

Supplement for

Cabinet

On **Wednesday 16 November 2022 At 6.00 pm**

Item 7 - Scrutiny reports

Contents

7. **Scrutiny reports**

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Scrutiny Committee met on 7 November 2022. The following reports are expected and will be published as a supplement, together with any recommendations from that meeting:

- Procurement Strategy 2022-2025
- Social Housing Decarbonisation Fund
- West End and Osney Mead Supplementary Planning Document

The agenda, reports and any additional supplements can be found together with this supplement on the [committee meeting webpage](#).

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To: Cabinet
Date: 16 November 2022
Report of: Scrutiny Committee
Title of Report: Corporate Procurement Strategy 2022-2025

Summary and recommendations	
Purpose of report:	To present Scrutiny Committee recommendations for Cabinet consideration and decision
Key decision:	No
Scrutiny Lead Member:	Councillor Dr Christopher Snowton, Scrutiny Committee Chair
Cabinet Member:	Councillor Ed Turner, Deputy Leader (Statutory) and Cabinet Member for Finance and Asset Management
Corporate Priority:	All
Policy Framework:	Council Strategy 2020-24
Recommendation: That the Cabinet states whether it agrees or disagrees with the recommendations in the body of this report.	

Appendices	
Appendix A	Draft Cabinet response to recommendations of the Scrutiny Committee

Introduction and overview

1. The Scrutiny Committee met on 07 November 2022 to consider a report on the Procurement Strategy 2022-2025. The report, which is due for Cabinet consideration on 16 November 2022, recommends that Cabinet approves the Corporate Procurement Strategy 2022-2025.

Summary and recommendations

2. Councillor Ed Turner, Deputy Leader (Statutory) and Cabinet Member for Finance and Asset Management, introduced the report. He explained that it set out the Council's ambitions to add value to the local economy; to reduce the carbon footprint; to support local skills; and to ensure workers are paid decently. Cllr Turner also explained that, whilst there was increased granularity in this strategy compared to earlier iterations, particularly around social value and in equality,

diversity, and inclusion, the strategy was deliberately high level rather than a detailed action plan.

3. Annette Osbourne, Procurement Manager, also attended and answered the Committee's questions. She reminded the Committee that the strategy was an external-facing document.
4. The Committee commended the strategy's emphasis on social value and sustainable procurement. However, it noted the absence of reference to international dimensions of the Council's supply chains and suggested that it could be improved by mentioning them.

Recommendation 1: That the Council gives consideration to exploring how the it could work with independent labour monitoring organisations to ensure the international elements of supply chains are monitored, specifically relating to human rights and labour rights.

Recommendation 2: That the Council gives consideration to referring explicitly in the strategy to the Council's commitment to delivering ethical and sustainable objectives in the international elements of its supply chains.

5. The Committee made reference to other councils having adopted ethical codes of conduct for their suppliers and suggested that it should be explored if the Council should also do so, for both tendering and contract management.

Recommendation 3: That the Council gives consideration to adopting an ethical code of conduct for the purposes of contracts, such as the Ethical Trading Initiative's base code.

6. The Committee recognised that the Council had a leadership role in the delivery of an inclusive economy. The Committee suggested reference could be made to the Council's keenness for the Oxford Living Wage being adopted more widely amongst employers across the City, including in the universities and constituent colleges.

Recommendation 4: That the Council gives consideration to how, through the strategy and more widely, the Council can promote its commitment to, and encouragement of, partner organisations adopting the Oxford Living Wage.

7. The Committee's attention was drawn to the 'End Fire and Rehire' motion passed by Council on 22 March 2022 whereby it resolved "For the review of future contracts, contract renewals and procurement to seek to include a commitment for employers to not use or threaten Fire and Rehire, as part of their social clause." The Committee recognised the intention of the strategy not to be overly detailed, and whilst it noted that such a commitment was already part of the Council's approach, the Committee considered it would be helpful to state this explicitly in the strategy itself.

Recommendation 5: That the Council gives consideration to referencing the discouragement of Fire and Rehire in the strategy, as part of the commitment to good quality employment practices.

8. The Committee recognised that issues related to trade union recognition were not entirely clear cut, given the Council’s commitment to working with small and independent organisations as well as larger ones, but suggested that it would be appropriate for reference to be made to the issue of trade union recognition within the strategy.

Recommendation 6: That the Council gives consideration to promoting trade union recognition within the social value element of the strategy.

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Appendix A

Draft Cabinet response to recommendations of the Scrutiny Committee

The document sets out the draft response of the Cabinet Member to recommendations made by the Scrutiny Committee on 08 November 2022 concerning the Corporate Procurement Strategy 2022-2025. The Cabinet is asked to amend and agree a formal response as appropriate.

Recommendation	Agree?	Comment
1) That the Council gives consideration to exploring how the it could work with independent labour monitoring organisations to ensure the international elements of supply chains are monitored, specifically relating to human rights and labour rights.	Yes	Consideration to be given to seek understanding of what good practice looks like in this area from Local Government and labour monitoring organisations with a view to embedding into the Council's processes and procedures
2) That the Council gives consideration to referring explicitly in the strategy to the Council's commitment to delivering ethical and sustainable objectives in the international elements of its supply chains.	Yes	I can note this in the strategy
3) That the Council gives consideration to adopting an ethical code of conduct for the purposes of contracts, such as the Ethical Trading Initiative's base code.	Yes	I believe this was in an earlier draft and is in the on-line form
4) That the Council gives consideration to how, through the strategy and more widely, the Council can promote its commitment to, and encouragement of, partner organisations adopting the Oxford Living Wage.	Yes	This is already in the strategy and we will continue to 'encourage' the take up of the Oxford Living Wage by suppliers in conjunction with the economic development team.
5) That the Council gives consideration to referencing the discouragement of Fire and Rehire in the strategy, as part of the commitment to good quality employment	Yes	This can be included under the equality and diversity section and terms and conditions where proportionate and relevant.

practices.		
6) That the Council gives consideration to promoting trade union recognition within the social value element of the strategy.	Yes	Consideration to be given as to how this can be incorporated where proportionate and relevant to do so into the Equality, Diversity and Inclusion Strategy and Procurement Processes and Polices.

To: Cabinet
Date: 16 November 2022
Report of: Scrutiny Committee
Title of Report: Social Housing Decarbonisation Fund bid approval

Summary and recommendations	
Purpose of report:	To present Scrutiny Committee recommendations for Cabinet consideration and decision
Key decision:	No
Scrutiny Lead Member:	Councillor Dr Christopher Snowton, Scrutiny Committee Chair
Cabinet Member:	Councillor Linda Smith, Cabinet Member for Housing; Councillor Imogen Thomas, Cabinet Member for Zero Carbon Oxford and Climate Justice
Corporate Priority:	Pursue a zero carbon Oxford; Support thriving communities
Policy Framework:	Council Strategy 2020-24
Recommendation: That the Cabinet states whether it agrees or disagrees with the recommendations in the body of this report.	

Appendices	
Appendix A	Draft Cabinet response to recommendations of the Scrutiny Committee

Introduction and overview

1. The Scrutiny Committee met on 07 November 2022 to consider a report on the Social Housing Decarbonisation Fund bid. The report, which is due for Cabinet consideration on 16 November 2022, recommends that Cabinet grants approval to submit a funding bid in the Social Housing Decarbonisation Fund 2.1 bidding round, seeking a government funding contribution towards a retrofit programme for around 300 council houses; delegates authority to the Head of Corporate Strategy, in consultation with the Cabinet Member for Housing, the Cabinet Member for Zero Carbon Oxford and Climate Justice, and the Head of Housing Services, to finalise the bid documentation for submission; recommends to Council that it grants approval for the release of HRA capital funding; delegates authority to the Executive Director (Communities and People) in consultation with the Head of Financial Services to spend the HRA funds; note that officers are developing plans

for tenants' involvement; and notes that officers have entered into contracts with consultants to develop the proposals and complete the associated documentation for submission.

Summary and recommendations

2. Councillor Linda Smith, Cabinet Member for Housing, introduced the report. She explained that this was a key opportunity to receive much needed funding and that strong tenant involvement had been key in the development of the bid.
3. Mish Tullar, Head of Corporate Strategy, and Nerys Parry, Head of Housing Services, attended to answer the Committee's questions. The Head of Corporate Strategy explained that particular groups of houses in particular areas had been identified which would maximise the number of properties that could be retrofitted with the monies available. The Committee explored why it was not deemed appropriate to retrofit flats and was advised that it would increase the complexity of retrofitting owing to the fact that some individual flats in most Council blocks are leasehold properties.
4. The Committee explored why it was not considered appropriate to focus retrofitting on those properties with tenants in most economic need for the bid and suggested that it would be appropriate for the reasoning to be set out in the report, alongside whether consideration would be given to such targeting in future bids and programmes.

Recommendation: That the Council gives consideration to setting out the reasoning for targeting according to type of housing rather than financial need of tenants and whether this is likely to be the case in the future.

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Appendix A

Draft Cabinet response to recommendations of the Scrutiny Committee

The document sets out the draft response of the Cabinet Member to recommendations made by the Scrutiny Committee on 08 November 2022 concerning the Corporate Procurement Strategy 2022-2025. The Cabinet is asked to amend and agree a formal response as appropriate.

<i>Recommendation</i>	<i>Agree?</i>	<i>Comment</i>
1) That the Council gives consideration to setting out the reasoning for targeting according to type of housing rather than financial need of tenants and whether this is likely to be the case in the future.		<p>A more detailed explanation of the approach to targeting properties for inclusion in the Social Housing Decarbonisation Fund 2.1 bid than that set out in the Cabinet paper will be published. This will form part of the Equalities Impact Assessment that is required within the bid documentation.</p> <p>As Government sets out detailed qualifying criteria in each bidding round for retrofit funding, and as the criteria typically changes from one bidding round to the next, it is impossible for the Council to determine to what extent the financial needs of tenants will form part of the targeting approach for future retrofit programmes. However, the Council has a target to retrofit 95% of all Council housing currently below EPC C rating up to that level or better by 2030, and to bring all its Council housing to net zero carbon rating by 2040.</p>

To: Cabinet
Date: 16 November 2022
Report of: Scrutiny Committee
Title of Report: Draft West End and Osney Mead Supplementary Planning Document (SPD)

Summary and recommendations	
Purpose of report:	To present Scrutiny Committee recommendations for Cabinet consideration and decision
Key decision:	No
Scrutiny Lead Member:	Councillor Dr Christopher Snowton, Scrutiny Committee Chair
Cabinet Member:	Councillor Alex Hollingsworth, Cabinet Member for Planning and Housing Delivery
Corporate Priority:	Pursue a zero carbon Oxford; Support thriving communities; Deliver more affordable housing; Enable an inclusive economy
Policy Framework:	The SPD seeks to provide further detail and advice on the implementation and delivery of key West End policies within the adopted Local Plan 2036
Recommendation: That the Cabinet states whether it agrees or disagrees with the recommendations in the body of this report.	

Appendices	
Appendix A	Draft Cabinet response to recommendations of the Scrutiny Committee

Introduction and overview

1. The Scrutiny Committee met on 07 November 2022 to consider a report on the West End and Osney Mead SPD. The report, which is due for Cabinet consideration on 16 November 2022, recommends that Cabinet: adopts the revised West End and Osney Mead SPD; approves the West End and Osney Mead SPD as a 'material consideration' in determining planning applications on sites in the area; authorises the Acting Head of Planning Services (Planning Policy), in consultation with the Cabinet Member for Planning and Housing Delivery, to make any necessary editorial corrections; and approves the revocation of the Oxpens Masterplan SPD and of the Oxford Station SPD.

Summary and recommendations

2. Councillor Alex Hollingsworth, Cabinet Member for Planning and Housing Delivery, introduced the report. He emphasised that the SPD did not, could not, and would not conflict with the Local Plan.
3. Tom Morris, Principal Planner, Sarah Harrison, Planning Policy Team Leader, and Arome Agamah, Senior Planner, attended to answer the Committee's questions. The Principal Planner gave an overview of the SPD and its objectives and a summary of the consultation.
4. The Committee explored the relationship between the SPD and the current Local Plan. It also raised questions around how this SPD would impact on the development of a future Local Plan and how future iterations of the Local Plan would relate to the SPD. This was explained to the Committee but it considered that it would be of benefit to include such an explanation in the documentation itself in the interests of transparency and clarity.

Recommendation 1: That the Council gives consideration to making clearer the relationship between this SPD, the development of future Local Plans, and future iterations of the Local Plan within the document.

5. The Committee recognised that the consultation had received a number of responses but highlighted that significant numbers of those responses had not been wholly positive about the consultation. The Committee also considered it important to engage proactively with tenants in the area impacted.

Recommendation 2: That the Council considers whether a second phase of engagement and consultation would be of benefit and how such a phase might connect with tenants in the community.

6. The Committee commended the number of references to the 'blue network' and asked if more information could be provided by Cabinet about discussions with the Environment Agency on this and on the opening up of the Environment Agency depot for access.

Recommendation 3: That the Council reports on progress in discussions with the Environment Agency on the 'blue network' and on the opening up of the Environment Agency depot and, also, to setting out the agency's formal responses, if any, thus far.

7. The Committee explored what was meant by 'activation of the riverside edge at the Thames and Osney Lock' and sought assurances that this did not mean that the area was necessarily to be built upon..

Recommendation 4: That the Council clarifies within the document that activation of the riverside edge need not mean the site is no longer predominantly green.

8. The Committee welcomed the explicit commitment within the SPD to active travel and public transport options. It suggested that the Movement Strategy outlined within the SPD would benefit from reference to car sharing and car clubs.

Recommendation 5: That the Council includes reference to car clubs and shared cars under the Movement Strategy within the SPD.

9. The Panel recognised the SPD’s description of ‘a reliance on constrained streets and towpaths’ but expressed the importance to connectivity in the area of the path along the Thames that leads north to Gibbs Crescent and to Mill Street.

Recommendation 6: That the Council gives consideration to referencing the importance for improved connectivity of the path along the River Thames that leads north to Gibbs Crescent and to Mill Street.

10. The Committee welcomed the aspiration to opening up the remnants of Osney Abbey and Osney Mill Cottage and asked how easy or difficult this was anticipated to be.

Recommendation 7: That the Council provides a progress update on the feasibility of opening up Osney Abbey and Osney Mill Cottage.

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Appendix A

Draft Cabinet response to recommendations of the Scrutiny Committee

The document sets out the draft response of the Cabinet Member to recommendations made by the Scrutiny Committee on 08 November 2022 concerning the draft West End and Osney Mead Supplementary Planning Document. The Cabinet is asked to amend and agree a formal response as appropriate.

Recommendation	Agree?	Comment
<p>1) That the Council gives consideration to making clearer the relationship between this SPD, the development of future Local Plans, and future iterations of the Local Plan within the document.</p>		<p>The SPD, if adopted by Cabinet, would be a ‘material consideration’ in determining planning applications. It would also provide a good indication of the direction of travel for future place-making, design principles, site allocations and Areas of Focus for the West End and Osney Mead area of the city, which would be taken forward through the emerging Oxford Local Plan 2040. The new policies developed as part of the Local Plan 2040 would have sovereign status as part of the Development Plan but the SPD would continue to provide some detailed advice and guidance on key place-making principles. Additional wording to this effect is suggested at the end of paragraph 4 of the SPD:</p> <p><i>The SPD will not constrain development of policies in the emerging Local Plan 2040 and policies in the Plan will refer back to this SPD to ensure it remains relevant. The broad principles and context that underpin the SPD are likely to remain relevant in the new Local Plan, although consideration might need to be given to whether any changes in approach in the emerging Local Plan affect the SPD and require it to be reviewed.</i></p>

<p>2) That the Council considers whether a second phase of engagement and consultation would be of benefit and how such a phase might connect with tenants in the community.</p>	<p>There are statutory requirements for the preparation of a supplementary planning document (SPD), which the Council must follow, as set out in the Town and Country Regulations 2012 and in the Statement of Community Involvement. The preparation of the Spatial Framework has already been through three stages of public consultation, which applies equally to tenants and house owners.</p> <p>Firstly in early 2021 a public consultation was held seeking the views of the public, key stakeholders and landowners on the issues that people felt should be taken developing a spatial framework for the West End and Osney Mead Area. The results of this public consultation were used to inform the work subsequently carried out by Levitt Bernstein (urban design consultants) who were appointed by the City Council to lead a team to prepare the spatial framework.</p> <p>Secondly in helping to develop a vision for the West End the consultants then held a visioning workshop with key stakeholders, amenity bodies and landowners to help establish some of the key principles for the vision.</p> <p>The third stage involved the preparation of a Draft SPD, Spatial Framework and Design Guide, which were subject to a public consultation for 7 weeks from 29th June 2022 to 17th August 2022.</p> <p>The comments received for the public consultation are summarised in detail in the Statement of Public Consultation together with the officer's suggestions for proposed changes to be made to the documents in</p>
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		response. In these circumstances no further public consultation is considered to be necessary.
3) That the Council reports on progress in discussions with the Environment Agency on the 'blue network' and on the opening up of the Environment Agency depot and, also, to setting out the agency's formal responses, if any, thus far.		<p>The consultants (Levitt Bernstein) in developing the spatial framework had some initial informal discussions with the Environment Agency to discuss the approach towards developing a blue and green infrastructure network, which in principle was supported. The response of the Environment Agency to the consultation on the draft SPD is summarised in the Public Participation Statement, which also shows an officer response and the changes made in response.</p> <p>Further discussions took place between the consultants and the Environment Agency (EA) over the potential opening up of their depot, but as a high-level discussion aimed at exploring the principle as an ambition that could possibly be realised in the future. The purpose of the SPD is not to enter a negotiation but it does set ambitions and aspirations. It is noted in the Public Participation Statement in response to an individual's comment that, whilst the EA Depot is a potential location for enhanced connectivity in the future there would be considerable practical issues to address, not least how to relocated its current functions.</p>
4) That the Council clarifies within the document that activation of the riverside edge need not mean the site is no longer predominantly green.		The 'activation of the riverside edge' is a place-making term that seeks to realise the potential and the assets of the river and waterways that run through the West End Area and recognise their value in both improving opportunities for connections and movement through the area by walking and cycling and creating new public spaces. Any new proposals coming forward would need to

		show how they positively responded to the place-making principles in the SPD and relevant adopted Local Plan policies.
5) That the Council includes reference to car clubs and shared cars under the Movement Strategy within the SPD.		This comment is accepted and some additional text is proposed at the end of the second sentence in paragraph 54 of the SPD to state: <i>together with support given to car clubs and shared car arrangements.</i>
6) That the Council gives consideration to referencing the importance for improved connectivity of the path along the River Thames that leads north to Gibbs Crescent and to Mill Street.		<p>Whilst this path lies outside the West End and Osney Mead SPD area it is important the footpath does properly connect to other areas outside the SPD area and improves connectivity and opportunities for better access and movement in the area as whole.</p> <p>Additional text is suggested as a third sentence to paragraph 57: <i>Opportunities to improve connectivity links to the wider area, such as the path along the River Thames leading north to Gibbs Crescent will be supported in principle to improve connectivity to the wider area.</i></p>
7) That the Council provides a progress update on the feasibility of opening up Osney Abbey and Osney Mill Cottage.		The SPD and Spatial Framework are high-level documents that set out the ambition for the West End and Osney Mead area. The consultants rightly highlighted the potential opportunity of seeking to realise the benefits of opening up the Osney Abbey and Osney Mill Cottage, given their value as heritage assets, but this would need to be taken forward (not necessarily by the Planning team or City Council) as a separate additional piece of work in the future.