

# CITY EXECUTIVE BOARD

Wednesday 9 June 2010

**COUNCILLORS PRESENT:** Councillors Bob Price (Chair), Ed Turner (Vice-Chair), Colin Cook, Mark Lygo, Sajaad Malik and Oscar Van Nooijen.

## 1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Antonia Bance, John Tanner, Bob Timbs and Joe McManners.

## 2. DECLARATIONS OF INTEREST

None made.

## 3. PUBLIC QUESTIONS

Three questions were submitted to the meeting:

Question from Mr Rodrigo related to Agenda Item 10

"Will residents be given information before Council actually debates and discusses major issues?"

Answer from Councillor Price

"The new consultation framework will ensure that local communities are consulted on matters that affect them in advance of decisions"

Question from Nigel Gibson relating to Agenda Item 10.

"I applaud the Council's continued commitment to its statutory duties regarding consultation. However, I am extremely surprised and appalled at the way you are conducting the current consultation concerning your desire to close Temple Cowley Swimming Pool and Gym. The way you are running this consultation recognises neither the stated aim for consultations (para 6 of your Report) - clarity, inclusiveness, representation - nor your principles (para 7 of your Report): inclusiveness, transparency and clarity, commitment, accessibility, accountability, responsiveness, willingness to learn and productivity. Any output from this consultation must be regarded as invalid and subject to challenge, so will the Council suspend any decision on the future of Temple Cowley Pools until after a consultation has been run according to the Consultation Framework to which you say you aspire?"

Answer from Councillor Price

"The Executive Board will receive a report in July on this issue. The Board will of course listen to any evidence suggesting that the consultation that has been

undertaken on leisure services has not been consistent with the Council's consultation policy, but at this time there is nothing to suggest that this is the case."

Question from Nigel Gibson related to Agenda Item 10

"I note that as part of your One Council initiative, you will be merging the Horspath and Cowley Marsh works sites into a single location. I also note your determination, underlined by the target commitments in Fusion's plan, and despite continued strong opposition from your Council taxpayers, to close Temple Cowley Pools and remove a swimming pool, diving pit, sauna, steam room and gym from the Cowley community. Can I ask that as part of the rationalisation, if you are not considering the more economic refurbishment option at Temple Cowley that you look at building a replacement leisure facility on the Cowley Marsh site?"

Answer from Councillor Price

"If a decision is taken to close the facility at Temple Cowley, alternative leisure facilities for that area will be considered, but it would be financially impossible to fund a new pool in both locations."

#### **4. SCRUTINY COMMITTEE REPORTS**

a) Scrutiny Review of Planning Enforcement.

The Value and Performance Scrutiny Committee submitted a report (previously circulated, now appended) presenting a review of the Council's planning enforcement function.

Resolved:- to endorse the recommendations of the Scrutiny Review Group as detailed in the report with the exception of recommendation 7 on which the Board requested a report back in October rather than July to assess the benefits of the proposed partnership working.

b) Provisional Outturn report 2009/10.

The Value and Performance Scrutiny Committee submitted a report (previously circulated, now appended) making recommendations in light of the Provisional Outturn report for the last financial year (minute 5 refers).

Resolved:-

- (1) To endorse the recommendations of the Scrutiny Committee; and
- (2) To ask the Committee to submit a further report to the Board examining savings made, income targets and detail of overspends from the last financial year as soon as possible.

(c) Council reorganisation – Council 2012.

The Value and Performance Scrutiny Committee submitted a report (previously circulated, now appended) making recommendations on the Council reorganisation report (minute 7 refers).

Resolved to endorse the recommendations of the Value and Performance Scrutiny Committee with the exception of recommendations 2 and 11 for the following reasons:-

- Recommendation 2 – Further engagement with tenants would be undertaken through the Improvement and Monitoring Panel. If appropriate, a tenant representative would be invited to the steering group should a specific issue relating to tenants arise.
- Recommendation 11 – Representatives from each political group would be appointed to the steering group with all members receiving regular updates. Appointed Scrutiny observers would therefore be unnecessary.

#### d) Consultation Strategy

The Communities and Partnership Scrutiny Committee submitted a list of points (previously circulated, now appended) recommending changes to the proposed strategy.

The Head of Policy Culture and Communications Policy advised that the points had been incorporated at the latest redraft with the exception of point 17.

Resolved to endorse the comments of the Scrutiny Committee and instruct officers to take action on point 17 of the report namely to include a “dos and don’ts” checklist in the new consultation strategy.

## **5. PROVISIONAL OUTTURN 2009/10**

The Heads of Finance submitted a report (previously circulated, now appended) reporting the Council’s financial position at the end of the 2009/10 financial year.

Arising from the report the Lead member, Finance, Corporate Assets and Strategic Planning, said that it was the Administration’s intention that Area Committee capital spending be frozen for the time being.

Resolved to:-

- (1) Note the year end financial position;
- (2) Delegate authority to the Chief Executive and Corporate Director Finance and Efficiency to release funds from the corporate contingency reserve (General Fund and HRA) in consultation with the Leader and Deputy Leader of the Council; and
- (3) Approve the re-designation of the Single Status Reserve to the Employee Cost Reserve.

## **6. APPOINTMENTS TO OUTSIDE BODIES**

The Head of Law and Governance submitted a report (previously circulated, now appended) asking the Board to appoint Councillors to serve on various outside bodies.

Resolved to:-

(1) Appoint the following Councillors to the following bodies for one year:

BODY	NOMINATED REPRESENTATIVE(S) 2010/2011
AIR TRAINING CORPS - CITY OF OXFORD COMMITTEE	Councillor Humberstone
ASSOCIATION OF PUBLIC SERVICE EXCELLENCE (previously Association of Direct Labour Organisations)	Councillor Van Nooijen
CCTV INSPECTION TEAM	Councillors Malik and Campbell
CITIZENS ADVICE BUREAU	Councillors Brundin and Tanner
COUNCIL OF RUSKIN COLLEGE	Councillors Brundin, Coulter and Pressel
COUNTY COUNCIL'S SCHOOL ORGANISATION STAKEHOLDER GROUP	Councillor Sinclair with Councillor Fooks as named substitute
FOREST OF OXFORD STEERING GROUP	Councillors Pressel, Fooks and Morton
FUSION – Advisory Steering Group	Councillor Jim Campbell
GATEHOUSE	Councillor Sanders
LOCAL GOVERNMENT ASSOCIATION URBAN COMMISSION	Councillor Darke
LOCAL GOVERNMENT INFORMATION UNIT	Councillor Wilkinson
MODERN ART OXFORD	Councillors Pressel and Gotch
MUSEUMS JOINT WORKING GROUP	Councillor Pressel
NATIONAL ASSOCIATION OF BRITISH MARKET AUTHORITIES (NABMA)	Councillor Clarkson
OXFORD HOMELESS PATHWAYS	Councillors Hazell, Smith and Brown.
OXFORD AIRPORT CONSULTATIVE	Councillor Lloyd-Shogbesan

COMMITTEE	
OXFORD AND DISTRICT SPORTS AND RECREATION ASSOCIATION FOR THE DISABLED (OXSRAD)	Councillor Lygo
OXFORD ASIAN CULTURAL ASSOCIATION	Councillors Pressel, Rundle and Young
OXFORD HUB ADVISORY BOARD	Councillor Mills
OXFORD IN BLOOM	Councillor Keen
OXFORD PLAYHOUSE TRUST	Councillor Darke
OXFORD PRESERVATION TRUST	Councillors Goddard, Cook and Darke (until April 2012)
OXFORD SPORTS COUNCIL	Councillors Armitage and Timbs
OXFORDSHIRE BUILDINGS TRUST	Councillor Gotch
OXFORDSHIRE COMMUNITY AND VOLUNTARY ACTION	Councillor Rundle
OXFORDSHIRE ETHNIC MINORITIES ENTERPRISE DEVELOPMENTS LIMITED	Councillor Shah Jahan Khan
OXFORDSHIRE MUSEUMS COUNCIL	Councillor Clarkson
OXFORDSHIRE THEATRE COMPANY	Councillor Humberstone
OXPAT	Councillor Tanner
PEGASUS THEATRE TRUST LIMITED	Councillor Lygo
SOUTH EAST EMPLOYERS' ORGANISATION	Councillor Price
SOUTH EAST RESERVE FORCES' AND CADETS' ASSOCIATION	Councillor Morton
THE PORCH STEPPIN' STONE	Councillor Smith
TOURISM SOUTH EAST (Formerly Southern Tourist Board)	Councillor Cook

(2) Appoint the following Councillors to the following bodies for one year:

BODY	REPRESENTATIVE(S)
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CCTV MANAGEMENT COMMITTEE	Safer Communities Board Member (Councillor Malik)
CHILDREN AND YOUNG PEOPLE'S BOARD	Regeneration and Community Development Board Member (Councillor Bance).
ENGLISH HERITAGE SOUTH EAST REGION - HERITAGE CHAMPION	City Development Board Member (Councillor Cook)
ENVIRONMENTAL PROTECTION UK	Cleaner, Greener Oxford Board Member (Councillor Tanner) and the Head of Environmental Development.
HEALTH AND WELL-BEING PARTNERSHIP	Regeneration and Community Development Board Member (Councillor Bance) and Val Johnson.
LOCAL GOVERNMENT ASSOCIATION GENERAL ASSEMBLY	Deputy Leader and the Leader of the Opposition Group as an observer.
LOCAL STRATEGIC PARTNERSHIP STEERING GROUP	The Leader
OXFORD SAFER COMMUNITIES PARTNERSHIP (formerly Atmosphere)	Safer Communities Board Member (Councillor Malik)
OXFORDSHIRE LEADERS' GROUP	The Leader
OXFORDSHIRE MEMBERS AFFORDABLE HOUSING GROUP	Housing Board Member (Councillor McManners)
OXFORDSHIRE SUPPORTING PEOPLE COMMISSIONING BODY	Councillor McManners with Councillor Smith as named deputy
OXFORDSHIRE WASTE PARTNERSHIP JOINT COMMITTEE	Cleaner, Greener Oxford Board Member (Councillor Tanner), plus any other member of the City Executive Board as Standing Deputy
SCRUTINY CHAMPIONS NETWORK	Chairs of both the Scrutiny Committees to be appointed – either to attend as available
SOUTH EAST ENGLAND COUNCILS (SEEC)	Deputy Leader

(3) Appoint Councillor Van Nooijen to the Oxford Leon Trust from the end of July 2010 for one year.

## **7. COUNCIL REORGANISATION – COUNCIL 2012**

The Executive Director City Services submitted a report (previously circulated, now appended) seeking decisions of the Board on the Council's proposed reorganisation following the conclusion of the fundamental service review into waste.

Resolved:-

- (1) That the 'Council 2012' programme be approved and that the Chief Executive be authorised to implement any changes to operational and management structures in support of the programme (including, but not limited to, the structural changes set out in this report) subject to further consultation and engagement with Members, tenants and other stakeholders in relation to the organisation of the 'landlord' functions;
- (2) That the Chief Executive be requested to report to the next ordinary meeting of Council in relation to the changes made to the senior management structure as a consequence of the specific proposals within this report and to future meetings of Council in relation to any other changes made to the senior management structure as a consequence of the delegation given to the Chief Executive by recommendation (1) above to implement the 'Council 2012' programme; and
- (3) That political groups be invited to nominate Members to sit on a steering group to guide the 'service offer' and 'community engagement' aspects of the ongoing implementation and delivery of the programme.

## **8. BARTON AREA ACTION PLAN**

The Head of City Development submitted a report (previously circulated, now appended) seeking approval of the Barton Area Action Plan Issues Document for public consultation.

Resolved to:-

- (a) Approve the Barton Area Action Plan Issues Document for consultation; and
- (b) Authorise the Head of City Development, in consultation with the Executive Board Member (Councillor Turner), to make any necessary editorial corrections to the document before publication.

## **9. FUSION-LIFESTYLE'S ANNUAL SERVICE PLAN FOR OXFORD CITY COUNCIL LEISURE FACILITIES**

The Head of City Leisure submitted a report (previously circulated, now appended) seeking agreement of the Annual Plan to manage the Council's leisure facilities.

Resolved to note and approve the Fusion-Lifestyle Annual Service Plan for the management of Council leisure facilities, 2010/2011 which has been recommended for adoption by the Leisure Partnership Advisory Board.

## **10. CONSULTATION FRAMEWORK**

The Head of Policy, Culture and Communications submitted a report (previously circulated, now appended) recommending Council to adopt the Consultation Framework as part of the policy framework.

Resolved to:-

- (1) Instruct Officers to amend the strategy in light of the Scrutiny Committee comments (minute 4(d) refers; and
- (2) RECOMMEND Council to adopt the Consultation Framework as part of the Council's Policy Framework.

## **11. CHANGES TO PLANNING REGULATIONS FOR DWELLING HOUSES AND HOUSES IN MULTIPLE OCCUPATION (HMOs)**

The Head of City Development submitted a report (previously circulated now appended) seeking approval for the adoption of a policy to deal with HMO planning applications.

Resolved:-

- (1) That the criteria of the Oxford Local Plan (OLP) policy HS15 will be applied in assessing planning application proposals for Class C4 and sui generis HMO uses;
- (2) To agree an Interim Policy Statement advising private landlords and developers that "on those planning application proposals for Class C4 and sui generis HMO uses, which satisfy the criteria of adopted OLP policy HS15, the Council still wishes to discourage the proliferation of new HMOs throughout the city, pending the development and adoption of a new local planning policy to replace OLP policy HS15;
- (3) To accept that HS15 compliant applications would be assessed in the light of the agreed Interim Policy Statement, but that each case would have to be assessed on its own merits and that it would be necessary to substantiate the harmful effects with local evidence in order to refuse permission; and
- (4) To instruct officers to proceed as a matter of priority with the preparation of a planning policy to enable its adoption as part of the Sites and Policies Development Plan Document and the replacement of OLP policy HS15, based on detailed evidence across the city.



## **12. LAND AT 205 COWLEY ROAD AND MANZIL WAY GARDENS – CONSIDERATION OF OBJECTION TO THE DISPOSAL OF PUBLIC OPEN SPACE**

The Interim Head of Corporate Assets submitted a report (previously circulated, now appended) asking the Board to consider objections received to the disposal of an area of public open space for use as a builder's compound.

Resolved that having seen and considered the objection raised and, having been advised of the content of two objections received after the closing date, the disposal for the stated purpose of the open space land at Manzil Way Gardens and adjacent 205 Cowley Road can proceed.

## **13. LEISURE CENTRES – CAPITAL DEVELOPMENT AND SUBSTANTIVE MAINTENANCE WORKS WITHIN THE LEISURE CENTRES**

The Head of City Leisure and Interim Head of Corporate Assets submitted a report (previously circulated, now appended) seeking authority for the Executive Director for City Services to be given delegated authority to award the contract for maintenance works at City leisure centres.

Resolved that:-

- (a) Following an appropriate procurement process to select the supplier best able to deliver the work to the required standard and within budget, to note and confirm the award of contracts made by the Head of Paid Service under urgency powers in the Constitution for both the leisure capital development and year two substantive maintenance works; and
- (b) Following an appropriate procurement process to select the supplier best able to deliver the work to the required standard and within budget to delegate authority to the Executive Director of City Services to award to such suppliers the contracts of substantive maintenance works years three to four as set out in this report, to meet the Council's contractual obligations under its Leisure contract.

## **14. FUTURE ITEMS**

Nothing was raised under this item.

## **15. MINUTES**

Resolved to approve and sign the minutes from the meetings held on 31 March and 21 April 2010.

## **16. MATTERS EXEMPT FROM PUBLICATION**

The Board resolved to note the contents of a not for publication annex to the report relating to agenda item 11 (Changes to planning regulations for dwelling houses and houses in multiple occupation) without moving into confidential session.

The meeting started at 5.00pm and ended at 6.42 pm.