

# EXECUTIVE BOARD

**Monday 28 February 2005**

**COUNCILLORS PRESENT:** Councillors Hollingsworth (Chair), Armitage, Clarkson, Christian, Simmons, Tanner and Turner.

**OFFICERS PRESENT FOR THE WHOLE OF THE MEETING:** Caroline J Bull (Chief Executive), Sharon Cosgrove, Michael Lawrence and Mark Luntley (Strategic Directors), Sarah Fogden (Financial and Asset Management Business Manager), Lindsay Cane and Brenda Lammin (Legal and Democratic Services Business Unit).

**OFFICERS PRESENT FOR PART OF THE MEETING:** Graham Bourton and Geoff Corps (Oxford Building Solutions Business Unit), Helen Rowlands (Performance Management Team), Val Johnson and Nicola Harrison (Neighbourhood Renewal Business Unit), Janet Banfield (Strategy and Review Business Unit), Pat Jones (Scrutiny Manager), Adrian Wood (Financial and Asset Management Business Unit), John Hill, John Bellenger and Richard Beel (Built Environment Business Unit), Tony Stephens and Steve Holby (Leisure and Parks Business Unit), William Reed (Legal and Democratic Services Business Unit) and Nick Spencer (Media and Communications).

## **239. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Baker (Vice-Chair), Brown and Paskins.

## **240. DECLARATIONS OF INTEREST**

Councillor Turner declared a prejudicial interest in the disposal of land at Bears Hedge, Iffley, because he was a friend of the purchaser (minute 254). He left the room while the item was being discussed and took no part in making the decision. Other members said that although they knew the purchaser's father, who was a member of the City Council, they did not know his son and so did not need to declare an interest.

In respect of the report on grants to voluntary and community groups (minute 250) Councillor Turner declared prejudicial interests in the Bonn Link (as treasurer) and Oxford Community Work Agency (he knew someone whose employment status might be affected) and that he would leave the meeting if those applications were discussed.

The following personal interests were declared on minute 250:

<b>Councillor</b>	<b>Reason for declaration</b>
Christian	former Lord Mayor
Clarkson	children use Donnington Doorstep facilities member of Cyclox
Hollingsworth	lived adjacent to Jericho Community Centre
Simmons	County Council appointed member of the East Oxford Action management committee child uses Donnington Doorstep facilities member of Cyclox Osney Sustainable Island Group – chairs the Low Carbon Network
Tanner	involved in the Lord Mayor’s Deposit Guarantee Scheme wife a member of the Rose Hill Community Association
Turner	Rose Hill Community Association – involved with group and organiser

The Strategic Director, Finance and Corporate Services, declared that he was vice-chair of the Oxford Credit Union. Whilst he did not currently have a financial interest he would have one in the course of the year. He had had no involvement in the preparation of the report and left the meeting when that item was discussed. The Neighbourhood Renewal Business Manager declared that she was acting Chair of the Oxford Play Association. The Grants Officer declared that she was member of Cyclox but had not assessed or influenced the grant allocation in any way. (Minute 250 refers.)

## **241. PUBLIC QUESTIONS**

Mr Feeney asked the following questions in accordance with Procedure Rule 13 (iii) and responses were given as set out below:

1. When will the 23 questions I asked at the Executive Board on 7 February 2005 be answered?

Response (from the Committee Secretary at the request of Councillor Hollingsworth)

It was hoped that responses would be ready in time to be published with the Executive Board agenda for 4 April 2005.

2. The annual audit inspection period ended more than 4 months ago. The Audit Commisison have orally confirmed that no completion certificate will be issued until there is a determination on my formal objections to the

accounts. I understand obstruction without a reasonable excuse to statutorily disclosable information, which I need to make formal objections to the accounts, is a criminal offence. When will I receive all the information I am entitled to under the audit acts?

3. I am concerned by the year-long delay in answering my questions about the tenders for the building work at East Oxford Community Association and by the refusal to allow inspection of tenders. Answers were promised. I have raised the delay formally in writing and orally at numerous Council committees including the Executive Board. Is this year-long delay acceptable?

Response to questions 2 and 3 (from the Chief Executive and Councillor Hollingsworth)

Questions had been addressed to 5 different officers and through several committees. Officers believed that the questions had been answered. There was some confusion about what was outstanding and Mr Feeney was asked to clarify in writing to the Chief Executive exactly what information he believed he had not been given. In future all enquiries on the Healthy Living Initiative project at the East Oxford Community Centre and related matters were to be made through the Chief Executive in order to avoid confusion about what had or had not been dealt with.

4. Will Council conduct a rigorous investigation into whether there has been any corruption or illegality if rules on tendering have been broken, and if there is any evidence of criminality will Council contact the relevant investigating and prosecuting authorities as a matter of urgency?

Response (from the Chief Executive)

If there was any evidence of criminal activity it would be dealt with in accordance with the law.

5. Given the serious nature of my concerns of breach of statutory duty and possible criminal offences could all answers be formally confirmed in writing?

Response (from Councillor Hollingsworth)

Yes, you will be given a written response.

## **242. SCRUTINY COMMITTEE RECOMMENDATIONS AND REPORTS**

The Interim Legal and Democratic Services Business Manager submitted recommendations (previously circulated and now appended) of Scrutiny Committees.

Resolved: -

- (1) in respect of minute 100(b) of the Housing Scrutiny Committee concerning the Private Sector Stock Condition Survey Initial Findings, to note the Committee's concerns and agree that these were the areas to focus upon;
- (2) in respect of minute 100(c) of the Housing Scrutiny Committee to agree that further work was needed towards a Private Sector Strategy, noting that more details were required of resource needs;
- (3) to agree the recommendations contained in minute 117(a) of the Housing Scrutiny Committee concerning HRA Business Plans;
- (4) to note minute 117(b) of the Housing Scrutiny Committee concerning the uncertainties with some aspects of the HRA Business Plan as a result of the Stock Options Appraisal process;
- (5) in respect of minute 119(c) of the Housing Scrutiny Committee concerning void properties to agree the need for achievable targets to be set, and that the Housing Advisory Board should either set or be involved in setting such targets;
- (6) to note minute 119(d) of the Housing Scrutiny Committee in respect of concerns at delays in the implementation of the voids procedure.

#### **243. RECOMMENDATIONS OF THE HOUSING ADVISORY BOARD**

There were no recommendations for the Board to consider.

#### **244. HOUSING REPAIRS, CAPITAL PROJECTS 2005/06 – POWER TO INCUR EXPENDITURE**

This item was withdrawn because it was not the responsibility of the Board.

#### **245. COUNCIL TAX 2005/06**

The Strategic Director, Finance and Corporate Services, submitted a report (previously circulated and now appended). An amended report was tabled that corrected some errors in the report originally circulated.

Resolved to RECOMMEND Council:

- (A) to approve for 2005/06: -
  - (1) the City Council's precept and requirement from Council Tax of £9,878,826;
  - (2) the Basic Amount of Council Tax at Band D of £224.54;

- (3) that the amount of £437,494 be treated as the Special Expenses of the Unparished Area;
- (4) Band D Council Taxes for the various areas of the City as follows: -

Littlemore	£234.32
Old Marston	£237.82
Risinghurst and Sandhills	£234.39
Blackbird Leys	£217.03
Unparished Area	£223.83

and to note that these figures include the Parish precepts (or Unparished Area addition) on top of the City-wide Council Tax of £211.51;

- (5) the statutory calculations required for the setting of the Council Tax, as set out in Appendix 1 to the Strategic Director's report;
  - (6) the Council Tax amounts for the various parished areas, as set out in Appendix 2 to the Strategic Director's report;
- (B) to note that: -
- (1) the County Council's precept of £42,520,445 and its Council Tax at Band D of £966.46;
  - (2) the Police Authority's precept of £5,555,923 and a Council Tax at Band D of £126.28;
  - (3) the overall average Band D Council Tax was £1,317.28.

## 246. THE OXFORD PLAN

The Chief Executive submitted a report (previously circulated and now appended).

Resolved to: -

- (1) RECOMMEND Council to: -
  - (a) approve and adopt The Oxford Plan (the Council's Corporate Plan) as part of the Council's Policy Framework;
  - (b) note that this will achieve on target one of the key objectives of the post-CPA Improvement Plan and in time for inclusion in the CPA "Direction of Travel" report;

- (2) thank staff for their hard work which had led to the improvements made to date.

(Councillor Armitage asked for his vote against resolution 1 above to be recorded in the minutes.)

## **247. ECONOMIC DEVELOPMENT STRATEGY - ADDITION TO THE POLICY FRAMEWORK**

The Strategy and Review Business Manager submitted a report (previously circulated and now appended).

Resolved to RECOMMEND Council to: -

- (1) adopt the Economic Development Strategy, as amended to take account of responses from the County Council in respect of links with the County/Regional Strategy and the strengthening of references to affordable housing, for inclusion within the Council's Policy Framework;
- (2) approve the change to the wording that supports the Council Vision strategic objective "Create prosperity and support full employment" to:

"We want the City to further realise its economic potential and sustain the provision of jobs, housing and services for the local people into the future. We do not believe that Oxford can stand still while wealth grows elsewhere. At the same time we will preserve the diversity that makes Oxford uniquely attractive."

## **248. EQUALITIES POLICY – RESULTS OF CONSULTATION**

The Chief Executive submitted a report (previously circulated and now appended).

Resolved to:

- (1) RECOMMEND Council to adopt the Corporate Equalities Policy for inclusion within the Council's Policy Framework subject to changes to include a reference to ensuring dignity for all in the delivery and receipt of Council services and a reference to family status in the list in the second paragraph of Section 1 of the Policy;
- (2) ask the Chief Executive to pass the Executive Board's concerns on the speed of implementation to the Equalities Group and report back on the outcome

## **249. CODE OF GOOD PRACTICE ON PROTECTING CHILDREN FROM HARM**

The Neighbourhood Renewal Business Manager submitted a report (previously circulated and now appended).

Resolved to: -

- (1) adopt the Code of Good Practice on Safeguarding Children from Harm, as set out in Appendix 1 to the report;
- (2) agree the proposals for implementing the Code, as set out in paragraphs 8, 9 and 10 of the report.

## **250. GRANTS TO VOLUNTARY AND COMMUNITY GROUPS 2005/06**

The Neighbourhood Renewal Business Manager submitted a report (previously circulated and now appended).

Resolved: -

- (1) to fund the rent support payable by the organisations occupying City Council owned premises, as set out in paragraph 8 of the report;
- (2) to renew grant assistance agreements (partnerships) to the organisations set out in Appendix 1 to the report;
- (3) to agree the recommended annual grant allocations for city-wide applicants, as set out in Appendix 2;
- (4) having taken account of the recommendations of Area Committees and other information received since the report was written, to reinstate or award the following grants: -

Blackbird Leys Art Group	£750
Rose Hill Play Scheme	£1,450
Lake Street Playgroup	£345
Oxford International Link	£2,500
Perm Association	£500
West Oxford Community Association Funday	£800
Oxford Malayalee Club	£1,000
Osney Sustainable Island Group	£750

(the above to be funded from additional grants money agreed at Council on 14 February and then the small grants budget)

Phoenix Sports Association	£5,500
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(noting that this had no net effect on the budget as it was for rent paid to the Council)

- (5) not to award a further grant for the Cowley Road Carnival;
- (6) to record that the Board had considered the applications in the context of the well being provisions of Section 2 of the Local Government Act 2000 and was satisfied that the above grants will promote or improve the social, economic or environmental well being of the area concerned;
- (7) to note that the Tower Playbase had been granted £7,000 instead of the £14,000 requested, and that officers had been asked to assist the group in submitting an improved application for consideration for the remaining amount;
- (8) to note the recommendations contained in Appendix 3 to the report and the Area Committees' use of the well being power;
- (9) to note the continuation of the small grants scheme for 2005/06 and the forthcoming grants review.

(Councillor Simmons asked for his vote against resolution (5) above to be recorded in the minutes.)

## **251. BUILDING CONTROL FEES**

The Built Environment Business Manager submitted a report (previously circulated and now appended).

Resolved to approve: -

- (1) the revised charges, as set out in Appendix A to the report, effective from 1 April 2005 and in line with the approved budget;
- (2) the revised Investment Plan, as set out in Appendix C to the report.

## **252. RENT LEVELS FOR PRIVATE SECTOR LANDLORD PROPERTIES**

The Acting Housing Services Business Manager submitted a report (previously circulated and now appended).

Resolved to agree to: -

- (1) set the rent for private sector landlord properties at £222.30 for exclusive use of one room and £228.20 for exclusive use of more than one room or a whole property;



- (2) continue to set charges recoverable from tenants for heating and lighting at the Housing Benefit standard deduction rate;
- (3) continue to set a charge for water at £1.50 per week recoverable from tenants;
- (4) set the rent for Nightly Charge Accommodation at £175 per week (equivalent to £25 per night).

### **253. FEES AND CHARGES FOR ASSET MANAGEMENT**

The Financial and Asset Management Business Manager submitted a report (previously circulated and now appended).

Resolved to agree the fees and charges for Asset Management, as set out in the Appendix to the report.

### **254. LAND AT BEARS HEDGE, IFFLEY**

The Financial and Asset Management Business Manager submitted a report (previously circulated and now appended).

Resolved to dispose of the freehold interest in the land hatched black in the plan appended to the report to Mr T Buckingham at the price set out in the confidential Annex to the report, subject to inclusion of the restrictive covenants outlined in the report.

(Councillor Hollingsworth was in the chair when the above item was first discussed, but the item was deferred so that an officer could attend to answer questions from members of the Board. Councillor Tanner was in the chair when the decision was taken.)

### **255. BUSINESS RATES – SCHEMES FOR RELIEF**

The Revenues and Benefits Business Manager submitted a report (previously circulated and now appended).

Resolved to: -

- (1) agree the proposed scheme for the application of mandatory, hardship and discretionary relief for Business Rates, as set out in the report;
- (2) note that a further report would be submitted in due course concerning options for “topping up” mandatory relief for charities.

## **256. DONNINGTON SPORTS GROUND PROPOSED CHANGING ACCOMMODATION – MAJOR PROJECT APPROVAL**

The Leisure and Parks Business Manager submitted a report (previously circulated and now appended).

Resolved to: -

- (1) grant Major Project Approval to the scheme as outlined in the report, subject to the scheme not pushing the Council over its VAT Partial Exemption limit for 2005/06;
- (2) authorise the Strategic Director, Physical Environment, to progress the scheme and invite tenders on the “restricted tendering” route as set out in the Council’s Constitution, with tenders on a fixed price basis and to include a contingency sum to allow for any unforeseen additional costs;
- (3) incorporate in the tender specification provision of cycle parking and energy efficiency/renewable energy measures.
- (4) authorise the Strategic Director, Physical Environment, to accept the overall most economically advantageous tender (as a variation to the Contract Procedure Rules) and place the contract for the project, within the available budget of £400,000;
- (5) RECOMMEND Council to approve a variation to the Council’s Budget by a revision to the capital programme to bring forward £170,000 of the funding in the capital programme from 2006/07 to 2005/06 to allow the scheme to progress in the 2005/06 financial year.

## **257. CONTRACT AWARD – NEW BUILD SWIMMING POOL AT BARTON**

The Leisure and Parks Business Manager submitted a report (previously circulated and now appended).

Resolved to: -

- (1) approve the additional capital expenditure of £121,270;
- (2) approve a virement of £121,270 from the Temple Cowley scheme to fund the additional capital expenditure referred to in resolution (1) above;
- (3) approve the virement of any future underspends on the Ferry scheme or other existing Leisure capital schemes to the Temple Cowley scheme in order to reinstate the original budget for Temple Cowley;
- (4) award the construction contract for the new build swimming pool in Barton to SDC construction in the sum of £2,583,744.

## **258. SPORT ENGLAND BID – BLACKBIRD LEYS LEISURE CENTRE – MAJOR PROJECT APPROVAL**

The Leisure and Parks Business Manager submitted a report (previously circulated and now appended).

Resolved to: -

- (1) agree to continue with the stage 2 submission to Sport England for the Active England project on the basis of Option 1, as set out in the report;
- (2) grant Major Project Approval for the continuation on the basis of Option 1, as set out in the report;
- (3) authorise the expenditure of the capital and revenue sums associated with Option 1, as outlined in paragraphs 5.4 and 5.8 of the report;
- (4) authorise the Strategic Director, Physical Environment, to undertake an appropriate selection process that would result in the appointment of project managers tasked with ensuring that the project advanced properly and on time up to construction contract award stage and thereafter an appropriate building contractor to undertake construction. In the event that the Strategic Director, Physical Environment, takes the view that the only practical way to implement either such selection process would be to use the Negotiated Procedure as set out in paragraph 9.5 of the Council's Contract Regulations, then to authorise the said Strategic Director to use the said Negotiated Procedure for this or these purposes.

(Councillor Hollingsworth left the meeting at 12 noon. Councillor Tanner was in the chair for the remaining items and for the continued discussion and decision in minute 254.)

## **259. AREA COMMITTEE RECOMMENDATIONS.**

The Democratic Services Manager submitted recommendations (previously circulated and now appended) of the Area Committees.

Resolved: -

- (1) In respect of the recommendation of the North Area Committee regarding telecommunication masts, to agree that a letter be sent to lobby the government to adopt the following recommendations from the Stewart Committee:
  - (a) all installations to require planning permission;
  - (b) handsets to be labelled with information on their power output;

- (c) a clear understandable leaflet setting out the installation requirement and the latest position on the possible health risks to be distributed to everyone by the Government;
  - (d) the reconsideration of whether there should be a ban on installations near schools;
- (2) In respect of the recommendation of the Central, South and West Area Committee concerning Thames Towpath bank erosion, to ask the Strategic Director, Physical Environment, to report to the Executive Board as soon as possible on how best to deal with the issue of repairs to the Thames Towpath;
- (3) In respect of the recommendation of the East Area Parliament concerning funding of the resurfacing of the Union Street Multi Use Games Area, to ask the Strategic Director, Finance and Corporate Services, to try to identify an appropriate revenue budget that could be used for resurfacing the Union Street Multi Use Games Area in exchange for the equivalent sum (£26k) from the East Area Parliament capital budget.

## **260. PORTFOLIO HOLDER QUESTIONS**

There were no Portfolio Holder questions and responses for the Board to consider.

## **261. DECISIONS TAKEN IN THE BEST INTERESTS OF THE COUNCIL**

There were no decisions for the Board to consider.

## **262. FUTURE BUSINESS**

The Democratic Services Manager submitted a list (previously circulated and now appended) of future agenda items.

Resolved to note the list of future items.

## **263. MINUTES**

Resolved that the minutes (previously circulated) of the Board dated 7 February 2005 be agreed as a correct record.

## **264. MATTERS EXEMPT FROM PUBLICATION**

Resolved that under Section 100A(4) of the Local Government Act 1972, the

press and public be excluded from the meeting for the remaining items on the agenda on the grounds that their presence would involve the likely disclosure of exempt information as described in specific paragraphs of Part 1 of Schedule 12A of the Act.

**265. LAND AT BEARS HEDGE, IFFLEY**

The Financial and Asset Management Business Manager submitted a confidential annex (previously circulated and now appended) to the report referred to in minute

Resolved to note the confidential annex.

The meeting began at 9.00 am and ended at 12.20 pm.