable homes that are being delivered using the City Council's own land;
- Provide additional resources for affordable housing schemes proposed by Registered Providers to provide more affordable units, or a greater proportion of social rented units;
- Extend or remodel existing affordable homes where this will help reduce priority housing needs in a cost-effective way (e.g. create family homes from small dwellings).

Small housing sites (capacity for up to 9 homes)

- 2.10** Where a site has capacity for 4 – 9 homes, Policy HP4 of the Sites and Housing Plan will apply. The policy and supporting text are at **Appendix 1**. Appendix 2 in the Sites and Housing Plan sets out the method of calculation and payment. Calculating the amount based on 15% of the sale value allows the payment to reflect current market conditions: during less buoyant periods, the amount payable will be less, thereby improving the viability of the scheme. The timing of payment, at the point when 50% of units are sold or occupied, improves the cashflow by allowing capital from the sold units to

support the additional cost of the affordable housing contribution. Appendix 2 of the Sites and Housing Plan allows for a reduced contribution if it can be robustly demonstrated that the development would otherwise be unviable.

- 2.11** It is expected that the sales prices at which the new units are marketed will provide a basis for estimating the contribution payable. The actual contribution will be based either on this information, where available and reliable, or alternatively can be based on one of the following:

- Documentary evidence of sale transactions, to be provided at the time when payment of the affordable housing contribution is triggered, plus a valuation of the unsold units based on the average valuation of three RICS qualified surveyors, or
- When completed units are privately rented by the developer, a valuation of all units based on the average valuation of three RICS qualified surveyors.

- 2.12** A template legal agreement for securing the affordable housing contribution is set out in **Appendix 5**. Any draft agreement that is different to this should be discussed at the pre-application stage with the case officer.

Large housing sites (capacity for 10+ homes)

- 2.13** Where a site has capacity for 10 dwellings or more, Policy HP3 of the Sites and Housing Plan will apply. Policy HP3 requires on site provision of affordable housing, unless it can be robustly demonstrated that the site is unviable even at the second stage of the cascade approach. Applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. Exceptionally there may be proper planning reasons, other than viability, justifying a departure from HP3 on the basis those planning reasons constitute material considerations indicating otherwise that constitute material considerations which outweigh Policy HP3 and necessitate off-site provision. In those circumstances the Council will ensure that ~~there is no net reduction in affordable housing provided – i.e. provision on an alternative site is in addition to any affordable housing ordinarily required on that site~~ the contribution towards affordable housing is sufficient to provide at least an equivalent number

~~of affordable homes, of the required tenure mix, as market homes proposed. It is however to be stressed that~~ Determination of an application in such a manner would be a departure from HP3.

- 2.14** When applying Policy HP3 to the tenure split, including the cascade approach where triggered, the applicant will be expected to round up the number of affordable units overall, and social rented units, to the nearest whole number.

Tenure mix

- 2.15** To ensure mixed and balanced communities, and respond appropriately to housing need, at least 80% of affordable homes should be social rented.

Social rented housing is owned by a Registered Provider (RP) or the City Council² and is rented to a household on the housing register at an affordable cost based on a specific formula³, i.e. affordable by those in greatest need. If applicable, service charges should also be at an affordable cost and should not include any inappropriate or non-essential charges. Social rented affordable housing should be available, in perpetuity, to those in housing need. Developers will need to satisfy the City Council that secure arrangements are in place to ensure the housing will meet this need on a permanent basis. The City Council's Affordable Housing Team can advise on rent levels consistent with this guidance.

- 2.16** Policy HP3 allows for up to 20% of homes to be intermediate tenure. This can include shared ownership, intermediate rental, affordable rented, and in some cases low cost market housing.

- 2.17 Shared ownership housing** (the City Council's preferred intermediate housing type) refers to housing which is partly sold to the occupiers and partly rented to them by an RP. It is tailored towards a specific income group that is correctly targeted to address specific local housing needs. Because of the high cost of housing in Oxford, shared ownership housing should offer buyers a maximum initial share of 25% of the open market value of the dwelling. Higher proportions can be offered provided the cost would be less than 30%

of net household income. RPs will be expected to demonstrate that the shared ownership dwellings would meet this requirement. The rental charges on the unsold equity (share) should be no more than 2.75% of this share. Shared ownership affordable housing should be available, in perpetuity, to those in housing need (with the exception that occupants may staircase their equity share to outright ownership).

- 2.18 'Low cost market housing'** refers to dwellings sold below the market value or at the lower end of the property market. These are not generally considered to be truly affordable housing in Oxford, as the cost of buying such housing would still be beyond reach for most people in housing need. However, the City Council will consider low-cost market housing, and other alternatives to shared ownership or affordable/intermediate rent, if it can be convincingly shown that it will be genuinely affordable to those in housing need.

- 2.19 Intermediate rent** housing refers to self-contained rented homes with rent levels higher than social rents, but lower than market rents. A rule of thumb is whether the cost of rent would be less than 30% of average net household income in Oxford.

- 2.20 'Affordable rent'** housing can be provided by RPs such that the rent is capped at no more than 80% of the gross market rent, and offered on a minimum 5-year fixed-term tenancy. It is viewed by the City Council as a form of intermediate rental housing, and may therefore form up to 20% of all affordable units, provided the remaining 80% are provided as social rented. Affordable rented housing cannot be substituted for social rented housing.

- 2.21** Definitions for affordable housing, social rented housing, shared ownership housing, low cost market housing, intermediate rent and affordable rent are contained in the Glossary to the Sites and Housing Plan.

Cascade mechanism

- 2.22** Policy HP3 includes a mechanism to allow a variation in affordable tenures, and possible reduction from 50% affordable housing, where it is agreed that the scheme would otherwise be unviable. **Appendix 3** gives more detail on

² References to RPs also apply to the City Council as affordable housing provider

³ See Sites and Housing Plan Glossary for full definition of Social Rented Housing

assessing viability. Policy HP3 is clear that the cascade approach should be used provided that the overall proportion of affordable housing is not reduced below 40% and that the intermediate tenure does not exceed 8% of the total number of dwellings. The box below illustrates how this would work in practice, using a worked example of 20 homes.

The City Council has agreed with a developer that their proposal for 20 dwellings would not be viable with 50% affordable housing, of which 80% social rented (SR) and 20% Intermediate tenure (IT). The cascade mechanism is therefore triggered:

Stage 1: Normal requirement of 10 affordable dwellings (50% of total) and 8SR/2IT is unviable: Move to Stage 2

Stage 2: Reduce to 9 affordable dwellings (45% of total) of which 8SR/1IT: If still unviable, move to Stage 3

Stage 3: Reduce to 8 affordable dwellings (40% of total) of which 8SR/0IT: If still unviable, move to stage 4

Stage 4: Maintain 40% affordable dwellings but substitute 1 social rented unit for intermediate (7SR/1IT): If still unviable, move to stage 5

Stage 5: Maintain 40% affordable dwellings but substitute 1 further social rented for intermediate, (6SR/2IT)

2.23 No further cascade is allowable under Policy HP3 because after Stage 5, the overall proportion of affordable housing is reduced to the minimum of 40% and intermediate tenure has reached its maximum of 8% of the total number of dwellings. If after Stage 5 the development was still unviable, the Council would accept no affordable units on-site, and instead seek a financial contribution for off-site affordable housing, using the formula set out in the Sites and Housing Plan (Appendix 2). Appendix 2 allows for a reduced contribution if it can be robustly demonstrated that the development would otherwise be unviable.

2.24 The Council expects the viability appraisal to show the workings through each of the cascade stages. For example, if an applicant proposes that the affordable housing provision was viable at Stage 5

but not at Stages 1-4, the workings for Stages 1-4 must be shown in order for the Council to be convinced that Stage 5 is the first stage at which the proposal becomes viable.

Strategic mix and size of units

2.25 In assessing the mix of affordable dwelling types and sizes proposed, the City Council will refer to the most recent information it has published about the groups in priority need of affordable housing. The Council will also have regard to location and characteristics of the site: City centre and District centre locations are more suitable for a greater proportion of 1 and 2 bedroom dwellings than in other areas. Overall, the strategic mix of affordable housing for Oxford will reflect and prioritise a greater need for family size dwellings with 2 or 3 bedrooms than for any other size.

2.26 Table 1 and Table 2 indicate the Council’s preferred mix of dwelling sizes for social rented and intermediate housing.⁴ These ranges provide flexibility, but must be used in conjunction with the City Council’s policy on the Mix of Housing (see Core Strategy Policy CS23 and associated SPD). The affordable housing mix will therefore impact on the mix of market dwellings, to ensure a good overall balance. The City Council considers that the mix of housing and careful design should determine the number of units on a site; however ~~as a rule of thumb~~ there should be a minimum of 40 dwellings per hectare. On sites of 20 or more homes, the City Council will expect affordable homes to be provided in small clusters throughout the development. Further information is available from the City Council’s Affordable Housing team.

Table 1: Strategic mix of housing for sites in the City and District centres		
Bedrooms (people)	% Social Rented	% Intermediate
1 bed (2 person)	0–10 %	5–15%
2 bed (4 person)	35–45%	5–15%
3 bed (5 person)	20–30%	0–5%
4 bed + (min 7 person)	5–15%	0%
Total	80%	20%

⁴ The City Council may, in future, review Tables 1 and 2 in light of updated evidence.

Table 2: Strategic mix of housing for sites outside the City and District centres

Bedrooms (people)	% Social Rented	% Intermediate
1 bed (2 person)	0–10 %	0–10%
2 bed (4 person)	15–25 %	5–15%
3 bed (5 person)	35–45%	0–10%
4 bed + (min 7 person)	10–20 %	0%
Total	80%	20%

2.27 There is a particular need for fully wheelchair adaptable homes on some sites. There is also a need for some very large social rented dwellings of 5 or 6 bedrooms. The City Council may allow flexibility in meeting the overall 40% target for on-site social rented housing if the City Council and the applicant agree this is more appropriate. Within the ranges in **Table 1** and **Table 2**, the City Council will favour larger dwellings over 1-bedroom flats.

2.28 All affordable homes must comply with the minimum standards set out in Sites and Housing Policies HP12 and HP13. All affordable units with 2 or more bedrooms must provide enough space within at least two bedrooms for at least two people to comfortably share. Affordable units of 4 or more bedrooms must provide enough space within at least 3 bedrooms for at least 2 people to share. Social rented units of 2 or more bedrooms should comply with the definition of ‘family home’, and should ideally be houses rather than flats. **Table 3** indicates absolute minimum floorspaces for different types of affordable dwelling. (Note that 1 person units will only be permitted for specialist housing schemes, such as supported or sheltered housing.)

Table 3: Minimum floorspaces for affordable homes⁵

Bedrooms/people	Minimum floorspace
1 bed (2 person)	39 m ²
2 bed flat (4 person)	67 m ²

⁵ Figures sourced from HCA Housing Quality Indicators (Updated April 2008) except for 1 bedroom (2 person) unit which is consistent with Sites and Housing Policy HP12

2 bed house (4 person)	75 m ²
3 bed flat (5 person)	75 m ²
3 bed house (5 person)	82 m ²
4 bed (7 person)	108 m ²
5 bed (8 person)	118 m ²
More than 8 people	Add 10 m ² per additional bedspace

Phasing

2.29 Developers should ensure that the affordable housing is built in the same phases as market housing or earlier. This will be ensured through the legal agreement.

Student accommodation

2.30 The Core Strategy and the Sites and Housing Plan define student accommodation as non-self contained accommodation for students. Policy HP6 of the Sites and Housing Plan requires a contribution towards affordable housing from non-self contained student accommodation development of 20 or more student rooms.

Appendix 4 of the Sites and Housing Plan states that a reduced contribution may be negotiated if the City Council agrees that evidence of non-viability has been carried out robustly and fairly.

2.31 Where self-contained accommodation is proposed for occupation by students, it will be considered as a dwelling under Use Class C3 and as such, will be subject to the requirements of Policies HP3 and HP4 of the Sites and Housing Plan. This is explained in paragraph 2.2 above.

2.32 Part (d) of Policy HP6 states that an exception will be made for proposals for student accommodation necessary for either the University of Oxford, or Oxford Brookes University, to achieve or maintain its 3,000 student numbers threshold (i.e. the ‘cap’ on students living in Oxford but not in bespoke student accommodation). The City Council’s latest available information will be used to consider this exception. The exception will only be applied where student accommodation is proposed specifically by or for Oxford Brookes University or the University of Oxford. The City Council will expect submission of a signed long lease or long-term nominations agreement where the proposal is being made by anyone other than Oxford Brookes University, the

University of Oxford, or a University of Oxford college. The City Council will expect a legal agreement to be signed alongside planning permission, to ensure continued occupancy by one of the Universities. **Appendix 5** provides a standard legal agreement. The City Council will require evidence to be submitted regularly to be satisfied that the legal requirement is being adhered to.

2.33 Part (e) of Policy HP6 states that an exception will be made on sites that the City Council agrees are not suitable, nor capable of being made suitable, for general purpose housing. A site may be unsuitable for general purpose housing where the physical constraints of the site would make it impossible for C3 dwellings to be built whilst providing acceptable living standards and functionality for long-term residents. For example, such a site may have no scope for useable private outdoor space.

2.34 Where student accommodation forms part of a mixed use development with housing and/or commercial development, a pro-rata approach will be used to determine whether a contribution is triggered, and the amount. See section below on Mixed Use Development for further guidance.

2.35 **Appendix 5** provides a template legal agreement that should be used as a basis for securing a financial contribution towards affordable housing from student accommodation. Early negotiation, resolution and drafting of the legal agreement is strongly encouraged.

Commercial development

2.36 Core Strategy Policy CS24 states that planning permission will only be granted for commercial development that provides affordable housing to meet additional demand created. This could mean building affordable homes on the site, or making a financial contribution that reflects the cost of providing the number, types and sizes of dwelling required. Retail developments are exempted from this requirement.

2.37 Policy CS24 contains no size threshold at which a contribution will be sought; however an indicative threshold of 2,000m² net additional floorspace, including changes of use, will be used to indicate that a contribution will be expected, as this size of

development would be considered to generate a significant further need for affordable housing. While this indicative threshold exists, smaller commercial developments can generate a significant need for affordable housing. These will be considered on a case-by-case basis.

2.38 The examples of commercial development below demonstrate the City Council's approach to applying Policy CP24:

- New commercial development, or extensions to commercial buildings, of around 2,000m² or greater (including the change of use of a building to a commercial use or from one commercial use to another) will be expected to contribute towards meeting the need for affordable housing that would be created by the development, unless it can be clearly shown that a change of use would result in no net increase in employees working on that site;
- A company relocating from one site in Oxford to another would be expected to contribute towards meeting the need it created for affordable housing. While the relocation might not create a significant new need in itself, its relocation would free up commercial space into which a company could potentially move. A contribution would not be required if, at the time of the application for the new commercial development, the previous floorspace was redeveloped for a land use not required to contribute towards affordable housing provision;
- A mixed-use development where the residential and commercial elements fall below their respective thresholds, but where their comparable total is considered to exceed either threshold, will be expected to contribute towards the provision of affordable housing.

2.39 The standard method of contribution from commercial development would be financial. The contribution will be equivalent to the cost of building the required number of affordable dwellings of the size and type set out in the City Council's strategic mix, plus the open-market value of the land needed to build them on, minus the amount equivalent to what would be payable by an RP. The formula for calculating the financial

contribution, and sources of data, are set out in [Appendix 7 4](#).

2.40 The high level of housing need, with the limited amount of land available for development, means that the entire housing need created by new commercial development could never be met. On the other hand, commercial floorspace commands a much lower value than residential or student accommodation and our requirements should reflect this. The City Council considers that the financial contribution should be equivalent to providing affordable housing for at least 1% of the estimated number of employees of the commercial development.

2.41 Where the new occupier and their number of employees are known, this information will be used in the calculation. The City Council will be attentive to information on employee numbers which suggest under-occupancy. Otherwise, the number of employees estimated to occupy the proposed development will be calculated using the employee/floorspace ratios in [Appendix 4](#).

2.42 Some types of commercial development such as hotels and residential institutions may provide accommodation for their staff on site. Developers may be able to reduce any financial contribution required if they provide suitable self-contained units as staff accommodation on site. The occupancy of these units would be secured to staff by a legal agreement.

3. OTHER PLANNING OBLIGATIONS

What are planning obligations?

- 3.1** Planning obligations are formal commitments given by an owner of land enforceable by a local authority against that owner and subsequent owners. They are a means of securing measures to make a development acceptable in planning terms and to accord with national or local planning policies. Planning obligations can be used to mitigate the impact of a development; to compensate for loss or damage created by a development; or to prescribe the nature of a development.
- 3.2** The legislative framework for planning obligations is set out in Section 106 of the Town & Country Planning Act 1990, as substituted by Section 12 of the 1991 Planning and Compensation Act. Further legislation is set out in Regulations 122 and 123 of the Community Infrastructure Levy (CIL) Regulations 2010, and the CIL (Amendment) Regulations. Government policy on planning obligations is set out in Paragraphs 203 to 205 of the National Planning Policy Framework (NPPF).
- 3.3** Planning obligations can be carried out in two main ways: either the developer provides the physical measures or makes a financial contribution towards any works to be carried out by the local authority or its partners. Planning obligations run with the land and are enforceable against the original covenantor and anyone subsequently acquiring an interest in the land.

What is the Community Infrastructure Levy?

- 3.4** The Community Infrastructure Levy is a tariff in the form of a standard charge on new development, which in Oxford will be set by the City Council to help the funding of infrastructure. It is intended to supplement, or top up, other sources of funding to widen infrastructure delivery.
- 3.5** Most development has some impact on infrastructure and should contribute to the cost of providing or improving infrastructure. The principle behind CIL is for those who benefit financially from a planning permission to pay towards the cost of funding the infrastructure needed to support development.

- 3.6** CIL applies to new buildings or extensions that create 100 m² or more of new build floorspace, or that involve the creation of one or more dwellings, even when that is below 100 m².
- 3.7** CIL differs fundamentally from planning obligations in that the funds collected are not tied to a specific development or the provision of specific infrastructure.

How will planning obligations operate alongside the Community Infrastructure Levy?

- 3.8** Paragraph 204 of the NPPF advises that planning obligations should only be sought if they are:
- necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development.
- 3.9** The CIL Regulations limit the pooling of Section 106 contributions, so that no more than five developments may contribute to the same infrastructure project. This restriction comes into effect when CIL is implemented or from 6th April 2014, whichever is the sooner, and applies to planning obligations entered into on or after 6th April 2010.
- 3.10** As a result of these changes, planning obligations will be scaled back to cover the provision of affordable housing and site specific measures required to mitigate the impact of development. In circumstances where a development proposal directly results in the loss of an existing [community](#) facility that is used by the public, or an important site feature such as a habitat of high biodiversity value, the City Council may require the replacement of that facility or site feature either directly by the developer or through a financial contribution that would be set out in a planning obligation. [This is in line with Core Strategy policies CS20 and CS21.](#)
- 3.11** CIL will be the mechanism by which contributions are pooled to help pay for items of infrastructure that are needed to support growth. CIL will therefore replace planning obligations as the means of funding off-site infrastructure, such as additional school places, transport improvements

or improved leisure facilities, which are required in connection with new development and consequent population or economic growth.

3.12 The City Council will publish a list under CIL Regulation 123 to set out what projects or types of infrastructure it intends to fund wholly or partly through CIL, and to avoid 'double charging' it will not seek contributions from Section 106 planning obligations for those items. The Regulation 123 list will be kept under regular review and will be updated whenever necessary to take account of changes in circumstances. The Regulation 123 list will be published on the City Council's website. In relation to Core Strategy strategic sites that are likely to include significant on-site infrastructure provision, the City Council will be careful to ensure that the combination of CIL and S106 obligations does not threaten delivery of the sites.

3.13 From the date that CIL comes into effect in Oxford, the City Council will no longer require the payment of Streamlined Contributions towards infrastructure in the West End of the City centre. Policy WE29 of the West End Area Action Plan will therefore no longer be applied.

Maintenance Contributions

3.14 Where a development results in a need for new infrastructure or a new facility, that item of infrastructure or facility may in some cases be transferred into the City Council's ownership. Examples of items that may be passed to the City Council's ownership are public open space, children's play areas and public art. In such cases, the City Council will require a maintenance contribution, generally as a one-off payment. The maintenance contribution to cover the physical upkeep of the facility will usually be equivalent to 10 years' maintenance cost and reflects the time lag between providing the new facility (with additional establishment costs such as replacing dead shrubs and trees) and including it in the public sector funding stream. The level of the contribution required will be calculated on a case-by-case basis.

3.15 Where developers choose to retain responsibility for the facility, they will need to be bound by a planning condition or obligation to ensure proper

maintenance. ~~(an obligation will apply on sites involving biodiversity issues).~~

Types of infrastructure

3.16 **Table 4** summarises types of infrastructure and their mechanism for delivery when required as part of a planning permission. **Table 5** sets out planning obligations for purposes other than delivering infrastructure.

Table 4: The mechanisms for delivery of various types of infrastructure

Type	Infrastructure and other items to be delivered through S106 Agreements; ~~S106~~ S278 of the Highways Act; or through Planning Conditions	Infrastructure to be funded or part funded through CIL	Relevant planning policies
Affordable Housing	On-site provision and financial contributions towards affordable housing. Section 2 of this SPD sets out the arrangements that will apply in respect of the delivery of affordable housing through planning obligations.	CIL will not be used to pay for affordable housing	CS24, HP.3, HP.4, HP.6
Biodiversity	On-site habitat creation or enhancement ; relocation of protected species to a suitable alternative site; ~~some minor~~ off-site mitigation, for instance where measures are required to mitigate identified impacts upon a nearby area of high biodiversity interest (<u>such as the measures identified in some site specific policies in the Sites and Housing Plan</u>)	~~Any Significant~~ off-site measures (~~other than those specified in the previous column~~) <u>e.g large areas of compensation land resulting from loss of habitat to development</u>	CS12, NE.6, NE.21, NE.23
Community Facilities	Only where there is a specific requirement for the facility to be located on that site. In exceptional circumstances, where granting planning permission leads to the loss of community facilities, the City Council will secure alternative provision of equivalent or improved benefit to the community in terms of size, utility and access. This may be through contributions towards replacement/improvement of facilities or direct provision on an alternative site.	Most community buildings/facilities	SR.16, <u>CS20</u>
Day-care provision for adults	Not provided under S106	All day-care provision	
Education	Only where there is a specific requirement for the facility to be located on that site.	Most provision of new schools or expansion of existing schools including early years, primary and secondary (covering ages 3 – 19)	CS16
Environmental Improvements	Only where there is a specific requirement for environmental improvements to be undertaken on that site.	Off site provision or enhancement, including public realm improvements	RC.10, RC.11, TA.3
Flood Defence	On-site measures which an FRA identifies as a requirement	Flood defence works	CS11
Indoor sports facilities	Only where there is a specific requirement for facilities to be provided on that site. In exceptional circumstances, where granting planning permission leads to the loss of indoor sports facilities, the City Council will secure alternative provision of equivalent or improved benefit to the community in terms of size, utility and access. This may be through contributions towards replacement/improvement of facilities or direct provision on an alternative site.	Most indoor sports provision including swimming pools, gyms and indoor sports halls	CS21
Libraries	Not provided under S106	All library provision	
Maintenance	Infrastructure provided under S106 agreements and transferred to the		

	local authority will require a contribution towards future maintenance		
Outdoor sports facilities, public open space/children's play areas, allotments	Only where there is a specific requirement for facilities to be provided on that site. In exceptional circumstances, where granting planning permission leads to the loss of outdoor sports facilities, public open space, play areas or allotments in active use, the City Council will secure alternative provision of equivalent or improved benefit to the community in terms of size, utility and access. This may be through contributions towards replacement/improvement of facilities or direct provision on an alternative site	Most outdoor sport and play provision, including outdoor sports pitches, courts and greens, recreational open space, allotments	CS21, SR.2, SR.7, SR.8, HP.9
Public art	Where on-site public art is required, it should preferably be considered as part of the design process and incorporated into the submitted planning application. The public art would then be secured by condition. An applicant may need to pay a contribution if they require assistance to manage the project or for future maintenance if the work of art is to be transferred to the City Council's ownership.	Off-site provision	CP.14
SUDS	SUDS provision will normally be on-site and may require a maintenance payment		CS11
Transfer of land		In-kind payments under CIL regulations	
Transport	Provision of works required to secure safe access and egress from the development site to the adjoining highway network, provision of internal roads, on-site pedestrian/cycle facilities and on-site public transport facilities. Off-site transport improvements are expected to be funded under CIL, via updates to the Regulation 123 List where necessary, Travel Plans are likely to be secured through planning conditions on most sites, but may require a planning obligation on some larger or more complex development proposals.	Transport improvements to support growth, including measures to promote walking, cycling and public transport (including Park and Ride), and highways improvements such as bus priority measures, traffic-calming, and capacity improvements where appropriate	CS13, CS14, CS30, TR.2, TR.4-TR.10, TR.13, SR.10, SR.11
Waste recycling centre	Not provided under S106	All provision of waste recycling/waste management facilities	
Youth services	Not provided under S106	All aspects of the Youth Service	

Table 5: Planning obligations for purposes other than delivering infrastructure

Type	Purpose of planning obligation	Relevant planning policies

Student developments	The City Council will seek to restrict students from bringing cars to Oxford. Appropriate management controls will be secured either through a legal agreement or a planning condition.	CS25
	The City Council may enter into agreements with private colleges or similar academic institutions offering student services to limit the number of students attending their premises and to supply data on student numbers annually so that this can be monitored.	ED.10
	The City Council will require the occupancy of new student accommodation to be restricted to students in full-time education on courses of an academic year or more. This will be secured either through a planning condition or a legal agreement.	
Joint User Agreement	The City Council will also seek public access to private and institutional facilities through sharing schemes and joint user agreements. The details of these agreements will be negotiated on a case by case basis and set out in the appropriate legal agreement.	CS16, CS20, CS21

4. PROCESSES FOR DELIVERY

Viability

- 4.1** The City Council recognise that it will need to be flexible in its requirements for affordable housing and other planning obligations where viability is proven to be an issue. Where it is not possible for the development to support the full provision of affordable housing, or the full financial contribution, robust evidence must be submitted to support the reduced offer. Further details on what the City Council expects in relation to viability is set out in [Appendix 3](#).
- 4.2** The evidence will be open to public scrutiny and, where necessary, will be audited by external experts. When applicants submit evidence of non-viability, the City Council will expect to see the calculations for the important factors set out in enough detail for viability to be properly assessed and tested. Any ‘assumptions’ must be clearly explained and justified. This evidence will be assessed on whether the figures prove that the scheme would be unviable if it were to meet all affordable housing and other planning obligation requirements, in addition to any relevant CIL payments.
- 4.3** The City Council expects developers to have considered the financial implications of CIL, affordable housing and any other planning obligation policies when buying land for development or taking an option to buy the land. The City Council is aware that landowners will seek to maximise the value of their land. However, the planning system is clear that legitimate planning obligations and affordable housing will have an impact on land values and landowner expectations. The costs of buying land will not be accepted as a reason for non-viability.
- 4.4** In cases where the City Council agree that site specific planning obligations sought make a development unviable, the need for affordable housing will be balanced against the need for any site-specific infrastructure measure.

Administration Costs

- 4.5** Applicants must meet the costs of preparing and producing a planning obligation legal agreement, which will be charged at an hourly rate. Applicants will be required to provide a solicitor’s undertaking or

cash deposit to meet the City Council’s legal costs whether or not the matter proceeds to completion.

- 4.6** Once the planning obligation is signed, administrative costs are incurred on tasks such as checking legal agreements, receiving financial contributions and spending contributions in accordance with the terms of the obligation. This requires compliance checks, monitoring, project management and implementation by the City Council. Standard charges will apply to recoup these costs. For large-scale developments, phased payments may be agreed by negotiation, although this will incur an additional administrative charge. The default position for administration charge will be 5% of the total contribution(s). The City Council will consider reasonable requests to reduce the administrative charge in certain circumstances, mainly where the infrastructure works are to be provided wholly on-site by the developer with a consequent reduction in the City Council’s administrative workload.
- 4.7** The basic fee structure in relation to affordable housing is that on-site measures will be charged at £2,000 per clause. For other on-site infrastructure, a charge of £700 will be made.
- 4.8** Where an applicant does not propose the full requirement of affordable housing or other policy requirements as part of a development, citing non-viability, additional administrative costs are likely to be incurred by the City Council. This is due to the need for an expert independent audit of evidence submitted to demonstrate lack of viability. The Council’s approach to this is set out in [Appendix 3](#).

Indexing

- 4.9** Any financial contributions required by way of planning obligations must be index-linked to maintain the real value of the payments, so that the infrastructure can be provided in good time. The Royal Institute of Chartered Surveyors (RICS) Building Cost Information Service ‘All-in Tender Price Index’ will be used for this purpose. The Halifax Price Index for the South East will be used for affordable housing contributions. All obligations will include interest clauses for late payments.
- 4.10** Where the precise level of development in an outline permission requires subsequent approval, the obligation will include clauses allowing for a

proportionate decrease/increase in the scale of contributions. For example, where outline permission is granted (and the indicative layout on which the contributions are based is for 20 units of housing), if the reserved matters application increases this to 25 units, the obligation will include formulae requiring a proportionate increase in the contributions payable.

- 4.11** Any information requested [by a third party](#) regarding section 106 agreements e.g. clause's discharged, complied with, completed etc. will be charged a fee prior to the information being supplied.

Legal Agreements

- 4.12** Unilateral undertakings cannot be used to impose obligations on the City Council. Legal agreements are required when securing funding ~~currently above £15k~~ or infrastructure that the City Council is responsible for. It is likely that most infrastructure provided by the City or County Council would be funded via CIL in the future. Contributions under planning obligation agreements are normally payable when development starts.

- 4.13** [Appendix 6 5](#) sets out a standard agreement with standard clauses. These broadly follow the standard agreement in the Planning Obligations Practice Guidance. [The standard agreement in Appendix 5 relates to agreements between the City Council as the local planning authority and the applicant. In so far as additional requirements may be required, and for these to be undertaken by other authorities, the City Council will deal with these on a case-by-case basis. The City Council may request these other authorities or statutory undertakers to be parties to, and signatories of, the relevant Section 106 agreement as and when required.](#)

- 4.14** Developers will be encouraged to use unilateral undertakings in the standard form in [Appendix 7 6](#) should they need to make contributions towards infrastructure for City Council functions ~~that are currently under £15k~~. [Applicants may also offer unilateral undertakings to the County Council](#). Such payments are made in full on completion of the unilateral undertaking. They do not require the local authority to establish title to land and should require less time to complete. Any other unilateral undertaking offered by an applicant would need to be assessed by the appropriate legal teams and may not benefit from the streamlined process of the standard

unilateral undertaking. Non-standard unilateral undertakings may need to prove title and confirm other legal elements. Unilateral undertakings may also be offered under the planning appeal process.

- 4.15** Where on site affordable housing is part of a planning approval, development on a site should not commence until an agreement has been reached between the developer and a Registered Provider. Agreeing this at an early stage ensures that the affordable housing element can be completed, which permits the lawful completion of the whole development.

Section 278 Agreements

- 4.16** Oxfordshire County Council, as the Local Highway Authority, can also use Section 278 of the Highways Act 1980 to secure funding for works to the local highway network that are necessary to serve the proposed development. Section 278 Agreements are generally more likely to be required where highway works are proposed as part of a planning condition or a unilateral undertaking rather than being specified in a jointly signed Section 106 Agreement. Section 278 highways schemes are not subject to the CIL regulations, and therefore the limitations on pooling planning obligations do not apply to Section 278 Agreements. While at the current time CIL and S278 may legally be combined to pay for highways infrastructure, it is important that there should be no double charging whereby developers are charged for the same works under these two different regimes.

Planning Conditions

- 4.17** Planning conditions may be applied to the grant of planning permission to limit and control the way in which the planning permission may be implemented. They cannot be used to secure financial contributions but can be used to ensure certain elements related to the development proposal which may benefit the wider community are carried out. Conditions can include a range of factors such as time limits on development; controls regarding environmental and noise issues; limits on the size and external appearance of a new development; limits on student numbers; and restriction of cars.
- 4.18** Imposing planning conditions rather than planning obligations is generally preferred as they are a simpler and more cost effective mechanism. There is a right to apply to vary or discharge planning conditions.

Pre-application discussions

4.19 Pre-application discussions are greatly encouraged.

Early negotiation, resolution and drafting of the legal agreement is encouraged. Discussions before applying may highlight the likely impact of the development, and suggest ways to mitigate it. Officers can also advise on what infrastructure will be provided through CIL and what through planning obligations. While planning officers will offer advice, any advice given cannot influence or pre-judge the formal consideration of an application.

4.20 Where a planning obligation will be required, the City Council will tell applicants how it will secure the infrastructure needed (by unilateral undertaking or agreement) and who will be party to the agreement. Normally all those with an interest in the land will be required to enter into the deed creating the planning obligation. Applicants should complete and return a legal questionnaire so that a draft obligation can be promptly prepared. It may be possible to speed up the process if applicants discuss and agree draft heads of terms at the pre-application stage if possible, so that the obligation can be drafted when they submit the application.

4.21 The City Council expects that major applications involving a legal agreement will normally be determined within 13 weeks of the submission date. If completion of the agreement has been unduly delayed by the applicant, officers will be granted delegated powers by committee to refuse the application.

Planning process

4.22 Where planning permission is sought for a proposal that requires the provision of affordable housing or other planning obligations, officers will prepare a report which states how the affordable housing is to be secured and the key aspects of any planning obligations that are material to the planning application when the application is considered. In normal cases involving affordable housing, this will mean specifying a Registered Provider and the broad terms of the transfer of the units. The City Council's Affordable Housing team can provide information on the terms under which Registered Providers can operate to ensure that the Council's definitions of affordable housing are met, and can also provide contact details for our preferred RPs.

7.3 Delivering new affordable housing

- 7.3.1 Affordable housing will be an important consideration when planning developments, and particularly their mix of housing tenures. Affordable housing is a key priority for the City Council, which wishes to deliver a wide choice of high-quality homes to address the needs of local people and to create sustainable, inclusive and mixed communities. This is achieved through establishing what people need in terms of the type, affordability and tenure of dwellings. The Oxfordshire Housing Market Assessment shows that the annual demand for affordable housing in Oxford for the first five years (2006-11) is between 1,420 and 2,396 dwellings. While some affordable housing will be developed by the City Council and registered social landlords (RSLs), most will have to come from private-sector developments.
- 7.3.2 Oxford is the 10th least affordable district in the South East region and average single-income households would not be able to afford a flat or two-bed terraced house in Oxford. Even a joint-income household would find it difficult to afford a property of a size to meet their basic needs in Oxford. Given the scale of need, shortage of land and size of sites that come forward, the City Council has to seek a high level of affordable housing to create a balanced community.
- 7.3.3 The requirement for affordable housing applies to all types of residential development of self-contained dwellings (whether for general or specialist needs), including retirement homes, mixed-use developments and conversion schemes. The City Council has significant landholdings, and the Council's policy for the disposal of assets as set out in the Asset Management Plan is to release as much residential land for development as possible, to maximise development of affordable housing for rent.
- 7.3.4 Due to the high need for affordable housing in Oxford, we will review the threshold and mechanism of delivery through the production of the Development Management DPD. This will build on work by the Oxford Strategic Partnership on affordable housing. It will look for ways to increase the supply of affordable housing by removing any incentive to underdevelop

or not bring forward residential sites. It will consider the role of commuted sums, intermediate, key-worker and shared-ownership housing all within a balanced mix of housing. Any changes to thresholds, delivery mechanisms or mix of housing will need to be considered in terms of their implications for viability and the overall supply of affordable housing.

- 7.3.5 Commercial development can worsen the existing housing situation by encouraging workers in housing need to move to Oxford. The City Council will expect such developments to contribute towards meeting the need for affordable housing in Oxford. This could mean building homes on site, or making a financial contribution that reflects the cost of providing the number, types and sizes of dwellings required. This policy does not apply to retail developments or non-profit-making public-sector projects.
- 7.3.6 The Affordable Housing SPD provides more details on the implementation of Oxford's LDF affordable housing policies. The SPD will be revised as and when necessary.
- 7.3.7 The City Council will seek to maximise the contribution to affordable housing provision from each site. In assessing the level of contribution and the mix of affordable dwelling types and sizes, the City Council will have regard to the characteristics of the site, the viability of the development and its Affordable Housing and Balance of Dwellings SPDs. Developers will be expected to have considered the financial implications of the affordable housing policy requirements, and other contributions, when purchasing land for development. Any negotiation will be expected to be on an "open-book" basis and should relate to the particular site circumstances that have resulted in the development's non-viability. Further details on the cascade approach that will be applied in any negotiation is set out in the Affordable Housing SPD.

Policy CS24

Affordable housing

Planning permission will only be granted for residential developments that provide generally a minimum of 50% of the proposed dwellings as affordable housing on all qualifying sites.

Planning permission will only be granted for commercial development that provides affordable housing to meet additional demand created.

If it can be demonstrated, by open book evidence, that the affordable housing contribution from either residential or commercial development makes a site unviable developers and the City Council will work through a cascade approach until a site is made viable.

Developers will provide affordable housing as part of the proposed development unless the City Council, or the Secretary of State where appropriate, and the developer both consider that it is preferable to make a financial or other contribution towards the delivery of affordable housing on another site.

Developers may not circumvent this policy by artificially subdividing sites, and are expected to make efficient use of land. Affordable housing should be available to those in housing need in perpetuity.

- 7.3.8 Note: qualifying sites are defined in the Oxford Local Plan 2001-16 as sites of 0.25 ha or more in area, or where development would provide 10 or more dwellings (including development on a site having the capacity for at least 10 dwellings). These thresholds will be reviewed in the Development Management DPD.

Affordable homes

A2.16 Meeting housing need is a key priority of the City Council. New affordable housing has a vital role in delivering sustainable, inclusive and mixed communities, both within a site, and across Oxford as a whole.

A2.17 **Core Strategy Policy CS24 – Affordable Housing** states that generally a minimum of 50% of residential developments must be provided as affordable housing. The City Council generally expects affordable housing to be provided as part of the same development ('on-site'), to ensure a balanced community on the site.

A2.18 Policies HP3 and HP4 set out the detail of how residential developments should contribute to affordable housing. The policy applies to all types of self-contained dwelling. This includes retirement homes, sheltered housing, Extra Care Housing, key worker housing, and all parts of any development that fall within Use Class C3. The policy does not apply to residential institutions such as care homes, nursing homes or hospitals, or to secure residential institutions, but will apply to any self-contained staff accommodation within these developments.

Provision of affordable housing on-site (10 or more homes)

A2.19 Most sites in Oxford that have capacity for 10 or more homes can provide 50% affordable housing whilst remaining viable⁷. Where a developer considers that meeting the 50% target will make a site unviable, they must provide robust evidence of this in the form of an independent viability appraisal. The City Council will expect the developer to negotiate on an "open book" basis which relates to the particular site circumstances that have resulted in the development's non-viability. The City Council will always expect developers to have considered the financial implications of affordable housing policy requirements, and local market indicators, when purchasing the land for development.

A2.20 If the City Council is satisfied that the site would be unviable, a cascade approach will be used to determine an appropriate contribution. Policy HP3 builds on Core Strategy Policy CS24 by setting out how this cascade approach will operate.

A2.21 Affordable housing must be truly affordable to those that need it. The City Council will require at least 80% of affordable housing provided on-site to be social rented. Due to exceptionally high private rents in Oxford, the alternative 'affordable rented' tenure will not be accepted as a substitute for social rented homes. Up to 20% of the affordable homes provided on-site may be provided as affordable rented or as other types of intermediate housing.

A2.22 The City Council maintains the Housing Register for Oxford, and also monitors and manages allocations. The Council will use this and other available evidence to advise on the strategic mix of dwelling sizes required on new housing developments, including for key workers, to meet Housing Strategy objectives. The strategic mix currently set out in the Affordable Housing SPD (July 2006) will be updated in a future planning document. Affordable dwellings of 2 or more bedrooms should provide enough space within at least two bedrooms for at least two people to comfortably share. This allows for children to share bedrooms, and ensures that there is some extra space for expanding family households.

Policy HP3

Affordable Homes From Large Housing Sites

Planning permission will only be granted for residential development on sites with capacity for 10 or more dwellings, or which have an area of 0.25 hectares or greater, if generally a minimum 50% of dwellings on the site are provided as affordable homes.

*A minimum 80% of the affordable homes must be provided as social rented, with remaining affordable homes provided as intermediate housing.**

Exceptions will be made only if it can be robustly demonstrated that this level of provision makes a site unviable, in which case developers and the City Council will work through a cascade approach in the following order until a scheme is made viable:

- *firstly, reduce the percentage of affordable housing provided (to a minimum of 40% of all homes) by reducing the intermediate housing element only;*
- *secondly, at 40% affordable housing, reintroduce an element of intermediate housing incrementally up to a maximum 8% of all homes;*
- *thirdly, make a financial contribution in lieu of on-site provision, to be calculated using the approach set out in Appendix 2.*

The applicant must demonstrate that the mix of dwelling sizes meets the City Council's preferred strategic mix for affordable housing.

Developers may not circumvent this policy by artificially subdividing sites.

** See Glossary for definitions*

Provision of affordable housing through financial contributions (4–9 homes)

A2.23 Much of Oxford's supply of new housing comes from small sites of less than 10 homes, or less than 0.25 hectares. It is important that these sites contribute to achieving a balanced community in Oxford. It is often not possible for these sites to provide 50% of homes as affordable without becoming unviable. It is difficult for a Registered Provider to efficiently manage individual households in dispersed locations.

- A2.24 The Affordable Housing Viability Study showed that most small sites of less than 10 homes can however make a financial contribution towards achieving a more balanced tenure mix across Oxford. This will be required on sites of 4 to 9 dwellings, and will specifically be used to deliver affordable housing elsewhere in Oxford. If it can be robustly demonstrated to the City Council that the full contribution would make the development unviable, the Council will expect any alternative sum to be negotiated on an “open book” basis, using the same principles as for on-site affordable housing.
- A2.25 In appropriate circumstances, provision may be made as on-site affordable housing. The City Council and the applicant must agree that on-site provision is appropriate. On-site provision would be expected to make up generally a minimum of 50% of dwellings on the site, unless viability evidence demonstrates a need to reduce this.
- A2.26 Where homes are proposed as part of a mixed-use scheme, together with student accommodation and/or commercial development, account will be taken of the overall floorspace of all development on the site. Even if different uses each fall under the threshold for applying the relevant policy, the development as a whole may still trigger a requirement to contribute to affordable housing.
- A2.27 Sites that have capacity to provide only 3 homes or less (gross) will be exempt from the requirement, so that conversions of large homes to smaller dwellings are able to come forward, whilst meeting other important requirements such as Lifetime Homes.

Policy HP4

Affordable Homes From Small Housing Sites

Planning permission will only be granted for residential development on sites with capacity for 4 to 9 dwellings, if a financial contribution is secured towards delivering affordable housing elsewhere in Oxford. The contribution required will be 15% of the total sale value of the development, and will be calculated using the formula set out in Appendix 2.

Where both the City Council and the applicant agree that on-site affordable housing is appropriate, planning permission will be granted if generally a minimum 50% of dwellings on the site are provided as affordable homes.

If it can be demonstrated to the City Council that the full contribution would make the development unviable, the City Council will accept a lower contribution, in accordance with Appendix 2 (paragraph 6).

Developers may not circumvent this policy by artificially subdividing sites. For mixed-use residential developments that include student accommodation and/or commercial floorspace, the overall development floorspace will be used to determine the contribution required.

Student accommodation and affordable housing

A2.39 A key objective of the Core Strategy is to ensure that new residential development contributes to a balance of housing types and tenures, which in turn contribute to mixed and balanced communities. New student accommodation is often proposed on sites that could otherwise be developed for general purpose housing, which would include affordable homes as part of a wider tenure mix.

A2.40 Policy HP6 therefore sets out how student accommodation proposals should contribute to affordable housing delivery, to ensure that the objective of achieving mixed and balanced communities is met. This will apply on qualifying sites providing 20 or more student bedrooms that are otherwise suitable for general purpose housing: this is broadly equivalent to 10 or more self-contained homes (the threshold for applying Policy HP3). It is expected that, for qualifying sites, a financial contribution will generally be appropriate. In certain circumstances, such as where mixed-use development is proposed that includes general purpose housing, provision may be made as on-site affordable housing, where the City Council and the applicant agree that on-site provision is the most appropriate way of creating mixed and balanced communities.

A2.41 Where student accommodation is proposed as part of a mixed-use scheme, together with general housing and/or commercial development, account will be taken of the overall floorspace of all development on the site. Even if different uses each fall under the threshold for applying the relevant policy, the development as a whole may still trigger a requirement to contribute to affordable housing. As a general guide, and including communal areas such as shared kitchens, two purpose-built student bedrooms have a similar internal floorspace as a 1-bedroom flat, and four purpose-built student rooms have a similar internal floorspace as a 3-4 bedroom house.

A2.42 If the applicant can robustly demonstrate that the sum required by applying the formula in Appendix 4 makes the scheme unviable, and this is accepted by the City Council, a lower contribution may be negotiated. This will be on the basis of the evidence submitted.

A2.43 The policy will apply to all proposals for providing 20 or more student bedrooms on sites that are not allocated solely for student accommodation in this Plan, including windfall sites that are suitable for general purpose housing, except in the circumstances set out in the policy. In these circumstances the City Council will not seek a financial contribution or on-site provision towards affordable housing.

Policy HP 6

Affordable Housing From Student Accommodation

Planning permission will only be granted for new student accommodation that includes 20 or more bedrooms if a financial contribution is secured towards delivering affordable housing elsewhere in Oxford. The contribution will be calculated using the formula in Appendix 4. Alternatively, the affordable housing contribution can be provided on-site where both the City Council and the applicant agree that this provision is appropriate.

If it can be demonstrated to the City Council that the full financial contribution, or equivalent on-site provision, would make the development unviable, the City Council will accept a lower financial contribution, in accordance with Appendix 4 (paragraph 6).

An exception to this requirement for delivering affordable housing will be made where:

- a) the proposal is within an existing university or college academic site* or hospital and research site, as defined in the glossary; or*
- b) the site has been allocated by the City Council solely for student accommodation; or*
- c) the proposal is for the redevelopment and/or intensification of a site, including proposals for the extension of a site on contiguous adjoining land, where the main existing use is student accommodation; or*
- d) the proposed student accommodation is necessary to enable either university to achieve or maintain its 3,000 student numbers threshold referred to in Core Strategy Policy CS25; or*
- e) where the City Council agrees that site is not suitable for, nor capable of being made suitable for, general purpose housing.*

Developers may not circumvent this policy by artificially subdividing sites. For mixed-use developments of student accommodation with general housing or commercial floorspace, a pro-rata approach will be used to determine whether a contribution is required, and how much this should be.

**this means sites that existed as a college or campus on 19 December 2011 (the date at which the Housing Policies became a material consideration) and continues to exist as such*

Appendix 2: Dwelling and student accommodation floorspaces

The table below shows typical floorspaces for different types of dwelling (gross internal area).

1 bedroom flat	50m ²
2 bedroom flat	67m ²
2 bedroom house	75m ²
3 bedroom house	95m ²
4 bedroom house	100m ²
5 bedroom house	105m ²

Source: Oxford Affordable Housing Viability Study (June 2011) (Appendix 7)

Student accommodation – single study bedroom	25m ² *

* includes an allowance for communal areas

Source: Oxford Affordable Housing Viability Study – Student Accommodation (Dec 2011)

Appendix 3: Viability appraisal

What is a viability appraisal?

- A3.1. A viability appraisal is an assessment of whether the development of a site would create sufficient value such that both the landowner brings the site to the market, and the developer has sufficient profit to undertake the development.
- A3.2. The Viability Appraisal Checklist provides details of what costs should be included in a viability appraisal, and how these should be used to assess viability.

When should one be submitted?

- A3.3. In Oxford, a site viability appraisal is required where an applicant considers that policy requirements will make a site unviable, and should therefore be negotiated down.
- A3.4. The appraisal should be submitted at the pre-application stage. If the City Council is content that it is robust, the outcome of the appraisal will be used as a basis for negotiating a reduced contribution for affordable housing. If, however, the City Council does not consider it robust, we will ask the applicant to review the assumptions and/or methodology, before the formal planning application is submitted.
- A3.5. If an applicant decides to submit a viability appraisal with the planning application without first agreeing it with the City Council, we will undertake an initial audit to determine whether the appraisal is robust. If there is doubt regarding its robustness, this may lead to the application being refused.

How will the City Council consider viability appraisals?

- A3.6. The City Council will, under normal circumstances, require the full contribution to be made in line with the Sites and Housing Plan policies HP3, HP4 and HP6. If the developer has evidence that the full level of on-site provision or financial contribution will make the site unviable, this evidence should be submitted as a full viability appraisal well before the formal application stage. This should have regard to the Viability Appraisal Checklist set out below.
- A3.7. The City Council will assess the viability appraisal, using the Viability Appraisal Checklist. If the City Council considers there are significant shortcomings in the level or quality of information provided, or in the overall approach, we will ask the applicant to address these concerns and submit a revised viability appraisal.
- A3.8. The Council must be in receipt of a draft viability appraisal that has enough information, and justification of assumptions, to allow a more detailed assessment. As any reduced affordable housing contribution is a departure from policy, the Council will wish to be fully satisfied that the reduced contribution offered is justified by a lack of viability. Depending on the robustness of the appraisal, the City Council may ask an independent RICS qualified consultant to provide an expert audit of the findings of the viability assessment.
- A3.9. If either the Council or the independent consultant has found flaws in the viability appraisal, the applicant will be expected to either increase provision for affordable housing, or further refine the viability appraisal, to take account of the Council's concerns. If the applicant is not willing to do this, it is likely the Council will recommend refusal (subject to formal consideration of the planning application).
- A3.10. If the viability appraisal is accepted, the applicant may, in the context of the site, be asked to consider changing the density, dwelling mix and other scheme details as an alternative to reducing affordable housing contributions. This reflects the Council's priority to increase the supply of affordable housing in Oxford.

Large (Major) and complex applications

- A3.11. Where the viability appraisal involves a large site and/or complex inputs, officers may suggest a **collaborative approach** to assessing viability. This will take longer and be more expensive initially, but if done in good faith should lead to a much swifter resolution and potentially avoid the need for an appeal.
- A3.12. Such an approach is likely to involve:

- Establishing a working group, to include Council officers, the applicant, the consultant commissioned to assess viability on behalf of the applicant, and the Council's appointed consultant who will act as independent auditor;
- Agreeing as many aspects of the viability appraisal as possible in advance of the main assessment, e.g. an appropriate tool/model, existing use value, likely GDV, cost of build, etc.
- Reviewing the outcome, and agreeing between parties any further changes to the appraisal inputs and assumptions to ensure a robust outcome (i.e. 'sensitivity testing').

A3.13. Due to the additional expense to the Council of such an approach (in terms of both officer time and consultancy fees), the Council will seek a contribution from the developer towards its additional expenses.

Viability Appraisal Checklist

Introduction

A3.14. The City Council has produced this Viability Appraisal Checklist to provide advice to applicants on the information the City Council would expect to be submitted if an applicant wishes to pursue a case of non-viability. This information is expected from the applicant if a development is proposed which does not provide the amount or type of affordable housing and/or financial contributions expected through Oxford's Development Plan policies.

Open book approach

A3.15. The information provided as part of this checklist will be subject to scrutiny by the Council. This information will be used to inform the decision taken when determining a planning application, this information will therefore be publicly available.

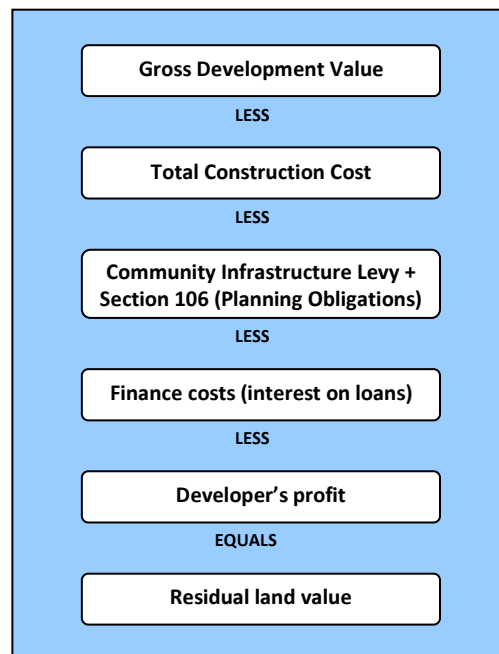
A3.16. Providing full, clearly presented and fully justified details on development viability, on an open book basis, will streamline the planning application process and potentially allow a collaborative approach. Viability appraisals provided at the pre-application stage are encouraged to further speed up decision making.

A3.17. All costs must be justified, with clear references to supporting evidence, and will be critically scrutinised by the Council to ensure each element is robust. All valuations should have 3 independent valuations undertaken by qualified RICS surveyors.

Residual Land Value

A3.18. Whilst there are different ways that a viability appraisal can be undertaken, the City Council prefers the Residual Land Value method. This is the most commonly used approach, that takes account of the fact that ~~development land value uplift~~ **viability** will depend both on the market value of a redeveloped site **(i.e. the future use)**, and also on all the costs that are borne by the developer, including planning and infrastructure costs, **and the value of the site based on its current use and condition (i.e. the existing use value)**. Other methodologies, such as adopting a Threshold or Benchmark Land Value based on (sometimes limited) local market evidence, may not take full account of the impact that planning policies will have on land value, thus an artificially high 'hope' value for the site may skew the results.

A3.19. The Residual Land Value is the amount that a developer is able to pay for a site, whilst still being able to deliver the project. This is worked out by using the following formula:



A3.20. In some circumstances, an existing landowner will be looking to dispose of a site, or the existing use may have ceased. In this scenario, if the Residual Land Value is equal to or greater than the Existing Use Value (EUV), then the development is viable.

A3.21. In other circumstances, a landowner may not need to sell a site. In this scenario the landowner will expect an incentive to sell, so a degree of uplift in the value of their land to make it worthwhile selling. In this scenario, an appropriate level of uplift in the Existing Use Value can be factored into the viability appraisal. The level of uplift on EUV will need to be fully justified based upon the circumstances of the site.

Calculating the Residual Land Value

A3.22. The following information will need to be set out in the viability appraisal:

1. Gross Development Value

A3.23. The Gross Development Value (GDV) is the value to be achieved if all units within the development were sold, either on the open market or, in the case of affordable units, to a Registered Provider (RP).

A3.24. If some or all of the development is to be retained in the ownership of the developer, the completed development will still have an open market value. The City Council would expect 3 independent valuations each undertaken by a different RICS qualified surveyor on the basis of capitalised rental income.

A3.25. The Gross Internal Area should be provided for each part of the development.

A3.26. The elements that might make up the total development value are:

- **Market housing units:** Total expected to arise from open market sales. The values arrived at must take account of real current market values for the type and location of development. The source of this information must be clearly justified. The value of the units should be evidenced by reference to other sales figures in the area, reflect the new build premium, and the expected market value at the time the units would come to the market, considering the time it would take to build the units.
- **Social rented units:** The value of units to be sold to an RP, on the basis of social rented tenure. Calculated by capitalising target social rents, allowing for deductions for repairs, voids/bad debts, management, maintenance and service charge.
- **Shared ownership units:** The value of units to be sold to an RP, on the basis of shared ownership with the maximum of 25% of each unit to be sold at open market value, and rent on the unsold equity of 2.75%. The sale element will be added to the capitalised rental income (allowing for deductions for repairs, voids/bad debts, management, maintenance and service charge) to arrive at an overall value that an RP can afford to pay for the unit.

- Intermediate rented / Affordable rented units: The value of units to be sold to an RP, on the basis of intermediate or affordable rent. Calculated by capitalising a rental income agreed (or likely to be agreed) with a partner RP, allowing for deductions for repairs, voids/bad debts, management, maintenance and service charge. Affordable rent should be assumed to be 80% of the equivalent market rent, unless there is solid evidence that the ratio will be lower.
- Student accommodation: The value of a student accommodation development will be calculated by capitalising the rental income of the completed development, allowing for deductions for repairs, voids/bad debts, management and maintenance. This income may vary over the course of a year, given that many such developments are let out to conference delegates out of term time. Future rental income may also depend on whether it is to be run or leased by a major institution, or privately let directly to students. It will be borne in mind that student accommodation developed by a public or charitable institution may be sold to a private provider in the future.

2. Construction costs

A3.27. The following elements may make up the total cost of construction:

- Basic build cost: This should normally align with current BCIS build costs. These will be different for different types of dwelling (e.g. flats compared with housing; conversion compared with new-build). If BCIS is not used, there must be robust and detailed justification as to why a different assumption has been applied.
- Demolition works: Relating to structures to be demolished to make way for new build development.
- Site servicing and infrastructure costs: A reasonable estimate of the cost of providing services to the site, and infrastructure within the site, based on BCIS data, or other robust costings specific to the site. Infrastructure covered by the Section 106 Agreement must not be double counted.
- Renewable energy: Such costs must relate to features that are over and above the cost of meeting current building regulations (Part L – conservation of fuel and power).
- Accessibility design features: Modest and justified additional costs may be assumed relating to meeting Lifetime Homes standards or to make a proportion of dwellings readily adaptable to Wheelchair Accessible Standard. Note that the requirements of Sites and Housing Policy HP2 generally relate to space and internal design, rather than to specialist features that go beyond building regulations (Part M). Applying BCIS build costs on a per m² basis would automatically take account of such costs.
- Specialist flood protection/mitigation: These may apply where the City Council or Environment Agency has advised that there is a requirement. These elements need to be fully costed and justified.
- Build contingency: A contingency margin is appropriate where justified, to take account of reasonable uncertainties and unknowns relating to the site.

3. Affordable Housing, Section 106 and CIL

A3.28. The level of the Section 106 Planning Obligation should be provided by the City Council in its role as Planning Authority. This includes contributions which are for County Council functions, such as education.

A3.29. In October 2013, the City Council expects to adopt its Community Infrastructure Levy Charging Schedule (CIL). CIL will replace most of the financial planning obligations which are currently required under S106. CIL is charge on the basis of a fixed rate per m² of different use class.

A3.30. In respect of other planning obligations, please see the Planning Obligations SPD (April 2007), or from adoption of the Community Infrastructure Levy Charging Schedule, see the Affordable Housing & Planning Obligations SPD (draft publication April 2013).

A3.31. Financial contributions towards the off-site provision of affordable housing are required from sites of 4-9 homes (gross) in line with the Sites and Housing Plan Policy HP4. Financial contributions are also required in line with Policy HP6 from student accommodation developments of 20 or more units (gross). Further detail will be set out in the Affordable Housing & Planning Obligations SPD (draft publication April 2013). The costings of these financial contributions needs to be clearly set out, and agreed with the City Council.

4. Finance and professional costs

A3.32. The following elements may make up the finance costs of a scheme:

- Finance: Details of project finance, related to phasing of construction and sales, should be clearly set out. The proportion of the overall cost to be met by securing bank loans, and the rate of interest applicable to these, should be included in the open book assessment.
- Professional fees: These may include fees for planning application, land acquisition, architect, planning agent, quantity surveyor, building control and stamp duty. The phasing of these costs should be appropriately timed (e.g. building control should not be applied until later build phase).
- Marketing and legal fees: These may include the reasonable costs of sales (e.g. marketing agent commission) and legal input for the sale or transfer of units. These costs must be benchmarked in line with current industry standards. The phasing of these costs should be appropriately timed; they will normally only apply to the later phases of development.

5. Developer profit

A3.33. Developer profit can be calculated as either profit on cost or profit on Gross Development Value (GDV). The City Council will expect the applicant to work on the basis of profit on cost. This is more transparent, and will therefore allow more effective discussion on viability issues.

A3.34. The level of developer profit will reflect the degree of risk to the developer. The required profit margin should be fully justified.

A3.35. The viability appraisal should assume that on-site affordable housing units do not require a developer's profit. This is on the basis that the developer is not taking any risk with the delivery of affordable housing, for which there is a guaranteed buyer and price i.e. the Registered Provider to whom the affordable housing will be transferred on an agreed date.

6. Existing Use Value

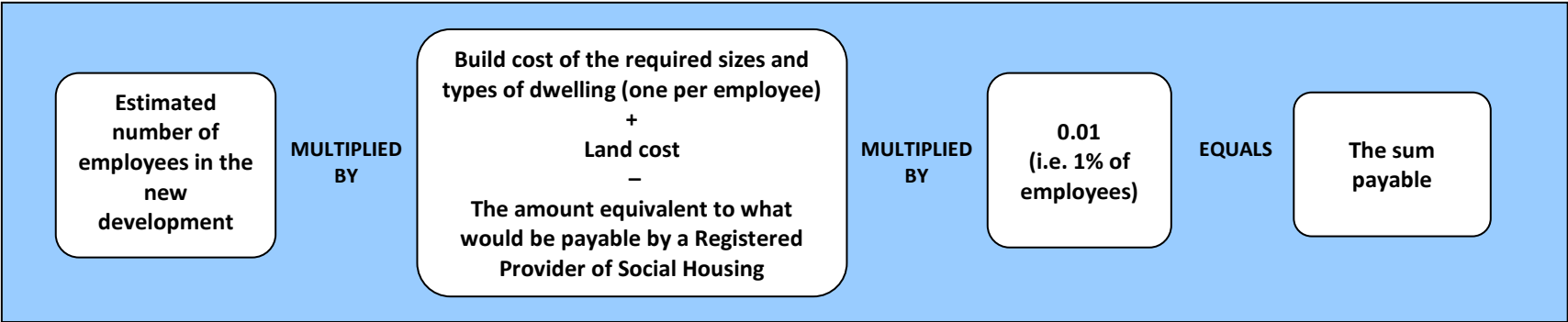
A3.36. The EUV is what the site is worth in its current use and condition. The City Council would expect three EUV valuations, each of which must be undertaken by a different qualified RICS surveyor.

A3.37. The EUV is not necessarily the same as the actual land purchase price. Developers when purchasing a site should take account of adopted and emerging planning policies in agreeing a price. The Council will not accept overpayment for site purchase as a justification for non-viability.

Appendix 4: Contribution towards affordable housing from non-residential developments (Core Strategy Policy CS24)

Formula for calculating affordable housing contribution from non-residential developments

A4.1. The formula below will be used to calculate the required contribution towards affordable housing from qualifying non-residential developments:



Employment densities

A4.2. The figures in Table A7 are expressed either as Net Internal Area (NIA), Gross Internal Floorspace (GIF), or Gross External Area (GEA). Information on a planning application form relates to Gross Internal Floorspace (GIF). The following conversion rates will be applied:

NIA = 85% x GIF
GEA = 105% x GIF (applicable to B8 uses)

Table A7 Table A4 Commercial developments by use class and whether of not a contribution towards affordable housing is sought				
Use class		Contribution required?	Comment	Typical floor space per employee (sq m) ⁶
A1	Shops	No	Contribution not required from retail development	n/a
A2	Financial and professional services	No	Contribution not required from retail development	n/a
A3	Restaurants and cafes	No	Contribution not required from retail development	n/a

⁶ Source: Employment Densities Guide 2nd Edition (Homes and Communities Agency, 2010)
Oxford City Council

A4	Drinking establishments	No	Contribution not required from retail development	n/a
A5	Hot food takeaway	No	Contribution not required from retail development	n/a
B1(a)	Offices	Yes	-	12 (NIA)
B1(b)	Research and development	Yes	If no reliable information has been submitted by the applicant, a ratio equivalent to B1(a) will be assumed.	Information required from applicant.
B1(c)	Light industry	Yes	-	47 (NIA)
B2	General industrial	Yes	-	36 (GIF)
B8	Storage or distribution	Yes	Large scale and high bay warehousing may have a ratio of around 80 sq m	70 (GEA)
C1	Hotels	Yes	(1) Hotels may provide self-contained accommodation for their staff on site, which would reduce the level of contribution (2) Budget hotels may have reduced staff of 1 employee per 3 bedrooms plus casual staff. 4/5 Star hotels may have additional staff of 1 employee per 1.25 bedrooms.	1 employee per 2 bedrooms
C2	Residential institutions	Yes	Residential institutions may provide self-contained accommodation for their staff on site, which would reduce the level of contribution	Information required from applicant
D1	Non-residential institutions	Yes	-	Depends on specific use - information required from applicant
D2	Cinemas	Yes	-	90 (GIF)
D2	Amusement & entertainment centres <u>(including music and concert halls, bingo and dance halls)</u>	Yes	-	70 (GIF)
D2	Sports centres and private clubs <u>(including swimming baths, skating rinks, gymnasiums or areas for indoor or outdoor sports and recreations)</u>	Yes	-	65 (GIF)
	Sui generis	Seek advice from the planning department		

Build costs

A4.3. The build cost should be estimated on the basis of up-to-date BCIS data. The mix of units assumed should be equivalent to the strategic mix set out in Table 2 of this SPD, i.e. for housing sites outside the City and District centres. The typical dwelling size measurements set out in Appendix 2 of this SPD should be used to calculate the total cost per dwelling.

Land cost

A4.4. The land cost should be based on evidence from the Valuation Office Agency or Land Registry of the typical cost of residential development land in Oxford. The City Council currently uses a figure of £4million per hectare, this may be reviewed in light of updated evidence. The density of development should be assumed as 55 dwellings per hectare, which is considered a typical density for sites in Oxford.

Value of residential development

A4.5. To estimate the selling prices to a Registered Provider (RP), the City Council will use figures contained in the Affordable Housing Viability Study⁷, or any update to these figures either published or expressly endorsed by the City Council. Values have been calculated on a zero grant basis. Selling prices for both social rented and shared ownership affordable housing vary with location within Oxford, therefore the specific site values used should correspond as closely as possible to the location of the development from which the contribution is sought.

A4.6. In calculating the amount that would be payable by an RP, developers should assume an 80/20 social rented/shared ownership mix and should base the mix of dwellings on the Strategic Mix as set out in Table 2 of the main SPD, i.e. assume that off-site affordable housing will be on a site outside the City centre.

⁷ Oxford Affordable Housing Viability Study (King Sturge, 2011) Appendix 7
Oxford City Council

Appendix 5: Standard Legal Agreement

STANDARD AGREEMENT

DATED _____ **20**

(NAME OF APPLICANT/DEVELOPER/OWNER)

- and -

THE OXFORD CITY COUNCIL

AGREEMENT

under Section 106 of the Town and Country Planning Act 1990
relating to (INSERT NAME OF SITE) and
planning application no. (INSERT REF)

Date:

File Ref :

This 'skeleton' agreement is in indicative model form for routine planning obligations. It is not intended to be definitive. Variations may be necessary to address site specific issues or to take account of further developments in law or practice.

THIS AGREEMENT by way of Deed is made on

20XX

B E T W E E N:

- 1 **(Insert names and addresses of all those with interests (not chargees/mortgagees) in the land to be bound (registered office and registration numbers for companies))** “the Owner”)
- 2 **THE OXFORD CITY COUNCIL** of The Town Hall Blue Boar Street Oxford OX1 4EY (“the City Council”)
- 3 **(Insert names and addresses of all chargees/mortgagees in the land to be bound (registered office and registration numbers for companies))** “the Chargee”)

WHEREAS

- 1.1 The Owner is interested in land at [describe land (by reference to registered title is applicable)] (“the Land”) in the manner and to the extent set out in Schedule One hereto
- 1.2 The City Council is a local planning authority and the district planning authority for the administrative area of the City of Oxford for the purposes of the Town and Country Planning Act 1990 (“the Act”)
- 1.3 Application bearing reference [planning application number] (“the Application”) has been made to the City Council pursuant to Part III of the Act for planning permission to develop the Land by [description of development from planning application] (“the Development”)
- 1.4 The parties hereto have entered into this Agreement with the intent that its provisions be material to the determination of the Application

NOW THIS DEED WITNESSTH AS FOLLOWS

1 Interpretation

- 1.1 Save where contrary intention is shown the provisions of the Interpretation Act 1978 shall apply to the provisions hereof as if this Deed was an Act of Parliament
- 1.2 Save where contrary intention is shown the following expressions shall bear the following meanings herein

“Commencement of Development” means the date on which the Development permitted by the Permission is initiated within the meaning of section 56 of the Act and “commence” “commencement” and similar expressions shall be construed accordingly

“Index” means

in relation to any sum referred to in Schedule Two the Halifax Price Index for the South East

in relation to any other sum herein the BCIS All-In Tender Price Index published in the Quarterly Review of Building Prices by the Royal Institution of Chartered Surveyors

“Permission” means planning permission granted in determination of the Application

2 Statutory Authority

- 2.1 All obligations hereunder on the part of the Owner [and the Chargee] (howsoever expressed) are planning obligations for the purposes of section 106 of the Act entered into in respect of its interest in the land as particularised in Schedule One hereto enforceable against the Owner and his successors in title the obligations being enforceable by the City Council
- 2.2 All and any obligations hereunder on the part of the City Council are contractual obligations personal to the Owner (and not to any successor in title to the Land or assignable to any other person) entered into pursuant to section 111 of the Local Government Act 1972
- 3 Obligations
- 3.1 The Owner covenants with the City Council to observe and perform the requirements contained in the Schedules hereof
- 4 Miscellaneous
- 4.1 All sums payable hereunder shall be exclusive of any value added tax properly payable
- 4.2 The Contracts (Right of Third Parties) Act 1999 shall not apply to any of the provisions of this Agreement
- 4.3 All sums payable hereunder shall be paid subject to indexation which shall mean that should the value of the Index as at the date of payment ("the Payment Date Value") exceed the value of the Index as at the date of this Agreement ("the Base Date Value") the sum to be paid shall be the sum specified hereunder multiplied by the Payment Date Value and divided by the Base Date Value
- 4.4 In the event of the Chargee exercising powers under or by virtue of his charge upon the Land as particularised in Schedule One hereof the Chargee and his successors in title shall become liable hereunder as if he were the Owner PROVIDED ALWAYS that he shall not otherwise be liable hereunder
- 4.5 If any sum payable to the City Council hereunder is not paid in full (including any increase in consequence of clause 4.3 above) on or before the due date interest shall be due and payable to the payee at the rate of 4% per annum above the base lending rate of Lloyds TSB Bank PLC compounded monthly for the period from the due date until payment of the full amount due as at the date of payment
- 4.6 No alteration in the terms of this Agreement nor any forbearance or forgiveness on the part of the City Council in or in the extent or nature of any matter or thing concerning this Agreement shall in any way release the Owner from any liability hereunder
- 4.7 Nothing in this Agreement shall prejudice or affect the rights powers duties and obligations or the City Council in the exercise of its functions in any capacity
- 4.8 Where more than one person is liable under any provision hereof the liability shall be joint and several
- 4.9 All notifications approvals permissions consents or similar hereunder shall be in writing
- 4.10 The Owner shall permit the City Council full access to the land (save for buildings in residential or commercial occupation to which access shall be permitted on not less than 24 hours written notice) for any purpose in connection with this Agreement

IN WITNESS whereof the parties have executed this Agreement as a deed on the day and year first before written

Schedule One

[Set out land ownership details (freehold and leasehold if relevant) including charges

If there are multiple parcels of land with differing ownerships deal with each separately by reference to the plan]

Schedule Two

[Affordable Housing – on site provision]

- 1 The Owner shall not cause or permit the Commencement ~~of~~fr continuance of the Development prior to obtaining the written agreement of the City Council to a scheme for the provision of at least 50% of the total number of dwellings within the Development as Affordable Housing (“the Affordable Housing Scheme”) such scheme to provide
 - 1.1 the locations of dwellings to be available at a rent or price that can be afforded by people who are in housing need and would otherwise not be able to compete in the general housing market and complying with the definition of Affordable Housing in the glossary to the Sites and Housing Local Plan (February 2013) (“Affordable Housing”) ensuring that the Affordable Housing is integrated into the Development as a whole
 - 1.2 the details of the type and tenure of the Affordable Housing ensuring that at least 80% of the dwellings comprising the Affordable Housing is social rented housing complying with the definition in the glossary to the Sites and Housing Local Plan (February 2013) (“Social Rented Housing”) providing that
 - no less than [x%] and no more than [y%] of the Affordable Housing shall be 1 bedroom (2 person) Social Rented Housing with a minimum floorspace of 39 square metres
 - no less than [x%] and no more than [y%] of the Affordable Housing shall be 2 bedroom (4 person) Social Rented Housing with a minimum floorspace of 67 square metres
 - no less than [x%] and no more than [y%] of the Affordable Housing shall be 3 bedroom (5 person) Social Rented Housing with a minimum floorspace of 75 square metres
 - no less than [x%] and no more than [y%] of the Affordable Housing shall be 4 bed (minimum 7 person) Social Rented Housing with a minimum floorspace of 108 square metres (118 square metres if a 5 bedroom (8 person) unit increasing by 10 square metres per additional bedroom above 8 for units for more than 8 people)
 - no less than [x%] and no more than [y%] of the Affordable Housing shall be 1 bedroom (2 person) Intermediate Housing (which expression bear the meaning provided in the glossary to the Sites and Housing Local Plan (February 2013)) with a minimum floorspace of 39 square metres
 - no less than [x%] and no more than [y%] of the Affordable Housing shall be 2 bedroom (4 person) Intermediate Housing with a minimum floorspace of 67 square metres
 - no less than [x%] and no more than [y%] of the Affordable Housing shall be 3 bedroom (5 person) Intermediate Housing with a minimum floorspace of 75 square metres

[FOR PERCENTAGES PLEASE REFER TO TABLES 2 AND 3 OF THE SPD]

and showing that at least 5% of the dwellings comprising the Affordable Housing (where these will exceed three in number) will be fully wheelchair accessible, or of a design that allows future adaptation to become fully wheelchair accessible.

- 1.3 the contractual arrangements with a registered provider of social housing within the meaning of the Housing and Regeneration Act 2008 (including for the avoidance of doubt the City Council) (“Registered Provider”) for the delivery (both construction and transfer (or lease of not less than 125 years in the case of flats) of the Affordable Housing including a copy of such completed contract certified as a true copy by a solicitor
 - 1.4 the servicing of the Affordable Housing and the allocation of responsibility for such servicing and the cost of such servicing
- 2 In the event that the Registered Provider is not the City Council the Owner shall not cause or permit the Commencement of continuance of the Development prior to that Registered Proprietor having entered into a framework agreement applicable to the Affordable Housing to be provided hereunder with the City Council for partnership working in relation to the operation of a shared register of people in need of Affordable Housing in the administrative area of the City Council and the allocation of Social Rented Housing
- 3 The Owner shall not cause or permit the occupation of more than 25% of the dwellings (excluding those specified as Affordable Housing) authorised by the Permission until
 - 3.1 50% of the dwellings comprising the Affordable Housing have been fully constructed and are finished ready for immediate residential occupation in accordance with the Affordable Housing Scheme and
 - 3.2 (as regards that 50%) the leasehold interest of those dwellings comprised within the Affordable Housing which are flats and/or the freehold interest of those dwellings comprised with the Affordable Housing which are not flats have been transferred to the Registered Provider such grant and/or transfer to be prepared by solicitors instructed by the Owner and at the cost of the Owner in substantially the form attached and marked “AH Grant of Lease” and “AH Transfer” respectively
- 4 The Owner shall not cause or permit the occupation of more than 50% of the dwellings (excluding those specified as Affordable Housing) authorised by the Permission until
 - 4.1 75% of the dwellings comprising the Affordable Housing have been fully constructed and are finished ready for immediate residential occupation in accordance with the Affordable Housing Scheme and
 - 4.2 (as regards that 75%) the leasehold interest of those dwellings comprised within the Affordable Housing which are flats and/or the freehold interest of those dwellings comprised with the Affordable Housing which are not flats have been transferred to the Registered Provider such grant and/or transfer to be prepared by solicitors instructed by the Owner and at the cost of the Owner in substantially the form attached and marked “AH Grant of Lease” and “AH Transfer” respectively
- 5 The Owner shall not cause or permit the occupation of more than 75% of the dwellings (excluding those specified as Affordable Housing) authorised by the Permission until
 - 5.1 all of the dwellings comprising the Affordable Housing have been fully constructed and are finished ready for immediate residential occupation in accordance with the Affordable Housing Scheme and
 - 5.2 the leasehold interest of those dwellings comprised within the Affordable Housing which are flats and/or the freehold interest of those dwellings comprised with the Affordable Housing which are not flats have been transferred to the Registered Provider such grant and/or transfer to be prepared

by solicitors instructed by the Owner and at the cost of the Owner in substantially the form attached and marked "AH Grant of Lease" and "AH Transfer" respectively

- 6 The Owner will procure that all dwellings comprised within the Affordable Housing shall
 - 6.1 meet all requirements of Homes and Community Agency Design Quality Standards and Housing Quality Indicators that (were that Agency funding their provision) would be applicable to them
 - 6.2 comply with Lifetime Homes standards then applicable
 - 6.3 show compliance with Secure By Design standards then applicable
- 7 The Owner shall not cause permit or allow occupation of any dwelling comprised within the Affordable Housing other than as Affordable Housing in accordance with the Affordable Housing Scheme
- 8 The Owner shall not cause permit or allow all or any dwelling comprised within the Affordable Housing to be disposed of for a consideration (howsoever constructed) in excess of [x%] of the value that would otherwise be achievable on the open market in the event that the provisions of this Schedule Two were not applicable thereto
- 9 The Owner shall not cause permit or allow all or any dwelling comprised within the Affordable Housing to be occupied at a weekly/monthly cost to the occupier in respect of the right to so occupy (including for the avoidance of doubt any service charges) in excess of [x%] of the sum that would otherwise be achievable on the open market in the event that the provisions of this Schedule Two were not applicable thereto

[Affordable Housing – contributions]

[HP3/HP4]

- 10 The Owner shall not cause or permit more than 50% of the dwellings comprised within the Development to be residentially occupied prior to paying to the City Council the sum of 15% of the combined sales value of all dwellings that may be occupied lawfully for planning purposes pursuant to the Permission the sales value in respect of each such dwelling being the then last available price at which such dwelling was legitimately advertised for sale OR such sum representing the actual sale price as the Owner may evidence to the satisfaction of the City Council OR a sales value which is the average (mean) value arising from at least ~~two~~ **three** professionally conducted valuations submitted in writing by ~~two~~ **three** separate and independent Chartered Surveyors each of whom shall be full members of the Royal Institute of Chartered Surveyors

[HP6]

- 11 The Owner shall not cause or permit the Development to be occupied as student accommodation prior to paying to the City Council the sum of £140 multiplied by the gross internal floor area permitted by the Permission for student accommodation the internal floor area to be calculated in accordance with the RICS "Red Book" then in effect
- 12 [if student accommodation of the Universities within HP6(d)] The Owner shall not cause or permit the Development to be residentially occupied other than for student accommodation for either Oxford University or Oxford Brookes University without first paying to the City Council the sum of £140 multiplied by the gross internal floor area permitted by the Permission for student accommodation the internal floor area to be calculated in accordance with the RICS "Red Book" then in effect

[CS24]

- 13 The Owner shall not cause or permit the Development to be occupied as [IDENTIFY RELEVANT COMMERCIAL USE] prior to paying to the City Council the sum of £[x]

Schedule Three
[Matters other than Affordable Housing]

1 The costs of the City Council

- 1.1 The Owner shall pay to the City Council on completion of this Agreement the legal costs of the City Council in connection with the preparation and completion of this Agreement
- 1.2 The Owner shall pay to the City Council on completion of this Agreement the sum of [XXXXX] being a contribution towards the costs of the City Council in connection with the administration and management of this Agreement (including the payments further to this Agreement) [Calculated as per SPD]

2 Bond

- 2.1 The Owner shall not cause or permit the commencement or continuance of the Development at any time that there are outstanding obligations hereunder that he has not procured that the City Council is in possession of an extant bond with at least 3 months remaining prior to its date of expiry in a form with a bondsman and to a value acceptable to the City Council (having regard to the then outstanding obligations) providing that in the event of default hereunder the bondsman shall be liable to the extent of that default

3 Notifications

- 3.1 The Owner shall not cause or permit the commencement or continuance of the Development unless the Owner has given notice of commencement of the Development to the City Council such notice specifying the intended date for commencement
- 3.2 The Owner shall give notice to the City Council of any disposal of his interest in the Land (or part thereof) or any other event giving rise to a successor in title (other than disposals of individual dwellings) providing the name and address of that successor the date of disposal and a plan identifying the land affected such notice to be provided within 14 days of the disposal or other event giving rise to a successor in title
- 3.3 On each anniversary of Commencement of Development until completion of the Development the Owner shall give notice to the City Council identifying the extent to which the Development has been executed
- 3.4 [if student accommodation (CS25 / ED10)] The Owner shall on each anniversary of the Commencement of Development notify the City Council particularising how many occupiers of the Development are in full time education on a course of not less than one academic year in length
- 3.5 [if student accommodation of the Universities within HP6(d)] The Owner shall on each anniversary of the Commencement of Development notify the City Council particularising how many occupiers of the Development are in full time education on a course provided by the University of Oxford / Oxford Brookes University and how many occupiers of the Development there are in total.

4 Public Art

- 4.1 The Owner shall not cause or permit the Commencement or continuance of the Development unless the written approval of the City Council has been obtained for a scheme for the provision of public art such scheme to provide for consultation and approval of the item or items comprising the public art (including design appearance materials and location) commissioning execution of all required works for the item or items comprising the public art and subsequent maintenance including a timetable for each stage by reference to time from Commencement of Development and/or prior to the commencement/completion/occupation of specified elements of the Development

- 4.2 The Owner shall ensure that the approved scheme referred to in paragraph 4.1 above is executed in its entirety and shall notify the Council of the completion of each distinct element
- 4.3 In the event that there is an extant breach of the approved scheme referred to in paragraph 4.1 above the Owner shall not cause or permit any further works for the execution of the Development or the occupation of any part of the Development not previously occupied
- 4.4 In the event that the City Council notifies the Owner of a desire to acquire any element of the approved scheme referred to in paragraph 4.1 above no later than 12 months after receiving notification in respect of that element that the same is complete then in respect of that element
 - 4.4.1 the Owner shall continue to maintain that element for a further 12 months at which date it will execute and deliver a transfer to the City Council in a form approved by the City Council
 - 4.4.2 the Owner shall (no later than the date on which it complies with paragraph 4.4.1 above) pay to the City Council the sum certified by the City Council as its anticipated costs of maintenance for a ten year period
- 4.5 upon compliance with paragraphs 4.4.1 and 4.4.2 above the obligations upon the Owner to further maintain that element shall cease

5 Public Open Space / Amenity Areas / Play Areas

- 5.1 The Owner shall not cause or permit the Commencement or continuance of the Development prior to obtaining the written approval of the City Council to a public open space scheme such scheme to provide
 - 5.1.1 the locations and details of each area of amenity and/or recreational open space (providing specifications of equipment where equipment is proposed) proposed within the Land as part of the Development sufficient to ensure that the needs of all those likely to use the Development will be met
 - 5.1.2 a timetable for the provision of each and every element by reference to such element being available for functional public use either prior to a defined part of the Development being commenced or occupied for the purpose permitted by the Permission
- 5.2 The Owner shall comply fully with all aspects of the approved scheme referred to in paragraph 5.1 above and shall notify the City Council of each and every element of the approved scheme referred to in paragraph 5.1 above first being made available for public use
- 5.3 The Owner shall in respect of each and every element of the approved scheme referred to in paragraph 5.1 above from the date on which it is first made available for public use
 - 5.3.1 keep it available for free public use at all times restricting public access only as may be required by law
 - 5.3.2 maintain it such that it does not materially deteriorate
- 5.4 The Owner shall not cause or permit the commencement or carrying on of any works for the provision of any element of the approved scheme referred to in paragraph 5.1 above prior to obtaining the written approval of the City Council to a mechanism to ensure future compliance with the obligations of the Owner pursuant to paragraphs 5.3.1 and 5.3.2 above.
- 5.5 In the event that the City Council notifies the Owner of a desire to acquire any element of the approved scheme referred to in paragraph 5.1 above within 12 months of receiving notification in respect of that element as referred to in paragraph 5.2 above then in respect of that element
 - 5.5.1 the Owner shall continue to maintain that element for a further 12 months at which date it will execute and deliver a transfer to the City Council to the City Council in a form approved by the City Council
 - 5.5.2 the Owner shall (no later than the date on which it complies with paragraph 5.5.1 above) pay to the City Council the sum certified by the City Council as its anticipated costs of maintenance for a ten year period
 - 5.5.3 upon compliance with paragraphs 5.5.1 and 5.5.2 above the obligations upon the Owner pursuant to paragraphs 5.3.1 and 5.3.2 above in respect of that element shall cease

6 Species relocation

- 6.1 The Owner shall not cause or permit the Commencement or continuance of the Development prior to obtaining the written approval of the City Council to a scheme for the relocation of [IDENTIFY SPECIES] (“the Species Relocation Scheme”) such scheme to provide
- 6.1.1 the locations and details of each area proposed for the species to be relocated to together with a schedule of the works proposed to firstly render those areas suitable for the relocated species and secondly to effect the relocation of that species
 - 6.1.2 a timetable for the provision of each and every element by reference to such element being effected either prior to a defined part of the Development being commenced or occupied for the purpose permitted by the Permission and in any event at such time as to ensure that the Development does not adversely impact upon the species to be relocated in its original location
 - 6.1.3 post relocation maintenance and protection arrangements
- 6.2 The Owner shall comply fully with all aspects of the Species Relocation Scheme referred to in paragraph 6.1 above and shall notify the City Council of each and every element of the approved scheme referred to in paragraph 6.1 above being completed
- 6.3 In the event that the City Council notifies the Owner of a desire to acquire any area of the Species Relocation scheme referred to in paragraph 6.1 above within 12 months of receiving notification in respect of that area as referred to in paragraph 6.2 above that all works of preparation and relocation have been completed then in respect of that area
- 6.5.1 the Owner shall continue to maintain that area for a further 12 months at which date it will execute and deliver a transfer to the City Council in a form approved by the City Council
 - 6.5.2 the Owner shall (no later than the date on which it complies with paragraph 6.5.1 above) pay to the City Council the sum certified by the City Council as its anticipated costs of maintenance for a ten year period
 - 6.5.3 upon compliance with paragraphs 6.5.1 and 6.5.2 above any ongoing maintenance and protection obligations upon the Owner pursuant to paragraph 6.2 above in respect of that area shall cease

7 On site Habitats / Biodiversity Creation / Protection

- 7.1 The Owner shall not cause or permit the Commencement or continuance of the Development prior to obtaining the written approval of the City Council to a scheme for the creation of a habitat suitable for [xxxxx] (“the Habitat Creation Scheme”) such scheme to provide
- 7.1.1 the locations and details of each area proposed for the habitat together with a schedule of the works proposed to firstly render those areas suitable for its purpose and secondly to effect the establishment of the intended flora and/or fauna
 - 7.1.2 a timetable for the provision of each and every element by reference to such element being effected either prior to a defined part of the Development being commenced or occupied for the purpose permitted by the Permission
 - 7.1.3 post provision maintenance and protection arrangements
- 7.2 The Owner shall comply fully with all aspects of the Habitat Creation Scheme referred to in paragraph 7.1 above and shall notify the City Council of each and every element of the approved scheme referred to in paragraph 7.1 above being completed

8 Travel Planning

- 8.1 The Owner shall not cause or permit the Commencement or continuance of the Development prior to obtaining the written approval of the City Council to a plan for the facilitation of transportation to and from the Development in a manner minimising the overall need to travel; minimising the need to rely upon the

private motor vehicle; and maximising opportunities to travel by more sustainable modes ("Travel Plan") such scheme to provide

- 8.1.1 for the establishment of targets for the total number of journeys to and from the Development by specified modes of travel
- 8.1.2 for the implementation of initial steps designed to achieve the targets referred to in paragraph 8.1.1
- 8.1.3 for the monitoring of the total number of journeys to and from the Development by specified modes of travel at least [twice each year/annually – delete as appropriate]

- 8.2 The Owner shall not cause or permit the Commencement or continuance of the Development prior to appointing for a period starting immediately and expiring ten years from the first [residential/B1/insert appropriate use] occupation of the Development an individual agreed in writing by the City Council to act in connection with the Travel Plan ("the Travel Coordinator")
- 8.3 The Owner shall make available to the Travel Coordinator the sum of [£x] upon his/her appointment for expenditure upon the steps referred to in paragraph 8.1.2 above
- 8.4 On the first nine anniversaries of the first [residential/B1/insert appropriate use] occupation of the Development the Owner shall make available to the Travel Coordinator the sum of [£x] for expenditure on such further measures as the Travel Coordinator considers necessary for the advancement of the objectives of the Travel Plan
- 8.5 The Owner shall procure that each and every sum made available to the Travel Coordinator under this paragraph 8 is fully expended for the purposes of the Travel Plan within 12 months of receipt
- 8.6 The Owner shall procure that a full written report of the monitoring referred to in paragraph 8.1.3 above is provided to the City Council within 30 days of each instance of such monitoring being completed

9 Cycle / Pedestrian routes

- 9.1 The Owner shall not cause or permit the Commencement or continuance of the Development prior to obtaining the written approval of the City Council to a route specification of works and timetable for those works for the provision of [identify number, type and approx location / terminal points] of permissive routes through the Land ("Cycle / Pedestrian Route Scheme")
- 9.2 The Owner shall fully execute the Cycle / Pedestrian Route Scheme in accordance with its terms and thereafter maintain the routes provided such that they do not materially deteriorate
- 9.3 The Owner shall permit passage and repassage on foot by the public at large at all times without obstruction or interruption over all routes provided as permissive footpaths pursuant to the Cycle / Pedestrian Route Scheme
- 9.4 The Owner shall permit passage and repassage on foot and by cycles by the public at large at all times without obstruction or interruption over all routes provided as permissive cyclepaths pursuant to the Cycle / Pedestrian Route Scheme

10 Joint Use

[CASE BY CASE NEGOTIATION]

[The obligations will prohibit the use of the premises other than in accordance with a joint use agreement the details of which will either be set out in full or will require to be agreed prior to first occupation.]

The obligations will identify the facilities (there may be different provisions applicable to different facilities) to be subject to joint use providing that local groups and/or local residents shall be permitted to use all or specified parts of the facilities during specified times (which may be varied from time to time by agreement) on terms and conditions (including charges) for booking and usage of those facilities. Those terms and conditions may be by reference to comparable City Council facilities, the basis upon which the facilities are made available to those the facilities are primarily provided for or some bespoke basis.]

Appendix 6: Standard Unilateral Undertaking

STANDARD UNILATERAL UNDERTAKING

DATED _____ **20** _____

[NAME OF APPLICANT/DEVELOPER/OWNER]

-and-

OXFORD CITY COUNCIL

PLANNING OBLIGATION (by Unilateral Undertaking)

Relating to development at

[insert name and address of the site]

THIS UNILATERAL UNDERTAKING is given on [insert date] 20

BY [INSERT NAME OF APPLICANT/DEVELOPER/OWNER]

whose registered office is at [insert address of applicant/developer/owner] ['the Applicant']

TO **THE OXFORD CITY COUNCIL** whose principal office is at The Town Hall Blue Boar Street Oxford OX1 4EY ('the Council')

1. Interpretation

In this Deed

1.1 'the 1990 Act' means the Town and Country Planning Act 1990 (as amended)

1.2 'the Infrastructure' means [insert description of infrastructure provision]

1.3 'the Contribution' means the sum of £x

1.4 'the Planning Application' means [insert details of application]

1.5 'the Site' means [insert application address and refer to site plan]

2. Preliminary

2.1 The Applicant is the [freehold] owner [of a lease] of the Site

2.2 The City Council is the local planning authority for the City of Oxford for the purposes of the Town and Country Planning Act 1990.

2.3 The Applicant has submitted the Planning Application to Oxford City Council and Oxford City Council is minded to grant planning permission for the Development subject to the completion of this Deed

2.4 This Deed is made under Section 106 of the 1990 Act and is a planning obligation for the purposes of Section 106 of the 1990 Act entered into by the Applicant in respect of the Site and enforceable by the Council

3. Covenants

3.1 The Applicant covenants to pay the Contribution to the Council on the date of this undertaking to be applied towards the cost of the Infrastructure

3.2 The Applicant covenants to pay £100 on the date of this undertaking towards the costs of administering and managing this Deed

4. Acknowledgements

The Applicant acknowledges that nothing contained or implied in this Deed shall prejudice or affect the rights discretion powers and duties and obligations of the Council in the exercise of their functions

5. Third Party Rights

This Deed is enforceable by the Council but otherwise it confers no rights under the Contract (Rights of Third Parties) Act 1999

EXECUTED AS A DEED by)

[insert name of Applicant/Developer/Owner])

Director

Director/Secretary

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Appendix 2 – Risk Register

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Risk ID	Risk						Corporate Objective	Gross Risk		Residual Risk		Current Risk		Owner	Date Risk Reviewed	Proximity of Risk (Projects/ Contracts Only)
Category-000-Service Area Code	Risk Title	Opportunity/ Threat	Risk Description	Risk Cause	Consequence	Date raised	1 to 6	I	P	I	P	I	P			
	Legal challenge	Threat	There is a risk of a legal challenge to the SPD once adopted	Any person with sufficient interest may apply to the High Court for permission to apply for judicial review of the decision to adopt it. Applications must be made no later than 3 months after the date of adoption	If successful the High Court would rule that the SPD be quashed, wholly or in part.	17.12.12	2	3	2	2	1	3	2	Michael Crofton Briggs		

Risk ID	Risk Title	Action Owner	Accept, Contingency, Transfer, Reduce or Avoid	Details of Action	Key Milestone	Milestone Delivery Date	%Action Complete	Date Reviewed
	Legal challenge	Michael Crofton Briggs	Reduce					

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To: City Executive Board

Date: 11 September 2013

Report of: Head of City Development

**Title of Report: DRAFT JERICHO CANALSIDE SUPPLEMENTARY
PLANNING DOCUMENT – PUBLIC CONSULTATION**

Summary and Recommendations

Purpose of report: To approve the draft Jericho Canalside Supplementary Planning Document for consultation

Key decision?No

Executive lead member: Councillor Colin Cook

Policy Framework: The SPD will assist in the delivery of the allocation policy for this site in the Sites and Housing Plan

Recommendation(s): That City Executive Board:

1. Approves the Draft Jericho Canalside Supplementary Planning Document for public consultation
2. Approves the Draft Jericho Canalside Supplementary Planning Document as a material consideration in determining planning applications
3. Endorse the accompanying Strategic Environmental Assessment Screening Report
4. Authorises the Head of City Development to make any necessary editorial corrections to the document prior to publication in consultation with the Board Member

Appendix 1: Draft Supplementary Planning Document

Appendix 2: Interim Public Involvement Statement

Appendix 3: Risk Assessment

Appendix 4: Strategic Environmental Assessment Screening Report

Appendix 5: Equalities Impact Assessment

Introduction and Policy Background

1. The Jericho Canalside site has been vacant and derelict since 2007. The City Council are very keen for the site to be developed and it has been allocated in Local Plan documents for a number of years.
2. This site is possibly one of the most complicated sites in Oxford in recent times due to the variety of competing uses expected and the challenge of balancing community uses with more lucrative residential development. It is also a site which attracts huge amounts of public interest being close to the heart of many Jericho residents and Oxford canal boaters due to its heritage and location.
3. There have been two relatively recent planning applications made on the site in 2003 and 2007. Both were unacceptable to the City Council failing to comply with policy requirements and were subsequently refused. The applicants appealed these decisions but both appeals were dismissed.
4. Most recently the site was allocated under Policy SP7 in the Sites and Housing Plan adopted by Council in February 2013. This policy allocates the Jericho Canalside site for a mixed-use development. It expects the development of this site to include:
 - residential;
 - a sustainably-sized community centre;
 - public open space/square;
 - replacement appropriately sized boatyard;
 - an improved crossing over the canal for pedestrians and cyclists.
5. The majority of the site was owned by Spring Residential Ltd who went into administration in 2009. Their land is currently in the hands of administrators PricewaterhouseCoopers who are now seeking to dispose of the site and are receiving bids.
6. This Supplementary Planning Document (SPD) at [Appendix 1](#) comes at a very important time as it will be clear on how the City Council want to see the site developed so that potential purchasers of the site are in no doubt what is expected. This should also minimise the likelihood of developers over-paying for the site and subsequently arguing non-viability in order to justify providing less than 50% affordable housing.
7. The SPD will bring together all the information regarding previous planning applications, appeals and current policy guidance to help applicants make a successful planning application and reduce time delay to the planning process by reducing the potential for conflicts and objections.

Consultation

8. It is important that the SPD evolves a vision for the site shared by the local community and the City Council. Officers have been liaising with local community groups to understand their aspirations. The Jericho Wharf

Trust(which comprises the Jericho Community Association, Jericho Community Boat Yard, Jericho Living Heritage Trust and St Barnabas Church Parochial Church Council) have been involved in the initial stages of production. In addition, Officers has been in contact with Oxford City Canal Partnership, College Cruisers, Worcester College and the Boaters of Oxford Action Team.

9. The City Council undertook an informal consultation drop-in event on 10 July 2013 in Jericho where views were sought from the local community on their aspirations for the site. A representative from a house builder interested in purchasing the site also came to the event.
10. Officers have met with the Canal and River Trust (formerly British Waterways) to understand the issues relating to development affecting the canal and towpath and to ensure any requirements in the SPD will comply with their design requirements for the safe operation of the canal.
11. The Interim Public Consultation Statement at Appendix 2 provides further detail on this early stage of consultation.

Content of the SPD

12. The SPD first identifies characteristics, constraints and opportunities on the site. This particularly looks at heritage, archaeology, flooding, biodiversity, trees and contaminated land. It then summarises the community aspirations for the site.
13. Sections 6 of the SPD sets out the development requirements of the site. These requirements remain within the scope of Policy SP7 of the Sites and Housing Plan. More detail is provided on each land use in order for potential applicants to understand how the City Council will apply its policies. Below is a brief summary of these requirements. Full details can be read in the SPD appended:

Boatyard

14. Policy SP7 requires a “sustainably-sized” boatyard. The SPD seeks to clarify what is meant by this. First it sets out what are considered essential boatyard facilities:
 - A covered wet/dry dock with hard standing space and a mechanism for lifting boats out of the water;
 - Indoor DIY workshop space and store room;
 - Chandlery and small office;
 - Service docks;
 - Toilet and possible shower/laundrette facilities.
15. The SPD then sets out factors which would be used to determine the appropriate level of these facilities to be provided on the site which are:
 - The number of boats within the Oxford area in which the boatyard would serve including any projected growth in boat ownership;

- The quality and provision of alternative boatyard services within the Oxford area and whether they are in an equally accessible and suitable location;
- The likely noise impact and disturbance from the boatyard on nearby properties;
- The commercial viability of a boatyard bearing in mind its likely level of trade.

16. Applicants will be expected to provide evidence to support the level of boatyard facilities proposed.

Community centre

17. Policy SP7 requires an “appropriately-sized” community centre. The Jericho Community Association have undertaken considerable work on assessing the facilities required which provided some guidance for the SPD. The inspector into the 2003 appeal gave some guidance on an appropriate size. Importantly, the new community centre must be large enough to accommodate the likely demand from the community but not so large that it would not be fully and regularly utilised and uneconomical to run.

18. The SPD does not set a precise floorspace requirement but considering the information referred to above and also the need for the site to accommodate other uses, Gross External Area in the region of 1,000m² would be an appropriate guideline. Applicants will be expected to demonstrate how they have assessed the requirements of the community centre in liaison with the City Council’s Communities and Neighbourhoods team and the Jericho Community Association.

19. It is preferable for the community centre to occupy a position directly onto the new public square. This creates active frontages and a presence around the square, allows for community uses to spill out onto the square and increases its vibrancy. To ensure maximum integration with the square, a position to the south of the square on its longest length would be most appropriate. By spreading the active/public uses (community centre and boatyard) and private uses (dwellings) across the whole site will ensure that the entire site feels and acts as part of community rather than the active/public uses being restricted to one area.

Residential

20. This site is expected to contribute to Oxford’s housing target and for that reason residential should not be relegated to a minor ancillary use on the site. A number of positions on the site may be suitable for residential but some should be included at the southern end of the site. The Strategic Housing Land Availability Assessment 2012 estimated a capacity of 20 dwellings although this is a guideline and not an absolute requirement. Depending on the scheme proposed a higher or lower figure may be more appropriate.

21. A mix of dwelling sizes (number of bedrooms) and types (houses and flats) will be expected in order to create a balanced community. The site is constrained due to the unusual shape of the site and the other land use requirements on the site therefore the City Council will apply some flexibility to the requirements of the Balance of Dwellings SPD.
22. A minimum of 50% of the dwellings on the site must be affordable. The City Council will expect applicants to have considered the financial implications of all policy requirements, including the affordable housing requirements, and local market indicators when purchasing the land for development. The City Council will not accept an applicant arguing a case for non-viability if the price paid for the land was inflated having not taken into account the full policy requirements and the site specific constraints.

Public square

23. The square should be large enough to hold public events, such as markets or street theatre and it should link well with the adjacent land uses. The preferred location is in front of the listed St Barnabas Church extending to the canal frontage. The boundary wall in front of the church should be removed in order to create an open back drop to the church. Development should create a presence around the public square with active frontages.

Improved crossing

24. The City Council has long since aspired to deliver a new bridge over the canal as part of the redevelopment of this site. It would enable pedestrians and cyclists a more direct route from Oxford Station to the Radcliffe Observatory Quarter and Oxford University Press.
25. Sites and Housing Policy SP7 states that “an improved crossing” should be provided. The inspector was convinced by arguments from objectors that a new bridge could not be provided and that there was already an existing bridge. The existing footbridge to the north of the site is not easily accessible by cyclists nor people with disabilities. There is no obvious solution as to how this bridge could be improved in a way that would allow access for everyone. In addition the Canal and Rivers Trust are confident that they would be able to come to an agreement with a future applicant on the design of the bridge and that this would not create an obstacle to delivery.
26. There is not considered to be any option to delivering “an improved crossing” other than the provision of a new bridge for pedestrians, cyclists and people with disabilities.
27. Some flexibility has been left regarding the design and position of the bridge. This is because there are many issues to consider when determining the most appropriate design and location. A lifting/swing bridge creates an obstacle to boaters but takes up less land and is less of a visual intrusion down the canal’s tree lined green corridor than an arch bridge.

28. There are probably two potential positions for a bridge. The first is at the southern end of the site where pedestrians and cyclists crossing the canal would then have direct access along Great Clarendon Street to the major employers in Jericho. The second possible position is more central on the site where the bridge would lead people directly into the new public space and increase the vibrancy of the space. Public access for pedestrians and cyclists will be expected along the canal frontage leading south from the square.
29. In considering the siting and method of construction of a bridge crossing the canal, special consideration will have to be given to conserving the contribution of the trees lining the canal towpath to the rural character of the canal corridor and their contribution to the amenity of views.

Design principles

30. Section 7 of the SPD sets out the design principles expected from any proposals and particularly considers the heritage of the site, building heights and mix.

Next stages

31. Following approval of the draft SPD by City Executive Board, the draft SPD will undergo a public consultation, most likely for 6 weeks. The City Council will invite comments from the Jericho community, local interest groups, people on our consultation database, statutory consultees, the administrators PricewaterhouseCoopers and developers with a known interest in the site.
32. Following the close of consultation, comments will be considered and changes made to the SPD as appropriate. The SPD will then come to City Executive Board a second time in Dec 2013 with a recommendation for adoption.

Level of risk

33. A risk assessment has been undertaken and the risk register is attached ([Appendix 3](#)). All risks have been mitigated to an acceptable level.

Climate change / environmental impact

34. Sustainability Appraisal is no longer required for SPDs under UK law, however to comply with European regulations, a Strategic Environmental Assessment (SEA) Screening Report has been produced to identify whether the SPD would have any significant environmental impacts and is available at [Appendix 4](#). The statutory consultees for the SEA (Environment Agency, English Heritage and Natural England) agreed with the conclusions of the Screening Report that no Strategic Environmental Assessment of the Jericho Canalside SPD was required. Where advice has been provided this has been incorporated within the draft SPD.

Equalities impact

35. Consideration has been given to the public sector equality duty imposed by s149 of the Equality Act 2010. Having paid due regard to the need to meet

the objectives of that duty and of the SPD the view is taken that the duty is met. An Equalities Impact Assessment is at Appendix 5.

Financial implications

36. The costs associated with the production of the draft SPD have been met through the current resources of the Planning Policy team and budget. A small part of the site is owned by the Council. By having an SPD to help deliver the site, the Council's Corporate Asset team will have greater certainty over the development likely to be supported by the Council and will be able to realise the capital value of these assets in a timely fashion subject to joint working with the landowner of the remainder of the site. For the avoidance of doubt it is noted that this is an incidental consequence. The ownership of the site was not a consideration save as is relevant to the plan making process (e.g. in connection with the likelihood of delivery).

Legal Implications

37. Any person may apply to judicially review the adoption of the SPD upon adoption (adoption estimated for the December City Executive Board) and must be made promptly and in any event within three months. The level of risk of a successful judicial review is considered to be acceptably low.

Name and contact details of author:-

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List of background papers: None

Version number: 2

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Jericho Canalside

Development Brief Supplementary Planning Document

Draft September 2013



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Cover photo of the site courtesy of Isisbridge.



1.0 INTRODUCTION

1.1 This Development Brief supplements Policy SP7 of the Sites and Housing Plan which allocates the Jericho Canalside site for a mixed-use development. It explains the vision for the site of the City Council, evolved with the local community, and will assist developers in the submission of high quality proposals befitting of the site's character and heritage.

1.2 This site is possibly one of the most complicated sites in Oxford in recent times due to the variety of competing uses expected and the challenge of balancing community uses with high value lucrative residential development. Oxford is one of the least affordable cities in the UK, as cited in the Centre for Cities report, but with a huge property demand for property. It is also a site which attracts a lot of public interest being close to the heart of many Jericho residents and Oxford canal boaters due to its heritage and location.

1.3 The City Council and local people are eager for the site to be developed rather than stand empty as it has done for over 5 years. It is hoped that this Brief will help achieve this.

1.4 The reasons for producing this Brief are:

- to help applicants make a successful planning application;
- to be clear on the City Council's expectations drawing upon issues and elements in relation to past applications and appeal decisions that remain relevant;
- reduce time delay to the planning process by reducing the potential for conflicts and objections;
- to evolve a vision for the site shared by the local community and the City Council;
- to be a creative exercise in finding ways to enhance and improve the places in which people live their lives in line with the National Planning Policy Framework principle.

1.5 The Brief forms part of Oxford's Development Plan and is a material consideration in the determination of any planning application made on the site. It has been developed through both informal and formal public consultation, meetings with key local groups and input from internal and external specialists.

1.6 The Brief has also been the subject of a formal Strategic Environmental Assessment screening ensuring that the document has appropriate legal compliance.

2.0 OBJECTIVES

2.1 In line with the Town and Country Planning (Local Planning) (England) Regulations 2012 controlling the production of Supplementary Planning Documents, the Brief must not conflict with the adopted Development Plan. The Development Plan comprises the Core Strategy, the Sites and Housing Plan and the saved policies of the Oxford Local Plan 2001-2016. In addition, the Brief must not conflict with the National Planning Policy Framework.

2.2 Existing policies within the Development Plan (set out in Section 3.0) already provide some detail on the requirements of the site. Some of these policies are open to interpretation so this Brief seeks to explain how the City Council interprets the key policies that relate to the site. This detail remains within the scope of existing policy requirements. It is hoped that this will enable applicants to make a successful planning application and speed up delivery of the site.

The objectives of the Brief are to:

- ✓ **Provide detail on what is expected with regards to the essential boatyard facilities, the new community centre, the residential and the public square***(Policy SP7)*
- ✓ **Provide detail on how an improved crossing over the canal for cyclists and pedestrians can satisfactorily be achieved to deliver a joined up cycle and pedestrian network** *(Policy SP7 and CS14)*
- ✓ **Identify the unique character and distinctiveness of the site and the Jericho area to provide the context from which the design of the development should draw inspiration, in particular in relation to the heights of buildings and the area surrounding the public open space***(Policies SP7 and CS18)*
- ✓ **Describe how the development should respect and enhance the historic environment in particular the waterfront heritage of the site, the conservation area and the Grade 1 listed St Barnabas Church***(Policies SP7 and CS18)*

3.0 RELEVANT PLANNING POLICY

3.1 The key policies of the Development Plan which are particularly relevant to this site are set out below. Any planning application will be considered against all relevant policies in Oxford's Development Plan.

Sites and Housing Plan - Policy SP7 Canalside Land, Jericho

3.2 Policy SP7 is a site allocation for this specific site. Policy SP7 stresses the importance of the character of the conservation area and the setting of the listed St Barnabas church. It draws attention to the need for a site-specific Flood Risk Assessment and the possibility of needing to fund a study to assess water supply capacity, ensuring that the development does not cause water supply problems.

Development types expected from the site's redevelopment:

- Residential
- A sustainably-sized community centre
- Public open space/square
- Replacement appropriately sized boatyard
- An improved crossing over the canal for pedestrians and cyclists

3.3 The text preceding Policy SP7, which holds as much weight as the policy wording itself, gives some further detail about the design requirements of the development relating to the boatyard, building heights, St Barnabas Church and impact mitigation.

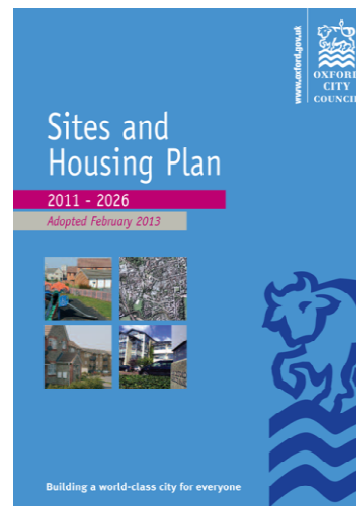
Elements from the Sites and Housing Plan Policy SP7 that should feature in the design of the development:

- The boatyard should include a wet dock, and allow craneage for narrowboats with possible supporting chandlery and associated workshop and DIY maintenance facilities
- The canal boat hire base at the north of the site should be retained
- Building heights should reflect the form and scale of surrounding development, particularly surrounding the area of public open space and should not exceed 3 storeys
- Finished design should respect the waterfront heritage of the site, the conservation area and Grade 1 Listed Building
- The wall separating the Church and the proposed new square can be demolished to open up the square and views of the Grade 1 listed building
- In order to mitigate recreational impacts on the Oxford Meadows SAC, dog and litter bins and an information board must be provided at the Walton Well Road entrance to Port Meadow

Sites and Housing Plan - Housing Policies

3.4 The following policies are the main policies which will be relevant to any proposal on this site. These are summaries only and the full text should be read from the Sites and Housing Plan:

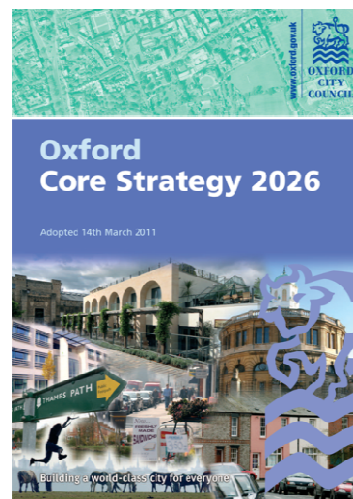
- *HP2 Accessible and Adaptable Homes* – all new dwellings should meet lifetime homes standards and at least 5% of all new dwellings (or at least 1 dwelling for sites below 20 units) are either fully wheelchair accessible, or easily adapted for full wheelchair use. 50% of these must be provided as open market dwellings.
- *HP3 Affordable Homes from Large Housing Sites* – generally a minimum 50% of dwellings on the site are provided as affordable homes. A minimum 80% of the affordable homes must be provided as social rented, with remaining affordable homes provided as intermediate housing
- *HP 9 Design, Character and Context* – Planning permission will only be granted for residential development that responds to the overall character of the area, including its built and natural features
- *HP11 Low Carbon Homes* - Planning permission will only be granted for developments of 10 or more dwellings where development proposals include at least 20% of their energy needs from on-site renewable or low carbon technologies
- *HP12 Indoor Space*- Planning permission will only be granted for new dwellings that provide good quality living accommodation
- *HP13 Outdoor Space* - Planning permission will only be granted for new dwellings that have direct and convenient access to an area of private open space
- *HP14 Privacy and Daylight* - Planning permission will only be granted for new residential development that provides reasonable privacy and daylight for the occupants of both existing and new homes
- *HP15 Residential Cycle Parking* - Planning permission will only be granted for residential development that complies with the following minimum cycle parking provision:-Houses and flats up to 2 bedrooms at least 2 spaces per dwelling; Houses and flats of 3 or more bedrooms at least 3 spaces per dwelling
- *HP16 Residential Car Parking (and Appendix 8)* - Planning permission will only be granted for residential development where the relevant maximum car parking standards are complied with:- Houses: 1 space per house (allocated or unallocated); Flats: Car-free, plus operational, disabled and car club parking up to 0.2 spaces per dwelling; Wheelchair dwellings: 1 space per dwelling on plot.



Oxford Core Strategy

3.5 The following policies are the main policies which will be relevant to any proposal on this site. These are summaries only and full text should be read from the Core Strategy:

- *CS9 Energy and natural resources*-Proposals are expected to demonstrate how sustainable design and construction methods will be incorporated; how they optimise energy efficiency and how they utilise technologies that help achieve Zero Carbon Developments
- *CS10 Waste and Recycling* -All new developments will be expected to have regard to the waste management hierarchy during design, construction and final occupation
- *CS11 Flooding* - The development must carry out a full Flood Risk Assessment (FRA), which includes information to show how the proposed development will not increase flood risk, how it will be safe and how the necessary mitigation measures will be incorporated. All developments will be expected to incorporate sustainable drainage systems
- *CS12 Biodiversity* - Development will not be permitted which will result in a net loss of sites and species of ecological value. Where there is opportunity, development will be expected to enhance Oxford's biodiversity
- *CS14 Supporting city-wide movement*- The City Council will work with its partners to promoting greater pedestrian and cycle priority through and to the city centre, potentially incorporating public realm and cycle parking improvements; and work towards a joined-up, city-wide cycle and pedestrian network by addressing 'pinch-points', barriers and missing links
- *CS17 Infrastructure and Developer Contributions* - Planning permission for new development will only be granted if it is supported by appropriate infrastructure at a timely stage. Developer contributions will be sought where needs arise as a result of new development
- *CS18 Urban design, townscape character and the historic environment* - Planning permission will only be granted for development that demonstrates high-quality urban design. Development proposals should respect and draw inspiration from Oxford's unique historic environment (above and below ground), responding positively to the character and distinctiveness of the locality. Views of the skyline of the historic centre will be protected
- *CS23 Mix of Housing* - Planning permission will only be granted for residential development that delivers a balanced mix of housing. Appropriate housing mixes are set out in the Balance of Dwellings SPD
- *CS24 Affordable Housing* -Planning permission will only be granted for residential developments that provide generally a minimum of 50% of the proposed dwellings as affordable housing on all qualifying sites



Saved Oxford Local Plan 2001-2016 Policies

3.6 The following policies are the main policies which will be relevant to any proposal on this site. The full wording should be read from the Oxford Local Plan 2001-2016.

CP.1	Development Proposals	TR.4	Pedestrian and Cycle Facilities
CP.6	Efficient Use of Land and Density	TR.5	Pedestrian and Cycle Routes
CP.8	Designing Development to Relate to its Context	TR.13	Controlled Parking Zones
CP.9	Creating Successful New Places	NE.6	Oxford's Watercourses
CP.10	Siting of Development to Meet Functional Needs	NE.14	Water and Sewerage Infrastructure
CP.11	Landscape Design	HE.2	Archaeology
CP.13	Accessibility	HE.3	Listed Buildings and Their Setting
CP.14	Public Art	HE.7	Conservation Areas
CP.17	Recycled Materials	HE.9	High Building Area
CP.18	Natural Resource Impact Analysis	HE.10	View Cones of Oxford
CP.19	Nuisance	SR.9	Footpaths and Bridleways
CP.21	Noise	SR.11	Recreational Cycling
CP.22	Contaminated Land	SR.12	Protection of Water Based Recreation Activities
TR.1	Transport Assessment	SR.13	New Water-Based Recreation Activities
TR.3	Car Parking Standards	SR.16	Proposed New Community Facilities

Supplementary Planning Documents

3.7 The following Supplementary Planning Documents are material considerations:

- Affordable Housing and Planning Obligations SPD (Draft 2013)
- Affordable Housing SPD (2006) and Planning Obligations SPD (2007) – to be superseded upon adoption of the above
- Balance of Dwellings SPD (2008)
- Natural Resource Impact Analysis (2006)
- Parking Standards, Transport Assessment and Travel Plans Supplementary Planning Document (2007)

Technical Advice Notes

3.8 The following Technical Advice Notes will assist applicants in complying with policies

- Technical Advice Note 1: Accessible Homes (2013)
- Technical Advice Note 2: Energy Statement (forthcoming)
- Technical Advice Note 3: Waste Storage (forthcoming)

Canalside Land Development Guidelines 2001

3.9 Development Guidelines for this site were adopted in the form of Supplementary Planning Guidance in 2001. Whilst these guidelines were written under the previous Local Plan 1999-2001,

many of the design principles are still very relevant as policies relating to the site have not changed significantly since then. The Canalside Land Development Guidelines (2001) is superseded upon adoption of this Brief.

National Planning Policy Framework (NPPF)

3.10 The Sites and Housing Plan includes Policy MP1 which reflects the National Planning Policy Framework's presumption in favour of sustainable development. The NPPF contains a set of core land-use planning principles which should underpin decision-making. The elements of these core principles that are particularly relevant to this Brief relate to good quality design and the conservation and enhancement of the historic environment.

3.11 The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. Development should add to the overall quality of the area; establish a strong sense of place creating attractive and comfortable places to live, work and visit; optimise the potential of the site to accommodate development; respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation; create safe and accessible environments; and are visually attractive as a result of good architecture and appropriate landscaping.

3.12 In relation to the historic environment NPPF aspires for positive strategies for the conservation and enjoyment of the historic environment that will sustain and enhance the significance of heritage assets; recognise the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring; make a positive contribution to local character and distinctiveness; and take opportunities to draw on the contribution made by the historic environment to the character of a place.



4.0 CHARACTERISTICS, CONSTRAINTS AND OPPORTUNITIES

Site description

4.1 This 0.49 hectare brownfield site is within the historic suburb of Jericho, Oxford. It is bounded to the west by the Oxford Canal and surrounded on all other sides by residential development, including student accommodation to the immediate south. The Grade 1 listed St. Barnabas Church sits against the eastern boundary to the site, in the midst of the surrounding development and forms an important backdrop to the site. It is a former boatyard and workshop site and has been vacant and derelict since 2006. The northern part of the site is used by College Cruisers as a boat hire facility and informal parking while garages and open space occupy the land in Dawson Place.

4.2 The site is a great asset to the local community. The aspirations of the community are set out in more detail in the next section. By far the greatest opportunity for the site is to maximise its position on the canal and to create a unique focal point for the Jericho community whilst also delivering housing.

Heritage

The Canalside

4.3 The canal and wharves have been included within the Jericho Conservation Area in recognition of their contribution to the special historic and architectural interest of the area and the desirability of preserving or enhancing its character and appearance. The special interest of the area has been defined within the Jericho Conservation Area Study, which also defines features of the canalside and surrounding residential streets that are considered to make a positive contribution to Jericho's character and appearance.

4.4 The Oxford Canal has a special historic interest as the first man-made waterway to provide an inland route between the coalfields and manufactories of Birmingham and South Staffordshire with the metropolitan market of London. The canal had a significant impact on the development of the country's industry and trade, whilst Oxford occupied an important point at the junction between the canal and the River Thames. Small buildings of industrial character within the wharves provide some evidence of the transshipment activity that took place, and later use for boat maintenance. The wharves at Jericho influenced the character of the area's later development by promoting the development of resource hungry industry such as iron working and publishing, with the attendant growth of workers' housing. This led to the creation of an industrial suburb of modest, low-scale workers' housing on the edge of the city.

4.5 Latterly the wharves have provided a linking space between the land dwelling community of Jericho and the developing waterborne community of the canal, providing public access to areas that allow an appreciation of the canal's influence on Jericho's development. Through the development of use of the wharves as a boatyard, the area has developed communal value for boat-dwellers, in particular as a shared space that has helped to develop community cohesion and interaction. The

canal has developed a 'wild' rural character, in many ways indistinguishable from backwaters of the river Thames. This is partly a result of a planting of native species trees alongside the towpath, which have developed a naturalised under-storey. These provide a value to the amenity of the site by screening the noise and views of the railway to the west and the appearance of new developments at Rewley Road and Roger Dudman Way.

St Barnabas Church



St Barnabas Church from Canal Street

4.6 St Barnabas Church is a Grade I listed building in recognition of its exceptional architectural and historic interest. It represents a highly unusual example of Italianate Romanesque architecture from the great period of Gothic Church building in the 1860s and includes the innovative, (for the time), use of concrete. The church was built with funding from Thomas Combe, superintendent of the Clarendon Press (Oxford University Press) and designed by the architect Arthur Blomfield. Combe was a prominent patron of the pre-Raphaelite artists and the drama of the church seen in the setting of the canal and its unusual architectural character may be seen as a product of his artistic interest.

4.7 The church is a prominent feature in views along Canal Street and Cardigan Street, where the pale cream elevations contrast with the red of brickwork. The building, including its tower and campanile, rise high above surrounding terraces. The

church is also prominent in views from the canal, partly as a result of its position next to the canal wharves, which have generally remained open between the church and waterfront throughout its history, with development limited to single-storey sheds. Historically the church was also approached by doors from the canalside.

Jericho's Historic Streets

4.8 The surrounding residential streets of Jericho have a distinctive architectural character resulting from the high density development of workers' cottages with a, generally, uniform two-storey scale, continuous rooflines with chimneys and regular pattern of window and door openings, historically typified by timber-framed sash windows and panelled doors. These are distinguished by a great variety of architectural decoration notably through use of patterned brickwork and window detailing and forms, creating an ever changing frontage within streets.



A typical street in Jericho (photo courtesy of Isisbridge)

4.9 The streets in this area are tightly enclosed, intimate spaces, in which houses stand directly at the rear of the pavement, creating long, channelled views. Buildings occasionally rise to three storeys, although these are rare and more than two-adjacent properties of this scale are exceptional. Street corners are normally typified by two-storey returned frontages. The scale and uniformity of development reflects the historic social standing of Jericho's residents' although the wealth of architectural detailing reflects the strong sense of individualism within this community in the 19th century.

Archaeology

4.10 A substantial amount of made ground exists across the site comprised of medieval rubbish dumping as the site was not under occupation before the 19th century. In archaeological terms the site possesses only low potential for containing remains of local or regional significance. For the prehistoric period low general activity is shown for the area whilst for the Roman, Saxon and Medieval periods the potential for remains is also low. There is some possibility of remains from the post-medieval period in the form of remains of buildings that originally stood as part of the canal wharf. There is however a high potential for palaeo-environmental remains. Conditions requiring an archaeological field evaluation, method statement for the design of foundations and other ground works, and archaeological recording action are therefore likely to be imposed on any permission granted.

Flooding

4.11 The majority of the site is within Flood Zone 3a with part of the northern area within Flood Zone 3b. During the production of the Sites and Housing Plan, the Inspector was satisfied with the evidence provided by in respect of the Sequential and Exceptions Tests and subsequently allocated the site for development. Policy SP7 requires a site-specific flood risk assessment (FRA) and that development should incorporate any necessary mitigation measures.

4.12 As evidence base for the Sites and Housing Plan, a Level 2 Strategic Flood Risk Assessment (L2SFRA) was completed in respect of this site which concluded that Part C of the flood risk exception test would be passed based on the current information but that further technical assessment is required. Applicants will be expected to carry out the technical assessment to confirm whether Part C of the Exception Test could be passed.

4.13 The Environment Agency are currently undertaking a detailed hydraulic modelling (1D/2D modelling) exercise of the major Oxford watercourses. This work is expected to be completed in Summer 2013. It is not clear at this stage whether there will be any change to the Flood Zone classification at this location. The outputs of this model could be used to assess flood risk which may allow the recommendations of the L2SFRA to be met.

4.14 Surface water runoff should be managed on the site through the use of Sustainable Urban Drainage Systems, attenuating runoff to greenfield runoff rates if possible but at least 30% less than existing runoff in accordance with recommendations for Critical Drainage Areas.

Biodiversity

4.15 The biodiversity most likely to be affected by the development is bat roosts which depends on the construction type and the maintenance level of the buildings. Applicants will be expected to undertake building surveys for bat suitability and further surveys as necessary. In terms of bird life it is recommended that buildings are either demolished outside the nesting season, or birds discouraged from using the site by blocking access to them and checked again prior to demolition.

4.16 Core Strategy Policy CS12 states that development will be expected to enhance Oxford's biodiversity. The boatyard has potential to see biodiversity enhancement for three groups of organisms of biodiversity concern that use the canal corridor here:

- Bats - through suitable trees and roosting structures in buildings
- Birds - through landscaping and bird boxes on buildings
- Water voles - through the creation of some vegetation area at canal water level along the edge

4.17 Applicants will be expected to assess whether any of the biodiversity enhancement features can be incorporated into the development. Suitable features will be secured by condition or planning obligation.

Trees

4.18 Development of the site might require the removal of the mature false acacia and silver birch trees that stand on a small area of public open space, Dawson Place, at the corner of Dawson Street and Canal Street. They are good quality and have a significant safe useful life expectancy in excess of 40 years. The false acacia in particular is a prominent feature of public views along Canal Street and is important to the setting of St Barnabas Church, while both trees are visible in views from the canal providing screening from the urban area behind helping to protect the rural character of the canal. The removal of these trees will have an adverse effect on the appearance and character of the area in public views and will be detrimental to the setting of the church. However, on balance, it is likely that the public benefits provided by the development outweigh these impacts.

4.19 The other trees within the site are self-seeded, the most significant being a small group of sycamore and ash trees that stand in the south-west corner next to the canal and boundary with Worcester College. Although these trees are reasonably large, their amenity value is low. The presence of other large trees growing along the boundary within the ground of Worcester College will ensure that their removal will not have a significant visual impact and is therefore acceptable.

4.20 Outside of the site, the canal corridor is of ecological significance not only to Jericho but also to Oxford as a whole. It represents one of the green corridors that brings the countryside into the urban area and contributes to Oxford's unique spatial form and character. It is a riparian habitat characterised by indigenous trees including field maple, wild cherry, alder, crack willow, hawthorn, ash, elder and hazel, all growing between the canal and Castle Mill Stream. The trees have an important



The tree lined towpath opposite the site (*photo courtesy of Isisbridge*)

group value, contributing to the special 'green amphitheatre' setting of Jericho, which is described in the Jericho Conservation Area Study. This combined with a non-interventionist approach to vegetation management gives the canal corridor it 'wild' rural feel. Decisions about the design and location of any new bridge linking the site with the canal towpath will necessarily be a balance between various competing interests, but great weight should be given to the significance of the trees along the canal and the need to minimise harmful effects on these trees as far as possible.

4.21 Development might also affect trees that stand in the garden of adjacent properties; for example the mature hawthorn tree and 2 cypress trees which stand within the rear gardens of properties in Combe Road. While none of these trees is particularly important and their removal will not have a significant impact in public views, the management of these trees will be outside of the direct control of any developer. Unless the owners of these trees agree to their removal it will be necessary for the layout of the development to avoid harming these trees.

4.22 The development is expected to provide new opportunities to plant new trees for the benefit of amenity in the area. It is likely to be necessary to plant new trees to mitigate the visual impacts if trees are to be removed from Dawson Place for example.

Contaminated land

4.23 In view of the site's previous boatyard and industrial uses the possibility exists of elevated levels of methane and hydrocarbon contamination which would require full remediation before construction could begin, possibly including some extraction of material.

5.0 COMMUNITY ASPIRATIONS

5.1 This site is very important to the local community being at the heart of Jericho and having a rich heritage. They consider that it has the potential to become a vibrant hub of activity for local people and visitors. They recognise that it is the only development opportunity in Jericho which could deliver a new community centre and a replacement boatyard and they would like to ensure that the site is developed with the right facilities.

5.2 The community themselves have undertaken considerable consultation, background work and fundraising with an aim of acquiring and developing the site in the interests of the community. The Jericho Wharf Trust (JWT) is a community organisation set up for this purpose and has been co-ordinating activities. JWT comprises four partner organisations:

- Jericho Community Boatyard (JCBY);
- Jericho Community Association (JCA);
- Jericho Living Heritage Trust (JLHT);
- St Barnabas Church Parochial Church Council.

5.3 The City Council have been keen to understand the aspirations of the community and, in the spirit of the National Planning Policy Framework and the localism agenda, felt it very important to work closely with the community on this Brief. This is an excellent opportunity for local people to have a hand in the design of the development. To not involve and listen to the community would be a wasted opportunity and contrary to current government guidance.

Drop-in consultation event (July 2013) and other surveys

5.4 Consultation enables the City Council to obtain views from a sample of the local community. The views of the community are one aspect which feeds into decision making. Other aspects include the existing planning policies, political views and the need to deliver sustainable and viable development. Each of these aspects must be balanced against each other to try and deliver a development or document that satisfies these matters to an optimum degree.

5.5 Inevitably not every suggestion made through the consultation will be taken forward but the City Council aspires to act upon any clear patterns or consensus that emerges from consultation responses.

5.6 There was already a considerable amount of information available to help understand how the community would like to see the site developed, however, it remained important for the City Council to undertake its own independent consultation event. This consisted of a drop-in event in the current Jericho Community Centre. Flyers were produced by the City Council and distributed by the JCA to over 1,000 homes in Jericho.

5.7 The Interim Public Consultation Statement contains more detail on the matters raised. Some matters showed a clear consensus but some showed a divided opinion which is also significant. Below are the matters from the consultation that have directly influenced the Brief:

- Whilst there were many different opinions on how much of each use would be appropriate, the most popular opinion was that the mix of uses (residential, boatyard, community centre and public square) should be broadly equal. The City Council would agree that this approach would deliver a truly mixed development and should be the starting point for design considerations.
- In terms of the location of uses, there was clear consensus that the boatyard would be best placed at the north of the site next to College Cruisers and that the public square should be in front of the church. There was some agreement that there should be at least some housing on the southern part of the site. The City Council would agree with this approach.
- There was divided opinion as to the preferred location of the community centre with suggestions evenly split between the Dawson Place end and the southern end of the site. The Jericho Wharf Trust feel strongly about it being located south of the square. This is one reason for this being its preferred location within the SPD.
- There was generally agreement that the community centre should be larger than the current centre and multi-functional with small and large rooms capable of accommodating a wide range of activities. This opinion was also clear from other non-Council consultations referred to in Appendix 2 with which the City Council would agree.
- There was divided opinion as to the preferred location for a new bridge with suggestions split evenly between the southern end of the site and a more central location leading onto the square. Similarly, there was no clear agreement as to the most appropriate type and style of bridge. For this reason, and because of the many factors to consider with regards to the bridge as detailed in Section 6.0, the City Council will remain open minded about the most appropriate location for the bridge.
- There was overwhelming support for a footpath along the canal frontage. This re-affirmed the City Council's view that space should be retained along the canal frontage to the south of the site leading from Great Clarendon Street to the new square not only for public access but for canal maintenance and boat access.
- There was general agreement that 3 storeys is the maximum appropriate height of buildings (in line with Policy SP7) but also that 2 storeys will be more appropriate in some locations depending on any impact upon neighbouring buildings. For this reason this Brief adds some guidance on this matter.
- There was general agreement that there should be little or no car parking on the site. This re-affirmed the City Council view that this would be a suitable location for low-car or car-free development and guidance has been added on this matter.

5.8 Appendix 2 refers to other relevant non-City Council surveys and consultations.

6.0 DEVELOPMENT REQUIREMENTS

Boatyard

6.1 The site is adjacent to the Oxford Canal which runs from Coventry to Oxford. The closure in 2007 of the Castle Mill boatyard on this site left a deficiency in boatyard provision on this part of the canal where there had been boatbuilding and repair since at least 1842. Policy SP7 expects a boatyard to be re-provided on the site to replace this deficiency and to meet local need. It should include a wet dock, craneage, chandlery, workshop and DIY facilities. Adequate boatyard facilities are vital in sustaining the community who choose to make their home on a narrowboats. They must be able to conveniently carry out the necessary servicing and repairs to that home as would be expected by people living in brick built houses. This stretch of the Oxford canal has an estimated annual boat count of 4,547.

6.2 The nearest boatyard on the canal with a reasonably full level of facilities and services was Alchemy Boats near Yarnton, however, the future of the boatyard is uncertain as it is currently closed and it has no security of tenure. It had no DIY facilities or hardstanding so it lacked some of the essential facilities. The new owner has applied for planning permission to develop the site for a marina to include a boatyard but this application has been withdrawn. It is unclear whether development on the site would be permitted as it is in the Green Belt and within



The former boatyard on the site (photo courtesy of Isisbridge)

Cherwell District Council's District Authority area. The next nearest boatyard with a full level of facilities and services is Heyford Wharf 14 miles away but when the River Cherwell is in spate, (in flood or fast flowing due to heavy rain), it is not always possible for boats to get beyond Thrupp to access it. Some facilities are available at Osney Marina but similarly, these are on the river and not the canal.

6.3 College Cruisers adjacent to the Jericho site offer a range of services including mechanical, carpentry, welding and gas services; pump outs; rubbish dumps; diesel; chandlery items within 24 hours; boat safety tests and landlord certificates. College Cruisers do not have a permanent method for lifting boats but hire a crane when required. They do not have a dry dock.

6.4 At the present time only College Cruisers offer a level of services in the Oxford area on the canal which can be accessed at all times although it does not provide all of the essential services. It is also possible in the future that new boatyard facilities will be provided at Yarnton but this is not guaranteed. The level of boatyard facilities required at Jericho should therefore reflect the potential for the situation to change in the future. This is particularly important if a planning application is submitted some years after adoption of this SPD.

6.5 Essential boatyard facilities are:

- *A covered wet/dry dock with hard standing space and a mechanism for lifting boats out of the water* - Residential boats each need to undertake repairs every four years taking approximately two weeks every time for the required blacking and repairs. The appropriate number of dry berths will depend on the number of boats in the Oxford area. If there is demand, an extra dry berth may be required for long term projects such as when a boat is burnt out. Each berth would need access to electricity and a tap. Hard standing space is required for circulation around the boats that are being worked on out of the water (1 metre around a boat).
- *Indoor DIY workshop space and store room*- This is where repairs on engines and fittings can be made and where paints, cleaning equipment and tools can be stored. In order for the boatyard to be genuinely DIY there will need to be workshop provision to enable boaters to carry out work off the boat. This will need to include space for carrying out woodwork, metal work and work on engines that need lifting out of the boat
- *Chandlery and small office* - a small shop where boaters can obtain essentials for maintaining their boats which provides an essential source of income for most boatyards. The office would support the running of the chandlery and the boatyard
- *Service docks* - The site should accommodate service points for boats alongside the wharf for work that doesn't require boats being lifted from the water. Each one would require an electricity point and at least one metre of wharf front to be available for boaters to get on and off their boats and carry out DIY repairs. Boaters should be able to fill up with water, use an Elsan point, fill up with diesel, gas, coal, wood and drop off rubbish
- *Toilet and possible shower/laundrette facilities*- For boat owners whose boats are out of the water and are unable to use their own bathrooms. Few boat owners have washing machines.

6.6 The appropriate level of these essential boatyard facilities, which would determine the appropriate size of the boatyard, would depend on the following factors:

- The number of boats within the Oxford area in which the boatyard would serve including any projected growth in boat ownership. It would be appropriate to consider the "Oxford area" as Oxford plus the canal north to the River Cherwell up to and including Thrupp. This is the area in which narrowboats would be restricted to in times of flood.
- The quality and provision of alternative boatyard services within the Oxford area and whether they are in an equally accessible and suitable location
- The likely noise impact and disturbance from the boatyard on nearby properties
- The commercial viability of a boatyard bearing in mind its likely level of trade

6.7 The appeal Inspectors into the 2003 and 2007 applications, raised concerns that the Jericho site would be unsuitable for intensive commercial operation but also that the distance of the Alchemy Boatyard weighed against its accessibility and suitability. A replacement boatyard in Jericho has the potential to create noise disturbance



The Oxford Canal in Jericho

for neighbouring properties. It should be demonstrated that the boatyard will not cause unacceptable disturbance to properties through its design, materials and operating hours (which may be controlled by condition)

6.8 Applicants will be expected to provide evidence to support the level of boatyard facilities proposed. Opportunities for the community centre and boatyard to share some facilities would be considered favourably.

Position

6.9 The most appropriate position for a boatyard would be at the northern end of the site as this is the area most liable to flood. A boatyard is classed as a 'water compatible use' so this approach would help ensure that the less vulnerable and more vulnerable uses (community centre and residential) can be focussed on the area least liable to flooding. This should be confirmed by a site specific flood risk assessment.

6.10 Community consultation also expressed a preference for the boatyard to be positioned at the northern end, particularly as there may also be potential for shared uses with College Cruisers.

Winding hole



The Hythe Bridge Arm winding hole

6.11 The canal terminates about 500 metres south of the site meaning that narrowboats need somewhere to wind (turn around) in order to travel north. The Hythe Bridge Arm winding hole is located just south of the site but this only allows boats up to 52 feet (16 metres) in length to wind. The only option for the larger boats up to 72 feet (22 metres) is to travel south through Isis Lock and either wind in Castle Mill stream or travel up the Thames to Duke's Cut and re-join the canal north of Oxford. However, when the river is in spate it is not possible for boats to

enter the Thames or Castle Mill Stream. This means that during winter, when it is common for the rivers to be in spate, narrowboats are trapped at the southern end of the Oxford Canal. To enable all

narrowboats to wind, the site is expected to incorporate a winding hole that accommodates boats up to 72 feet.

Community Centre

6.12 The existing community centre in Canal Street occupies a converted three storey Victorian building. It has been identified as being inappropriate for this use in view, in particular, of the absence of a large hall, and the difficulty of accessing upper floors where no lift is available and hence lack of compliance with the Disability and Discrimination Act (DDA) 2004 and lack of outdoor play space for a pre-school play scheme. To bring the building up to DDA requirements would not be viable and would be counter-productive in terms of the resulting loss of space. The current community centre is constrained in terms of internal layout and lack of external space. The Jericho Canalside site has been identified as a site for a replacement Community Centre in the Sites and Housing Plan Policy SP7 and in the superseded Local Plan Policy DS.13.



The existing Jericho Community Centre (*photo courtesy of Isisbridge*)

6.13 The Jericho Community Association (JCA) undertook a considerable amount of work assessing what would be needed in a new community centre and submitted an outline planning application (09/01203/OUT) on part of the site which was approved in 2010. This permission has lapsed although the background work undertaken by the JCA with the community is still of relevance. The uses considered necessary by the JCA at that time were a new multi-use community hall, café and kitchen/servery, pre-school facility with external area, changing and shower rooms, multi-functional small studio hall, meeting/education rooms, studios, offices and lifts to allow full DDA access. The JCA assessed a need for about 1,400m² Gross External Area (GEA).

6.14 The community centre is expected to be 'sustainably-sized'. This means that it must be large enough to accommodate the likely demand from the community but not so large that it would not be fully and regularly utilised and not so small that it would be uneconomic to run. In relation to the appeal into the 2003 application, the Inspector concluded that the area of the site (net developable area of 260m² footprint) being offered by that appellant for a new community centre () was inadequate. With the Inspector also concluding that at least two-storeys would be required to accommodate a hall, a floorspace of at least twice 260m² (520m²) could be interpreted as being inadequate in the Inspector's view. The Inspector stated that the community centre site would need to be "considerably larger" than what was proposed.

6.15 The SPD does not set a precise floorspace requirement but taking a balance between the expressed need of the Jericho Community Association and the guidance by the 2003 Planning Inspector, GEA in the region of 1,000m² GEA would be an appropriate guideline. The new community centre is expected to be DDA compliant.

6.16 Applicants will be expected to demonstrate how they have assessed the requirements of the community centre in liaison with the City Council's Communities and Neighbourhoods team and the Jericho Community Association. The onus should be on any developer to demonstrate that the community centre will be viable in the long term. Evidence should be submitted with a planning application to support the community facilities proposed. Opportunities for the community centre and boatyard to share some facilities would be considered favourably.

6.17 The new development on the Canalside site will result in the existing community centre becoming available for redevelopment. Under Core Strategy Policy CS20, any proposal that results in the loss of existing community facilities will be expected to make provision for new community facilities. External funding will be expected to help deliver the new community centre. In addition, £100,000 is currently available from existing s106 funds as contribution towards the new community centre (although there is a time limit on its spending), plus the City Council can contribute £100,000 towards its development.

Position

6.18 It is preferable for the community centre to occupy a position directly onto the new public square. This creates active frontages, animation of the public space and a presence around the square. It allows the community uses to spill out onto the square and increases its vibrancy. To ensure maximum integration with the square, a position to the south of the square on its longest length would be most appropriate and together with the church and the canal frontage helps frame the square and promotes a shared public space and interaction. Spreading the active/public uses (community centre and boatyard) and private uses (dwellings) across the whole site will help ensure that the entire site feels and acts as part of community rather than community uses being pushed to the margins of the development. These principles are consistent with the assessment made by the Planning Inspector in June 2007 in refusing the appeal for a proposed development which placed the community facilities at the margins of the scheme and surrounded the square with residential properties.

Residential

6.19 Residential development should be provided on the site to deliver much needed housing and to create a vibrant mixed use development. This site is expected to contribute to Oxford's housing target and for that reason residential should not be relegated to a minor ancillary use on the site. A number of positions on the site may be suitable for residential but some should be included at the southern end of the site. Early Strategic Housing Land Availability Assessments (SHLAA) estimated capacity at 54 dwellings because SHLAAs were meant to be based the latest on planning applications. This application was unacceptable so the SHLAA was amended to a more realistic capacity because of the other site requirements. The SHLAA 2012 estimated a capacity of 20 dwellings although this is a guideline and not an absolute requirement. Depending on the scheme proposed a higher or lower figure may be more appropriate.

6.20 A mix of dwelling sizes (number of bedrooms) and types (houses and flats) will be expected in order to create a balanced community (Policy CS23). The City Council's Balance of Dwellings

Supplementary Planning Document should be used to determine the most appropriate mix of dwellings.

6.21 The site must comply with the requirements for affordable housing (Policies HP3 and CS24). A minimum of 50% of the dwellings on the site must be affordable. Of these, a minimum of 80% must be social rented tenure with the remainder being of intermediate tenure. Where a developer considers that meeting the 50% target will make a site unviable, they must provide robust evidence of this in the form of an independent viability appraisal. The City Council will expect the developer to negotiate on an “open book” basis which relates to the particular site circumstances that have resulted in the development’s non-viability. The City Council will expect applicants to have considered the financial implications of all policy requirements, including the affordable housing requirements, and local market indicators when purchasing the land for development. The City Council will not accept an applicant arguing a case for non-viability if the price paid for the land was inflated having not taken into account the full policy requirements and the site specific constraints.

6.22 All the proposed new dwellings must meet the Lifetime Homes standard, and on sites of 4 or more dwellings (gross), at least 5% of all new dwellings (or at least 1 dwelling for sites below 20 units) must be either fully wheelchair accessible, or easily adapted for full wheelchair use. 50% of these must be provided as open market dwellings.

6.23 Residential development will also be expected to meet all other relevant policy requirements. The main policies are outlined in Section 3.0 above.

Public Square

6.24 The development provides an opportunity to create a new public space on the site for the Jericho community. The square should be large enough to hold public events, such as markets or street theatre and it should link well with community and adjacent land uses. It should be designed to maximise the potential activities it can hold so hard landscaping would be most appropriate with pop-up bollards for access to electricity if possible. Seating and trees should be designed so as not to unduly restrict the use of the square for events.

6.25 The preferred location is in front of the listed St Barnabas Church extending to the canal frontage. Consultation with the community also revealed a preference for this location. The boundary wall in front of the church should be removed (with listed building consent) in order to create an open back drop to the church. This will alter the relationship of the church to its surroundings but it is considered that this will be an enhancement and provide an essential



Wall at west end of the church to be removed

focus for the public areas and community uses in the development, linking the church, the community centre and the canalside.

6.26 The clearance of untidy boatyard buildings and walls in front of the church would provide a much enhanced, framed setting when viewed from the canal towpath and new public space. Development should create a presence around the public square with active frontages. The longest southern edge of the square is an important frontage so in order to maximise the animation of the square the community centre should be positioned here. Further guidance in relation to design and heritage, in particularly the church, is in the next section.

Bridge

6.27 The City Council has long held the aspiration for a new bridge over the canal as an important element of the redevelopment of this site. Policy TR.5 (Oxford Local Plan 2001-2016) and the Policies Map indicate a new pedestrian and cycle route across the canal at this site. The justification for new routes is to improve the network along routes serving the city centre, cross-town routes and into sites of major travel generators. A new route across the canal at this site will enable pedestrians and cyclists a more direct route from Oxford Station to the major employment areas of the Radcliffe Observatory Quarter and Oxford University Press.

6.28 Policy SP7 states that “an improved crossing” should be provided. The inspector into the Sites and Housing Plan changed the requirement from “a new bridge” citing that there was an existing footbridge to the north of the site; that the required provision of a new footbridge relies on obtaining an agreement with a third party landowner on the far side of the canal; and that no assessment had been made as to whether a new bridge could be accommodated within the width of the canal bank.

6.29 The existing footbridge to the north of the site is not easily accessible by cyclists so it does not create an adequate network for cyclists and pedestrians and certainly not for people with disabilities, mobility problems or people with pushchairs. There is no obvious solution as to how this bridge could be improved in a way that would allow access for everyone particularly as the east end of the bridge emerges through a building.

6.30 In addition, the bridge is leased to the City Council by the CaRT which expires in about 20 years. The Canal and Rivers Trust (CaRT) have indicated that they would be likely to take a more commercial view for future leases and may charge a significant fee. This will affect whether the City Council renew the lease and therefore the continued existence of that footbridge is not guaranteed.



The existing footbridge to the north of the site

6.31 The CaRTown the towpath land upon which a new bridge would need to be located. Despite previous unsuccessful negotiations with applicants, the CaRT are confident that they would be able to come to an agreement with a future applicant on the design of the bridge and that this would not create an obstacle to delivery.

6.32 The City Council consider that there is no option to delivering “an improved crossing” other than the provision of a new bridge for pedestrians, cyclists and people with disabilities. The bridge will be expected to be provided as part of the development and not as a financial contribution. The developer should grant permissive rights over the bridge in perpetuity.

Design

6.33 Bridges over canals are usually either arch bridges, swing bridges or lift bridges. Swing/lifting bridges can be designed “at grade” (level with the surrounding land) to allow the most easy access for cyclists and those with disabilities and are limited in their land take. A moving bridge also creates a point of interest for recreational users of the towpath. The drawback of these bridges are that they create an obstacle to boaters who need to stop, alight and raise the bridge before continuing on their journey, however, a raised bridge causes delays for cyclists and pedestrians for which the network improvement would be intended. To overcome this, a lifting bridge’s default position should be down.

6.34 An arch bridge allows constant access for boaters, pedestrians and cyclists. In order to be accessible by cyclists and wheelchair users means that slopes will be required which have a greater land take than swing and lift bridges. Depending on its precise location, this type of bridge has the potential to result in the loss of a considerable number of trees from within the Jericho Conservation Area. An arch bridge may also create a visual intrusion into views from the towpath to St Barnabas Church and also into views south down the canal’s tree lined green corridor. In considering the siting and method of construction of a bridge crossing the canal, special consideration will have to be given to conserving the contribution of the trees lining the canal towpath to the rural character of the canal corridor and their contribution to the amenity of views.

6.35 Both bridge types have positives and negatives and to some degree the design will depend on its location although a lift/swing bridge is likely to be preferable due to the reduced tree loss. As a new bridge linking the station with Jericho is a key element of the development of the site it is likely that some compromises regarding impact on the trees, views and boat users may be needed.

6.36 Opportunities for a fully DDA compliant bridge should be explored but some flexibility will exist to ensure that the bridge design is appropriate for its location.



An example of a lifting bridge on the Oxford Canal

Position

6.37 There are probably two potential positions for a bridge. The first is at the southern end of the site where pedestrians and cyclists crossing the canal would then have direct access along Great Clarendon Street to the major employers in Jericho. If the bridge was positioned here, then it is critical to have a decent width pathway retained along the canal frontage running north from the new bridge to create a clear and direct public access for pedestrians and cyclists to the new square (see Section 8.0).

6.38 The second possible position is more central on the site where the bridge would lead people directly into the new public space and increase the vibrancy of the space. Similarly, public access for pedestrians and cyclists will be expected along the canal frontage leading south from the square to enable people to quickly access the employment areas of Jericho without having to negotiate events taking place on the square.

6.39 It is also preferable for the bridge to be located south of the new winding hole. This ensures that boaters wanting to turn round before the end of the canal don't have to negotiate the bridge twice to return north. The winding hole and bridge should not be too close to one another as the bridge may cause a visual obstruction to boaters affecting their safety.

6.40 As with the design options for the bridge, the position would also depend on the design of the bridge and to what degree it caused any visual intrusion and impact upon trees.

Other uses

6.41 Policy SP7 states that no other uses apart from those listed in the policy will be allowed. Such wording does allow for small scale ancillary uses on sites.

Class A uses

6.42 Class A uses include shops, financial and professional services and food and drink. A chandlery linked to the boatyard might be appropriate in this location. This site is not within the retail hierarchy as set out in Core Strategy Policy CS31 although, limited, small scale retail units may be appropriate provided that they are small scale in the context of the development site. Other Class A uses may complement the required uses by adding vitality to the new public space, encouraging people to come to the waterside and potentially increasing the viability of the development. However, because there are a number of uses which must be provided on this constrained site, Class A uses will not be appropriate if they are at the expense of the required uses.

6.43 It is uncertain whether Class A uses would be viable in this location so applicants will need to provide evidence to justify the viability of any proposals. If a retail unit was proposed potentially this could be combined with a chandlery. Proposals for retail will be assessed according to need, the sequential test, the requirement for good accessibility by walking, cycling and public transport, and their impact on existing centres. The planning application should provide detailed supporting information to assess the impact on existing nearby centres. Any retail units should not be of a scale

or design where, under permitted development rights, they could be amalgamated to result in an inappropriately large retail unit for the site and local area.

Car parking, cycle parking and access

Residential

6.44 The site is well within the Transport Central Area and as such is expected to have low levels of car parking provision. Houses would be permitted a maximum of one space per house regardless of the size of the house although car free housing would also be an option. Development of flats should be car free. Wheelchair accessible or adaptable homes should have one space per dwellings whether a house or flat. Further details are in the Sites and Housing Plan Policy HP16 and Appendix 8.

6.45 Developments in the city centre and surrounding areas with little or no parking operate successfully in this way supported by the requirement that they exist within a Controlled Parking Zone and that residents would not be eligible for parking permits. This site is within a CPZ and residents of the new dwellings will not be permitted parking permits.

6.46 As a low car ownership development however it is important that good pedestrian routes and good levels of cycle parking provision are included as part of the development to take full advantage of the relatively central location of the site and the new pedestrian and cycle route created across the canal, especially towards the railway station and Said Business School, and beyond to the West End and to West Oxford. From here routes connect back not only to Jericho but also via Great Clarendon Street to major employment sites at the Oxford University Press and the Radcliffe Observatory Quarter.

6.47 Policy HP15 sets out the requirements for cycle parking on the site. It is recognised that there may be difficulties in accommodating the full cycle parking provision at convenient locations on a constrained site, and so some limited level of flexibility will be applied.

Community centre

6.48 The community centre is to serve the local area and given that the majority of users of the existing community centre walk, cycle or use public transport, the situation will not be significantly different for the new centre. For this reason the community centre would not need to provide general parking. The lack of car parking will not have a negative impact on the surrounding highway network due to the Controlled Parking Zone already in operation in the area. If possible a limited number of parking or drop off spaces could be provided for the use of disabled people attending the centre.

6.49 On site cycle parking requirements for community centres equates to 1 space per 20m² of seating/assembly floor space (Oxford Local Plan Appendix 4). As with residential cycle parking it is recognised to be a constrained site which may affect whether full provision would be appropriate.

Boatyard

6.50 Some limited car parking is required due to the nature of the work requiring the transportation of heavy equipment and machinery.

Access

6.51 The appeal Inspector into the 2007 application concluded that increases in vehicular movements were inevitable given the expectations for this site. The Inspector also concluded that vehicular access from Great Clarendon Street would be no more harmful than an entrance to the site from Cardigan Street.

Footway

6.52 A route for pedestrians, cyclists and plant machinery must be provided along the canal frontage to link Great Clarendon Street to the new public square. The suggested width is 3 metres to allow 1 metre for boat owners to access boats temporarily moored for DIY repairs plus two metres to provide an adequate space for pedestrians and cyclists. This space will also ensure that the Canal and River Trust can maintain the eastern canal wall with plant machinery through their retained 0.5 metre strip of land. Canal banks can sometime be accessed from the opposite towpath but on this section of canal access down the towpath by machinery is restricted due to the footbridges to the north and south.

Dog litter bins

6.53 As part of the production of the Sites and Housing Plan the City Council undertook a Habitats Regulation Assessment. This site was relevant to that assessment due to its proximity to the Oxford Meadows Special Area of Conservation (SAC) at Port Meadow. It concluded that development of this site might increase recreational pressure on the *A. repens* (creeping marshwort) at the SAC due to trampling and dog-fouling. Due to the potential increase in dog walkers that might live on the site and use the SAC, it was concluded that in order to mitigate these recreational impacts, dog and litter bins and an information board must be provided at the Walton Well Road entrance to Port Meadow as set out in Policy SP7.

7.0 DESIGN PRINCIPLES

Urban design principles

7.1 Good urban design is essential to ensuring the quality of the public realm and the experience of users within it. People experience and understand a place by moving through its streets and other public spaces and the way they are defined by buildings and landscape that are important urban design principles. The fundamentals of the Urban Design Compendium and how they relate to this site are:

- **Places for People:** For places to be well-used and well-loved, they must be safe, comfortable, varied and attractive. The Jericho site should be distinctive and vibrant with active frontages to promote surveillance and maximises the amount of activity that takes place in the public realm.
- **Enrich the Existing:** New development on this site should enrich the qualities of the existing area. The Jericho site should encourage a distinctive response that arises from and complements its setting adjacent to the canal.
- **Make Connections:** Places need to be easy to get to and be integrated both physically and visually with their surroundings. There should be an ease of movement provided by legibility and permeability throughout the whole site. The priority on this site will be for people to get around by foot and bicycle with the car having a much lower priority.
- **Work with the Landscape:** The site should strike a balance between the natural and man-made environment and utilise these intrinsic resources. The tree-lined corridor between the canal and the Castle Mill stream are an important visual setting to the site.
- **Mix Uses and Forms:** Development on the site should weave together different building forms, uses, tenures and densities.
- **Manage the Investment:** For projects to be developable and well cared for they must be economically viable, well managed and maintained. The design should consider the development industry, ensure long term commitment from the community and the local authority and define appropriate delivery mechanisms.
- **Design for Change:** New development needs to be flexible enough to respond to future changes in use, lifestyle and demography. The development should design for energy and resource efficiency and create flexibility in the use of property and public spaces.

7.2 A critical aspect of the urban design will be the relationship between the community centre, the church, and the activity and visual interest of the boatyard and winding hole. Their position and design should provide an animation to the square and provide a focus for public interaction with the public square and canal frontage.

Preserving or enhancing the historic environment

7.3 Development will be expected to demonstrate the use of the following design principles in any proposal:

Respecting St Barnabas Church

- The maintenance of an open square between the church and the canal will be a required to protect the setting of the listed building;
- New elements added within the open space should not detract from the prominence of the church as a feature of these views. This will affect the choice of street furniture, including lighting and the choice of tree planting;
- In considering the scale and positioning of new buildings, consideration will have to be given to conserving the views of the church along Canal Street and from the canal. Some loss of these views is likely to be justified by the benefits of the scheme, but consideration should be given to preserving views of the roofslope and tower of the church from the canal, in addition to views across the open space;
- The design and materials of new buildings should provide contrast with the church, maintaining its architectural distinction within the area;

Character and appearance of the canalside

- New development will need to maintain an open frontage to the canal that preserves its character as an active, publicly accessible space, where the heritage of the waterway can be appreciated;
- New development that is not related to use of the canal or public uses should be set back from the canal and to preserve the character of views along the historic waterway;
- New development should provide uses that promote the active use of the waterway as a recreational resource, an area for residential moorings and a working waterway, as well as providing opportunities for positive interaction between the residential communities of Jericho and the canal;
- Buildings facing onto the canal should be designed using a scale, form, materials and detailing that make references to historic canalside structures. This does not mean that buildings should provide a pastiche of historic canalside buildings, however the influence of historic precedents on the architecture should be evident and understandable;
- New development along the canalside should include a variation of heights and divisions into larger units;
- The choice of street furniture within open spaces addressing the canal should be chosen to reflect the utilitarian historic environment of the canal. This should influence the choice of paving, seating and lighting in particular;
- New development should avoid the generation of significant overspill lighting affecting the dark night-time environment of the canal;
- Entry points to the former wharves area should be signposted by the use of 'gate piers' that reflect the historic division between residential streets and the industrial waterside although a 'gated' community will not be acceptable as this would provide an unacceptable division between the new and existing Jericho community;
- In considering the siting and method of construction of a bridge crossing the canal, special consideration will have to be given to conserving the contribution of the trees lining the canal towpath to the rural character of the canal corridor and their contribution to the amenity of views from the wharves.

Integrating with Jericho's historic streets

- Where new development connects with existing residential streets:
 - The scale and placement of buildings should provide a continuation of the frontage line, scale and massing of existing buildings, including return frontages at street corners and buildings set at the rear of pavement, unless a setback is required to preserve views of St Barnabas Church or other important historic buildings (including the Radcliffe Observatory, seen in views framed by Cardigan Street).
 - Materials and forms used should reflect those of housing in the surrounding area, i.e. brick walls and slate roofs, with pitched roofs and a regular pattern of window and door openings. Door and window frames should be recessed into the brickwork, whilst roofs should include chimney stacks.
 - Buildings could make use of patterned brickwork to enliven main frontages. This may be limited to use of subtly contrasted coloured brick to emphasise window and door openings and create stringcourses. Brickwork should be laid in Flemish bond to reflect the detailing of surrounding historic housing and the choice of brick should reflect the materials of the historic cottages in the area.
 - Buildings should have roof profiles that reflect the pitch and ridge height of equivalent two or three storey historic buildings in the area.
- Dormer windows on forward facing roof slopes are not generally characteristic of the Jericho Conservation Area so exceptional design will be expected where proposed.
- New development should provide the maximum potential access from the existing residential streets to the canalside for pedestrians and cyclists and these routes should be given emphasis by the creation of framed views from Canal Street to the waterside.

Mix

7.4 To deliver a truly mixed development, a broadly equal mix of uses (boatyard, community centre, residential and public square) should be the starting point for design considerations. There will be flexibility depending upon the more precise requirements deemed necessary for the boatyard and community centre at the time of a planning application although no single use should excessively dominate the site. With a number of competing land uses expected on the site, in order to be achievable, it may not be possible to deliver the maximum amount of development aspired to by developers and the local community alike. There will need to be a level of compromise by each interested party.

7.5 The entire site should feel part of the Jericho community rather than some areas feeling entirely private. For this reason the active/public uses (community centre and boatyard) and the private dwellings should be spread across the site. This will ensure that the site integrates well into the local community.

Building heights and frontages

7.6 Policy SP7 sets a maximum building height of 3 storeys. For clarity, this does not automatically follow that 3 storeys will be acceptable across the entire site. The City Council will consider whether a proposal may have a negative impact upon neighbouring properties in particular whether a proposal caused overbearing or affected daylight and sunlight to nearby properties.

7.7 Any building provided on the southern edge of the new public square should consider the fortuitous view that exists from the towpath to the Radcliffe Observatory to the west. Clever design and roof pitch will be expected to minimise any adverse impact on this view. A building in this position will be very prominent on the square and from the towpath and will be expected to be a high quality landmark building. It will also be very visible from the view down Cardigan Street to the site.



The view along Cardigan Street to the Radcliffe Observatory (photo courtesy of Isisbridge)

7.8 New buildings positioned in Dawson Place that abut Canal Street will be expected to maintain the view south along Canal Street to St Barnabas Church. This will require building frontages along Canal Street to be set back slightly from the road.

Canal and River Trust Design Requirements

7.9 The Code of Practice for Works Affecting the Canal and River Trust (CaRT) gives guidance and details procedures for all those (The Third Party) whose work may or will affect the property of the CaRT. All works that affect the CaRT must comply with the Code. This includes but is not limited to construction works on the property of the CaRT, works undertaken on neighbouring property, works requiring access across the property of the CaRT and works that over-sail the property of the CaRT.

7.10 The CaRT offer a free pre-application advice service for applicants to ensure that their proposal will comply with their design requirements and not compromise the safety of boaters or users of the canal paths, nor compromise the waterway. The City Council will have expected applicants to have liaised with the CaRT prior to submitting a planning application.

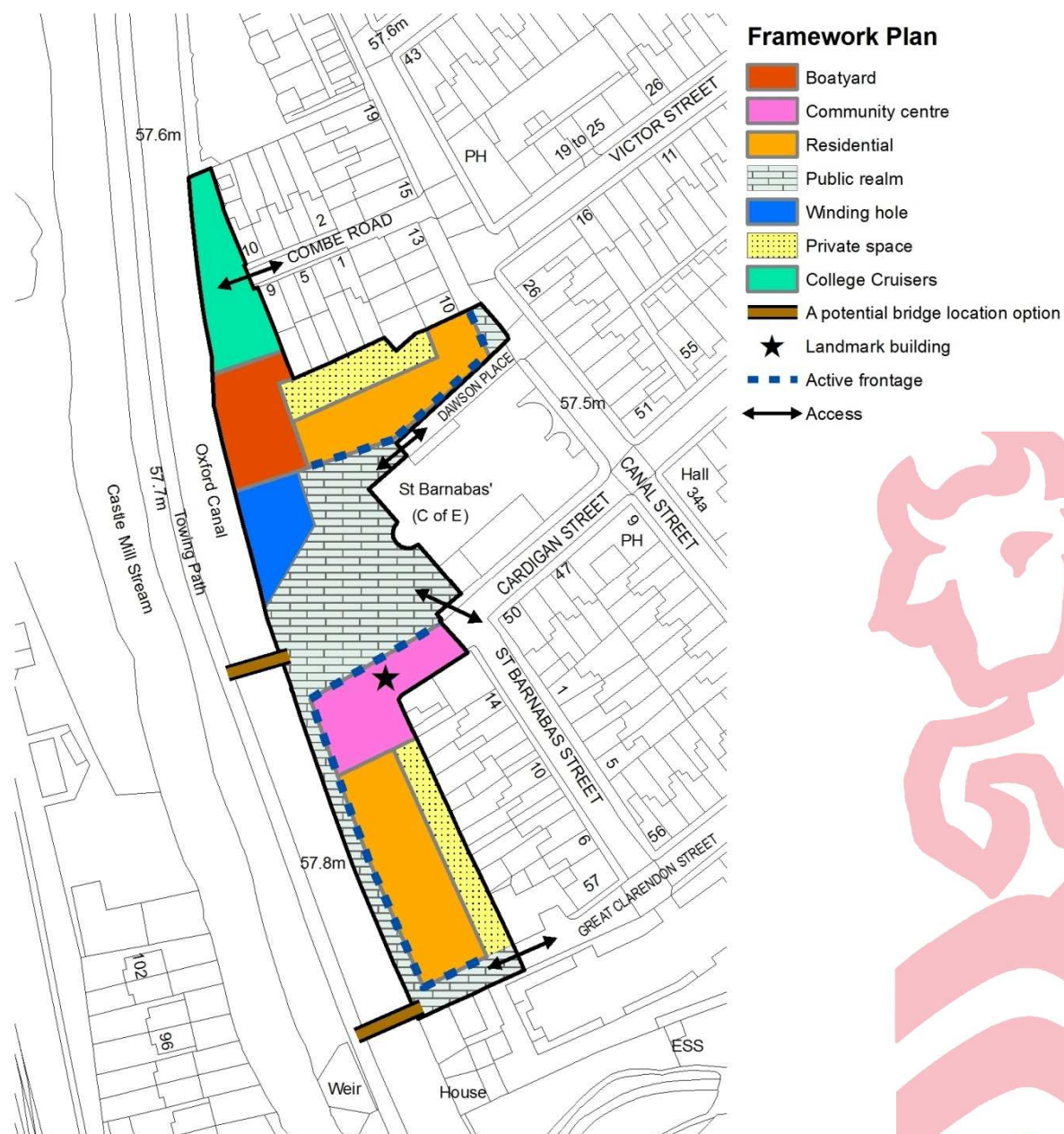
7.11 The requirement for a footway along the east bank from Great Clarendon Street to the new public square is referred to in Section 6.0. One reason for this requirement is so that the CaRT can access the east canal wall for maintenance. Often the CaRT can access canal walls using machinery from the opposite bank but in this location the towpath opposite has restricted access for large machinery due to the listed Isis lock bridge to the south and the footbridge structure to the north. The CaRT have raised a concern that a number of canal banks have collapsed during recent periods of heavy rain and they would need to be satisfied that they could adequately access the canal side to ensure the canal remains safe.

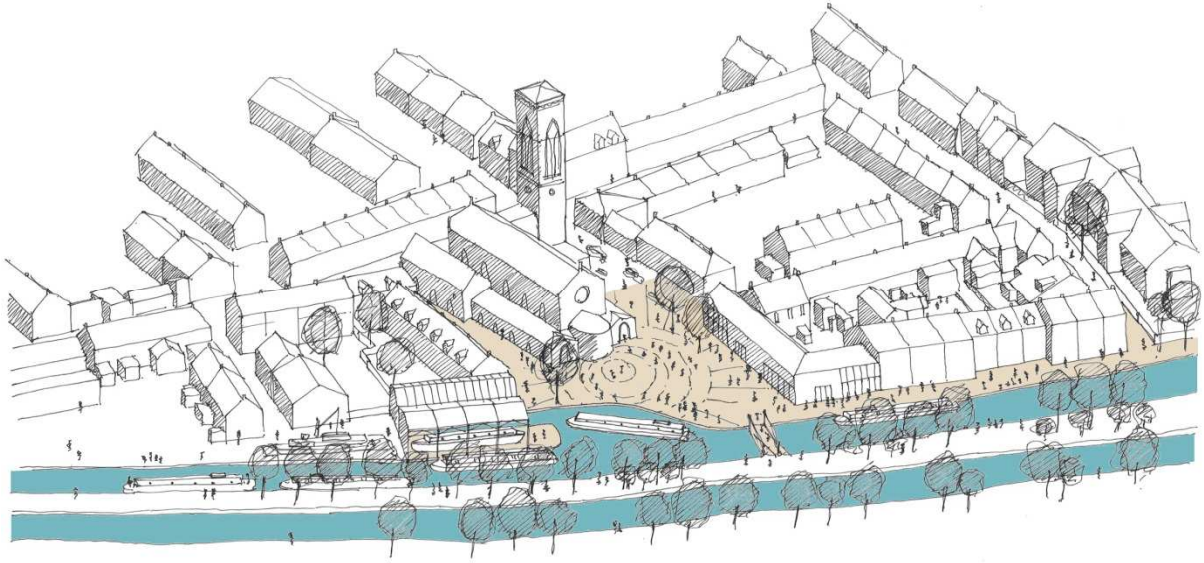


8.0 FRAMEWORK PLAN

8.1 The position of the site on the canal, the unusual shape of the site, its position within the Jericho Conservation Area and the Listed church limit the options for siting new development. It will always remain quite a constrained site in this respect.

8.2 The Framework Plan below shows broadly how the City Council considers that the site should be developed in order to satisfy policy requirements. It balances all of the relevant issues discussed in the Brief to create a suitable layout and massing. In addition, an illustrative drawing of how this design might look has been provided. Any proposals will be judged on their merit against relevant policies and the SPD.





An indicative illustrative drawing of the Framework Plan and design principles



9.0 DELIVERY AND IMPLEMENTATION

Ownership

9.1 The majority of the site is under the control of administrators PricewaterhouseCoopers. The City Council are freeholders of the land at Dawson Place. The Canal and River Trust own land at the north of the site which is on a long lease to College Cruisers and is therefore unavailable for development. There are no proposals within this Brief for new development to be located upon the part of the site leased to College Cruisers. The Canal and River Trust also own a 0.5 metre strip on land along the length of the canal frontage for maintenance including a triangle of land intended for the new winding hole. The church own a piece of land in front of the west face which they would allow the public to use although would be unlikely to grant permissive rights.

9.2 In 2005 Oxford City Council indicated their willingness to make available the land it owns in Dawson Place to facilitate provision of community facilities within the Jericho area. The City Council is willing, in principle, to allow its land to form part a comprehensive redevelopment of the Jericho Canalside site but only if, in the City Council's opinion, the development meets the needs of the City and the local community, which include the principles set out in this brief.

Viability

9.3 The purpose of the Plan-led system is to direct development to certain locations and to influence the design of developments. Policies and planning guidance will have an effect on land values and the land value that will be need to be adjusted in order for the required land uses to be delivered.

9.4 On a site specific basis it is important that policies do not make the site unviable. The City Council are keen to see this site developed. For a scheme to be considered 'viable', it is generally expected that the residual value of a proposed scheme exceeds the Existing Use Value (EUV) or Alternative Use Value (AUV) by an appropriate margin.

9.5 The EUV is the value of the site in its current use. The site's current land use is a boatyard which has a very low value. The site has no AUV because the land uses are determined by the Sites



Land ownerships (approximate)

- Site allocation boundary
- Canal and River Trust (CaRT)
- CaRT with long lease to College Cruisers
- Oxford City Council
- Administrators
- St Barnabas Church Parochial Church Council

and Housing site allocation Policy SP7. The last two planning applications were not acceptable for a variety of reasons, and were determined under the background of different Development Plan policies. Therefore, the design and configurations of the previous planning applications cannot be considered as offering realistic alternative land values as each would have required a significant re-design in order to comply with policies at the time.

9.6 The site is currently in the hands of administrators who will be aiming to realise the property in order to make a distribution to creditors of Spring Residential Ltd. The developer who purchases the site will also have been expected to consider the financial implications of all policy requirements when making an offer for the site. It is accepted that they will seek to make an appropriate profit from development of the site. However, the City Council will not accept an applicant arguing a case for non-viability if the price paid for the land was inflated having not taken into account the full policy requirements and the site specific constraints.

9.7 The requirements of Sites and Housing Plan Policy SP7, as with any other site allocation or planning policy requirement, will impact upon the land value as explained above. However, the Brief does not place new onerous requirements which would affect the overall viability of the site when considered against the site's Existing Use Value of a boatyard. In addition, the introduction in Oxford of the Community Infrastructure Levy in Oct 2013 will reduce the financial contributions expected from the development compared to the previous S106 mechanism because CIL is not expected from affordable housing.

9.8 All the requirements of the Brief are considered to be within the scope of Policy SP7. Any argument that the Brief has introduced an additional requirement for a new bridge compared to Policy SP7, which refers to 'an improved crossing', will be challenged. Firstly, there has never been any other realistic option to improve the crossing other than a new bridge. Secondly, up until the receipt of the Sites and Housing Plan Inspector's Report in Jan 2013, a new bridge had always been a requirement of the draft site allocation Policy SP7 and the previous Policy DS.13 (Oxford Local Plan 2001-2016). Between Jan 2013 and the publication of the draft of this Brief (Sep 2013) the site was not been sold to a developer and therefore the requirement for a bridge in this Brief will have had a neutral effect on the land value compared to pre-Jan 2013.

9.9 The City Council consider that the site can deliver the requirements of the site and result in a residual value greater than the Existing Use Value as long as the developer pays an appropriate price for the land having considered all the financial implications of policy. Jericho Wharf Trust are confident that they can deliver a residual land value higher than the EUV without having to compromise on policy requirements.

Community Infrastructure Levy

9.10 The City Council expect to adopt its Community Infrastructure Levy (CIL) charging schedule in Oct 2013. CIL rates are calculated by square metre of development. Further information is available in the Council's CIL Charging Schedule.

Water supply

9.11 Water supply capacity in this area is unlikely to be able to support the demand anticipated from development of this site. Policy SP7 says that Thames Water therefore require that applicants should fund investigations (which would be undertaken by Thames Water) to determine whether an upgrade to the water infrastructure is required. If the upgrade is required it could take up to three years lead in time for Thames Water to undertake any such works.



10.0 FURTHER INFORMATION

Oxford City Council publications

- *Sites and Housing Plan* (Feb 2013)
- *Core Strategy* (Mar 2011)
- *Oxford Local Plan 2001-2016* (Nov 2005)
- *Community Infrastructure Levy Charging Schedule* (Oct 2013)
- *Canalside Land, Jericho Development Guidelines* (Oct 2001)- superseded
- *Jericho Conservation Area Design Study* (Oct 2010)
- *Strategic Environmental Assessment Screening Report* (June 2013)
- *Interim Public Consultation Statement* (Sep 2013)
- *Affordable Housing and Planning Obligations SPD* (Draft 2013). *Affordable Housing SPD* (2006) and *Planning Obligations SPD* (2007) - to be superseded upon adoption of the above
- *Balance of Dwellings SPD* (2008)
- *Natural Resource Impact Analysis SPD* (2006)
- *Parking Standards, Transport Assessment and Travel Plans SPD* (2007)
- *Technical Advice Note 1: Accessible Homes* (2013)
- *Technical Advice Note 2: Energy Statement* (forthcoming)
- *Technical Advice Note 3: Waste Storage* (forthcoming)
- *Sites and Housing Plan Background Paper 18 Flood Risk: Sequential Test Update and Exception Test* (Feb 2012)
- *Strategic Housing Land Availability Assessment* (Dec 2012)
- *Habitats Regulation Assessment* (Feb 2012)

Other documents

- *Application number 03/01266/FULand appeal decision APP/G3110/A/1152062*- Bellway Homes application for 46 dwellings, 37 car parking spaces, restaurant, chandlery, public square, winding hole and new footbridge
- *Application number 07/01234/FULand appeal decision APP/3110/A/08/2070447*- Spring Residential Ltd application for 54 flats, 16 car parking spaces, winding hole, public square, lifting bridge and boat repair berth
- *Application number 07/01973/FUL and appeal decision APP/G3110/A/08/2070446*-Spring Residential Ltd application for landscaping works to St Barnabas Church
- *Application number 09/01203/OUT*—Jericho Community Association application for outline application for new community centre with entrance from Dawson Place
- *Code of Practice for Works Affecting the Canal and River Trust* (Apr 2013) Canal and River Trust
- *The Town And Country Planning (Local Planning) (England) Regulations 2012*
- *National Planning Policy Framework* (Mar 2012) Department for Communities and Local Government
- *Level 2 Strategic Flood Risk Assessment* (Feb 2012) Atkins
- *Disability and Discrimination Act (DDA) 2004*
- *Urban Design Compendium* (3rd Ed. 2013) Homes and Communities Agency
- *Cities Outlook 2013* (Jan 2013) Centre for Cities

11.0 APPENDICES

Appendix 1: Planning history and analysis

11.1 This site has a lengthy and complex planning history. Decisions taken by both the City Council on planning applications and by independent planning inspectors on appeals are material considerations for future planning applications. The three most recent relevant applications are set out in more detail below.

June 2003: Bellway Homes application for planning permission for: 46 dwellings, 37 car parking spaces, restaurant, chandlery, public square, winding hole and new footbridge (03/01266/FUL)

11.2 Application refused in 2004 for the following reasons:

- Buildings inappropriate scale, design and siting with a detrimental effect on church and views and have an un-neighbourly impact upon adjacent properties;
- Overdevelopment and a physical and visual barrier disconnecting Jericho from the canal;
- Footbridge and ramps would be over dominant in views, and relate poorly to Isis Bridge and result in an unacceptable loss of trees;
- No provision for community facilities;
- Inadequate affordable housing provision;
- No detailed and adequate ground remediation and mitigation strategy;
- Increase in flood risk;
- Loss of essential canal and waterside facilities.

11.3 Appeal dismissed in 2005 for the following reasons:

- Inadequate space provided for the community centre;
- No provision for replacement boat facilities in another equally accessible and convenient location (absence of lifting facilities not a reason for refusal in itself)

11.4 Other key points made by the inspector:

- The footprint/site for the community centre should be considerably larger than 260m²
- Facilities for boats to be lifted from the water and inspected, maintained and repaired are essential to the boating community
- The site is not suitable for a more intensive and commercial boat repair business
- Buildings should create a presence around the square and church to create a sense of place. The hemming-in of the church by development is acceptable and outweighs loss of views from the towpath
- The contemporary approach and a slightly larger scale of development as proposed would not be harmful

City Council commentary

11.5 The appeal decision gives an indication on what the appropriate size of a community centre should be. It also is clear that if boating facilities are provided in an equally accessible and suitable location(s) then that may be an acceptable approach. The Inspector concluded that the site wouldn't be suitable for an intensive commercial boatyard, however, this was in the absence of understanding how noise could be mitigated. If suitable noise mitigation was included in a proposal, this might allow for a more intense use of the boatyard. The Inspector was clear in the report on how the setting of the church could be improved and the balance between loss of views and creating a presence in the square. All of these aspects emerging from the Inspector's Report have been incorporated into the Development Brief.

June 2007: Spring Residential Ltd application for planning permission for: 54 flats, 16 car parking spaces, winding hole, public square, lifting bridge and boat repair berth (07/01234/FUL) and landscaping works to St Barnabas Church involving insertion of gates, railings and boundary wall (07/01973/FUL)

11.6 Main application refused in 2007 for the following reasons:

- Inadequate provision of affordable housing
- Performs poorly in relation to resource and energy efficiencies
- Inadequate justification for the level of contribution for the County Council
- Absence of legal agreement securing parcel of land for community centre
- Loss of essential canal and waterside facilities without adequate replacement in an equally accessible and convenient location
- By reason of excess height, bulk and scale and uncharacteristic materials fails to respect the established predominantly 2 and 3 storey domestic scale of Jericho
- Fails on urban design principles of active frontages
- Relates poorly to the church
- Unacceptable increase in flooding

11.7 Church landscaping application refused in 2007 for the following reasons:

- Premature in absence of a satisfactory scheme on the adjacent site
- Unsatisfactory materials

11.8 Appeal dismissed in 2008 for the following reasons:

- The re-provision of support services for boat users in an equally accessible and suitable location will not be fulfilled
- The water related land use element will be relegated to a small discreet part of the site which is unfortunate in this area where canal and boating are important elements of its character

- The preponderance of residential around the edges of the public square would render it sterile and inactive, lacking a sense of distinctive place with little connection to the character or history of Jericho
- The design fails to take the opportunities for improving the character and quality of this area

11.9 Other key points made by the inspector:

- The quantum of built development on the site would make effective use of urban land but without a sense of over-development. The alignment of buildings and scale would be an appropriate response to the waterside context
- The building's monotonous appearance would add to the sense of an inanimate environment
- The need for the winding hole is questionable
- Flood compensation measures are achievable
- Increased parking on site would be wasteful of a valuable brownfield site and a car free development in this location is possible
- Noise generated by boat repair activities could be controlled by condition restricting hours of operation
- The onus must fall on the developer to take on board the consequences of the affordable housing and other policy requirements at the time of purchasing the site
- The costs are specific to this site and reflect its unique circumstances

City Council commentary

11.10 The Inspector is critical of the peripheral position of community uses on the site and does not support the square being surrounded only by residential uses. The Inspector is also critical of the monotony of the development suggesting that a more varied design would be appropriate. The Inspector confirms the City Council view that this would be a suitable location for car free development. The inspector suggests that the boatyard repair operating hours could be restricted. These aspects emerging from the Inspector's Report have been incorporated into the Development Brief.

11.11 The appeal decision is clear that the quantum and scale of the proposal and alignment was appropriate, however, the City Council would maintain that the scale was excessive. The need for a winding hole is questioned. The Canals and Rivers Trust, local boaters and the City Council consider that it is important to the development. The Inspector did not seem to take account of the fact that boats cannot go through Isis Lock to turn around when the river is in flood meaning that large boats have nowhere to turn. As such Policy SP7 limits development to 3 storeys.

11.12 Finally, in relation to affordable housing provision and viability, the Inspector comes to a somewhat contradictory view. In the first instance she states that the onus is on the developer to consider the consequences of affordable housing and other policy requirements at the time of purchasing the site. The Inspector then states that the specific costs associated with the site are justification for accepting a lower provision of affordable housing. The City Council disagree with this

reasoning as the specific costs associated with the site were all clearly included as policy requirements which should have been taken into consideration when purchasing the site.

June 2010: Outline application (seeking access and layout) for new community centre with entrance from Dawson Place (09/01203/OUT)

11.13 Application approved in 2010 for the following reasons (summarised):

- The proposal, whilst not complying with all Oxford Local Plan 2001-2016 policies, is considered acceptable and provides a much needed community centre. The loss of trees has to be set against the improved visual amenity of the locality by replacing an untidy garage court with a new building, and by the other wider benefits of providing a new community centre for Jericho
- Many of the public comments received are supportive
- Any material harm that the development may give rise to can be offset by conditions

City Council commentary

11.14 The decision has set a precedent for the loss of the trees in Dawson Place. Any new proposal will be considered on its merits although a similar conclusion is likely to be drawn in relation to balancing the loss of trees against the improved visual amenity of the site and the community benefits.



Appendix 2: Other relevant non-City Council consultations

Haworth Tompkins Ltd Masterplan Consultation

11.15 Haworth Tompkins, architects, developed a Masterplan for a community-led proposal for the site in liaison with Jericho Living Heritage Trust, Jericho Community Association, Jericho Community Boat Yard Ltd, Canal and River Trust and St. Barnabas Church. They undertook three stages of consultation with the final stage being a two day open event for the public where over 150 people attended. A number of the questions related to very detailed aspects of the proposed Masterplan which are less relevant to this Brief. The elements which relate to the location of the uses and design are relevant and responses are summarised below:

- About 66% favoured the community centre being located directly onto the square;
- About 80% did not think there should be shops on both sides of the square;
- Favoured materials were brick, glass and wood (including reclaimed wood) and environmentally sustainable materials;
- 70% did not want to see the Dawson Place green built on;
- Of those who stated a preference, about 66% favoured a bridge leading directly into the square compared to at the southern end;
- A majority favoured a moving bridge but a significant proportion recognised the problems this would cause boaters. A number of people suggested restricting boat usage during the rush hour to give pedestrians and cyclists priority;
- Of those who answered, the majority said that they would buy from a chandlery on the site.

Jericho Wharf Trust Residential Boaters survey

11.16 During the summer of 2012 Jericho Wharf Trust distributed questionnaires to as many residential boat owners as possible within Oxford, seeking to build a profile of these boat dwellers and their needs and 56% responded. Much information was gathered. Of particular relevance to this Brief are the following summarised issues and responses:

- An earlier census (autumn 2011) identified more than 400 boats in the wider Oxford area, of which 109 were residential boats moored on the canal or river within the Oxford City boundaries;
- Responding to whether the loss of the boatyard had an impact: None 26%; A Little 26%; Quite a Lot 19%; A Great Deal 29%;
- 75% of respondents agreed that *"the previous Jericho boatyard also provided a place that helped the boating community's sense of well-being."*
- 62% of respondents described deterioration in boat maintenance and/or safety;
- 39% described loss of community and/or alienation;
- The majority considered it 'very important' that the any new boatyard was located in Oxford and had out of water DIY facilities. It was considered slightly less important to have pump-out and toilet facilities.

11.17 This survey aimed to identify people's concerns and priorities and to show which projects would be most appropriate. Of particular relevance to this Brief are the following summarised issues and responses:

- Respondents were asked for their views about the proposed facilities for the new Community Centre at Canalside and to add any other facilities they would like. A mix of rooms sizes was sought. Nearly 50% of respondents would use music and arts facilities either regularly or occasionally, 46% would use a history house; a total of 42% of respondents expressed an interest in using a gym; 39% would use a bike workshop; 31% DIY; 30% would use an IT facility and 21% would use a laundrette;
- The results suggest that popular choices for the public square include: a market/food/street fair; a café/eating out/food area; and a space for parties, music, dance and drama (street theatre);
- The survey stated that a proposed pedestrian/cycle bridge would provide a direct link from Jericho to the station area, and asked respondents: How often do you think you personally would use it? A total of 89% of respondents stated that they would use it, with 38% using it at least once a week; 32% using it less than once a week and 19% stating they would use it every day.



Interim Public Participation Statement (early stage consultation) for the Draft Jericho Canalside Supplementary Planning Document

Regulation 12 (a) Town and Country Planning (Local Planning) (England) Regulations 2012

September 2013

www.oxford.gov.uk



1. Introduction

- 1.1 This Interim Public Participation Statement sets out how Oxford City Council has engaged and consulted with the public to date on the Jericho Canalside Supplementary Planning Document (SPD) in accordance with Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012¹, and the adopted Statement of Community Involvement (SCI).
- 1.2 This interim statement provides details of the informal engagement and consultation activities and the resulting feedback relating to the pre-production stage of the SPD. This document sets out the persons consulted, summarises the main issues they raised and, shows how those issues have been addressed in the SPD. Following the period of statutory public consultation (during Sept/Oct 2013) this statement will be updated to include details of the responses received.

2. Purpose of the SPD

- 2.1 The SPD supplements Policy SP7 of the Sites and Housing Plan which allocates the Jericho Canalside site for a mixed-use development. It explains the vision for the site of the City Council, evolved with the local community, and will assist developers in the submission of high quality proposals befitting of the site's character and heritage.
- 2.2 The principle of allocating the site for development has been agreed through adoption of the Sites and Housing Plan in February 2013. The production of the Plan included a series of public consultation exercises.

3. Pre-production consultation

- 3.1 The approach to consultation on this SPD was to involve local people at the earliest stage. This would enable the City Council to gain a sample of views from the local community on their layout and design aspirations prior to drafting the SPD. A considerable amount of information was already available to the City Council that had been produced by the community but it was important for the City Council to also undertake its own consultation as well.
- 3.2 The pre-production consultation included:
 - Drop in event for people of Jericho
 - Meetings with local interest groups and organisations

Drop in event

¹With effect from 6th April 2012, the Town and Country Planning (Local Development) (England) Regulations 2004 (Statutory Instrument 2004 No. 2204) were replaced by the Town and Country Planning (Local Planning) (England) Regulations 2012 (Statutory Instrument 2012 No. 767). Therefore 2004 Regulation 18 was replaced by 2012 Regulations 12(b) and 13.

- 3.3 The City Council held a drop in event at the Jericho Community Centre on 10 July 2013 from 3.30pm – 7.30pm. The event was mainly advertised through a flyer produced by the City Council but kindly delivered by the Jericho Community Association to about 1,200 addresses in Jericho, including Rewley Road on the western side of the canal. The event was also advertised on the Jericho Community Association’s website. Over 50 people from the local community attended the event. The local press also attended and published an article.
- 3.4 The format of the event was a drop-in session where people were provided with information on exhibition boards which included questions to prompt discussion with officers of the City Council. Comment forms with a map of the site were provided.
- 3.5 Comments received showed a clear consensus in some areas but some showed a divided opinion which is also significant. Below are the main issues raised through the consultation with an explanation as to how these issues have been addressed in the draftSPD:
- Whilst there were many different opinions on how much of each use would be appropriate, the most popular opinion was that the mix of uses (residential, boatyard, community centre and public square) should be broadly equal. The City Council would agree that this approach would deliver a truly mixed development and should be the starting point for design considerations.
 - In terms of the location of uses, there was clear consensus that the boatyard would be best placed at the north of the site next to College Cruisers and that the public square should be in front of the church. There was some agreement that there should be at least some housing on the southern part of the site. The City Council would agree with this approach.
 - There was divided opinion as to the preferred location of the community centre with suggestions evenly split between the Dawson Place end and the southern end of the site. The Jericho Wharf Trust feel strongly about it being located south of the square. This is one reason for this being its preferred location within the SPD.
 - There was generally agreement that the community centre should be larger than the current centre and multi-functional with small and large rooms capable of accommodating a wide range of activities. This opinion was also clear from other non-Council consultations with which the City Council would agree.
 - There was divided opinion as to the preferred location for a new bridge with suggestions split evenly between the southern end of the site and a more central location leading onto the square. Similarly, there was no clear agreement as to the most appropriate type and style of bridge. For this reason, and because of the many factors to consider with regards to the bridge, the City Council will remain open minded about the most appropriate location for the bridge.
 - There was overwhelming support for a footpath along the canal frontage. This re-affirmed the City Council’s view that some space should be retained along the canal frontage to the south of the site leading from Great Clarendon Street to the new square not only for public access but for canal maintenance and boat access.
 - There was general agreement that 3 storeys is the maximum appropriate height of buildings (in line with Policy SP7) but also that 2 storeys may be more appropriate in some locations depending on any impact upon neighbouring buildings. For this reason the Brief adds some guidance on this matter.
 - There was general agreement that there should be little or no car parking on the site. This re-affirmed the City Council view that this would be a suitable location for low-car or car-free development and guidance has been added on this matter.
- 3.6 Some more specific comments or key words received on the issues:

Boatyard	Community centre	Residential	Public Square	Important characteristics	Other comments
Viable	Multi-purpose	Low-rise	Trees	Harmony with area	Viable
Functional	Small and large rooms	Shoebox cottages	Showcase church	Brick and wood	Labyrinth on ground outside church
DIY	Hall	Affordable	Terraces seating	Variety	Encourage biodiversity
Craning	Pre-school	In keeping	Provide a reason to visit it	Conservation area	Light pollution concern
Soundproofing	External space	Set back from canal	Nice paving	Scale of area	Flooding concern
Bigger than before	Sustainable	Live/work units	Intimate urban space	Reclaimed canal and iron work	No retail
Smaller than before	Economical	For local people	Hard and soft landscaping	Bookbinding vernacular	Shops and cafe
Share with College Cruisers	Catering			Not too modern	Lots of activity – a hub
Visitor moorings	Café and wine bar	Footpath along canal front	Parking	Pedestrian and bike friendly	Views of church from towpath
Chandlery	Badminton	Only if you can get somewhere	None	Big windows	Sandpit/ playground
	Music and dance	Allotments	As little as possible	Big trees	Old narrowboat with tea and snacks
	Bigger than current	Landscaped	Underground	Human scale	Mooring for the venture
	Above boatyard	Pontoon/ boardwalk	Residential only	Presence of church	Not like the Lucy's housing
	Function rooms		For deliveries		Outdoor gym
	Allotments		Only for workers		Views to Radcliffe Observatory
	Bike repair				Concern about crime
					Preserve heritage
					How to maintain site

Meetings with local interest groups and organisations

- 3.7 Prior to the drop in sessions, meetings or telephone conversations were arranged with local interest groups and organisations. These were with representatives from:
- Jericho Wharf Trust (JWT)
 - Jericho Living Heritage Trust (JLHT)
 - Jericho Community Boatyard (JCBY)
 - St Barnabas Church Parochial Church Council
 - Oxford City Canal Partnership
 - Worcester College
 - College Cruisers
 - Canal and River Trust
- 3.8 These discussions helped to understand the variety of opinions on the future use of the site. The Jericho Wharf Trust comprises partner organisations of the JLHT, JCBY but also the Jericho Community Association. Jointly their aspiration is for the redevelopment of the site to create a vibrant community space for local people and boaters including a new large community centre and essential boatyard facilities to serve the needs of boaters with some complementary residential.
- 3.9 The Oxford City Canal Partnership and Worcester College are keen to be involved in the development of the SPD and will consider the draft during consultation in September.
- 3.10 College Cruisers occupy the northern part of the site on a long lease from the Canal and River Trust. Their site will not be affected by proposals within the SPD and they confirmed that they should be able to continue to operate satisfactorily.
- 3.11 The Canal and River Trust (formerly British Waterways) provided information on designing development that is close to or crosses the canal. They confirmed that they offer a pre-app service for applicants to ensure that their proposals will meet design requirements that will ensure the safe operation of the canal.

4. Strategic Environmental Assessment Screening Consultation

- 4.1 A Strategic Environmental Assessment (SEA) Screening Report has been produced to identify whether the SPD would have any significant environmental impacts in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004 for the draft Jericho Canalside SPD.
- 4.2 The statutory consultees for the SEA (Environment Agency, English Heritage and Natural England) agreed with the conclusions of the Screening Report that no Strategic Environmental Assessment of the Jericho Canalside SPD was required. Where advice has been provided this has been incorporated within the draft SPD.

5. Consultation on the Draft SPD

- 5.1 Once approved by the City Executive Board for consultation, formal public participation on the draft SPD will take place for a six-week period during September and October 2013. The consultation will invite comments from the Jericho community, local interest groups, people on our consultation database, statutory consultees, the administrators PricewaterhouseCoopers and developers with a known interest in the site. The methods used will be the City Council's online

consultation portal, email and letter. Advertising will take place on the website, social media and by a press release.

- 5.2 The Draft SPD together with the Strategic Environmental Assessment Scoping Report will be made available during the consultation period on the City Council's website and for viewing at St Aldate's Customer Service Centre.
 - 5.3 Following the six-week period of statutory public consultation, responses received will be processed, analysed and reported in a revision to this statement. The comments will be made available on the City Council's website and for viewing at St Aldate's Customer Service Centre as soon as is reasonably practicable.
 - 5.4 The final Public Participation Statement will set out a summary of the main issues raised through the consultation and how those issues have been addressed in the final SPD. The Public Participation Statement will be completed and reported to City Executive Board when the final SPD is presented for adoption.
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To: City Executive Board

Date: 11th September 2013

Report of: Head of Finance
Head of Business Improvement and Technology

Title of Report: INTEGRATED REPORT 1ST QUARTER 2013/2014

Summary and Recommendations

Purpose of report: To update Members on Finance, Risk and Performance as at the end of Quarter 1, 30th June 2013.

Key decision: No

Executive lead member: Councillor Ed Turner

Policy Framework: Improving value for money and service performance

Recommendation(s):

The City Executive Board are requested to

A) note the financial position and performance of the Council for the first quarter of 2013/14 and also the position of risks outstanding as at 30th June 2013.

B) That the Council's performance indicator for the Recycling Rate Target be amended to 44% for 2013/14 and 2014/15 and 45% for 2015/16 and 2016/17 in accordance with paragraph 8

C) That the Board agrees that the weight of residual waste per household, per annum, should in future be used as the Council's key indicator (published in the Corporate Plan) to measure its recycling performance in accordance with paragraph 8

Appendix A Integrated Report

Appendix A1 Corporate report

Appendix A2 City Regeneration

Appendix A3 Organisational Development

Appendix A4 Community Services

Appendix B Briefing note on changes to recycling rate

Appendix C Budget Monitoring report as at 30th June 2013

Background

1. Historically Finance, Performance and Risk have been reported separately to the City Executive Board with little documented consideration of the interrelationship of these three key elements of management information.
2. An integrated reporting approach is one which enables a more holistic picture to be presented and understood. It is a concept many local authorities have and are grappling with.
3. Attached at **Appendix A** is the Council's Q1 integrated performance report. It has been produced using CorVu the Council's performance management system and utilises a Red, Amber and Green reporting methodology.

Principles of the integrated report

4. The key principles applied in producing the report are:
 - Exception reporting utilising clear graphical summaries, followed by narrative which focuses only on those issues that requires attention.
 - Narrative which pulls together and makes the links between risk, finance and performance to form a holistic view and incorporating trend data.
 - CorVu will be used to create the base data for the report from existing information (i.e. no additional work created for Services).
 - Some entries for performance monitoring and risk monitoring are shown as "no data". What this means when referring to performance measures is the indicator is not required to be calculated for the period reported. For risk it is because the previous quarterly measurement was not undertaken so no assessment of the risk being increased or reduced is possible.
 - The distinction between a summary Corporate-level view and Directorate-level picture of performance is retained and the latter enhanced by the inclusion of, service plan target performance
 - The detail of the existing finance report will be appended to the integrated as it is needed to enable decisions to be taken at executive level (authorisations, virements etc)
 - The following tolerances apply to the financial dials:
 - **Green** – Forecast outturn is within 100% of the latest approved budget
 - **Amber** – Forecast outturn is within 100% - 105% of the latest approved budget
 - **Red** - Forecast outturn is over 105% of the latest approved budget. Performance in this area is a potential concern and will be commented on within the report

5 What Do the Dials Show?

Several items are displayed below each dial.

Budget	This is the monetary value of the Latest Budget for the above dial
Forecast	This is the projected outturn position i.e. what we think the year-end spend will be
Variance	Difference between the Latest Budget and the Projected Outturn (Forecast)
Prev Qtr	The projected outturn estimated at the time of the previous quarter
Movement	Change in projected outturn for the previous quarter with the projected outturn for the current quarter. Please note that the projected outturn for the previous quarter can be retrospectively revised if additions/transfers to latest budget levels have taken place during the interim.

6 Performance Summary

This section is broken down into 3 sub-sections;

- Current Quarter's information on performance targets broken down between the RAG categories.
- A summary of the previous quarter's position.
- Direction of Travel table displaying the movement between categories from one quarter to the next.

7 Risk Management

This section is similarly broken down into the same 3 sub-sections;

- Current Quarter's information on performance targets broken down between the RAG categories.
- A summary of the previous quarter's position.
- A Direction of Travel table displaying the movement between categories from one quarter to the next.

8 Update on Recycling

A briefing note is attached at **Appendix B** which details changes in legislation around 'street arising' which effect the recycling rate for the council. Members are requested to consider the attached briefing and :

- a) Agree changes to the recycling rate for 2013-14 to 2016-17
- b) agrees that the weight of residual waste per household, per annum, should in future be used as the Council's key indicator (published in the Corporate Plan) to measure its recycling performance.

Financial Implications

- 9 Detailed financial analysis is shown in **Appendix C** of the attached integrated report, but in summary General Fund shows an adverse forecast outturn variance of £109k and HRA Revenue budgets are showing no variations to their predicted outturn. The General Fund Capital is projecting further slippage of £125k against the latest budget and the HRA capital budget is in line with its forecast budget.

Legal Implications

- 10 There are no legal implications directly relevant to this report.

Name and contact details of author:-

Name: Nigel Kennedy, Jane Lubbock

Job title: Head of Finance, Head of Business Improvement and Technology

Service Area / Department: Finance, Business Improvement and Technology

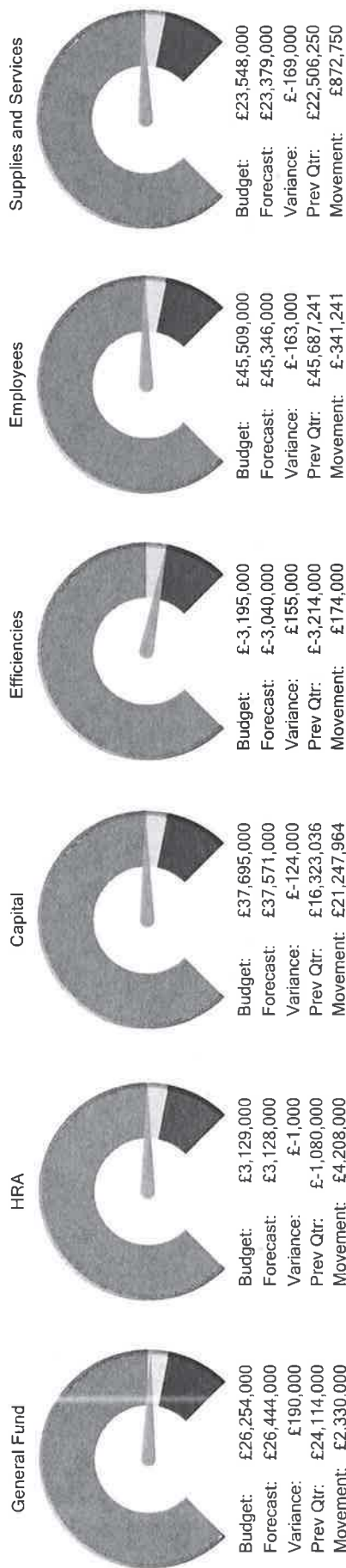
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Background papers: None

Appendix B

Integrated Report- Corporate Q1 2013/14

Financial Performance



Performance Summary

Priority	No Data	Red	Amber	Green
Vibrant and Sustainable Economy	0 (0%)	1 (25%)	0 (0%)	3 (75%)
Meeting Housing Need	0 (0%)	0 (0%)	3 (50%)	3 (50%)
Strong and Active Communities	0 (0%)	2 (67%)	0 (0%)	1 (33%)
Cleaner Greener Oxford	0 (0%)	1 (20%)	0 (0%)	4 (80%)
An Efficient and Effective Council	0 (0%)	0 (0%)	0 (0%)	4 (100%)
Total	0 (0%)	4 (18%)	3 (14%)	15 (68%)
Previous Quarter				
	No Data	Red	Amber	Green
	3 (18%)	4 (24%)	0 (0%)	10 (59%)

Direction of Travel

Priority	No Data	Declining	No Change	Improving
Vibrant and Sustainable Economy	0 (0%)	0 (0%)	1 (33%)	2 (67%)
Meeting Housing Need	0 (0%)	1 (50%)	0 (0%)	1 (50%)
Strong and Active Communities	0 (0%)	0 (0%)	1 (50%)	1 (50%)
Cleaner Greener Oxford	0 (0%)	2 (50%)	1 (25%)	1 (25%)
An Efficient and Effective Council	0 (0%)	1 (33%)	0 (0%)	2 (67%)
Total	0 (0%)	4 (29%)	3 (21%)	7 (50%)

Risk Management

Ref:	Category	Description	Previous P I P I	Current P I P I	Trend	Declined to red?	
CRR-007	Health & Safety	Existence of operational risks (relating to internal as well as public concerns - property not vehicle)	3	4	3	4	➔
CRR-004	Delivery of key projects = ability to deliver cross cutting projects	People and the council are not developed sufficiently to make risk based decisions, carry out options appraisals. Decision making can be poor. Innovation is not encouraged, low risk appetite.	3	3	3	3	➔
CRR-013	Impact on homelessness of changes in Housing Benefit	Changes in housing benefit and universal housing benefit increase homelessness	5	3	5	3	➔
CRR-006	Supplier Management	Ability of the council to manage large contracts and to obtain best value from those contracts	3	2	3	2	➔
CRR-012	Failure to achieve budget reductions over four year period	Inability to achieve savings in budget	2	3	2	3	➔

CORPORATE SUMMARY

1 OVERALL SUMMARY POSITION

The overall performance of the authority is 'good' overall based on the actual and forecast outturn position at 30th June 2013. The General Fund Revenue financial position indicates an adverse 0.8% forecast variance. Whilst the predicted overspend is not significant and may be mitigated over the coming months, it is a concern that it arises from unbudgeted posts and also unachievable savings that were agreed by the Council in February 2012. The HRA continues to spend on budget and performance indicators continue to show a increase in the number of indicators that are improving. The authority continues to face a number of risks which are being mitigated

2 FINANCE OVERALL

Overall finance is good with a small adverse variance on General Fund (0.8%) forecast for 2012-13. HRA continues to spend on budget and capital shows minimal slippage over and above that known in May.

3 PERFORMANCE

Overall the Council's performance against its corporate targets is Good with 15 (68%) delivering as planned. 3 (14%) are below target but within acceptable tolerance limits, and 4 (18%) are off target. Exceptions to targeted performance are set out in the section below.

Quarter one compares with an end of year performance for 2012/13 where 14 (74%) of targets were achieved or exceeded. However, there are 7 new corporate indicators for 2013/14 which are being monitored for the first time.

Corporate performance indicator exceptions

Red:

Vibrant and Sustainable Economy: The number of training places and jobs created through Council investment projects and other activities - June performance of 197 is currently behind its profiled target of 250 largely due to the delays in commencing the competition pool construction, which is anticipated to contribute 40 new jobs.

Strong and Active Communities: The number of young people accessing youth engagement projects and activities outside school hours - reported performance of 1,304 compared to a target of 2,000 does not include outstanding data from half term and grant funded projects, some of which have only recently started. We are confident that end of year performance will meet the corporate target, and that reported performance through the year will improve as the new projects bed down.

Strong and Active Communities: Satisfaction with our neighbourhoods - reported performance reflects the 2012/13 end of year position as the

2013/14 survey has not yet been carried out. Work is underway to understand the reasons for last year's performance and will be available shortly.

Cleaner Greener Oxford: The number of enforcements carried out as a result of environmental offences - resourcing issues have contributed to current performance of 161 compared to a target of 249. Several experienced team members have left the council to work elsewhere, with five replacement officers starting in July and one more vacancy still to fill. Until all new recruits are in post and fully trained in environmental enforcement actions, performance is likely to remain below target. This is anticipated to be the case until at least October 2013.

Amber:

Meeting Housing Need: Number of new Rough Sleepers spending a second night on the streets (snapshot count) - reported performance of 4 against a target of 0 relates to May, as surveys are not carried out monthly. The total count of rough sleepers was 14 (7 of which were new to rough sleeping). There was an unusual combination of circumstances, with 3 of the 4 clients excluded from services (1 with no recourse to public funds and 2 with no local connection to Oxfordshire and refusal of reconnection option).

Meeting Housing Need: Capital investment in Council housing - A minor underperformance of 7% (expenditure of £1.58 millions against a target of £1.705 millions) reflects issues with accurate profiling of capital spend rather than slippage with schemes. This is being reviewed at present and will be reflected in the Quarter Two integrated report.

Meeting Housing Need: The number of households in Oxford in temporary accommodation - performance is slightly over target (123 compared to a target of 120). There remain significant external challenges to this area, but performance across Homelessness Prevention and Housing Needs functions remains good.

4 RISK

CORPORATE RISK - EXCEPTIONS

There has been no movement on the level of risk this quarter, and we still report one red Corporate Risk relating to Health and Safety which is being mitigated by developing a corporate approach to health and safety and ensuring there is a joined up approach and a 'one view' of all corporate assets.

Appendix D

Integrated Report- City Regeneration Q1 2013/14

Financial Performance

Regeneration and Major Projects

Housing and Property

City Development



Performance Summary

Service	No Data	Red	Amber	Green
City Development	0 (0%)	1 (33%)	1 (33%)	1 (33%)
Housing and Property	0 (0%)	0 (0%)	0 (0%)	8 (100%)
Regeneration and Major Projects	0 (0%)	2 (25%)	0 (0%)	6 (75%)
Total	0 (0%)	3 (16%)	1 (5%)	15 (79%)

Risk Summary

Service	No Data	Red	Amber	Green
City Development	0 (0%)	0 (0%)	5 (63%)	3 (38%)
Housing and Property	0 (0%)	3 (38%)	3 (38%)	2 (25%)
Regeneration and Major Projects	0 (0%)	2 (22%)	3 (33%)	4 (44%)
Total	0 (0%)	5 (20%)	11 (44%)	9 (36%)

Direction of Travel

Service	No Data	Red	Amber	Green
Previous Quarter	0 (0%)	3 (17%)	0 (0%)	15 (83%)

Direction of Travel

Service	No Data	Declining	No change	Improving
City Development	8 (100%)	0 (0%)	0 (0%)	0 (0%)
Housing and Property	8 (100%)	0 (0%)	0 (0%)	0 (0%)
Regeneration and Major Projects	9 (100%)	0 (0%)	0 (0%)	0 (0%)
Total	25 (100%)	0 (0%)	0 (0%)	0 (0%)

CITY REGENERATION DIRECTORATE

Directorate Overview

For the Directorate as a whole 15 (79%) of performance measures are on target with 1 (5%) below target but within tolerance limits and 3 (16%) off target. The Directorate overall is forecasting an adverse variance of around £109k. Whilst reasonably small at this stage they do indicate some concern around budget preparation given that they involve unachieved savings and unbudgeted expenditure. In mitigation this Directorate includes most of the major capital projects within the authority which need suitably qualified staff to monitor them.

1. Directorate Financial Performance

The Directorate is currently estimated to have a projected outturn position of £0.135m. This is adverse against the latest budget position by £0.109m. This has been caused by additional costs associated with in-year re-structures, the inability to deliver planned efficiencies in Corporate Property (albeit this is intended to be mitigated by increased commercial property income), additional projected spend linked with a variety of projects including Westgate, Barton, City Deal and Oxpens. There are a number of options being proposed how this additional spend can be funded and these are explained in more detail in the following paragraphs. The position is further compounded by income concerns associated with Building Control income.

City Development

Reduced income in building control continues to feature as a pressure and is currently estimated to be £46k down on budget. The increase in capital projects requires additional suitably qualified staff to project manage these schemes, but whilst there is an increase on the budget this has been managed by the application of grant monies to fund the expenditure.

Housing

General Fund Housing is experiencing some increased activity in Private Sector Leasing (PSL) activity, which is improving income levels from reduced void periods. However, if the number of approved homelessness applicants continues to rise as has been experienced so far this year then increased short stay overnight expenditure, which is the most expensive, will create further budgetary pressures. However, because the authority has provided a £0.400m Homelessness contingency for 2013/14 no adverse variance on the revenue account is being predicted at this stage.

Corporate Property

The service is forecasting an overspend in the region of £63k for 2012-13 the bulk of which has arisen from the recent restructuring of the service and also the need to service capital projects. The non-achievement of savings from the restructure whilst a concern has been mitigated from increased commercial rent income. It is anticipated that this saving may be achievable from 2014-15 with further restructures being planned.

2. Directorate Performance - Exceptions:

City Development

Net additional homes provided - Housing completions remain lower than the target figure, reflecting the national situation, with 17 homes delivered against a target of 54. There are a number of sites progressing through the planning process, and the rate of delivery is expected to significantly improve over the couple of years.

Processing of planning applications as measured against targets for minor application types - Performance to date is 69% compared to a target of 72%. A number of minor applications were processed out-of-time in April resulting in performance of 59%. Whole year workload modelling and active management of minor applications has improved performance significantly (year to date performance for July is 76%). Although confidence is high that end of year performance will meet target (72%), it is anticipated that performance will continue to oscillate depending on the nature and number of minor applications (i.e. whether delegated or committee). For example it anticipated that a number of minor applications are due to be reported to the September committees, the majority of which will be out of time as a result.

Regeneration and Major Projects

Rental income arrears - rental arrears for June are reported at 22% against a target of 5%. This is because rents became due on 24 June and the arrears were reported as at 30 June, distorting true performance. Peaks and troughs in reported performance are likely to smooth out over the year.

Number of lease renewals /rent reviews reported - no renewals had reported for June against an anticipated target of 6. Reports are expected shortly from agents on outsourced renewals work.

3.

Risk Performance- Exceptions

City Development

There are no red risks to report in this quarter

Housing

There are three red risks in this quarter, they relate to Overspends on construction related projects, Blackbird Leys Swimming Pool and HRA Business Plan.

Overspends on major projects could be caused by increases in prices of current contracts, this is being mitigated by including bonds within contracts and fixing prices, and carrying our robust risk analysis on any major projects.

Blackbird Leys Swimming Pool may have a time and budget overrun however to mitigate this we are carrying out close monitoring of the brief and budget.

HRA Business Plan is at risk of failing to delivering the plan although it is considered that mitigating actions should reduce this risk significantly.

Regeneration and Major Projects

Two red risks reported this quarter include staff recruitment and retention and issues surrounding the Westgate Development.

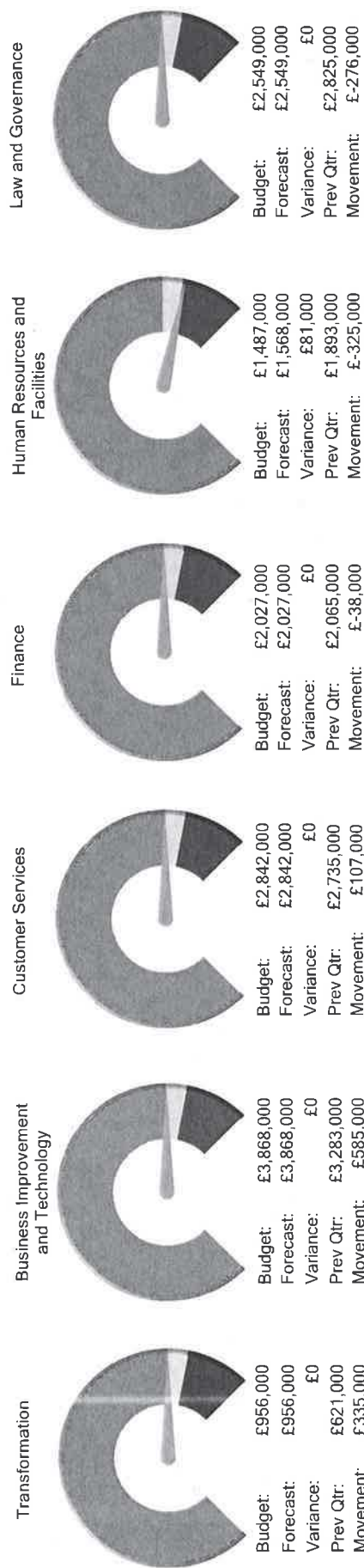
Staff recruitment and retention is a risk as required skills and capacity are not available to deliver required work programme, this is mitigated by use of temporary staff to backfill vacancies.

Westgate development is a risk if the project does not proceed, ongoing dialogue is being held with Land Securities and Oxfordshire County Council.

Appendix C

Integrated Report- Organisational Development and Corporate Services Q1 2013/14

Financial Performance



Performance Summary

Service	No Data	Red	Amber	Green
Business Improvement and Technology	0 (0%)	3 (50%)	0 (0%)	3 (50%)
Customer Services	0 (0%)	2 (29%)	0 (0%)	5 (71%)
Finance	0 (0%)	3 (19%)	4 (25%)	9 (56%)
Human Resources and Facilities	0 (0%)	1 (33%)	1 (33%)	1 (33%)
Law and Governance	0 (0%)	0 (0%)	0 (0%)	2 (100%)
Total	0 (0%)	9 (26%)	5 (15%)	20 (59%)
Direction of Travel				
	No Data	Red	Amber	Green
Previous Quarter	0 (0%)	14 (50%)	0 (0%)	14 (50%)

Risk Summary

Service	No Data	Red	Amber	Green
Business Improvement and Technology	0 (0%)	1 (11%)	7 (78%)	1 (11%)
Customer Services	0 (0%)	0 (0%)	6 (60%)	4 (40%)
Finance	0 (0%)	0 (0%)	3 (43%)	4 (57%)
Human Resources and Facilities	0 (0%)	0 (0%)	2 (40%)	3 (60%)
Law and Governance	1 (17%)	0 (0%)	5 (83%)	0 (0%)
Total	1 (3%)	1 (3%)	23 (62%)	12 (32%)
Direction of Travel				
	No Data	Red	Amber	Green
Previous Quarter	1 (5%)	0 (0%)	9 (30%)	12 (36%)

Direction of Travel

Service	No Data	Declining	No Change	Improving
Business Improvement and Technology	0 (%)	0 (%)	0 (%)	0 (%)
Customer Services	0 (0%)	4 (57%)	0 (0%)	3 (43%)
Finance	0 (0%)	5 (31%)	4 (25%)	7 (44%)
Human Resources and Facilities	0 (0%)	1 (33%)	0 (0%)	2 (67%)
Law and Governance	0 (0%)	1 (50%)	0 (0%)	1 (50%)
Grand Total	0 (0%)	11 (39%)	4 (14%)	13 (46%)

Direction of Travel

Service	No Data	Declining	No change	Improving
Business Improvement and Technology	9 (100%)	0 (0%)	0 (0%)	0 (0%)
Customer Services	10 (100%)	0 (0%)	0 (0%)	0 (0%)
Finance	7 (100%)	0 (0%)	0 (0%)	0 (0%)
Human Resources and Facilities	5 (100%)	0 (0%)	0 (0%)	0 (0%)
Law and Governance	5 (100%)	0 (0%)	0 (0%)	0 (0%)
Total	36 (100%)	0 (0%)	0 (0%)	0 (0%)

ORGANISATIONAL DEVELOPMENT AND CORPORATE SERVICES DIRECTORATE

Directorate Overview

For the Directorate as a whole 20 (59%) of performance measures are on target with 5 (15%) below target but within tolerance limits and 9 (26%) off target. The financial position is forecasting an adverse variance at year end of £81k (0.6%) which may be mitigated over the coming months. There are no significant risks in this Directorate

1. Directorate Financial Performance

The Directorate is currently estimated to have a projected outturn position of £13.811m with an adverse variance in the order of £81k predicted as at the end of June.

Business Improvement and Technology

No projected year-end variance is predicted for this service area as at the end of June.

Customer Services

No projected year-end variance is predicted for this service area as at the end of June.

Finance

The Finance service area is predicting no change at year-end to its current latest budget position.

Human Resources and Facilities

Human Resources and Facilities are forecasting an adverse year end projection of £0.081m . This arises from early termination for the vending machine contract, of £0.030m. Café fees of £0.024m as a concession to get the facility up and running again following the difficulties associated with the previous contractor and post room income recharges pressures of £0.027m.

Law and Governance

Lastly, Law and Governance is projecting a nil year-end variance as at Quarter 1.

2. Directorate Performance - Exceptions

Business Improvement and Technology

Percentage coverage of ICT service level agreements - The Council will shortly be using the County Council Helpdesk system as per the agreement with the County. It is envisaged that this will be in place by the end of September. The Council will use the same SLA targets as the County so that there is consistent reporting across both service areas.

Percentage reduction in ICT contract spend - All known ICT annual contracts are now paid for centrally and each annual payment is now reviewed before being paid. Performance data should be available by the next quarter reporting cycle

Average number of days to manage a full EU open tender - Current performance is 164 days compared to a target of 119. Current performance covers several large complex construction contracts which required in depth clarification and involvement of key officers across the Council.

Customer Services

Time to process changes in circumstances - The June result of 12.72 days was the best monthly result of 2013/14 to date and reduced the year to date result to 14.25 days (compared to a target of 10 days). During the month 4,880 change events were processed - this was the highest monthly total in the year to date. It is expected that improved work processes will result in lower average processing times in future months.

Time to process new benefits claims - The June result of 20.62 days was the best monthly result of 2013/14 to date and reduced the year to date result to 24.74 days (compared to a target of 14 days). During the month 459 new applications were processed. It is expected that improved work processes will result in lower average processing times in future months.

Finance

Percentage of invoices paid on time - Results are continuing to improve, with performance now at 96.54% compared to a target of 98%, but there is still much work to do to meet the annual target.

Number of returned Social Housing dwellings through criminal proceedings - No suitable cases for criminal prosecution have been identified so far this year.

Percentage of orders issued electronically - Delay in the implementation of P2P (purchase to pay) has affected the issuing of electronic orders from Agresso, and as a result performance is at 46% compared to a target of 80% for this stage of the year.

Percentage of debtors on direct debits - Performance is currently 14% compared to a target of 20%. Work is ongoing to promote the use of direct debits, and Garden Waste subscription renewals are now included.

Percentage of remittance advices emailed - Performance is currently 86% compared to a target of 90%. Work is in hand to contact suppliers that use printed remittance advices, and request that they provide email addresses to improve performance here.

Investment return above base rate - Our overall investments increased from £55m to £63m over June. Having reached our investment limits with our approved banks and building societies, we have had to invest once again with Local Authorities and the Debt Management Office (very short term only) that only pay 0.27% and 0.25% respectively, which have led to an overall return of 0.37% compared to our target of 0.5%. It is expected that this trend will continue over July.

Human Resources and Facilities

Percentage of employees with a disability - Performance has stabilised recently as a result of more employees declaring a disability, which is a positive step as it allows the Council to manage their needs more effectively. The level of employees with a disability is now 9.05% compared to a target of 10%.

Percentage of black and ethnic minority employees - There has been a slight increase in BME staff to 6.2% through recent recruitment campaigns/appointments as well as a push to minimise some data gaps identified as a result of an analysis of sensitive data. However, this is still short of our target of 8%. A recent BME focus group workshop around potential or actual barriers to recruitment, retention and career development has led to a "You said, we did" report being sent to the Head of Human Resources with recommendations for short and medium term actions.

3. **Risk Performance- Exceptions**

Business Improvement and Technology

One Red risk showing in this area, relating to Business Continuity. We have single points of failure within ICT that are being mitigated by recruiting temporary staff and carrying out a skills gap analysis to identify these points.

Customer Services

No exceptions to report in this area, as there are no red risks.

Finance

No exceptions to report in this area, as there are no red risks.

Human Resources & Facilities Management

No exceptions to report in this area, as there are no red risks

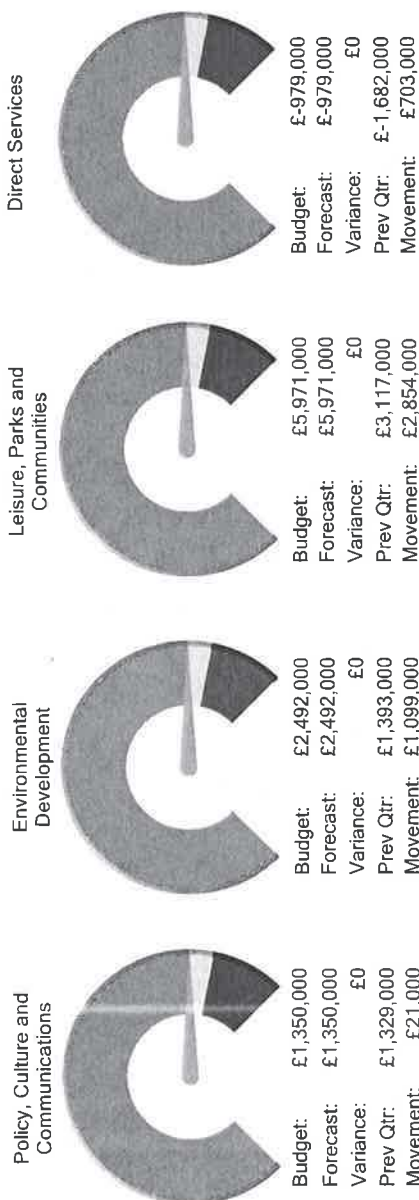
Law & Governance

No exceptions to report in this area, as there are no red risks

Appendix E

Integrated Report- Community Services Q1 2013/14

Financial Performance



Performance Summary

Service	No Data	Red	Amber	Green
Direct Services	0 (0%)	0 (0%)	0 (0%)	9 (100%)
Environmental Development	0 (0%)	2 (29%)	0 (0%)	5 (71%)
Leisure Parks and Communities	0 (0%)	4 (25%)	2 (13%)	10 (63%)
Policy Culture and Communications	0 (0%)	0 (0%)	1 (7%)	14 (93%)
Total	0 (0%)	6 (13%)	3 (6%)	38 (81%)

Direction of Travel

Service	No Data	Declining	No Change	Improving
Direct Services	0 (0%)	2 (22%)	3 (33%)	4 (44%)
Environmental Development	0 (0%)	1 (17%)	2 (33%)	3 (50%)
Leisure Parks and Communities	0 (0%)	6 (40%)	8 (53%)	1 (7%)
Policy Culture and Communications	0 (0%)	5 (63%)	2 (25%)	1 (13%)
Grand Total	0 (0%)	14 (37%)	15 (39%)	9 (24%)

Risk Summary

Service	No Data	Red	Amber	Green
Direct Services	0 (0%)	0 (0%)	6 (75%)	2 (25%)
Environmental Development	1 (11%)	1 (11%)	4 (44%)	3 (33%)
Leisure Parks and Communities	0 (0%)	1 (10%)	6 (60%)	3 (30%)
Policy Culture and Communications	0 (0%)	1 (20%)	4 (80%)	0 (0%)
Total	1 (3%)	3 (9%)	20 (63%)	8 (25%)

Direction of Travel

Service	No Data	Declining	No change	Improving
Direct Services	8 (100%)	0 (0%)	0 (0%)	0 (0%)
Environmental Development	8 (100%)	0 (0%)	0 (0%)	0 (0%)
Leisure Parks and Communities	10 (100%)	0 (0%)	0 (0%)	0 (0%)
Policy Culture and Communications	5 (100%)	0 (0%)	0 (0%)	0 (0%)
Total	31 (100%)	0 (0%)	0 (0%)	0 (0%)

COMMUNITY SERVICES DIRECTORATE

Directorate Overview

For the Directorate as a whole 38 (81%) of performance measures are on target with 3 (6%) below target but within tolerance limits and 6 (13%) off target. Whilst there are a number of variances to budget particularly in Direct Services these are being mitigated and the Directorate as a whole is forecasting no variance against the latest budget.

1. Directorate Financial Performance

The Directorate now incorporates the Policy, Culture and Communication service that has transferred from the Chief Executive Directorate for 2013/14. The Directorate is currently estimated to have a projected outturn position of £8.834m. There have been some budget variances between service areas during the period to June but no year-end projected variances are anticipated as at the end of June.

Policy, Culture and Communications

No projected year-end variance is predicted for this service area as at the end of June.

Environmental Development

Similarly, no projected year-end variance is predicted for this service area as at Q1.

Leisure and Parks

Leisure and Parks have absorbed the Communities Team budgets for the year following the management review to have the Service Head of Leisure and Parks now oversee these areas. No projected year-end variances are being reported for June.

Direct Services

Direct Services are similarly showing no projected year-end variance, however, there has been a number of pressure areas, together with mitigating action and these are detailed below;

Budget Pressures

1. NNDR uplifts on Direct Services buildings	-	£0.100m	9	%age of total
2. Non-achievement of Horspath Rd Depot rental savings-	-	£0.116m	100	
3. Motor Transport under recovery	-	£0.185m	5	
		£0.401m		

Mitigating Action

1. Vacancies and over budgeting on Pensions	-	£0.200m	7

2. Motor Transport Auction	-	£0.050m	0.6
3. Additional car park income	-	£0.050m	n/a
4. External work won by Streetscene Service	-	£0.101m	50
		£0.401m	

2. Directorate Performance - Exceptions

Policy, Culture and Communications

Produce three City Briefings each year - The first city briefing is now being distributed in July following amendments based on corporate feedback.

Environmental Development

Reduction in the Council's water consumption (cubic metres) - No projects have so far been carried out this year, so performance is currently behind the target of 2,467m³. Water smart metering has identified excess overnight water consumption in St Aldates due to uncontrolled urinal flushing, and a project is being developed to install motion sensors estimated to reduce annual consumption by around 1200m³. The outcome of Hinksey pool leak repair is still being assessed for its impact, but this is looking promising.

The value of financial investment arising from service wide actions in the year to date - This measure tracks the economic investment arising from regulatory activity. As there have been no major enforcement actions so far this year, this investment is below the anticipated level.

Leisure and Parks

Increase satisfaction with parks - Results of the winter 2012 Talkback survey show that satisfaction with parks has decreased to 81% against a target of 90%. Whilst this is still high, this is a return to 2009/10 performance levels. The poor summer weather could be a factor for the lower score.

Subsidy per user in leisure centres - Performance to date of £0.60 is below the profiled target of £0.53. The impact of indexation and changes in the scheduled management fee to Fusion are being investigated.

The cost of parks per household - 2013/14 figures are not available until the end of the year. The 2012/13 end of year figure was £41 compared to a target of £40. However, this still compares favourably to a national benchmark average cost of £61 per household.

Commence work on the new pool at Blackbird Leys - Progress is behind original schedule. Legal issues have now been defeated or the applicant has withdrawn, and work is planned to commence in July.

Participation at our leisure centres by target groups - Year to date participation to June 2013 by this key user group shows 118,554 visits compared with 117,842 visits in the same period last year, which represents a 1% increase against a target of 5%

Continuously improve our approach to people and equalities - June performance was 0.85 days training per FTE against a target of 0.87 due to this being peak annual leave period. Performance is on track to achieve the annual target by year end.

3. **Risk Performance- Exceptions**

Policy, Culture and Communications

There is one red risk reported in this area, relating to the achievement of sponsorship income targets, which will impact of city events and cultural activity. This is being mitigated by the development of a fundraising plan.

Environmental Development

There is one red risk reported in this area also, this relates to the recruitment into vacancies and the impact this will have on service delivery. Mitigating factors being considered are internal opportunities and more flexible employment approaches, along with reviewing salaries for vacant posts.

Leisure, Parks and Communities

One red risk being reported in this service area relates to safeguarding vulnerable groups including Children. This is being mitigated by ensuring we have a lead office with experience and knowledge in place, and that all staff are trained in this area.

Direct Services

There are no red risks to report in this area for Q1.

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BRIEFING NOTE ON CHANGES TO THE RECYCLING RATE

1. Summary

- 1.1 In May 2012 Street Arisings materials which were previously considered as recycling materials were redefined by government legislation and as a consequence classified as landfill. This adversely affects the City Council's position regarding its recycling rate.

2. Introduction

Definition of Street Sweepings

- 2.1 Street Sweepings are the arisings collected by our automated mechanical sweeping vehicles during the process of Street Cleansing which includes leaves, grass cuttings, weeds, litter, road dressings, grit, detritus etc.
- 2.2 In the past the City Council's street sweepings have been used as a top fluff layer i.e. the metre of material underneath the clay cap of a landfill cell and thus has been included in our recycling material and have contributed to the recycling rate.
- 2.3 Oxford City Council was able to claim the tonnages of the treated waste as recycled for the purposes of Waste Data Flow contributing to our recycling target.

Change in Legislation

- 2.4 HMRC issued Briefing Note 15/12 on 18 May 2012 in relation to the types of materials that could be defined as Landfill Fluff Layer (which describes material used for basal landfill engineering to protect the integrity of the lining system). This change adversely affects the City Council's position as the arisings are no longer considered as recycling material. This has therefore had a significant effect on our overall recycling percentage. The effect is also "double edged" as the tonnage involved is now considered as landfill and as such it acts against the recycling calculation and also incurs greater costs, for which the Council has made provision in base budget from 2013/14.
- 2.5 During the same period, the Environment Agency issued Guidance for Recovery of Street Sweepings and Gully Emptyings on 1 May 2012, stating that these arisings are no longer acceptable for composting or Anaerobic Digestion and therefore these arisings will now need to be sent to landfill or placed into an incinerator.

- 2.6 These legislative and guidance changes affect all other local authorities including the local District Councils in the Oxfordshire Waste Partnership (OWP). In summary their street sweeping arisings will no longer count towards their recycling rates and their Oxfordshire Waste Partnership Financial Arrangement (OWP FA).
- 2.7 However, the effect on the City Council's recycling rate is much more pronounced than for our rural neighbours due to our high frequency street cleansing regimes that depend on mechanical sweeping to maintain the desired standard of cleanliness of our local streets, pavements and hard surfaces in an urban environment.

3 Current Position and Impact on Oxford City Council's Recycling Rate

- 3.1 At present all of the City Council's street sweepings are collected and taken to landfill.
- 3.2 We therefore anticipate that the impact on the City Council's recycling rate over the full year will be a reduction in the region of 6%, (2.5% from April to September and 3.5% from October to March due to the autumn leaf fall).

4 Mitigation Actions Investigated

- 4.1 We have worked closely with our OWP partners, specifically with Oxfordshire County Council and our contractors to attempt to mitigate the effect of the recycling rate reduction on Oxford City as follows:-
- Worked alongside the County Council and EA to carry out testing on our street arisings to explore if they were suitable for composting during the leaf fall season. This is an on-going process and while our results are within the permitted levels set by the EA, they have not provided us with a definitive answer as to whether they would be accepted and therefore, as yet, they have not been counted.
 - We have carried out our own extensive trials on our arisings to see if we could use the litter based material as dry recycle. This was not considered to be a viable option due to the inconsistency in the materials that could be recycled, both from a quality and quantity perspective.

5 Possible Future Mitigation

- 5.1 We continue to work with OWP regarding the future of street arisings to reduce the amount that enters landfill, and are currently doing the following:-
- Pilot scheme to send arisings to new technology in Warwickshire that washes the arisings to recover suitable materials which are then recycled for other uses, for example in the pipe laying industry. Officers from Oxford City, the County and our current contractor have visited a site in Essex in July which is already up and running.

- We are working with the County Council and EA to adapt a bund at the Marsh Road Depot to allow a dewatering action to be undertaken, which will reduce the weight of arisings that would then go to landfill. A cost benefit analysis will be undertaken in due course, once approval has been granted from the EA.
- To continue our work lobbying the EA to accept sweeper arisings leaf fall as a suitable compostable material.

6 Impact on Performance Indicators

- 6.1 Up until now we have had a strong focus to achieve the psychologically important 50% recycling rate. This was a huge challenge for Oxford and, national performance data shows that this target is rarely achieved by urban district councils. Due to challenges to the EA and HMRC in the first 6 months of 2012/13, the custom and practice arrangements for quantifying allowable recycling rates continued. This arrangement closed on 30 September 2012 and therefore the Council's final indicator for 2012/13 was adversely affected by 3.5% (see paragraph 3). Without this, our final outturn was 44.58%. On a like for like comparison with 2011/12, the 2012/13 result was 48.08% (44.58% + 3.5%), an improvement of 3.2% from the 2011/12 result of 44.88. This is a particularly good improvement given the significant reduction of garden waste collected in the final quarter of 2012/13 due to the exceptionally prolonged period of bad weather (extreme cold and heavy rain) which prevented gardening. Oxfordshire County Council estimates that garden waste recycling reduced by up to 30% in this quarter which would have had an adverse effect of at least 1% on the Council's annual recycling rate. Therefore as a true like for like comparison, without these factors, the 2012/13 improvement would have taken the Council's recycling rate for the year very close to 50%. A significant part of the 2012/13 improvement was the result of the Council's investment in introducing recycling arrangements for Council owned flats.
- 6.2 Realistically with these changes to the definitions of recycle, achieving a 50% recycling rate is no longer possible in the near future, and it's difficult to see how we could achieve it economically even in the longer term. Based on the evidence so far this year, future predictions put this to be in the region of 44%.
- 6.3 This provides us with the opportunity to refocus our efforts on the arguably more important figure which is the amount of waste that goes to landfill. We have been hugely successful in reducing this in recent years and in many respects it is a better measure of the Council's success at recycling and waste stream management. For the current year we will endeavour to contain the weight per household within last years' target levels. Nevertheless, it remains a recommendation that in future this should be the key indicator used by the Council to measure waste management performance. The 2012/13 and 2013/14 target is 445kg per household.

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To: Corporate Management Team

Date: 29th July 2013

Report of: Head of Finance

Title of Report: Budget Monitoring as at 30th June 2013

Summary and Recommendations

Purpose of report: This report sets out the forecast outturn position for the Council's Capital and Revenue budgets as at 30th June 2013 compared to the latest approved 2013/14 budget. In addition it provides information on key financial indicators in order to provide an assessment of the overall financial health of the organisation.

Key Decision: No

Executive lead member: Councillor Ed Turner

Policy Framework: Budget

Recommendations: That the City Executive Board;

1. Note the forecast outturn for the General Fund, Housing Revenue Account and Capital Programme.
2. Note the performance position.
3. Note the achievement of £0.796m of efficiencies, savings and additional fees and charges as at the end of June.

1. Budget Monitoring as at 30th June 2013

Appendix A: June 2013 monitoring – General Fund Forecast Outturn

Appendix B: June 2013 monitoring – Capital Programme Forecast Outturn

Appendix C: June 2013 monitoring – Housing Revenue Account Forecast Outturn

Appendix D: June 2013 monitoring – General Fund year to date position

EXECUTIVE SUMMARY

2. This report sets out the Council's projected outturn position as at the 30th June 2013 and highlights major variances to the approved budget. In summary;
 - The General Fund Revenue account shows a variation to the latest budget of £190k
 - The HRA is similarly projecting an outturn position in line with the latest budget, although some movements relating to budgeted fees, together with identified mitigating action have been shown.
 - The latest General Fund Capital outturn projection suggests a £0.125m favourable variance against the latest budget. This additional variation from approved budget relates to repairs to Blackbird Leys Pool which will now be deferred until the completion of the Competition Swimming Pool.
 - The HRA Capital programme shows no variations as at the end of June to the latest budget.
 - The collection rate for Council Tax arrears is 97.58% as at the end of June 2013, slightly up on May's position of 97.44% and the cumulative year-end position for 2012/13 of 97.01%.
 - The collection rate for Business Rates arrears is 97.73% as at the end of June 2013, slightly up on May's position of 97.51% and the cumulative year-end position for 2012/13 of 97.04%.
 - The payment of invoices within 30 days now stands at 96.54%, the target for the year is 97%. The performance in June improved and stood at 97.21%.
 - HRA total arrears were £1.250m as at the end of June, they were £1.017m for the same period 12 months ago. HRA total arrears were £1.263m at the end of April.
3. The Approved budgets have been re-aligned to reflect virement requests approved by the Head of Finance/Council up to June in accordance with the Council's Financial Regulations. The value of which totals £0.758m the majority of which, £0.712m, relate to movement of resources between earmarked reserves/contingencies and revenue budgets.
4. As part of the monitoring process Finance staff have met and had budget monitoring discussions with Cost Centre Managers and Heads of Service to verify the current budgetary position. The following forecast variances have been identified and these are commented on and explained more fully within the body of the report.

GENERAL FUND OUTTURN

5. Appendix A sets out the General Fund revenue outturn position as at the end of June 2013, broken down by Service Area. Table 1 overleaf details the summarised General Fund position.

6. Table 1 General Fund Revenue

GF Outturn Report 13/14 @ Q1 - 30th June, 2013	Approved Budget (per Budget book)	Virements	Latest Budget	Projected Outturn @ Q1 30th June, 2013	Outturn Variance
	£000's	£000's	£000's	£000's	£000's
Directorates					
City Regeneration	(283)		(244)	(135)	109
Community Services	8,296	155	8,834	8,834	
Organisational Dev & Corp Services	13,066	603	13,730	13,811	81
Directorate Total Excl SLA's & Capital Charges	21,079	758	22,319	22,509	190
SLA's & Capital Charges	(1,182)		(1,184)	(1,184)	
Corporate Accounts	2,793		2,951	2,951	
Contingencies	2,336	(46)	2,167	2,167	
Total Corporate Accounts & Contingencies	5,130	(46)	5,119	5,119	
Net Expenditure Budget	25,027	712	26,254	26,444	190
Transfer to / (from) Ear Marked Reserves		(712)	(1,227)	(1,227)	
Net Budget Requirement	25,027	()	25,027	25,217	190
Funding					
External Funding (RSG)	8,219		8,219	8,219	
External Funding (NNDR Retention)	5,661		5,661	5,661	
Council tax	11,228		11,228	11,228	
Less Parish Precepts	(154)		(154)	(154)	
Collection Fund Surplus	73		73	73	
Total Funding Available	25,027		25,027	25,027	
(Surplus) / Deficit for year		()	()	190	190

7. **City Regeneration Directorate** - The Directorate is currently estimated to have a projected outturn position of £0.135m. This is adverse against the latest budget position by £0.109m. This has been caused by additional costs associated with in-year re-structures, the inability to deliver planned efficiencies in Corporate Property (albeit this is intended to be mitigated by increased commercial property income – see efficiencies section below), additional projected spend linked with a variety of projects including Westgate, Barton, City Deal and Oxpens. There are a number of options being proposed how this additional spend can be funded and these are explained in more

detail in the following paragraphs. The position is further compounded by income concerns associated with Building Control income.

8. City Development is encountering a continuation of the income issues reported in 2012/13, relating to Building Control Fees. Previous concerns relating to Planning Fees have reduced based on recent applications that suggest that this position has improved and no adverse year-end projections are now being predicted. There are number of other budgetary pressures totalling £46k and these are listed below including £240k to fund posts which are essential for advising on a number of key Council projects. These posts will be funded from capital grants and therefore the overall effect on the net revenue budget will be zero.

Item of Spend	£	Funded by:
Building Control Fees under-recovery	40,000	-
Non-achievement of Efficiency Savings	6,000	-
Partnership and Regeneration Manager	90,000	New Growth Points Grant
Regeneration Assistant (1 FT or 2 PT)	50,000	New Growth Points Grant
Oxpens and the Station Consultancy Works	100,000	HCA Oxpens Capital Grant
Total	286,000	
Less funded from capital grant	240,000	
Net forecast overspend	46,000	

9. Corporate Property is projecting an adverse variance at year-end and this is detailed as follows:

Item of Spend	£	Funded by:
2 x Surveyor Posts (Investment Surveyor/Senior Development Manager)	63,000	The gross cost is £100,000; however this is being partly offset by £37,000, being the difference between the budgeted HoS post and the new Service Manager post.
Non-achievement of Efficiency Savings	100,000	It is anticipated that this may be covered by additional rent realised in-year from the Council's commercial property portfolio.
NNDR Payable on Barton Centre	10,000	It is anticipated that this may be covered by additional rent realised in-year from the Council's commercial property portfolio.
Additional Rent from Commercial Portfolio	(110,000)	As above.
Total	63,000	

10. Increased income from rent reviews from the position originally budgeted for 2013/14 is anticipated and should cover the non-achievement of efficiencies and additional NNDR spend mentioned above..
11. GF Housing is experiencing some increased activity in Home Choice Private Sector Leasing (PSL) activity, which is improving income levels from reduced

void periods. However, if the number of approved homelessness applicants continues to rise as has been experienced so far this year then increased short stay overnight expenditure, which is the most expensive, will create further budgetary pressures. However, because the authority has provided a £0.400m Homelessness contingency for 2013/14 no adverse variance on the revenue account is being predicted at this stage. In addition other mitigations are being put in place to assist with relieving the pressure.

12. **Community Services Directorate** - The Directorate is currently estimated to have a projected outturn position of £8.834m. There have been some budget virements between service areas during the period to June but no year-end projected variances are anticipated as at the end of June.

13. The Policy, Culture and Communication service area has now been incorporated within the Community Services Directorate and is projected to have an end of year outturn position of £1.350m. There are no year-end variances shown based on the position as at the end of June.

14. Leisure and Parks have absorbed the Communities budgets for the year following the management review to have the Service Head of Leisure and Parks now oversee these areas. No projected year-end variances are being reported for June.

15. Direct Services are similarly showing no projected year-end variance, however, there has been a number of pressure areas, together with mitigating action and these are detailed below;

Budget Pressures

%age

Of total

1. NNDR uplifts on Direct Services buildings	-	£0.100m
9		
2. Non-achievement of Horspath Rd Depot rental saving	-	£0.116m
100		
3. Motor Transport under recovery	-	<u>£0.185m</u>
5		
		<u>£0.401m</u>

Mitigating Action

1. Vacancies and over budgeting on Pensions	-	£0.200m
7		
2. Motor Transport Auction	-	£0.050m
n/a		
3. Additional car park income	-	£0.050m
0.6		
4. Alleygating work won by Streetscene Service	-	<u>£0.101m</u>
50		
		<u>£0.401m</u>

16. **Organisational Development and Corporate Services Directorate** - The Directorate is currently estimated to have a projected outturn position of £13.811m with an adverse variance in the order of £81k predicted as at the end of June.
17. All service areas save for Human Resources and Facilities, are projecting a nil year-end variance against their latest budget position.
18. With regards to Human Resources and Facilities the issues creating the £0.081m adverse year-end projection relate to the early termination for the vending machine contract, namely £0.030m. Café fees of £0.024m as a concession to get the facility up and running again following the difficulties associated with the previous contractor. Additionally there are, post room income recharges pressures of £0.027m.

CORPORATE ACTIVITIES

19. No year-end variations to the latest budget positions are known for the items within Corporate Accounts and Contingencies as at the end of June.

ACHIEVEMENT OF SAVINGS AND EFFICIENCIES

20. The Council's budget identifies £1.320m of efficiencies, £0.183m of service reductions and £1.692m of additional income for 2013/14. As at the end of June it is anticipated these will be delivered with the following exceptions:

Efficiencies

21. Corporate Property - £0.100m employee savings and £0.030m additional income from Gloucester Green market. However, increased income from the commercial property portfolio is anticipated to mitigate these exceptions.

	Efficiencies				Service Reductions				Fees and Charges				
	Approved Savings	Projected outturn	Variance	Savings made to date	Approved Savings	Projected outturn	Variance	Savings made to date	Approved Savings	Projected outturn	Variance	Savings made to date	
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	%
Finance	(125)	(125)		(21)	(60)	(60)		(10)					0%
Business Improvement & Technology	(51)	(51)		(9)									0%
Law & Governance	(45)	(45)		(8)					(5)	(5)		(1)	17%
Human Resources & Facilities	(98)	(98)		(16)					84	84		14	17%
Customer Services	(30)	(30)		(5)					(13)	(13)		(2)	17%
Organisational Development and Corporate Services	(349)	(349)	0	(58)	(60)	(60)	0	(10)	66	66	0	11	17%
Direct Services	(300)	(300)		(130)					(899)	(899)		(185)	21%
Leisure & Parks	(160)	(160)		(27)					(7)	(7)		(1)	14%
Environmental Development	(169)	(169)		(169)					(7)	(7)		(1)	17%
Policy, Culture & Communications	(7)	(7)		(1)	(19)	(19)		(19)	(35)	(20)	15	(21)	61%
Community Development Team	(44)	(44)		(7)									
Community Services	(680)	(680)	0	(334)	(19)	(19)	0	(19)	(948)	(933)	15	(208)	1
City Development	(33)	(23)		(5)	(50)	(50)		(8)	(140)	(140)		(23)	17%
Housing	(213)	(213)		(36)									0%
Corporate Property	(133)	(3)	130	(1)					(636)	(636)		(106)	17%
City Regeneration	(379)	(239)	130	(41)	(50)	(50)	0	(8)	(776)	(776)	0	(129)	17%
Mitigating Savings			(130)										
Total	(1,408)	(1,268)	0	(433)	(129)	(129)	0	(37)	(1,658)	(1,643)	15	(326)	20%

Table 2 – Savings and Efficiencies as at 30th June 2013

CONTINGENCIES, RESERVES AND BALANCES

22. Within the approved General Fund budget for 2013/14 the Council has provided £2.793m of corporate accounts that effectively are items of income and expenditure not specific to a particular service area. They are as follows:

- Net cost of Housing Benefits £
0.200m
- Support service charges to the Corporate Services £
3.483m
- HRA Interest Receivable £
(6.789m)
- Depreciation and revenue funding of capital £
(0.434m)
- Investment Income £
(0.467m)
- Interest Payable £
7.114m
- New Homes Bonus £
(1.685m)

23. Approved transfers to contingencies amount to £2.336m and are listed below:

- Pensions Provisions Top Up Contingency £
0.168m
- Provisions for Pressures, Recessions, High Risks £
1.468m

- Homelessness Contingency £
0.400m
- Redundancy Costs Contingency £
0.250m
- Disabled Transport Contingency £
0.050m

24. No other changes to existing corporate accounts, growth bids and contingencies are expected at this early stage of the year.

25. There has been £0.712m of transfers from earmarked reserves during the period to the end of June mostly in connection with funding for transformation projects

HRA OUTTURN

26. The summarised HRA position as at 30th June 2013 is set out in Table 3 and detailed in the attached Appendix C. The table below exemplifies the major movements commented on in the following paragraphs.

HRA Outturn Report 13/14 @ 30th June, 2013	Approved Budget (per Budget book)	Latest Budget	Actual YTD	Variance +/- Budget	% Budget Spent to 30th June, 2013	Projected Outturn @ 30th June, 2013	Outturn Variance (1)
	£000's	£000's	£000's	£000's	%	£000's	£000's
Dwelling Rent	(38,824)	(9,706)	(9,778)	(72)	101%	(38,824)	0
Service Charges	(1,040)	(260)	(251)	9	97%	(1,040)	0
Shops/Garages/Furniture/Other Rent	(2,333)	(717)	(775)	(58)	108%	(2,333)	0
Major Project Team Fees	(621)	(40)	(40)	(0)	100%	(321)	300
Net Income	(42,818)	(10,723)	(10,844)	(121)	101%	(42,518)	300
General Management	4,134	1,109	1,063	(46)	96%	4,134	0
Special Management	2,514	523	471	(52)	90%	2,514	0
Other Management	2,377	596	586	(10)	98%	2,353	(24)
Bad Debt Provision	500	50	50	(0)	100%	500	(0)
Responsive & Cyclical Repairs	9,684	2,376	2,226	(150)	94%	9,707	23
Interest Paid	7,060	1,765	1,765	0	100%	7,060	0
Depreciation	8,267	2,067	2,067	0	100%	8,267	(0)
Total Expenditure	34,536	8,486	8,228	(258)	97%	34,535	(1)
Net Operating Expenditure/(Income)	(8,282)	(2,237)	(2,616)	(379)	117%	(7,983)	299
Interest Received	(56)	(14)	(14)	0	100%	(56)	0
Other HRA Reserve Adjustments	637	(0)	0	1	0%	337	(300)
Revenue Contribution to Capital	10,830	(0)	(0)	0	0%	10,830	0
Total Appropriations	11,411	(15)	(14)	1	95%	11,111	(300)
Total HRA (Surplus)/Deficit	3,129	(2,252)	(2,630)	(378)	117%	3,128	(1)

Table 3 – Housing Revenue Account HRA

Income

27. Dwelling rents are £0.072m more than projected for the end of June. As at the end of June the authority had experienced 5RTB disposals.
28. It was agreed that £0.300m of the Major Project Team capital fees would be accommodated from HRA balances in 2013/14. For 2014/15 onwards it has been agreed that the Head of Housing, with the assistance of the Head of Direct Services will work together and provide a proposal to mitigate the budgetary impact of these changes and report back as part of the 2014/15 budget process to be agreed in February 2014.

Expenditure

29. No year-end variances are projected as at the end of June.

Appropriations

30. The £0.300m favourable outturn position reported in the Appropriations section is the funding from balances mentioned above.

CAPITAL PROGRAMME

General Fund and HRA Capital Programme

31. A capital budget position, approved for the General Fund and HRA Capital Programme for 2013/14 is shown in summary at Table 4 below. Appendix B attached shows the Capital Programme on a scheme by scheme basis.
32. As at the end of June the Capital Programme shows a favourable variance of £0.125m against the latest budget. This relates to the planned Blackbird Leys Leisure Centre Improvements that will be slipped as it is linked with the new pool development that has been delayed.
33. This is on top of previous month's slippages/underspends associated with the following schemes and reported in May's monitoring report.
- Feasibility Study Depot Relocation £ (1.880m) – this project has been deferred and the project slipped into 2014-15
 - New Pool £ (3.500m) – slippage due to Judicial review
 - New Burial Space £ (0.900m) – re-profiled spend only £0.100m in 2013/14
 - Carbon Reduction £ (0.300m) – not capital works

Capital Budget and Spend as at 30th June 2013

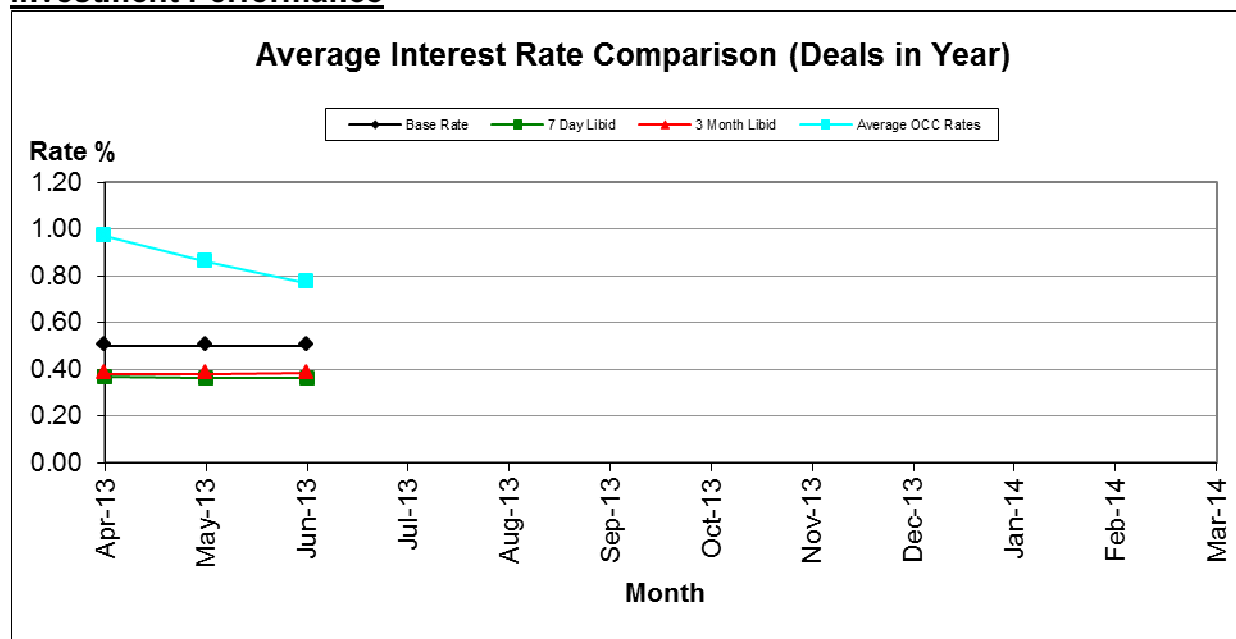
Capital Scheme	2013/14 Budget Approved by Council (Original Estimate)	Slippage Identified Quarter 4 2012/13	2013/14 Budget with Carry Forwards	Latest Budget	Spend to 30th June 2013	Profiled Budget	Variance to Profiled Budget	% Spend Against Latest Budget	Projected Outturn at 30th June 2013	Outturn Variance to Latest Budget	Outturn Variance due to Slippage	Outturn variance due to Over/ Under spend
	£		£	£	£							
B0075 Stage 2 Museum of Oxford Development	550,000		550,000	550,000	0	0	0	0%	550,000	0		
G6013 Urban Broadband	325,000		325,000	325,000	0	0	0	0%	325,000	0		
Policy Culture & Communications	875,000	0	875,000	875,000	0	0	0	0%	875,000	0	0	0
City Development	876,310	(1,186)	875,124	871,823	17,372	18,000	(628)	2%	871,824	1	0	0
Environmental Development (Including Community Safety)	1,233,000	(26,390)	1,206,610	906,610	66,704	235,743	(169,039)	6%	906,610	0	0	0
Communities and Housing (Now Leisure, Parks & Communities)	29,285	19,300	48,585	48,585	0	0	0	0%	48,585	0	0	0
Corporate Assets (Now Housing & Property)	7,203,921	481,087	7,685,008	5,605,008	537,436	509,940	27,496	7%	5,480,449	(124,559)	(128,278)	3,719
Customer Services	0	126,958	126,958	126,958	0	0	0	0%	126,958	0		
Leisure, Parks & Communities	10,467,216	187,046	10,667,262	6,267,262	63,379	66,627	(3,247)	1%	6,267,262	0	0	0
Direct Services	3,057,700	290,990	3,348,690	3,348,690	639,274	740,756	(101,482)	19%	3,348,690	0	0	0
Business Improvement & Technology	591,574	0	591,574	591,574	219,206	50,000	169,206	37%	591,574	0	0	0
GF Total	24,334,006	1,077,806	25,424,812	18,641,510	1,543,371	1,621,066	(77,695)	6%	18,516,953	(124,557)	(128,278)	3,719
Housing Revenue Account	19,054,000	0	19,054,000	19,054,000	1,577,523	1,704,924	(127,401)	8%	19,054,000	0	0	0
Grand Total	43,388,006	1,077,806	44,478,812	37,695,510	3,120,894	3,325,990	(205,095)	7%	37,570,953	(124,557)	(128,278)	3,719

Table 4 – Capital Programme as at 30th June 2013

PERFORMANCE INFORMATION

34. There are a number of additional key performance indicators that need to be assessed along with the financial performance information to provide an overall financial health check position for the authority as at the end of June 2013. These additional indicators are detailed as follows:

Investment Performance



35. The average rate earned in the first quarter is declining, this is due to a number of longer term high rated loans that have now matured and been replaced with fixed term loans at a much lower rate. We are still above our benchmark of 7 day LIBID, but not yet reaching our performance target of 0.50% above base. We are looking at different opportunities for our investments in the aim to increase our interest earned and keep our average rate up.

Creditor Payment Times

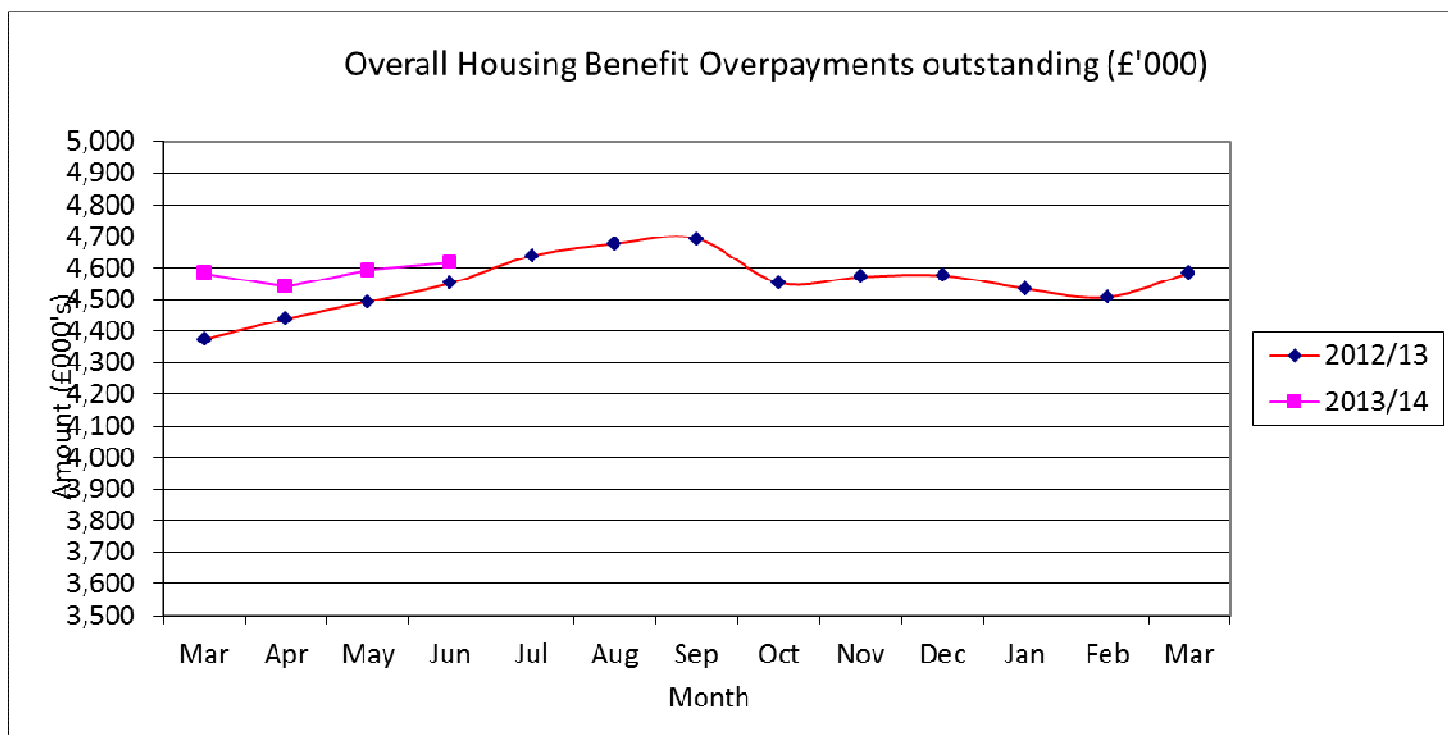
36. During June 2013 the percentage of creditor invoices paid on time was 97.21% compared to the target of 97%. The cumulative position for the year is slightly lower at 96.53%.

BVPI008 - Invoices Paid Within 30 Days										
For June 2013										
Service Area	June 2013					April to June 2013				
	Total Invoices	Undisputed	Over 30 Days	% Over	% In time	Total Invoices	Undisputed	Over 30 Days	% Over	% In time
S32 Finance	74	72	0	0.00%	100.00%	167	159	3	1.89%	98.11%
S02 Transformation	10	8	0	0.00%	100.00%	30	28	2	7.14%	92.86%
S14 Corporate Property	250	218	1	0.46%	99.54%	453	404	9	2.23%	97.77%
S41 Community Development	128	128	1	0.78%	99.22%	327	320	3	0.94%	99.06%
S34 Law & Governance	164	160	2	1.25%	98.75%	201	196	4	2.04%	97.96%
S24 Housing Revenue Account	158	152	2	1.32%	98.68%	447	421	8	1.90%	98.10%
S13 Housing	172	168	3	1.79%	98.21%	418	409	17	4.16%	95.84%
S23 Direct Services	778	758	16	2.11%	97.89%	1748	1714	45	2.63%	97.37%
S33 Human Resources & Facilities	142	138	3	2.17%	97.83%	325	310	12	3.87%	96.13%
S11 City Development	40	40	1	2.50%	97.50%	105	102	6	5.88%	94.12%
S12 Environmental Development	82	80	5	6.25%	93.75%	233	228	14	6.14%	93.86%
S03 Business Improvement	48	38	3	7.89%	92.11%	102	80	6	7.50%	92.50%
S01 Policy, Culture & Communications	108	102	10	9.80%	90.20%	207	189	18	9.52%	90.48%
S22 Leisure & Parks	88	74	8	10.81%	89.19%	350	323	17	5.26%	94.74%
S21 Customer Services	50	50	6	12.00%	88.00%	119	110	9	8.18%	91.82%
	2292	2186	61	2.79%	97.21%	5232	4993	173	3.46%	96.54%

Table 5 – Creditor Invoice Payment Performance by Service Area as at 30th June 2013

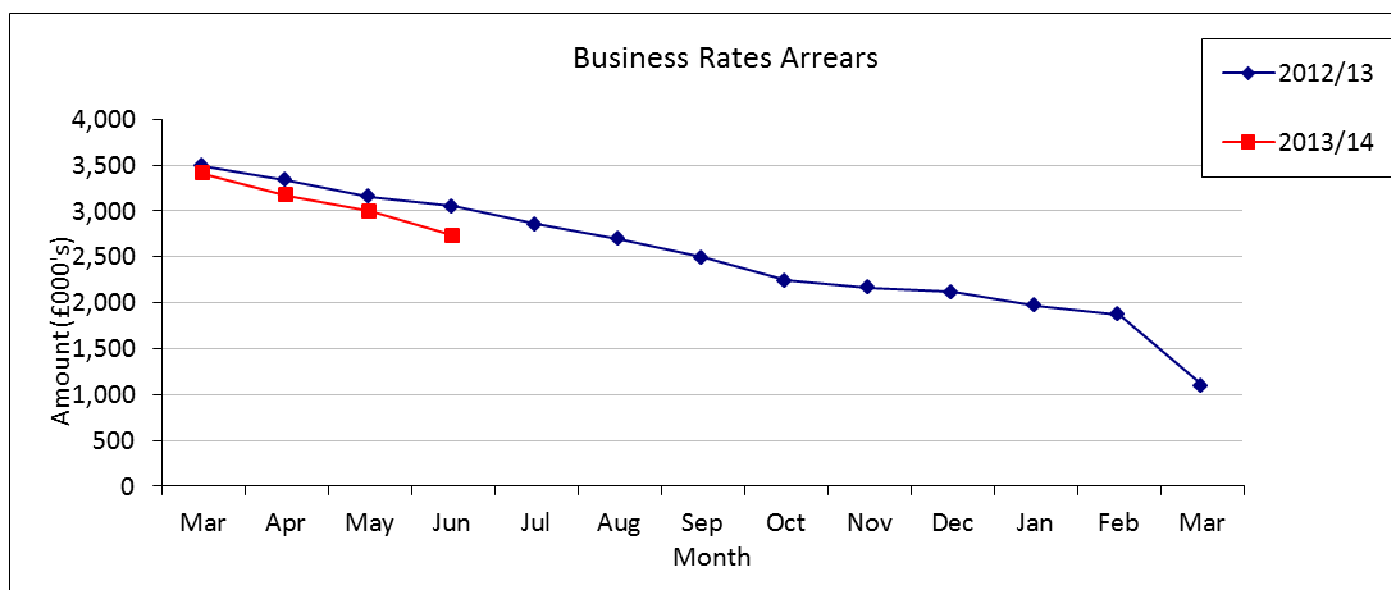
Housing Benefit Overpayments

37. The overall total of HB Overpayments arrears increased during June from £4.592m to £4.617m, an increase of £0.025m in the month. New HB Overpayments identified and raised during June totalled £0.244m, with a total of £0.219m overpayments being recovered through either deductions and/or future offsets from on-going Housing Benefit entitlement and actual payments. Current collection rate is 81.37%, which is just below this year's target of 82%.

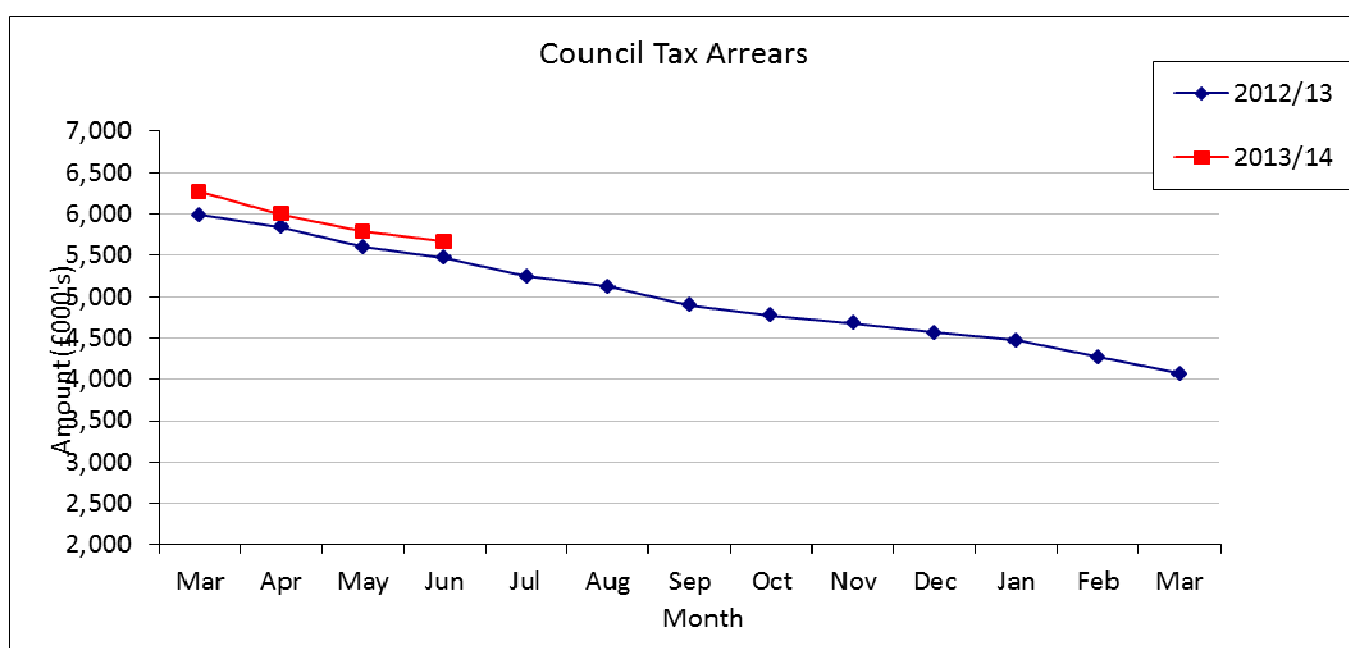


Business Rates

38. The arrears total at the beginning of the 2013/14 financial year was £3.409m. This figure is £0.081m or 2.3% lower than the total arrears 12 months earlier.
39. During June arrears fell by £0.267m. Payments received totalled £0.302m but refunds amounted to £0.367m. These mainly resulted from credit adjustments that totalled £0.336m.
40. The collection rate of 97.04% for 2012/13 had moved to 97.73% as at the end of June 2013. The 2013/14 cumulative collection rate was 32.16% at as the end of June. This was up on last year's equivalent of 32.10%. In monetary terms the position at the end of June was £0.138m up on our profiled collection target of 32% for the end of the first quarter.



Council Tax Arrears Collection



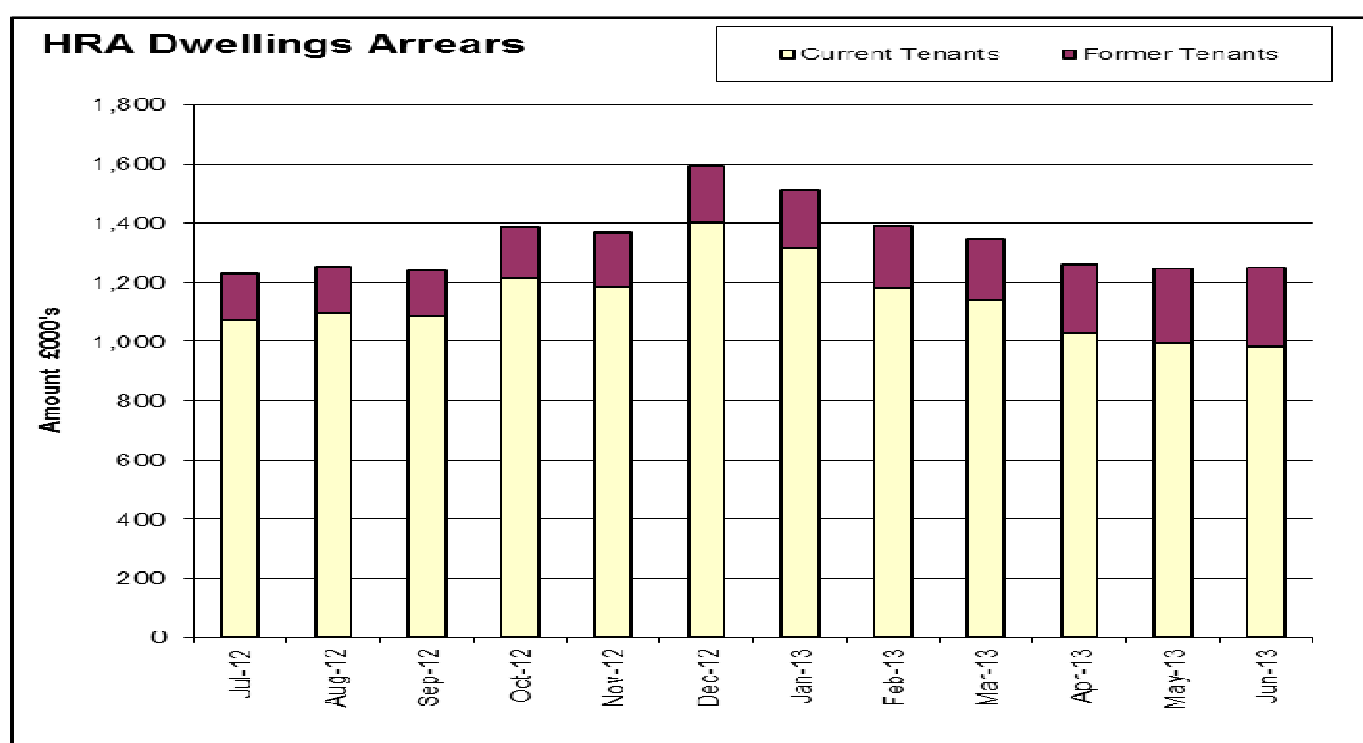
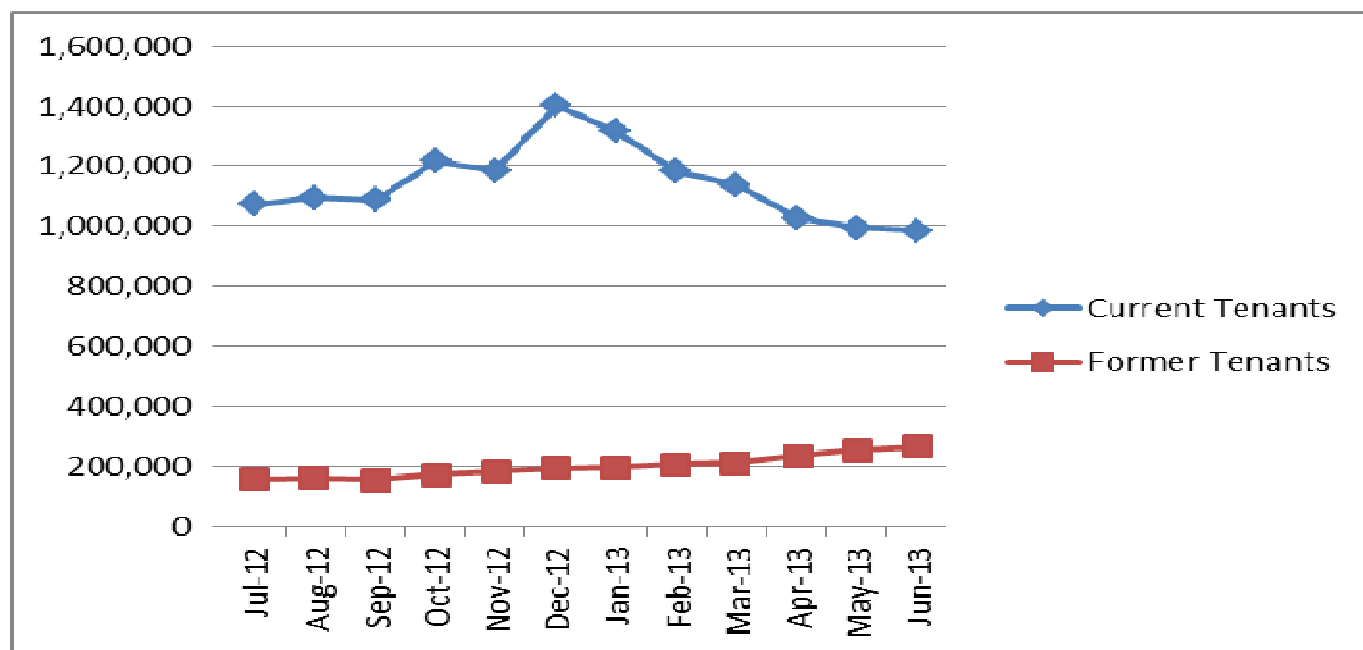
41. The Council Tax arrears carried forward from 2012/13 were £6.269m, being a 4.7% increase on the corresponding figure 12 months earlier. This total included outstanding Court Costs of £0.574m.
42. During June the arrears fell by £0.125m. Payments received during the month were £0.140m but a total of £0.020m was refunded. Debit adjustments, namely retrospective discounts, exemptions etc., amounting to £0.018m were granted during the month.
43. The cumulative collection rate for 2012/13 had moved on from 97.01% at the beginning of the financial year to 97.58% at the end of June 2013.

44. The 2013/14 cumulative collection rate at the end of June was 30.55%, which was slightly up on last year's equivalent position of 30.36%. In cash collection terms we were £0.033m up on the profiled collection target for June of 30.50%.

Housing Rent Arrears

45. Analysis of current and former tenant rent arrears is shown below for the 12 month period ending 30th June 2013.

Analysis 1 - HRA Rent Arrears Current Tenants and Former Tenants



Analysis 2 - HRA Rent Arrears Current Tenants and Former Tenants

46. Total arrears (dwellings, garages and Rechargeable Repairs) stands at £1.250m, an increase on last month's position of £0.002m.
47. Former tenant arrears stood at £0.266m as at the end of June 2013, which is £0.032m higher than that reported for April. This has occurred as a result of several tenants that have recently vacated their property and doing so with substantial arrears associated with their rent accounts. Former tenant arrears are £0.134m higher than 12 months ago, an increase of 101%.
48. The Council has estimated an HRA bad debt provision of up to £0.500m in 2013/14 is available to write off HRA debts for rents, garages and rechargeable repairs.

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GF Outturn Report 13/14 @ Q1 - 30th June, 2013	Approved Budget (per Budget book)	Virements	Latest Budget	Expenditure	Income	Actual YTD	% Budget Spent to Q1 30th June, 2013	Projected Outturn @ Q1 30th June, 2013	Outturn Variance
	£000's	£000's	£000's	£000's	£000's	£000's	%	£000's	£000's
Directorates									
City Development	947		959	783	(620)	163	17%	1,395	436
Housing	3,164	76	3,243	1,298	(224)	1,074	33%	3,243	
Corporate Property	(4,394)	(76)	(4,446)	1,351	(3,533)	(2,183)	49%	(4,383)	63
City Regeneration	(283)		(244)	3,432	(4,378)	(946)	387%	255	499
Policy, Culture & Communication	1,399		1,350	534	(96)	438	32%	1,350	
Environmental Development	2,318	131	2,492	1,156	(538)	618	25%	2,492	
Leisure, Parks & Communities	3,641	4	5,971	2,053	(506)	1,547	26%	5,971	
Direct Services	(1,546)	19	(979)	9,854	(9,749)	104	(11%)	(979)	
Community Development Team	2,483						0%		
Community Services	8,296	155	8,834	13,597	(10,890)	2,707	31%	8,834	
Transformation Fund		581	956	43		43	4%	956	
Business Improvement & Technology	4,148	35	3,868	874	(16)	857	22%	3,868	
Customer Services	2,864	(22)	2,842	1,101	(424)	677	24%	2,842	
Finance	2,027		2,027	567	(123)	444	22%	2,027	
Human Resources & Facilities	1,487		1,487	640	(207)	433	29%	1,587	100
Law & Governance	2,539	10	2,549	744	(118)	626	25%	2,549	
Organisational Dev & Corp Services	13,066	603	13,730	3,969	(889)	3,079	22%	13,830	100
Directorate Total Excl SLA's & Capital Charges	21,079	758	22,319	20,997	(16,157)	4,840	22%	22,918	599
SLA's & Capital Charges	(1,182)		(1,184)	540		540	(46%)	(1,184)	
Corporate Accounts									
Local Costs of Benefits	200		200	16,286	(16,984)	(698)	(349%)	200	
Corporate & Democratic Core	3,483		3,483	431		431	12%	3,483	
Item 8 interest receivable	(6,789)		(6,789)				0%	(6,789)	
Transfer to Capital Reserve	(434)		(276)				0%	(276)	
Investment Income	(467)		(467)				0%	(467)	
Interest Payable	7,114		7,114				0%	7,114	
New Homes Bonus	(1,685)		(1,685)		(468)	(468)	28%	(1,685)	
CRC Allowances	75		75				0%	75	
Inflation on Utilities	125		125				0%	125	
Homelessness Expenditure	957		957				0%	957	
Promotion of Economic growth (City Deal)	150		150				0%	150	
Payment to Parish Councils (Precepts)	24		24				0%	24	
Revenue implications of Capital Bids	41		41				0%	41	
Contingencies									
Pensions provision top-up	168		168				0%	168	
Provision for Pressures, recessions & high risks	1,468		1,468				0%	1,468	
Homelessness Contingency	400		400				0%	400	
Redundancy costs contingency	250	(46)	81				0%	81	
Disabled Transport Contingency	50		50				0%	50	
Total Corporate Accounts & Contingencies	5,130	(46)	5,119	16,718	(17,452)	(734)	(14%)	5,119	
Net Expenditure Budget	25,027	712	26,254	38,254	(33,609)	4,645	18%	26,853	599
Transfer to / (from) Ear Marked Reserves		(712)	(1,227)	(1,227)		(1,227)	0%	(1,227)	
Net Budget Requirement	25,027	(0)	25,027	37,027	(33,609)	3,418	14%	25,626	599
Funding									
External Funding (RSG)	8,219		8,219		3,904	3,904	47%	8,219	
External Funding (NNDR Retention)	5,661		5,661				0%	5,661	
Council tax	11,228		11,228				0%	11,228	
Less Parish Precepts	(154)		(154)	(94)		(94)	61%	(154)	
Collection Fund Surplus	73		73				0%	73	
Total Funding Available	25,027		25,027	(94)	3,904	3,810	15%	25,027	
(Surplus) / Deficit for year		(0)	(0)	37,121	(37,512)	(392)	1566207%	599	599

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Capital Budget and Spend as at 30th June 2013

Capital Scheme	2013/14 Budget Approved by Council (Original Estimate)	Slippage Identified Quarter 4 2012/13	2013/14 Budget with Carry Forwards	Latest Budget	Spend to 30th June 2013	Profiled Budget	Variance to Profiled Budget	% Spend Against Latest Budget	Projected Outturn at 30th June 2013	Outturn Variance to Latest Budget	Outturn Variance due to Slippage	Outturn variance due to Over/ Under spend
	£		£	£	£							
B0075 Stage 2 Museum of Oxford Development	550,000		550,000	550,000	0	0	0	0%	550,000	0		
G6013 Urban Broadband	325,000		325,000	325,000	0	0	0	0%	325,000	0		
Policy Culture & Communications	875,000	0	875,000	875,000	0	0	0	0%	875,000	0	0	0
City Development	876,310	(1,186)	875,124	871,823	17,372	18,000	(628)	2%	871,824	1	0	0
Environmental Development (Including Community Safety)	1,233,000	(26,390)	1,206,610	906,610	66,704	235,743	(169,039)	6%	906,610	0	0	0
Communities and Housing (Now Leisure, Parks & Communities)	29,285	19,300	48,585	48,585	0	0	0	0%	48,585	0	0	0
Leisure Centres												
A4808 Blackbird Leys LC Improvements	128,278		128,278	128,278	0	0	0	0%	0	(128,278)	(128,278)	
A4814 Leisure Centre substantive repairs	310,000	60,900	370,900	370,900	0	0	0	0%	370,900	0		
Offices for the Future												
Q2000 Offices for the Future				90,000	250	0	250	0%	90,000	0		0
Community Centres												
B0033 Community Centres	275,570	91,600	367,170	367,170	9,429	0	9,429	3%	367,170	0		
B0034 Rose Hill Community Centre	588,000	(11,700)	576,300	576,300	20,470	21,000	(530)	4%	576,300	0		
Covered Market												
B0010 Covered Market signage improvements	26,941	(7,501)	19,440	19,440	32,106	19,440	12,666	165%	33,000	13,560		13,560
B0027 Covered Market - Improvements & Upgrade to Roof		56,900	56,900	56,900	0	0	0	0%	56,900	0		
B0028 Covered Market - New Roof Structures to High St Entrances	90,000	23,200	113,200	113,200	47	0	47	0%	113,200	0		
B0036 Investment - Covered Market	200,000	2,100	202,100	202,100	56,546	57,000	(454)	28%	188,540	(13,560)		(13,560)
B0063 Covered Market Replacement Sprinkler System	100,000	25,200	125,200	125,200	0	0	0	0%	125,200	0		
B0064 Covered Market - Improvements to Emergency Lighting					0							
Investment Properties												
B0003 Roof Repairs & Ext Refurbishment 44-46 George St		27,000	27,000	27,000	0	0	0	0%	27,000	0		
B0040 Investment - Broad Street	103,400	113,880	217,280	217,280	3,460	5,000	(1,540)	2%	217,280	0		
B0041 Investment - Misc City Centre Properties	70,000	(2,520)	67,480	67,480	2,964	3,000	(36)	4%	67,480	0		
B0044 Investment - Outer City	47,200		47,200	47,200	0	0	0	0%	47,200	0		
B0045 Investment - St. Michael's Street	43,000	(3,750)	39,250	39,250	1,616	2,000	(384)	4%	39,250	0		
B0046 Investment - Ship Street	76,220	(500)	75,720	75,720	3,748	4,000	(252)	5%	75,720	0		
B0043 Investment George Street	203,000		203,000	203,000	51,201	50,000	1,201	25%	203,000	0		
B0072 23-25 Broad Street	350,000		350,000	350,000	0	0	0	0%	350,000	0		
Miscellaneous Council Properties												
B0037 Car Parks	230,000	66,100	296,100	296,100	1,447	1,500	(53)	0%	296,100	0		
B0052 Miscellaneous Properties	90,000		90,000	90,000	48,755	48,000	755	54%	90,000	0		
B0060 Depot Relocation	1,880,000		1,880,000		0	0	0	0%	0	0		
B0073 Clearing Channels under Frideswide Bridge	5,000		5,000	5,000	0	0	0	0%	5,000	0		
B0078 Allotments	3,000		3,000	3,000	0	0	0	0%	3,000	0		
B0079 Street Sports Sites	8,110		8,110	8,110	0	0	0	0%	8,110	0		
B0077 Direct Services Depots	150,000		150,000	150,000	0	0	0	0%	150,000	0		
B0080 Templars Square Refurbishment/Relocation	150,000		150,000	150,000	0	0	0	0%	150,000	0		
NEW Bury Knowle House												
Parks & Cemeteries												
B0048 Leisure - Cemeteries	58,500	(3,300)	55,200	55,200	3,738	4,000	(262)	7%	55,200	0		
B0050 Leisure - Depots	40,000	3,800	43,800	43,800	0	0	0	0%	43,800	0		
B0051 Leisure - Pavilions	470,000	(9,700)	460,300	460,300	124,376	125,000	(624)	27%	460,300	0		
B0065 Parks & Cemetery - Masonry Walls & Path Improvements	40,000	14,600	54,600	54,600	0	0	0	0%	54,600	0		
B0067 Fencing Repairs across the City	225,000	(53,000)	172,000	172,000	78,855	72,000	4,855	45%	172,000	0		
B0071 Parks properties (H&S works)		47,000	47,000	47,000	50,719	47,000	3,719	108%	50,719	3,719		3,719
NEW Parks & Leisure Toilets												
Town Hall												
B0054 Town Hall	417,702	7,778	425,480	335,480	29,504	30,000	(496)	7%	335,480	0		
B0068 Town Hall - Conference System Refurbishment	300,000	33,000	333,000	333,000	305	0	305	0%	333,000	0		
B0076 Town Hall Improvements (OFF2)	200,000		200,000	200,000	3,275	4,000	(725)	2%	200,000	0		
B0069 Corporate Property Major Works Programme	200,000		200,000	-	0	0	0	0%	0	0		
B0074 R & D Feasibility Fund	125,000		125,000	125,000	16,625	17,000	(375)	13%	125,000	0		
Corporate Assets (Now Housing & Property)	7,203,921	481,087	7,685,008	5,605,008	537,436	509,940	27,496	7%	5,480,449	(124,559)	(128,278)	3,719
C3041 New server for telephone system		11,288	11,288	11,288	0	0	0	0%	11,288	0		
C3042 Customer First Programme		115,670	115,670	115,670	0	0	0	0%	115,670	0		
Customer Services	0	126,958	126,958	126,958	0	0	0	0%	126,958	0		
A1300 Playground Refurbishment				18,146	2,291	4,537	(2,245)	0%	18,146	0		
A1301 Play Barton	92,587		92,587	74,441	0	0	0	0%	74,441	0		
A4810 New Build Completion Pool	7,560,254	646	7,560,900	4,060,900	2,085	2,080	(5)	0%	4,060,900	0		
A4815 Leisure Centre Improvement Work	400,000	47,250	447,250	447,250	0	0	0	0%	447,250	0		
A4830 Develop new burial space	1,000,000		1,000,000	100,000	0	0	0	0%	100,000	0		
A4818 Lye Valley & Chiswell Valley Walkways	62,000	62,000	124,000	124,000	0	0	0	0%	124,000	0		
A4816 Sports Pavilions	820,000	65,800	885,800	885,800	59,003	60,000	(997)	7%	885,800	0		
A4820 Upgrade Existing Tennis Courts	60,000	9,180	69,180	69,180	0	0	0	0%	69,180	0		
A4821 Upgrade Existing Multi-Use Games Area	48,000	15,170	63,170	63,170	(0)	0	(0)	0%	63,170	0		
A3129 Donnington Recreation Ground Improvements	44,375		44,375	44,375	0	0	0	0%	44,375	0		
A4826 Parks Works	100,000		100,000	100,000	0	0	0	0%	100,000	0		
A4827 Cowley Outdoor Gym	70,000		70,000	70,000	0	0	0	0%	70,000	0		
A4828 Valerita Road Playground	10,000		10,000	10,000	0	0	0	0%	10,000	0		
A4829 Oxford Spires Academy	200,000		200,000	200,000	0	0	0	0%	200,000	0		
NEW Pavilions Grey Water Harvesting												
NEW Horpath Athletics Ground												
NEW Three Artificial Turf Cricket Wickets												
Leisure,Parks & Communities	10,467,216	187,046	10,667,262	6,267,262	63,379	66,627	(3,247)	1%	6,267,262	0	0	0
F0011 Pay & Display Parking in the Car Parks		84,000	84,000	84,000	0	8,400	(8,400)	0%	84,000	0		
F0012 P & R Purchase of Capital Items - Peartree, Redbridge	135,000	29,309	164,309	164,309	0	0	0	0%	164,309	0		
F0014 Purchase of ANPR for use in car park enforcement		1,857	1,857	1,857	0	0	0	0%	1,857	0		
R0005 MT Vehicles/Plant Replacement Programme.	2,562,700	178,879	2,741,579	2,741,579	587,698	683,201	(95,503)	21%	2,741,579	0		
T2269 Toilet improvements	180,000	(3,055)	176,945	176,945	51,576	49,155	2,421	29%	176,945	0		
T2270 Bin stores for council flats to assist recycling		0	-	-	0	0	0	0%	0	0		
T2273 Car Parks Resurfacing	80,000	0	80,000	80,000	0	0	0	0%	80,000	0		
T2274 Gloucester Green Car Park Waterproofing	100,000	0	100,000	100,000	0	0	0	0%	100,000	0		
Direct Services	3,057,700	290,990	3,348,690	3,348,690	639,274	740,756	(101,482)	19%	3,348,690	0	0	0
C3039 ICT Infrastructure	200,000	0	200,000	200,000	43,154	50,000	(6,846)	22%	200,000	0		

Capital Budget and Spend as at 30th June 2013

Capital Scheme	2013/14 Budget Approved by Council (Original Estimate)	Slippage Identified Quarter 4 2012/13	2013/14 Budget with Carry Forwards	Latest Budget	Spend to 30th June 2013	Profiled Budget	Variance to Profiled Budget	% Spend Against Latest Budget	Projected Outturn at 30th June 2013	Outturn Variance to Latest Budget	Outturn Variance due to Slippage	Outturn variance due to Over/ Under spend
	£		£	£	£							
C3044 Software Licences	188,574	0	188,574	188,574	176,053	0	176,053	93%	188,574	0		
C3045 Mobile Working	98,000	0	98,000	98,000	0	0	0	0%	98,000	0		
C3046 System Integration Capability	25,000	0	25,000	25,000	0	0	0	0%	25,000	0		
C3047 Oracle 11g Upgrade	25,000	0	25,000	25,000	0	0	0	0%	25,000	0		
C3048 Server 2008 Upgrade for Idox	25,000	0	25,000	25,000	0	0	0	0%	25,000	0		
C3049 Source Code Management	15,000	0	15,000	15,000	0	0	0	0%	15,000	0		
C3050 Tree Management Software	15,000	0	15,000	15,000	0	0	0	0%	15,000	0		
Business Improvement & Technology	591,574	0	591,574	591,574	219,206	50,000	169,206	37%	591,574	0	0	0
GF Total	24,334,006	1,077,806	25,424,812	18,641,510	1,543,371	1,621,066	(77,695)	6%	18,516,953	(124,557)	(128,278)	3,719
External Contracts												
N6384 Foresters Towers	500,000		500,000	500,000	2,936	0	2,936	1%	500,000	0		
N6387 Controlled Entry	210,000		210,000	210,000	35,572	35,000	572	17%	210,000	0		
N6393 External Doors	200,000		200,000	200,000	6,633	0	6,633	3%	200,000	0		
N7020 External Adaptations	250,000		250,000	250,000	35,899	35,000	899	14%	250,000	0		
N7018 Minox	19,000		19,000	19,000	16	500	(484)	0%	19,000	0		
N6394 Windows	250,000		250,000	250,000	3,719	0	3,719	1%	250,000	0		
N6389 Damp-proof works (K&B)	90,000		90,000	90,000	56,128	55,000	1,128	62%	90,000	0		
N6392 Roofing	150,000		150,000	150,000	50,693	50,000	693	34%	150,000	0		
N6386 Structural	125,000		125,000	125,000	54,206	55,000	(794)	43%	125,000	0		
N6427 Shops												
N7028 Non Dwelling HRA Assets	117,000		117,000	117,000	0	0	0	0%	117,000	0		
N7026 Communal Areas	150,000		150,000	150,000	0	0	0	0%	150,000	0		
N7027 Environmental Improvements	100,000		100,000	100,000	0	0	0	0%	100,000	0		
New Build												
N7029 HCA New Build	7,744,000		7,744,000	7,744,000	55,308	40,000	15,308	0.7%	7,744,000	0		
N7031 Homes at Barton	650,000		650,000	650,000	0	0	0	0%	650,000	0		
N7032 Estate Enhancements and Regeneration	500,000		500,000	500,000	19,125	20,000	(875)	4%	500,000	0		
N7030 Horspath Road Depot	2,200,000		2,200,000	2,200,000	0	0	0	0%	2,200,000	0		
NEW Contribution to Rose Hill												
Internal Contracts												
N6385 Adaptations for disabled	900,000		900,000	900,000	149,376	226,080	(76,704)	17%	900,000	0		
N6390 Kitchens & Bathrooms	2,073,000		2,073,000	2,073,000	556,866	503,117	53,749	27%	2,073,000	0		
N6391 Heating	1,221,000		1,221,000	1,221,000	314,454	282,051	32,403	26%	1,221,000	0		
N6388 Major Voids	820,000		820,000	820,000	160,999	205,984	(44,985)	20%	820,000	0		
N6395 Electrics	785,000		785,000	785,000	75,594	197,192	(121,598)	10%	785,000	0		
Housing Revenue Account	19,054,000	0	19,054,000	19,054,000	1,577,523	1,704,924	(127,401)	8%	19,054,000	0	0	0
Grand Total	43,388,006	1,077,806	44,478,812	37,695,510	3,120,894	3,325,990	(205,095)	7%	37,570,953	(124,557)	(128,278)	3,719

HRA Outturn Report 13/14 @ 30th June,2013	Approved Budget (per Budget book)	Latest Budget	Actual YTD	Variance +/- Budget	% Budget Spent to 30th June,2013	Projected Outturn @ 30th June,2013	Outturn Variance (1)
	£000's	£000's	£000's	£000's	%	£000's	£000's
Dwelling Rent	(38,824)	(9,706)	(9,778)	(72)	101%	(38,824)	0
Service Charges	(1,040)	(260)	(251)	9	97%	(1,040)	0
Shops/Garages/Furniture/Other Rent	(2,333)	(717)	(775)	(58)	108%	(2,333)	0
Major Project Team Fees	(621)	(40)	(40)	(0)	100%	(321)	300
Net Income	(42,818)	(10,723)	(10,844)	(121)	101%	(42,518)	300
General Management	4,134	1,109	1,063	(46)	96%	4,134	0
Special Management	2,514	523	471	(52)	90%	2,514	0
Other Management	2,377	596	586	(10)	98%	2,353	(24)
Bad Debt Provision	500	50	50	(0)	100%	500	(0)
Responsive & Cyclical Repairs	9,684	2,376	2,226	(150)	94%	9,707	23
Interest Paid	7,060	1,765	1,765	0	100%	7,060	0
Depreciation	8,267	2,067	2,067	0	100%	8,267	(0)
Total Expenditure	34,536	8,486	8,228	(258)	97%	34,535	(1)
Net Operating Expenditure/(Income)	(8,282)	(2,237)	(2,616)	(379)	117%	(7,983)	299
Interest Received	(56)	(14)	(14)	0	100%	(56)	0
Other HRA Reserve Adjustments	637	(0)	0	1	0%	337	(300)
Revenue Contribution to Capital	10,830	(0)	(0)	0	0%	10,830	0
Total Appropriations	11,411	(15)	(14)	1	95%	11,111	(300)
Total HRA (Surplus)/Deficit	3,129	(2,252)	(2,630)	(378)	117%	3,128	(1)

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Appendix D - Subjective Analysis of YTD spend (@ Q1 - 30th June, 2013)

	Latest Budget			Latest Budget			Latest Budget			Latest Budget			Latest Budget			Latest Budget			Latest Budget			Latest Budget		
	Actual	Var		Actual	Var		Actual	Var		Actual	Var		Actual	Var		Actual	Var		Actual	Var		Actual	Var	
	Employees			Premises			Transport			Supplies & Services			External Income			Internal Income			Other			Total		
City Development	655	673	18	0	0	0	8	4	(4)	120	105	(15)	(623)	(620)	3	0	0	0	0	0	0	159	162	3
Housing	567	537	(30)	45	60	15	8	7	(1)	559	584	25	(446)	(224)	222	0	0	0	85	110	26	818	1,074	257
Corporate Property	267	298	31	672	687	15	7	6	(1)	75	268	193	(3,296)	(3,533)	(237)	0	0	0	61	61	0	(2,215)	(2,213)	2
City Regeneration	1,489	1,508	19	717	747	30	23	17	(6)	754	957	203	(4,365)	(4,377)	(12)	0	0	0	146	171	26	(1,238)	(977)	261
Policy Culture and Comms	158	213	55	1	1	1	1	0	(0)	303	319	16	(45)	(96)	(51)	0	0	0	0	0	0	417	438	21
Environmental Development	779	874	95	8	17	9	16	18	2	239	247	8	(368)	(515)	(147)	(31)	(23)	8	0	0	0	643	618	(25)
Leisure, Parks amd Communities	883	809	(74)	214	223	9	135	143	8	936	878	(58)	(480)	(480)	0	(57)	(26)	31	0	0	0	1,631	1,547	(84)
Direct Services	4,935	4,746	(189)	2,065	2,029	(36)	1,356	1,308	(48)	1,867	1,942	75	(3,130)	(3,368)	(238)	(6,461)	(6,381)	80	13	13	0	645	289	(356)
Community Development			0			0			0			0			0			0			0	0	0	0
Community Services	6,755	6,642	(113)	2,288	2,270	(17)	1,508	1,469	(39)	3,345	3,386	41	(4,023)	(4,459)	(436)	(6,549)	(6,430)	119	13	13	0	3,336	2,891	(444)
Transformation	20	20	0	0	0	0	0	0	0	62	23	(39)	0	0	0	0	0	0	0	0	0	82	43	(39)
Bus Improvement & Technology	383	380	(3)	0	1	1	0	2	1	521	491	(30)	(22)	(16)	6	0	0	0	0	0	0	882	857	(25)
Customer Services	901	925	25	14	19	5	1	2	0	154	155	1	(345)	(424)	(79)	0	0	0	0	0	0	725	677	(48)
Finance	423	377	(46)	(1)	0	1	1	1	(0)	122	190	67	(113)	(123)	(10)	0	0	0	0	0	0	432	444	12
Human Resources & Facilities	495	478	(17)	15	25	10	(8)	4	12	78	133	55	(209)	(207)	2	0	0	0	0	0	0	371	433	62
Law and Governance	605	641	36	1	16	15	2	1	(1)	61	86	25	(25)	(118)	(93)	0	0	0	0	0	0	644	626	(18)
Org Dev & Corp Services	2,826	2,821	(5)	29	61	32	(3)	9	12	998	1,078	79	(714)	(888)	(174)	0	0	0	0	0	0	3,136	3,080	(56)
Grand Total	11,070	10,971	(99)	3,033	3,078	45	1,527	1,495	(32)	5,097	5,421	323	(9,102)	(9,724)	(622)	(6,549)	(6,430)	119	159	184	26	5,234	4,994	(239)

Direct Services - Further Analysis

	Employees			Premises			Transport			Supplies & Services			External Income			Internal Income			Other			Total		
Direct Services (General Fund)	2,772	2,714	(58)	1,647	1,706	59	1,124	1,103	(21)	1,063	1,024	(39)	(3,130)	(3,191)	(61)	(2,468)	(2,473)	(5)	13	13	0	1,021	896	(125)
Direct Services (Bldg Services)	2,163	1,947	(216)	418	323	(95)	232	205	(27)	804	918	114	(0)	(92)	(92)	(3,993)	(3,908)	85	0	0	0	(376)	(607)	(231)
Community Services	4,935	4,661	(274)	2,065	2,029	(36)	1,356	1,308	(48)	1,867	1,942	75	(3,130)	(3,283)	(153)	(6,461)	(6,381)	80	13	13	0	645	289	(356)

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To: City Executive Board

Date: 11th September 2013

Report of: Head of Finance

Title of Report: TREASURY MANAGEMENT ANNUAL REPORT
2012/2013

Summary and Recommendations

Purpose of report: The report sets out the Council's treasury management activity and performance for 2012/2013

Key decision No

Executive lead member: Councillor Ed Turner

Policy Framework: Treasury Management Strategy

Recommendation: That the report is noted

Executive Summary

1. The Council held investments totalling approximately £45 million as at 31st March 2013. These investments are held in accordance with the Council's Treasury Management Strategy. Interest earned during the year was approximately £540,000 against a budget of £252,000.
2. The primary principle governing the Council's investment criteria is the **Security** of its investment, with **Liquidity** and **Yield** being secondary considerations.
3. The average rate of return on the Council's investments has decreased during the financial year 2012/2013 from 1.14% in April 2012 to 0.93% at the 31st March 2013. This is below the Council's performance target of 1.0% and due to some longer term loans taken out during 2011/12 at higher interest rates (maximum of 3%) maturing and the equivalent rate of replacements being significantly lower (1%).
4. The Council has £1.0m outstanding with the failed Icelandic Banks, a total of £0.284m was received in the year, and it is expected that the remaining funds will be received in due course. Further information can be found in paragraphs 29 to 33.
5. The Council's debt portfolio was £202 million as at 31st March 2013. Approximately £201.1 million is held with the Public Works Loan Board (PWLb) at fixed interest rates and £0.9 million is held with South Oxfordshire District Council (SODC) at a variable rate of interest. The PWLB loans include £198.5 million borrowed in March 2012 to fund the buy out of the Housing Revenue Account (HRA). The debt relates purely to Housing and the maturity profile ranges from 9 - 45 years. Interest paid on this debt during 2012/2013 was £6.470m.
6. The Council's debt strategy takes a number of factors into account including:
 - The ability and value of using the Council's cash balances to finance capital expenditure Where external borrowing is undertaken the borrowing decision will take account of:
 - prevailing interest rates
 - the debt profile of the Council's portfolio
 - the type of asset being financed
7. The Council fully complied with its Treasury Management Strategy in relation to both debt and investment management in 2012/2013.
8. The Council has a statutory duty to set, monitor and report on its prudential indicators in accordance with the Prudential Code, which aims to ensure that the capital investment plans of authorities are affordable, prudent and sustainable.

9. The prudential indicators detailed in the body of this report look back at the results for 2012/2013, and are designed to compare the Council's outturn position against the target set.

Economic Backdrop to 2012/2013

10. The Bank Base Rate was expected to remain static during 2012/13 and not rise until quarter four of 2014. This date has now been pushed back to quarter 1 of 2015. UK Economic growth (GDP) was virtually flat during 2012/13, due to subdued domestic consumer expenditure, a lack of rebalancing of the UK economy to exporting and weak growth in our biggest export market – the European Union (EU). Consequently the Monetary Policy Committee increasing quantitative easing by £50bn in July 2012 to a total of £375bn. Consumer Price Index (CPI) inflation has remained above the 2% target, starting the year at 3% and still being at 2.8% in March. The EU sovereign debt crisis continued during the year, with a very protracted second bailout being agreed for Greece in December and further concerns over Cyprus, towards the end of the year.
11. Gilt yields oscillated during the year as events in the ongoing Eurozone debt crisis ebbed and flowed, causing corresponding fluctuation in safe haven flows into/out of UK gilts (Government bonds). This, together with a further £50bn of Quantative Easing (QE) in July and widely expected further QE still to come, combined to keep PWLB rates depressed for much of the year at historically low levels.
12. The funding for Lending scheme, announced in July, has resulted in a flood of cheap credit being made available to banks and this has resulted in money market investment rates falling drastically in the second half of the year. However, perceptions of counterparty risk have improved after the European Central Bank (ECB) statement in July that it would do 'whatever it takes' to support struggling Eurozone countries. This has resulted in some return of confidence to move away from only very short term investing. The Treasury team will consider the impact of these changes when making treasury management decisions.
13. The UK coalition Government maintained its tight fiscal policy stance which it related in part to warnings from two credit rating agencies that the UK could lose its AAA credit rating. In fact Moody's followed up this warning by actually downgrading the rating to AA+ in February 2013 and Fitch then placed their rating on negative watch, after the Budget in March. This has not shown any visible signs of changes on the market conditions and rates have not changed following this.

Financing of the Capital Programme 2012/13

14. Table 1 below shows actual capital expenditure and financing compared to the original plan or budget.

Table 1

Capital Expenditure	2011/12 Actual £'000	2012/13 Budget £'000	2012/13 Actual £'000	Variation £'000
Non-HRA Capital Expenditure	12,434	16,120	8,770	7,350
HRA Capital Expenditure	8,577	8,395	7,590	805
Total Capital Expenditure	21,011	24,515	16,360	8,155
Resourced by:				
Capital Receipts	6,394	3,900	1,544	2,356
Capital Grants and contributions	3,943	8,985	9,389	-404
Prudential Borrowing	650	6,281	0	6,281
Revenue	10,024	5,349	5,427	-78
Total Capital Resources	21,011	24,515	16,360	8,155

15. The key variations relate to the following:

- slippage on the construction of the Competition Swimming Pool at Blackbird Leys of £7 million due to a Judicial Review of the Council's decision to progress the project, reducing the need to prudentially borrow
- £0.8 million slippage on housing related capital projects including tower block refurbishment

The Council's Overall Borrowing Need

16. The Council's underlying need to borrow or Capital Financing Requirement (CFR) is a gauge of the Council's level of indebtedness. It represents all prior years' net capital expenditure which has not been financed by other means (revenue, capital receipts, grants etc).

17. The CFR can be reduced by:

- I. The application of additional capital resources, such as unapplied capital receipts; or
- II. By holding a voluntary revenue provision (VRP) or depreciation against it.

18. Table 2 below shows the Council's CFR position as at the 31st March 2013, this is a key prudential indicator, and shows that our actual borrowing is below our CFR:

CFR	31st March 2012 Actual £'000	31st March 2013 Estimate £'000	31st March 2013 Actual £'000	Variation £'000
Opening Balance	26,044	218,943	218,943	0
Plus repayment of Prudential Borrowing	-1,399	0	-500	-500
HRA reform borrowing	198,528	0	0	0
Minimum Revenue Provision	-4,137	-268	-268	0
Finance Lease	-93	-53	-53	0
CFR Closing Balance	218,943	218,622	218,122	-500

19. The CFR position above has decreased due to no new prudential borrowing being undertaken in 2012/13 and repayment of previous years' prudential borrowing of £500k.

Treasury Position at 31st March 2013

20. Whilst the Council's gauge of its underlying need to borrow is the CFR, the treasury function manages the Council's actual borrowing position by either:

- I. Borrowing to the CFR;
- II. Choosing to utilise some temporary cash flow funds, which will reduce our investment balance, instead of borrowing (this is known as "under borrowing");
- III. Borrowing for future increases in the CFR (borrowing in advance of need)

21. It should be noted that accounting practice requires financial instruments (debt, investments etc.) to be measured in a method compliant with International Financial Reporting Standards. The figures in this report are based on the actual amounts borrowed and invested and therefore may differ slightly to those in the Statement of Accounts for 2012/13.

22. No new debt was taken out during 2012/13 and as at 31st March 2013 the Council's total debt was £202 million. This is below the CFR shown in table 2 and indicates that the Council continues to 'internally borrow' in the order of £16 million.

23. The Council's treasury position as at the 31st March 2013 for both debt and investments, compared with the previous year is set out in Table 3 below:

Table 3

Treasury Position	31st March 2012		31st March 2013	
	Principal £'000	Average Rate %	Principal £'000	Average Rate %
Borrowing				
Fixed Interest Rate Debt	202,166	11.33	201,177	3.39
Other Long-term Liabilities	1,158	0.82	889	0.56
Variable Interest Rate Debt	0	0	0	0
Total Debt	203,324	8.79	202,066	3.38
Investments				
Fixed Interest Investments	30,315	1.09	31,900	1.13
Variable Interest Investments	1,685	0.69	12,205	0.42
Total Investments	32,000	1.03	44,105	0.93
Net Position	171,324		157,961	

Prudential Indicators and Compliance Issues

24. Some of the prudential indicators provide an overview, others a specific limit on treasury activity. These are detailed below:

25. **Net Borrowing and the CFR** – In order to ensure that borrowing levels are prudent, over the medium-term the Council's external borrowing, net of investments, must only be for a capital purpose. Net borrowing should not therefore, except in the short-term exceed the CFR. Table 4 below highlights the Council's net borrowing position against the CFR, and shows that it is significantly below the limit, and implies that a significant amount of internal borrowing has been undertaken.

Table 4

Net Borrowing & CFR	31st March 2012	31st March 2013
	Actual £'000	Actual £'000
Total Debt	203,324	202,066
Total Investment	32,000	44,105
Net Borrowing Position	171,324	157,961
CFR	218,943	218,122
Under Borrowing	47,619	60,161

26. **The Authorised Limit** – The authorised limit is the 'affordable borrowing limit' required by S3 of the Local Government Act 2003. The Council does not have the power to borrow above this level unless it explicitly agrees to do so. Table 5 below demonstrates that during 2012/13 the Council has maintained gross borrowing within its authorised limit. The authorised limit

allows the Council to borrow to the future CFR if required, and this has been reflected in the limit itself, with a little headroom built in.

Table 5

Authorised Borrowing	31st March 2012		31st March 2013	
	Estimate £'000	Actual £'000	Estimate £'000	Actual £'000
Borrowing	245,000	202,166	251,000	201,177
Other Long Term Liabilities	1,500	1,158	1,500	889
Total Borrowed	246,500	203,324	252,500	202,066
Amount under Limit	43,176		50,434	

27. **The Operational Boundary** – the operational boundary limit is the expected borrowing position of the Council during the year. It is possible to exceed the operational boundary limit, for a short period of time, providing that the authorised borrowing limit is not breached. Table 6 below shows the operational boundary limits for the last two financial year, and these were not breached during either period.

Table 6

Operational Boundaries	31st March 2012	31st March 2013
	Estimate £'000	Estimate £'000
Borrowing	236,000	242,000
Other Long Term Liabilities	1,500	1,500
Totals	237,500	243,500

Actual financing costs as a proportion of net revenue stream – this indicator identifies the trend in the cost of capital (borrowing and other long term costs net of investment income) against the net revenue stream. This table is another key indicator of affordability. The financing costs as a proportion of net revenue stream shows the general fund changing to a negative figure as investment income starts to exceed interest paid following the repayment of fixed term PWLB loans and the HRA ratio staying relatively constant. The HRA financing costs as a proportion of Net Revenue stream ratio has increased considerable due to the large increase in interest payable. This increase relates to the £198.5million borrowed under self financing. This is shown in table 7 below.

Table 7

Actual Finance Costs	2011/12 £'000	2012/13 £'000
Indicators		
Original Indicator - Authorised Limit	246,500	252,500
Original Indicator - Operational Boundary	237,500	243,500
Financing Costs as a proportion of Net Revenue Stream - General Fund	-1.3%	2.1%
Financing Costs as a proportion of Net Revenue Stream - HRA	1.9%	19.3%

Icelandic Banks

28. During 2008/09 the Council invested £4.5 million with two of the now failed Icelandic banks: £3.0 million was deposited with Heritable Bank and £1.5 million with Glitnir Bank. These investments, together with accrued interest, are overdue their initial repayment.

29. As at 31st March 2013, the Council had received approximately £2.3 million of its original Heritable Bank investment (77%) plus interest. Current guidance indicates that the repayment of the Heritable deposits will continue with an eventual total repayment of approx 90%.

30. During 2011/12 the Council received four of the five foreign currency repayments due from Glitnir bank, totalling £1.2 million. The repayment date of the fifth currency (Icelandic Krona (ISK)) is still to be confirmed and requires the resolution of changes to Icelandic law to allow ISK to be transferred out of Iceland. Once this has been resolved, it is expected that the Council will receive close to 100% of its initial deposit.

31. The Icelandic Government has stated its intention to honour all of its commitments as a result of their banks being placed in receivership. The UK Government, Administrators and other agencies continue to work with the Icelandic Government to help bring this about. The Local Government Association is co-ordinating the efforts to all UK Councils with Icelandic investments.

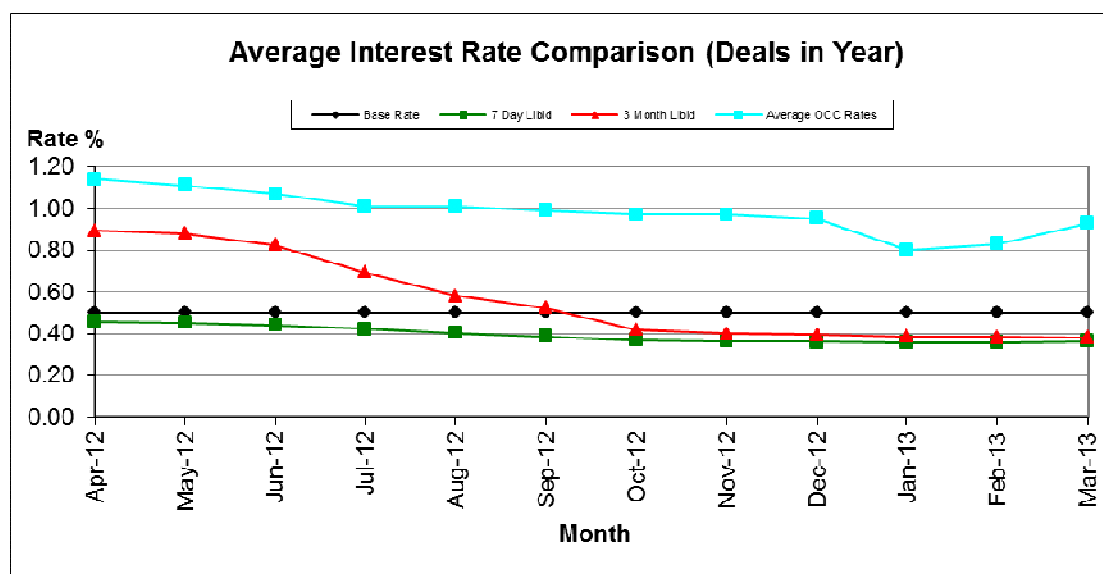
32. Table 8 below shows the original loan terms and the repayments received and outstanding as at 31st March 2013:

Table 8

Counterparty	Original Principal	Interest Rate	Maturity Date	Interest Received	Principal Repaid	Exchange Rate Loss	Total Repaid	Total Outstanding as at 31.03.13
Glitnir	£1.5m	5.51%	28/01 2009	£81,172.63	£1,213,800	(£45,238.57)	£1,249,734.06	£305,339.56
Heritable	£1.0m	6.04%	05/01 2009	£14,714.79	£772,803		£776,753.42	£228,357.81
Heritable	£1.0m	6.18%	30/04 2009	£8,984.95	£772,803		£788,660.94	£231,858.51
Heritable	£1.0m	5.83%	09/12 2008	£3,665.34	£772,803		£782,486.14	£230,043.18
Total				£108,537.71	£3,532,209	(£45,238.57)	£3,597,634.56	£995,599.06

Investment Income

33. The following graph shows the Council's monthly average interest rate in comparison to the base rate and also in comparison to its benchmarks: 3-months Libid and 7-day Libid.



34. As can be seen the Council's average monthly rate of return was above benchmark.
35. The Council manages its investments in-house and invests with the institutions listed in the Council's approved counterparty list. The Council invests for a range of periods from overnight to 364 days, dependant on cash flow needs, its interest rate view, the interest rates on offer and durational limits set out in the approved investment strategy.
36. During 2012/13 the Council maintained an average investment balance of £48.6 million and received an average return of 0.93%. This is slightly below the target of 1% and is mainly due to market rates dropping over the last 12 months, and a number of longer term deposits taken out in 2011/12 that were at high rates (up to 3%), maturing and being replaced with fixed rates of around 1%.
37. Actual investment income received for 2012/3 was approximately £540,000. This was significantly higher than the original budget of £230,000. This is due to higher investment balances than forecast, and deposits with highly rated and Government backed institutions being placed for up to 364 days.
38. Fluctuations in the Council's balances have been managed through the use of a mix of instant access and notice accounts, money market funds and short term deposits (up to 3 months). This strategy is in line with the investment strategy approved by Council for 2012/13.

Counterparty Changes

39. In April the Co-operative Bank – the Council's Bank – was downgraded to BBB-/F3 by the Fitch Rating Agency. The Co-operative has not met the Council's investment counterparty criteria for some time, however it continues to be used for transactional purposes and up until April were used for overnight balances up to £500,000. They are currently used for transactional purposes only.
40. The Co-Operative bank does continue to provide a good service to the Council for its day to day business transactions. We carried out local benchmarking to assess the cost of the contract and following negotiations and an agreed 10% reduction of the contract value, in March 2013, it was awarded a contract for a further 3 years.

Strategy Update

41. The Treasury Management Strategy for 2013/14 was approved at Council on 18th February 2013. Within the report and subsequent approved changes to the strategy, reference was made to the use of Property Funds as a type of alternative investment type. The report advised that such funds would be classed as 'non- specified' investments since they would carry an additional risk to normal fixed investments. The strategy also stated that 'non-specified' investments would be restricted to 25% of the overall investment portfolio
42. Since the 1st April 2013 the Council have placed £1,000,000 with the CCLA property fund. In its first two months we received interest of £6,903.96 equating to a 4.064% return. It is likely that in the coming months Council officers will seek to invest more in Property Funds, within the limit for non-specified investments as laid out in the strategy.
43. The Council's Treasury Management Advisors contract has recently been retendered and Sector successfully retained this contract for a further three years.

Financial Implications

- 39 These are set out within the body of the report

Legal Implications

- 40 We are required to report on the Treasury Management Function to full Council on an annual basis, and this reports meets this requirement.

Risk Implications

- 41 There are no risks in connection with the report's recommendations . Risk assessment and management is a key part of Treasury Management activity especially in the selection of counterparties when investing is being considered. The Council uses external advisors and counterparty credit ratings issued by the rating agencies to assist in this process.

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Background papers: None

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To: City Executive Board
Council

Date: 11th September 2013
30th September 2013

Report of: Head of Finance

Title of Report: TRANSFER OF CASH AND ASSETS BETWEEN
HOUSING REVENUE ACCOUNT (HRA) AND
GENERAL FUND

Summary and Recommendations

Purpose of report: To seek approval to transfer assets from the HRA to the General Fund, together with a proportion of HRA cash balances.

Key decision: Yes

Executive lead member: Councillor Ed Turner

Policy Framework: None

Recommendation: That Council -

- 1) Transfers the non-dwelling assets identified in Appendix B with a net book value of around £18 million from the HRA to the General Fund.
- 2) Transfers with immediate effect, cash balances of £7 million from the HRA to the General Fund in order to fund future projects that achieve on-going General Fund savings

Appendix A – Transfer of Assets Financial Transactions
Appendix B – Schedule of assets

Background

1. Over the last few months officers have been undertaking initial work on the General Fund Medium Term Financial Plan and HRA Business Plan to review the assumptions contained within the plans agreed at Council in February 2013. In the light of recent Government announcements in regard to the Finance settlement for 2014-15 and 2015-16 and other financial pressures the General Fund Medium Term Financial Plan will be under considerable strain to continue with the delivery of its services going forward. As a result officers have been looking to identify initiatives which will create on-going savings to the benefit of the General Fund and the Council overall, whilst at the same time ensuring the continued delivery of all the Councils current priorities, with a view to reporting formally on both plans to Members in the budget round later on in the year. Two initiatives have been identified, one of which is time critical and requires approval by members before 1st October 2013.
2. This paper explains these proposals and sets out the financial implications for both the General Fund Medium Term Financial Plan and the HRA Business Plan.
3. The proposals are technical in nature and officers have been working with the Council's Treasury Management advisors, Sector Treasury Services Ltd and the external auditors; Ernst and Young to investigate the viability of:
 - Transferring non-dwelling assets in 2013/14, namely shops and garages from the HRA to the General Fund together with all the associated, management, income, expenditure, depreciation and Minimum Revenue Provision issues. This will bring certain financial benefits to the HRA and General Fund including an increase in the HRA borrowing headroom, of £17 million, equivalent to the value of assets transferred.
 - Transferring cash balances currently in the HRA to the General Fund by the 1st October 2013, to provide one-off assistance with the funding of future financial pressures in the General Fund.
4. This report sets out the advice received, processes to be followed, effect on the council's financial position and the risks associated with the transactions.

Transfer of Non-Dwelling Assets from the Housing Revenue Account (HRA) to General Fund (GF)

Power to Transfer Assets

5. The general power to appropriate (transfer) land is provided by Section 122 of the Local Government Act 1972. This provides that a principal council may appropriate for any purpose any land which belongs to them,

provided that the purpose for which it is to be used is one which they are otherwise authorised to undertake.

6. The power is subject to the land no longer being required for the purpose it was held immediately before the appropriation. In the authority's case, that purpose would be housing.
7. The land which the authority wishes to appropriate is not presently used for housing purposes but will in the past have received the specific consent from the Secretary of State to be accounted for in connection with the social housing provided by the authority in accordance with the provisions of Section 12 of the Housing Act 1985.
8. There has been encouragement in recent consultation papers for local authorities to consider carefully the items being accounted for within their HRA. In the case of such non-dwelling buildings, the benefit of usage has changed considerably since the initial accounting arrangements were approved largely as a consequence of the changes of tenancy/ownership arising from the Right to buy provisions of the 1985 Act which have resulted in the buildings no longer providing a benefit solely to the authority's council tenants. In addition a significant number of garages on council estates have been sold to private tenants
9. Section 19 (2) of the Housing Act 1985 which states that land other than that which consists of a house or part of a house may be appropriated for any purpose.
10. Like a number of authorities, including Epping Forest District Council, Corby Borough Council and Gravesham Borough Council the transfer of assets proposed in this report is predicated on the following principles:
 - Housing estates and garages are now of mixed tenure and are now no longer purely occupied by council tenants;
 - The Government's policy is that the HRA remains a ring-fenced account and should primarily be a landlord account, containing the income and expenditure arising from a housing authority's landlord functions; and
 - That the appropriations are equitable and fair to both tenants and council tax payers in the long run and provide a transparent apportionment of costs and income between the HRA and General Fund.
11. Paragraph 18.8 of the Council's Finance Rules requires full Council to agree transfers between the General Fund and HRA.

What assets are to be transferred?

12. The draft 2012/13 Statement of Accounts discloses the net book value of non-dwelling assets as at 31st March 2013 in the Councils HRA as £18.56 million. Additionally there are 4 service tenanted properties which are now administered by the HRA which it would seem reasonable to transfer from

the General Fund to the HRA with a net book value of £0.563 million. The net value of the transfer to the General Fund is in the order of £18 million broken down as follows:

	£million
a) Other Land and Buildings	17.985
b) Infrastructure and Community Assets	0.066
c) Surplus assets	0.469
d) Investment properties	0.040
e) Properties transferred in from General Fund	(0.563)
Total	17.997

13. This consists of 134 shops, 2,602 garages and parking spaces, and a number of other assets including land and substations; the details of which are included in **Appendix B**.
14. The detailed financial transactions to facilitate the transfer are set out in **Appendix A** with a summary shown in Table 1 below:

Table 1 - Summary of Financial Transactions		
Transaction	On-going Effect on General Fund	On-going Effect on HRA
	£000's	£000's
Garages	(657)	657
Shops	(488)	488
Depreciation	0	(417)
General Fund Dwellings	37	(37)
Minimum revenue provision	417	0
Additional Interest charges	(630)	630
Net Increase (decrease)	(1,291)	1,291

15. The credit to the General Fund and associated charge to the HRA of £630k in respect of additional interest relates to the cost of internal borrowing to the HRA. Under previous Subsidy Regulations the interest rate was based on a consolidated interest rate that charged internal borrowing at the 3 month LIBID rate, currently approximately 0.56 %. LIBID is effectively an investment rather than borrowing rate and its application has resulted in a dis-benefit to the General Fund in terms of reimbursement of costs over a number of years. Since subsidy no longer applies this anomaly should be rectified and a more realistic long term borrowing rate used. A more equitable rate would be the 25 year PWLB maturity rate currently around 4.50%. At some stage, probably in around 10 years, the HRA Business Plan will have sufficient resources to repay this debt at which time the interest credit to the General Fund will reduce.

Comments from Sector Treasury Services Ltd and Ernst and Young

16. The Council's treasury management advisors, Sector Treasury Services Ltd and the Council's external auditors, Ernst and Young have commented on the proposed transaction as follows:

- **Sector Treasury Management Ltd (Sector)**
Sector have supported the transaction and advised on the implementation
- **Ernst and Young (EY)**
One of the key points for EY is to ensure that 'the properties are no longer required for the purpose for which they were held immediately prior to the appropriation'. The Council's rationale is laid out in paragraph 10 above and fulfils this requirement.

Transfer of Credit Balance from HRA to General Fund

17. Schedule 4 Part III paragraph 2 (1) of the Local Government and Housing Act 1989 provides:

"A local housing authority to whom no HRA subsidy is payable for any year may carry the whole/part of any credit balance shown in the HRA for that year to the credit of some other revenue account of theirs"

18. Whilst this clause primarily relates to those authorities that undertook stock transfer under the old subsidy system, since self-financing on 1st April 2012 no authority with retained housing stock has been in receipt of Housing Subsidy and authorities are able to use this provision to transfer credit balances from the HRA to the General Fund.
19. The proposal is to transfer a sum of £7 million from the HRA to an earmarked reserve in the General Fund to be used on projects to create on-going future financial benefits.
20. Advice from the Head of Law and Governance indicates that Schedule 4 Part III paragraph 2 referred to above will be amended on 1st October 2013 by virtue of the Localism Act 2011 (Commencement Order No 9) such that it will no longer be in force in England (but will in Wales). Any cash transfer must, therefore, take place prior to the 1st October 2013.
21. Officers have sought the views of both the Council's treasury management advisors, Sector Treasury Services Ltd and external auditors, Ernst and Young who have advised the following :
- **Sector Treasury Management Ltd**
Sector have referred to the Local Government and Housing Act 1989, Schedule 4, Part III, Paragraph 2 which the Council is relying on to make the transfer and advised that in their opinion the Council may rely on this clause to effect the proposed transfer.
 - **Ernst and Young**
The Council's auditors have advised that they are 'not minded to challenge the statutory basis for the proposed transfer'.

Financial Implications on General Fund MTFP and HRA

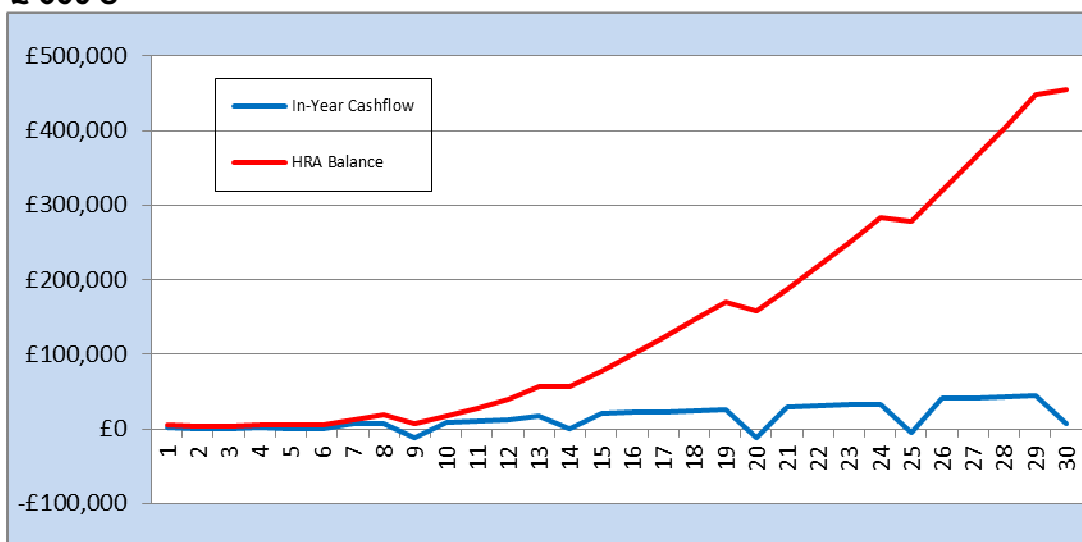
22. Whilst a full refresh of the HRA Business Plan will be undertaken and submitted to Members as part of the Budget Process in December some initial work has been undertaken to update key assumptions included within the Plan agreed by Council in February 2013 to determine the impact on the HRA of the proposed changes. Key assumptions updated include :
- **Rent increase** – the original plan assumed a rent increase in accordance with the rent convergence formula i.e. $RPI + 0.5\% + £2$, (RPI being 2.6% in September 2012) with convergence expected in 2018. However recent announcements from DCLG suggest that the rent convergence element of the formula, (the additional £2) will be scrapped and that inflationary increases of $CPI + 1\%$ will be applied from 2014/15 rather than the current $RPI + 0.5\%$. The updated HRA Business Plan assumes CPI at 2.1% (average CPI since 1997) i.e. rent increases of 3.1%. This change reduces on-going rental income in the Business Plan by around £600k per annum, although clearly this could change depending on the way CPI is calculated and its future level.
 - **Property disposals** –Based on 9 right to buy disposals to date, the figure allowed for in the plan has been reduced from 78 per annum to 20 per annum.
 - **Bad Debt provision** – The bad debt provision in the original business plan is considered overly prudent with arrears at less than 2% of the debit. The provision has therefore been reduced from £0.5 million to £0.4 million.
 - **Tower block refurbishment program** changed from £10 million spread over 8 years to inclusion of a budget of £16 million with completion of the programme in 4/5 years.
 - **New build-** The authority made provision within the original business plan of £60 million for new build housing. The latest projection of spend on new build, primarily Barton, is £38 million for the purchase of approximately 350 properties.
23. In addition the following assumptions continue to be allowed for in line with original assumptions;
- The removal of the service charge limiter by £1 per week.
 - Efficiency gains on capital works and responsive repairs by Direct Services.
 - The delivery of 112 new build dwellings under the Affordable Housing Program.
 - The continuation of the adopted policy on self-financing debt redemption.
24. Table 2 below reflects the impact on HRA balances of the asset transfers highlighted in para 12 above, a one-off transfer of £7 million using the

provisions highlighted in para 17 above and the assumptions as set out in paras 21 and 22 above. The plan indicates that both transfers can be undertaken without materially impacting the HRA's strategic objectives and maintaining balances at a prudent level in excess of £3.5 million.

Table 2 - Summary of HRA Working Balances					
	2013/14	2014/15	2015/16	2016/17	Total
	£'000	£'000	£'000	£'000	£'000
Original Business Plan	5,670	4,459	9,074	5,944	25,147
Revised Business Plan	3,534	3,619	4,837	5,036	17,026
Variance	2,136	840	4,237	908	8,121

- 25 In the longer term these changes in the working balances escalate over the 30year period after year 9 following completion of the Barton scheme which is illustrated in the graph below :

£'000's



- 26 The graph indicates that HRA working balances (the top line) will rise to around £450 million by year 30 having completed all current new build housing schemes in the programme, ongoing annual refurbishment of existing council dwellings of around £7 million per annum, tower block refurbishment and repayment of approximately £120 million of debt repayments.

Increase in HRA Headroom

- 27 The transfer of assets proposal (£18 million) creates an equivalent increase in the HRA borrowing headroom. The Council currently has borrowing headroom of £19 million. Rules governing appropriation of assets requires an adjustment to the HRA Capital Financing Requirement hence borrowing headroom will increase to around £37 million. This will give the council additional opportunity for capital investment in its housing stock meeting the objectives of the housing strategy. This could include:
- Up to 350 new build council houses
 - Retrofitting of existing stock with energy improvements to reduce tenants energy costs and increase fuel efficiency
 - Expansion of the Council's Great Estates program
 - Creation of an Oxford Homes standard beyond Decent Homes
 - Extensions to void properties to help meet overcrowding need

Implications for the General Fund Medium Term Financial Plan

- 28 A full refresh of the Council's Medium Term Financial Plan will be undertaken and submitted to Members as part of the Budget cycle in December, initial work has been undertaken on updating several key assumptions included within the Plan presented at Council in February 2013, to determine the implications of recent Government announcements and the financial effect of the proposed changes.
- 29 Changes to original assumptions include:
- **Revenue Support Grant** -Taking account of the changes to Revenue Support Grant (RSG) on which the Government is currently consulting for 2014/15 and 2015/16 and reducing RSG to zero in equal instalments between 1/4/2016 and 1/4/2020.
 - **Blackbird Leys Pool** -Deferring the management saving on the pool by 6 months as a consequence to the late start on site
 - **New Homes Bonus** -Top slicing New Homes Bonus by 20% from 2015/16 and deleting New Homes Bonus and Revenue contributions to capital by 2017/18, the final year for which the first round of NHB was guaranteed
 - **State Pension Changes** - Inclusion of additional £400k per annum from 2016/17 being the estimated financial implications associated with the proposed second state pension changes in 2016.
 - **Council Tax** - Increasing Council tax by 1.99% for 2014/15 and 2015/16 from 1%.included within the original plan
 - **Contingencies**- contingency adjustment to allow for savings achieved in 2012/13
- 30 The above changes give rise to a shortfall in the Medium Term Financial Plan of around £1.8 million in 2015/16 rising to a £6.5 million on-going deficit by 2020.
- 31 The transferring of assets outlined above would improve this position by around £1.3 million on-going. The transfer of the £7 million would need to

be applied so as to create on-going revenue savings to the Council in a similar manner to the transfer of assets. Officers are currently looking at a number of proposals to achieve an ongoing saving to the General Fund.

Financial Implications

- 32 The proposals set out above for the asset transfers and cash transfer between the HRA and the General Fund are legal and financially viable for both the HRA and the General Fund. Whilst there is an opportunity cost to the HRA it is important to note that the Housing Revenue Account can still meet all the Council's current strategic Housing objectives.
- 33 The transactions improve the Council's overall financial resilience, facilitate the protection of services and are therefore of benefit to all residents of the City.
- 34 An added value of the proposals is that due to the accounting arrangements there is an increase in the head room for HRA borrowing by an amount equivalent to the value of the transfer of around £18 million, effectively doubling what the Council already has. This will provide additional resources to the Council and enable it to undertake works to the benefit of the HRA suggested in paragraph 27 above.

Legal Implications

- 35 These are set out within the body of the report

Equalities Implications

- 36 The proposals will be of benefit to council tax payers in Oxford City and will help safeguard jobs and services provided by the General Fund.

Risk Implications

- 37 There is a risk that DCLG will introduce legislation retrospectively to repeal Schedule 4 Pat III para 2 from 1st April 2013. In this instance the Council would not have the power to transfer the HRA cash balances (£7m) as proposed.

Contact Officer:

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Head of Finance
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Email: nkennedy@oxford.gov.uk

Background papers: None

APPENDIX A

FINANCIAL EFFECTS OF THE TRANSFER OF ASSETS FROM HRA TO GENERAL FUND

Transaction	On-going Effect on General Fund	On- going Effect on HRA	Note
	£000's	£000's	
Garages			
Income	(974)	974	1
Planned Works	143	(143)	
Garage Management Team	174	(174)	
Shops			
Income	(634)	634	2
Planned Works	91	(91)	
Shops Management Team	55	(55)	
Depreciation non-dwellings	0	(417)	3
General Fund Dwellings			4
Income	40	(40)	
Revenue Repairs	(3)	3	
Minimum revenue provision	417	0	5
Interest charges	(600)	600	6
Net Increase (decrease)	(1,291)	1,291	

Notes

- 1 We have a stock of 2,602 garages that generate annually rental income of approximately £0.974 million.
- 2 There are 134 HRA commercial shops that generate annually rental income of £0.634 million.
- 3 Accounting convention requires a charge to be made to the HRA for depreciation based on the valuation of the asset and its useful life. Transferring assets to the General Fund will result in a saving to the HRA in respect of depreciation in the order of £417k and since depreciation charges are reversed out in respect of general fund assets there will be an overall saving to the Councils revenue position of the same amount.
- 4 There are 4 dwellings with a value of around £500k currently accounted for in the council's General Fund. These relate to previous service

tenancy properties at various depots and cemeteries etc. It is considered that these, as they are now managed by Tenancy Services within the HRA, be transferred to the HRA i.e. appropriated the other way to the proposed garages and HRA commercial property transfers.

- 5 Minimum Revenue Provision. - Accounting convention requires the Council to set aside an amount from revenue for the repayment of debt based on its MRP Policy set out in its Treasury Management Strategy which charges MRP on new capital expenditure, where financed by Prudential borrowing, based on the estimated life of the asset being purchased. Prudential borrowing increases the Councils underlying need to borrow for capital purposes, known as its Capital Financing Requirement (CFR). Whilst there is no overall increase in the CFR, simply a change between the HRA and the General Fund CFR, it is up to the authority to decide on the amount of MRP to charge.
- 6 Interest charges on internal borrowing– The HRA has internal borrowing (the difference between actual debt and underlying need to borrow for capital purposes or CFR as it is known, of around £24 million. This is currently being financed by the General Fund and has remained unchanged following self-financing. Under previous arrangements there was a statutory requirement for the amount of interest charged to the HRA for this borrowing to be calculated using a consolidated interest rate that included an element at the 3 month LIBID rate, currently approximately 0.56 % which has resulted in a disbenefit to the general fund in terms of its reimbursement of costs over a number of years. The 3 month LIBID approach was recognised by CIPFA as wholly inequitable when considering the manner of accounting for loan interest costs. The reason being that just because the authority happens to decide to finance internal borrowing from its own resources for a temporary or longer term period, the HRA should not necessarily benefit from this from an artificially low interest rate being used. Accordingly it is suggested that the amount of General Fund investment income earned in respect of this £24 million loan to the HRA should be at a more equitable long term borrowing rate currently around 4.53%, 25yr PWLB Maturity rate.

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APPENDIX B

NON DWELLING ASSETS TO BE TRANSFERRED FROM HRA TO GENERAL FUND

Asset Description

Community Assets

Balfour Road Garden, Balfour Rd, Oxford OX4
land south of 55 Aldebarton Drive, Headington, Oxford OX3
Bernwood Road RG, Headington, Oxford OX3
Borrowmead Road RG, Headington, Oxford OX3
play area rear of 22-28 Bracegirdle Road, Headington, Oxford OX3
Broad Oak Nature Park, Headington, Oxford OX3
Pauling Road play area (r/o of 25-37 P Rd), Headington, Oxford OX3
Shotover Country Park (part of), Old Rd, Headington, Oxford OX3 8TA
play area 9-18 Dynham Place, Headington, Oxford OX3
land west of Riverside Court, Long Ford Close, Oxford OX1
land btwn Hengrove Close / Harolde Close, Headington, Oxford OX3
land at Magdalen Wood, Atkyns Rd, Headington, Oxford OX3 8RA
land at 122-132 Marlborough Rd, Oxford OX1
play area adj 27-29 Masons Rd, Headington, Oxford OX3
Northfield/Littlemore Brook Waterway (from A4074 junction to Ozone Leisure), Littlemore, Oxford OX4
land adj New Beveridge House, Wood Farm Rd, Headington, Oxford OX3
land rear of 66-68 Wood Farm Rd, Headington, Oxford OX3
play area adj 28-30 Palmer Rd, Headington, Oxford OX3
land btwn 25-27 Eden Drive & 8 Snowdon Mede, Oxford OX
Sundew Close play area , Oxford OX4
Thames View Road play area (rear of 16-18 T V Rd), Oxford OX4
Allotment Gardens adj 165-167 The Slade, Headington, Oxford OX3
Trap Grounds Town Green, Frenchay Rd, Oxford OX1 1AF
land adj 25 Union St, Oxford OX4
Wood Farm Green play area (r/o of 3-5 WF Rd), Headington, Oxford OX3
land adj 28 Tree Lane / Woodhouse Way, Oxford OX4
open space btwn Castle Mill Stream & Rewley Abbey Court, Rewley Rd, Oxford OX1
land at The Oval, Rose Hill, Oxford OX4

Asset type

NBV (£) 31.03.2013

Misc. Amenity Land 0.00
Misc. Amenity Land 0.00
Parks & Open Spaces 0.00
Misc. Amenity Land 0.00
Misc. Amenity Land 0.00
Misc. Amenity Land 0.00
Misc. Amenity Land 0.00
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Misc. Amenity Land 0.00
Misc. Amenity Land 0.00
Misc. Amenity Land 0.00
Misc. Amenity Land 0.00
Misc. Amenity Land 0.00
Allotments 0.00
Parks & Open Spaces 0.00
Misc. Amenity Land 0.00
Misc. Amenity Land 0.00
Misc. Amenity Land 0.00
Misc. Amenity Land 0.00
Misc. Amenity Land 0.00

land adj 146 Morrell Avenue, Oxford OX4
land north of Whitworth Place, Canal St, Oxford OX2
land adj 1-4 Baltic Wharf, Marlborough Rd, Oxford OX1
open space at r/o 3 & 5 Tyndale Rd, Iffley, Oxford OX4
open space north of Whitworth Place, Canal Street, Jericho, Oxford OX2

Community Assets total NBV

Misc. Amenity Land	55,000.00
Misc. Amenity Land	11,219.10
Misc. Amenity Land	0.00
Misc. Amenity Land	0.00
Misc. Amenity Land	0.00

66,219.10

Infrastructure Assets

access land to school, south-west of 52-74 Horspath Road, Oxford OX4

Infrastructure Assets total NBV

Unadopted Roads	100.00

100.00

Other Land & Buildings

Public Conveniences, r/o 4-7 Marlborough Close, Cowley Rd, Littlemore, Oxford OX4

Public Conveniences	18,600.00
	115,500.00

Jubilee 77 Community Centre, 46 Sorrel Road, Oxford OX4 5SL
Horspath Depot 2 (Oxford City Council Housing Works), Horspath Road, Oxford OX4 2QT
1a Catherine Street, Oxford OX4 3AQ
9 Albert Street (convenience store), Jericho, Oxford OX2 6AY
11 Atkyns Road (Woodfarm Post Office), Headington, Oxford OX3 8RA
13 Atkyns Road (pharmacy), Oxford OX3 8RA
15-19 Atkyns Road, Oxford OX3 8RA
21 Atkyns Road (bakery), Oxford OX3 8RA
3 Atkyns Road (off-licence), Oxford OX3 8RA
5 Atkyns Road (pet shop), Oxford OX3 8RA
7 Atkyns Road (takeaway food), Oxford OX3 8RA
9 Atkyns Road (hairdressers), Oxford OX3 8RA
Balfour Road Post Office, 69 Balfour Road, Oxford OX4 6AG
71 Balfour Road (funeral directors), Oxford OX4 6AG
73 Balfour Road (butchers), Oxford OX4 6AG
75 Balfour Road (convenience store), Oxford OX4 6AG
37 Barns Road (beds & bedding), Oxford OX4 3QY
39 Barns Road (convenience store), Oxford OX4 3QY
41 Barns Road (newsagents), Oxford OX4 3QY
43 Barns Road (fishing tackle), Oxford OX4 3QY
45 Barns Road (dog grooming), Oxford OX4 3QY

Community Centres	
Depots & Workshops	1,997,371.16
Garage	40,850.00
Housing Estate Shops	34,453.33
Housing Estate Shops	40,420.00
Housing Estate Shops	43,000.00
Housing Estate Shops	116,960.00
Housing Estate Shops	39,560.00
Housing Estate Shops	43,000.00
Housing Estate Shops	43,000.00
Housing Estate Shops	45,580.00
Housing Estate Shops	43,000.00
Housing Estate Shops	48,160.00
Housing Estate Shops	45,580.00
Housing Estate Shops	49,020.00
Housing Estate Shops	49,020.00
Housing Estate Shops	49,020.00
Housing Estate Shops	39,560.00
Housing Estate Shops	52,460.00
Housing Estate Shops	70,430.44

47 Barns Road (hairdressers), Oxford OX4 3QY	Housing Estate Shops	46,440.00
49 Barns Road (hairdressers), Oxford OX4 3QY	Housing Estate Shops	52,460.00
49 Bellenger Way (convenience store), Kidlington, Oxfordshire OX5 1TR	Housing Estate Shops	115,320.00
100 Blackbird Leys Road (pharmacy), Oxford OX4 6HS	Housing Estate Shops	51,614.08
102-104 Blackbird Leys Road (convenience store), Oxford OX4 6HS	Housing Estate Shops	134,136.01
106 Blackbird Leys Road (bookmaker), Oxford OX4 6HS	Housing Estate Shops	57,634.08
108 Blackbird Leys Road (bakery), Oxford OX4 6HS	Housing Estate Shops	50,754.08
110 Blackbird Leys Road (takeaway food), Oxford OX4 6HS	Housing Estate Shops	54,194.08
94 Blackbird Leys Road (hairdressers), Oxford OX4 6HS	Housing Estate Shops	50,754.08
96 Blackbird Leys Road (financial advisors), Oxford OX4 6HS	Housing Estate Shops	52,474.08
Blackbird Leys Post Office, 98 Blackbird Leys Road, Oxford OX4 6HS	Housing Estate Shops	59,354.08
1 Girdlestone Road (car accessories), Oxford OX3 7LZ	Housing Estate Shops	43,000.00
3 Girdlestone Road (laundrette), Oxford OX3 7LZ	Housing Estate Shops	46,440.00
5 Girdlestone Road (takeaway food), Oxford OX3 7LZ	Housing Estate Shops	49,020.00
7 Girdlestone Road (convenience store), Oxford OX3 7LZ	Housing Estate Shops	47,300.00
Headington Quarry Post Office, 50 Gladstone Road, Oxford OX3 8LJ	Housing Estate Shops	97,180.00
2 Grays Road (convenience store / flat), Oxford OX3 7QA	Housing Estate Shops	67,080.00
4 Grays Road (hairdresser / flat), Oxford OX3 7QA	Housing Estate Shops	74,820.00
104 Horspath Road (after school tuition) Oxford Oxfordshire OX4 2QT	Housing Estate Shops	38,700.00
96-100 Horspath Road (newsagent), Oxford OX4 2QT	Housing Estate Shops	59,956.65
1-3 Kendall Crescent (community store / post office), Oxford OX2 8NE	Housing Estate Shops	161,100.00
5 Kendall Crescent (electronics shop) Oxford OX2 8NE	Housing Estate Shops	49,880.00
7 Kendall Crescent (hairdressers) Oxford OX2 8NE	Housing Estate Shops	50,740.00
9 Kendall Crescent (GP) Oxford OX2 8NE	Housing Estate Shops	81,700.00
11 Knights Road (takeaway food), Oxford OX4 6HU	Housing Estate Shops	47,300.00
7 Knights Road (takeaway food), Oxford OX4 6HU	Housing Estate Shops	52,460.00
9 Knights Road (bookmakers), Oxford OX4 6HU	Housing Estate Shops	42,140.00
49 St Nicholas Road (newsagent), Oxford OX4 4PN	Housing Estate Shops	42,140.00
51 St Nicholas Road (electrician), Oxford OX4 4PN	Housing Estate Shops	43,000.00
53 St Nicholas Road (convenience store), Oxford OX4 4PN	Housing Estate Shops	41,280.00
55 St Nicholas Road (taxi services), Oxford OX4 4PN	Housing Estate Shops	42,140.00
57 St Nicholas Road (dentist), Oxford OX4 4PN	Housing Estate Shops	41,280.00
69 St Nicholas Road (GP), Oxford OX4 4PN	Housing Estate Shops	35,260.00
23 The Oval (newsagent), Oxford OX4 4SE	Housing Estate Shops	60,200.00
24-25 The Oval (convenience store), Oxford OX4 4SE	Housing Estate Shops	104,060.00

10-14 Underhill Circus (convenience store), Oxford OX3 9LU
 2 Underhill Circus (takeaway food), Oxford OX3 9LU
 Underhill Post Office, 4 Underhill Circus, Oxford OX3 9LU
 6 Underhill Circus (pharmacy), Oxford OX3 9LU
 8 Underhill Circus (former IT training), Oxford OX3 9LU
 43 Westlands Drive (fishing tackle), Oxford OX3 9QS
 45 Westlands Drive (kitchen fittings), Oxford OX3 9QS
 47 Westlands Drive (off licence), Oxford OX3 9QS
 49-51 Westlands Drive (greengrocer), Oxford OX3 9QS
 53 Westlands Drive (pharmacy), Oxford OX3 9QS
 55 Westlands Drive (takeaway food), Oxford OX3 9QS
 57 Westlands Drive (hairdressers), Oxford OX3 9QS
 59 Westlands Drive (restaurant/takeaway), Oxford OX3 9QS
 61 Westlands Drive (newsagent / Post Office), Oxford OX3 9QS

Land at 23 Desborough Crescent, Rose Hill, Oxford, OX4 4UB

Land at 41 Desborough Crescent, Rose Hill, Oxford, OX4 4UB

Land at 51 Desborough Crescent, Rose Hill, Oxford, OX4 4UB

Land at 22 Lenthall Road, Rose Hill, Oxford, OX4 4UX

Land at 19 Wymbush Road, Rose Hill, Oxford, OX4 4TZ

Land at 80 Asquith Road OX4 4RJ

garden land adj 65 Abingdon Road, Oxford OX1

garden land r/o 8 Angelica Close, Oxford OX4 6PT

site of 6x garages r/o 62 Balfour Road, Oxford OX4 6AH

access land adj 35 Barns Road, Cowley, Oxford OX4 3QY

garden land adj 12 Bulrush Road, Oxford, OX4 6PU

site of St Lukes Church, Canning Crescent, Oxford OX1 4XB

access land btwn Crowberry Road & Harebell Road, Oxford OX4

garden land (4 plots), r/o 1-17 Cumberland Road, Cowley, Oxford OX4 2BZ

garden land r/o 93 Divinity Road, Oxford OX4 1LN

site of The Royal British Legion Club, Edgecombe Road, Oxford OX3 9HA

Housing Estate Shops	143,200.00
Housing Estate Shops	26,660.00
Housing Estate Shops	24,940.00
Housing Estate Shops	24,940.00
Housing Estate Shops	24,940.00
Housing Estate Shops	43,260.00
Housing Estate Shops	34,400.00
Housing Estate Shops	43,000.00
Housing Estate Shops	63,640.00
Housing Estate Shops	43,000.00
Housing Estate Shops	49,640.00
Housing Estate Shops	43,000.00
Housing Estate Shops	38,700.00
Housing Estate Shops	43,000.00
Land (site of former CD)	65,000.00
Land (site of former CD)	65,000.00
Land (site of former CD)	65,000.00
Land (site of former CD)	65,000.00
Land (site of former CD)	65,000.00
Land (site of former CD)	110,000.00
Land	25,000.00
Land	250.00
Land	12,000.00
Land	750.00
Land	3,125.00
Land	84,000.00
Land	50.00
Land	800.00
Land	0.00
Land	1,000.00

garden land adj 4 Flaxfield Road, Oxford OX4 6QD	Land	500.00
access land r/o 301-315 Iffley Road (adj 26 & r/o 2-80 Howard Street), Iffley, Oxford OX4	Land	100.00
Maltfield Road Nursery, St John Amb HQ Westlands Drive, Oxford OX3	Land & Structure	48,880.00
grazing land at Marston Saints Football Club, Marsh Lane, Headington, Oxford OX3	Land	3,750.00
Orchard Way RG, Littlemore, Oxford OX4	Land	60,000.00
garden land r/o 1-7 Hendred Street & 20 Oxford Road, Iffley, Oxford OX4 2DS	Land	600.00
garden land r/o 2-6 Littlehay Road & 20 Oxford Road, Iffley, Oxford OX4 2DS	Land	600.00
garden lane r/o 21 Pegasus Road, Oxford OX4 6DS	Land	2.00
garden land r/o 44 Rivermead Road, Oxford OX4 4UE	Land	590.00
site of clubhouse adj 45 Sandy Lane, Oxford OX4 6AN	Land	13,000.00
site of Oxford And District Indoor Bowls Association Ltd, Sandy Lane West, Oxford OX4 6NA	Land	98,000.00
parking land adj 32 Sawpit Road, Oxford OX4 6BE	Land & Structure	21,500.00
garden land r/o 36-60 Ulfgar Road, Oxford OX2	Land	50.00
garden land r/o 32 Van Diemens Lane, Littlemore, Oxford OX4 3QD	Land	5.00
access land r/o 57 Rymers Lane, Cowley, Oxford OX4 3JY	Land	400.00
strip of land r/o 62-114 East Avenue, Oxford OX4	Land	17,000.00
site of 50 Blackbird Leys Road (Dentist), Oxford OX4 6HP	Land	49,000.00
land r/o 116 The Slade, Headington, Oxford OX3	Land	4,850.00
land r/o 29 Cumberland Road, Cowley, Oxford OX4 2BZ	Land	1,800.00
garden land adj 16 Gentian Road, Oxford, OX4 6QE	Land	10.00
60 Ashurst Way (Rose Hill & Donnington Advice Centre), Oxford OX4 4RF	Office Buildings	
		139,120.00
parking spaces adj Abbey Place/ Paradise Square, Oxford OX1	Off-Street Car Parks	850,000.00
flats at Sunnymead Court, 55 Jackson Road, Oxford OX2	Land	100.00
site of 29-37 Rivermead Road, Oxford OX4 4UE (self-build houses)	Other Housing	
	Property	7,500.00
site of 146-186 Sandy Lane, Oxford OX4 6LQ (self-build houses)	Other Housing	
	Property	78,000.00
1 Stratford Street, Oxford OX4 1SP (hostel)	Other Housing	
Old Community Centre, Westlands Drive, Oxford OX3 9QY (store)	Property	516,668.95
	Other Housing	
	Property	11,000.00
city wide Garages & Parking Areas - 2,328 (see below for breakdown)	Other Housing	
	Property	8,620,944.05
39-61 Rivermead Road, Oxford OX4 4UE (self-build houses)	Other Housing	
	Property	1,800.00

site of Hurdis House, Cowley Road, Oxford OX4 1XE (retirement home)	Land	58,000.00
site of 34 St Michael's Street, Oxford OX1 2EB (hostel)	Land	50,000.00
Chaundy House, 26-64 Halliday Hill, Oxford OX3 9PX	Residential Homes	
		361,500.00
site of Butler House, Ashhurst Way, Oxford OX4 4RD (flats)	Land	76,000.00
Electricity Substation Gerard Place (r/o Cowley Police Station, Oxford Rd), Cowley, Oxford OX4.	Utility Sites	7,500.00
Electricity Substation adj 17 Pony Road (Horspath Rd Industrial Estate), Oxford OX4	Utility Sites	100.00
Electricity Substation btwn 16-18 Barton Village Road, Headington, Oxford OX3 9LA	Utility Sites	2,000.00
garden land r/o 23 Blackbird Leys Road, Oxford OX4 6HH	Utility Sites	550.00
Electricity Substation Bonar Road, Headington, Oxford OX3	Utility Sites	3,850.00
Electricity Substation adj 20 Brambling Way, Oxford OX4 6EH	Utility Sites	2,600.00
Electricity Substation adj 2 Clematis Place, Oxford OX4 6RJ	Utility Sites	2,500.00
Electricity Substation r/o 29-30 Colemans Hill, Headington, Oxford OX3 8AR	Utility Sites	2,800.00
Electricity Substation adj 21 Danvers Road, Oxford OX4 4SA	Utility Sites	2,000.00
Electricity Substation Desborough Crescent, Oxford OX4	Utility Sites	0.00
Electricity Substation adj 58 Asquith Road, Oxford OX4 4RJ	Utility Sites	2,000.00
Electricity Substation adj Evenlode Tower, Blackbird Leys Road, Oxford OX4	Utility Sites	3,200.00
Electricity Substation Fiennes Road, Oxford OX4	Utility Sites	1,950.00
Electricity Substation adj 20 Sandy Lane, Oxford OX4 6AP	Utility Sites	3,000.00
Electricity Substation adj garages, George Moore Close, Iffley, Oxford OX4	Utility Sites	3,500.00
Electricity Substation adj 57 Girdlestone Road, Headington, Oxford OX3 7NA	Utility Sites	1,900.00
Electricity Substation r/o 1-11 Warren Crescent, Headington, Oxford OX3 7NQ	Utility Sites	3,850.00
Electricity Substation, Grovelands, Kidlington, Oxfordshire OX5	Utility Sites	4,000.00
Electricity Substation r/o 45 Hawthorn Avenue, Headington, Oxford OX3 9JQ	Utility Sites	1,850.00
Electricity Substation adj 46 Kersington Crescent, Oxford OX4 3RJ	Utility Sites	3,850.00
Electricity Substation btwn 1 Lobelia Road & 2 Mercury Road, Oxford OX4 6QF	Utility Sites	2,650.00
Electricity Substation adj 2 Lockheart Crescent, Oxford OX4 3RN	Utility Sites	2,200.00
Electricity Substation r/o Florey Chain House, 248 London Road, Headington, Oxford OX3	Utility Sites	3,850.00
Electricity Substation adj 3 Long Close, Headington, Oxford OX3 8TT	Utility Sites	3,250.00
Electricity Substation, Riverside Court, Long Ford Close, Oxford OX1 4NQ	Utility Sites	1,000.00
Electricity Substation adj 9 Mallard Close, Oxford OX4 6EN	Utility Sites	2,250.00
Electricity Substation r/o 158 Marlborough Road, Oxford OX1 4LS	Utility Sites	3,200.00
Electricity Substation r/o 22 Normandy Crescent, Oxford OX4 2TG	Utility Sites	3,850.00
Electricity Substation r/o 7 Nye Bevan Close, Oxford OX4 1GB	Utility Sites	300.00

Electricity Substation adj 32 Peat Moors, Headington, Oxford OX3 7HS	Utility Sites	2,650.00
Electricity Substation Penther Road, Headington, Oxford OX3	Utility Sites	2,350.00
Electricity Substation adj 1 Pine Close, Garsington, Oxford, OX44 9BS	Utility Sites	2,350.00
Electricity Substation adj 22A Pitts Road, Headington, Oxford OX3	Utility Sites	1,850.00
Electricity Substation adj 1 Priory Road, Littlemore, Oxford OX4 4NB	Utility Sites	3,850.00
Electricity Substation adj 115 Rivermead Road, Oxford OX4 4UG	Utility Sites	3,850.00
Electricity Substation Salter Close, Oxford OX1	Utility Sites	3,400.00
Electricity Substation adj 1 Sawpit Road, Blackbird Leys, Oxford OX4 6BD	Utility Sites	3,600.00
Electricity Substation adj 2 Sorrel Road, Blackbird Leys, Oxford OX4 6SL	Utility Sites	2,300.00
Electricity Substation adj 1 Spindleberry Close, Blackbird Leys, Oxford OX4 6DU	Utility Sites	0.00
Electricity Substation btwn 3 & 5 Stainfield Road, Headington, Oxford OX3 9DH	Utility Sites	3,600.00
Electricity Substation r/o 23 Strawberry Path, Blackbird Leys, Oxford OX4 6RA	Utility Sites	2,650.00
Electricity Substation r/o Barton Neighbourhood Centre, Taggs Gate, Oxford OX3 9NW	Utility Sites	1,600.00
Electricity Substation r/o 55 Kendall Crescent, Oxford OX2 8NF	Utility Sites	2,800.00
Electricity Substation r/o 1 Thames View Road, Rose Hill, Oxford OX4 4TQ	Utility Sites	2,050.00
Electricity Substation adj 175 The Slade, Headington, Oxford OX3 7HP	Utility Sites	3,850.00
Electricity Substation r/o 1 Thomson Terrace, Littlemore, Oxford OX4	Utility Sites	3,500.00
Electricity Substation Oxford Road, Littlemore, Oxford OX4	Utility Sites	13,000.00
garden land r/o 62-80 Ulfgar Road, Oxford OX2 8BA	Land	1,900.00
Electricity Substation adj 32A Union Street, Oxford OX4 1JP	Utility Sites	250,000.00
Electricity Substation r/o 61 Warburg Crescent, Blackbird Leys, Oxford OX4 6BS	Utility Sites	2,200.00
Electricity Substation north of Plowman Tower, Westlands Drive, Headington, Oxford OX3 9QZ	Utility Sites	2,100.00
Electricity Substation adj Windrush Tower, Knights Road, Oxford OX	Utility Sites	3,000.00
Electricity Substation adj 21 Wood Farm Road, Headington, Oxford OX3 8PP	Utility Sites	4,000.00
Electricity Substation btwn 393-395 Marston Road, Headington, Oxford OX3 0JF	Utility Sites	2,100.00
Electricity Substation adj 75-83 Boundary Brook Road, Iffley, Oxford OX4 4AL	Utility Sites	3,500.00
Electricity Substation r/o 70-76 Northfield Road, Headington, Oxford, OX3	Utility Sites	2,000.00
Electricity Substation adj 38 South Street, Osney, Oxford OX2 0BE	Utility Sites	2,800.00
Electricity Substation Comfrey Road, Oxford OX4	Utility Sites	2,350.00
Electricity Substation adj 9 Albert Street, Jericho, Oxford OX2	Utility Sites	150.00
Electricity Substation Venables Close / Cranham Street, Jericho, Oxford OX2	Utility Sites	2,000.00
Electricity Substation btwn 34-36 Cranley Road, Headington, Oxford OX3 8BW	Utility Sites	4,000.00
Electricity Substation r/o 55 Croft Road, Headington, Oxford OX3 0JZ	Utility Sites	2,800.00
Electricity Substation adj garage block, Druce Way, Oxford OX4	Utility Sites	1,950.00
Electricity Substation adj 11 Edmund Road, Cowley, Oxford OX4 3EH	Utility Sites	1,800.00

Electricity Substation r/o 57 Fettiplace Road, Headington, Oxford OX3 9LL	Utility Sites	2,500.00	
Electricity Substation adj Bridge Stores, Meadow Lane, Oxford OX4	Utility Sites	2,635.00	
Electricity Substation adj 380 Iffley Road, Iffley, Oxford OX4 4AT	Utility Sites	3,900.00	
Electricity Substation adj 50 Leiden Road, Headington, Oxford OX3 8QS	Utility Sites	3,450.00	
Electricity Substation adj 11 Mather Road, Headington, Oxford OX3 9PQ	Utility Sites	3,450.00	
Electricity Substation adj 5 Overmead Green, Blackbird Leys, Oxford OX4 6DJ	Utility Sites	3,000.00	
Electricity Substation r/o 13-23 Pennywell Drive, Oxford OX2 8NB	Utility Sites	1,850.00	
Electricity Substation r/o 39-65 Preachers Lane, Oxford OX1 1RT	Utility Sites	4,850.00	
Electricity Substation r/o 25-47 St Nicholas Road, Littlemore, Oxford OX4 4PN	Utility Sites	1,850.00	
Electricity Substation r/o 2-12 Stockleys Road, Headington, Oxford OX3 9RH	Utility Sites	3,850.00	
Electricity Substation r/o 137 Divinity Road (adj Stone Street), Oxford OX4 1LW	Utility Sites	3,000.00	
Electricity Substation adj 1 Wilcote Road, Headington, Oxford OX3 9NG	Utility Sites	3,500.00	
Electricity Substation adj 32 Green Road, Headington, Oxford OX3	Utility Sites	2,800.00	
Electricity Substation r/o 36-38 Rivermead Road, Oxford OX4 4UE	Utility Sites	2,000.00	
Electricity Substation adj 232-236 Pegasus Road, Oxford OX4 6SZ	Utility Sites	2,500.00	
Electricity Substation btwn 3-5 Giles Road, Littlemore, Oxford OX4	Utility Sites	0.00	
Electricity Substation adj 14 Park Way, Old Marston, Oxford OX3 0QH	Utility Sites	0.00	
leasehold interest in flats at Southfield Park, Bartlemas Close, Oxford OX4	Other Housing	1.00	
Other Land & Buildings total NBV	Property		17,985,027.16
Surplus Assets			
disused Allotment Gardens, south of Horspath Road, Oxford OX4	Land	19,100.00	
Pump House (BT Kiosk) on Horspath Driftway, south of Brasenose Farm, Eastern By-Pass Road, Oxford OX4	Land & Structure	40,566.67	
West Hiill Farm, The Ridings, Headington, Oxford OX3	Land	240,000.00	
Brasenose Farm Office (depot), Brasenose Farm, Horspath Driftway, Oxford OX3	Land & Structure	98,724.00	
Oxford City Council Depot, South Park, Cheney Lane, Headington, Oxford OX3	Land & Structure	70,274.13	
Surplus Assets total NBV			468,664.80
Investment Property			
The Bullnose PH, Watlington Rd/Cuddesdon Way, Cowley, Oxford OX4 6SS	Land	40,000.00	
Investment Property total NBV			40,000.00

Service Properties transferred into the HRA

Flat 2 Bury Knowle House, North Place, Oxford OX3 9HY (service tenancy)

The Lodge, Headington Cemetery, Dunstan Road, Oxford OX3 9BY (staff house)

87 St Mary's Road, Oxford OX4 1QD (house)

The Lodge, South Park, Cheney Lane, Oxford OX3 7QJ (staff house)

land & building listed -44,200.00

land & building listed -186,534.00

land & building listed -120,555.00

land & building listed -211,500.00 -562,789.00

Total NBV at 31.03.2013**17,997,222.06**

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To: City Executive Board

Date: 11th September 2013

Report of: Service Manager of Regeneration & Major Projects

Title of Report: 15-19 GEORGE STREET – LEASE RESTRUCTURING FOR REDEVELOPMENT

Summary and Recommendations

Purpose of report:

To seek approval to the restructuring of the lease of the part basement and upper floors and roof of 15-19 George Street to facilitate a hotel development.

Key decision? No

Executive lead member: Councillor Ed Turner

Policy Framework: Vibrant and Sustainable Economy

Recommendation(s):

1. The Board is asked to approve the acceptance of a surrender of the existing Lease, together with the simultaneous grant of an Agreement for Lease, to be followed by a new Lease of the part basement and upper floors and roof of 15-19 George Street, for hotel development, on the terms and conditions attached in the Not for Publication Confidential Appendix 4 of this report, and otherwise on terms and conditions to be approved by the Service Manager of Regeneration and Major Projects.
2. Give authority to the Service Manager of Regeneration and Major Projects to vary the proposed terms as detailed herein in line with any further negotiation with the tenant provided the transaction continues to represent best consideration.

Appendix 1 – Plan of site

Appendix 2 - Risk Register

Appendix 3 – Confidential Not for Publication Appendix

Appendix 4 – Confidential Not for Publication Appendix

Appendix 5 – Confidential Not for Publication Appendix

Background

1. This report seeks approval for the restructuring of a lease of premises owned by Oxford City Council as shown on the plan attached at Appendix 1.
2. The property, comprising vacant office accommodation at first to third floors and part basement, is let on a lease, the terms of which are summarised in the Not For Publication Confidential Appendix 3.
3. The building also comprises 2 shops at ground floor and part basement which are separately let to third parties (trading as Cheltenham & Gloucester and La Baguette) and which do not form part of this transaction/development.
4. The original lease was granted with a view to the implementation of a hotel development, for which planning permission was originally obtained in 2006 and renewed by the current tenant in 2010. At that point, works to create a 27 room hotel with a gym at basement level and restaurant at rooftop was provided for within the lease. The premises are understood to have been vacant for some time prior to the grant of the lease in 2007.
5. In 2012 a further planning consent was obtained by the tenant which removed both the gym and restaurant elements from the scheme and increased the hotel content to 41 bedrooms.
6. In view of the fact that the new scheme could not be implemented without a variation of the lease, and the tenant could not obtain the necessary external funding for the scheme based on the current length of lease, officers have been in discussion with the tenant to find a way to resolve the impasse.
7. Both sides agree that the most mutually beneficial way to bring forward the scheme is to surrender the existing lease and grant an Agreement for Lease, under which the tenant will carry out the works, followed by the grant of a new full repairing Lease of the completed scheme.
8. The main terms of the Agreement for Lease and new Lease are set out in the Not For Publication Confidential Appendix 4. The structure of the transaction closely follows that recently completed with Sojourn Hotels at 20-24 St Michael's Street, which was let in the open market on an Agreement for Lease followed by a 125 year lease and which now operates as the Vanbrugh House Hotel.

9. Under the Agreement for Lease, the developer will be obliged to build out in accordance with detailed plans and specifications approved by the Council as landlord. There will be timescales built in and penalties in the event of delay to encourage the completion of works in a timely fashion. The new lease will only be granted upon practical completion of the works, adding further incentive to the tenant to fulfil the development obligations.
10. The tenant will pay a stepped rent during the first 5 years of the lease and then a rent based on the full open market value of the developed premises from the fifth year onwards with reviews 5 yearly thereafter.
11. This proposal will bring back into beneficial use premises in the heart of the City centre which have lain vacant and semi derelict for a number of years and which have been targeted by squatters. It will secure the development of a scheme for which planning consent exists and for which the tenant appears to have funding (in principle). The restructured lease will also bring clear financial benefit to the Council in terms of enhanced rental income stream in the medium and longer term, based on a better quality product.

Risk Implications

12. A risk assessment has been undertaken and the risk register is attached at Appendix 2

Environmental and climate change implications

13. None arising out of this report. Any issues in relation to the new hotel development itself will have been addressed as part of the planning process.

Equalities implications

14. None arising from this report.

Financial implications

15. A comparison of the rental income that is payable under the current lease as opposed to that which will be received following the proposed restructuring is included within The Not For Publication Confidential Appendix 5.
16. Given the overall circumstances, the agreed terms represent best consideration to the Council and are recommended for acceptance accordingly.
17. The tenant will pay the Council's reasonable legal and surveying fees incurred in the overall transaction, up to a maximum of £12,000 including VAT.

Legal Implications

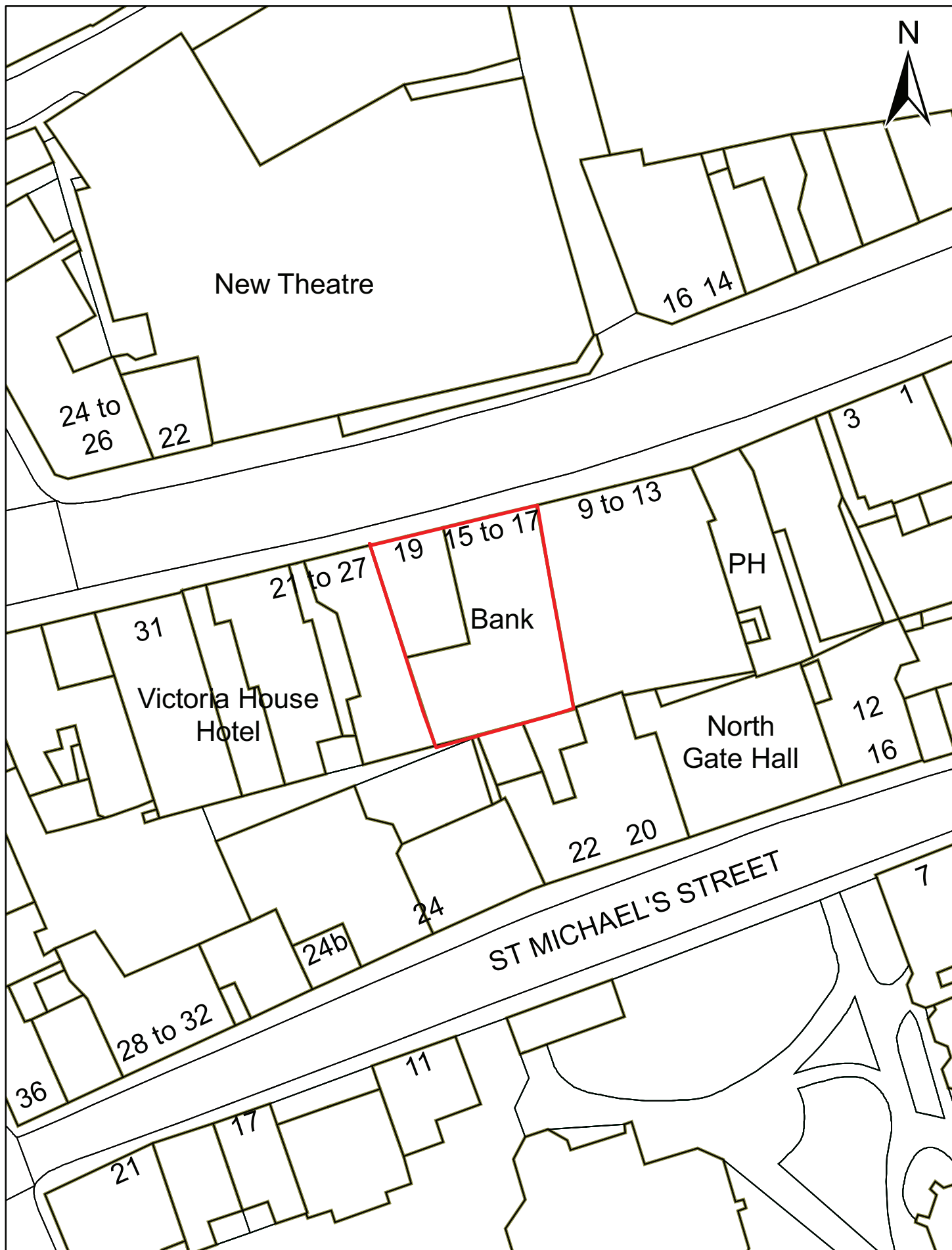
18. The transaction is consistent with the provisions of s123 of the Local Government Act 1972 which require the Council to receive best consideration. The terms of the lease restructuring have been fully negotiated with the existing tenant.

Name and contact details of author:-

Name	Lucy Darnell
Job title	Senior Estates Surveyor
Service Area / Department	Regeneration & Major Projects
Tel: 01865 252137 e-mail:	ldarnell@oxford.gov.uk

List of background papers: None

Version number: 1



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Appendix 2 CEB Report Risk Register – Approval to restructure lease of 15-19 George Street, Oxford

Risk Score **Impact Score:** 1 = Insignificant; 2 = Minor; 3 = Moderate; 4 = Major; 5 = Catastrophic
Probability Score: 1 = Rare; 2 = Unlikely; 3 = Possible; 4 = Likely; 5 = Almost Certain

No.	Risk Description Link to Corporate Objectives	Gross Risk		Cause of Risk	Mitigation	Net Risk		Further Management of Risk: Transfer/Accept/Reduce/Avoid		Monitoring Effectiveness				Current Risk	
		I	P			I	P								
1.	Negotiations fail with the Tenant	4	4	Tenant/OCC fails to agree terms of legal documentation.	Mitigating Control: Detailed heads of terms already agreed with the tenant set out the agreement to be documented.	3	2	Action: Ongoing contact throughout process to ensure productive negotiations. Action Owner: Lucy Darnell	Outcome Required: Successful completion of documentation. Milestone Date: September 2013						
2	Negotiations fail with proposed Tenant	3	3	Council is unable to approve the detail of the proposed works	Mitigating Control: Close contact during process to ensure Council requirements are met.	2	2	Action: Liaise with tenant to overcome any issues which may arise Action Owner Lucy Darnell/Paul Atkins	Outcome Required: No issues arise and works are approved. Milestone Date September 2013						
3.	Negotiations fail with proposed Tenant	4	3	Tenant unable to secure external funding.	Mitigating Control: Tenant confirmed already in discussions with funders.	3	2	Action: Close contact between tenant and Council to ensure lease is fundable. Proof of funding to be provided before documentation completes Action Owner: Lucy Darnell	Outcome Required: Tenant secures funding Milestone Date: September 2013						

To: City Executive Board

Date: 11th September 2013

Report of: Head of Housing and Property
Service Manager Regeneration & Major Projects

Title of Report: COMPULSORY PURCHASE ORDER - LANHAM WAY,
LITTLEMORE, OXFORD

Summary and Recommendations

Purpose of report: To obtain approval to initiate compulsory purchase proceedings in relation to a long term empty property.

Key decision: No

Executive lead member: Councillor Scott Seamons

Policy Framework: Meeting Housing Needs

Recommendations: That the City Executive Board:

1. Authorise the Head of Housing and Property, in consultation with the Head of Law and Governance, the Head of Finance and the Regeneration and Major Projects Service Manager, to initiate compulsory purchase proceedings to acquire all interests in the property situated in Lanham Way;
2. Authorise the Head of Law and Governance take all necessary steps to secure the making, confirmation and implementation of the Compulsory Purchase Order pursuant to section 226(1)(a) of the Town and Country Planning Act 1990 including the publication and service of all notices and the presentation of the Council's case at any public inquiry;
3. Authorise the Service Manager of Regeneration and Major Projects to take all necessary action to acquire and obtain possession of the property either compulsorily or by agreement and to negotiate and agree all matters relating to compensation payments;
4. Authorise the Manager of Regeneration and Major Projects to dispose of the property in accordance with the Disposal Options set out in this report;

- | |
|--|
| 5. Recommend to Council that provision is made in the 2013/14 budget for the Compulsory Purchase of the property as detailed in the confidential appendices. |
|--|

Appendices

- A Site Plan - **Exempt from Publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972**
- B Potential Cost of CPO process - **Exempt from Publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972**
- C Risk register
- D CPO Process

Executive Summary

1. This report seeks authorisation to initiate compulsory purchase proceedings in relation to an empty dwelling situated on Lanham Way, Littlemore, Oxford, which has been unoccupied for approximately 10 years.
2. The aim of the Council's Empty Homes Strategy 2013-2018 is to encourage and persuade owners of empty properties to satisfactorily renovate them to facilitate re-occupation. Such actions help eliminate environmental nuisance and make a contribution towards meeting housing need in the City.
3. In the absence of an acceptable response and where there is a compelling case in the public interest the Council may ultimately use its compulsory purchase powers to ensure that this aim is achieved.
4. There are a number of disposal options available ranging from disposal as a single dwelling to forming part of a larger affordable homes scheme in partnership with a Registered Provider. These options will be explored fully if approval is forthcoming.
5. A budget will need to be allocated to cover the potential funds associated with this action and the cost envelope.

Background

6. The property was built around 1960 on a 630m² site accessed via Sandford Road, Littlemore. Lanham Way is predominantly a residential area which also leads to a County Council Depot and John Henry Newman secondary school. See site plan Appendix A.
7. Records held by Council Tax indicate that the property has been empty for approximately 10 years. The property is in a dilapidated condition and has been a target for vandalism. The dwelling was subsequently boarded up by the owner in May 2011.
8. The Subject property first came to the attention of the Council in 2005 when a complaint from a neighbour was received by Environmental

Health concerning the condition of the property and that rats had been seen coming from the garden. The owner and her attorney assured Officers on numerous occasions that the property would be renovated, adapted for the owner's use, transferred to another person or placed on the market for disposal.

9. Unfortunately none of the promised actions have materialised and the property remains unoccupied and in a state of dereliction. The property is now the subject of a Prohibition Notice under Sec.20 Housing Act 2004 which prevents the owner from occupying the premises until certain works are undertaken.
10. A letter has been sent by Oxford City Council to the owner and her attorney offering to purchase the property. There has been correspondence, but no response in respect of this offer.
11. In October 2012 the Council's dealings with the owner and her attorney became the subject of an Ombudsman inquiry. In February 2013 the Ombudsman's Final decision found in favour of the Council. The decision acknowledged the Council's efforts to encourage the owner and her attorney to bring the property back into use voluntarily and that through its Empty Property Strategy it is committed to ensuring empty dwellings are brought back into use.
12. The refreshed Empty Property Strategy 2013-2018 was approved at the March 2013 CEB meeting. Within the strategy there is particular emphasis on the use of Compulsory Purchase Powers to ensure properties like the subject property are brought back into use.
13. The site of the subject property is adjacent to a proposed Housing Association development site. There is an opportunity to consider combining sites to make more efficient use of the land for affordable home provision. The Housing Association have indicated a willingness to work with the Council and are currently undertaking a feasibility study. If there is the potential for a viable joint scheme involving land assembly then this option would be pursued further.

Supporting Information

14. Housing shortages and increasing housing needs are problems both nationally and within Oxford City. The Council currently has over 5,000 households on its housing register.
15. Central Government is keen, with cross party agreement, that individual Local Authorities take strides to ensure the wasted asset of Empty Homes are returned to the useful housing stock. The Government expects all authorities to have its own Empty Property Strategy.
16. CEB on 22 March 2013 approved the Council's Empty Homes Strategy. This Strategy promotes the use of compulsory purchase powers in respect of long term empty properties and accords with the recommendations of The National Policy Planning Framework 2012.

17. The subject property not only represents a waste of a potentially good home but anti-social and criminal activities have necessitated attendance by the police. There are also associated health and safety risks to officers visiting the property and the general public.
18. Compulsory Purchase is considered a last resort. In the public interest it now remains the only reasonable path available to ensure re-occupation of the building or for the land to be used for housing.
19. Experience by other Local Authorities of the CPO process shows that there is the possibility of owners undertaking sufficient works to halt the process. The Council's view is that once Compulsory Purchase Order proceedings are instigated, even if progress by the owner becomes evident, it is likely to want to continue in order to assemble the site for further housing development. The Council will make provision for the cost of continuing with the procedure and eventually taking possession, disposal and compensation. Costs can be mitigated in part by the income generated by the actions of the Empty Property Officer/Team.

Options

20. Do nothing

This is not considered an appropriate option. The property would continue to attract ant-social behaviour and remain a waste of potentially good housing accommodation. The continued absence of maintenance and proper management would allow it to become an increasing environmental blight on the neighbourhood.

21. Enforced sale

The Law of Property Act 1925 empowers a local authority to enforce the sale of a property where it holds a Local Land Charge against it. The Council has previously been proactive in the enforced sale procedure but in this instance no debt has been incurred or is likely to be.

22. Empty Dwelling Management Orders

Local Authorities can consider making Empty Dwelling Management Orders (EDMO) under the Housing Act 2004 to address the improvement and future use of empty dwellings. The maximum period for an EDMO is 7 years. An EDMO is not considered appropriate in this case as the anticipated costs of the required works exceed what could be recovered through rental income over 7 years.

23. Other Enforcement Powers

Various legal powers are available to a local authority to improve the condition of a neglected building, to deal with structural danger, nuisance or other environmental problems. These measures can only be viewed as piecemeal, reactive and relatively expensive short term approaches and do not provide the long term solution presented by the report proposal. A Prohibition Notice under the Housing Act 2004 has already

been served. Further measures are not considered appropriate to this case.

24. A voluntary sale

A voluntary way forward is always the preferred option. It is clear in this instance that the Council has gone to great lengths to encourage and support the owner to deal with the situation. As previously mentioned the Council has offered to purchase the property. It is also known that a builder has offered to purchase the property directly from the owner.

25. Compulsory Purchase Order

The most appropriate way of securing continued housing use for this site is by the making of a Compulsory Purchase Order. The property will be subsequently acquired by the Council and then disposed of for renovation/ redevelopment, or sold to a Registered Provider (RP) with a view to developing the site for further housing provision. This is the recommended option.

Disposal Options

26. Under s123 of the Local Government Act 1972, the Council is required to obtain the best price possible if it disposes of any interest in land.

27. Where it proves necessary for the Council to compulsorily acquire a house there are a number of options available to then deal with it. These include the following:

28. Disposal of the property at auction or on the open market

The Council would seek to sell the property as soon as reasonably practicable after its acquisition. The sale value would be expected to represent the market value, and this would be the sum expected to be paid in the compensation claim to the owner. This is an option for the Council should the preferred option not be pursued.

29. Property is retained by the Council

The Council could seek to retain the property as Council housing stock, or redevelop it itself for housing.

30. Sale of the property to an RP for housing development

The A2Dominion Group (a Registered Provider) is negotiating the sale of an adjacent site (a former County depot) for housing development. Three way discussions have taken place between Oxford City Council, Oxfordshire County Council, and A2Dominion in respect of the potential to combine the two sites. This will provide vehicular access to the Lanham Way plot, being considered for CPO. This is necessary for future development, and may enable the provision of 2-6 units of social housing. The A2Dominion Group would be expected to compensate the Council for all the costs of assembling this site in addition to the agreed

site value. The owner will receive the site value in the compensation claim. This is the preferred option as it is cost neutral for the Council and provides for the best long term use of the site, in accordance with the Council's objectives.

Equalities Implications

31. Not applicable as no adverse impacts are predicated.

Environmental Impact

32. The implementation of the Empty Property Strategy will result in a positive environmental impact due to reducing the number of empty properties that cause nuisance to neighbourhoods and attract anti-social behaviour. Ensuring previously empty properties and derelict land are brought back into productive use has a positive impact on Oxford City regeneration

Financial Implications

33. A guide to the potential cost of a CPO for an individual property is listed as Appendix B. An indicative valuation for the subject property is also included within this cost guide. The appendix presents costs of various options relating to the CPO process. This appendix is excluded from publication as it contains commercially sensitive information.
34. Currently, this scheme is not included in the Council's 2013/14 approved capital programme. As such CEB, as per the Council's financial regulations, are advised to request that full Council approves the inclusion of this project within the 2013/14 Capital Programme. The overall impact on capital budgets will be neutral.
35. Revenue costs are also required – detailed in Appendix B. These could range from being cost neutral (under the preferred disposal model) to a maximum amount of £50,000 should a CPO be obtained through the Public Inquiry route, with all possible compensations having to be paid. Costs can be contained within existing Housing and Property budget provision. For non-housing disposals there is a cap of 4% of the capital receipt being available for funding disposal costs. Therefore with a market value disposal of £350k, up to £14k of disposal costs may be funded out of the capital receipt with the remainder of the cost being financed from revenue.
36. In addition to bringing much needed accommodation back into use within the city the Councils Empty Homes Strategy has a positive financial effect on the council by:
- Increasing council tax income
 - Increasing the amount of New Homes Bonus

Presently the subject property is exempt from Council Tax following a prohibition notice (Housing Act 2004) having been served in July 2013, prohibiting occupation until necessary works are completed as detailed in the notice.

The property falls within Band E, equivalent to £1760.56 per annum. New homes bonus matches that of the yearly council tax value of a property and is paid over a six year period.

Calculation for the Council Tax value of the property in respect of the New Homes Bonus is;

- $1760.56 \times 6 = £10,563$ New Homes Bonus

In addition should the property be brought back into use Council Tax income would be £1760.56 per annum. The combined Council Tax and New Homes Bonus income over a 6 year period for the property would be £21.126

If additional housing arises from development of the site, further New Homes Bonus would be paid.

- For example, taking an average Council Tax Band D £1439.33 over a 6 year period = £8,635.98 per unit.

37. Officers have identified a number of similar properties within the City where the CPO option is believed to be the best option and as such a capital bid for the 2014/15 capital programme, to be considered by Members as part of the forthcoming budget exercise, will be prepared for discussion. The Empty Homes Strategy promotes the use of Compulsory Purchase Order (CPO) powers on a program of appropriate empty homes. Such a program would be linked to the resale of acquired property and balanced within a budget tolerance. If progressed, such a program would be the subject of a separate report with a recommendation to Council for an appropriate budget approval.

Risk Assessment

38. A risk assessment has been undertaken and the risk register is attached at Appendix C. All risks have been mitigated to an acceptable level.

39. Barriers to obtaining a CPO:

<i>Risk</i>	<i>Mitigation</i>
Works are undertaken to bring the property to an acceptable standard (as per the Prohibition Notice) and the property is re-occupied	The Council intends to pursue the CPO for the purposes of disrepair/ empty homes, and also for site assembly for a housing development. Although the initial purpose of taking enforcement action was to bring the property back into use, at this stage, the approach outlined is considered reasonable
The Secretary of State refuses to grant a CPO	This risk is considered low if the Council follows all due process, however, in the event that this occurs,

	the estimated maximum Council financial loss that could be expected is under £20,000 and this is provided for in budget provision. Generally cost estimates have been set at the maximum expected value.
That the property valuations exceed the capital provision in this report	High valuations have been used as the basis for financial considerations in this report to mitigate this risk.

40. Barriers to disposing of the site (after acquisition) to A2Dominion:

<i>Risk</i>	<i>Mitigation</i>
A2Dominion are unable to enter into agreement as they consider the development to be unviable	This risk is considered low and full plans have been developed for the combined site, however legal agreement still needs to be reached with the County Council and access issues need to be fully resolved
Planning constraints limit the use of the site for housing development	This risk is considered low. Consideration must be given by the developer to existing trees on the site. Dialogue with planners has already happened to take this forward.

Legal Implications

41. The Council has the power under s226 (1) (a) of the Town and Country Planning Act 1990 to acquire land and buildings to secure their improvement, development or redevelopment, provided that this will bring about environmental, economic or social benefits. The property in its current state is in need of improvement and it may be required for the purpose of a larger redevelopment scheme. If the property is brought back into residential use, or is part of a housing development scheme, this will bring environmental and social benefits to the area (and possibly economic benefits too). The main supporting legislation includes the Acquisition of Land Act 1981 (compulsory purchase procedure), the Compulsory Purchase Act 1965 (post confirmation procedure) and the Land Compensation Act 1961 (amount and assessment of compensation). Appendix D shows the process that needs to be followed for a CPO. The test the Secretary of State applies in deciding if a CPO should be confirmed is that of a compelling case in the public interest. It is considered that such a case is made out here. A CPO interferes with the human rights of the landowner. However if the “compelling case” test is met, so too will interference with human rights be considered to be proportionate.
42. The Compulsory Purchase Order must be advertised locally and copies served on all owners and qualifying parties. An objection can be raised

by any statutory objector during the stipulated period. If such an objection is received and not withdrawn during the stipulated period the Secretary of State may cause a public local inquiry to be held. This affords the objector an opportunity to be heard and appear before a person appointed by the Secretary of State.

43. Alternatively the objector may opt for the written representations procedure. The Secretary of State would then consider his findings before determining whether or not to confirm, quash or modify the Order.
44. In the event that there is no objection, the Secretary of State may, in certain circumstances, permit the Council to confirm the Order. The confirmation of the Order may be challenged on a point of law within 6 weeks of the publication of such confirmation. Any dispute as to the amount of compensation to be paid is referred for determination by the Upper Tribunal (Lands Chamber).
45. The Council is obliged to act in a way which is compatible with the European Convention on Human Rights. A number of other local authorities regularly utilise their CPO powers in a similar fashion and the issue has been extensively tested through the courts.

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Background papers:

None

Appendix C CEB Report Risk Register Compulsory Purchase

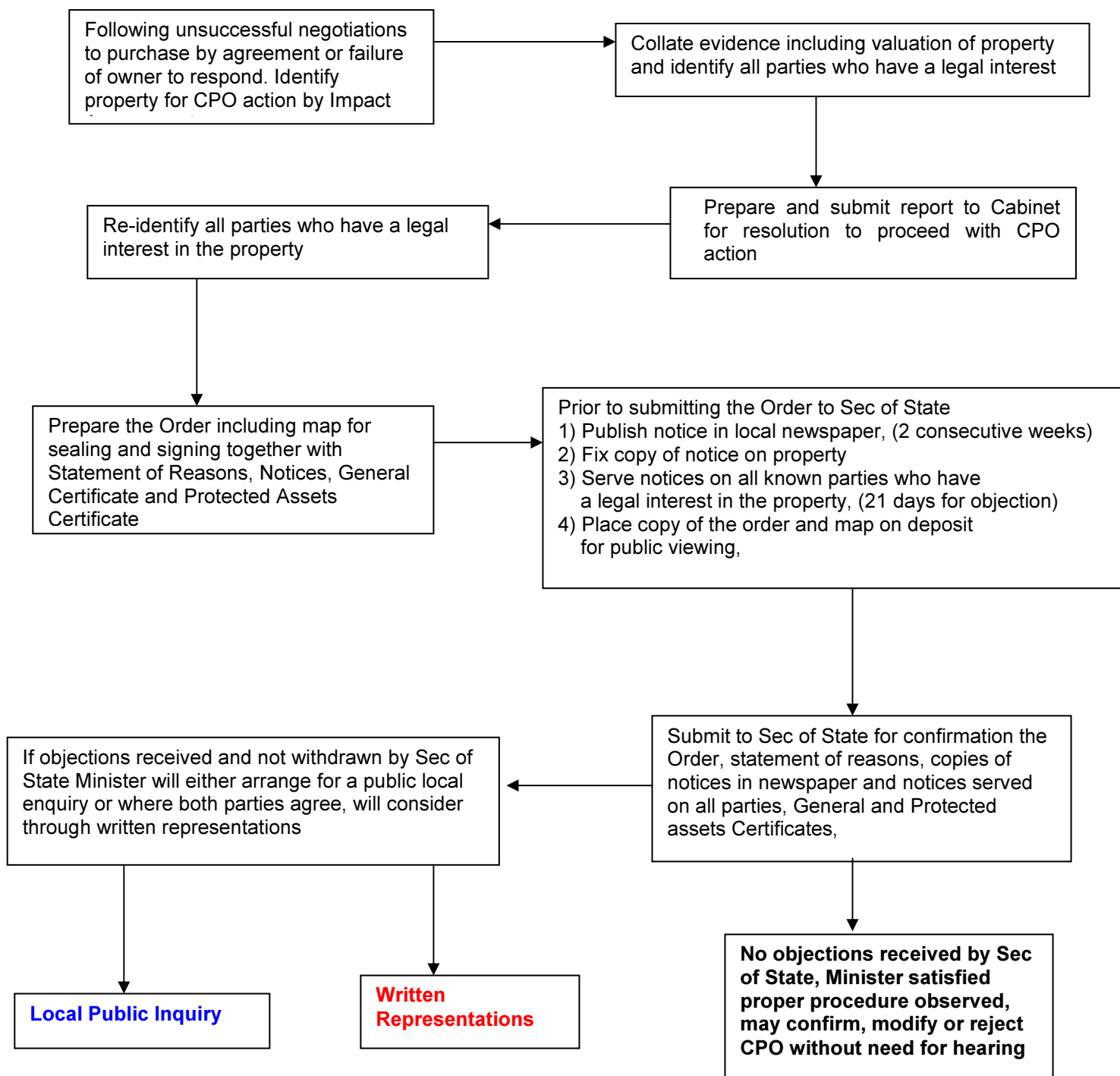
Risk Score **Impact Score:** 1 =Insignificant; 2 = Minor; 3 = Moderate; 4 = Major; 5 = Catastrophic **Probability Score:** 1 = Rare; 2 = Unlikely; 3 = Possible; 4 = Likely; 5 = Almost Certain

No.	Risk Description Link to Corporate Obj	Gross Risk		Cause of Risk	Mitigation	Net Risk		Further Management of Risk: Transfer/Accept/Reduce/Avoid		Monitoring Effectiveness				Current Risk	
		I	P			I	P	Action: Action Owner: Mitigating Control: Control Owner:	Outcome required: Milestone Date:	Q 1 ⊗ ⊖ ⊙	Q 2 ⊗ ⊖ ⊙	Q 3 ⊗ ⊖ ⊙	Q 4 ⊗ ⊖ ⊙	I	P
1	Financial Costs	2	1	Cost incurred as a result of Compulsory purchase process. Abortive costs if CPO application rejected. Rapid movement in housing prices.	Mitigating Control: Early and full involvement of Legal. Sound justification for taking formal action. Level of Effectiveness: Swift turnaround and disposal of property			Action: Regular and full involvement with legal, services, incl external advocacy. Action Owner: Empty Property Officer Mitigating Control: Regular meetings with legal, finance, Regen & Major Projects. Control Owner: Empty Property Officer	Outcome required: Cost effectiveness Milestone Date: Throughout the CPO process. The successful use of an empty dwelling and its land for the purpose of housing provision within the City.						
2	CPO request denied			An objector raises issues that persuade the Secretary of State to reject or modify the Order Owner fully complies with works detailed in Prohibition Notice	The adherence to the correct procedures and adoption of best practice at all stages. Owner has track record on non-compliance but would rely on SoS being persuaded by submission.			Close liaison with Legal Services or consultants at all stages. Control Owner EPO for EHS element and SAM for CPO element.	SoS grants CPO.						
3	Adverse Publicity			Use of formal action to bring about the re-occupation/use of an empty property and associated land.	Mitigating Control: Provide transparent and clear explanation of the reasons for taking formal action. Encourage positive press through contact with local media. Level of Effectiveness: H			Action: Regular updates provided to media on empty properties brought back into use and action taken to bring them back into use. Action Owner: Empty Property Officer Mitigating Control: Working with press office. Control Owner: EP Officer.	Outcome required: Positive Press Milestone Date: As appropriate.						

4	No Sale/Delayed Sale			Market conditions become depressed. Availability of finance restricted. Sale to A2Dominon does not occur.	Mitigating Control Close and effective working relationship with the City Council's Legal, Regeneration and Major Projects and Finance officers. Any such costs can be contained within budgets		Action/Mitigating Control Regular meetings with legal services, finance, Regeneration and Major Projects Service. Control Owner: Senior Asset Manager.	Timely disposal of the property.						

Appendix D

COMPULSORY PURCHASE PROCESS



To: City Executive Board

Date: 11 September 2013

Report of: Head of Environmental Development

Title of Report: STATEMENT OF GAMBLING LICENSING POLICY

Summary and Recommendations

Purpose of report: To consider the recommendation of the Licensing and Gambling Acts Committee of 5th September 2013 in relation to the Draft Revised Statement of Gambling Licensing Policy.

Key decision: Yes

Policy Framework: Statement of Gambling Licensing Policy

Recommendation(s):

The Board is recommended to:

(i) approve the recommendation of the Licensing and Gambling Acts Committee that the Draft Revised Statement of Gambling Licensing Policy be recommended to Council for adoption.

Appendix One: Recommended amendments and additions to the existing Statement of Gambling Licensing Policy

Appendix Two: Revised draft Statement of Gambling Licensing Policy

Appendix Three: "No Casino" Briefing Note

Appendix Four: Response to consultation

Appendix Five: Risk Register

Appendix Six: Equalities Impact Assessment

Introduction

1. On 5th September 2013, the Licensing and Gambling Acts Committee is being recommended :-
 - a) For the purpose of adopting a new policy confirm that the “No Casino” resolution remains;
 - b) To recommend the Board to recommend Council to adopt the Draft Revised Statement of Gambling Licensing Policy

Background

2. The Board is reminded that all Licensing Authorities have adopted a Statement of Gambling Licensing Policy. This Statement must promote the three licensing objectives of the Gambling Act 2005 (the 2005 Act), which are:
 - Preventing gambling from being a source of crime and disorder
 - Ensuring that gambling is conducted in a fair and open way
 - Protecting children and vulnerable persons from being harmed or exploited by gambling
3. The Council is obliged to determine and publish the "Statement of Gambling Licensing Policy" and to keep it under review, and to renew the Policy at least every three years. In preparing the Statement, Licensing Authorities must follow the procedure set out in the 2005 Act, including who should be consulted. The current policy now requires renewal and therefore the Board is requested to review the proposed new Policy.
4. The Statement of Gambling Licensing Policy sets out how the Licensing Authority intends to exercise its functions under the 2005 Act.
5. A Summary of the Policy changes is attached at **Appendix One**, and the Draft Revised Policy is attached at **Appendix Two**.

No Casino Resolution

6. On 20th November 2006 following a recommendation by the Licensing and Gambling Acts Committee, Council passed a ‘No Casino’ resolution (in accordance with S.166 of the Gambling Act 2005). This had the effect that the Licensing Authority will not consider any application for a casino premises licence. Any application received will be returned with a notification that a 'no-casino' resolution is in place.
7. The 'no casino' resolution lapsed in November 2012 and currently has no effect. A new resolution can be made at any time in the context of reviewing the Council's Statement of Gambling Licensing Policy.
8. A Briefing Note was provided to Members of the Licensing and Gambling Acts Committee informing them that the Council would not be eligible for any casino to be sited in Oxford due to the current legislation regarding such issues.
9. Therefore in light of the legislative position of the Gambling Act 2005 the Committee resolved to maintain the “No Casino” resolution and review the matter should the

legislation change in the future. A copy of the Briefing Note is attached at **Appendix Three**.

Consultation on the Draft Revised Statement of Gambling Licensing Policy

10. The consultation on the revised Statement of Gambling Licensing Policy was held from 1st May 2013 until 12th June 2013 and was made available to the following groups for consideration:
 - Members of the public;
 - Responsible Authorities (Police, Fire and Rescue, Trading Standards, Planning, Environmental Protection, Child Protection, Health & Safety); and
 - Current licence holders and representatives of current licence holders.
11. One response was received to the consultation, and is attached at **Appendix Four**. The respondent comments that Oxford requires a casino. Board Members are referred back to the Briefing Note that deals with this matter.

Consultation Timetable

12. The proposed consultation timetable is as follows:
 - 11th September 2013: report to City Executive Board to consider the decision of the Licensing and Gambling Acts Committee approval of the final Statement of Gambling Licensing Policy.
 - 30th September 2013: Licensing and Gambling Acts Committee's recommendation to Full Council for adoption of the final Statement of Gambling Licensing Policy.

Level of Risk

13. A Risk Register is attached at **Appendix Five**.

Environmental Impact

14. The Statement of Gambling Licensing Policy is a mandatory requirement of the Licensing Authority in relation to its functions in accordance with the Gambling Act 2005.

Equalities Impact

15. An initial Equalities Impact Assessment is attached at **Appendix Six**.

Financial Implications

16. Any financial implications regarding this matter are covered within existing Licensing Authority budgets.

Legal Implications

17. Any legal implications regarding this matter are covered within the Gambling Act 2005.

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Tel: 01865 252831 e-mail: jalison@oxford.gov.uk

List of background papers: None**Version number: 1.0**

Appendix One

Proposed Changes	Page(s)	Comments
Contents	i	Amendments to Appendices
Consultation Period	2	To be updated following consultation
Effective period	3	Amended to reflect the period the revised policy will be in force for
Appendix 3 – 3.1	29	Amendment - Change to Maximum Stakes permitted for B3 machines
Appendix 3 – 3.2	30	Addition – Gaming Machines Permitted Numbers – update of information following release of update Guidance
Appendix 4	31	Addition – Gaming Entitlements for Clubs and Alcohol Licensed Premises - amended Guidance information
Appendix 5	32	Amendment – Update of addresses of Responsible Authorities

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BUILDING PRIDE IN OUR CITY**Licensing Authority**www.oxford.gov.uk

Statement of Gambling Licensing Policy

Gambling Act 2005

This Statement of Gambling Licensing Policy has been drafted at a time when a number of regulations, Operating Licence conditions, Personal Licence conditions, Codes of Practice and guidance are not yet published.

It will need to be borne in mind that the need to take account of such later publications might have a bearing upon the application of the content of this document

This statement will apply from February 2013
until February 2016

Contact details for licensing under the Gambling Act 2005 ...
(in the Oxford City Council area)

Write to: The Licensing Authority
Oxford City Council
St. Aldates Chambers
109 St. Aldates
OXFORD
OX1 1DS

email: licensing@oxford.gov.uk

phone: 01865 252565

fax: 01865 252344

You can also find much information and links to other sources of information on Oxford City Council's website: <http://www.oxford.gov.uk>

This document remains valid for three years, during which the Council is likely to amend its website. So, rather than providing a direct link to "gambling", we suggest either looking for links for "licensing" then "gambling", or using the website's "A-Z" search function.

	Date	Areas of revision
First published:	02 Jan 2007	-----
Corrections:	26 Mar 2007	p.14 Textual amendments p. 27 Update to Gaming machine table p. 30 Update HMCE contact details
Revised:	17 Nov 2009	Update on legislation
Revised:	TBA	Update on legislation
Revised:		
Revised:		
Revised:		

Acknowledgements...

... to LACORS and colleagues in other licensing authorities for template documents.

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PART A: GENERAL MATTERS

1. The licensing objectives

The licensing objectives of the Gambling Act 2005 are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

The Licensing Authority must have regard to these licensing objectives in exercising most of its functions under the 2005 Act.

2. The Licensing Authority

The Gambling Act 2005 has made Oxford City Council the Licensing Authority for its district. From 31 January 2007 the Council is responsible for granting premises licences for:

- Betting premises, including tracks;
- Adult Gaming Centres;
- Family Entertainment Centres;
- Bingo premises; and
- Casino premises.

3. The Oxford City Council area

Oxford City Council is one of the five district councils of Oxfordshire. The City of Oxford has a population of 149,800 (2008 mid-year estimate) in an area of 4,566 ha (17.6 square miles). A significant proportion of the land area within the city boundary is rural, with the population concentrated in the urban parts. The district is shown on the map in Appendix 1.

Oxford is one of the principal entertainment centres for Oxfordshire, however local road, bus and rail links foster a wider catchment area than this and also enable Oxford residents to use centres outside the county boundary, such as Aylesbury, Reading, Swindon and Newbury. Oxford residents also have reasonable access to the facilities offered by Bristol, London, Birmingham or Southampton.

Although Oxford is generally affluent, some of its wards are ranked amongst those of highest multiple-deprivation in the country.

4. Glossary of terms

Within this Statement of Gambling Licensing Policy, the following words and terms are defined as stated:

Council	Oxford City Council
GC Guidance	The Gambling Commission's "Guidance to Licensing Authorities" under section 252(2)
Licensing Authority	Oxford City Council

The 2005 Act	The Gambling Act 2005
The 2003 Act	The Licensing Act 2003
LACORS	Local Authorities Co-ordinators of Regulatory Services

5. This Statement of Gambling Licensing Policy

The 2005 Act requires the Council to prepare and publish a statement of the principles that the Licensing Authority proposes to apply in exercising their functions under the 2005 Act before each successive period of three years.

In preparing this Statement of Gambling Licensing Policy, the Council has had regard to the licensing objectives and the Guidance issued by the Gambling Commission.

In determining the Statement of Gambling Licensing Policy, the Council had regard to the licensing objectives and the Guidance issued by the Gambling Commission up to September 2012 and had due regard to comments received as a result of the consultation process.

This statement must be reviewed from “time to time” and any revisions must be published before they take effect. The 2005 Act requires each Licensing Authority to consult the following parties when preparing a new statement or revision...

- The Chief Officer of Police.
- One or more persons who appear to the Licensing Authority to represent the interests of persons carrying on gambling businesses in the Licensing Authority’s area.
- One or more persons who appear to the Licensing Authority to represent the interests of persons who are likely to be affected by the exercise of the Licensing Authority’s functions under the 2005 Act.

Before finalising and publishing this policy statement, the Council consulted the following ...

- Thames Valley Police
- The Oxfordshire Safeguarding Children Board
- The management of all premises in Oxford with Gambling Premises Licences
- Gaming & Betting Organisations

The list of comments made and the consideration by the Council of those comments is available from the Licensing Authority or from the Council’s website (see inside front cover for contact details).

Consultation took place from TBA

The Licensing Authority followed the Revised Code of Practice (which came into effect in April 2004) and the Cabinet Office Guidance on consultations by the public sector.

The policy was approved at the meeting of Oxford City Council on 12 October 2009 .

If you have any comments about this Statement of Gambling Licensing Policy, please write to the Licensing Authority (details inside front cover).

6. Effective period

This Statement of Gambling Licensing Policy becomes effective on 1st February 2013.

It will remain effective for three years (or any longer period in accordance with the 2005 Act) although the Council may adopt revisions within that period.

At the date of publication, this licensing policy is expected to last until 31st January 2016.

7. Functions of the Licensing Authority

7.1 Functions

The 2005 Act gives Licensing Authorities the following functions...

- Licensing premises where gambling activities are to take place by issuing Premises Licences
- Issuing Provisional Statements
- Regulating members' clubs and miners' welfare institutes who wish to undertake certain gaming activities, by issuing Club Gaming Permits and/or Club Machine Permits
- Issuing Club Machine Permits to Commercial Clubs
- Granting permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres
- Receiving notifications of the use of two or fewer gaming machines, from premises licensed (under the 2003 Act) to sell/supply of alcohol (for consumption on the premises other than with a meal).
- Issuing Licensed Premises Gaming Machine Permits where more than two machines are required for premises licensed (under the 2003 Act) to sell/supply alcohol (for consumption on the premises other than with a meal).
- Issuing Prize Gaming Permits
- Receiving and endorsing Temporary Use Notices
- Receiving Occasional Use Notices
- Providing information to the Gambling Commission on details of licences issued (see section above on 'information exchange')
- Maintaining registers of permits and licences issued under these functions.

7.2 Delegation of functions

The 2005 Act (s154) delegates most licensing functions to the licensing committee, which can then further delegate to its sub-committees or to officers. Appendix 2 lists the lowest level to which decisions can be delegated.

From time-to-time the Licensing Authority may change the levels to which its decisions are actually delegated.

8. Functions of others

Under the 2005 Act, the role of the Gambling Commission includes the following matters, which are therefore not the responsibility of the Licensing Authority...

- Issuing and enforcing Operating Licences.
Operating Licences are required by organisations providing casinos, remote gambling, bingo, lotteries, facilities for betting and providing gaming machines etc. (There are exceptions within some of these categories.)
- Issuing and enforcing Personal Licences.
For each Operating Licence there must be at least one person who both occupies a specified management office in connection with that licence and holds a Personal Licence. Conditions may require more than one such person to hold a Personal Licence.

Conditions may also require persons performing specified operational functions to each hold a Personal Licence.
- Ensuring compliance by manufacturers, suppliers and repairers of gaming machines.

The Financial Services Authority regulates spread betting and the National Lottery Commission regulates the National Lottery under separate legislation.

9. General principles

This Statement of Gambling Licensing Policy will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each matter will be considered on its own merits and according to the statutory requirements of the 2005 Act.

10. Responsible Authorities

Appendix 3 lists provides details for all the Responsible Authorities under the 2005 Act that have a role in the Licensing Authority's area.

The latest version of those details can be found on the Council's website, and the Licensing Authority will also provide this information in printed form on request. (see details inside front cover)

The Licensing Authority designates the Oxfordshire Safeguarding Children Board as the body that is competent to advise the authority about the protection of children from harm.

The principles on which it based this decision are the need for the body to:

- have broad experience of children's issues;
- be responsible for an area covering the whole of the Licensing Authority's area; and
- be answerable to democratically elected persons, rather than to any particular vested interest group. (The Licensing Authority notes that that body reserves the right to hold those persons to account on children's issues.)

11. Interested parties

Interested parties can make representations about licence applications, or apply for a review of an existing licence. However, the Licensing Authority has powers under the 2005 Act to determine whether a person is an interested party.

In doing so, the Licensing Authority will decide each case on its merits, based upon the following principles:

“a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the applications is made, the person-

(a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,

(b) has business interests that might be affected by the authorised activities, or

(c) represents persons who satisfy paragraph (a) or (b)” (2005 Act s.158)

11.1 Proximity to premises

In accordance with GC Guidance, when determining what “sufficiently close to the premises” means the Licensing Authority may include consideration of:

- *“the size of the premises;*
- *the nature of the premises;*
- *the distance of the premises from the location of the person making the representation;*
- *the potential impact of the premises (number of customers, routes likely to be taken by those visiting the establishment); and*
- *the circumstances of the complainant. This is not the personal characteristics of the complainant, but the interests of the complainant which may be relevant to the distance from the premises. For example, it could be reasonable for an authority to conclude that “sufficiently close to be likely to be affected” could have a different meaning for (a) a private resident (b) a residential school for children with truanting problems and (c) a residential hostel for vulnerable adults.” {GCG 8.14}*

The Licensing Authority will not generally view trade associations and trade unions, and residents’ and tenants’ associations as interested parties unless they have a member who lives sufficiently close to the premises to be classed as one.

11.2 ‘Business interests’

The Licensing Authority will also consider the GC Guidance that “has business interests” should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.

However, the Licensing Authority considers that “has business interests” should not entitle an operator to make representations on an application for premises anywhere. The *“factors that are likely to be relevant include:*

- *the size of the premises;*
- *the ‘catchment’ area of the premises (i.e. how far people travel to visit); and whether the person making the representation has*

business interests in that catchment area, that might be affected.”
{GCG 8.15}

11.3 Representatives of interested parties

Interested parties can be persons who are democratically elected such as councillors and MPs. No specific evidence of being asked to represent an interested person will be required as long as the councillor / MP represents the ward likely to be affected. Likewise, any parish councils that are likely to be affected will also be considered to be interested parties. Other than these however, the Licensing Authority will generally require written evidence that the representative has been appointed by the person likely to be affected. A letter from one of these persons, requesting the representation is sufficient.

The Licensing Authority does not permit councillors who either are, or represent, an interested party in a case to participate as a member of the Licensing Committee (or sub-committee) that considers that case.

If individuals wish to approach councillors to ask them to represent their views then care should be taken that the Councillors are not part of the licensing sub-committee dealing with that application. Licensing authority staff will help with this (contact details inside front cover).

12. Exchange of Information

In fulfilling its functions under the 2005 Act, the Licensing Authority will exchange relevant information with other regulatory bodies and will establish protocols in this respect. In exchanging such information, the Licensing Authority will conform to the requirements of data protection and freedom of information legislation in accordance with the Council's existing policies.

13. Enforcement

The Licensing Authority will apply the following principles in accordance with GC Guidance {GCG 5.25} in exercising its functions about the inspection of premises (2005 Act, Part 15) and powers to institute criminal proceedings in respect of the offences specified (2005 Act, s.346).

The Licensing Authority will endeavour to be...

- Proportionate: regulators should only intervene when necessary; remedies should be appropriate to the risk posed, and costs identified and minimised;
- Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
- Consistent: rules and standards must be joined up and implemented fairly;
- Transparent: regulators should be open, and keep regulations simple and user friendly; and
- Targeted: regulation should be focused on the problem, and minimise side effects.

The Licensing Authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

The main enforcement and compliance role for the Licensing Authority under the 2005 Act will be to ensure compliance with the premises licences and other

permissions that it authorises. The Gambling Commission is the enforcement body for other matters under the 2005 Act, as noted above.

The Licensing Authority will also keep aware of advice from the Better Regulation Executive on the regulatory functions of local authorities.

13.1 Risk methodology

The Licensing Authority will adopt a risk-based inspection programme and in order to comply with the principle of transparency, the Licensing Authority will make available, on request, details of its risk methodology, and its protocols or written agreements for enforcement and compliance. (For contact details, see inside front cover).

The general approach of risk-based inspection is to avoid routine inspections of all premises. Instead, high-risk premises are inspected more frequently than low risk ones.

Amongst other things, this approach considers risks related to the size of the premises, the range of activities that take place there, and the time that those activities take place. Larger, more active premises are likely to be classed as higher risk and are therefore likely to be inspected more frequently.

At the time of writing LACORS is working with the Gambling Commission to produce a risk model for premises licences. The Licensing Authority will consider that model once it is made available.

PART B: PREMISES LICENCES

14. General Principles

Premises Licences will be subject to the requirements set-out in the 2005 Act and regulations, and specific mandatory and default conditions detailed in regulations.

Where the Licensing Authority considers it appropriate, it may exclude default conditions, attach other conditions, or both.

In making decisions about premises licences, the 2005 Act (s.153) requires the Licensing Authority to aim to permit the use of premises for gambling in so far as it thinks it:

- in accordance with any relevant code of practice issued by the Gambling Commission
- in accordance with any relevant guidance issued by the Gambling Commission
- reasonably consistent with the licensing objectives and
- in accordance with the authority's Statement of Gambling Licensing Policy.

The Licensing Authority is also aware that that unmet demand (for gambling facilities) is not a criterion for a licensing authority and that GC Guidance states "moral objections to gambling are not a valid reason to reject applications for premises licences". However, such reasons may be taken into account in considering any 'no casino resolution' (see the section on casinos below).

15. Definition of "premises"

Definition of "premises" – In the Act, "premises" is defined as including "any place". Section 152 therefore prevents more than one premises licence applying to any place. A single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place.

The Gambling Commission states in its Guidance to Licensing Authorities that: "In most cases the expectation is that a single building / plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. The Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises."

The licensing authority will take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:

- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- Customers should be able to participate in the activity named on the premises licence.

The Gambling Commission’s relevant access provisions for each premises type are reproduced below:

Adult Gaming Centre

- Customers must not be able to access the premises directly from any other licensed gambling premises

Betting Shops

- Access must be from a street or from another premises with a betting premises licence
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind and you could not have a betting shop at the back of a café – the whole area would have to be licensed.

Tracks

- Customers must not be able to access the premises directly from:
 - a casino
 - an adult gaming centre

Bingo Premises

- Customers must not be able to access the premises directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

Family Entertainment Centre

- Customers must not be able to access the premises directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

Part 7 of the Gambling Commission’s Guidance contains further guidance on this issue, which this authority will also take into account in its decision-making.

(iii) Premises “ready for gambling”

The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.

In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process:-

- First, whether the premises ought to be permitted to be used for gambling
- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

16. Location

The Licensing Authority cannot consider the issue of demand for gambling facilities in any location, but will address considerations in terms of the licensing objectives that relate to the location of premises. The Licensing Authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as to issues of crime and disorder that may relate to location.

This Statement of Gambling Licensing Policy will be amended if the Council requires any specific policy about areas where gambling premises should not be located.

Such policies do not prevent submission of any application and each application will be decided on its merits. However, the Licensing Authority expects applicants to show how potential concerns would be overcome where location is an issue.

17. Duplication with other regulatory regimes

The Licensing Authority will seek to avoid any duplication with other statutory / regulatory systems where possible.

In considering a premises licence application the Licensing Authority will take no account of whether the premises is likely to be awarded planning consent or building regulations approval. However, the Licensing Authority will consider carefully any concerns about conditions that licensees would be unable to meet due to planning restrictions.

18. Licensing objectives

Premises licences granted must be reasonably consistent with the licensing objectives. The Licensing Authority has considered the GC Guidance on these objectives, and comments as follows...

Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime:

The Licensing Authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime. The GC Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, if an area has known high levels of organised crime this

authority will consider carefully whether gambling premises should be located there and whether conditions, such as the provision of door supervisors, may be necessary.

The Licensing Authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required at incidents and how threatening the behaviour was to those who could see it, so as to make that distinction.

Ensuring that gambling is conducted in a fair and open way:

The Licensing Authority notes that the Gambling Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. {GCG 5.16}

However, tracks are different from other premises, as track operators will not necessarily have an operating licence, and the Premises Licence may then need to contain conditions to ensure that the environment in which betting takes place is suitable.” {GCG 5.17}

Protecting children and other vulnerable persons from being harmed or exploited by gambling

The Licensing Authority notes the GC Guidance that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to them. {GCG 5.18}

The Licensing Authority will consider, as suggested in the GC Guidance and in any Gambling Commission Code of Practice, whether specific measures are required at particular premises to further to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.

The Licensing Authority notes that the Gambling Commission is not seeking to offer a definition for the term “vulnerable persons” but states that ...

“it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.” {GCG 5.21}

The Licensing Authority will consider this licensing objective as it applies to each case on its merits. If a “vulnerable person” is adequately defined in future then the Licensing Authority will revise this Statement of Gambling Licensing Policy accordingly.

19. Representations

The Licensing Authority may determine an application for a Premises Licence without a hearing, if it considers that the representations made are:

- vexatious
- frivolous, or
- will certainly not influence the authority’s determination of the application.

If the Licensing Authority proposes to determine an application in this way, it will notify anyone who made a representation.(2005 Act s.162)

The Licensing Authority notes that the GC Guidance states that...

“Local authorities should be aware that moral objections to gambling are not a valid reason to reject applications for premises licences. This is because such objections do not relate to the licensing objectives. An authority’s decision cannot be based on dislike of gambling, or a general notion that it is undesirable to allow gambling premises in an area (with the exception of the casino resolution powers). In deciding to reject an application, a licensing authority should rely on reasons that demonstrate that the licensing objectives are not being, or are unlikely to be, met.” {GCG 5.27}

The Licensing Authority also notes that the GC Guidance states that...

“unlike the Licensing Act, the Gambling Act does not include as a specific licensing objective the prevention of public nuisance. There is however other relevant legislation which deals with public nuisance. It would be helpful if licensing authorities could explain that objections to new premises or requests for a review should be based on the licensing objectives of the Gambling Act.” {GCG 6.45}

20. Conditions

There are three classes of conditions that attach to premises licences:

- **Mandatory conditions under s167 of the Act**, which must be attached to premises licences.
- **Default conditions under s168 of the Act**, which will apply unless the Licensing Authority decides to exclude them or substitute conditions with others that are more or less restrictive.

The Licensing Authority is aware that the Gambling Commission considers that these mandatory and default conditions will normally be sufficient to regulate gambling premises.

- **Individual conditions under s169 of the Act**: In exceptional cases, the Licensing Authority may consider attaching individual conditions related to the licensing objectives in order to deal with specific risks or problems associated with a particular locality, specific premises or class of premises.

Any conditions attached to licences will be proportionate and will be...

- Relevant to the need to make the proposed building suitable as a gambling facility;
- Directly related to the premises and the type of licence applied for;
- Fairly and reasonably related to the scale and type of premises; and
- Reasonable in all other respects.

The Licensing Authority will decide each application on its merits. Where appropriate it will consider using a number of control measures, such as the use of door supervisors or appropriate signage for ‘adult only’ areas etc.

The Licensing Authority expects the premises licence applicant to offer his/her own proposals to effectively meet the licensing objectives.

This policy includes specific comments on such issues under some of the licence types covered further below.

The Licensing Authority will also consider specific measures that may be required for buildings that are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with GC Guidance.

This authority will also ensure that where machines of category C or above offer in any premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

This licensing authority is aware that tracks may be subject to more than one premises licence, provided each licence relates to a specified area of the track. In such cases, the licensing authority will consider the impact upon the third licensing objective in accordance with GC Guidance and the need to ensure that entrances to each type of premises are distinct and that children are excluded from those gambling areas that they are not permitted to enter.

The Licensing Authority cannot attach certain conditions to premises licences. Those conditions are...

- Any condition on the premises licence that makes it impossible to comply with a condition on an operating licence;
- Conditions relating to gaming machine categories, numbers, or method of operation;
- Conditions that require membership of a particular club or body (the 2005 Act specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and
- Conditions about stakes, fees, winning or prizes.

21. Door Supervisors

The GC Guidance advises that licensing authorities may consider whether door supervisors are needed in order to further the licensing objectives of *“protection of children and vulnerable persons from being harmed or exploited by gambling”* {GCG 5.19} and *“preventing premises becoming a source of crime”*. {GCG 5.8}

Where supervision of entrances / machines is required for premises, the Licensing Authority will decide with operators whether door supervisors need to be licensed by the Security Industry Authority.

At premises such as betting offices, the Licensing Authority will make a door supervision requirement only if there is clear evidence from the history of trading at the premises that the premises cannot be adequately supervised

from the counter, and that door supervision is both necessary and proportionate.

22. Specific types of premises

22.1 Adult Gaming Centres

For these premises, the Licensing Authority will have specific regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and expects the applicant to satisfy the Licensing Authority of the adequacy of measures to ensure, for example, that no-one under 18 years old has access to the premises.

The Licensing Authority may consider measures to meet the licensing objectives, such as ...

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

22.2 Licensed Family Entertainment Centres

For these premises, the Licensing Authority will have specific regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and expects the applicant to satisfy the Licensing Authority of the adequacy of measures to ensure, for example, that no-one under 18 years old has access to adult-only gaming machine areas.

The Licensing Authority may consider measures to meet the licensing objectives, such as ...

- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.
- Measures / training for staff on how to deal with suspected truant school children on the premises

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

In accordance with GC Guidance, the Licensing Authority will check the Gambling Commission's website for any potential conditions on operating licences that cover delineation of areas containing category C machines.

22.3 Casinos

a) Casino proposals

The Licensing Authority did not submit any proposal for a casino to the Independent Casinos Advisory Panel in early 2006, so Oxford will not be chosen as a location for one of the first 17 new casinos permitted under the 2005 Act.

b) 'No casino' resolution

The Council passed a 'no casino' resolution (2005 Act, s.166) at its meeting on 20 November 2006 on the basis of a recommendation of the Licensing and Gambling Acts Committee, on a 26 : 1 vote.

Potential licence applicants should note that, because the Council has passed a 'no-casino' resolution, the Licensing Authority will not consider any application for a casino premises licence. Any application received will be returned with a notification that a 'no-casino' resolution is in place.

The following paragraphs c), d) and e) appear in this Statement of Gambling Licensing Policy for consistency with other licensing authorities. They have no role while a 'no casino' resolution remains in effect.

c) Casinos and competitive bidding

If circumstances arise where a number of operators want to run a casino in the area, the Council will run a 'competition' as required under the 2005 Act, Schedule 9 in line with any regulations issued under the 2005 Act.

d) Betting machines in casinos

The Licensing Authority notes that the section 181 of the 2005 Act contains an express power for licensing authorities to restrict the number of betting machines in casinos. {GCG 16.33} If the Licensing Authority receives an application for a casino premises licence it will take account of GC Guidance on this matter.

e) Credit

The Licensing Authority notes that section 177 of the 2005 Act does not prevent a casino licensee from permitting the installation of cash dispensers (ATMs) on the premises. {GCG 9.11} If the Licensing Authority receives an application for a casino premises licence it will take account of GC Guidance on this matter.

22.4 Bingo premises

The Licensing Authority notes that the GC Guidance states that...

It is important that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted licensing authorities should ensure that:

- *all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;*
- *only adults are admitted to the area where the machines are located;*

- *access to the area where the machines are located is supervised;*
- *the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and*
- *at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.*

The Licensing Authority will similarly note any further GC Guidance on the issues of suitability and layout of bingo premises.

22.5 Betting premises

a) Betting machines

When considering the number/nature/circumstances of betting machines an operator wants to offer, the Licensing Authority will follow the GC Guidance and take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by vulnerable people or by children or young persons. {GCG 19.10}

This authority will consider limiting the number of machines only where there is evidence that such machines have been or are likely to be used in breach of the licensing objectives.

22.6 Tracks

The Licensing Authority notes that tracks are different from other premises in that:

- there may be more than one premises licence in effect provided each licence relates to a specified area of the track, and
 - track operator may not be required to hold an operating licence as there may be several premises licence holders at the track which will need to hold their own operating licences.

The Licensing Authority will especially consider measures to ensure that children do not have access to 'adult only' gaming facilities.

The Licensing Authority notes that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, although not permitted to enter areas where gaming machines (other than category D machines) are provided. It will especially consider the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter, in furtherance of the licensing objective to ensure the protection of children and vulnerable persons from being harmed or exploited by gambling.

The Licensing Authority will consider measures to meet the licensing objectives, such as ...

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas

- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

a) Gaming machines at tracks

The Licensing Authority notes the GC Guidance that licensing authorities need to consider the location of gaming machines at tracks. An applicant for a track premises licence who plans to use any entitlement to four gaming machines (due to holding a pool betting operating licence) will need to demonstrate that machines (other than category D gaming machines) are located in areas from which children are excluded.

The Licensing Authority will similarly note any further GC Guidance on the location and supervision of gaming machines at tracks.

b) Betting machines at tracks

Licensing authorities have a power under the 2005 Act, to restrict the number of betting machines, their nature and the circumstances in which they are made available, by attaching a licence condition to a betting premises licence. The Licensing Authority notes that the GC Guidance states that...

"In relation to betting premises away from tracks, the Commission is proposing that licensing authorities should take into account the size of the premises and the ability of staff to monitor the use of the machines by vulnerable people when determining the number of machines permitted. Similar considerations apply in relation to tracks, where the potential space for such machines may be considerable, bringing with it significant problems in relation to the proliferation of such machines, the ability of track staff to supervise them if they are scattered around the track and the ability of the track operator to comply with the law and prevent children betting on the machine. Licensing authorities will want to consider restricting the number and location of betting machines, in the light of the circumstances of each application for a track betting premises licence." {GCG 20.15}

c) Condition on rules being displayed

The Licensing Authority notes GC Guidance, which states that...

"...licensing authorities should attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office." {GCG 20.29}

d) Applications and plans –

The Licensing Authority notes the Gambling Commission's suggestion "... that licensing authorities gain a proper understanding of what they are being asked to license..."

Subject to regulations, which will set-out any specific requirements for applications for premises licences the Licensing Authority requires an application for a track betting premises licence to include detailed plans of:

- the racetrack itself;
- the area that will be used for temporary "on-course" betting facilities (often known as the "betting ring");
- any area that will be used for fixed and mobile pool betting facilities operated by the Tote or track operator in the case of dog tracks and horse racecourses);
- areas proposed for any other gambling facilities.

Those plans should make clear what is being sought for authorisation under the track betting premises licence and what, if any, other areas are to be subject to a separate application for a different type of premises licence.

The Licensing Authority notes that,

"In the Commission's view, it would be preferable for all self-contained premises operated by off-course betting operators on track to be the subject of separate premises licences. This would ensure that there was clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises" {GCG 20.22}

22.7 Travelling Fairs

The 2005 Act allows travelling fairs to make available category D gaming machines and / or equal chance prize gaming without a permit, provided that they comply with the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair. The Licensing Authority has the power to decide whether travelling fairs comply.

The Licensing Authority may also consider whether the applicant falls within the statutory definition of a travelling fair.

Regardless of which travelling fairs occupy a site, if a site is used by fairs for more than the 27-day statutory maximum in a calendar year a permit is required for use of gaming machines and / or equal chance prize gaming. The Licensing Authority will liaise with adjoining authorities to ensure that statutory limits are not exceeded for land that straddles its area boundaries.

23. Provisional Statements

Developers may wish to apply to the authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a

premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

S204 of the Gambling Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:

- expects to be constructed;
- expects to be altered; or
- expects to acquire a right to occupy.

The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.

The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:

- they concern matters which could not have been addressed at the provisional statement stage, or
- they reflect a change in the applicant's circumstances.

In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional statement stage;
- which in the authority's opinion reflect a change in the operator's circumstances; or

where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

24. Reviews

Interested parties or responsible authorities can request a review of a Premises Licence. However, it is for the Licensing Authority to decide whether to review the licence. The Licensing Authority will consider whether the request is...

- Frivolous;
- Vexatious;
- Certain not to cause the Licensing Authority to wish to alter, revoke or suspend the licence; or
- Substantially the same as previous representations or requests for review.

The Licensing Authority will also consider whether the request is relevant to the following matters...

- In accordance with any relevant Code of Practice issued by the Gambling Commission;
- In accordance with any relevant guidance issued by the Gambling Commission;
- Reasonably consistent with the licensing objectives; and
- In accordance with this Statement of Gambling Licensing Policy.

The Licensing Authority can also initiate a review of a licence on the basis of any reason that it considers appropriate that is relevant to the same four matters.

PART C: PERMITS, TEMPORARY & OCCASIONAL USE NOTICES

25. Unlicensed Family Entertainment Centre gaming machine permits

(Statement of Principles on Permits (2005 Act, Schedule 10, para.7))

Where a premises has no Premises Licence but the user wishes to provide gaming machines, it may apply to the Licensing Authority for this permit. The applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (2005 Act, s238).

The 2005 Act states that a licensing authority may prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit; and that it shall have regard to the GC Guidance and may (but need not) have regard to the licensing objectives in preparing this statement or considering applications, or both.

The Licensing Authority notes that the GC Guidance states that...

"In their three year licensing policy statement, licensing authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits ... licensing authorities will want to give weight to child protection issues. " {GCG 24.6}

The GC Guidance also states:

"An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application ... Licensing authorities might wish to consider asking applicants to demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;*
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act; and*
- that staff are trained to have a full understanding of the maximum stakes and prizes." {GCG 24.7}*

The Licensing Authority cannot attach conditions to this type of permit.

Statement of Principles

The Licensing Authority expects each applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.

The Licensing Authority will consider on their individual merits the efficiency of such policies and procedures, which may include appropriate measures / training for staff as regards suspected truant school children on the premises, measures / training covering how staff would deal with any unsupervised very young children on the premises, or children causing perceived problems on or around the premises.

In accordance with GC Guidance, the Licensing Authority will also expect applicants to demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed Family Entertainment Centres; that the applicant has no relevant convictions (as set out in Schedule 7

of the Act); and that staff are trained to have a full understanding of the maximum stakes and prizes.

26. Alcohol-licensed premises gaming machine permits

(2005 Act, Schedule 13 para 4(1))

26.1 Notification for up to two gaming machines

The 2005 Act provides for premises licensed to sell alcohol for consumption on the premises (other than as part of a meal), to have up to 2 gaming machines of either category C or D or one of each. Authorisation is automatic if the person responsible for the premises notifies the Licensing Authority.

The Licensing Authority can remove the automatic authorisation for any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of s. 282 of the 2005 Act. (This requires a fee and written notice to be provided to the Licensing Authority, and compliance with any relevant code of practice issued by the Gambling Commission about the location and operation of the machine);
- the premises are mainly used for gaming; or
- an offence under the 2005 Act has been committed on the premises.

26.2 Permit for more than two gaming machines

A premises manager wanting more than 2 machines on the premises must apply for a permit and the Licensing Authority must base its consideration of that application based upon the licensing objectives, any GC Guidance, and “such matters as they think relevant.”

The Licensing Authority considers that “such matters” will be decided on the merits of each case. However, it will have general regard to the need to protect children and vulnerable persons from harm or being exploited by gambling. It will expect the applicant to demonstrate use of adequate measures to ensure that persons under 18 years old do not have access to ‘adult only’ gaming machines.

For this purpose, the Licensing Authority may be satisfied of the adequacy of measures that may include...

- Siting all ‘adult’ machines in sight of bar staff, or of other staff who will prevent use of those machines by those under 18.
- Appropriate notices and signage

The Licensing Authority expects applicants to consider providing information leaflets or helpline numbers for organisations such as GamCare for the benefit of vulnerable persons.

A Licensing Authority can decide to grant a permit with fewer machines or a different category of machines than stated in the application. It can attach no conditions other than these.

The holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machines.

The Licensing Authority will distinguish between those parts of premises that are licensed for the consumption of alcohol on the premises (other than as part of a meal) and other parts. Gaming machines may not be provided in those other parts of the premises without a premises licence for an Adult Gaming Centre.

27. Prize Gaming Permits

(Statement of Principles on Permits - Schedule 14 para 8 (3))

The 2005 Act states that a licensing authority may
“prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which *“may, in particular, specify matters that the licensing authority propose to consider in determining the suitability of the applicant for a permit”*. {2005 Act Schedule 14 8 (1)}

The Licensing Authority has prepared a Statement of Principles, which is that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations;
- and that the gaming offered is within the law.

In making its decision on an application for this permit the Licensing Authority does not need to have regard to the licensing objectives but must have regard to any GC Guidance.

It should be noted that there are conditions in the 2005 Act by which the permit holder must comply, but that the Licensing Authority cannot attach further conditions.

The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

28. Club Gaming and Club Machines Permits

Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for either...

- a Club Gaming Permit, which will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in regulations; or
- a Club Gaming Machine Permit, which will enable the premises to provide gaming machines (3 machines of categories B, C or D) without other gaming.

The Licensing Authority notes GC Guidance that ...

"Members clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations." {GCG 25.6}

And that ...

"Before granting the permit the authority will need to satisfy itself that the premises meet the requirements of a members' club and may grant the permit if the majority of members are over 18." {GCG 25.17}

The Licensing Authority notes that:

"Licensing authorities may only refuse an application on the grounds that:

- *the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;*
- *the applicant's premises are used wholly or mainly by children and/or young persons;*
- *an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;*
- *a permit held by the applicant has been cancelled in the previous ten years; or*
- *an objection has been lodged by the Commission or the police* {GCG 25.21}

There is a 'fast-track' procedure available, under the 2005 Act, for premises that hold a Club Premises Certificate under the 2003 Act. The GC Guidance states...

"Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced" {GCG 25.23}

and

"The grounds on which an application under the process may be refused are:

- *that the club is established primarily for gaming, other than gaming prescribed under schedule 12;*
- *that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or*
- *that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."* {GCG 25.24}

There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

29. Temporary Use Notices

Temporary Use Notices are subject to a number of statutory limits.

The Licensing Authority is responsible for deciding what constitutes the extent of a 'set of premises' to which a Temporary Use Notice applies, where separate notices are received for different parts of the same building or site.

The Licensing Authority notes GC Guidance that...

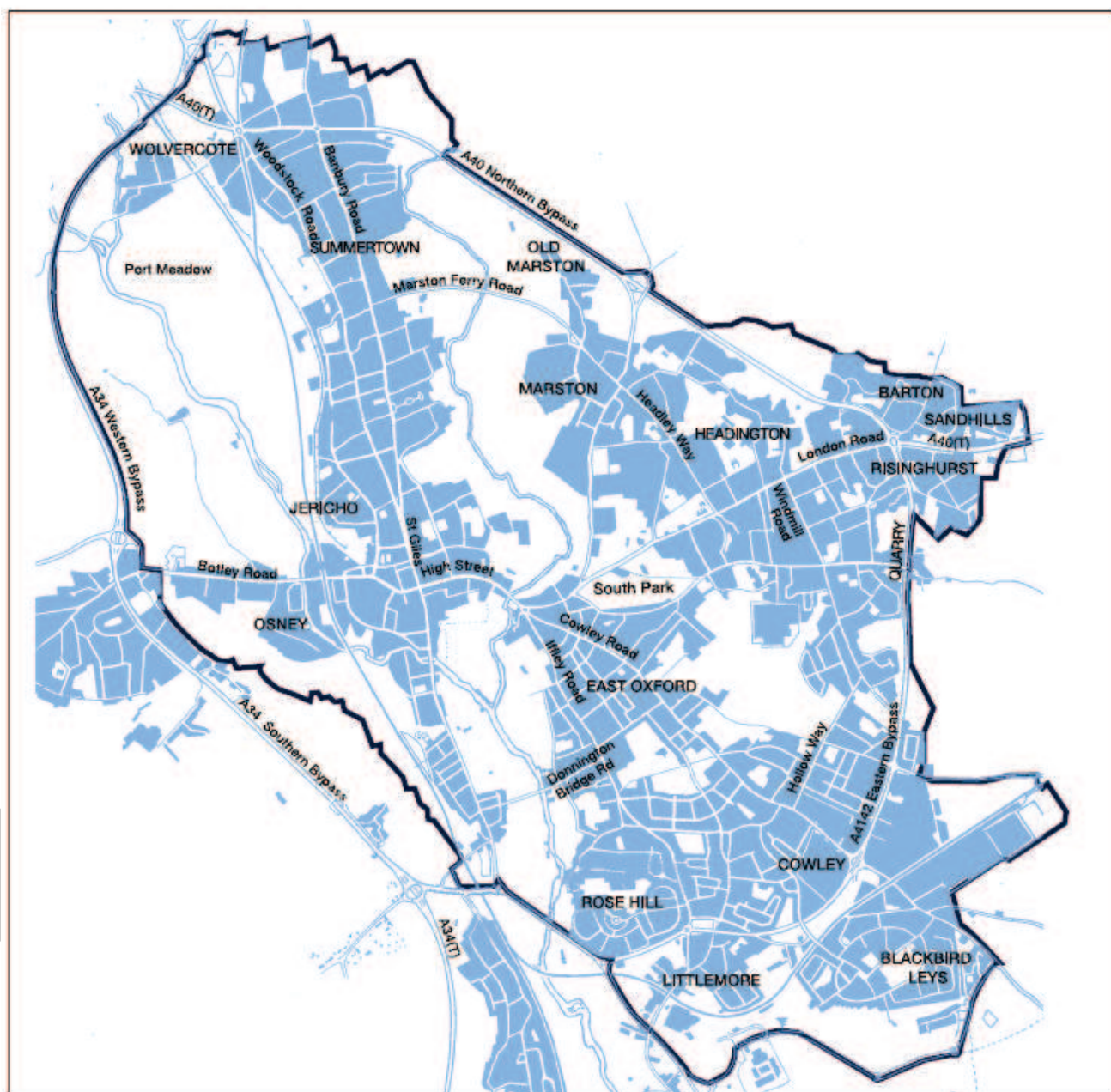
"... the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", licensing authorities will need to look at, amongst other things, the ownership/occupation and control of the premises. A large exhibition centre, for example, would be likely to come within the definition as it is properly one premises, and should not be granted a temporary use notice for 21 days in respect of each of its exhibition halls. But in relation to other covered areas, such as shopping centres, the licensing authority will need to consider whether different units are in fact different "sets of premises", given that they may be occupied and controlled by different people. This is a new permission and licensing authorities should be ready to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises." {GCG 14.5}

30. Occasional Use Notices:

The Licensing Authority has very little discretion in determining Occasional Use Notices, other than ensuring that the statutory limit of 8 days in a calendar year is not exceeded.

However, the Licensing Authority will need to consider the definition of a 'track' and whether the applicant is permitted to use such a notice.

Appendix 1 – Map of Oxford



Appendix 2 – Licensing Authority delegations

The 2005 Act (s154) delegates most licensing functions to the licensing committee, which can then further delegate to its sub-committees or to officers. The table lists the lowest level to which decisions can be delegated.

The Licensing Authority will determine the levels to which its decisions are delegated and may change that delegation from time to time.

Matter to be dealt with	Full Council	Sub-committee of licensing committee	Officers
Final approval of three year licensing policy	X		
Policy not to permit casinos	X		
Fee setting (when appropriate)			X
Application for premises licence		Where representations have been received and not withdrawn	Where no representations received or all have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received or all have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received or all have been withdrawn
Review of a premises licence		X	
Application for club gaming/ club machine permits		Where objections have been made (and not withdrawn)	Where no representations received or all have been withdrawn
Cancellation of club gaming/ club machine permits		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

Appendix 3 – Gaming machines

3.1 Gaming machine categories

This table is included for general guidance. However, the details may become outdated as a result of Government Regulations.

Category of Machine	Maximum Stake	Maximum Prize
A	Unlimited – no Category A gaming machines are currently permitted	
B1	£2	£4,000
B2	£100 (in multiples of £10)	£500
B3A	£1	£500
B3	£2	£500
B4	£1	£250
C	£1	£70
D- non money prize (other than a crane grab machine)	30p	£8
D- non money prize (crane grab machine)	£1	£50
D (money prize)	10p	£5
D – combined money and non-money prize (other than a coin pusher or penny falls machine)	10p	£8 (of which no more than £5 may be a money prize)
D – combined money and non-money prize (coin pusher or penny falls machine)	10p	£15 (of which no more than £8 may be a money prize)

The next page lists the numbers of machines in each category permitted in particular types of premises

3.2 Gaming machines – permitted numbers

The information in this table is subject to confirmation, and may become outdated as a result of Government Regulations.

Premises type	Machine category						
	A	B1	B2	B3	B4	C	D
Betting premises and tracks occupied by pool betting			Maximum of 4 machines categories B2 to D (except B3A machines)				
Bingo premises				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4**		No limit on category C or D machines	
Adult gaming centre				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4**		No limit on category C or D machines	
Family entertainment centre (with premises licence)						No limit on category C or D machines	
Family entertainment centre (with permit)							No limit on category D machines
Clubs or miners' welfare institute (with permits)					Maximum of 3 machines in categories B3A or B4 to D*		
Qualifying alcohol-licensed premises						1 or 2 machines of category C or D automatic upon notification	
Qualifying alcohol-licensed premises (with gaming machine permit)						Number of category C-D machines as specified on permit	
Travelling fair							No limit on category D machines

* On a day when no other facilities for gaming are provided

Appendix 4 – Summary of Gaming Entitlements for Clubs and Alcohol-Licensed Premises

This table is included for general guidance. However, the details may become outdated as a result of Government Regulations.

	Members' club or MW institute with club gaming permit	Bridge or whist club	Members' club or commercial club with club machine permit	Members' club, commercial club or MW institute without a club gaming permit or club machine permit	Pubs and other alcohol-licensed premises
Equal chance gaming	Yes	Bridge and/or Whist only	Yes	Yes	Yes
Limits on stakes	No limit	No limit	Poker £1000 per week £250 per day £10 per person per game Other gaming No limit	Poker £1000 per week £250 per day £10 per person per game Other gaming No limit	Poker £100 per premises per day Other gaming £5 per person per game Cribbage & dominoes No limit
Limits on prizes	No limit	No limit	Poker £250 per game Other gaming No limit	Poker £250 per game Other gaming No limit	Poker £100 per game Other gaming No limit
Maximum participation fees – per person per day	Bridge and/or whist* £20 Other gaming £3	£18 (without club gaming permit) £20 (with club gaming permit)	Bridge and/or whist* £18 Other gaming £3 (commercial club) £1 (members' club)	Bridge and/or whist* £18 Other gaming £1	None permitted
Bankers or unequal chance gaming	Pontoon <i>Chemin de Fer</i>	None permitted	None permitted	None permitted	None permitted
Limits on bingo	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	No bingo permitted	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.

* On a day when no other facilities for gaming are provided

Appendix 5 – Responsible Authorities

The Responsible Authorities for the Oxford City Council area under the 2005 Act, and their contact details are as follows.

Contact details may change, and other responsible authorities may be designated by regulations by the Secretary of State. For latest information, please check with the Licensing Authority (contact details below).

		Contact details for preliminary discussions or follow-up enquiries
Responsible Authority	Address	Phone, email and website
The Licensing Authority	The Licensing Authority Oxford City Council 109 St Aldate's Chambers St Aldate's OXFORD OX1 1DS	Tel: 01865 252565 licensing@oxford.gov.uk http://www.oxford.gov.uk/licensing
The Planning Authority	The Planning Authority Oxford City Council 109 St Aldate's Chambers St Aldate's OXFORD OX1 1DS	Tel: 01865 249811 planning@oxford.gov.uk www.oxford.gov.uk
Environmental Health	Environmental Protection Oxford City Council 109 St Aldate's Chambers St Aldate's OXFORD OX1 1DS	Tel: 01865 252296 www.oxford.gov.uk
Gambling Commission	Gambling Commission Victoria Square House Victoria Square BIRMINGHAM B2 4BP	Tel: 0121 230 6500 Fax: 0121 237 2236 info@gamblingcommission.gov.uk www.gamblingcommission.gov.uk
Thames Valley Police	Thames Valley Police Licensing Office Headquarters (South), Kidlington, OX5 2NX	Tel: 01865 266109 licensing@thamesvalley.pnn.police.uk
Fire and Rescue Service	Fire and Rescue Service Oxfordshire County Council Rewley Road Fire Station OXFORD OX1 2EH	Tel: 01865 242223
Oxfordshire Safeguarding Children Board	Oxfordshire Safeguarding Children Board (OSCB) 3rd Floor, County Hall New Road OXFORD OX1 1ND	

		Contact details for preliminary discussions or follow-up enquiries
Responsible Authority	Address	Phone, email and website
Her Majesty's Commissioners of Customs and Excise	HM Revenues and Customs National Registration Unit Portcullis House 21 India Street Glasgow G2 4 PZ	Tel: 0141 555 3633 nru.betting&gaming@hmrc.gsi.gov.uk www.hmrc.gov.uk
Navigation Authority (Only applicable to vessels on the canal or a river)	Check with the Licensing Authority	
Any other person prescribed for the purpose by regulations made by the Secretary of State.	Check with the Licensing Authority	

Adjacent licensing authorities

Where premises straddle an area boundary, a licensing authority for the area in which the premises are partly situated is also a Responsible Authority.		
		Contact details for preliminary discussions or follow-up enquiries
Responsible Authority	Address	Phone, email and website
(The licensing authority)	The Licensing Authority Cherwell District Council Bodicote House Bodicote BANBURY OX15 4AA	Tel: 01295 252535 www.cherwell-dc.gov.uk
(The licensing authority)	The Licensing Authority South Oxfordshire DC Benson Lane Crowmarsh Gifford WALLINGFORD OX10 8HQ	Tel: 01491 823000 www.southoxon.gov.uk
(The licensing authority)	The Licensing Authority Vale of White Horse DC Abbey House ABINGDON OX14 3JE	Tel: 01235 520202 www.whitehorsedc.gov.uk

DRAFT

Statement of Gambling Licensing Policy

Gambling Act 2005

The Licensing Authority
Oxford City Council 109, St Aldate's, OXFORD OX1 1DS
email: licensing@oxford.gov.uk
phone: 01865 252565
fax: 01865 252344



Subject: Statement of Gambling Licensing Policy: Casino: Briefing Note

To: Members of the Licensing & Gambling Acts Committee

Following on from the Licensing & Gambling Acts Committee meeting held on 19th February 2013 during which the Committee considered the matter of the “no casino” resolution, it was felt that it would be helpful to have some evidence upon which to base any further decision, before making any recommendation to CEB and Council.

This briefing note provides Members with details as to Local Authorities that have permitted to allow Casinos to operate in their areas, and what a selection of the those Local Authorities see as the advantages and disadvantages of having made a resolution to permit such venues.

In brief:

1. When the Independent Casinos Advisory Panel sought applications for proposed casinos from Licensing Authorities in 2006, this Authority chose not to submit a proposal for such an establishment, and therefore Oxford was not chosen as a location for one of the first 17 new casinos permitted under the 2005 Act. Prior to the implementation of the 2005 Act there were 138 casinos in Great Britain.
2. On 20th November 2006 following a recommendation by the Licensing and Gambling Acts Committee, Full Council passed a ‘No Casino’ resolution (in accordance with S.166 of the 2005 Act). This has the effect that the Licensing Authority will not consider any application for a casino premises licence. Any application received will be returned with a notification that a 'no-casino' resolution is in place. The 'no casino' resolution lapsed in November 2012 and currently has no effect. A new resolution can be made at any time in the context of reviewing the Council's Statement of Gambling Licensing Policy.
3. The 17 Local Authorities that opted to not adopt a “No Casino” resolution are: Leeds, Hull, Great Yarmouth, Middlesbrough, Milton Keynes, Southampton, Solihull and Newham, Bath and North East Somerset, Dumfries and Galloway, East Lindsey, Luton, Scarborough, Swansea, Torbay and Wolverhampton.
4. Section 175 of the 2005 Act states the national permitted numbers of new casinos:

Casino Premises Licence: Overall Limits

- (1) No more than one casino premises licence may have effect at any time in respect of regional casinos.
- (2) No more than eight casino premises licences may have effect at any time in respect of regional casinos
- (3) No more than eight casino premises licences may have effect at any time in respect of small casinos.

5. By an Order in 2008 the Secretary of State provided which authorities would be permitted to issue the limited number of casino licences - Oxford City was not one of these. Also the limits are currently reached.
6. As the permitted national levels have been reached, no further casinos may be licensed. Even if in the future the limited number was not filled and a licence could be issued, it could not be issued in Oxford without a change to the 2008 Order designating authorities.
7. Consequently there is currently no legal possibility of a licensed casino in Oxford. It is possible that this position could change in the future but it is a very remote possibility and would almost certainly require an indication from the Council to the Secretary of State that Oxford now wished to license a casino,
8. None of this prevents the Council making a new 'no casino' resolution in the future if thought necessary.
9. Therefore, with regard to the above information, no further casinos may be permitted by the law as it currently stands.

Statement of Gambling Licensing Policy

View Response

Answers to **STATEMENT OF GAMBLING LICENSING POLICY**

FINAL RESPONSE

Response ID #218891. Submitted on 14 May 2013 21:09

Response visibility: **Unknown**. Change to: [Anyone who can view responses](#) or [Just managers](#)

1

With reference to the revised Statement of Gambling Licensing Policy, please select one of the options below and add any comments to support your view.

For	☐
Against	☒ [Selected]
Neither for nor against	☐

Please enter any additional comments

Oxford needs a casino. At the moment I travel to Reading which has 3 casinos, as do many other people from the Oxford area. People do not go to casinos just for the gambling, they go to the restaurants and for general entertainment. Casinos are very well run and are safe places to be with good security. Also it is a good place to meet people of all ages and backgrounds and nationalities you might not usually socialise with. Casinos are good for the economy as well as they create jobs and would increase the business rate income in Oxford. The gambling industry is one of the few that has grown during the recent economic downturn. A casino could be located in the City Centre, at the Kassam complex or, if planning is refused on the Oxford Stadium, a casino could be combined with the greyhound racing and speedway. I see you have a no casino rule but this does not make sense as the most popular gambling in betting shops is the fixed odds machines which are basically casino games.

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Key
RED RISK
CLOSED RISK

Risk ID	Risk						Corporate Objective	Gross Risk		Residual Risk		Current Risk		Owner	Date Risk Reviewed	Proximity of Risk (Projects/ Contracts Only)
Category-000-Service Area Code	Risk Title	Opportunity/Threat	Risk Description	Risk Cause	Consequence	Date raised	1 to 6	I	P	I	P	I	P			
CEB000ED	Economy	T	Local and national economy	Lack of policy	Failure of Council to adhere to requirement of Gambling Act 2005	08.07.13	2	5	4	5	4	2	2	JA	08.07.13	

Action Plans

APPENDIX SIX

ACTIONS MUST BE 'SMART'
Specific, Measurable, Achievable, Realistic and Time bound

Key
CLOSED ACTION/Risk

Risk ID	Risk Title	Action Owner	Accept, Contingency, Transfer, Reduce or Avoid	Details of Action	Key Milestones	Milestone Delivery Date	%Action Complete	Date Reviewed
1	Mandatory requirement to have a Statement of Gambling Licensing Policy	JA	A	New policy to replace old policy	To adopt new policy as soon as possible as current one expiring	01.01.14	100%	08.07.13
3	Consultation	JA	A	Consultation carried out 01.05.13 to 12.06.13	Consultation responses reported to Licensing & Gambling Acts Committee on 05.08.13	01.01.14	0%	08.07.13



Appendix Six – Equality Impact Assessment

457

Service Area: Environmental Development	Section: General Licensing	Key person responsible for the assessment: J. Alison	Date of Assessment: 08.07.2013	
Is this assessment in the Corporate Equality Impact assessment Timetable for 2012-15?			Yes	<u>No</u>
Name of the Policy to be assessed: Statement of Gambling Licensing Policy			Is this a new or existing policy	Existing
1. Briefly describe the aims, objectives and purpose of the policy		The objective is to adopt the new policy to replace the current one that will expire, as a mandatory requirement of the Gambling Act 2005		
2. Are there any associated objectives of the policy, please explain		To set the framework for the Councils functions under the Gambling Act 2005		

3. Who is intended to benefit from the policy and in what way		The Council, Responsible Authorities, Licence holders, general public through a single policy that provides direction and information		
4. What outcomes are wanted from this policy? To set the framework of the Councils Gambling Function				
5. What factors/forces could contribute/detract from the outcomes?		N/A		
6. Who are the key people in relation to the policy?	Licence Trade and Council		7. Who implements the policy and who is responsible for the policy?	Julian Alison John Copley
8. Could the policy have a differential impact on racial groups?	Y	<u>NO</u>	No differential impact on racial groups has been identified.	

What existing evidence (either presumed or otherwise) do you have for this?	The policy would be applied throughout the whole of the City. No racial groups are specifically associated with or targeted by the Gambling regulations. It is anticipated that any unperceived issues will be raised during the consultation process.		
9. Could the policy have a differential impact on people due to their gender?	Y	<u>NO</u>	No differential impact on people due to their gender has been identified
What existing evidence (either presumed or otherwise) do you have for this?	The policy would be applied throughout the whole of the City. No gender groups are specifically associated with or targeted by the Gambling regulations. It is anticipated that any unperceived issues will be raised during the consultation process.		
10. Could the policy have a differential impact on people due to their disability?	Y	<u>NO</u>	No differential impact on people due to their disability has been identified
What existing evidence (either presumed or otherwise) do you have for this?	The policy would be applied throughout the whole of the City. Neither abled body or disabled groups are specifically associated with or targeted by the Gambling regulations. It is anticipated that any unperceived issues will be raised during the consultation process.		
11. Could the policy have a differential impact on people due to their sexual orientation?	Y	<u>NO</u>	No differential impact on people due to their sexual orientation has been identified
What existing evidence (either presumed or otherwise) do you have for this?	The policy would be applied throughout the whole of the City. A persons sexual orientation is not specifically associated with or targeted by the Gambling regulations. It is anticipated that any unperceived issues will be raised during the consultation process.		
12. Could the policy have a differential impact on people due to their age?	Y	<u>NO</u>	No differential impact on people due to their age has been identified
What existing evidence (either presumed or otherwise) do you have for this?	The policy would be applied throughout the whole of the City. A persons age is not specifically associated with or targeted by the Gambling regulations. It is anticipated that any unperceived issues will be raised during the consultation process.		
13. Could the policy have a differential impact on people due to their religious belief?	Y	<u>NO</u>	No differential impact on people due to their religious belief has been identified.

What existing evidence (either presumed or otherwise) do you have for this?			The policy would be applied throughout the whole of the City. A persons religious beliefs are not specifically associated with or targeted by the Gambling regulations. It is anticipated that any unperceived issues will be raised during the consultation process.			
14. Could the <u>negative</u> impact identified in 8-13 <u>create the potential for the policy to discriminate against certain groups?</u>	Y	<u>NO</u>	No negative impacts have been identified in 8-13.			
15. Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or any other reason	Y	<u>NO</u>	No negative impacts have been identified in 8-13.			
16. Should the policy proceed to a partial impact assessment	Y	<u>NO</u>	If Yes, is there enough evidence to proceed to a full EIA		Y	N
			Date on which Partial or Full impact assessment to be completed by			
17. Are there implications for the Service Plans?	Y	<u>NO</u>	18. Date the Service Plan will be updated	N/A	19. Date copy sent to Equalities Officer in Policy, Performance and Communication	N/A
20. Date reported to Equalities Board:		N/A	Date to Scrutiny and EB	N/A	21. Date published	N/A

Signed (completing officer) _____

Signed (Lead Officer) _____

Please list the team members and service areas that were involved in this process:

J. Alison	Team Leader
J. Copley	Head of Environmental Development

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To: City Executive Board

Date: 11 September 2013

Report of: Head of Environmental Development

Title of Report: HACKNEY CARRIAGE & PRIVATE HIRE VEHICLES: AGE LIMITS AND EURO EMISSIONS

Summary and Recommendations

Purpose of report: To consider the recommendation of the General Purposes Licensing Committee of 5th September 2013 in relation to the proposed amendments to the “Conditions of Fitness” applicable to the licensing of Hackney Carriages and Private Hire vehicles.

Key decision: Yes

Policy Framework: Vibrant Sustainable Economy
Cleaner, Greener Oxford

Recommendation(s):

The Board is recommended to consider the recommendations of the General Purposes Licensing Committee of 5th September (those recommendations to be reported orally to the Board) and in the light of those recommendations to submit a recommendation to Council on hackney carriage and private hire vehicle age limits.

Appendix One: Consultation letter

Appendix Two - Eight: Snapshot of responses from the licensed Trade to consultation proposal

Appendix Nine: Risk Register

Appendix Ten: Equalities Impact Assessment

Introduction

1. On 15th June 2009, the General Purposes Licensing Committee approved the implementation of a new standard of licensing criteria for Hackney Carriage and Private Hire vehicles based on Euro Emission Standards.
2. At that time the highest Euro Emission Standard was Euro V, and the next date for implementation of further Euro Emission Standards would take effect locally from 1st January 2013 which would have led to a number of licensed vehicles needing to be replaced due to their age, despite in some instances their emissions meeting the required Euro Emission Standards.

3. No further dates had been set ahead of 1st January 2013, and therefore a revised policy was required in order prevent older vehicles remaining within the licensing regime indefinitely, and ensuring that the Euro Emission Standards were not the only criteria for seeking an age limit policy.

Background

4. On 17th October 2012 the General Purposes Licensing Committee suspended the Euro Emission Standards criteria in its entirety, and implemented the following interim criteria:

New Vehicle Licences:

- a) No vehicle will be first licensed unless it is less than five years of age from the date of first registration.

Renewal of existing Vehicle Licences:

- b) All vehicles currently licensed shall be permitted to be re-licensed until 31st December 2013 irrespective of their age, whilst the Council consider the introduction of an upper age limit for all licensed vehicles or as directed by the introduction of National Standards as proposed by the Law Commission in its "reform of Taxi and Private Hire services".

5. When implementing the interim criteria, the General Purposes Licensing Committee requested that a consultation be carried out seeking the views of all licence holders as to the implementation of age limits applicable to Hackney Carriage and Private Hire Vehicles licensed by the Authority. The motivation for these changes being improved emission standards in the City, and improvements in vehicle safety standards.
6. Board Members are asked to note that the criteria for New Vehicle Licences did not differ from what was previously in force locally.

Consultation

7. The proposed vehicle age limits determined by the General Purposes Licensing Committee for consultation were as follows (Board Members are asked to note that the proposal for New Vehicle Licences remains unchanged from the currently imposed criteria):

New Vehicle Licences:

- a) From 1st January 2014, any vehicle must not be older than 5 years of age at the date of the grant of the vehicle licence.

Renewal of existing Vehicle Licences:

- b) From 1st January 2014, no vehicle shall be re-licensed if it has reached 8 years of age from the date of first registration.

8. A consultation letter was sent to all Hackney Carriage and Private Hire drivers, proprietors, operators and the City of Oxford Licensed Taxi Cab Association (COLTA) informing them of the vehicle age limit proposal, seeking their views and asking if they had any alternative proposals. A copy of the letter sent to all licence holders is attached at **Appendix One**.

9. The consultation which ran from 1st May 2013 until 12th June 2013 and was also hosted on the Council website received a total of 170 responses. Copies of the responses received are attached to this report at **Appendix Two to Appendix Eight**. (Board Members are asked to note that some responses were copied and signed by multiple licence holders, but just one copy of each “style” of response has been appended).

Summary of Consultation Responses

10. The majority of respondents have not objected to an age limit of “under 5 years of age” for new licences, in fact the vast majority actively support this requirement, but have voiced their disapproval to the implementation of an upper age limit for the renewal of existing licences.
11. Some respondents do not believe that any age limits should be imposed at all, either to a new licence or to a renewal of an existing licence, however this was primarily the view of the Hackney Carriage trade derived from the fact that Black Cabs are purposefully built for longevity and the demands placed upon them.
12. Many respondents have cited the current downturn in the economy as a reason for not implementing what they perceive to be, too stringent age limit criteria. They believe they will not be able to budget for the additional payment costs of hire purchase schemes if they are required to replace vehicles more frequently, especially should such a policy be introduced on 1st January 2014.
13. A minority of respondents have agreed with the original proposal believing that it is important for the City to embrace technology that allows for improved emission standards and continually enhances vehicle safety.

Relevant Considerations

14. Oxford is a world class city, famed for its beauty, heritage, educational facilities, and bustling night time economy. The quality of its licensed vehicles plays a part in Oxford maintaining that status, and as such a progressive and continual modernisation of the licensed fleet of vehicles would assist with reducing carbon emissions and improving vehicle safety.
15. The previously implemented Euro Emissions Standard criteria for vehicle ages led to widespread concern and confusion within the Hackney Carriage and Private Hire trade due to a number of vehicles, of various ages, meeting the stated Euro Emission Standards, but having been manufactured at an earlier date than the mandatory date set for compliance.
16. In asking owners to replace their vehicles based on the vehicle being manufactured prior to the date that manufacturers had to comply with the Euro Emission Standards date despite the vehicle meeting with the latest Euro Emissions Standard, the criteria was found to be wanting. It also failed to consider the wider perspectives and options available to a Licensing Authority when setting criteria for licensed vehicles.
17. When looking at the criteria for licensed vehicles, an Authority may wish to take into account the number of miles travelled by each vehicle and the accumulated wear and tear to a vehicle in terms of its overall public appeal. The Authority may wish to harness the continuous technological advances in both vehicle safety and carbon reduction in order to put in place a policy that would be progressive, and provide a transparent signal

to the trade that we are keen to see continuous improvement in the quality of the vehicles in the hackney carriage and private hire fleets.

18. When seeking to implement such an age limit policy, it is important to have an awareness of what our neighbours have by way of age criteria, in order to ensure that any policy set locally, would not have a detrimental impact on the Licensing Authority, and in turn the public, due to vehicle owners seeking to licence their vehicles in another district.
19. Table 1 below provides Members with the age criteria in place at our neighbouring Licensing Authorities.

Table 1.

LOCAL AUTHORITY	NEW HCV YEARS	RENEWAL HCV YEARS	NEW PHV YEARS	RENEWAL PHV YEARS
CHERWELL	Under 5	Under 7	Under 5	Under 7
WEST	Under 10	Under 10	Under 10	Under 10
SOUTH	No age limit*	No age limit*	No age limit*	No age limit*
VALE	No age limit*	No age limit*	No age limit*	No age limit*

***NOTE:**

Both South and Vale have no age limits however they apply the following criteria having merged the two Licensing Authorities:

Vehicles under 3 years of age: 1 x MOT per year

Vehicles under 7 years of age: 2 x MOT per year

Vehicles over 7 years of age: 3 x MOT per year

20. Oxford is seen as being one of the leading Licensing Authorities in the country, and as such we have already established criteria for new driver applications that are more stringent and advanced than our near neighbours, ensuring that only the highest quality of applicant is licensed having gained a significant degree of knowledge about his or her responsibilities in relation to public safety, disability awareness and customer service.
21. Table 2 below provides details of comparable Licensing Authorities, as well as those which are seen to be leaders in the field, and have implemented higher criteria in relation to driver applications. Members will note the variance in differing age limit policies in place.

Table 2.

LOCAL AUTHORITY	NEW HCV YEARS	EXISTING HCV YEARS	NEW PHV YEARS	EXISTING PHV YEARS
Aylesbury	Under 6	Under 10	Under 6	Under 10
Brighton & Hove	Under 7	Under 7	Under 10	Under 10
Bristol	Brand new	Under 8	Under 3 ½	Under 10
Exeter	Under 4	Under 12 for Black Cabs Under 8 for Saloons	Under 4	Under 8
London	Euro 5 compliant	Under 15	Under 5 and Euro 4 complaint	Under 10
Norwich	Under 5	Under 10	Under 5	Under 10
Southampton	Under 10 for Black Cabs Under 7 for Saloons	Under 10 for Black Cabs Under 7 for Saloons	Under 10 for Wheelchair Accessible Vehicles Under 7 for Saloons	Under 10 for Wheelchair Accessible Vehicles Under 7 for Saloons

General Purposes Licensing Committee Recommendation

22. Having reviewed the policies in place at other Licensing Authorities, and having considered the financial impact on the trade and the valid comments received during the consultation whilst still seeking to attain reductions in carbon emissions and embracing technological advancements in vehicle safety, the General Purposes Licensing Committee recommends the following age limits and Certificate of Compliance testing as detailed in Table 3 and additional criteria to be implemented locally:

Table 3.

LOCAL AUTHORITY	NEW HCV YEARS	EXISTING HCV YEARS	NEW PHV YEARS	EXISTING PHV YEARS
Oxford	Under 5	Under 12*	Under 5	Under 10*

***Additional criteria:** any vehicle that has reached 8 years of age or more must undertake a Certificate of Compliance Test every 4 months (as permitted by legislation).

23. Board Members are reminded that Oxford only permits purpose-built nationally recognised taxis to be licensed as Hackney Carriages. Such vehicles are specially manufactured to cover considerable mileage and are built for longevity. Private Hire vehicles licensed locally are no different to standard saloons, hatchbacks and people carriers and as such may not be built to endure the same level of service.

24. Board Members are also asked to note that the Law Commission is due to report on the Reform of Taxi and Private Hire Services at the end of 2013, however any proposed reforms are unlikely to come into force during the term of this government.
25. As such, the age limits and Certificate of Compliance criteria proposed by the General Purposes Licensing Committee are recommended to take effect after the 1st January 2016. In setting such a date for implementation we can allow:
- a) A two year lead in period for the trade to ensure their vehicles will meet with the new criteria;
 - b) A two year lead in period to assist vehicle owners to prepare financially for any requirement to replace their existing vehicles;
 - c) A two year period for the Licensing Authority to reassess the financial climate both locally and nationally;
 - d) A two year period for further progress in relation to the Law Commission proposed reforms to Taxi and Private Hire Services; and
 - e) Should the Law Commission in its reforms permit a Local Authority discretion to set an age limit policy, we will have brought in a policy that allows for a sensible rolling programme of renewals providing modern licensed vehicles to the travelling public.
26. If this proposal for age limits and Certificate of Compliance testing is approved by the Board, the full set of "Conditions of Fitness" for licensed vehicles would then read:

New Vehicle Licences:

- a) Any vehicle presented for licensing must be less than 5 years of age from the date of its first registration.

Renewal of existing Vehicle Licences:

Hackney Carriage:

- b) From 1st January 2016, no vehicle shall be re-licensed if it is 12 years of age or more from the date of its first registration.

Private Hire:

- c) From 1st January 2016 no vehicle shall be re-licensed if it is 10 years of age or more from the date of its first registration.

d) DURATION OF CERTIFICATES OF COMPLIANCE

1. Certificates of Compliance will be issued with a duration of a minimum of four months and a maximum of six months. **In general certificates will be issued with a duration of six months for vehicles less than 8 years of age, and issued with a duration of four months for vehicles of 8 years of age or more*.**
2. Certificates of Compliance may be renewed up to 14 days in advance of expiry, when, and only upon immediate

production of the expiring certificate by the person presenting the vehicle for testing, the new certificate will be dated to expire six months, (**or four months for any vehicle that is of 8 years of age or more***), from the expiry date of the previous certificate.

3. The Council reserves the right to extend or shorten the above periods subject to the minimum and maximum durations given above. Each case will be decided upon its own merits.
4. It must be understood that it is unlawful for a Hackney Carriage or Private Hire vehicle licensed by the Council to be driven on the highway without a current Certificate of Compliance.

*Changes to the currently implemented “conditions of fitness” have been emboldened and underlined for Members ease of recognition.

Level of Risk

27. A Risk Register is attached at **Appendix Six**.

Environmental Impact

28. The setting of vehicle age limits would lead to a progressive modernisation of the licensed fleet of vehicles, and as such newer vehicles (through their compliance with Euro Emission Standards) may reduce pollution in the City and as such have a positive impact on the area.

Equalities Impact

29. An initial Equalities Impact Assessment is attached at **Appendix Seven**.

Financial Implications

30. There are no financial implications contained within the content of this report that apply to the Authority.

Legal Implications

31. The Local Government (Miscellaneous Provisions) Act 1976 at sections 47 and 48 allows the licensing authority to attach to vehicle licences such conditions as it considers reasonably necessary. Improving standards in vehicle safety and air quality are relevant factors in this respect. Any licence holder aggrieved by any condition attached to their licence may appeal to the Magistrates’ Court.

Name and contact details of author:-

Julian Alison
Licensing Team Leader
General Licensing / Environmental Development
Tel: 01865 252831 e-mail: jalison@oxford.gov.uk

List of background papers: None

Version number: 1.0

Licensing Authority
Direct Line: 01865 252565
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E-mail: licensing@oxford.gov.uk

3rd Floor, St. Aldate's Chambers
109 St. Aldate's
Oxford
OX1 1DS

Central Number: 01865 249811

APPENDIX ONE



Date: 23rd April 2013
Our Ref: Taxi Licensing
Your Ref: Consultation

Dear

HACKNEY CARRIAGE & PRIVATE HIRE: CONSULTATION

EURO EMISSIONS & VEHICLE AGE LIMITS

The General Purposes Licensing Committee requested that the Head of Environmental Development carry out consultation with the Hackney Carriage and Private Hire trade on proposed changes to the criteria for all Hackney Carriage & Private Hire Vehicles licensed by Oxford City Council.

These proposed changes are being considered by the City Council in order to reduce carbon emissions in keeping with other forms of public transport, to enhance the quality of vehicle safety offered to the public, and to promote Oxford as a world class city.

The Council is seeking your views as a stakeholder within the licensed taxi trade to the proposals put forward in this letter. Your responses will inform the decision on any changes to the criteria for Vehicle Age Limits, and will be considered alongside the wider financial climate and circumstances faced by licence holders. The decision as to whether to introduce new vehicle age limits will be considered by the Committee following the close of the consultation period in Summer 2013, so it is important that you make your views known.

The proposals are:-

a) New Vehicle Licence:

- **From 1st January 2014 a licence will not be granted if the vehicle is 5 years of age or more from the date of its first registration.**

b) Renewal of Vehicle Licence:

- **From 1st January 2014 no licence will be renewed if the vehicle is 8 years of age or more from the date of its first registration.**

The introduction of the upper age limit is intended to ensure that the vehicles operated as Taxis and Private Hire produce lower exhaust emissions, uphold the safety of the travelling public, and lead to a gradual modernisation of the operating fleet.

The consultation asks you:

1. Do you agree or disagree that Oxford City Council should have a plan to reduce carbon emissions and improve vehicle safety?
2. Do you agree or disagree that this can be achieved by putting an upper age limit on hackney carriages and private hire vehicles?
3. Do you agree or disagree with the proposals for an upper age limit of “under 5 years of age” for any vehicle submitted for a new licence?
4. Do you agree or disagree with the proposals for an upper age limit of “under 8 years of age” for any vehicle submitted for the renewal of an existing licence?
5. If you disagree with these proposals, please let us know how you would suggest we achieve our carbon emissions reduction and improvements in vehicle safety.

You can respond to this consultation in the following ways:

1. **In writing to: Licensing Authority, Oxford City Council, 3rd Floor St Aldate's Chambers, 109 St Aldate's, Oxford, OX1 1DS.**
2. **By email to: licensing@oxford.gov.uk**
3. **By submitting an online response via: [insert online consultation weblink](#)**

If you submit your response either in writing or by email, please put “Euro Emissions & Vehicle Age Limits” as the subject of your correspondence.

This consultation will run from 1st May 2013 until 12th June 2013.

The outcome from this consultation will be reported to the General Purposes Licensing Committee in Summer 2013 so that members are aware of your views when making their decisions.

Yours sincerely,



John Copley
Head of Environmental Development

APPENDIX TWO

From: COLTA OXFORD [REDACTED]
Posted At: 10 June 2013 12:19
Posted To: licensing@oxford.gov.uk
Conversation: Age limits and Euro Emissions consultation
Subject: Age limits and Euro Emissions consultation
Dear Taxi Licensing team,

Thankyou for the opportunity to respond to the consultation document you sent out in relation to the afore-mentioned heading.

In relation to the age limits COLTA agrees a limit needs to be set in place around vehicle age and we would like to propose 10 and 15 years upper age limit respectivley.

This would reflect vehicle shelf life and durability in line with regular maintenance and MOT'S.

We firmly believe that the Black Cab's are designed to last a decent life span spanning into a couple of decades as long as they are looked after and serviced regularly including upkeep of the body and coach work.

With regards to the Euro Emission limits all of the Black Cab's pass the test level regularly and it is proven the TX1 LTI vehicle is less polluting than the TX4 and 5. With this in mind there is a clear corolation between the age limits we have requested as the vehicles meet the emissions standards, even at TX1 model standards.

However due to wear, tear and in some cases neglect, some Black Cab's may fall by the wayside in regards to looking and performing within the prescribed technical limits as set by local authoroty. For this reason there needs to be regulation of age limits etc, however a realistic set of reulations though which we have proposed as 10 and 15 years.

Please do not hesitate to contact me if any futher information is required.

Kind Regards,

[REDACTED] on the behalf of COLTA.

The Licensing Authority
Oxford City Council

14 JUN 2013

Licensing Authority
Oxford City Council
Mr John Copley
3rd Floor, St Aldate's Chambers
Oxford, OX1 1DS

Dear Mr Copley,

Re: Euro Emissions & Vehicle Age Limits

I write with reference to the letter dated 23rd April 2013.

I am deeply concerned at your proposals which are unrealistic, unreasonable and out of touch with the pervading economic climate!

I don't think you have considered the reality of the financial situation experienced by the taxi drivers in Oxford. Any survey will show you that business is in decline and drivers are struggling to keep their heads above water.

I believe you are acting in haste and being unreasonable by pre-empting the final findings of the Taxi Law Commission Reform and you have given no valid legitimate reasons for doing so.

In your consultation letter you have asked 5 questions and my response is as follows:

1. I have no problem with the Council having a plan to reduce carbon emissions and improve vehicle safety. However, I fail to understand how my vehicle and my colleague's vehicles are deemed unsuitable and unsafe if they are 8 years or over of age, when our taxi vehicles undergo stringent twice yearly compliance tests. Perhaps the council would like to explain this to me and other taxi drivers?
2. I strongly disagree with your assertion that carbon emissions can be reduced and vehicle safety can be improved by imposing an upper age limit on Hackney carriages and Private Hire Vehicles.

I copy a quote from DFT Taxi and Private Hire Vehicle Licensing: Best Practice Guide; Para 32

"AGE LIMITS. It is perfectly possible for an older vehicle to be in good condition. So setting of an age limit beyond which a local authority will not license vehicles may be arbitrary and inappropriate. But a greater frequency of testing may be appropriate for older vehicles – for example twice – yearly tests for vehicles over 5 years old"

3. I have no objections for an upper age limit of "under 5 years of age" for any vehicle submitted for a new licence.
4. I strongly disagree with the proposal for an upper age limit of "under 8 years of age" for any vehicle submitted for a renewal of an existing licence. See my reply to No's 1 and 2.
5. I refer you to my reply to No's 1 and 2. Perhaps the council should consider targeting the real gas guzzlers that are causing emissions problems in Oxford and stop discriminating against the Taxi business who are subjected to stringent twice yearly compliance tests. I am referring to buses and coaches.

I would like the council to present evidence of how the quality of vehicle safety offered to the public has been in any way compromised by taxi vehicles that are 8 years or over of age to come to an arbitrary 8 year age cut off point.

I urge you to re-consider your proposals.

Yours sincerely

Licensing Authority
Oxford City Council
Mr John Copley
3rd Floor, St Aldate's Chambers
Oxford, OX1 1DS

Dear Mr Copley,

Re: Euro Emissions & Vehicle Age Limits

I write with reference to the letter dated 23rd April 2013.

I am deeply concerned at your proposals which are unrealistic, unreasonable and out of touch with the pervading economic climate!

I don't think you have considered the reality of the financial situation experienced by the taxi drivers in Oxford. Any survey will show you that business is in decline and drivers are struggling to keep their heads above water.

My response to your consultation letter is as follows:

1. I have no problem with the Council having a plan to reduce carbon emissions and improve vehicle safety.
2. I strongly disagree with your assertion that carbon emissions can be reduced and vehicle safety can be improved by imposing an upper age limit on Hackney carriages and Private Hire Vehicles.
3. I have no objections for an upper age limit of "under 5 years of age" for any vehicle submitted for a new licence.
4. I strongly disagree with the proposal for an upper age limit of "under 8 years of age" for any vehicle submitted for a renewal of an existing licence. I think an **upper age limit of 12 years** would be fair and reasonable.

I urge you to re-consider your proposals.

Yours sincerely

The Licensing Authority
Oxford City Council

11 JUN 2013

1st May 2013

Licensing Authority
Oxford City Council
Mr John Copley
3rd Floor, St Aldate's Chambers
Oxford, OX1 1DS

Dear Mr Copley,

Re: Euro Emissions & Vehicle Age Limits

I write with reference to the letter dated 23rd April 2013.

I am deeply concerned at your proposals which are unrealistic, unreasonable and out of touch with the pervading economic climate!

I don't think you have considered the reality of the financial situation experienced by the taxi drivers in Oxford. Any survey will show you that business is in decline and drivers are struggling to keep their heads above water.

It is evident that you have not taken into account the spiralling cost of fuel, insurance, road tax, council plate, badge, 2 compliance tests and regular ongoing maintenance costs.

I believe you are being hasty and unreasonable by pre-empting the final findings of the Taxi Law Commission Reform and you have given no valid legitimate reasons for doing so.

In your consultation letter you have asked 5 questions and my response is as follows:

1. I have no problem with the Council having a plan to reduce carbon emissions and improve vehicle safety. However, I fail to understand how my vehicle and my colleague's vehicles are deemed unsuitable and unsafe if they are 8 years or over of age, when our taxi vehicles undergo stringent twice yearly compliance tests. Perhaps the council would like to explain this to me and other taxi drivers?
2. I strongly disagree with your assertion that carbon emissions can be reduced and vehicle safety can be improved by imposing an upper age limit on Hackney carriages and Private Hire Vehicles.

I copy a quote from DFT Taxi and Private Hire Vehicle Licensing: Best Practice Guide; Para 32

"AGE LIMITS. It is perfectly possible for an older vehicle to be in good condition. So setting of an age limit beyond which a local authority will not license vehicles may be arbitrary and inappropriate. But a greater frequency of testing may be appropriate for older vehicles – for example twice – yearly tests for vehicles over 5 years old"

3. I have no objections for an upper age limit of "under 5 years of age" for any vehicle submitted for a new licence.
4. I strongly disagree with the proposal for an upper age limit of "under 8 years of age" for any vehicle submitted for a renewal of an existing licence. See my reply to No's 1 and 2.
5. I refer you to my reply to No's 1 and 2. Perhaps the council should consider targeting the real gas guzzlers that are causing emissions problems in Oxford and stop discriminating against the Taxi business who are subjected to stringent twice yearly compliance tests. I am referring to buses and coaches.

I take strong issue with paragraph 2 of the letter dated 23.04.2013. It is an established fact that Oxford is a world class city due to its history and reputation. I would like to understand how its status will be further enhanced by imposing arbitrary age limits on taxis operating in Oxford.

I would like the council to present evidence of how the quality of vehicle safety offered to the public has been in any way compromised by taxi vehicles that are 8 years or over of age to come to an arbitrary 8 year age cut off point. I am open to persuasion if compelling evidence is provided as requested.

I urge you to re-consider your proposals.

Yours sincerely

The Licensing Authority
Oxford City Council

12 JUN 2013

Licensing Authority
Oxford City Council
Mr John Copley
3rd Floor, St Aldate's Chambers
Oxford, OX1 1DS

Dear Mr Copley,

Re: Euro Emissions & Vehicle Age Limits

I write with reference to the letter dated 23rd April 2013.

I am deeply concerned at your proposals which are unrealistic, unreasonable and out of touch with the pervading economic climate!

I don't think you have considered the reality of the financial situation experienced by the taxi drivers in Oxford. Any survey will show you that business is in decline and drivers are struggling to keep their heads above water.

In your consultation letter you have asked 5 questions and my response is as follows:

1. I have no problem with the Council having a plan to reduce carbon emissions and improve vehicle safety. However, I fail to understand how my vehicle and my colleague's vehicles are deemed unsuitable and unsafe if they are 8 years or over of age, when our taxi vehicles undergo stringent twice yearly compliance tests. Perhaps the council would like to explain this to me and other taxi drivers?
2. I strongly disagree with your assertion that carbon emissions can be reduced and vehicle safety can be improved by imposing an upper age limit on Hackney carriages and Private Hire Vehicles.

I copy a quote from DFT Taxi and Private Hire Vehicle Licensing: Best Practice Guide; Para 32

"AGE LIMITS. It is perfectly possible for an older vehicle to be in good condition. So setting of an age limit beyond which a local authority will not license vehicles may be arbitrary and inappropriate. But a greater frequency of testing may be appropriate for older vehicles – for example twice – yearly tests for vehicles over 5 years old"

3. I have no objections for an upper age limit of "under 5 years of age" for any vehicle submitted for a new licence.

4. I strongly disagree with the proposal for an upper age limit of "under 8 years of age" for any vehicle submitted for a renewal of an existing licence. See my reply to No's 1 and 2.
5. I refer you to my reply to No's 1 and 2. Perhaps the council should consider targeting the real gas guzzlers that are causing emissions problems in Oxford and stop discriminating against the Taxi business who are subjected to stringent twice yearly compliance tests. I am referring to buses and coaches.

It's difficult to understand how the quality of vehicle safety offered to the public has been in any way compromised by taxi vehicles that are 8 years or over of age to come to an arbitrary 8 year age cut off point.

I urge you to re-consider your proposals.

Yours sincerely

Badge No:

Name
Badge

Date 25.05.13

Dear, Sir/Madam

I have read the letter that the General Purposes Licensing Committee has requested that the Head of Environmental Development carry out this consultation.

I would like to put my views on the Hackney Carriage & Private Hire Consultation.

Euro Emission & Age Limits.

Financially I believe this proposals should not go through.

I would disagree with this Consultation on the grounds of no to Age Limit & Euro Emission far to costly.

Economy has taken a big Drop & people are being more wisely in choice.

Kind Regards

The Licensing Authority
Oxford City Council

Licensing Authority

109 St. Aldates

Oxford OX1 1DS.

The Licensing Authority
Oxford City Council

Dear Sir Madam.

RE HACKNEY CARRIAGE + PRIVATE HIRE HIRE CONSULTATION
EURO EMISSIONS + VEHICLE AGE LIMITS.

I AM WRITING TO YOU RE THE ABOVE AND YOUR PROPOSALS.

①: NEW VEHICLE LICENSE WILL NOT BE GRANTED IF THE VEHICLE IS 5 YEARS & OF AGE OR MORE FROM THE DATE OF FIRST REGISTRATION.
= I AGREE WITH THIS PROPOSAL. =

②: RENEWAL OF VEHICLE LICENSE. (JANUARY 2014)

NO LICENSE WILL BE RENEWED IF THE VEHICLE IS 8 YEARS OF AGE OR MORE FROM THE DATE OF FIRST REGISTRATION.

= I DO NOT AGREE WITH THIS PROPOSAL.

THE REASONS BEING IT IS TOO SEVERE DUE TO THE INITIAL HIGH COST OF THE VEHICLE AND THE EXPENSIVE UP KEEP OF THESE VEHICLES.
I THEREFORE FEEL A MORE REALISTIC AND FAIRER AGE LIMIT WOULD BE 10 YEARS.

I GENERALLY AGREE WITH THE PROPOSALS 1 TO 5 REGARDING LOWER EMISSIONS AND OF COURSE UPHOLDING THE SAFETY OF THE TRAVELLING PUBLIC LEADING TO A GRADUAL MODERNISATION OF THE FLEET.

MY ONLY OBJECTION IS AS I HAVE STATED ABOVE IS ITEM FOUR THE UPPER AGE LIMIT WHICH I FEEL SHOULD BE 10 YEARS INSTEAD OF 8 YEARS.

Yours Faithfully.

30-09-13

Dear Sir

I am writing to you regarding the age limit and Euro emissions exercise. It would be very damaging if this goes to fruition. My our taxis are MOT'd twice a year and the emission test are passed as well as the taxis's are keep in excellent condition. Business has also dropped due to the recession we are in. Other cities such as London and Reading have to change their taxis every 20 years, I feel this standard should also be applied to us in the city of Oxford as well.

The cost of a taxi is between £35 000 to £40 000 so changing a taxi every 5 or 8 years would have a serious affect on our lively hood.

I urge the council to help us oppose this proposal and set a 20 year limit like other cities.

In Summary

I agree that carbon emissions should be reduced using a cost affective strategy

I disagree that an upper age limit on hackney carriages and private hire vehicles will help this (reasons stated above)

I disagree for an upper age limit of "under 5 years" for new licence

I disagree for an upper age limit of "under 8 years of age" for renewal existing licence.

I disagree with both proposals as this will question the viability of the taxi business in Oxford, Also the proposal does not offer a subsidy to assist the proposal as it has with bus companies in Oxford which is unfair.

Regards

Ref.: Euro Emissions & Vehicle Age Limits

Dear Taxi Licensing team member,

I am writing in response to your letter dated 23rd April 2013 with reference to Consultation. With regard to point

1. I think it would be great if Oxford City Council would have a plan to reduce carbon emissions and to improve vehicle safety
2. Both these points could be achieved by putting an upper age limit on "taxis". Additionally, stricter guidelines with regard to emissions could be enforced at the six monthly MOT test. Maybe the council could introduce a reduced licence price for electric/hybrid cars?
3. I strongly agree with the proposals for an upper age limit of under 5 years for newly submitted vehicles for licensing
4. I strongly agree with the proposals for an upper age limit of under 8 years for any vehicle submitted for licence renewal

Further, with regard to safety, I believe that it is as important for a driver to be driving safely as it is for the vehicle to be safe. Hence I would like to repeat my suggestion of introducing a compulsory 'Advanced Driving Course' for hackney- and private hire badge holders. Since the council would be sending 100s of drivers to undertake the course, I am sure it could negotiate a favourable price with OAGAM or WSM. If the council took a percentage of the discount for administrative purposes, it's additional costs would be accounted for [e.g. the course costs £140, the council negotiates a 30% discount (the course would effectively then cost £98), the council keeps 5% (£7) for administration fees, the driver would be getting a 25% discount (and pay £105 for the course)]. Drivers should, and hopefully would be thankful for the opportunity to take a discounted advanced driving course and, more importantly, Oxford's roads would be safer.

I hope this has been useful to the Licensing Authority.

With kind regards and best wishes,

Hackney Carriage and Private Hire: Consultation

The consultation asks you:

1. Do you agree or disagree that Oxford City Council should have a plan to reduce carbon emissions and improve vehicle safety?

1. Please enlighten me as to how I can reduce my emissions

And make my vehicle safer.

EMISSIONS: I currently drive an 09 Toyota Avenis which according to Cowley Marsh testing equipment gives off emissions so low that the test sensors fail to register them.

SAFETY: My vehicle has an M.O.T (Certificate of Compliance) Twice a year which it continually passes, please feel free to tell me how this vehicle in your opinion is not safe and how you think it can be made safer?

2. Do you agree or disagree that this can be achieved by putting an upper age limit on hackney carriages and private hire vehicles?

2. Direct Quote from the DFT Taxi And Private Hire Vehicle Licensing: Best Practice Guide; Para 32

"AGE LIMITS. It is perfectly possible for an older vehicle to be in good condition. So setting of an age limit beyond which a local authority will not license vehicles may be arbitrary and inappropriate. But a greater frequency of testing may be appropriate for older vehicles – for example twice-yearly tests for vehicles over 5 years old."

3. Do you agree or disagree with the proposals for an upper age limit of "under 5 years of age" for any vehicle submitted for a new licence?

3. I agree there should be an upper age limit of 5 years for first registration.

4. Do you agree or disagree with the proposals for an upper age limit of "under 8 years of age" for any vehicle submitted for the renewal of an existing licence?

4. I strongly disagree with a renewal age limit of 8 years.

My vehicle's brand new on the road price is £24100. To be able to purchase a like for like vehicle every 8 years I would need a minimum of £58 per week

disposable income (£58x416=£24128). I don't have £58 a week disposable income, unless you would like me to work about 16 hours a day 7 days a week to make up the shortfall in my income? Why should I financially burden myself when I have a vehicle that produces near zero emissions and continues to pass a certificate of compliance?

5. If you disagree with these proposals, please let us know how you would suggest we achieve our carbon emissions reduction and improvements in vehicle safety.

5. Unless Oxford City Council is planning to start manufacturing vehicles to their own safety standards there is absolutely no way you can make a vehicle that passes a certificate of compliance any safer. As regard to the emissions, try removing about 50% of the empty busses and coaches that trundle through Oxford on an hourly basis. An empty private hire vehicle is only moving when it is on its way to pick up a fare.

Extract from Taxi Licensing response to the new law commission

"The Council also believes that age limits should be permitted to be imposed on all vehicles to ensure a continual improvement in line with safety standards, emission levels and the image of the City."

So having deduced that my vehicle has extremely low emissions and a high standard of safety I guess the only other thing would be the image? So would I be correct in assuming that what you are really saying is that a vehicle over 8 years old in your opinion no longer fits in with "The image of the city"

Dear Sir/Madam,

I am writing in response to your letter regarding age limit on Taxis.

I believe that you are fully aware of economic situation of the country. There is no much work for Taxis any where. A new Taxi costs about £43000 for 5 years plan i.e. about £25 per day. maintenance is about £15 a day plus insurance, council Lic. fee and badge fee etc. Fuel is about £1-45 a litre it needs about £25 a day for fuel. It makes about £65 a day cost to run a new Taxi - before we make any profit. The city is too small our average fare is about £6/50 and sometimes we have to wait forty five minutes or more for a job.

Practically it is not possible for us to change the vehicles every 8 years.

Reading has ²⁰15 years limit London got 15 years now we can have 8 years.

I believe that age limit should be minimum of 20 years.

As far as other transport (buses) are concerned they are subsidised, while we get nothing.

We got M.O.T. every 6 months - if a Taxi is not road worthy, how it passes the M.O.T.

I strongly oppose the idea of 8 years - it should be at least 20 years.

Licensing Authority
Oxford City Council

Thanks.

Oxford City Council
Licensing Authority
3rd floor ST. Aldate's Chambers
109 ST. Aldate's
Oxford
OX1 1DS

The Licensing Authority
Oxford City Council
- 5 JUN 2013

Dear sir/madam,

Reg. Euro Emissions & Vehicle Age Limits

1. I disagree that Oxford City Council should have a plan to reduce carbon emissions and improve vehicle safety.
2. I disagree that this can be achieved by putting an upper age limit on hackney carriages and P.H.V.
3. I disagree with the proposals for an upper age limit of fewer than 5 years of age for any vehicle submitted for a new licence.
4. I disagree with the proposals for an upper age limit of fewer than 8 years of age for any vehicle submitted for renewal of an existing licence.
5. You already do M.O.T. every six months for these checks, but I believe these questions should go to companies got financials of money.
6. As we know this business is self-employment so that earning is not guarantee and secured especially when

the earning comes from the operators who do their own business first. For example I borrowed £10,000 to buy my car and I made it a taxi also the car before I borrowed the same amount of money to buy the car and I also made it a taxi.

Finally, it always depends on the circumstances of each driver if can afford to buy or cannot.

Yours sincerely

From: [REDACTED]
Posted At: 11 June 2013 16:07
Posted To: licensing@oxford.gov.uk
Conversation: Euro Emissions & Vehicle Age Limits
Subject: Euro Emissions & Vehicle Age Limits
Dear Sir/Madam

I [REDACTED] as a hackney carriage driver [REDACTED] would like to put forward my views on the euro emissions and vehicle age limits. I do not agree that by putting up an upper age limit on hackney carriages will make a difference. This is because our vehicles have an MOT check twice a year, which ensures our maintenance in our vehicles and that they are in good working condition. Although, I do agree that new license holders should have an upper age limit of under 5 years of age. However, I strongly disagree with the proposal for an upper age limit of under 8 years of age for any vehicle submitted for the renewal of an existing license. This is because our vehicles are in good condition and they are consistently passing the MOT twice a year and are running efficiently, and they should still be on the road whilst they are doing so, which highlights that there's no need for an age limit. The council should also consider how the older cars, lorries and vans in the city that affect the carbon emissions as well.

Best Regards

[REDACTED]

From: [REDACTED] Posted At: 11 June 2013
16:20 Posted To: licensing@oxford.gov.uk
Conversation: Age limit consultation
Subject: Age limit consultation

Dear licensing officer

Regarding the age limit of Hackney carriage and private hire vehicle's there are many issues we can discuss but some are very important like Hackney carriages are purpose built cars they have no other use in public sector their safety features .they also built for long serving to the trade. In Oxford we have two MOTs plus time to time spot checks that gives more assurances that cars are up to a good standard.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Posted At: 11 June 2013 11:52
Posted To: licensing@oxford.gov.uk
Conversation: Taxi age limits
Subject: Taxi age limits
Licensing Authority
Oxford City Council
Mr John Copley
3rd Floor, St Aldate's Chambers
Oxford, OX1 1DS

Dear Mr Copley,

Re: Euro Emissions & Vehicle Age Limits

I write with reference to the letter dated 23rd April 2013.

I am deeply concerned at your proposals which are unrealistic, unreasonable and out of touch with the pervading economic climate!

I don't think you have considered the reality of the financial situation experienced by the taxi drivers in Oxford. Any survey will show you that business is in decline and drivers are struggling to keep their heads above water.

It is evident that you have not taken into account the spiralling cost of fuel, insurance, road tax, council plate, badge, 2 compliance tests and regular ongoing maintenance costs.

In your consultation letter you have asked 5 questions and my response is as follows:

I have no problem with the Council having a plan to reduce carbon emissions and improve vehicle safety. However, I fail to understand how my vehicle and my colleague's vehicles are deemed unsuitable and unsafe if they are 8 years or over of age, when our taxi vehicles undergo stringent twice yearly compliance tests. Perhaps the council would like to explain this to me and other taxi drivers?

I strongly disagree with your assertion that carbon emissions can be reduced and vehicle safety can be improved by imposing an upper age limit on Hackney carriages and Private Hire Vehicles.

I copy a quote from DFT Taxi and Private Hire Vehicle Licensing: Best Practice Guide; Para 32

"AGE LIMITS. It is perfectly possible for an older vehicle to be in good condition. So setting of an age limit beyond which a local authority will not license vehicles may be arbitrary and inappropriate. But a greater frequency of testing may be appropriate for older vehicles – for example twice – yearly tests for vehicles over 5 years old"

I have no objections for an upper age limit of "under 5 years of age" for any vehicle submitted for a new licence.

I strongly disagree with the proposal for an upper age limit of "under 8 years of age" for any vehicle submitted for a renewal of an existing licence. See my reply to No's 1 and 2.

I refer you to my reply to No's 1 and 2. Perhaps the council should consider targeting the real gas

guzzlers that are causing emissions problems in Oxford and stop discriminating against the Taxi business who are subjected to stringent twice yearly compliance tests. I am referring to buses and coaches.

I take strong issue with paragraph 2 of the letter dated 23rd April, 2013. It is an established fact that Oxford is a world class city due to its history and reputation. I would like to understand how its status will be further enhanced by imposing arbitrary age limits on taxis operating in Oxford.

I urge you to re-consider your proposals.

Yours sincerely

[Redacted signature]

[Redacted signature]

[Redacted signature]

[Redacted signature]

[Redacted signature]

[Redacted signature]

Sent from Samsung Mobile

From: [REDACTED]
Posted At: 10 June 2013 15:52
Posted To: licensing@oxford.gov.uk
Conversation: Taxi license
Subject: Taxi license
Dear sir/Madam,

I am writing in regards to the age limit of Hackney carriage and private hire vehicle. In regards to this my opinion is that the purpose build taxis like tx1, tx2, tx4 are all built for the long servicing to trade their public safety. We will not find any other car/taxis like LTI. Oxford city council already keeps an eye on all the vehicles having MOT twice a year and spot checks are made regularly time to time. In regards with buying a taxi every 8-10 years will be impossible as i cannot afford it as they are too expensive. I hope you understand and hope to hear from you soon.

Many thanks,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED] Posted At: 30 April 2013 15:51
Posted To: licensing@oxford.gov.uk
Conversation: Euro emissions and vehicle age limits
Subject: Euro emissions and vehicle age limits

In relation to the proposal of not allowing drivers to renew there vehicles if they are 8 years old, i would like to say this is highly unfair!!!! I purchased my car in 2009 and am Still paying for it (installment plan) , you are going to be putting me at risk of being unemployed as i would no longer have a vehicle to drive!, and how many other drivers would be in the same predicament, i would urge you to reconsider even proposing such a proposal, your sincerely, [REDACTED]

Sent from my iPhone

From: [REDACTED]
Posted At: 27 April 2013 21:03
Posted To: licensing@oxford.gov.uk
Conversation: Hackney Carriage Consultation
Subject: Hackney Carriage Consultation

Date 01.05.2013

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Carbon emissions of Oxford City.

You the Oxford City Council, The General Purpose Licensing Committee, Head of Environmental Development & Taxi Licensing Office should be working with the Hackney Carriage trade. By funding and finding a less cost effective way (more cheaper way) in reducing the Carbon emission in the Hackney Carriages of Oxford City.

The amount of income and growth in which our Oxford City Council , Local authorities & Taxi Licensing office has made. I can only hope that you put it back into the Hackney Trade only and help it grow once again.

How would you feel even though your Vehicle meets all the standard set by the local authorities In it's Safety checks for road worthy and it passed all the test. But you still had to change that vehicles because there is a age limit set on it now?

Special news the Hackney Carriage trade forecast of work is down and growth is unlikely to rise for the next 5 to 8 years from 2013, even with the pay rise which we got this year.

The Hackney Carriage trade of Oxford City is not what it was in work wise 20 to 50 Years ago.

The Hackney Carriage trade is completely dying out.
Why because our local city council and other authorities are more happy in developing the Private Hire and the buses sector.

From my point of view I disagree with the age limit and if the City of Oxford Council can't help in funding then I would disagree with everything that is put forward by the local authorities for the Hackney Carriage Consultation.

Kind Regards

[REDACTED]

From: [REDACTED]
Posted At: 03 May 2013 21:01
Posted To: licensing@oxford.gov.uk
Conversation: Consultation
Subject: Fwd: Consultation

Subject: Consultation
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Licensing Authority
Oxford City Council
Mr John Copley
3rd Floor, St Aldate's Chambers
Oxford, OX1 1DS

Dear Mr Copley,

Re: Euro Emissions & Vehicle Age Limits

I write with reference to the letter dated 23rd April 2013.

I am deeply concerned at your proposals which are unrealistic, unreasonable and out of touch with the pervading economic climate!

I don't think you have considered the reality of the financial situation experienced by the taxi drivers in Oxford. Any survey will show you that business is in decline and drivers are struggling to keep their heads above water.

It is evident that you have not taken into account the spiralling cost of fuel, insurance, road tax, council plate, badge, 2 compliance tests and regular ongoing maintenance costs.

I believe you are being hasty and unreasonable by pre-empting the final findings of the law commission and you have given no valid legitimate reasons for doing so.

In your consultation letter you have asked 5 questions and my response is as follows:

1.

I have no problem with the Council having a plan to reduce carbon emissions and improve vehicle safety. However, I fail to understand how my vehicle and my colleague's vehicles

are deemed unsuitable and unsafe if they are 8 years or over of age, when our taxi vehicles undergo stringent twice yearly compliance tests. Perhaps the council would like to explain this to me and other taxi drivers?

2.

I strongly disagree with your assertion that carbon emissions can be reduced and vehicle safety can be improved by imposing an upper age limit on Hackney carriages and Private Hire Vehicles.

I copy a quote from DFT Taxi and Private Hire Vehicle Licensing: Best Practice Guide; Para 32

“AGE LIMITS. It is perfectly possible for an older vehicle to be in good condition. So setting of an age limit beyond which a local authority will not license vehicles may be arbitrary and inappropriate. But a greater frequency of testing may be appropriate for older vehicles – for example twice – yearly tests for vehicles over 5 years old”

3.

I have no objections for an upper age limit of “under 5 years of age” for any vehicle submitted for a new licence.

4.

I strongly disagree with the proposal for an upper age limit of “under 8 years of age” for any vehicle submitted for a renewal of an existing licence. See my reply to No’s 1 and 2.

5.

I refer you to my reply to No’s 1 and 2. Perhaps the council should consider targeting the real gas guzzlers that are causing emissions problems in Oxford and stop discriminating against the Taxi business who are subjected to stringent twice yearly compliance tests. I am referring to buses and coaches.

I take strong issue with paragraph 2 of the letter dated 23.04.2013. It is an established fact that Oxford is a world class city due to its history and reputation. I would like to understand how its status will be further enhanced by imposing arbitrary age limits on taxis operating in Oxford.

I would like the council to present evidence of how the quality of vehicle safety offered to the public has been in any way compromised by taxi vehicles that are 8 years or over of age to come to an arbitrary 8 year age cut off point. I am open to persuasion if compelling evidence is provided as requested.

I urge you to re-consider your proposals.

Yours sincerely

From: [REDACTED]
Date: 12 June 2013 19:54:27
Posted At: VEHICLE AGE LIMITS
Conversation: Euro emission & vehicle age limits.
Subject: Euro emission & vehicle age limits.

I write with my deep concerns regarding the above subject, as you are aware there is a world wide recession even some of the European countries are in a serious financial mess and are asking for a bail out.

In Oxford unofficial deregulation has taken place. There are over seven hundred to one thousand hackney carriages and private hire cars working in Oxford. It seems that our licensing department have never been able to control illegal plying for hire since the days of Bill Scott, I say bring back Bill Scott, to make matters worse even out of town taxis and private hires are now running around and some times sitting around waiting to pick people when they have no right to.

It amazes me that once in a while when ever there is going to be an enforcement by the licensing department the private hires know this already.

The licensing department and the private hire bases make good money so they are not too bothered.

As regards to age limits surely the cars should not be considered in the same light as the purpose built and built to last London style taxis. I drive a London style taxi it is in a very good condition, most parts are bolted on and bolted off I have even changed the passenger seats, in my view as long as it passes the M.O.T it is deemed good for purpose. In any case our six monthly test are very stringent and of high standards and ensures that very high standards are maintained in cabs.

I believe there is no need to introduce age limits on taxis.

I have never claimed of the government.

I'm sure the last thing you want is every one to claim low income, income support, housing benefits etc. of government.

[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Date: 11 June 2013 21:32:04
Posted At: VEHICLE AGE LIMITS
Conversation: Euro emissions & age limit
Subject: Euro emissions & age limit

The vehicles in oxford are in good repair and are safe for public use. The emissions on some cabs are great some not. To tackle it by brining in new vehicles is not the solution people should have a choice.

The new vehicles are not great for hackney carriages they carry a lot of faults and the engine does not last after, 150000 miles or they emissions ain't the good. To tackle emissions if vehicles are in bad conditions we can have 3 mots a year for older vehicles.

The maintenance cost of new hackneys is very expensive. The age limit if it is necessary I would say 20years. I don't think that is the solution.

Sent from my iPhone

From: [REDACTED]
Date: 07 June 2013 10:11:55
Posted At: VEHICLE AGE LIMITS
Conversation: Euro Emissions & Vehicle Age Limits
Subject: Euro Emissions & Vehicle Age Limits

In response to your proposed changes I agree that the Council should have a plan to reduce emissions however putting an upper age limit of 5/8 years is unacceptable. Hackney carriages are work horses! designed to last, most if not all Hackneys in Oxford are in good if not excellent cosmetic condition/mechanical condition and as for the emissions produced by the cabs the current MOT is more than sufficient to monitor emissions and to remove any cabs from service that don't meet those requirements.

Expecting proprietors to spend anything up to £30,000 every 5/8 years replacing the cabs is not only unreasonable but is something that COLTA will undoubtedly challenge with the full backing of all proprietors.

As for suggestions as to how to reduce carbon emissions and improve vehicle safety I don't think any major changes are needed, the current MOT is more than sufficient to monitor Hackney Carriages for Emissions, Safety and Cosmetic looks.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Subject: FW: Euro Emissions & vechile age limits
Date: 13 June 2013 21:06:47

-----Original Message-----

From: [REDACTED]
Posted At: Thu 6/13/2013 17:43
To: licensing@oxford.gov.uk
Posted To: licensing@oxford.gov.uk
Conversation: Euro Emissions & vechile age limits
Subject: Euro Emissions & vechile age limits

QUESTION 1 : YES
QUESTION 2 : NO
QUESTION 3 : YES
QUESTION 4 : THERE SHOULD BE NO UPPER AGE LIMIT OF 8 YEARS.
QUESTION 5 : AS LONG AS THE VECHILE PASSES THE COUNCIL'S OWN MOT THEN THE AGE OF
THE VECHILE SHOULD NOT BE AN ISSUE.

[REDACTED]

From: [REDACTED]
Date: 11 June 2013 20:31:21
Posted At: VEHICLE AGE LIMITS
Conversation: Taxi age limit
Subject: Taxi age limit

Hi,
There is no age limit of taxis anywhere in UK so why Oxford Taxi Licensing is thinking about this. As long as a taxi pass its MOT there should not be any problem. In my opinion there should not be any age limit of taxis. Thanks

[REDACTED]
[REDACTED]

Sent from Samsung Mobile

From: [REDACTED]
Date: 12 June 2013 20:44:19
Posted At: VEHICLE AGE LIMITS
Conversation: Euro emission & age limits
Subject: Euro emission & age limits

As a owner of hackney carriage I write in response and of a concern to your letter dated 23rd April,2013.

Our standards in cabs I believe are higher than that of London.

We have M.O.T every six month to ensure that cabs are of the very high standards.

We have wheel chair accessible cabs.

We have swivel seat in our cabs.

We have built in step in our cabs.

We have built in child booster seat in our cabs.

We have five and six passenger carrier with ample luggage and leg room.

These London style taxis are built for this purpose and built to last therefore the minimum age limit on these cabs should be twenty (20) years or more.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Posted At: 10 May 2013 14:47
Posted To: licensing@oxford.gov.uk
Conversation: Euro Emissions and Vehicle age limits
Subject: Euro Emissions and Vehicle age limits
Hi,

Reply to letter received.

1) I agree Oxford City council should take into consideration a plan to reduce carbon emissions and improve safety but then this should be something that applies to the whole of the UK not just Oxford.

2) I agree that Hackney carriages should have something done with regards to age limit because these vehicles are very heavy on emissions but with regards to private hire I think Oxford has a very good quality and to apply an 8 year rule from date of registration will cause an issue to drivers.

3) The 5 year from registration is fine.

4) The 8 year rule is not acceptable should increase to 10 years or if the 8 years goes ahead current drivers on the road should have the option to keep them up to 10 years as this is unfair. Or alter the time allowed dependent on the emissions as the new Toyota Prius from 08 plate and above are excellent obviously you are trying to achieve less emissions some of these models you don't have to pay tax as they are so efficient.

5) 5 Years from registration and 10 years from registration before they should be taken off the road is acceptable. As you will be fully aware the emissions of any vehicle up to 5 years are very good so in time this will reduce any emissions.

If you go ahead with the proposals I believe in my own personal opinion the Oxford Licensing department will lose huge revenue by drivers being forced to get licensed in another district that do not have the same rules.

[REDACTED]

[REDACTED]

From: [REDACTED]

Date: 16 May 2013 15:58

Subject: Proposed Changes due to Emissions

To: [REDACTED]

Cc:

Dear Sirs

Thank you for your letter in relation to the Euro Emissions and Vehicle Age Limits to Hackney and Private Hire Taxis.

I am writing to advise I strongly object to the proposed suggestions and raise my concerns below for both your points:

- a) With regard to new licences and the 3 year proposed limit, a 3 year old TX4 will have the same Euro Emissions as a 5 or 6 year old TX4 therefore this is unfair and unreasonable when an older vehicle can provide the same Emissions level. The limit should remain as it is.
- b) With regards to renewing licences, an 8 Year age limit is very unrealistic as there are several problems with this. This is highly unfair for people who have recently purchased a new vehicle who will have to replace this again in a shorter period of time. It is highly expensive to purchase a new taxi every 8 years taking depreciation into account and other factors into account. Also, with the high costs of Fuel and insurance being considered, it will be very difficult for most drivers to replace their vehicles resulting in people ending up without a job.

I hope you take my concerns into consideration and do not make the proposed changes.

Yours Faithfully

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Posted At: 09 May 2013 17:22
Posted To: licensing@oxford.gov.uk
Conversation: Euro Emissions & Vehicle Age Limits
Subject: Euro Emissions & Vehicle Age Limits

[REDACTED]
[REDACTED]
[REDACTED]

9th May 2013

Licensing Authority
Oxford City Council
Mr John Copley
3rd Floor, St Aldate's Chambers
Oxford, OX1 1DS

Dear Mr Copley,

Re: Euro Emissions & Vehicle Age Limits

I write with reference to the letter dated 23rd April 2013.

I am deeply concerned at your proposals which are unrealistic, unreasonable and out of touch with the pervading economic climate!

I don't think you have considered the reality of the financial situation experienced by the taxi drivers in Oxford. Any survey will show you that business is in decline and drivers are struggling to keep their heads above water.

It is evident that you have not taken into account the spiralling cost of fuel, insurance, road tax, council plate, badge, 2 compliance tests and regular ongoing maintenance costs.

I believe you are being hasty and unreasonable by pre-empting the final findings of the law commission and you have given no valid legitimate reasons for doing so.

In your consultation letter you have asked 5 questions and my response is as follows:

1. I have no problem with the Council having a plan to reduce carbon emissions and improve vehicle safety. However, I fail to understand how my vehicle and my colleague's vehicles are deemed unsuitable and unsafe if they are 8 years or over of age, when our taxi vehicles undergo stringent twice yearly compliance tests. Perhaps the council would like to explain this to me and other taxi drivers?
2. I strongly disagree with your assertion that carbon emissions can be reduced and vehicle safety can be improved by imposing an upper age limit on Hackney carriages and Private Hire Vehicles.

I copy a quote from DFT Taxi and Private Hire Vehicle Licensing: Best Practice Guide; Para 32

[REDACTED]

“AGE LIMITS. It is perfectly possible for an older vehicle to be in good condition. So setting of an age limit beyond which a local authority will not license vehicles may be arbitrary and inappropriate. But a greater frequency of testing may be appropriate for older vehicles – for example twice – yearly tests for vehicles over 5 years old”

3. I have no objections for an upper age limit of “under 5 years of age” for any vehicle submitted for a new licence.

4. I strongly disagree with the proposal for an upper age limit of “under 8 years of age” for any vehicle submitted for a renewal of an existing licence. See my reply to No’s 1 and 2.

5. I refer you to my reply to No’s 1 and 2. Perhaps the council should consider targeting the real gas guzzlers that are causing emissions problems in Oxford and stop discriminating against the Taxi business who are subjected to stringent twice yearly compliance tests. I am referring to buses and coaches.

I take strong issue with paragraph 2 of the letter dated 23.04.2013. It is an established fact that Oxford is a world class city due to its history and reputation. I would like to understand how its status will be further enhanced by imposing arbitrary age limits on taxis operating in Oxford.

I would like the council to present evidence of how the quality of vehicle safety offered to the public has been in any way compromised by taxi vehicles that are 8 years or over of age to come to an arbitrary 8 year age cut off point. I am open to persuasion if compelling evidence is provided as requested.

I urge you to re-consider your proposals.

Yours sincerely

[Redacted signature]

From: [REDACTED]
Posted At: 03 May 2013 21:50
Posted To: licensing@oxford.gov.uk
Conversation: Consultation
Subject: Fwd: Consultation

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Licensing Authority
Oxford City Council
Mr John Copley
3rd Floor, St Aldate's Chambers
Oxford, OX1 1DS

Dear Mr Copley,

Re: Euro Emissions & Vehicle Age Limits

I write with reference to the letter dated 23rd April 2013.

I am deeply concerned at your proposals which are unrealistic, unreasonable and out of touch with the pervading economic climate!

I don't think you have considered the reality of the financial situation experienced by the taxi drivers in Oxford. Any survey will show you that business is in decline and drivers are struggling to keep their heads above water.

It is evident that you have not taken into account the spiralling cost of fuel, insurance, road tax, council plate, badge, 2 compliance tests and regular ongoing maintenance costs.

I believe you are being hasty and unreasonable by pre-empting the final findings of the law commission and you have given no valid legitimate reasons for doing so.

In your consultation letter you have asked 5 questions and my response is as follows:

1.

I have no problem with the Council having a plan to reduce carbon emissions and improve vehicle safety. However, I fail to understand how my vehicle and my colleague's vehicles

are deemed unsuitable and unsafe if they are 8 years or over of age, when our taxi vehicles undergo stringent twice yearly compliance tests. Perhaps the council would like to explain this to me and other taxi drivers?

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3.

I have no objections for an upper age limit of “under 5 years of age” for any vehicle submitted for a new licence.

4.

I strongly disagree with the proposal for an upper age limit of “under 8 years of age” for any vehicle submitted for a renewal of an existing licence. See my reply to No’s 1 and 2.

5.

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I would like the council to present evidence of how the quality of vehicle safety offered to the public has been in any way compromised by taxi vehicles that are 8 years or over of age to come to an arbitrary 8 year age cut off point. I am open to persuasion if compelling evidence is provided as requested.

I urge you to re-consider your proposals.

Yours sincerely

[REDACTED]

Sent from my iPhone

From: [REDACTED]
Posted At: 29 May 2013 20:52
Posted To: licensing@oxford.gov.uk
Conversation: Euro Emissions & Vehicle Age Limits
Subject: Euro Emissions & Vehicle Age Limits
Dear Taxi Licensing Authority,

Re: [REDACTED]

We do not agree with the age limits on the vehicle, as it is not viable to buy a new Hackney Cab every eight years, they are very expensive it takes us five years to pay the hire purchase off.

I completely understand the purpose behind this but it just isnt viable.

Many Thanks

[REDACTED]

From: [REDACTED]
Posted At: 06 June 2013 23:16
Posted To: licensing@oxford.gov.uk
Conversation: HACKNEY CARRIAGE & PRIVATE HIRE: CONSULTATION
Subject: RE:HACKNEY CARRIAGE & PRIVATE HIRE: CONSULTATION

Ref: Taxi Licensing

Dear Sirs/Madams

I am emailing you with regards to the Vehicle age limits. I am a Hackney Carriage driver, and would like to suggest that the limit for a hackney carriage licence should be at least 15 years for the below reasons:

1. A Hackney costs £40,000 (hence it is unfair to compare it to a private hire vehicle, as they only cost around £10,000-£12,000, which is 3 times less than the price of a Hackney).
2. We have to go through 2 MOT tests within a year, so Hackney's are mostly up to date in meeting the required standards.

In order to make sure all Hackneys are meeting the required standards you should do spot checks more often. And those that are not up to their standards should be taken off road / suspended until they meet the standards.

On average the weekly maintenance costs for a Hackney is £250-£300, which is very hard to manage especially in this financial climate/recession, and also business is currently down by 30%. I hope you will take the above points into your consideration, so we could come to a agreement. I look forward to hearing from you soon. Many thanks.

Best Regards
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Posted At: 28 April 2013 10:44
Posted To: licensing@oxford.gov.uk
Conversation: Euro Emissions @ Vehicle Age Limits
Subject: Euro Emissions @ Vehicle Age Limits

i agree with your proposals for the upper age limit of under 5 years for any vehicle submitted for a new licence and also the upper age limit of under 8 years for vehicle submitted for a renewal of an existing license i think the it would be good for keeping the carbon emissions at a lower level and also for keeping the taxis and private hire in a more up to date condition for the general public to travel in safety and comfort thank you

From: [REDACTED]
Posted At: 15 May 2013 12:48
Posted To: licensing@oxford.gov.uk
Conversation: EURO Emissions & Vehicle Age Limits
Subject: EURO Emissions & Vehicle Age Limits
Subject: EURO Emissions & Vehicle Age Limits

Please find my response to the hackney carriage & private hire consultation and thank you for allowing me the opportunity to respond.

1. I do agree that Oxford City Council should have a plan to reduce carbon emissions and improve vehicle safety.
2. I do not think that adding these age limits will improve vehicle safety and reduce carbon emissions.
3. I do not agree with the proposal for an upper age limit of “under 5 years of age” for any vehicle submitted for a new licence.
4. I do not agree with the proposals for an upper age limit of “under 8 years of age” for any vehicle submitted for the renewal of an existing licence.
5. In principle I am not against an age limit for vehicles as per the proposal but do not think it should be as proposed. For example the upper age limit for the renewal of an existing license should be under 14 years rather than under 8 years.

In addition to this the TX4 model of the London Taxi has brought further improvements during the years to the London taxi. The VM Motori diesel engine meets the Euro IV emission standard which means a much improved environmental performance. ABS brakes provide increased safety, while the passengers benefit from reduced noise levels.

There are a number of other refinements, such as improved ventilation (with the option of air conditioning), improved intercom system and an interior redesign to give a lighter, brighter ambience.

Therefore by having an existing model you are likely to conform to high standards of vehicle safety and have an environment friendly vehicle.

I take pride in my taxi and make sure it is maintained upto a high standard both in terms of vehicle safety, the environment and my customers. If there are taxi's not upto certain standards maybe they should be targeted by the City Council (e.g. spot checks) rather than general proposals which are costly for taxi drivers.

[REDACTED]

From: [REDACTED]
Posted At: 30 April 2013 12:08
Posted To: licensing@oxford.gov.uk
Conversation: Taxi Age Limit
Subject: Taxi Age Limit

I will keep this brief as I am sure that you will have many hundreds of letters to consider. I personally as a driver am against the proposal. Although The EU are forcing you to reduce emissions in line with their own policy (which again I disagree with, and hopefully the government is not lying to us this time and give us our referendum so that we can pull out of the EU and be free of all these loony schemes, but that is for another day) in point 1 I fail to see how the OCC plan would improve vehicle safety because the TX1 which you wish to ban from the roads is a far better built and sturdier vehicle than the TX4 that you favour, and as such offers better safety for the passenger and driver. point 2 No. Point 3 Yes. Point 4 No. Point 5. A simple answer for the Carfax area, which is the main cause of pollution in The City Centre, would be to remove the loading bays along the North side of High Street, and to move the bus dropping off points further East away from Carfax, this would alleviate the all day long traffic jams caused by the 2 above very badly designed bays. The longer action needed is for the London and Airport buses to be routed either North or South from Gloucester Green, and NOT down the High Street which has already suffered enormous damage caused by the weight of The Oxford Tube, and fully laded airport buses only a few years after £millions was spent rebuilding the road. In Queen Street a new bus stop is needed East of Bonn Square to take away the pressure on St Aldates which now resembles Cornmarket Street of old with buses blocking the road all day and sometimes all night long. Their are very few Black Cab movements through Carfax as we use the North or South routes to avoid the congestion. Now to the Taxi Trade. The entire world looks up to the London Taxi Trade as the model that all licensing authorities aspire to. But as usual Oxford has to be different and be the guinea Pig for all Harebrained schemes, from the Rubber Road in Cornmarket Street in the 50s right up to the modern day, with cornmarket voted 2nd worst street in Britain, my point being that it seems that all decisions made solely by O.C.C. are not only wrong but financially lead to bankruptcy. I feel that the London Model should be followed, where you can still find FX'S on the road. The main challenge to your proposal (and maybe a costly legal one) will come from your decision to grant The L.T.C. a monopoly on Taxi sales in Oxford. Their vehicle is the most unreliable on the road, having had recalls, and an awful record in Oxford for the proprietors forced to buy one, not to mention the financial problems of the parent company. You will need to licence the Mercedes as well if you were to bring in an age limit. As you know it is good enough for London, so should be good enough for the rest of the World let alone Oxford. One last thing for you to contemplate, the Multi-national bus companies that clog up our streets get subsidies to buy their buses, subsidies to run certain services, and are just implementing their 7th fare increase in just over 5 years. The Taxi trade enjoys none of the above privileges, and also over the last 3 years until last month had only had 1 fare increase of 1.5% on a £10 journey, whilst having to suffer a near 50% rise in fuel costs. If your proposal is implemented you will be looking at another 10% rise in fares to cover the £140 a week loan repayments on a new cab. And my last gripe is aimed directly at licensing who provide only 14 working rank spaces for 107 licensed taxis. I.E. Gloucester Green. The ranks at St Giles and The High Street are useless as people will not walk to them and instead flag down a cab either by Waterstones or Carfax. You need to provide a daytime rank in Broad Street in the space currently occupied by the Tour Bus sales booth, and make Carfax at 24 Hour Rank, it works perfectly well on a Sunday, so what is your objection to a 24/7 rank?. I hope you take these points on board, as you are not likely to get anything as constructive from the COLTA secretary who is about as much use as an ashtray on a motorbike, but he makes your life easier.

[REDACTED]

[REDACTED]

From: [REDACTED]
Posted At: 02 May 2013 19:34
Posted To: licensing@oxford.gov.uk
Conversation: Taxi Licensing
Subject: ref: Taxi Licensing
To John Copley

In reply to your letter sent to me i would like to point say that i do not agree with reducing the age limit of taxis to 5 years. i feel it should be 15. As our vehicles have 2 MOT every year to ensure they are safe, as part of those MOTs emissions and the general look of the vehicle is apart of the test. so as long as we are passing it shouldn't be a issue. however i understand you would like the vehicles to look presentable which is why i recommend a 15 year age limit as i feel there is no reason a 14 year old vehicle can still well presentable and if there are any issues in its looks or emissions efficacy this will be flagged up in the MOT.

kind regards

[REDACTED]
[REDACTED]

From: [REDACTED]
Posted At: 11 June 2013 22:00
Conversation: Euro Emissions&Vehicle Age Limits
Posted To: VEHICLE AGE LIMITS

Subject: Euro Emissions&Vehicle Age Limits

Dear Sir madam

First of all thank you very much for asking my point of view on euro emission & vehicle age limits. I agree with the proposals for an upper age limit of "under 5 years of age". But i disagree with the proposals for an upper age limit "under 8 years of age" if it is possible please could you keep 10 year limit because it difficult to save money to buy another taxi in three years.

Some cars come from other city councils but there cars are very old and they work with same city, same company, how could you improve to reduce carbon in oxford. I know some local taxi drivers even when the oxford city council stop to renew their vehicle these driver then take there taxis to other city council to renew there taxi plates and start to work back in oxford again. I am advising you to leave the age limit to 10 years. please try stop other city council drivers working back in oxford.If oxford city council don't take any action then oxford city workers will join other city councils to get vehicle plates and work back in oxford.

thank you for taking your time for reading this.

[REDACTED]
[REDACTED]

From: [REDACTED]
Posted At: 12 June 2013 12:08
Posted To: licensing@oxford.gov.uk
Conversation: 2013 Oxford City Council Hackney Consultation
Subject: 2013 Oxford City Council Hackney Consultation
Date 12.06.2013

Dear Sir/Madam

I [REDACTED]

I have read your letter regarding the consultation letter on the Age Limit and Euro Emission on Hackney Carriages.

I myself disagree with the whole proposals because this age limit would put a big effect on me in buying a new cab which cost £40000

Or by me to arrange for a loan which i believe would financially make it unworkable.

Then to claim or make the money back would mean meter fare price would have to go up again.

Already its unfair because cost have gone up in every section.

So i am not happy at all.

I would like or discuss a plan to reduce Carbon Emission because i feel and for others around me to breath fresh air.

And for the Safety issue i would say there is not much we can change

Yours Sincerely

[REDACTED]

Sent from my Samsung Galaxy Note II LTE on Three

From: [REDACTED]
Posted At: 29 April 2013 17:11
Posted To: licensing@oxford.gov.uk
Conversation: Cab age
Subject: Cab age

I am writing to you in regards to the age limit of taxis. I believe as far as the vehicles are up to standard engine wise and body wise or otherwise the cabs should not have to be changed. The council has a great team of M.O.T. staff which also goes along with the M.O.T. of taxis twice a year to make sure the taxis are up to date, so with this in place i believe there should not be an age limit on taxis as we are or remain up to date with vehicles.

Thank you and regards

[REDACTED]

Sent from my iPhone

From: [REDACTED]
Posted At: 12 June 2013 08:50
Posted To: licensing@oxford.gov.uk
Conversation: Consultation [REDACTED]
Subject: Consultation [REDACTED]

Dear Sir/Madam

Further to the above Consultation, my response is, as follows:-

1. Yes, I agree to the reduction of emissions, but believe the existing safety criteria is sufficient.
2. Yes, I agree the upper age limit should be capped, but only in consultation with the drivers on a voting basis.
3. No, I do not agree to the upper age limit of 5 years. Any proposals should be done by a vote of the current license holders.
4. No, I do not agree with the upper age limit of 8 years for renewal, I believe it should be between 10-15 years.
5. The council should part subsidise any exhaust changes to enable vehicles to be compliant with Euro emissions. Also, the current thorough process of MOT testing is sufficient to ensure vehicle safety.

Regards,

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]
Posted At: 12 June 2013 13:42
Posted To: licensing@oxford.gov.uk
Conversation: euro emissions and vehicle age limits
Subject: euro emissions and vehicle age limits

Licensing Authority,

I am responding to the letter I received dated 23/04/2013 with regards to the consultation on emissions and vehicle age limits for hackney carriage and private hire vehicles.

I do not agree with the proposals put forward by the head of environmental development for climate change mitigation. I believe that the proposals are a knee jerk reaction and do not believe that they have been properly thought through as to how much difference they would make. Some stats to show what difference these proposals would make would have been appreciated.

At the moment hackney carriage vehicles go through a very stringent MOT every six months. Very close detail is paid to conditions of vehicle including mechanical, interior and exterior to make sure vehicles are in good condition and appearance to represent Oxford city gracefully. I disagree that the upper age limits of 5 and 8 years would improve vehicle safety because the current set up is more than adequate to make sure the vehicles are upholding the safety of the travelling public well.

At the moment there are older vehicles in service in London (the top destination for tourists in 2012, ref conde nast traveller) representing the borough well.

And what about the financial implication to the licence holders in the current financial climate, which I believe has not been thought through at all when the proposal suggests that the changes should be brought in from Jan 2014- approximately 5 to 6 months after the end of consultation. For your information a 5 year old LTI costs in the region of £15 to £20000. How would a licence holder look to finance for this amount in the current climate when banks are not lending so openly. In such a short period of time a licence holder may have to look elsewhere for employment.

Therefore, I disagree with these proposals in current form and believe they have not been thought through properly taking all aspects into consideration. I would suggest;

- : making more roads traffic free

- : reduce busses on the road at certain times of the day. I have lost count of the number of busses I see on a daily basis that are travelling with only a few passengers on board. There are so many busses about at off peak times that the congestion they cause and ultimately how much pollution they cause from vehicles that are jammed up behind them. The roads in Oxford are narrower than in some towns because of which we have so much congestion. Maybe we need to look at parking bays for busses cut into the pavements to keep other traffic flowing.

- : When a new vehicle is licenced, Only allow vehicles to be licenced under certain engine size. The trend from manufacturers is to reduce the engine capacity of their vehicles to bring down their emissions.

- : put a ceiling on maximum CO2 PER G/KM for vehicles to emit, encouraging licence holders to bring in cleaner vehicles when replacing their vehicles.

- : LTI vehicles (ie black cabs) do not have the most efficient vehicles on the market in terms of CO2 or fuel efficiency. Why not allow Lti vehicles to be

replaced by passenger cars to be hackney carriage licensed vehicles. That would significantly reduce the carbon footprint.

:put a ceiling on maximum number of private hire vehicle licences.

:Educate all vehicle users on how to use their vehicles more efficiently, therefore reducing emissions and improving economy of their vehicles.

:Any proposal should give a good notice of time. I would suggest 2 to 4 years depending on the proposal. This would then give everybody a good opportunity to evaluate their own circumstances and make their decision.

I hope my views are taken in to consideration when making any changes.

Kind regards,

[REDACTED]

PROPRIETOR OF A LICENSED TAXI

From: [REDACTED]
Posted At: 29 May 2013 10:48
Posted To: licensing@oxford.gov.uk
Conversation: Hackney Carriage & Private Hire: Consultation
Subject: RE: Hackney Carriage & Private Hire: Consultation

To Whom It May Concern,

I am writing to discuss my views on the 'Euro emissions & vehicle age limit' consultation. I, as a Hackney driver of 24 years, strongly disagree with the proposals listed. I believe that the proposals are ill thought and are detrimental to the livelihoods of hundreds of drivers across Oxfordshire.

The following are my views on the proposals suggested;

New Vehicle Licence:

From 1st January 2014 a licence will not be granted if the vehicle is 5 years or of age or more from the date of its first registration.

Renewal of Vehicle Licence:

From 1st January 2014 no licence will be renewed if the vehicle is 8 years of age or more from the date of its first registration.

These proposals will mean that me, and hundreds of other drivers, will have to spend a circa £40, 000, every 8 years, in order to gain a licence to earn our livelihoods; after paying the 5 year loan the total will be around £47,000. This money will come from our own pockets and will reduce our living standards. Will the Council help us in purchasing our vehicles through subsidies? I probably don't think so because it would be unfair on the tax payer. Bus companies can pay to introduce new buses because they are one business therefore can use their size to negotiate better rates of price whereas our taxis are bought by individuals thus reducing our bargaining power. This will also lead to a glut of working, and in good order, taxis on the second hand marketing leading to a loss of value when it comes to the point of sale after 8 years.

Work for us driver has already gone down because of cross border Private Hire working in Oxford pinching our trade; our enforcement team is not doing enough because these cars are increasing in number each day.

Financially it will make sense for us Hackney drivers to purchase Private Hire vehicles as they tend to be cheaper (about £15,000 v £40,000) This will mean that Oxford will lose an iconic vehicle. A city as iconic as Oxford deserves a Hackney Taxi.

Another point I want to make is regards to carbon emissions. Our taxis are MOT'd every 6 months and are subjected to strict emission tests, already, therefore the fleet of taxis are in good working conditions. Surely emission costs of building a brand new taxi outweigh the emission cost of running a taxi older than 8 years? It is unfair to just look at the emissions when the taxis are working but the entire life emission of the taxis should be considered; and in that sense these proposals make absolute no sense and stink of proposals for the sake of proposals.

My final point is Oxford is a small city compared to London, Manchester,

Glasgow etc, those cities have a much larger taxi fleet but their taxis wouldn't be subjected to such strict emissions controls then why should ours be? Surely action must be taken in larger cities before it is stemmed down to smaller cities like ours?

In conclusion these proposals are ill thought and will strike the very livelihoods of a hundred drivers and hundreds of families depending upon them. Our taxis are already tested, twice a year, against strict emissions tests and most tend to pass so why have these emissions rules now? Also one must look at the entire emissions life span of a taxi, from manufacture to disposal and not just the emissions that come from the exhaust pipe; and in that sense these proposals are in complete contradiction to your aims behind them.

Regards

[REDACTED]

From: [REDACTED]
Posted At: 28 May 2013 12:28
Posted To: licensing@oxford.gov.uk
Conversation: Taxi licensing
Subject: Taxi licensing

- 1) Do you agree or disagree that Oxford city council should have plan to reduce carbon emissions and improve vehicle safety.....Agree
- 2) Do you agree or disagree that this can be achieved by putting an upper age limit on hackney carriages and private hire vehicles? Disagree
- 3) Do you agree or disagree with the proposals for an upper age limit of "under 5 years of age" for any vehicle submitted for new licence? Agree
- 5) Do you agree or disagree with the proposals for an upper age limit of "under 8 years of age" for any vehicle submitted for the renewal of an existing licence? Disagree
- 6) 5) If you disagree with these proposals, Please let us know how you would suggest we achieve our carbon emissions reduction and improvements in vehicle safety..

P.S Sorry to say this but the way things are going in the business not many people will be able to afford all these expenses.
All I can say is if vehicle owner maintain the vehicle I don't see the need to keep changing them, I'm sure you have read about what is going with LTI. So how will the owner of lti cab be able to keep changing from old to new???

From: [REDACTED]
Posted At: 07 May 2013 19:35
Posted To: licensing@oxford.gov.uk

Conversation: Totally disagree because tx1 have better cleaner emissions than tx4s and there's not enough business too fork out forty thousand pounds every eight years
Subject: Totally disagree because tx1 have better cleaner emissions than tx4s and there's not enough business too fork out forty thousand pounds every eight years

Sent from my iPhone

Subject: FW: HACKNEY CARRIAGE & PRIVATE HIRE: CONSULTATION
Date: 07 June 2013 08:22:02

From: [REDACTED]
Posted At: 06 June 2013 23:16
Posted To: licensing@oxford.gov.uk
Conversation: HACKNEY CARRIAGE & PRIVATE HIRE: CONSULTATION
Subject: RE:HACKNEY CARRIAGE & PRIVATE HIRE: CONSULTATION

Ref: Taxi Licensing

Dear Sirs/Madams

I am emailing you with regards to the Vehicle age limits. I am a Hackney Carriage driver, and would like to suggest that the limit for a hackney carriage licence should be at least 15 years for the below reasons:

1. A Hackney costs £40,000 (hence it is unfair to compare it to a private hire vehicle, as they only cost around £10,000-£12,000, which is 3 times less than the price of a Hackney).
2. We have to go through 2 MOT tests within a year, so Hackney's are mostly up to date in meeting the required standards.

In order to make sure all Hackneys are meeting the required standards you should do spot checks more often. And those that are not up to their standards should be taken off road / suspended until they meet the standards.

On average the weekly maintenance costs for a Hackney is £250-£300, which is very hard to manage especially in this financial climate/recession, and also business is currently down by 30%. I hope you will take the above points into your consideration, so we could come to a agreement. I look forward to hearing from you soon. Many thanks.

Best Regards

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]
Posted At: 11 June 2013 22:30
Conversation: Hackney Carriage & Private Hire vehicle 2013 Consultation Oxford City Council
Posted To: VEHICLE AGE LIMITS

Subject: Hackney Carriage & Private Hire vehicle 2013 Consultation Oxford City Council

Date 11.06.2013

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

Dear Sir/Madam

I have read your letter that the General Purposes Licensing Committee has requested that the Head of Environmental Development carry out this Hackney Carriage & Private Hire Vehicle Consultation in the Summer of 2013.

I would like to make my views known regarding the Hackney Carriages Consultation and on the following Euro Emission & Age Limits.

With the New Vehicle Licence I agree that the vehicle should not be more than 5 years old because that's what we're doing at the moment.

The Renewal Of The Vehicle License I would Disagree because we feel there should not be an age limit set.

I would Agree if there could be a plan to reduce Carbon Emissions and Improve Vehicle Safety By having inner comfort areas of the vehicle more improved on and by looking at Catalytic Converter Systems or another type of alternative idea rather than an age limit set on the Hackney Carriage Vehicles.

I would Disagree because this can not be achieved by putting an upper age limit on Hackney Carriages nor it will achieve a limit of under age of 8 years.

I could Agree with a proposal if we really need an age limit of such vehicle that would submit a vehicle license to be renewed for an existing license.

Oxford city and its council authorities have the best system in place already for these public services vehicles for they Safety check and Emission Tests. Which these public service vehicle are meeting the Standard Set.

We feel our Oxford City Council Authorities have improved more on Vehicle Safety and on Road Safety than any other Big City In The UK.

Financially we believe in business wise the Proposals put forward by the General Purposes Licensing Committee to request that the Head Of Environmental Development have a look in to is Unworkable and unaffordable.

We have agreed and disagreed on some question because we feel we and the local council authorities need to look at the long term effects and the wider picture on where the Taxi Trade is going at the Moment and its future coming.

Yours Sincerely

[Redacted signature block]

Sent from my iPad

30-09-13

Dear Sir

I am writing to you regarding the age limit and Euro emissions exercise. It would be very damaging if this goes to fruition. My our taxis are MOT'd twice a year and the emission test are passed as well as the taxis's are keep in excellent condition. Business has also dropped due to the recession we are in. Other cities such as London and Reading have to change their taxis every 20 years, I feel this standard should also be applied to us in the city of Oxford as well.

The cost of a taxi is between £35 000 to £40 000 so changing a taxi every 5 or 8 years would have a serious affect on our lively hood.

I urge the council to help us oppose this proposal and set a 20 year limit like other cities.

In Summary

I agree that carbon emissions should be reduced using a cost affective strategy

I disagree that an upper age limit on hackney carriages and private hire vehicles will help this (reasons stated above)

I disagree for an upper age limit of “under 5 years” for new licence

I disagree for an upper age limit of “under 8 years of age” for renewal existing licence.

I disagree with both proposals as this will question the viability of the taxi business in Oxford, Also the proposal does not offer a subsidy to assist the proposal as it has with bus companies in Oxford which is unfair.

Regards

[REDACTED]
[REDACTED]

From: [REDACTED]
Posted At: 05 June 2013 05:51
Posted To: licensing@oxford.gov.uk
Conversation: Age limit
Subject: Age limit

Dear sir/madam

I am writing to you to request an age limit should not be put on taxis as this would put great burden on many taxi drivers and the cost of running these taxis are very expensive as it is.

[REDACTED]
[REDACTED]

Thank you

Sent from my iPhone

From: www-data [mailto:www-data@occ2.oxil.co.uk] Posted At: 04 June 2013 12:51
Posted To: licensing@oxford.gov.uk
Conversation: Contact Via Website
Subject: Contact Via Website

You have received a contact message from the Oxford City Council Website as follows:

Name: [REDACTED]

Email Address: [REDACTED]

Address:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Telephone No.: [REDACTED]

Comments: Regarding age limit off Hackney carriages. I would like to put my point of view by saying a 15 year age limit should be implented. In london this has been implemented with no problems. As long as the cab is capable of passing mot every 6months then there shouldn't be an issue. We as a family have spent £27000 on a new cab and the only way for us to make most off the vehicle financially would be to put a 15 year age limit on the Hackney carriage.

Customer reference number: Hackney carriage age limit

From: [REDACTED]

Posted At: 07 May 2013 18:03

Posted To: licensing@oxford.gov.uk

Conversation:

Subject:

To whom this may concern,

Upon reading your letter to introduce a New Vehicle Age Limit I have considered it not to be such a good decision, I agree that the Oxford City Council should take up a sense of responsibility trying to reduce the carbon emission but this new idea proposed will be extremely costly and much of a burden for us taxi drivers as currently work levels have reduced massively.

Taxis go through MOT every 6 months to check the suitability for the roads and for the public and this increases road safety. I have also noticed the newer generation of taxi makes are causing more mechanical problems and are becoming increasingly expensive to run.

The age of the taxi should not be something that needs to be looked on as a problem to be changed. In London you see Taxis of ages more than 20 and this is evidence that older vehicles are safe to drive. I agree that carbon emission is an on going problem for the world but if this decision is carried out it will cause much stress and financial burden on the taxi drivers.

I hope you can consider my view point and will be looking forward to see what action you take,

yours sincerely,

[REDACTED]

From: [REDACTED]
Posted At: 28 May 2013 12:28
Posted To: licensing@oxford.gov.uk
Conversation: Taxi licensing
Subject: Taxi licensing

- 1) Do you agree or disagree that Oxford city council should have plan to reduce carbon emissions and improve vehicle safety.....Agree
- 2) Do you agree or disagree that this can be achieved by putting an upper age limit on hackney carriages and private hire vehicles? Disagree
- 3) Do you agree or disagree with the proposals for an upper age limit of "under 5 years of age" for any vehicle submitted for new licence? Agree
- 5) Do you agree or disagree with the proposals for an upper age limit of "under 8 years of age" for any vehicle submitted for the renewal of an existing licence? Disagree
- 6) 5) If you disagree with these proposals, Please let us know how you would suggest we achieve our carbon emissions reduction and improvements in vehicle safety..

P.S Sorry to say this but the way things are going in the business not many people will be able to afford all these expenses.
All I can say is if vehicle owner maintain the vehicle I don't see the need to keep changing them, I'm sure you have read about what is going with LTI. So how will the owner of lti cab be able to keep changing from old to new???

From: [REDACTED] Posted At: 07 May 2013
21:43 Posted To: licensing@oxford.gov.uk
Conversation: Consultation
Subject: Consultation

1. I agree when the O.C.C modernization plan includes swap of classic PHVs for hybrid ones.
 2. I disagree.
 3. I disagree.
 4. I disagree.
 5. By introducing more hybrid vehicles as PHVs, cancellation for instance: road signs of obligatory turn in only one direction for PHVs and Hackney Carriages, all PHVs and HCs should be provided with codes enabling to cross over hydraulic road blocks, focusing attention on swap of all fashioned buses on hybrid ones, traffic lights modernization to introduce new ones provided with approaching sensors.
- Kind Regards
[REDACTED]

From: [REDACTED]

Posted At: 03 June 2013 19:40

Posted To: licensing@oxford.gov.uk

Conversation: EURO EMISSIONS & VEHICLE AGE LIMITS

Subject: EURO EMISSIONS & VEHICLE AGE LIMITS

1. I disagree

2. I disagree

3. I disagree

4. I disagree - There should be an age limit of 15 years for any vehicle submitted for a new license.

5. At the moment economic climate is not good therefore people are struggling with finances and people like myself are unable to afford new vehicles which cost around £35,000.

Concerning vehicle safety there is already 6 months MOT service in place, therefore there will any issues will be picked up in this.

Oxford is a small city and has limited business for taxi drivers as the busy days are only Friday's and Saturdays. Also many of the bus services are now 24 hours.

From: [REDACTED]
Posted At: 02 May 2013 23:03
Posted To: licensing@oxford.gov.uk
Conversation: Consultation
Subject: Consultation
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Licensing Authority
Oxford City Council
Mr John Copley
3rd Floor, St Aldate's Chambers
Oxford, OX1 1DS

Dear Mr Copley,

Re: Euro Emissions & Vehicle Age Limits

I write with reference to the letter dated 23rd April 2013.

I am deeply concerned at your proposals which are unrealistic, unreasonable and out of touch with the pervading economic climate!

I don't think you have considered the reality of the financial situation experienced by the taxi drivers in Oxford. Any survey will show you that business is in decline and drivers are struggling to keep their heads above water.

It is evident that you have not taken into account the spiralling cost of fuel, insurance, road tax, council plate, badge, 2 compliance tests and regular ongoing maintenance costs.

I believe you are being hasty and unreasonable by pre-empting the final findings of the law commission and you have given no valid legitimate reasons for doing so.

In your consultation letter you have asked 5 questions and my response is as follows:

1.

I have no problem with the Council having a plan to reduce carbon emissions and improve vehicle safety. However, I fail to understand how my vehicle and my colleague's vehicles are deemed unsuitable and unsafe if they are 8 years or over of age, when our taxi vehicles undergo stringent twice yearly compliance tests. Perhaps the council would like to explain this to me and other taxi drivers?

2.

I strongly disagree with your assertion that carbon emissions can be reduced and vehicle safety can be improved by imposing an upper age limit on Hackney carriages and Private Hire Vehicles.

I copy a quote from DFT Taxi and Private Hire Vehicle Licensing: Best Practice Guide; Para 32

“AGE LIMITS. It is perfectly possible for an older vehicle to be in good condition. So setting of an age limit beyond which a local authority will not license vehicles may be arbitrary and inappropriate. But a greater frequency of testing may be appropriate for older vehicles – for example twice – yearly tests for vehicles over 5 years old”

3.

I have no objections for an upper age limit of “under 5 years of age” for any vehicle submitted for a new licence.

4.

I strongly disagree with the proposal for an upper age limit of “under 8 years of age” for any vehicle submitted for a renewal of an existing licence. See my reply to No’s 1 and 2.

5.

I refer you to my reply to No’s 1 and 2. Perhaps the council should consider targeting the real gas guzzlers that are causing emissions problems in Oxford and stop discriminating against the Taxi business who are subjected to stringent twice yearly compliance tests. I am referring to buses and coaches.

I take strong issue with paragraph 2 of the letter dated 23.04.2013. It is an established fact that Oxford is a world class city due to its history and reputation. I would like to understand how its status will be further enhanced by imposing arbitrary age limits on taxis operating in Oxford.

I would like the council to present evidence of how the quality of vehicle safety offered to the public has been in any way compromised by taxi vehicles that are 8 years or over of age to come to an arbitrary 8 year age cut off point. I am open to persuasion if compelling evidence is provided as requested.

I urge you to re-consider your proposals.

Yours sincerely

[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Posted At: 15 May 2013 15:11
Posted To: licensing@oxford.gov.uk
Conversation: consultation
Subject: consultation

dear john copley,

we have already reduced business cause plenty of taxi drivers, operator and honestly you guys making lot of money, i am sure you will forgive me for this, for the subjected matter i simply dis agree.

many thanks

[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED] Posted At: 26 April 2013 12:34
Posted To: licensing@oxford.gov.uk
Conversation: Contact Via Website
Subject: Contact Via Website

You have received a contact message from the Oxford City Council Website as follows:

Name: [REDACTED]

Email Address: [REDACTED]

Address:

[REDACTED] [REDACTED]
[REDACTED]

Comments: Hi my plate no [REDACTED] I think age limit should be 10 year if age limit is 8 year
than u have change car every three years That will be that will be not easy Thanks.

Customer reference number:

From: [REDACTED]
Posted At: 29 May 2013 10:48
Posted To: licensing@oxford.gov.uk
Conversation: Hackney Carriage & Private Hire: Consultation
Subject: RE: Hackney Carriage & Private Hire: Consultation

To Whom It May Concern,

I am writing to discuss my views on the 'Euro emissions & vehicle age limit' consultation. I, as a Hackney driver of 24 years, strongly disagree with the proposals listed. I believe that the proposals are ill thought and are detrimental to the livelihoods of hundreds of drivers across Oxfordshire.

The following are my views on the proposals suggested;

New Vehicle Licence:

From 1st January 2014 a licence will not be granted if the vehicle is 5 years or of age or more from the date of its first registration.

Renewal of Vehicle Licence:

From 1st January 2014 no licence will be renewed if the vehicle is 8 years of age or more from the date of its first registration.

These proposals will mean that me, and hundreds of other drivers, will have to spend a circa £40, 000, every 8 years, in order to gain a licence to earn our livelihoods; after paying the 5 year loan the total will be around £47,000. This money will come from our own pockets and will reduce our living standards. Will the Council help us in purchasing our vehicles through subsidies? I probably don't think so because it would be unfair on the tax payer. Bus companies can pay to introduce new buses because they are one business therefore can use their size to negotiate better rates of price whereas our taxis are bought by individuals thus reducing our bargaining power. This will also lead to a glut of working, and in good order, taxis on the second hand marketing leading to a loss of value when it comes to the point of sale after 8 years.

Work for us driver has already gone down because of cross border Private Hire working in Oxford pinching our trade; our enforcement team is not doing enough because these cars are increasing in number each day.

Financially it will make sense for us Hackney drivers to purchase Private Hire vehicles as they tend to be cheaper (about £15,000 v £40,000) This will mean that Oxford will lose an iconic vehicle. A city as iconic as Oxford deserves a Hackney Taxi.

Another point I want to make is regards to carbon emissions. Our taxis are MOT'd every 6 months and are subjected to strict emission tests, already, therefore the fleet of taxis are in good working conditions. Surely emission costs of building a brand new taxi outweigh the emission cost of running a taxi older than 8 years? It is unfair to just look at the emissions when the taxis are working but the entire life emission of the taxis should be considered; and in that sense these proposals make absolute no sense and stink of proposals for the sake of proposals.

My final point is Oxford is a small city compared to London, Manchester,

Glasgow etc, those cities have a much larger taxi fleet but their taxis wouldn't be subjected to such strict emissions controls then why should ours be? Surely action must be taken in larger cities before it is stemmed down to smaller cities like ours?

In conclusion these proposals are ill thought and will strike the very livelihoods of a hundred drivers and hundreds of families depending upon them. Our taxis are already tested, twice a year, against strict emissions tests and most tend to pass so why have these emissions rules now? Also one must look at the entire emissions life span of a taxi, from manufacture to disposal and not just the emissions that come from the exhaust pipe; and in that sense these proposals are in complete contradiction to your aims behind them.

Regards

[Redacted signature]

To the Head of Environmental Development
Oxford City Council
Oxford

34 Mather Road
Headington
Oxford
OX3 9PG

Thursday 6th June 2013

RE: Euro Emissions & Vehicle age limits

Dear Sir,

In response to your letter regarding consultation for Hackney Carriage & Vehicles.
My opinion is as follows:

- 1) I believe there should be a national policy in place to reduce CO2 emissions and improve vehicle safety. This policy should apply to all vehicles nationwide.
- 2) I disagree that this can be achieved by enforcing an upper vehicle age limit on existing licences. If imposed there will be a huge unfair discrepancy between vehicle ages in Oxford compared to vehicles in other areas e.g. London, Reading.
- 3) I agree with proposals for an upper vehicle age limit of under 5 years for new licenses. This will ensure that the operating fleet will be gradually modernised.
- 4) I strongly disagree with an upper age limit of 8 years for renewal of existing licenses. As an owner driver of a Hackney Carriage Vehicle I believe an outlay of £45 000 every 8 years is not economically viable in this trade.
- 5) The present twice annual M.O.T ensures that vehicles are safe, road worthy and aesthetically suitable. In my opinion an upper age limit of a vehicle should be in line with places like London, and set at 15 years. This would ensure emissions are kept under control.

Yours sincerely,

Nisar Ahmed Dogar

From: [REDACTED]
Posted At: 03 June 2013 18:25
Posted To: licensing@oxford.gov.uk
Conversation: Euro Emissions & Vehicle Age Limits
Subject: Euro Emissions & Vehicle Age Limits
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Licensing Authority
Oxford City Council
Mr John Copley
3rd Floor, St Aldate's Chambers
Oxford, OX1 1DS

Dear Mr Copley,

Re: Euro Emissions & Vehicle Age Limits

I write with reference to the letter dated 23rd April 2013.

I am deeply concerned at your proposals which are unrealistic, unreasonable and out of touch with the pervading economic climate!

I don't think you have considered the reality of the financial situation experienced by the taxi drivers in Oxford. Any survey will show you that business is in decline and drivers are struggling to keep their heads above water.

I believe you are being hasty and unreasonable by pre-empting the final findings of the Taxi Law Commission Reform and you have given no valid legitimate reasons for doing so.

In your consultation letter you have asked 5 questions and my response is as follows:

1. I have no problem with the Council having a plan to reduce carbon emissions and improve vehicle safety. However, I fail to understand how my vehicle and my colleague's vehicles are deemed unsuitable and unsafe if they are 8 years or over of age, when our taxi vehicles undergo stringent twice yearly compliance tests. Perhaps the council would like to explain this to me and other taxi drivers?
2. I strongly disagree with your assertion that carbon emissions can be reduced and vehicle safety can be improved by imposing an upper age limit on Hackney carriages and Private Hire Vehicles.

I copy a quote from DFT Taxi and Private Hire Vehicle Licensing: Best Practice Guide; Para 32

"AGE LIMITS. It is perfectly possible for an older vehicle to be in good condition. So

setting of an age limit beyond which a local authority will not license vehicles may be arbitrary and inappropriate. But a greater frequency of testing may be appropriate for older vehicles – for example twice – yearly tests for vehicles over 5 years old”

3. I have no objections for an upper age limit of “under 5 years of age” for any vehicle submitted for a new licence.

4. I strongly disagree with the proposal for an upper age limit of “under 8 years of age” for any vehicle submitted for a renewal of an existing licence. See my reply to No’s 1 and 2.

5. I refer you to my reply to No’s 1 and 2. Perhaps the council should consider targeting the real gas guzzlers that are causing emissions problems in Oxford and stop discriminating against the Taxi business who are subjected to stringent twice yearly compliance tests. I am referring to buses and coaches.

I would like the council to present evidence of how the quality of vehicle safety offered to the public has been in any way compromised by taxi vehicles that are 8 years or over of age to come to an arbitrary 8 year age cut off point.

I urge you to re-consider your proposals.
Yours sincerely

[Redacted signature]

[Redacted contact information]

From: [REDACTED]
Posted At: 13 May 2013 13:15
Posted To: licensing@oxford.gov.uk
Conversation: EURO EMISSIONS & AGE LIMITS
Subject: EURO EMISSIONS & AGE LIMITS
To whom this may concern

I think that your new vehicle licenses are both unworkable and very unreasonable

a) And b) i personally think that they should be left to the government to decide when they release findings of their consultations , i think you are jumping the gun a bit too quickly , as no one has that kind of money to replace cars that quickly due to the economic climate of the country (the cars that are cross bordering work will cement themselves in to Oxford city and you will not be able to govern the age of the vehicles from cross bordering hackney vehicles therefore impacting on the quality cars that we have in Oxford by being overrun by Lots of older vehicles from outside the oxford city borders

1) Regarding the question on consultation on whether oxford city should have a plan to reduce carbon emissions (i think oxford city should look at the sheer amount of buses which pollute far more than our PHV cars , and as regards to safety can you produce REAL figures which show how many passengers or public have been injured by PHV /HC , and at same time for BUSES and COACHES) also how many MOT'S do the buses and coach companies go through every year ??AGREE ACROSS ALL PUBLIC HIRE NOT JUST TAXIS

2) DISAGREE that this can be achieved by putting an upper limit on age , as we have two MOT'S a year and all the vehicles that are made for use as motor vehicles in Europe pass the best and most stringent SAFETY (FOR PASSENGERS AND ROAD USERS) the most strictest EMISSIONS tests before they are manufactured)

3) AGREE with the current 5 year limit for new vehicle license (works perfectly)

4) DISAGREE

THERE IS NOTHING WRONG WITH THE WAY THAT TAXIS/PHV ARE RUN AT THE MOMENT

BY MAKING THE WHOLE TAXI/PHV CHANGE VEHICLES BECAUSE YOU PERSONALLY DON'T LIKE OLDER YET PERFECTLY RUNNING TAXIS/PHV WILL NOT SOLVE ANYTHING!!

THE MASSIVE CARBON FOOTPRINT BURDEN YOU WILL PUT ON OXFORD BY CHANGING VEHICLES THAT ARE ALREADY RUNNING SAFELY AND EFFICIENTLY WILL BE IMMENSE AND WILL TAKE DECADES TO NULLIFY

THE GOVERNMENT HAS ALREADY A CONSULTATION IN PROGRESS, I THINK IT'S SENSIBLE TO WAIT FOR THE OUTCOME BEFORE YOU TRY AND MAKE A LOT OF PEOPLE SPEND MONEY THAT THEY DON'T HAVE ON CARS WHICH WILL CREATE A MASSIVE CARBON FOOTPRINT AND OUTPUT THE SAME AMOUNT OF EMISSIONS THAT YOU HAVE AT THE MOMENT WHICH WILL DO ABSOLUTELY NOTHING TO ENHANCE OXFORD AS A WORLD CLASS CITY (YOU COULD FIX THE ROADS IN OXFORD WHICH ARE WORSE THAN SOME THIRD WORLD COUNTRIES , AND STOP ROADWORKS IN SUMMER WHEN WE HAVE THE MOST AMOUNT OF TOURISTS THAT VISIT THIS GREAT CITY) THAT WOULD HELP TO ENHANCE THE CITY

[REDACTED]

From [REDACTED]
Posted At: 03 June 2013 18:27
Posted To: licensing@oxford.gov.uk
Conversation: Euro Emissions & Vehicle Age Limits
Subject: Euro Emissions & Vehicle Age Limits
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Licensing Authority
Oxford City Council
Mr John Copley
3rd Floor, St Aldate's Chambers
Oxford, OX1 1DS

Dear Mr Copley,

Re: Euro Emissions & Vehicle Age Limits

I write with reference to the letter dated 23rd April 2013.

I am deeply concerned at your proposals which are unrealistic, unreasonable and out of touch with the pervading economic climate!

I don't think you have considered the reality of the financial situation experienced by the taxi drivers in Oxford. Any survey will show you that business is in decline and drivers are struggling to keep their heads above water.

I believe you are being hasty and unreasonable by pre-empting the final findings of the Taxi Law Commission Reform and you have given no valid legitimate reasons for doing so.

In your consultation letter you have asked 5 questions and my response is as follows:

1. I have no problem with the Council having a plan to reduce carbon emissions and improve vehicle safety. However, I fail to understand how my vehicle and my colleague's vehicles are deemed unsuitable and unsafe if they are 8 years or over of age, when our taxi vehicles undergo stringent twice yearly compliance tests. Perhaps the council would like to explain this to me and other taxi drivers?
2. I strongly disagree with your assertion that carbon emissions can be reduced and vehicle safety can be improved by imposing an upper age limit on Hackney carriages and Private Hire Vehicles.

I copy a quote from DFT Taxi and Private Hire Vehicle Licensing: Best Practice Guide; Para 32

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setting of an age limit beyond which a local authority will not license vehicles may be arbitrary and inappropriate. But a greater frequency of testing may be appropriate for older vehicles – for example twice – yearly tests for vehicles over 5 years old”

3. I have no objections for an upper age limit of “under 5 years of age” for any vehicle submitted for a new licence.

4. I strongly disagree with the proposal for an upper age limit of “under 8 years of age” for any vehicle submitted for a renewal of an existing licence. See my reply to No’s 1 and 2.

5. I refer you to my reply to No’s 1 and 2. Perhaps the council should consider targeting the real gas guzzlers that are causing emissions problems in Oxford and stop discriminating against the Taxi business who are subjected to stringent twice yearly compliance tests. I am referring to buses and coaches.

I would like the council to present evidence of how the quality of vehicle safety offered to the public has been in any way compromised by taxi vehicles that are 8 years or over of age to come to an arbitrary 8 year age cut off point.

I urge you to re-consider your proposals.
Yours sincerely

[Redacted signature]

[Redacted contact information]

From: [REDACTED]
Posted At: 13 May 2013 19:20
Posted To: licensing@oxford.gov.uk
Conversation: Euro Emissions & vehicle age limits
Subject: Euro Emissions & vehicle age limits

[REDACTED]
[REDACTED]
[REDACTED]
Dear Mr Copley

I agree Oxford City Council should plan to reduce carbon emissions and improve vehicle safety; however as owners of these vehicles it is not finically feasible for us to replace a vehicle every 8 years as proposed.

We have already suffered a loss of earnings (up to 30%) as a result of the recession and spiralling cost of maintaining the vehicles such as; insurance, fuel and repairs. We are already finding it increasingly difficult to keep our heads above water.

I would welcome OCC to adopt certain polices from councils such as Reading and allow vehicles to be in service up to 15 to 20 years providing they change the emission systems and are well maintained and road worthy.

In regards to safety, we are already complying with 2 M.O.T inspections every year. In my opinion this is adequate to ensure vehicles are in good condition.

Reading council have approved an emissions system which would be supplied and fitted by authorised persons, who will provide a 3 year warranty. The system costs approximately £1,500. We would be willing to consider similar proposals in Oxford.

I disagree with an 'upper age limit' on hackney carriages due to the fact hackney vehicles are more expensive to buy and run compared to private hire vehicles. Also hackney carriages are purpose built to be long lasting as well as having swivel seats and easy and convenient disabled access. It would therefore be unfair to put these vehicles in the same category.

I feel the 8 year limit would damage the trade even further and may lead to drivers not maintaing there vehicles probably, due to the financial strains of making payments on the new vehicles, rising costs and decrease in earnings. Which may also result in owners giving up the trade altogether, this would be sad to see as many of the drivers have been in this profession over 20/30 years.

In relation to 'new vehicle licence' I agree with this proposal and agree vehicles should be relatively new when getting a new licence.

Yours sincerely
[REDACTED]
[REDACTED]

[REDACTED]

From: [REDACTED]
Posted At: 16 May 2013 12:19
Posted To: licensing@oxford.gov.uk
Conversation: " Euro Emissions & Vehicle Age Limits"
Subject: " Euro Emissions & Vehicle Age Limits"

I'm writing off my concerns of Age limits of taxi hire cabs I been thinking long and hard on your proposal and find it hard to agree.I Don't find it financial worth it and would be very hard to coup with all the expentetures

I propose a NO limited on age of vehicles and would be accepted on as long as the mot passes the vehicle would be in very Good condition

. Thank you

. [REDACTED]

Sent from Yahoo! Mail on Android

From: [REDACTED]
Posted At: 16 May 2013 01:04
Posted To: licensing@oxford.gov.uk
Conversation: Euro emissions & Vehicle age limits
Subject: Euro emissions & Vehicle age limits

Hi I have received the letter regarding age limits for vehicles and I am against the proposal as the current rules are fine. We should have 10 years for renewal of an existing license & the the upper age limit to license a new vehicle should be six years.

The consultation asks

1. Carbon emission is already low on any vehicles after the year 2000. The mot in Oxford is every six months which is more than enough for vehicle safety. As in Oxford mot station is already very strict compared to other parts of the uk. That is why a lot of drivers are coming- from other parts of uk to drive in oxford as they have it easy at the mot station in there city & can drive in oxford this should be stopped we have an age limit but if you put the age limits up all the drivers will go to other council & plate the vehicles there & drive in Oxford meaning a loss for Oxford city council.
2. No this cannot be achieved as stated above. All the drivers that cannot afford new cars & are still paying the finances on there cars like myself will either have to go unemployed & loose there cars for which they have not payed for in full, or go to another city & plate the cars there & drive in Oxford.
3. I disagree with the upper age limit of 5 years for a vehicle for a new license as stated above drivers will go elsewhere to plate vehicles & still drive in Oxford. I think it should remain 6 years to plate a new car for a new license.
4. I disagree with this upper age limit of 8 years & it should remain as it is as long as the vehicle passes the mot & is running fine why take it off the road. Like I said the mot in Oxford is very strict & owners spend time & money to maintain their vehicles to the highest standards as it is there car to drive & there own safety. Drivers are still paying there finances or loans they have taken to buy their cars. It would put them in a situation where they would loose there cars n become unemployed.
5. All cars made are build to safety standards which are required by law to have safety & low emissions to a certain standard. Otherwise the government would have a system in place were they would have to scrap every car which they thought was causing safety issues or poor emissions in the UK.

I would urge that this proposal should not be put through by the licensing department after all it is the employment of drivers you would be putting on the line. Drivers will be without a job not being able to afford there house rent going on unemployment benefits & the council would have to pay there rent, or people would not be able to afford the morgages taken out on the and in this time of recession that is the last thing we need.

From: [REDACTED]
Posted At: 05 June 2013 13:41
Posted To: licensing@oxford.gov.uk
Conversation: "EURO EMISSIONS & VEHICLE AGE LIMITS"
Subject: "EURO EMISSIONS & VEHICLE AGE LIMITS"
Dear

EURO EMISSIONS & VEHICLE AGE LIMITS

Q 1 agree

Q 2 disagree

Q 3.....agree

Q 4.....disagree (potential to increase to ten years)

Q 5 I agree with Co2 emission control in Oxford but i think this can be achieved by some other ways instead of just putting vehicle age limit up, for example the flow-thru filter is easily attached to the tailpipe of the

vehicle. The filter matrix is treated with a basic chemical compound. The vehicle exhaust is then diverted into the carbon-capture filter, which traps CO2 in a flow-by chemical reaction. The filter matrix acts as a carbon

sink, capturing harmful CO2. Once the filter is saturated with carbon, it can be easily removed from the device and exchanged for a new filter or rinsed and recharged with base material for reuse. Expect to capture

7% or about one half of the total 14% CO2 by volume coming out of the pipe. A typical 2 litre diesel vehicle less than five year old emits co2 136/139 g/km and similar ten years old vehicle emits co2 153/155 g/km, I

think this can be achieved more efficiently/economically and it will give some breathing space to most hard working cabbies in Oxford in current difficult financial climate.

Yours Sincerely.

[REDACTED]

From: [REDACTED]
Posted At: 26 April 2013 17:02
Posted To: licensing@oxford.gov.uk
Conversation: Hackney Carriage Oxford City
Subject: Hackney Carriage Oxford City

[REDACTED] Consultation

I have read your letter date 23.04.2013
Regarding the New Licence and Renewal of Vehicle Licence.

As a Day Shift driver my point of view I disagree with the new ideas, which our taxi licensing Oxford & City Council is pushing forward from the date 01.01.2014.

Firstly buses are not owned by a individual person who drives them?
Cost Oxford County Council covers most of them?

Secondly Our City Council Public Service Vehicles are not owned by a individual person who drives them in they working day shift? and the cost of payment to safety does not come from the individual person.

Tax as a public business for bus company and other transport register with City Council & County Council get away with it by paying a low fee & Most of our buses are not to the high standard by age or emissions nor are our City Council Public service Vehicles????

Income for bus company is why more than we earn.

When you say in your letter, These proposed changes are being considered by the City Council in Oxford ? in order to reduce carbon emissions in keeping with other forms of public transport, which one do you mean? To enhance the quality of vehicle safety offered to the public, and to promote Oxford as a world Class City.....?

What our council of Oxford should be doing is checking vehicle safety and emissions test for vehicle that come in to Oxford city itself like other Taxi, Private Hire, buses & coaches Making money from them and please don't ask for more money from the Taxi Trade in the Oxford City.

There should be no age limit on Hackney Carriages as long as they pass they M.O.T and other city council safety test.

Sent from my iPad

RISK REGISTER

Key
RED RISK
CLOSED RISK

Risk ID	Risk						Corporate Objective	Gross Risk		Residual Risk		Current Risk		Owner	Date Risk Reviewed	Proximity of Risk (Projects/ Contracts Only)
Category-000-Service Area Code	Risk Title	Opportunity/Threat	Risk Description	Risk Cause	Consequence	Date raised	1 to 6	I	P	I	P	I	P			
CEB000ED	Economy	T	Local and national economy	Financial hardship to licence holders	Reduction in licensed vehicles, reduced income to Licensing Authority, less vehicles accessible to public.	8-Oct-12	2	5	4	5	4	2	2	JA	08.07.13	
CEB000ED	Excessive objections	T	Excessive numbers of objections are received from trade should we seek to consult on vehicle age proposals	Varying age limits nationally, we may be seen to be taking tough stance - HOWEVER gpl Committee proposal reduces this risk	Reputational damage	8-Oct-12	2	3	3	3	3	2	2	JA	08.07.13	
CEB000ED	Law Commission	T	Law Commission reforming laws on Taxis and Private Hire services	Council may implement policy that is deemed invalid when Law Commission proposals become reality	Reputational damage, financial cost to Authority	8-Oct-12	1	3	3	3	3	2	2	JA	08.07.13	

Action Plans

APPENDIX SIX

ACTIONS MUST BE 'SMART'

Specific, Measurable, Achievable, Realistic and Time bound

Key

CLOSED ACTION/Risk

Risk ID	Risk Title	Action Owner	Accept, Contingency, Transfer, Reduce or Avoid	Details of Action	Key Milestones	Milestone Delivery Date	%Action Complete	Date Reviewed
1	Mandatory requirement to replace older licensed vehicles	JA	A	Plan to reduce emissions in City and improve vehicle safety by seeking implementation of Vehicle Age limits	To commence from 01.01.2016	01.01.16	100%	08.07.13
2	Economy	JA	A	Current economic climate is detrimental to taxi / private hire trade - requirement to replace existing older vehicle may be seen as not taking this risk in to account	Economic forecast is not good, number of licence holders increasing as need for additional income grows in light of job cuts and pay freezes	01.01.16	100%	08.07.13
3	Consultation	JA	A	Ensure messages & publicity are clear on why such a regulation is required through Public Involvement Brief to Board	This was done prior to consultation	n/a	0%	08.07.13
4	Negative response to consultation	JA	A	Trade in general were not concerned with new licence upper age limit, but concerned with 8 year renewal upper age limit - this is resolved through recommendation of GPL Committee	Direction required from Board if this new recommendation will allow for sensible introduction of age limits	11.09.13	0%	08.07.13
5	Law Commission	JA	A	Law Commission are currently seeking to reform the laws and regulations relating to Taxi and Private Hire	It is possible that any policy decision taken by the Council now may be considered void upon the implementation of the decisions made by Government to the Law Commission proposed reforms (draft Bill expected end of 2013 / early 2014)	01.01.16	0%	08.07.13

Action Plans

APPENDIX SIX

Risk ID	Risk Title	Action Owner	Accept, Contingency, Transfer, Reduce or Avoid	Details of Action	Key Milestones	Milestone Delivery Date	%Action Complete	Date Reviewed
6	Reputation of Council	JA	A	All of the above listed risks represent potential damage to Council reputation and alienation of the Taxi and Private Hire trade if a mandatory decision is taken before the the Law Commission proposals are ratified.	CEB may feel it is prudent to allow National Standards for licensed vehicles that would be set by Secretary of State if Law Commission proposals become a reality to be set, rather than risk implementing own policy whilst trade are aware of the Law Commission reforms.	01.01.16	100%	08.07.13
7	Council Vision	JA	A	The Council may feel that a modernisation of licensed vehicles would enhance the image and clean air of Oxford and promote public and driver safety	Any improvement to pollution levels, and more modern fleet would represent a better image of Oxford and improve the reputation of the trade	01.01.16	100%	08.07.13
8	Compliance Testing	JA	A	Emission Testing is part of the Certificate of Compliance Test all licensed vehicles must undertake every 6 months	CEB may wish to promote lower emissions and stricter checks on vehicles by looking to implement 3 Tests per annum for older vehicles, putting more responsibility on owners to maintain higher and more frequent levels of compliance.	01.01.16	100%	08.07.13

Risk ID Categories

CRR-000	Corporate Risk Register
SRR-000	Service Risk Register
CEB-000	CEB reports
PRR-000	Project/Programme Risk Register
PCRR-000	Planning Corporate Risk Register
PSRR-000	Planning Service Risk Register

Service Area Codes

PCC	Policy, Culture & Communication	CS	Customer Services
CD	City Development	FI	Finance
CHCD	Community Housing & Community Development	BT	Business Transformation
CA	Corporate Assets	PS	Procurement & Shared Services
OCH	Oxford City Homes	CP	Corporate Performance
CW	City Works	LG	Law and Governance
ED	Environmental Development	CRP	Corporate Secretariat
CL	City Leisure	PE	People & Equalities

Corporate Objective Key

- 1 Core policies and plans
A vibrant and sustainable
- 2 economy
- 3 Meeting housing need
- 4 Strong and active communities
- 5 Cleaner greener Oxford
- 6 An efficient and effective council



Appendix Ten – Equality Impact Assessment

559

Service Area: Environmental Development	Section: General Licensing	Key person responsible for the assessment: J. Alison	Date of Assessment: 08.07.2013	
Is this assessment in the Corporate Equality Impact assessment Timetable for 2012-15?			Yes	<u>No</u>
Name of the Policy to be assessed: Euro Emission Standards / Vehicle Ages			Is this a new or existing policy	Existing
1. Briefly describe the aims, objectives and purpose of the policy		The objective of the policy is to improve the exhaust emissions / pollution created by older licensed taxis and private hire vehicles and embrace the safety features of more modern vehicles.		
2. Are there any associated objectives of the policy, please explain		The policy will also promote the image of Oxford to all those who currently or may wish to work, live and visit the City.		

3. Who is intended to benefit from the policy and in what way		The general public would benefit from cleaner air, the image of Oxford would be improved through the public seeing newer vehicles, and the safety of all would be improved due to the more modern safety features of more modern vehicles.	
4. What outcomes are wanted from this policy? Reduce the pollution created by older vehicles Reduce the cost of repairs to owners of older vehicles Assist the objectives of the Cleaner Greener Campaign Assist the objectives of the Low Emission Zone Reduce the Certificate of Compliance failure rate for older vehicles Reduce the volume of enforcement actions undertaken by the Licensing Officers in relation to the condition of older vehicles Improve the economic effect of increased trade within the motor industry Improve customer expectations of the high standards already implemented by the General Purposes Licensing Committee in relation to the Taxi Licensing function Enhance the reputation of the Hackney Carriage and Private Hire Trade by increasing the professional appearance both externally and internally of all licensed vehicles			
5. What factors/forces could contribute/detract from the outcomes?		Economic situation locally and nationally	
6. Who are the key people in relation to the policy?	Taxi and Private Hire Trade General Public		7. Who implements the policy and who is responsible for the policy? Julian Alison John Copley
8. Could the policy have a differential impact on racial groups?	Y	<u>NO</u>	No differential impact on racial groups has been identified.

What existing evidence (either presumed or otherwise) do you have for this?	The policy would be applied throughout the whole of the City. No racial groups are specifically associated with or targeted by the Taxi Licensing regulations. It is anticipated that any unperceived issues will be raised during the consultation process.		
9. Could the policy have a differential impact on people due to their gender?	Y	<u>NO</u>	No differential impact on people due to their gender has been identified
What existing evidence (either presumed or otherwise) do you have for this?	The policy would be applied throughout the whole of the City. No gender groups are specifically associated with or targeted by the Taxi Licensing regulations. It is anticipated that any unperceived issues will be raised during the consultation process.		
10. Could the policy have a differential impact on people due to their disability?	Y	<u>NO</u>	No differential impact on people due to their disability has been identified
What existing evidence (either presumed or otherwise) do you have for this?	The policy would be applied throughout the whole of the City. Neither abled body or disabled groups are specifically associated with or targeted by the Taxi Licensing regulations. It is anticipated that any unperceived issues will be raised during the consultation process.		
11. Could the policy have a differential impact on people due to their sexual orientation?	Y	<u>NO</u>	No differential impact on people due to their sexual orientation has been identified
What existing evidence (either presumed or otherwise) do you have for this?	The policy would be applied throughout the whole of the City. A persons sexual orientation is not specifically associated with or targeted by the Taxi Licensing regulations. It is anticipated that any unperceived issues will be raised during the consultation process.		
12. Could the policy have a differential impact on people due to their age?	Y	<u>NO</u>	No differential impact on people due to their age has been identified
What existing evidence (either presumed or otherwise) do you have for this?	The policy would be applied throughout the whole of the City. A persons age is not specifically associated with or targeted by the Taxi Licensing regulations. It is anticipated that any unperceived issues will be raised during the consultation process.		
13. Could the policy have a differential impact on people due to their religious belief?	Y	<u>NO</u>	No differential impact on people due to their religious belief has been identified.

What existing evidence (either presumed or otherwise) do you have for this?			The policy would be applied throughout the whole of the City. A persons religious beliefs are not specifically associated with or targeted by the Taxi Licensing regulations. It is anticipated that any unperceived issues will be raised during the consultation process.			
14. Could the <u>negative</u> impact identified in 8-13 <u>create the potential for the policy to discriminate against certain groups?</u>	Y	<u>NO</u>	No negative impacts have been identified in 8-13.			
15. Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or any other reason	Y	<u>NO</u>	No negative impacts have been identified in 8-13.			
16. Should the policy proceed to a partial impact assessment	Y	<u>NO</u>	If Yes, is there enough evidence to proceed to a full EIA		Y	N
			Date on which Partial or Full impact assessment to be completed by			
17. Are there implications for the Service Plans?	Y	<u>NO</u>	18. Date the Service Plan will be updated	N/A	19. Date copy sent to Equalities Officer in Policy, Performance and Communication	N/A
20. Date reported to Equalities Board:		N/A	Date to Scrutiny and EB	N/A	21. Date published	N/A

Signed (completing officer) _____

Signed (Lead Officer) _____

Please list the team members and service areas that were involved in this process:

J. Alison	Team Leader
J. Copley	Head of Environmental Development

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To: City Executive Board

Date: 11 September 2013

Report of: Head of Environmental Development

Title of Report: POLICY ON HACKNEY CARRIAGE QUANTITY CONTROL

Summary and Recommendations

Purpose of report: To consider the recommendation of the General Purposes Licensing Committee of 21st May 2013 in relation to the Policy on Hackney Carriage Quantity Control

Key decision: Yes

Policy Framework: Vibrant Sustainable Economy
Cleaner, Greener Oxford
Policy on Hackney Carriage Quality Control

Recommendation(s):

The Board is recommended to recommend to Council:

- (i) approve the recommendation of the General Purposes Licensing Committee that accepted the conclusions of the Hackney Carriage “Unmet Demand” survey report prepared by Halcrow Group Limited, that there is currently no significant unmet demand for Hackney Carriage vehicles;
- (ii) agree that there is currently no significant demand for the services of Hackney Carriage vehicles which is unmet and to therefore resolve to maintain the Council’s policy of quantity control on the number of Hackney Carriage vehicle licences; and
- (iii) agree that a further Unmet Demand survey be commissioned in 2015, subject to any future changes to legislation.

Appendix One: Summary of “Unmet Demand” Survey

Appendix Two: Risk Register

Appendix Three: Equalities Impact Assessment

Introduction

1. On 21st May 2013, the General Purposes Licensing Committee resolved to:
 - (a) Agree to accept the conclusions of the Hackney Carriage “Unmet Demand” survey report prepared by Halcrow Group Limited, that there is currently no significant unmet demand for Hackney Carriage services in Oxford;
 - (b) Recommend to the City Executive Board and Full Council that there is currently no significant unmet demand for Hackney Carriage services and to therefore resolve to maintain the Council’s policy of quantity control on the number of Hackney Carriage vehicle licences; and
 - (c) Agree that a further Unmet Demand survey be commissioned in 2015, subject to any future changes to relevant legislation.

Background

2. The Town Police Clauses Act 1847, section 37 and the Transport Act 1985, section 16 allow a licensing authority to limit the number of hackney carriages as long as they are ‘*satisfied that there is no significant demand for the services of Hackney Carriages which is unmet*’.
3. Oxford City Council has a policy to limit the number of Hackney Carriage vehicle licences granted to a level that meets but does not exceed demand for the services of Hackney Carriage vehicles. It checks this limit by carrying out periodic surveys. The policy forms part of the Council’s Policy Framework. It can only be changed with Council’s agreement.
4. A full review of Hackney Carriage vehicle licensing was carried out by the Environmental Scrutiny Committee on 12th November 2007. The recommendations from the review went before the General Purposes Licensing Committee on the 16th January 2008 and were agreed by Council on the 30th June 2008, including having a regulated number of Hackney Carriage vehicle licenses.
5. At the General Purposes Licensing Committee on the 19th October 2011 it was agreed to note the Council resolution of the 30th June 2008 to continue with the regulated number of Hackney Carriage vehicle licenses and request officers to commission a new “Unmet Demand” survey to determine if there is a significant unmet demand for Hackney Carriage vehicles.

Hackney Carriage “Unmet Demand” Survey 2012

6. The Head of Environmental Development invited tenders for a survey to be carried out and the Halcrow Group Limited was appointed. The survey was carried out between October 2012 and December 2012.
7. Halcrow Group Limited has produced a report with their conclusions regarding the survey. The full “Unmet Demand” survey report is 44 pages long and therefore only the Summary of the “Unmet Demand” Survey is attached to this report at **Appendix One**. The Full Report was provided to the Members of the General Purposes Licensing Committee ahead of its meeting of 21st May 2013.
8. The survey concluded:
 - ***That there is no evidence of significant unmet demand for Hackney Carriages in Oxford. This conclusion covers both patent and latent/suppressed demand and is based on an assessment of the implications of case law that has emerged since 2000, and the results of Halcrow’s analysis.***

Level of Risk

9. A Risk Register is attached at **Appendix Two**.

Environmental Impact

10. The Policy on Hackney Carriage Quality Control was established in order to reduce vehicle pollution and congestion in the City.

Equalities Impact

11. An initial Equalities Impact Assessment is attached at **Appendix Three**.

Financial Implications

12. There are no financial implications contained within the content of this report that apply to the Authority.

Legal Implications

13. Any Legal implications are covered in this report at Paragraphs 2 and 3. The Board are asked to note that The Law Commission are due to present a draft Bill to Parliament on the Reform of Taxi and Private Hire Services at the end of 2013 and should any matters contained within the Bill become future legislation, such matters may impact on this Council policy.

Name and contact details of author:-

Julian Alison
Licensing Team Leader
General Licensing / Environmental Development
Tel: 01865 252831 e-mail: jalison@oxford.gov.uk

List of background papers: None

Version number: 1.0

FORWARD PLAN – PLEASE COMPLETE THIS FORM

Forward Plan Issue Details

Title of report and brief description of the issue

Policy on Hackney Carriage Quality Control: To recommend the decision of the General Purposes Licensing Committee to Council.

Portfolio holder responsibility

Councillor Colin Cook

Decision to be taken by: *City Executive Board*

Date decision is due: *11 September 2013*

Decision Type: *Key*

Is this item to be taken in public? *Yes*

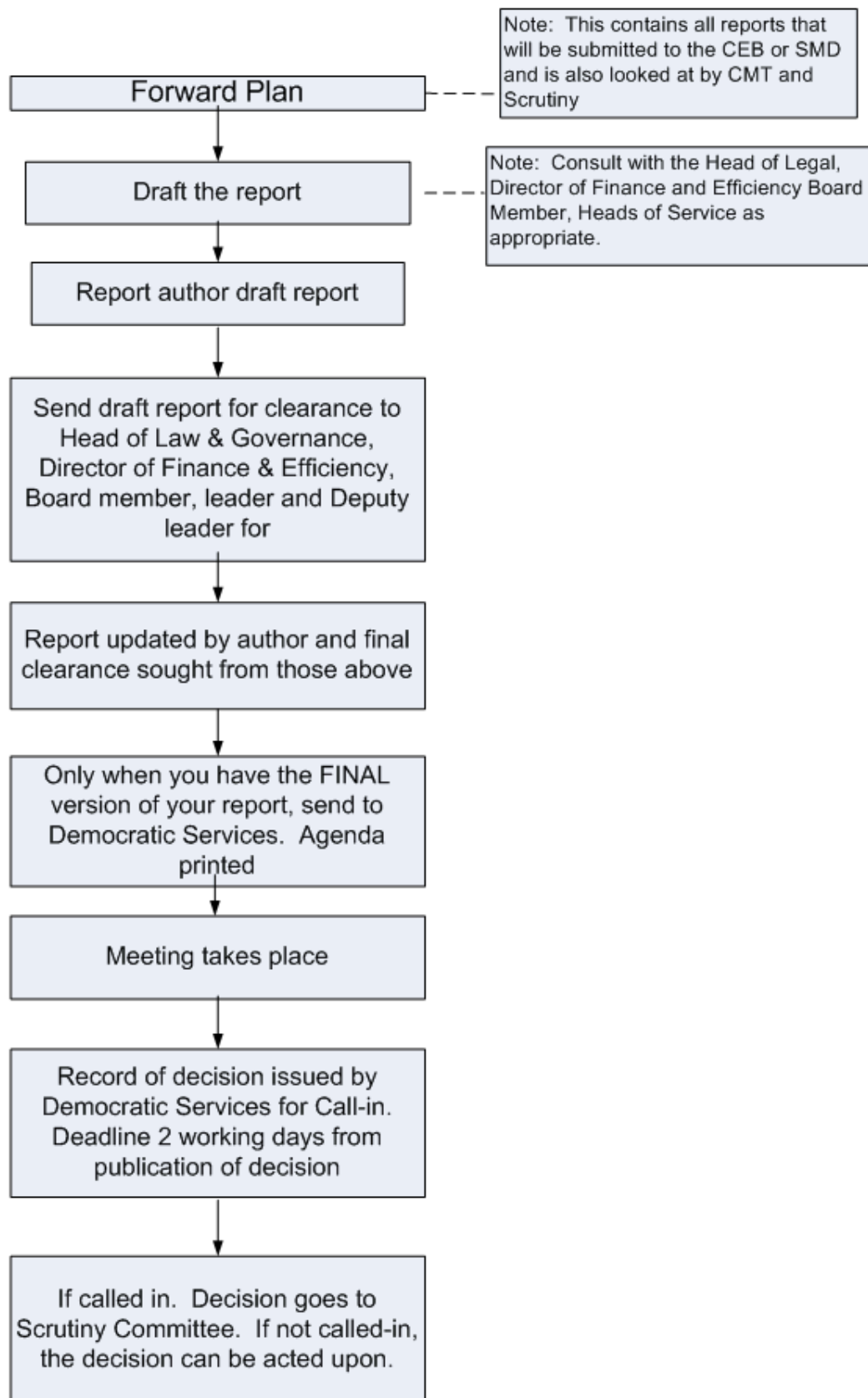
Report in the name of: *John Copley, Head of Environmental Development*

Contact: *Julian Alison, Licensing Team Leader (jalison@oxford.gov.uk)*

Consultation Process: *N/A*

Scrutiny Committee Responsibility: *N/A*

**REPORT WRITING AND CLEARANCE PROCESS
- FLOWCHART**



Any queries at any stage, contact Democratic Services

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8 Summary and Conclusions

8.1 Introduction

Halcrow has conducted a study of the hackney carriage and private hire market on behalf of Oxford Council. The present study has been conducted in pursuit of the following objectives. To determine;

- whether or not there is a significant unmet demand for Hackney Carriage services within Oxford as defined in Section 16 of the Transport Act 1985; and
- how many additional hackney carriages are required to eliminate any significant unmet demand.

This section provides a brief description of the work undertaken and summarises the conclusions.

8.2 Significant Unmet Demand

The 2012 study has identified that there is **NO** evidence of significant unmet demand for hackney carriages in Oxford. This conclusion is based on an assessment of the implications of case law that has emerged since 2000, and the results of Halcrow's analysis.

Since the 2009 study demand for hackney carriages has increased by 13%.

8.3 Public Perception

Public perception of the service was obtained through the undertaking of public attitude surveys. Overall the public were generally satisfied with the service – key points included;

- Some 62.0% of hiring's are by telephone;
- High levels of satisfaction with delay on last trip –hiring's at ranks providing the highest levels;
- Some 30.8% of people had given up trying to obtain a taxi at a rank or by flag down in the three months prior to being surveyed;
- Some 56.3% of people felt that CCTV should be introduced in taxis;
- Some 27.7% of people felt that new ranks were not needed.

8.4 Conclusions

The 2012 study has identified that there is **NO evidence of significant unmet demand** for hackney carriages in Oxford. This conclusion covers both patent and latent/suppressed demand and is based on an assessment of the implications of case law that has emerged since 2000, and the results of Halcrow's analysis.

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Key
RED RISK
CLOSED RISK

Risk ID	Risk						Corporate Objective	Gross Risk		Residual Risk		Current Risk		Owner	Date Risk Reviewed	Proximity of Risk (Projects/ Contracts Only)
Category-000-Service Area Code	Risk Title	Opportunity/Threat	Risk Description	Risk Cause	Consequence	Date raised	1 to 6	I	P	I	P	I	P			
CEB000ED	Economy	T	Local and national economy	Financial hardship to licence holders	Increase of Hackney Carriages leads to trade concerns of financial hardship as not enough work to go round	08.07.13	2	5	4	5	4	2	2	JA	08-Jul-13	
CEB000ED	Excessive number of vehicles	T	Local road network	Too many vehicles will cause congestion in city, overcrowding at ranks, higher levels of pollution	Reputational damage	08.07.13	2	3	3	3	3	2	2	JA	08-Jul-13	
CEB000ED	Law Commission	T	Law Commission reforming laws on Taxis and Private Hire services	Law Commission proposals become reality Law Commission expected to announce Councils may continue to regulate number of Hackney Carriage licences granted	National support for local policy	08.07.13	1	3	3	3	3	2	2	JA	08-Jul-13	

Action Plans

APPENDIX SIX

ACTIONS MUST BE 'SMART'

Specific, Measurable, Achievable, Realistic and Time bound

Key

CLOSED ACTION/Risk

Risk ID	Risk Title	Action Owner	Accept, Contingency, Transfer, Reduce or Avoid	Details of Action	Key Milestones	Milestone Delivery Date	%Action Complete	Date Reviewed
1	Law Commission	JA	A	Law Commission are currently seeking to reform the laws and regulations relating to Taxi and Private Hire - expected to permit Quality Control of Hackney Carriages	It is possible that any policy decision taken by the Council now may be considered void upon the implementation of the decisions made by Government to the Law Commission proposed reforms (Draft Bill expected end of 2013)	1-Oct-13	0%	08-Jul-13
6	Reputation of Council	JA	A	Abandoning policy will lead to surplus of Hackney Carriages that will push for greater say on Council policy to make their vocation financially viable, and add to congestion in the city	CEB may feel it is prudent to continue with current number of 107 licensed Hackney Carriages - as there is no "unmet demand" for more vehicles, and ensure the Council can control the input of the City of Oxford Licensed Taxicab Association	1-Oct-13	100%	08-Jul-13
7	Council Vision	JA	A	CEB may wish to maintain current number of 107 licensed Hackney Carriages in order promote key Corporate Objectives	Quality Contro Policy supports key Corporate Priorities	1-Oct-13	100%	08-Jul-13

Risk ID Categories

CRR-000	Corporate Risk Register
SRR-000	Service Risk Register
CEB-000	CEB reports
PRR-000	Project/Programme Risk Register
PCRR-000	Planning Corporate Risk Register
PSRR-000	Planning Service Risk Register

Service Area Codes

PCC	Policy, Culture & Communication	CS	Customer Services
CD	City Development	FI	Finance
CHCD	Community Housing & Community Development	BT	Business Transformation
CA	Corporate Assets	PS	Procurement & Shared Services
OCH	Oxford City Homes	CP	Corporate Performance
CW	City Works	LG	Law and Governance
ED	Environmental Development	CRP	Corporate Secretariat
CL	City Leisure	PE	People & Equalities

Corporate Objective Key

- 1 Core policies and plans
A vibrant and sustainable
- 2 economy
- 3 Meeting housing need
- 4 Strong and active communities
- 5 Cleaner greener Oxford
- 6 An efficient and effective council

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Appendix Three – Equality Impact Assessment

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Service Area: Environmental Development	Section: General Licensing	Key person responsible for the assessment: J. Alison	Date of Assessment: 08.07.2013	
Is this assessment in the Corporate Equality Impact assessment Timetable for 2012-15?			Yes	<u>No</u>
Name of the Policy to be assessed: Hackney Carriage Quality Control			Is this a new or existing policy	Existing
1. Briefly describe the aims, objectives and purpose of the policy		To assess whether there is any “unmet demand” leading to a need either increase th number of Hackney Carriage vehicle licences, or abandon the Quality Control policy		
2. Are there any associated objectives of the policy, please explain		The policy attempts to reduce carbon emissions and congestion in the city.		

3. Who is intended to benefit from the policy and in what way		The general public benefit by the Council ensuring an adequate supply of Hackney Carriages to cater for their needs.		
4. What outcomes are wanted from this policy? Assist the objectives of the Cleaner Greener Campaign Assist the objectives of the Low Emission Zone				
5. What factors/forces could contribute/detract from the outcomes?		“Unmet Demand” survey		
6. Who are the key people in relation to the policy?	Council, Hackney Carriage Trade, General Public		7. Who implements the policy and who is responsible for the policy?	Julian Alison John Copley
8. Could the policy have a differential impact on racial groups?	Y	<u>NO</u>	No differential impact on racial groups has been identified.	

What existing evidence (either presumed or otherwise) do you have for this?	The policy would be applied throughout the whole of the City. No racial groups are specifically associated with or targeted by the Taxi Licensing regulations. It is anticipated that any unperceived issues will be raised during the consultation process.		
9. Could the policy have a differential impact on people due to their gender?	Y	<u>NO</u>	No differential impact on people due to their gender has been identified
What existing evidence (either presumed or otherwise) do you have for this?	The policy would be applied throughout the whole of the City. No gender groups are specifically associated with or targeted by the Taxi Licensing regulations. It is anticipated that any unperceived issues will be raised during the consultation process.		
10. Could the policy have a differential impact on people due to their disability?	Y	<u>NO</u>	No differential impact on people due to their disability has been identified
What existing evidence (either presumed or otherwise) do you have for this?	The policy would be applied throughout the whole of the City. Neither abled body or disabled groups are specifically associated with or targeted by the Taxi Licensing regulations. It is anticipated that any unperceived issues will be raised during the consultation process.		
11. Could the policy have a differential impact on people due to their sexual orientation?	Y	<u>NO</u>	No differential impact on people due to their sexual orientation has been identified
What existing evidence (either presumed or otherwise) do you have for this?	The policy would be applied throughout the whole of the City. A persons sexual orientation is not specifically associated with or targeted by the Taxi Licensing regulations. It is anticipated that any unperceived issues will be raised during the consultation process.		
12. Could the policy have a differential impact on people due to their age?	Y	<u>NO</u>	No differential impact on people due to their age has been identified
What existing evidence (either presumed or otherwise) do you have for this?	The policy would be applied throughout the whole of the City. A persons age is not specifically associated with or targeted by the Taxi Licensing regulations. It is anticipated that any unperceived issues will be raised during the consultation process.		
13. Could the policy have a differential impact on people due to their religious belief?	Y	<u>NO</u>	No differential impact on people due to their religious belief has been identified.

What existing evidence (either presumed or otherwise) do you have for this?			The policy would be applied throughout the whole of the City. A persons religious beliefs are not specifically associated with or targeted by the Taxi Licensing regulations. It is anticipated that any unperceived issues will be raised during the consultation process.			
14. Could the <u>negative</u> impact identified in 8-13 <u>create the potential for the policy to discriminate against certain groups?</u>	Y	<u>NO</u>	No negative impacts have been identified in 8-13.			
15. Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or any other reason	Y	<u>NO</u>	No negative impacts have been identified in 8-13.			
16. Should the policy proceed to a partial impact assessment	Y	<u>NO</u>	If Yes, is there enough evidence to proceed to a full EIA		Y	N
			Date on which Partial or Full impact assessment to be completed by			
17. Are there implications for the Service Plans?	Y	<u>NO</u>	18. Date the Service Plan will be updated	N/A	19. Date copy sent to Equalities Officer in Policy, Performance and Communication	N/A
20. Date reported to Equalities Board:		N/A	Date to Scrutiny and EB	N/A	21. Date published	N/A

Signed (completing officer) _____

Signed (Lead Officer) _____

Please list the team members and service areas that were involved in this process:

J. Alison	Team Leader
J. Copley	Head of Environmental Development

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CITY EXECUTIVE BOARD

Wednesday 10 July 2013

COUNCILLORS PRESENT: Councillors Price (Leader), Brown, Clack, Cook, Kennedy, Lygo, Rowley, Seamons and Tanner.

17. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Turner.

18. DECLARATIONS OF INTEREST

No declarations of interest were made.

19. PUBLIC QUESTIONS

Written questions were accepted by the Chair. Written answers were given to the questions. The questions and the answers are attached to the minutes as Appendix 1.

20. SCRUTINY COMMITTEE REPORTS

Two Scrutiny reports from the Scrutiny Committee meeting on 2 July were circulated (now appended).

Resolved:-

- (1) On the report on the Youth Ambition Strategy, that each of the recommendations in the report be agreed and that the officers be asked to incorporate the matters contained in the recommendations into the ongoing Strategy;
- (2) On the report on the Low Emission Strategy, to agree the recommendation in the report and to ask the Board Member, Cleaner Greener Oxford to take the Low Emission Strategy to the Carbon and Natural Resources Board for the purpose contained in the recommendation.

21. COUNCILLOR ADDRESSES ON ANY ITEM FOR DECISION ON THE BOARD'S AGENDA

Councillors who were not members of the Board requested to speak on five items on the agenda. The addresses are referred to at the relevant minute items.

22. EQUITY LOANS SCHEME FOR TEACHERS - PROJECT APPRAISAL

The Head of Housing submitted a report (previously circulated, now appended).

Councillor Campbell spoke on the item. He asked questions concerning interpretation of which teachers would qualify for the loans (described in the report as teachers who were in leadership roles) and on the success in practice of the 2005 equity loans for key workers scheme.

On the first question the Leader explained that teachers in leadership roles had a particular meaning in education (ie teachers in senior management teams). On the 2005 scheme, the Chief Executive said he would arrange for the outcome of the 2005 scheme to be checked and evidence of its success reported upon to members.

In response to further questions the Executive Director, City Regeneration and Housing said that the equity loans for teachers scheme was likely to go live in September.

Resolved to:-

- (1) Grant project approval for the equity loan scheme for teachers;
- (2) Waive the requirement to seek quotes under Contract Rule 19.12 on the grounds that to do so would achieve no overall economic benefit to the Council;
- (3) Agree a virement of £150,000 from the Depot Relocation Feasibility Study budget;
- (4) Grant delegated authority to the Executive Director, City Regeneration to:-
 - (a) approve the operational details of the scheme and the funding based on the principles set out in section 3 of the report;
 - (b) in conjunction with Procurement Team and Legal Services, negotiate the operation and capital funding of the scheme with Catalyst Housing Group.

23. YOUTH AMBITION STRATEGY

The Head of Leisure, Parks and Community Services submitted a report (previously circulated, now appended).

The Board also had before it a report (previously circulated, now appended) from the Scrutiny Committee on 2 July.

Councillor Fooks spoke on the item. She referred to Appendix 4 to the report insofar as it dealt with the activity preferences of young people and suggested that in relation to the Strategy it appeared to her to be sport-focussed whereas the activity preferences were very much broader than sport.

Both the Board Member and the Head of Leisure, Parks and Communities responded by saying that the Strategy was not and would not be biased towards sport and that the Council would continue to respond to activity preferences of young people.

Resolved to approve the Youth Ambition Strategy for the Council for the period 2013 – 2017 as set out in Appendix 3 to the report.

24. PAVILIONS PROGRAMME - PROJECT APPROVAL

The Head of Leisure, Parks and Community Services submitted a report (previously circulated, now appended).

Councillor Fooks spoke on the item. She raised the matter of public expectation concerning the upgrading generally of pavilions and in particular she suggested that the condition of the Alexandra Courts pavilion was below the average condition referred to in Appendix 1.

In response the Leader said that, depending upon budgets, public demand for quality pavilions would be met. But he emphasised that the programme did depend upon the availability of finance. On the Alexandra Courts pavilion the Board Member, Parks, Sports and Events referred the councillor to the remarks in Appendix 1 concerning the opportunities for investment in the pavilion.

Resolved to:-

- (1) Grant Major Project Approval of £3.143million for the Pavilion Programme as set out in Appendix 1, subject to securing the relevant external funding;
- (2) RECOMMEND to Council an increase to the project budget to £3.143million subject to securing external funding, and Capital and Asset Management group agreeing the virements noted in Appendix 1;
- (3) Give delegated authority for the Executive Director, Community Services to undertake a procurement exercise for the construction contracts for the various pavilion projects detailed within the report and award the construction contracts to the successful tenderer(s) subject to them being within the overall budget.

25. COMMUNITY AND VOLUNTARY ORGANISATIONS - GRANT MONITORING FEEDBACK 2012/13

The Head of Leisure, Parks and Communities submitted a report (previously circulated, now appended).

Resolved:-

- (1) To note the contents of the report;
- (2) To record that the information contained in the report represented a usual reference in relation to grants determinations for 2014/15 and

that the absence of feedback information (paragraph 8 of the report refers) would be borne in mind for the 2014/15 grants awards.

26. BARTON - ACQUISITION OF AFFORDABLE PROPERTY

The Head of Housing and the Major Projects Service Manager submitted a report (previously circulated, now appended).

Resolved, having regard to the not for publication appendix to the report, to:-

- (1) Note the contents of the Report and progress in discussions with Barton Oxford LLP;
- (2) Grant delegated authority to the Executive Director, City Regeneration and Housing in consultation with the Head of Finance to authorise the Council's entry into required legal documentation with Barton Oxford LLP to give effect to this matter, the terms to be consistent with the contents of the Not For Publication Appendix in relation to:-
 - (a) Approval to enter into an Agreement to purchase the affordable housing (354 units approximately) noting the intention that the Agreement be novated to the successful / nominated house builders for each phase of development;
 - (b) The entering into a Management of Homes Agreement;
 - (c) The entering into an Allocations and Lettings Agreement;
- (3) Note that in order to maintain flexibility going forward the Council may, at its discretion at a point in the future, procure a partner (such as a Registered provider) for up to 25% of the total affordable units;
- (4) Note that Officers will present update and monitoring reports on a regular basis to both the Corporate Asset and Capital Board and the City Executive Board as the project progresses.

27. LOW EMISSION STRATEGY AND AIR QUALITY ACTION PLAN

The Head of Environmental Development submitted a report (previously circulated, now appended). The Democratic Services Manager said that the Low Emissions Strategy had not been reproduced with the report and so could not be taken today. However, the matter could be included on the agenda for the special City Executive Board meeting on 30 July.

The Board also had before it a report (previously circulated, now appended) of the Scrutiny Committee of 2 July.

Councillor Jones spoke on the item. He referred to the aspirational nature of some aspects of the Strategy (eg take-up of electric vehicles, reduction in car

mileage). He also expressed some concern over consulting on the Air Quality Action Plan over a period when many people would be on holiday.

In reply the Board Member, Cleaner Greener Oxford said that the consultation period was of a sufficient length to span people's holidays. He also referred to air pollution in High Street and in St Aldate's. This was unacceptably high and the Air Quality Action Plan would address this.

Resolved to:-

- (1) Defer consideration of the adoption of the Low Emission Strategy for Oxford to the special meeting of the City Executive Board on 30 July;
- (2) Approve for consultation the draft Air Quality Action Plan for Oxford as contained in Appendix 2 to the report.

28. NEIGHBOURHOOD PLANNING AREAS - DESIGNATION

The Head of City Development submitted a report (previously circulated, now appended).

Councillor Fooks spoke on the item. In particular she expressed some surprise that the Council used Ward boundaries to define neighbourhood areas because those boundaries did not necessarily coincide.

Resolved:-

- (1) to designate the Summertown and St Margaret's and the Wolvercote areas as shown on the maps that form Appendix 1 to the report as neighbourhood area (but not as business areas) under the provisions of the Localism Act 2011 and associated Regulations;
- (2) To ask the Executive Director, Regeneration and Housing to cause to be checked the availability of grant assistance from the Department for Communities and Local Government, and when in the process any such grants might be available.

29. OXFORD STADIUM, SANDY LANE - INCLUSION ON THE OXFORD HERITAGE ASSETS REGISTER

The Head of City Development submitted a report (previously circulated, now appended).

With the agreement of the Board, Mr Wheble addressed the meeting. He explained that he was a private individual with a keen interest in greyhound racing. He said that greyhound racing and speedway had been long established at the Oxford Stadium. The activities had over the years provided much pleasure for many people. He said that there were entrepreneurs willing and financially able to take over, invest in and re-open the Stadium for greyhound racing, speedway and associated activities.

Resolved to register the Oxford Stadium, Sandy Lane as a building of local interest on the Oxford Heritage Assets Register.

30. COUNCIL SERVICES AND THE WORK OF COUNCIL STAFF

The Leader referred to the high quality of the work that had culminated in the submission of reports to today's Board meeting. He paid tribute to all the staff involved. The Chief Executive added to the Leader's remarks by saying that in a period of retrenchment, the City Council, through prudent financial management and innovative methods of working was providing high quality services to the people of Oxford.

31. FUTURE ITEMS

Nothing was raised under this item.

32. MINUTES

The minutes of the meeting held on 12 June 2013 were approved as a correct record and signed by the Chair subject in minute 11 (OUTSIDE BODIES – APPOINTMENT OF REPRESENTATIVES 2013/14) to the inclusion of an Appendix setting out, in relation to Appendix 3 to the report, the appointments to outside bodies agreed by the Board.

33. MATTERS EXEMPT FROM PUBLICATION

Resolved to exclude the press and public from the meeting during consideration of the items in the exempt from publication part of the agenda in accordance with the provisions in Paragraph 21(1)(b) of the Local Authorities (Executive Arrangements) (England) Regulations 2000 on the grounds that their presence could involve the likely disclosure of exempt information as described in specific paragraphs of Schedule 12A of the Local Government Act 1972 and that, in all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

Summary of business transacted by the Board after passing the resolution contained in minute 33

The Board received and noted the contents of not for publication appendix to the reports at agenda item 10 (minute 26 refers).

34. BARTON - ACQUISITION OF AFFORDABLE PROPERTY

The Head of Housing and the Major Projects Service Manager submitted an appendix (previously circulated, now appended) to the report at agenda item 10 (minute 26 refers).

Resolved to have regard to the appendix in reaching decisions on the report at agenda item 10.

The meeting started at 5.00 pm and ended at 6.12 pm

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CITY EXECUTIVE BOARD

Wednesday 31 July 2013

COUNCILLORS PRESENT: Councillors Turner (Vice-Chair, in the Chair), Cook, Kennedy, Lygo, Rowley, Seamons and Tanner.

35. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Price, Brown and Clack.

Councillor Turner clarified that members of the public could not record the meeting. He appreciated the interest in the meeting, and indicated that officers would explore the possibility of providing an audio recording of City Executive Board meetings in future.

36. DECLARATIONS OF INTEREST

No declarations of interest were received

37. PUBLIC QUESTIONS

Written questions from a member of the public were received. Those questions with answers were distributed at the start of the meeting. They are attached to the minutes as Appendix 1.

38. SCRUTINY COMMITTEE REPORTS

The Scrutiny Committee submitted a report (previously circulated, now appended) concerning its comments and recommendations on the Low Emissions Strategy and Air Quality Action Plan.

The Board noted that at its meeting on 10 July it had resolved to agree the recommendation in the report and to ask the Board Member, Cleaner Greener Oxford to take the Low Emission Strategy to the Carbon and Natural Resources Board for the purpose contained in the recommendation.

39. COUNCILLOR ADDRESSES ON ANY ITEM FOR DECISION ON THE BOARD'S AGENDA

Councillors who were not members of the Board requested to speak on one item on the agenda. The addresses are referred to at the relevant minute item.

40. LOW EMISSION STRATEGY

The Head of Environmental Development submitted a report (previously circulated, now appended). Councillor John Tanner (Board Member for Cleaner

Greener Oxford) presented the report to the Board and provided some background and context.

Councillor Jean Fooks addressed the Board. She welcomed the action plan to put into place what was a very ambitious strategy, and spoke about carbon financing and a freight exchange hub. Councillor Craig Simmons also addressed the Board, broadly welcoming the action plan, but observing that further information was needed about the means of both the delivery and the financing of it. He added that he believed that the strategy could usefully have been considered first by the Carbon and Natural Resources Members' Board

Councillor Ed Turner commented that energy efficiency in private rented housing would be a challenging matter, but that officers had now obtained some EPC data from rented properties which would provide the Council with some insights.

Councillor John Tanner believed it would be possible to make progress as there was money that utility companies must spend on environmental improvements and saving customers' money. He recognised that there were some good landlords who were keen to respond, but there were others who were less interested. It was important to reduce the carbon footprint across Oxford. He felt it would be possible to establish a freight exchange hub on the ring road, but it would be important for Oxfordshire County Council to work with the City Council on this. He encouraged officers to work on reducing carbon emissions across the Council.

Resolved:-

- (1) To adopt the Low Emission Strategy;
- (2) To agree the recommendation from Scrutiny, namely to support the setting of the Low Emissions Strategy and ambitions, but to require early reference of the document to the Carbon and Natural resources Members' Board, so that gaps on data, resources and financing can be discussed and a robust action plan produced.

41. PROPOSAL TO PROCEED WITH A CONTRACT TO UNDERTAKE PLANNED AND REACTIVE BUILDING MAINTENANCE PROPERTY WORKS FOR AN EXTERNAL, PUBLIC SECTOR CLIENT

The Executive Director, Community Services, submitted a report (previously circulated, now appended). Cllr Ed Turner presented this report to the Board.

Resolved:-

- (1) To delegate to the Executive Director Community Services the authority to enter into an appropriate contract with the public sector body identified in the Not for Publication Annex attached to the report for the supply of various building services works;
- (2) Further to delegate to the Executive Director Community Services authority to approve extensions to work where it is on the same basis as currently agreed;

- (3) To note that the service provision would follow the principles set out in the report, and would be intended to optimise the contribution to Council overheads while minimising the risk to the Council.

42. FUTURE ITEMS

Nothing was raised under this item.

43. MATTERS EXEMPT FROM PUBLICATION

Resolved to exclude the press and public from the meeting during consideration of the items in the exempt from publication part of the agenda in accordance with the provisions in Paragraph 21(1)(b) of the Local Authorities (Executive Arrangements) (England) Regulations 2000 on the grounds that their presence could involve the likely disclosure of exempt information as described in specific paragraphs of Schedule 12A of the Local Government Act 1972 and that, in all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

Summary of business transacted by the Board after passing the resolution contained in minute 43

The Board received and noted the contents of not for publication appendix to the reports at agenda item 7 (minute 44 refers).

44. PROPOSAL TO PROCEED WITH A CONTRACT TO UNDERTAKE PLANNED AND REACTIVE BUILDING MAINTENANCE PROPERTY WORKS FOR AN EXTERNAL, PUBLIC SECTOR CLIENT

The Board received and noted the contents of not for publication appendix (previously circulated, now appended) to the report at agenda item 7 (minute 41 refers).

The Board decided not to release the appendix from confidentiality because the information contained within in was, and remained, commercially sensitive.

The meeting started at 9.00 am and ended at 9.45 am

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