

EXECUTIVE BOARD

Monday 9 May 2005

COUNCILLORS PRESENT: Councillors Hollingsworth (Chair), Baker (Vice-Chair), Armitage, Brown, Clarkson, Christian, Dhall Paskins, 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) and Louisa Dean (Media and Communications).

OFFICERS PRESENT FOR PART OF THE MEETING: Graham Smith (Transport and Parking Business Manager), Claire Emmett and Alan Brown (Performance Management Team), Catherine Stubbings (Housing Services Business Unit), Tony Stephens and Neil Smith (Leisure and Parks Business Unit), Mark Jaggard, Steve Pickles and Adrian Roche (Planning Services Business Unit), Natalie Child (Consultation Officer), Janet Banfield (Strategy and Review Business Manager), Craig Buckby (Neighbourhood Renewal Business Unit, and John Kulasek and Martin Lyons (Financial and Asset Management Business Unit).

288. APOLOGIES FOR ABSENCE

There were no apologies for absence, although Councillors Brown and Dhall had given notice they would be arriving a little late.

289. DECLARATIONS OF INTEREST

The following declarations of personal interests were made in respect of the item on the Strategic Framework for Leisure (minute 300):

<u>Councillor</u>	<u>Reason</u>
Armitage	Member of Oxford Sports Council
Turner	Active football referee

290. PUBLIC QUESTIONS

The following questions, concerning the Healthy Living Initiative project at the East Oxford Community Centre and related matters, were asked by Mr Feeney in accordance with Procedure Rule 13 (iii).

Question 1

I wrote to the Executive Board on 7 February 2005 and to Mr Baish/Sarah Fogden 13 February 2004 about the failure by this local authority to provide statutorily disclosable information under the Audit acts. When can I inspect and copy the documents promised in Brenda Lammin's letter of 31 March 2005 via contact with the Chief Executive?

Response from Councillor Hollingsworth

Councillor Hollingsworth pointed out that the letter stated that the documents referred to were available (through the Chief Executive) for him to inspect.

Question 2

Can you confirm that the failure to retain Jim Barlow's invoice (response 6) is a breach of your document retention policy?

Response from Councillor Hollingsworth

A written response would be given through the Chief Executive, including details of the document retention policy.

Question 3

Can you confirm that the failure to advertise the East Oxford Community Centre kitchen tender (responses 7 and 10) is a breach of your constitutional requirement to advertise tenders?

Response from Councillor Hollingsworth

This was not a breach of the Constitution, as explained in the response to question 7.

Question 4

Why have you failed to answer my question 6 about Oxford Greenprint contracts and when will I be allowed to inspect and copy Oxford Greenprint contracts or letters prior to issue of contract, which I understand are statutorily disclosable?

Response from Councillor Hollingsworth

The question had been answered in respect of invoices, but no mention had been made of contract documents. Mr Baish (through the Chief Executive) would provide a written response to this aspect of the question.

Councillor Hollingsworth asked for the written responses to be circulated with the next Executive Board agenda.

291. WRITTEN RESPONSE TO PUBLIC QUESTIONS

The Executive Board noted the written response (previously circulated and now appended) to 23 questions asked by Mr Feeney at the Executive Board meeting on 7 February 2005.

292.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 130 of the Finance Scrutiny Committee concerning Forecast Year End Best Value Performance Indicator Position 2004/05:
 - (a) to note the positive progress made in connection with some indicators, emphasizing that no indicators are set to move into the worst quartile;
 - (b) that proposals for improving performance, in bullet point form, be circulated to Members as soon as possible;
 - (c) to set up a local authority family as a means of benchmarking the Council's performance, and that comparisons be incorporated in the first quarter monitoring reports if possible, or the second quarter monitoring reports at the latest.
- (2) in respect of minute 128 of the Housing Scrutiny Committee concerning the Rough Sleepers Review to note the good work carried out on rough sleeping and the continuing challenge that the issue presented;
- (3) in respect of minute 130 of the Housing Scrutiny Committee concerning Void Properties to thank the Committee for alerting the Board to delays in the disposal of properties at 104 Bullingdon Road and 51 Princes Street and ask that the relevant officers be instructed to conclude these disposals (and other disposals agreed by the Executive Board) as a matter of extreme urgency;
- (4) in respect of minute 64 of the Oxford Health Overview and Scrutiny Committee concerning a request for the Board to require that a paragraph on Health Impact Assessments be included in Oxford City Council reports:
 - (a) that Health Impact Assessments should be included in committee reports only where they were of direct relevance as there were not sufficient staff resources to do so for all reports, and that this should be done alongside consideration of the impact on social inclusion and indicators of deprivation, where staff training was already underway;

- (b) to ask the Committee Secretary to work with report authors to pilot this on selected reports on the next Executive Board agenda so that an assessment could be made as to the amount of detail required.

293. YEAR END EXPENDITURE 2004/05 and CARRY-FORWARD REPORT

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

Resolved to:

- (1) note the year-end expenditure figures set out in Appendices A, B and C to the report;
- (2) approve the specific carry-forwards set out in the second part of Appendix D to the report;
- (3) note that there was insufficient funding for the automatic carry-forward process, and note the previously agreed method for dealing with this as set out in paragraph 5.4 of the report.

294. AUDIT COMMISSION AUDIT PLAN

The Strategic Director, Finance and Corporate Services, submitted a report (previously circulated and now appended).

Resolved to note the Audit Commission Audit and Inspection Plan 2005/2006 and authorise the Strategic Director, Finance and Corporate Services, to feed back to the Audit Commission comments on the coverage or the plans.

295. PARKING CHARGES - VARIATION

The Transport and Parking Business Manager submitted a report (previously circulated and now appended).

Resolved to: -

- (1) approve option 2, a variation of the 15% increase across all city centre charge bands with tariffs changed to make coinage requirements easier, as set out in Appendix 3 to the report,
- (2) bring penalty offences at the Gloucester Green Bus Station in line with penalty offences in all other car parks, i.e. £80 reduced to £40 if paid within 14 days;

- (3) introduce a penalty at the Gloucester Green Bus Station for reversing a vehicle off bays 2 to 13 without the assistance of a banks man, as set out in paragraph 3.3 of the report.

296. HOUSING STRATEGY – CONSULTATION DRAFT

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

Resolved: -

- (1) subject to amendment by the Strategy and Review Business Manager to take account of comments made at the meetin, to approve the draft Housing Strategy 2005/08 for consultation in accordance with Policy Framework Procedure Rules;
- (2) to note that following formal consultation a revised draft Housing Strategy would be submitted to the Executive Board for comment before being submitted to Council for adoption as part of the Council's Policy Framework.

297. OXFORD LOCAL PLAN 2001-2016 - PROPOSED MODIFICATIONS

The Planning Services Business Manager submitted a report (previously circulated and now appended). The Board also considered a schedule of amendments to Appendix 4.

Resolved to RECOMMEND Council to agree: -

- (1) the responses to each of the Inspector's recommendations set out in the schedule at Appendix 3;
- (2) the Proposed Modifications to the Oxford Local Plan 2001-2016 set out in the schedule at Appendix 4;
- (2) that the Planning Policy Manager be authorised to alter the schedules in Appendices 2 and 3 before publication of the Proposed Modifications to the extent felt to be necessary in light of legal advice in order to make it defensible, to clarify the text, and to make any necessary editorial corrections;
- (4) that the Proposed Modifications be published for a 6-week consultation period and that, if no objections were received during the consultation period, the Oxford Local Plan 2001-2016 be adopted on the expiry of that period.

298. CONSULTING ON A SMOKING BAN IN PUBLIC PLACES

The Environmental Health Business Manager submitted a report (previously circulated and now appended).

Resolved: -

- (1) to agree the Plymouth approach, as described in Table 2 in the report and tailored to the needs of Oxford, as the most suitable consultation process;
- (2) to agree that a more detailed process plan be drawn up prior to any consultation activity taking place;
- (3) to agree the £12,000 budget for the consultation, noting this would be found from within existing resources;
- (4) congratulate the Consultation Officer on a very clear report.

299. ARTS STRATEGIC PLAN - ADOPTION

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

Resolved to: -

- (1) note that the draft Arts Strategic Plan had previously been endorsed by the Board as a basis for consultation, and had subsequently been amended following final public consultation in March 2005;
- (2) adopt the Arts Strategic Plan, as set out in the Appendix to the report;
- (3) approve the annual procedure for reviewing and updating the Action Plan for the Arts Strategic Plan, as set out in Section 5 of the report;

300. STRATEGIC FRAMEWORK FOR LEISURE – CONSULTATION PROCESS

The Leisure and Parks Business Manager) submitted a report (previously circulated and now appended). The Board also considered a recommendation from the Oxford Health Overview and Scrutiny Sub-Committee regarding the wording of questions for the consultation, and noted that due to time pressures this had been dealt with by writing to individual members inviting them to comment.

Resolved to: -

- (1) approve the draft strategies appended to the report as a basis for public consultation subject to amendments to be made by the Leisure and Parks Business Manager, in consultation with the Portfolio Holder for Culture, Tourism and Events (Councillor Christian), having considered the points

raised at the meeting, as summarised below:

General

- there should be simple statement of intent at the beginning of the document explaining that the reason for the strategy, i.e. more affordable high quality leisure provision accessible to everyone in Oxford, provided and funded through a variety of means
- the Council's dual role as provider and enabler should be more clearly explained
- the consultation should focus on finding out what people wanted and not just how facilities should be managed, and should encompass what was missing, not just what was provided
- it was difficult to comment on the strategies submitted without also having the Sport and Health Strategy to refer to
- it was essential that the draft Sport and Health Strategy was consulted upon within the same time frame so at the final stages all the related strategies could be considered together
- financial decisions would be taken around the business planning process for 2006/07 when consultation outcomes would be available to inform the relative weighting of priorities
- leisure was the largest area of discretionary expenditure and Oxford's expenditure was comparatively high - it was necessary to understand why and to benchmark with other authorities because future Comprehensive Performance Assessments would look carefully at how resources were used
- although it would not be possible to adopt exactly the same format for all the documents it was essential that they followed the same principles of simple language without jargon and asked simple questions to stimulate debate
- there was no mention of fishing despite the fact it was the largest participatory sport nationally
- the documents should be checked for loaded language and leading questions

Specific to the Sports and Leisure Strategy

- objective 1 – need to take particular account of barriers to participation, and consider social, economic and physical accessibility

- objective 4 – reference to the workforce blurred the distinction between the strategy for the city and direct provision
- there should be more explicit reference to sporting excellence
- there was nothing on what should be provided in 10 or 20 years' time to cater for demographic and other changes, which suggested there would be a substantial increase in participation
- there should be more emphasis on partnership working

Specific to the Leisure Facilities Strategy

- consideration was needed of the links between the Leisure Strategy the Community Centres Strategy, as community centres were often used for indoor sports activities, e.g. East Oxford Games Hall
- references to over provision of swimming space should be amended to say provision was above average
- the key factor in assessing swimming costs was not the overall cost of provision but the cost per swim
- the advantages and disadvantages of management options should be listed (page 12.35)
- information on financing facilities was to be treated with caution because there was not enough detail to make an informed decision, and consideration should be given to removing the first table on page 12.33
- there should be a third main strategic option (pages 12.36 and 12.37) to increase provision, also in option 1 the words *do nothing* should be removed
- the meaning of Section 106 protocols should be explained – such terms would mean little or nothing to the general public
- simple questions to encourage debate should be added

Specific to Playing Pitches

- there was no statement of what facilities currently exist in the city
- there should be explicit reference to the need for improved facilities for senior football, with particular reference to possibilities for provision at Barton

- junior pitches suffered from poor changing facilities and pressure should be applied to the Local Education Authority to allow more use of school facilities
 - sports pitches were all required at the same time – staggering of games could increase capacity
 - the statement that tennis grass courts exceeded demand was not justified
 - the partnership with tennis clubs was not mentioned – it would be useful to know whether this had been successful
 - existing facilities were often underused because of poor drainage and dog fouling and this needed to be addressed
 - providing a play area adjacent to a sports pitch had proved very successful at Peatmoor and encouraged family use of facilities – joined up thinking was needed
 - simple questions to encourage debate should be added
- (2) note that the report , together with the Executive Board draft minute, would be considered by the Environment Scrutiny Committee on 23 May 2005 and that the Leisure and Parks Business Manager, in consultation with Councillor Christian (Culture, Tourism and Events Portfolio Holder), be authorised to consider the comments made at that meeting and further amend the draft strategy for consultation as appropriate;
- (3) approve the consultation timetable, as set out in Appendix 1 to the report.

301. HOSTING ARRANGEMENTS FOR THE NEW COUNTY SPORTS PARTNERSHIP

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

Resolved to: -

- (1) approve in principle the hosting arrangements as set out in the report;
- (2) authorise the Strategic Director, Physical Environment, to conclude the signing of the legal agreement to include the co-ordination and compilation of the relevant legal documentation to issue to the partner authorities, as outlined in the report.

302. ASSET MANAGEMENT PLAN

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

Resolved to: -

- (1) approve the Asset Management Plan 2004/05, as set out in the Appendix to the report;
- (2) note the forthcoming reports to be considered by the Finance Scrutiny Committee, as referred to in paragraph 5 of the report, that will help to shape the next version of the Asset Management Plan.

303. HORSPATH ROAD CENTRE OF EXCELLENCE

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

Resolved to authorise the Financial and Asset Management Business Manager to enter into discussion with two new interested parties in developing the site of Horspath Road, as shown in Appendix A to the report, as the previous partnership with whom the Board had agreed terms have not yet been able to raise the funding necessary to proceed with the development.

304. AREA COMMITTEE RECOMMENDATIONS

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

Resolved:

- (1) to refer to Council for a decision minute 194 of the Cowley Area Committee concerning the award against the Council of costs totalling £4626.20 in respect of two recent planning appeals;
- (2) to ask the Strategic Director, Physical Environment, to prepare a report for the Council meeting on 20 June 2005 setting out options for dealing with the particular case referred to above, and to provide clarity on how to deal with similar cases in the future.

305. PORTFOLIO HOLDER QUESTIONS

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

306. DECISIONS TAKEN IN THE BEST INTERESTS OF THE COUNCIL

There were no such decisions for the Board to consider.

307. FUTURE BUSINESS

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

Resolved to note comments on items to be included in the next Forward Plan.

308. MINUTES

Resolved that the minutes (previously circulated) of the Board dated 4 April 2005 be agreed as a correct record subject to the deletion of Councillor Simmons from the list of those present and the addition of Councillor Dhall to the list of those present.

309. 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.

<u>Item</u>	<u>Reason for exemption</u>	<u>Minute No.</u>
C1	details of lease arrangements under negotiation	310
C2	details of disposal terms under negotiation	311
C3	details of lease terms under negotiation	312
C4	details of disposal terms under negotiation	313

Summary of decisions taken in Part 2 of the meeting.

C1 Unit 16 Covered Market – Change of Use

The Board authorised the Financial and Asset Management Business Manager to negotiate the terms of the assignment of the lease for Unit 16, Covered Market, and the proposed change of use from “greengrocer, fruit and flowers” to “sale of freshly prepared cut fruit sold as sticks, fruit salads and fruit pots with cream, freshly prepared fruit and vegetable juices, fruit smoothies, wheat grass, wassail and (but strictly as a seasonable item only and in any event ancillary to the main use) mulled wine”.

C2 Elsfield Way – Former Drill Hall Premises

The Board authorised officers to negotiate a restructuring of the lease and agreed in principle that independent valuation advice should be obtained in future cases where officers believe the transaction will involve disposal of assets exceeding £250,000.

C3 St George's Mansions, George Street

The Board declined the offer received from the tenant for a surrender of the existing lease and the grant of a new lease for 125 years on the grounds that it did not reflect an element of premium over market value, and that no alternative proposal had been made, as requested by the Board

C4 Manzil Way Gardens – 205 Cowley Road

The Board accepted a revised offer from the developer of the site adjoining 205 Cowley Road.