

# Supplement for

# Cabinet

On **Wednesday 10 November 2021** At **6.00 pm**

## Agend Item 7 - Scrutiny Reports

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**To:** Cabinet  
**Date:** 10 November 2021  
**Report of:** Scrutiny Committee  
**Title of Report:** Anti-Social Behaviour Policy

| <b>Summary and recommendations</b>   |  |
|--|--|
| <b>Purpose of report:</b>  | To present Scrutiny Committee recommendations concerning the Cabinet Anti-Social Behaviour Policy report |
| <b>Key decision:</b>   | Yes  |
| <b>Scrutiny Lead Member:</b>   | Councillor Liz Wade, Chair of the Scrutiny Committee   |
| <b>Cabinet Member:</b>   | Councillor Louise Upton, Cabinet Member for a Safer, Healthier Oxford                                    |
| <b>Corporate Priority:</b>   | Support Thriving Communities   |
| <b>Policy Framework:</b>   | Council Strategy 2020-24   |
| <b>Recommendation: That the Cabinet states whether it agrees or disagrees with the recommendations in the body of this report.</b> |  |

| <b>Appendices</b> |
|-------------------|
| None              |

## **Introduction and overview**

1. At its meeting on 02 November 2021, the Scrutiny Committee considered the Cabinet Anti-Social Behaviour Policy 2022-25 report.
2. The Panel would like to thank Councillor Louise Upton, Cabinet Member for a Safer, Healthier Oxford, for attending the meeting and presenting the report, and Richard Adams, Community Safety Service Manager, for authoring the report and supporting the meeting in responding to questions.

## **Summary and recommendations**

3. Councillor Louise Upton, Cabinet Member for a Safer, Healthier Oxford introduced the report, noting that anti-social behaviour (ASB) could blight lives if unchecked and the Council had a responsibility to challenge it both in relation to its own housing stock as well as the wider community. This was a responsibility carried out in close partnership with other agencies. The policy set out what the Council could do and, as importantly, what it could not. It also set out what complainants might expect and was expected of complainants. ASB often had its root causes in deep seated difficulties for those involved and officers were trained to take proper account of that and to respond accordingly.
4. Richard Adams, Community Safety Service Manager, said the Council had a statutory duty to provide a policy, to review it regularly and to investigate certain matters. The Council played a leading role in addressing ASB as a Responsible Authority of the Community Safety Partnership in the City, notably but not exclusively in relation to Council property and its tenants. The last 18 months had seen a sharp decline in the incidence of ASB but as Covid restrictions had eased, so the incidence had increased and was now at a higher level than pre-pandemic. While there was an unequivocal responsibility to deal with ASB in Council properties there was no equivalent responsibility in relation to private rented property, however this was not to say that the Council would not offer appropriate support in such cases as, indeed, it often did. He noted that complaints about noise was one matter which the Council was bound to investigate irrespective of its source (subject to the limitations set out in the policy). The ASB team, through its partnership working, connected with a host of programmes, initiatives and activities to address the challenges and behaviours that may be experienced by those exhibiting ASB. The covering report and the policy itself avoided explicit references to them however as they were so many and various.
5. The Committee's responses to the report were many and various, addressing issues including the suitability of the Policy's underlying principles, the relationship between the Council and those for whom the ASB service is run, issues around invasive data collection by members of the public, the efficacy of verbal warnings, the wider issues around eviction on the basis of ASB and the extent of proposed Public Space Protection Orders on Port Meadow.
6. The Committee makes a number of recommendations, suggesting amendments to both the proposed Anti-Social Behaviour Policy and Procedure. It is suggested that these amendments largely make more explicit for the public the Council's existing position and approach, but also bring greater clarity around complex issues.

## **Anti-Social Behaviour Policy Amendments**

7. The Committee recommends that two amendments are made to the Anti-Social Behaviour Policy document. It was impressed firmly on the Committee that the Council recognises that there is more to managing ASB than focusing narrowly on stopping particular incidences. The Committee concurs with the view expressed that behind ASB is a perpetrator, someone who often has challenges of their own, which may make them more prone to engaging in ASB. To focus on

the ASB itself and to neglect the underlying causes is to treat the symptom rather than the disease and is, in the long run, ineffective. The Committee welcomes the news regarding the amount of training their officers have in managing potentially contributory issues such as alcohol or drug abuse, mental health problems or debt, and that the ASB team works closely with partners in the Community Safety Partnership to ensure suitable interventions are made to address the issues driving ASB. This being the case, it is felt by the Committee that it would be appropriate if in the Policy principle three were amended to add 'and holistically', so for the amended text to read "Anti-social behaviour will be addressed firmly, fairly, proportionately and holistically".

8. Secondly, the Committee noted with a little discomfort reference in the Policy to 'customers'. Tonally, it was uncomfortable with the linkage between the Council offering a statutory service and a commercial enterprise. It suggested, for example, that Principle 5 – 'We will deliver a high quality customer service' – would be better phrased as 'We will deliver a high quality service for citizens'. Some discussion was held over whether residents would be preferable, but ultimately the view of the Committee was that the Council provides services for individuals who are not its residents, and therefore citizens is more reflective of what it does. The example given here is not the only reference in the Policy to 'customers', and as it may not make sense on every occasion simply to substitute 'citizens' instead, the Committee recommends that these references be reworded appropriately on the basis of the Council's relationship with 'citizens' rather than 'customers'.

**1) Recommendation 1: That the Council amends the Anti-Social Behaviour Policy 2022-25 as follows:**

- i) **Principle three to read "Anti-social behaviour will be addressed firmly, fairly, proportionately and holistically"**
- ii) **That reference throughout the document to 'customers' is reworded around 'citizens'**

### **Anti-Social Behaviour Procedure Amendments**

9. The Committee also makes five recommendations for amendments to the Anti-Social Behaviour Procedure. The first two are both outworkings of the point made above about the Council's approach being holistic.
10. The first point noted by the Committee is the absence of reference in the Procedure document to diversionary activity being provided by the Council. It is recognised that the Procedure document is one which seeks to explain how the Council will manage a case of ASB once it has been reported and that diversionary activity may not fall neatly within this definition. However, the Committee is aware that the Procedure document is also a public document which explains the Council's approach more generally. The Council invests both time and money in providing positive activities which help to divert young people

especially from ASB, Youth Ambition, for example, and the Blueprint project in partnership with the rest of the Community Safety Partnership members. The importance of conveying the Council's commitment to preventative activity to members of the public is felt to outweigh the inclusion of something slightly out of the main scope of the document. The Committee would like to see, therefore, a paragraph or section talking specifically about the diversionary activity it undertakes.

11. Secondly, ss. 6.4 – 6.9 of the Procedure discuss issues around ASB-related possession proceedings for Council tenants. The Committee welcomes reference to taking possession being a last resort, which is in line with the overall commitment to taking the minimum level of intervention suitable to the particular case. However, the Procedure document is liable to be read by members of the public who may currently be suffering ASB and for whom eviction of the perpetrator may be highly desirable. This is a completely understandable position, and the Committee's view is that it would be beneficial if the Council were to explain in greater detail why it takes a contrary view.
12. Thirdly, speaking in relation to enforcement remedies s. 7.4 of the Procedure document states that 'All complex cases that involve homeless people, or may bring a significant amount of media attention on the Council will be signed off at a senior level, Head of Service or above'. In discussion, the Committee raised particular concern for people with mental health conditions in supported accommodation on the basis of their particular vulnerability. A number of amendments were explored by the Committee, with many facing practical challenges around officers being unaware of key information, or having too broad a scope meaning Heads of Service would be overburdened. The Committee's own preferred option was to add a category of 'vulnerably housed' to the list requiring senior level sign off, but it would welcome a more suitable alternative if one could be identified.
13. Fourth, the Committee absolutely understands the need for investigations to evidence led, and that evidence will often have to be supplied by the victims of the ASB and not collected by officers. It is concerned, however, that awareness of the rules around personal data collection has not increased at anywhere near the pace as availability of affordable monitoring equipment, be it doorbell cameras, CCTV, audio equipment or dashcams. Operation of recording equipment brings under the GDPR regulations duties on the data controller, which carry a legal risk if not adhered to.<sup>1</sup> In addition, misuse of such equipment can have the consequence of inflaming disputes in non-legal ways also. The Committee's view is that the Council relies on evidence gathered by residents to run an effective ASB service, but that there is a risk that evidence gathering can become deliberately or inadvertently invasive. There is value, therefore, in addressing this the Procedure document so that individuals engaged in evidence gathering do so in an informed manner and understand the rights, responsibilities and risks involved.

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<sup>1</sup> For example, in *Woolley & Woolley v Akbar or Akram* a neighbour was awarded £17,000 for failures to comply with GDPR regulations relating to audio and visual recording equipment.

14. Lastly, in the Procedure ‘racist or offensive graffiti’ is identified as a ‘Category 1’ issue, for which it says that the Council will act within three days. In reality, the Council recognises the multiple negative effects of such graffiti being present in the public sphere and consequently holds itself to a higher standard – to remove such graffiti within 24 hours. The Committee suggests that the public should be aware of the Council’s unwillingness to tolerate racist graffiti, as expressed by this increased priority, and the Council’s current 24 hour standard should be included within the Procedure.

**2) Recommendation 2: That the Council amends its Anti-Social Behaviour Procedure 2022-25 as follows:**

- i) to include a paragraph on the diversionary activities the Council itself provides or in partnership to prevent anti-social behaviour**
- ii) to note negative impacts associated with anti-social behaviour-related evictions to explain the Council’s commitment to using this power as a last resort**
- iii) to alter s. 7.4 so it reads “All complex cases that involve homeless or vulnerably housed people”**
- iv) to address issues around invasive evidence gathering, and link to best practice guidance**
- v) to reference the Council’s commitment to removing racist graffiti within 24 hours**

**Further Consideration**

15. The Scrutiny Committee is unlikely to consider this item directly again during the civic year.

|                            |  |
|----------------------------|--|
| <b>Report author</b>       | Tom Hudson   |
| Job title                  | Scrutiny Officer   |
| Service area or department | Law and Governance   |
| Telephone                  | 01865 252191   |
| e-mail                     | <a href="mailto:thudson@oxford.gov.uk">thudson@oxford.gov.uk</a> |

**Cabinet response to recommendations of the Scrutiny Committee made on 02/11/2021 concerning the Cabinet Anti-Social Behaviour Policy 2022-25 report**

**Provided by the Cabinet Member for a Safer, Healthier Oxford, Councillor Louise Upton**

| <b>Recommendation</b>   | <b>Agree?</b>  | <b>Comment</b> |
|---|--|----------------|
| <p><b>1) That the Council amends the Anti-Social Behaviour Policy 2022-25 as follows:</b></p> <p><b>i) Principle three to read “Anti-social behaviour will be addressed firmly, fairly, proportionately and holistically”</b></p> <p><b>ii) That reference throughout the document to ‘customers’ is reworded around ‘citizens’</b></p>   | <p>Yes</p> <p>Yes</p>                                  |                |
| <p><b>2) That the Council amends its Anti-Social Behaviour Procedure 2022-25 as follows:</b></p> <p><b>i) to include a paragraph on the diversionary activities the Council itself provides or in partnership to prevent anti-social behaviour</b></p> <p><b>ii) to address issues around invasive evidence gathering, and link to best practice guidance</b></p> <p><b>iii) to note negative impacts associated with anti-social behaviour-related evictions, and reference the Council’s commitment to using this power as a last resort</b></p> <p><b>iv) to alter s. 7.4 so it reads “All complex cases that involve homeless or vulnerably housed people”</b></p> <p><b>v) to reference the Council’s commitment to removing racist graffiti within 24 hours</b></p> | <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> |                |

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**To:** Cabinet  
**Date:** 10 November 2021  
**Report of:** Scrutiny Committee  
**Title of Report:** East Oxford Community Centre and Housing Development

| <b>Summary and recommendations</b>   |  |
|--|--|
| <b>Purpose of report:</b>  | To present Scrutiny Committee recommendations concerning the Cabinet East Oxford Community Centre and Housing Development report                                 |
| <b>Key decision:</b>   | Yes  |
| <b>Scrutiny Lead Member:</b>   | Councillor Liz Wade, Chair of the Scrutiny Committee   |
| <b>Cabinet Members:</b>  | Councillors Shaista Aziz, Cabinet Member for Inclusive Communities, and Diko Blackings, Cabinet Member for Affordable Housing, Housing Security and Homelessness |
| <b>Corporate Priority:</b>   | Support Thriving Communities; Deliver More, Affordable Housing   |
| <b>Policy Framework:</b>   | Council Strategy 2020-24; Housing and Homelessness Strategy 2018-21  |
| <b>Recommendation: That the Cabinet states whether it agrees or disagrees with the recommendations in the body of this report.</b> |  |

| <b>Appendices</b> |
|-------------------|
| None              |

### **Introduction and overview**

1. At its meeting on 02 November 2021, the Scrutiny Committee considered the Cabinet East Oxford Community Centre and Housing Development report.
2. The Panel would like to thank Councillor Shaista Aziz, Cabinet Member for Inclusive Communities, for attending the meeting and presenting the report, Hagan Lewisman, Active Communities Manager, for authoring the report and supporting the meeting in responding to questions, and Deborah Wyatt,

Affordable Housing Supply Senior Project Officer, also for supporting the meeting.

### **Summary and recommendations**

3. Councillor Shaista Aziz, Cabinet Member for a Inclusive Communities introduced the report, which brought forward proposals for redevelopment which had been worked on since 2014. This major scheme and investment would provide an important, sustainable cultural hub as well as some much needed affordable housing. The East Oxford Cultural Centre had strong emotional connections for many residents and much of the preparatory work had focused on positive and constructive discussions with the many and various groups and organisations which use it or have used it in the past.
4. Hagan Lewisman, Active Communities Manager, said a considerable amount of work had preceded the report including consultations with users and a number of detailed feasibility studies. The necessary planning permissions and budget were in place. Deb Wyatt, Affordable Housing Supply Officer said the scheme would provide 26 affordable, low carbon and highly energy efficient homes.
5. The areas of discussion for the Committee included focus on governance and the future running of the community centre, interim plans during the build phase, recent criticisms of the proposed plans by a number of stakeholders, sustainability, and the steps being taken to ensure the new community centre is a vibrant and valued community hub.
6. The Committee makes four recommendations, which relate to building sustainability, project risks and future management and governance structures.

### **Building Sustainability**

7. The Committee welcomes the plans to build the community centre extension to nearly carbon zero, and 70% improvement on Building Regulations for the houses. Given that the community centre extension is likely, in particular, to present opportunities for new carbon-reducing approaches and technologies the Committee sees value in capturing the learning of the effectiveness and cost-efficiency of such measures in order to feed into future projects.

**Recommendation 1: That the Council sets down plans for measuring and assessing the effectiveness of carbon-saving measures delivered on the East Oxford Community Centre development, and their cost efficiency in reducing carbon emissions.**

8. Although the greatest contribution to reducing carbon emissions related to the buildings is from long-term improvements to energy efficiency, it is not the only one. There is also an opportunity to reduce the embedded carbon cost of the proposed demolition through the recycling of its materials. The Committee has been informed that there may be possible challenges to doing so; potential contamination of materials may render them unrecyclable. It asks, therefore, that the Council attempts to set a positive example by recycling, wood and steel particularly, where it is possible to do so.

**Recommendation 2: That the Council, where possible, recycles materials recovered from the demolition of the East Oxford Community Centre site, particularly steel and wood.**

### **Community Centre Governance**

9. The Committee held fairly extensive discussion over the future management and operation of the community centre, with a number of different positions put forward. Whilst there was not a general consensus on the precise details of who should run the community centre, there was a general recognition that the issue of long-term governance and management is extremely important. The Committee agrees with the current proposals that the Council run it for a year, which will enable more accurate understanding over costs and usage to be established. However, it is keen that notwithstanding the delicacy of the decision, a decision is made and implemented, and that issue is not allowed to drift. The Committee recommends, therefore, that the Council agrees to within two years of identifying, three years after opening, its preferred management and governance structure. It is felt that this is sufficient time to allow new potential parties to arise, for the practical details of the offer to be better understood, for discussions with stakeholders to take place, and for a new structure to be established.

**Recommendation 3: That the Council implements within three years of the new community centre being opened the preferred option for its management and operation.**

### **Managing Risk**

10. A small point, but the Committee noted that the report references in paragraph 52 potential risks to land values arising from external factors, such as the pandemic and Brexit. These risks warrant mitigations but are not included in the risk register. The Committee suggests that this be corrected.

**Recommendation 4: That the Council includes within the risk register for this project those external risks to land values referenced in paragraph 52 of the Cabinet report.**

### **Further Consideration**

11. The Scrutiny Committee is unlikely to consider this item directly again during the civic year.

|                            |  |
|----------------------------|--|
| <b>Report author</b>       | Tom Hudson   |
| Job title                  | Scrutiny Officer   |
| Service area or department | Law and Governance   |
| Telephone                  | 01865 252191   |
| e-mail                     | <a href="mailto:thudson@oxford.gov.uk">thudson@oxford.gov.uk</a> |

**Cabinet response to recommendations of the Scrutiny Committee made on 02/11/2021 concerning the Cabinet East Oxford Community Centre and Housing Development report**

**Provided by the Cabinet Member for Inclusive Communities, Councillor Shaista Aziz**

| <b><i>Recommendation</i></b>  | <b><i>Agree?</i></b> | <b><i>Comment</i></b>  |
|---|----------------------|--|
| <b>1) That the Council sets down plans for measuring and assessing the effectiveness of carbon-saving measures delivered on the East Oxford Community Centre development, and their cost efficiency in reducing carbon emissions.</b> | Yes                  |  |
| <b>2) That the Council, where possible, recycles materials recovered from the demolition of the East Oxford Community Centre site, particularly steel and wood.</b>   | Partially            | We would recommend an action for us to develop a waste and recycling plan for demolition and look to recycle in line with this. However we also need to be careful to balance this recognising how recyclable some materials are and that we need to avoid high costs that are unaffordable within the approved budget |
| <b>3) That the Council implements within three years of the new community centre being opened the preferred option for its management and operation</b>   | Yes                  |  |
| <b>4) That the Council includes within the risk register for this project those external risks to land values referenced in paragraph 52 of the Cabinet report</b>  | Yes                  |  |

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**To:** Cabinet  
**Date:** 10 November 2021  
**Report of:** Housing and Homelessness Panel  
**Title of Report:** Discretionary Housing Payment Policy

| <b>Summary and recommendations</b>  |  |
|---|--|
| <b>Purpose of report:</b>   | To present Housing and Homelessness Panel recommendations concerning the Cabinet Discretionary Housing Payment Policy report |
| <b>Key decision:</b>  | Yes  |
| <b>Scrutiny Lead Member:</b>  | Councillor Linda Smith, Chair of the Housing and Homelessness Panel  |
| <b>Cabinet Member:</b>  | Councillor Shaista Aziz, Cabinet Member for Inclusive Communities  |
| <b>Corporate Priority:</b>  | Support Thriving Communities   |
| <b>Policy Framework:</b>  | Corporate Plan 2018-21; Financial Inclusion Strategy; Housing and Homelessness Strategy                                      |
| <b>Recommendation: That the Cabinet states whether it agrees or disagrees with the recommendation in the body of this report.</b> |  |

| <b>Appendices</b> |
|-------------------|
| None              |

### **Introduction and overview**

1. At its meeting on 04 November 2021, the Housing and Homelessness Panel considered the Cabinet report on Discretionary Housing Payment (DHP) policy.
2. The Panel would like to thank Councillor Shaista Aziz, Cabinet member for Inclusive Communities, for attending the meeting and presenting the report, and James Pickering, Welfare Reform Manager, for authoring the report and attending the Panel meeting to respond to questions.

## Summary and recommendation

3. Councillor Shaista Aziz, Cabinet Member for Inclusive Communities presented the report to the Panel. Key issues that the report dealt with were historical demand for DHP, and the anticipated increase in demand for DHP payments at a time of financial challenge for the Council. In the previous year the Council had exceeded the grant support from government by 22%, or £101k. Spending beyond the government's grant was also expected in the immediate future, particularly as central government had reduced the level of its grant support. A series of mitigations had been put in place to minimise the impact on the Council's general budget. The pandemic had hit DHP recipients particularly hard, with many having few alternative options other than this funding. Families subject to the benefit cap were particularly reliant on this support, particularly lone parents with more than two children whose ability to work sufficient hours to qualify for alternative benefits was seriously impeded by their childcare situation. Changes to Universal Credit announced in the government's Budget would help those able to work, but would be of very little benefit to those not working or working few hours.
4. A vital part of the Council's approach to the DHP process was the allocation of case workers to DHP recipients to work with them to find solutions to their specific challenges. This approach had repeatedly shown good outcomes for individuals; for example, even with the pandemic 31 recipients had made their way into work in the previous financial year. James Pickering, Welfare Reform Manager, underlined the importance of this in light of the fluctuating income from government. Finding long-term solutions was the only viable path to take.
5. The Panel's areas of interest for discussion covered the rate of grant overspend and proposed mitigations, the length of time recipients typically receive payments for and the 'trap' effect of the benefit cap, eligibility criteria for DHP and alternative sources of financial support.
6. The Panel makes one recommendation about formalising anticipated expenditure on DHP payments within the budget.

## DHP Overspend

7. There existed complete unanimity between Panel members, Cabinet Member and the report author on the likelihood that the Council will exceed its DHP grant in the forthcoming year. The spending levels in previous years, accompanied by the cut in grant support by central government of almost a quarter and the cost of living crisis which is unfolding at the present make an overspend near-avoidable. Although the Panel understands that spending beyond the government grant is the sole responsibility of the Council to fund, even with the financial challenges the Council faces the Panel sees maintaining this spending as being a high priority. Maintaining families in their current accommodation is deeply valuable in and of itself, let alone once the business case of monies saved by not having to house those families in far more expensive temporary accommodation is considered. As such, the Panel is keen to see that all who qualify for DHP payments should be able to do so, and no upper limit (bar the

statutory limit) is placed on this spending. To this end, the Panel welcomes and fully endorses the steps taken and proposed to mitigate the financial effects of a likely spend beyond government grant levels.

8. Within this overall support the Panel raises a query more than a criticism. It was unclear to members whether the portion of DHP spend coming from the HRA (ie spending on DHP for Council tenants above the government grant) was specifically budgeted for, given that spending might be anticipated to be not inconsequential, £50k or so. It is the view of the Panel that providing a dedicated line in the budget is important in providing transparency, particularly to Council tenants, whose rental payments underpin the HRA. Thus, if the Council does not have a dedicated line in the budget to show its expected expenditure in this area, the Panel recommends that it does so.

**Recommendation 1: That the Council includes a line within the HRA section of its proposed 2022/23 budget for DHP expenditure beyond the government grant.**

#### **Further Consideration**

9. The Housing and Homelessness Panel is unlikely to consider this item directly again during the civic year.

|                            |  |
|----------------------------|--|
| <b>Report author</b>       | Tom Hudson   |
| Job title                  | Scrutiny Officer   |
| Service area or department | Law and Governance   |
| Telephone                  | 01865 252191   |
| e-mail                     | <a href="mailto:thudson@oxford.gov.uk">thudson@oxford.gov.uk</a> |

**Cabinet response to recommendations of the Housing and Homelessness Panel made on 04/11/2021 concerning the Cabinet report on Discretionary Housing Payment Policy**

**Provided by the Cabinet Member for Inclusive Communities, Councillor Shaista Aziz**

| <b><i>Recommendation</i></b>  | <b><i>Agree?</i></b> | <b><i>Comment</i></b>   |
|---|----------------------|---|
| <b>1) That the Council includes a line within the HRA section of its proposed 2022/23 budget for DHP expenditure beyond the government grant.</b> | Yes                  | There is a relevant budget line within the proposed HRA budget. |



**To:** Cabinet  
**Date:** 10 November 2021  
**Report of:** Scrutiny Committee  
**Title of Report:** Oxford City Council EV Strategy

| <b>Summary and recommendations</b>  |   |
|---|---|
| <b>Purpose of report:</b>   | To present Scrutiny Committee recommendations concerning the Oxford City Council EV Strategy      |
| <b>Key decision:</b>  | Yes   |
| <b>Scrutiny Lead Member:</b>  | Councillor Liz Wade, Chair of the Scrutiny Committee  |
| <b>Cabinet Member:</b>  | Councillor Tom Hayes, Deputy Leader and Cabinet Member for Green Transport and Zero Carbon Oxford |
| <b>Corporate Priority:</b>  | Zero Carbon Oxford  |
| <b>Policy Framework:</b>  | Council Strategy 2020-24  |
| <b>Recommendation: That the Cabinet states whether it agrees or disagrees with the recommendation in the body of this report.</b> |   |

| <b>Appendices</b> |
|-------------------|
| None              |

### **Introduction and overview**

1. At its meeting on 14 July 2021, the Scrutiny Committee considered a report to Cabinet concerning the Council's EV (Electric Vehicle) Strategy.
2. The Panel would like to thank Councillor Tom Hayes, Deputy Leader and Cabinet Member for Green Transport and Zero Carbon Oxford for presenting the report and answering questions, and Mish Tullar, Head of Corporate Strategy, for authoring the report and supporting the meeting.

3. This report returned to Scrutiny on 08 September 2021 for sign-off in light of the fact that a number of members had expressed difficulty with the audio at the meeting. It was wished to check that the report did indeed represent the wishes of Scrutiny in making recommendations to Cabinet. A number of amendments have been made to the report as a result, meaning this report is not identical to the one which was submitted to Cabinet in July 2021.

### **Summary and recommendation**

4. For reasons of timeliness the Chair requested that the Cabinet report be only briefly introduced by Councillor Tom Hayes, Cabinet Member for Green Transport and Zero Carbon Oxford, a report which sought approval to proceed with commissioning the Council's EV strategy and so determine its future role in the EV world. The majority of the Committee's time was devoted to questions and discussion.
5. Issues that were considered in detail by the Committee included:
  - Textual tweaks of wording pertaining to disabled access and electric vehicles
  - Situating the EV strategy within the wider context of traffic-reduction
  - The overall costs of the strategy and the Council's role vis a vis those of central government and the private sector
  - The impacts of differential access to charging points amongst wealthier and poorer areas of the City
  - Ethical investment principles
6. The Committee makes three recommendations relating to i) the wording of the document in relation to Connecting Oxfordshire, ii) the relationship between the EV strategy and the Zero Emissions Zone and the need to plan for this, and iii) investigating extending ethical investment principles to the delivery of the EV strategy.

### **Connecting Oxfordshire**

7. S. 16 of the Cabinet report states that "... Electric Vehicles are not a panacea. Everyone has the right to move anywhere, anytime, yet traffic is an issue in the city and the Council is already committed to schemes to cut congestion, including Connecting Oxford..." It was questioned at the Committee whether the statement that the Council was already committed to Connecting Oxford was fully reflective of the Council's position as agreed by Cabinet in January 2020. At that meeting it resolved "to endorse the overall approach proposed [in the Cabinet paper] as the basis for further scheme and business case development of Connecting Oxford proposals in partnership with Oxfordshire County Council." It was suggested that commitment to Connecting Oxford and an agreement to further develop the business case may not necessarily be the same, and it was agreed to recommend that the document be amended to reflect the agreement made by Cabinet in January 2020.

***Recommendation 1: That the Council amends paragraph 16 of the report to remove reference to the Council already being committed to Connecting***

***Oxford, and states instead that the council has agreed to further scheme and business case development.***

### **Planning for Interactions with Other Policies**

As highlighted above, the point was made at and recognised by the Committee that the EV Strategy does not stand alone in seeking to reduce transport-related emissions and traffic in the city, but works alongside other policies and activities, for example the zero emissions zone (ZEZ). The ZEZ is primarily expected to promote modal shift in transport, but it will also incentivise the take up of electric vehicles, which will not be subject to the levy. The Committee seeks to ensure that the Council's plans for EV charging infrastructure takes the impacts of wider transport-related strategies, such as the ZEZ, into account.

***Recommendation 2: That the Council, in its planning for the adequacy of future EV charging infrastructure, ensures that the incentivising impact of other policies on demand for electric vehicles, such as the ZEZ, is taken into account***

### **Ethical Investment**

8. The Committee is supportive of Council's decision to adopt an ethical investment policy which proscribes direct investment 'in businesses whose activities and practices pose a risk of serious harm to individuals or groups, or whose activities are inconsistent with the Council's mission and values.' Specifically, the inclusion of environmentally harmful activities, such as pollution, destruction of habitat and use of fossil fuels within that definition fits well alongside the aim of the EV strategy in improving usage of and access to zero emitting vehicles.
9. The consistency of the EV strategy and ethical investment policy indicate a clarity of vision across the Council. However, the influence of the ethical investment policy on the EV strategy is likely to be minimal to non-existent because the Council is likely to make few, if any, direct investments as part of the EV strategy. The concern raised at the Committee concerned the fact that the EV strategy will require infrastructure, and that such infrastructure could possibly be delivered by companies who engage in practices which are not commensurate with the Council's mission and values. Particularly, concerns were raised about exploitative mining practices in the Global South.
10. The Committee recognises that addressing this lacuna would be complex, and to extend the ethical principles of its investment policy into other areas, such as the delivery of the EV strategy, would have far-reaching consequences and involve trade-offs. However, the Committee would like to see the Council's aims achieved not only through what it delivers, but how it delivers them and for the risks, consequences and practicability of extending its ethical investment principles to the delivery of the EV strategy to be looked at in greater depth.
11. Further, the Committee would like to recommend explicit inclusion within the ethical investment policy of exploitative mining practices and arms trading as

examples of activities which would put companies outside the Council's willingness to invest in.

***Recommendation 3a): That the Council investigates the practicability of not partnering with or commissioning organisations relating to the EV strategy in which it would be unable to invest because of its ethical investment policy***

***Recommendation 3b): That the Council amends its ethical investment policy to make explicit reference to exploitative mining practices and arms trading as proscribed activities.***

### Further Consideration

12. As a document written to enable the early stages of the process of developing the Council's EV strategy the Cabinet report necessarily contains few concrete proposals. An offer has been made by the Cabinet member to return to Scrutiny in March 2022 when the strategy draft has been developed, which the Committee is likely to accept.

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| <b>Report author</b>       | Tom Hudson   |
| Job title                  | Scrutiny Officer   |
| Service area or department | Law and Governance   |
| Telephone                  | 01865 252191   |
| e-mail                     | <a href="mailto:thudson@oxford.gov.uk">thudson@oxford.gov.uk</a> |

**Cabinet response to recommendations of the Scrutiny Committee made on 14/07/2021 concerning the Council EV Strategy**

**Response provided by Deputy Leader and Cabinet Member for Green Transport and Zero Carbon Oxford, Tom Hayes**

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| <b>Recommendation</b>   | <b>Agree?</b> | <b>Comment</b>  |
|---|---------------|---|
| <b>1) That the Council amends paragraph 16 of the report to remove reference to the Council already being committed to Connecting Oxford, and states instead that the council has agreed to further scheme and business case development.</b> | No            | This Council supports the introduction of Connecting Oxford and on 9 September 2020, Scrutiny requested: <i>That the Council continues to employ its best endeavours in working with its partners to realise the plans for the Zero Emissions Zone and Connecting Oxford.</i>   |
| <b>2) That the Council, in its planning for the adequacy of future EV charging infrastructure, ensures that the incentivising impact of other policies on demand for electric vehicles, such as the ZEZ, is taken into account</b>            | Yes           | The EV Strategy and Implementation Plan is being commissioned to help inform the Council on how rising demand for EV charging in Oxford could best cover the years up to 2030 by which point, Oxfordshire County Council’s modelling suggests the clear majority of private vehicles in the city will be EV. Demand for EVs is being driven by a variety of factors including an increased focus by vehicle manufacturers, technology improvement, environmental awareness, and the looming deadline of 2030 after which no new petrol or diesel cars can be sold in the UK. Locally, the ZEZ may also be a factor, and this will be taken into account in the EV Strategy. |
| <b>3) That the Council investigates the practicability of not partnering with or commissioning organisations relating to the EV strategy in which it would be unable to invest because of its ethical investment policy</b>                   | No            | 4a) Electric vehicle charging is a rapidly growing market with different operators including both relatively small businesses and global corporations. The purpose of the EV strategy is to enable Oxford City Council to do more itself, in particular in the areas of the city which would typically be last in the queue to receive charging infrastructure—ours is an approach grounded in fairness and social justice.   |

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| <p><b><i>3b) That the Council amends its ethical investment policy to make explicit reference to exploitative mining practices and arms trading as proscribed activities.</i></b></p> | <p>No</p> | <p>We also believe that engagement is key to shape partners' approaches because dialogue and the airing of differences can get us to a better place. It also ensures that citizens and communities do not lose out on the EV infrastructure that they are requesting in order to be part of a greener and fairer future. We all believe as local councillors that the City Council to which we are elected has an important voice to raise and we will continue to raise it to advance our values.</p> <p>4b) This is not linked to the commissioning of an EV Strategy.</p> |
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