

CITY EXECUTIVE BOARD

Wednesday 20 May 2009

COUNCILLORS PRESENT: Councillors Bob Price (Chair), Ed Turner (Vice-Chair), Antonia Bance, Colin Cook, Joe McManners, John Tanner, Bob Timbs and Oscar Van Nooijen

OFFICERS PRESENT FOR THE WHOLE OF THE MEETING: Peter Sloman (Chief Executive), Tim Sadler (Executive Director), Sarah Fogden (Finance), Simon Howick (Human Resources), Jeremy Thomas and Brenda Lammin (Legal and Democratic Services)

OFFICERS PRESENT FOR PART OF THE MEETING:

Pat Jones and Julia Woodman (Scrutiny), Michael Crofton-Briggs, Laura Goddard and Steve Smith (City Development), John Copley and Paul Kirkley (Environmental Development), Ian Brooke (City Leisure), Graham Stratford and Steve Kilsby (Community Housing and Community Development), Chris Pyle and Martyn Mumford (Oxford City Homes), Steve Sprason (Property and Asset Management)

1. CHAIR'S REMARKS

The Chair welcomed Councillor Joe McManners as a new member of the Board. He also referred to the fact that this would be the final meeting for Brenda Lammin, Democratic Services Officer. On behalf of the Board thanked her for her support to the Board and wished her a long and happy retirement.

2. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Sajjad Malik.

3. DECLARATIONS OF INTEREST

Councillor Bance declared a personal interest in the item on Achieving a Living Wage because she worked for a major employer in the City that might in the future be approached in a campaign to make Oxford a "Living Wage City" (minute 12 refers).

4. PUBLIC QUESTIONS

The following questions were submitted by Mr Sean Feeney (minute 23 refers):

"The proposed changes to Oxford City Council's Core Strategy state that meeting housing demand "over a 10-year period would mean at least

doubling the size of the city". The planning inspector Mr David Fenton's letter of 15 December 2008 states "there appears to be little firm evidence in the plan on the infrastructure needed to be provided to support the significant scale of development in the city". The consultation on the changes closed on 15 May.

1. In light of Mr Fenton's published infrastructure concerns, which are not addressed in the report on St Clements car park, will the Executive Board reject this proposed development which would lead to a 24 per cent cut in parking spaces in an area where people often cannot currently find parking spaces?

2. Notwithstanding Kemp and Kemp's reported opinion in paragraph 20 (which I have been unable to see today because OCC states there are no background papers to the report; a claim I find unbelievable), does the Executive Board believe it is appropriate to dispose of this land in the middle of a property slump, and does it concur with Kemp and Kemp that the offer is the "best consideration reasonably obtainable" under section 123 of the Local Government Act 1972, and, if so, from which officers is there advice to that effect, because the statutory duty falls on Oxford City Council not Kemp and Kemp?

3. Given that OCC's East Area Parliament were consulted on the original decision in 2004, and given that they have current delegated executive constitutional responsibility for the strategic management of the car park, have these proposals been considered by EAP and, if so was this consideration in private or at a public meeting and, if so, when and how, and, if so, what was their response because the report does not record any EAP involvement with the current proposals?

4. Given that the risk register states it is "likely" that there will be a failure to provide temporary parking in whole or part, have traders in the area been consulted on the current proposals, and, if so, when and how, and is any failure to consult a breach of any statutory provision or OCC policy (OCC's consultation manager has stated she is unaware of any OCC consultation policy although she has kindly given me a copy of what I believe is OCC's less than satisfactory consultation strategy).

Response from Councillor Bob Price

In response to question 1 the issues will be considered by the relevant committee when any planning application for the site is determined. It is not within the remit of the City Executive Board.

In response to question 2 the Board is entitled to rely on the professional advice of surveyors whether they are employed under a contract of service as employees or engaged under a contract for services as consultants. Whatever the source, the issue is whether the advice is credible. The Interim Head of Service is presenting the advice as credible and therefore capable of being relied on, should the Board wish to do so.

In response to question 3 there has been no further consultation with the East Area Parliament since the 2004. The Area Parliament will be consulted on any

planning application submitted in respect of the site.

In response to question 4, again these issues will be considered by the relevant committee when any planning application for the site is determined.

5. ANTISOCIAL BEHAVIOUR SCRUTINY REVIEW

The Communities and Partnership Scrutiny Committee submitted a report (previously circulated and now appended). The report was presented by Councillor Ruth Wilkinson, a member of the Scrutiny Review Group.

Resolved to: -

- (1) thank the review group and Julia Woodman (Scrutiny Officer) for their excellent review report;
- (2) approve the recommendations contained in the review report;
- (3) ask the Chief Executive and Executive Directors to produce a joint action plan in response to the recommendations and ensure that there is more efficient joint working within the Council, and with registered social landlords, on tackling anti-social behaviour;
- (4) ask for a progress report in six months' time.

6. CONSERVATION AND THE HISTORIC ENVIRONMENT

The Head of City Development submitted a report (previously circulated and now appended). The Board also considered the comments of Councillors Susanna Pressel and Matt Morton.

Resolved to: -

- (1) agree to create a conservation area for Jericho, making as much progress as possible within the existing 2009/10 budget, and bidding for any additional resources required to complete the process in the 2010/11 budget;
- (2) support the principle of the preparation of a Heritage Strategy and a Tree Strategy for the City;
- (3) agree that officers should seek external funding towards this work.

7. FLOOD MITIGATION BY RAINWATER HARVESTING

The Head of Environmental Development submitted a report (previously circulated and now appended). The Board also considered the comments of Councillor and Matt Morton.

Resolved: -

- (1) that, in light of the calculations and limited benefit rainwater harvesting is likely to bring in providing a buffer against flooding, the Council take no further direct action;
- (2) to note the benefit that rainwater harvesting could bring to the City for conservation and the future security of water supply, and encourage developers to incorporate harvesting into their current best practices;
- (3) to encourage the uptake of sustainable urban drainage in all future development.

8. CITY COUNCIL'S RESPONSE TO CONSULTATION ON SOUTH OXFORDSHIRE DISTRICT COUNCIL'S CORE STRATEGY PREFERRED OPTIONS

The Head of City Development submitted a report (previously circulated and now appended).

Resolved: to endorse Appendix 4 as the City Executive Board's formal response to South Oxfordshire District Council's consultation on its Core Strategy Preferred Options document.

9. AFFORDABLE HOUSING COMMISSION AND STRATEGIC HOUSING DELIVERY GROUP ACTION PLAN

The Head of City Development submitted a report (previously circulated and now appended).

Resolved to: -

- (1) thank the Chair of the Affordable Housing Commission for the Panel's report;
- (2) thank the Chief Executive, Executive Director, City Regeneration, Head of City Development and Head of Community Housing and Community Development and their staff for their excellent work and progress made;
- (3) agree the action plan as appended to the report and ask for a progress report on actions that have been completed or are due to be completed soon.

10. LEISURE DEVELOPMENT MAJOR REPAIRS AND MAINTENANCE WORKS PROJECT INITIATION DOCUMENT

The Head of City Leisure submitted a report (previously circulated and now

appended).

Resolved: to grant project approval to the investment programme and substantive development works within leisure centres, in accordance with the Project Initiation Document.

11. LEISURE FACILITIES REVIEW

The Head of City Leisure submitted a report (previously circulated and now appended). The Board also considered the comments of Councillor Jean Fooks.

Resolved that: -

- (1) City Leisure takes the lead role in co-ordinating the City Leisure Offer to increase participation in sport and physical activity;
- (2) school sites are incorporated as key ingredients in the City Leisure Offer, with increased community usage of the leisure provision at school sites;
- (3) City Leisure is actively involved in shaping the regeneration of the City. That all planning decisions relating to sport and leisure are taken in consultation with the sport and leisure strategies to enable the City Offer to effectively be developed;
- (4) project approval is given to commence the development of a new pool at Blackbird Leys Leisure Centre which on completion would enable the closure of Temple Cowley pool and Blackbird Leys pool;
- (5) consultation on the project takes place once an outline costing and timetable are established;
- (6) the Executive Director for City Services, in consultation with the Leisure Advisory Group and the Executive Board Member for Leisure and Sport, be authorised to progress the facility remodelling recommendations in this review.

12. ACHIEVING A LIVING WAGE

The Head of Human Resources submitted a report (previously circulated and now appended).

Resolved: -

- (1) to implement the 'living wage' minimum level of pay as part of the Single Status collective agreement which is presently being negotiated with the trade unions;
- (2) that the Oxford Living Wage will increase annually by any cost of living

increases negotiated for the national pay scheme for local government. The Council will also review its living wage position in the context of the London Living Wage on a bi-annual basis, and make adjustments to pay grades accordingly to ensure it continues to reflect the relative position in Oxford;

- (3) that the Strategic Procurement and Shared Services Manager will instruct Champion (the Council's preferred supplier of agency staff) to increase rates of pay to ensure all agency staff receive at least £7 per hour, inclusive of "rolled up" holiday pay with effect from the implementation date of the Single Status collective agreement;
- (4) that the Head of HR will work with Service Heads with a view to reduce the demand for agency staff over the next year by maximising the use of direct hire employees in accordance with the needs of the service;
- (5) that the Strategic Procurement and Shared Services Manager will introduce into the Council's procurement process measures designed to allow appropriate consideration to be given to the sustainability of the offers received, such consideration to include the supplier's attitude towards the payment of the Living Wage, when considering the overall merits of the offers received. All such considerations will form part of the process to determine the lowest or most economically advantageous offer received in accordance with the Council's contract rules;
- (6) to note that the Leader of the Council would be writing to major employers within the City with a view to making Oxford a "Living Wage City";
- (7) to record the Board's gratitude to the Chief Executive and Head of Human Resources for their work on this matter.

13. CHARGING FOR CERTAIN HOUSING ACT NOTICES

The Head of Environmental Development submitted a report (previously circulated and now appended).

Resolved: to amend the current Environmental Development Enforcement Policy to allow for the service of certain Housing Act notices, as set out in the report.

14. THE SECOND OXFORDSHIRE LOCAL AREA AGREEMENT

The Corporate Manager, Partnership Development, submitted a report (previously circulated and now appended).

Resolved to: -

- (1) note the targets in the Local Area Agreement 2 following the review;

- (2) authorise the Chief Executive, in consultation with the Leader of the Council and the Leaders of the other political groups, to consider and reach agreement on any further amendments required following the review of the Local Area Agreement 2, and to report back any such amendments to the City Executive Board.

15. FINANCIAL MONITORING YEAR END 2009/10

The Head of Finance submitted a report (previously circulated and now appended). The Board also considered a revised version of Appendix 5 (version 3) concerning carry-forwards.

Resolved to: -

- (1) note the year-end financial position and RECOMMEND Council to approve the amounts of the General Fund and Housing Revenue Account (HRA) carry-forwards, as set out in Appendix 5 (as amended);
- (2) thank service heads for the constructive and successful way in which the budget challenge for 2008/09 had been handled.

16. FEES AND CHARGES STRATEGY

The Head of Finance submitted a report (previously circulated and now appended).

Resolved to RECOMMEND Council to adopt the Fees and Charges Strategy and note the action plan for an audit of current fees and charges.

17. REPLACEMENT WINDOW REVIEW

The Head of Oxford City Homes submitted a report (previously circulated and now appended).

Resolved: to instruct the Executive Director, City Services, to adopt PVCu windows as the standard for replacement windows and doors for the next five years.

18. PROPERTY REPAIRS AND MAINTENANCE – CAPITAL PROGRAMME 2009/1

The Interim Head of Property and Asset Management submitted a report (previously circulated and now appended).

Resolved to: -

- (1) note the report and the proposals for the 2009/10 property repairs and maintenance programme;
- (2) grant project approval to the capital programme spend, as outlined in the report and Appendix 1, subject to there being sufficient capital receipts to finance the works;
- (3) authorise officers to proceed with the proposed works as funding becomes available;
- (4) note the suggested way forward, on the basis of a more detailed paper on the overall Asset Management Plan being submitted for approval in due course.

19. NORTHWAY CENTRE OFFICES

The Interim Head of Property and Asset Management submitted a report (previously circulated and now appended).

Resolved to: -

- (1) formally declare surplus to the Council's requirements the Northway Centre Offices and adjoining land, as shown edged in black on the plan attached as appendix 1 to the report;
- (2) grant project approval to the scheme and authorize officers to proceed with the vacation, demolition and associated works as described in the report;
- (3) agree to the disposal of the site on the open market and otherwise on the basis set out in the report, with a report back to the Board on detailed terms in due course.

20. AIREY HOUSES, LITTLEMORE – TENDER APPROVAL

The Head of Oxford City Homes submitted a report (previously circulated and now appended).

Resolved: to accept the lowest tender for the structural works to the Airey Houses, Littlemore, in the sum of £662,871.65, as submitted by Fergal Ltd.

21. OPTIONS FOR 16 TAWNEY STREET

The Head of Oxford City Homes submitted a report (previously circulated and now appended).

Resolved: to adopt option 1 as set out in the report (to market the property and report back to the City Executive Board on detailed terms in accordance with the Constitution).

22. LAND AT IFFLEY ROAD

The Interim Head of Property and Asset Management submitted a report (previously circulated and now appended).

Resolved to: -

- (1) approve the freehold disposal of approximately 0.267 hectares (0.66 acres) to Vertu Motor Property Ltd at a consideration as detailed in the exempt from publication to the report, and otherwise on detailed terms and conditions to be approved by the Interim Head of Property and Facilities Management;
- (2) note that the purchaser will be responsible for payment of the Council's legal and surveyors' costs incurred.

23. ST CLEMENT'S CAR PARK

The Interim Head of Property and Facilities Management submitted a report (previously circulated and now appended).

Resolved to: -

- (1) approve the granting of a 150 year lease of approximately 0.38 hectares (0.94 acres) of land currently comprising the St Clement's Car Park to the Watkin Jones Group at a premium payment, as detailed in the exempt from publication Appendix 3 to the report;
- (2) approve the Council leasing back for a term of 150 years (less one day), on the basis of a peppercorn rental, those parts of the site required to facilitate replacement car parking and public conveniences as necessary;
- (3) note that the purchaser will be responsible for payment of the Council's proper legal and surveyors' costs incurred.

24. FUTURE ITEMS

No issues were raised.

25. MINUTES

Resolved that the minutes (previously circulated) of the meetings of the Executive Board held on 23 March and 1 April 2009 be approved as a correct record.

26. MATTERS EXEMPT FROM PUBLICATION

Resolved that in accordance with the provisions of Paragraph 21(1)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 the press and public be excluded from the meeting 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 the Board was satisfied that in all the circumstances the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

<u>Items</u>	<u>Reason for exemption</u>	<u>Minutes</u>
C1,C2 and C3	Information relating to the business affairs of any particular person (including the authority holding that information)	27, 28 and 29

27. OPTIONS FOR 16 TAWNEY STREET

The Interim Head of Property and Facilities Management submitted an exempt from publication appendix (previously circulated and now appended) to the report referred to in minute 21.

Resolved to note the exempt from publication appendix.

28. LAND AT IFFLEY ROAD

The Interim Head of Property and Facilities Management submitted an exempt from publication appendix (previously circulated and now appended) to the report referred to in minute 22.

Resolved to note the exempt from publication appendix.

29. ST CLEMENT'S CAR PARK

The Interim Head of Property and Facilities Management submitted an exempt from publication appendix (previously circulated and now appended) to the report referred to in minute 23.

Resolved to note the exempt from publication appendix.

The meeting began at 5.00 pm and ended at 7.15 pm.