

Agenda

www.oxford.gov.uk



Council

Date: **Monday 8 October 2012**

Time: **5.00 pm**

Place: **Council Chamber, Town Hall**

For any further information please contact:

Mathew Metcalfe, Democratic and Electoral Services Officer

Telephone: 01865 252214

Email: fullcouncil@oxford.gov.uk

The meeting will also be available via a webcast. This means that people may choose to watch all or part of the meeting over the internet rather than attend in person. The webcast will be available to view on the City Council's website after the meeting.

Council

Membership

Lord Mayor

Councillor Alan Armitage

Deputy Lord Mayor

Councillor Mohammed Abbasi

Sheriff

Councillor Dee Sinclair

Councillor Elise Benjamin

Councillor Jean Fooks

Councillor Mohammed Altaf-Khan

Councillor Antonia Bance

Councillor Laurence Baxter

Councillor Tony Brett

Councillor Jim Campbell

Councillor Anne-Marie Canning

Councillor Bev Clack

Councillor Mary Clarkson

Councillor Colin Cook

Councillor Van Coulter

Councillor Steven Curran

Councillor Roy Darke

Councillor James Fry

Councillor John Goddard

Councillor Michael Gotch

Councillor Mick Haines

Councillor Sam Hollick

Councillor Rae Humberstone

Councillor Graham Jones

Councillor Pat Kennedy

Councillor Shah Khan

Councillor Ben Lloyd-Shogbesan

Councillor Mark Lygo

Councillor Sajjad Malik

Councillor Stuart McCready

Councillor Joe McManners

Councillor Mark Mills

Councillor Helen O'Hara

Councillor Susanna Pressel

Councillor Bob Price

Councillor Mike Rowley

Councillor Gwynneth Royce

Councillor David Rundle

Councillor Gill Sanders

Councillor Scott Seamons

Councillor Craig Simmons

Councillor Val Smith

Councillor John Tanner

Councillor Ed Turner

Councillor Oscar Van Nooijen

Councillor Ruth Wilkinson

Councillor David Williams

Councillor Dick Wolff

HOW TO OBTAIN AGENDA

In order to reduce the use of resources, our carbon footprint and our costs we will no longer produce paper copies of agenda over and above our minimum internal and Council member requirement. Paper copies may be looked at the Town Hall Reception and at Customer Services, St Aldate's and at the Westgate Library

A copy of the agenda may be:-

- Viewed on our website – mycouncil.oxford.gov.uk
- Downloaded from our website
- Subscribed to electronically by registering online at mycouncil.oxford.gov.uk
- Sent to you in hard copy form upon payment of an annual subscription.

SUMMONS

A meeting of the City Council will be held in the Council Chamber, Town Hall, on Monday 8 October 2012 at 5.00 pm to transact the business set out below.

Peter Sloman

Proper Officer

AGENDA

	Pages
1 MINUTES	1 - 36
Minutes of the ordinary meeting of Council held on 16 th July 2012.	
Minutes of the special meeting of Council held on 20 th September 2012.	
2 DECLARATIONS OF INTEREST	
3 APOLOGIES FOR ABSENCE	
4 APPOINTMENTS TO COMMITTEES	
5 LORD MAYOR'S ANNOUNCEMENTS	
6 SHERIFF'S ANNOUNCEMENTS	
7 ANNOUNCEMENTS BY THE LEADER	
8 ANNOUNCEMENTS BY THE CHIEF EXECUTIVE, THE CHIEF FINANCE OFFICER AND THE MONITORING OFFICER	
9 ADDRESSES BY THE PUBLIC	
To hear addresses from members of the public in accordance with Council	

Procedure Rule 11.8 for which the required notice (1.00pm on Thursday 4th October) and the full wording of the address has been given to the Head of Law and Governance.

10 QUESTIONS BY THE PUBLIC

To hear questions from the public in accordance with Council Procedure Rule 11.9 to the Leader or other Members of the City Executive Board for which the required notice (1.00pm on Thursday 4th October 2012) and the full wording of the question has been given to the Head of Law and Governance, and to hear responses from those Members.

CITY EXECUTIVE BOARD RECOMMENDATIONS - ITEMS 11 - 12

11 BUDGET MONITORING AS AT 30TH JUNE 2012 (QUARTER 1)

37 - 62

The Head of Finance has submitted a report which sets out the forecast outturn position for the Council's Capital and Revenue budgets as at 30th June 2012 compared to the approved 2012/13 budget and in addition provides information on key financial indicators in order to provide an assessment of the overall financial health of the organisation.

This report was submitted to the City Executive Board on 12th September 2012 and an extract from the minutes of this meeting is also attached.

Council is asked to approve the addition to the Capital Programme schemes detailed in table 5 of the report.

12 ASSET MANAGEMENT PLAN 2011-14 - CONSULTATION OUTCOME

63 - 124

The Head of Corporate Assets has submitted a report which seeks approval so the Asset Management Plan 2011-14.

This report was submitted to the City Executive Board on 12th September 2012 and an extract from the minutes of the meeting is also attached.

Council is asked to approve adoption of the Asset Management Plan 2012-14.

13 CITY EXECUTIVE BOARD DECISIONS (MINUTES) AND SINGLE EXECUTIVE MEMBER DECISIONS (MINUTES)

125 - 140

City Executive Board decisions (Minutes)

(1) Minutes of the meeting held on 12th September 2012.

Single Executive Member decisions (Minutes)

(1) Minutes of the Single Executive Member Decision Meeting (Board

Member – Corporate Governance and Strategic Partnerships) held on 30th July 2012.

(2) Minutes of the Single Executive Member Decision Meeting (Board Member – Customer Services and Regeneration) held on 16th August 2012.

(3) Minutes of the Single Executive Member Decision Meeting (Board Member – Cleaner, Greener Oxford) held on 23rd August 2012.

14 RECOMMENDATIONS AND REPORTS FROM SCRUTINY AND OTHER COMMITTEES

15 QUESTIONS ON NOTICE FROM MEMBERS OF COUNCIL

Questions on notice under Council Procedure Rule 11.10(b) may be asked of the Lord Mayor, a Member of the City Executive Board or the Chair of a Committee.

Questions on notice must, by the Constitution, be notified to the Head of Law and Governance by no later than 9.30am on Friday 5th October 2012.

Full details of any questions for which the required notice has been given will be circulated to Members of Council before the meeting.

16 STATEMENTS ON NOTICE FROM MEMBERS OF COUNCIL

Statements on Notice under Council Procedure Rule 11.10(b) may be made. Statements do not need to be directed to a specific Councillor.

Statements on notice must, by the Constitution, be notified to the Head of Law and Governance by no later than 9.30am on Friday 5th October 2012.

Full details of any statements for which the required notice has been given will be circulated to Members of Council before the meeting.

17 PETITION - LABOUR MUST LISTEN TO OXFORD

141 - 142

The Head of Law and Governance has submitted a report which advises on the procedure that Council needs to follow under the Council's Petitions Scheme in respect of large petitions, and to provide information specifically on the petition entitled "Labour Must Listen to Oxford".

Council is being recommended to follow the procedure for large petitions by hearing the head petitioner and to then debate the petition and decide how to advise the Executive.

18 MOTIONS ON NOTICE

143 - 152

Council Procedure Rule 11.14 refers. The Motions (listed in the order

received) that have been notified to the Head of Law and Governance by the deadline of 1.00pm on Wednesday 26th September 2012 are attached to this agenda.

19 REPORTS AND QUESTIONS ABOUT ORGANISATIONS THE COUNCIL IS REPRESENTED ON

20 NEW EMPLOYMENT POLICIES

153 - 214

The Head of Human Resources and Facilities has submitted a report which presents a revised Disciplinary Policy and Procedure, and Alcohol and Drug Misuse Policy for adoption.

Council is asked:

- (a) To approve for adoption with immediate effect the Disciplinary Policy and Procedure agreed with the Trade Unions;
- (b) To approve for adoption with immediate effect the Alcohol and Drug Misuse Policy agreed with the Trade Unions;
- (c) To authorise the Head of Human Resources and Facilities to implement these Policies and procedures within an appropriate time frame, making changes as required in accordance with best practice and relevant legal frameworks.

21 POLICY FRAMEWORK - RECONFIGURATION

215 - 222

The Head of Law and Governance has submitted a report which reviews the composition of the Council's Policy Framework; it explains that the Policy Framework has developed over time and has not been comprehensively reviewed; it reviews the present Policy Framework; and it proposes a reconfiguration.

Council is asked to approve the reconfigured Policy Framework as set out in Annex 2 to this report.

DECLARING INTERESTS

General duty

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you.

What is a disclosable pecuniary interest?

Disclosable pecuniary interests relate to your employment; sponsorship (ie payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licences for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest.

If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members' Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member "must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself" and that "you must not place yourself in situations where your honesty and integrity may be questioned". What this means is that the matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

¹Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those of the member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

This page is intentionally left blank

COUNCIL

Thursday 20 September 2012

COUNCILLORS PRESENT: Councillors Armitage (Lord Mayor), Abbasi (Deputy Lord Mayor), Sinclair (Sheriff), Benjamin, Fooks, Altaf-Khan, Bance, Baxter, Brett, Canning, Clack, Clarkson, Cook, Coulter, Curran, Darke, Goddard, Haines, Hollick, Humberstone, Jones, Kennedy, Khan, McCready, McManners, Mills, O'Hara, Pressel, Price, Rowley, Royce, Rundle, Sanders, Seamons, Simmons, Smith, Tanner, Van Nooijen, Wilkinson, Williams and Wolff.

36. DECLARATIONS OF INTEREST

Though not pecuniary interests the following Councillors informed Council as follows:

Councillor Van Coulter informed Council that he was an Executive Governor at Ruskin College and that he would withdraw from the meeting when during the debate Ruskin College was raised.

Councillor Mary Clarkson informed Council that she lived close to Ruskin Fields, but following legal advice previously was informed that she was able to participate in the debate.

Councillor Mohammed Altaf-Khan informed Council that he had previously been a student at Ruskin College.

Councillor Mike Rowley informed Council that he has previously been a student at Ruskin College.

Councillor Roy Darke informed Council that he had been in contact with Ruskin College, but had not expressed an opinion either for or against the proposals.

All of the above refer to minute 39.

37. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Jim Campbell, James Fry, Michael Gotch, Ben Lloyd-Shogbesan, Mark Lygo, Sajjad Malik and Ed Turner.

38. ADDRESSES BY THE PUBLIC

Council received and took one address to Council (text of the address is appended to these minutes)

(1) Debbie Jones from West Waddy ADP

39. BARTON AREA ACTION PLAN AND SITES AND HOUSING PLAN EXAMINATIONS

The Head of City Development submitted a report which sought Council's endorsement of the main modifications to the Barton Area Action Plan and the addendum to both the Sustainability Appraisals for the Barton Area Action Plan and the Sites and Housing Plan. As a consequence of the revised Sustainability Appraisal, for the City Council to confirm its policy approach in relation to the allocation of land at Ruskin College.

The Head of City Development also presented to Council for information a Statement of Common ground between the City Council and the Oxfordshire County Council concerning the wording of policies BA1 and BA7. (Details appended to these minutes)

Councillor Colin Cook moved the report seconded by Councillor Bob Price.

Councillor Jean Fooks moved the following amendment which was accepted by Councillor Colin Cook.

"In Policy BA1, Transforming the ring-road, delete the last eight words in the paragraph on landscaping, so that it would read:

The Landscaping of the central reservation may be reviewed.

Following a debate, Council agreed:

- (a) To endorse the Main Modification to the Barton Area Action Plan as part of the approved plan subject to the inclusion of the further amendment from Councillor Jean Fooks;
- (b) To endorse the Barton Area Action Plan (as amended by the Main Modifications) as a material consideration in determining planning applications;
- (c) To endorse the addendum to the Sustainability Appraisal for the Barton Area Action Plan;
- (d) To endorse the addendum to the Sustainability Appraisal for the Sites and Housing Plan;
- (e) To confirm the approach taken to the Ruskin College proposals as agreed at Council on 19th December 2011, in relation to the Barton Area Action Plan and Sites and Housing Plan;
- (f) To note and endorse the Statement of Common Ground between the City Council and the Oxfordshire County Council concerning Policies BA1 and BA7.

The meeting started at 5.30 pm and ended at 6.30 pm

COUNCIL

Monday 16 July 2012

COUNCILLORS PRESENT: Councillors Armitage (Lord Mayor), Abbasi (Deputy Lord Mayor), Sinclair (Sheriff), Benjamin, Fooks, Altaf-Khan, Bance, Campbell, Canning, Clack, Clarkson, Cook, Coulter, Curran, Darke, Fry, Goddard, Gotch, Haines, Hollick, Jones, Kennedy, Khan, Lloyd-Shogbesan, Lygo, Malik, McCready, Mills, O'Hara, Pressel, Price, Rowley, Royce, Rundle, Sanders, Seamons, Simmons, Tanner, Turner, Van Nooijen, Wilkinson and Williams.

14. MINUTES

- (1) The minutes of the Ordinary Meeting of Council held on 23 April 2012 were confirmed as correct record
- (2) The minutes of the Annual Meeting of Council held on 23 May 2012 were confirmed as a correct record subject in minute 7 to the deletion of the word 'Welfare' and its substitution by the word 'Welcome'.

15. DECLARATIONS OF INTEREST

Councillors declared pecuniary interest as follows:-

- (a) Councillor Altaf-Khan – pecuniary interest in Motions 4 (Passenger Rights to Privacy – minute 31) and 6 (Taxi Licenses City Quotas – minute 31) because his employment was in the licensed vehicle for hire trade.
- (b) Councillor Khan – pecuniary interest in Motions 4 (Passenger Rights to Privacy – minute 31) and 6 (Taxi Licenses City Quotas – minute 31) because his employment was in the licensed vehicle for hire trade.
- (c) Councillor Malik – pecuniary interest in Motions 4 (Passenger Rights to Privacy – minute 31) and 6 (Taxi Licenses City Quotas – minute 31) because his employment was in the licensed vehicle for hire trade.
- (d) Councillor McCready – pecuniary interest in Member Question on Notice 16 (minute 28) (which concerned an Ombudsman matter relating to a covenant) because the property in which he lived was subject to such a covenant.

In accordance with the Member Code of Conduct and the law the Councillors left the meeting whilst the matters in which they had a declarable pecuniary interest were discussed.

16. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Baxter, Brett, Humberstone, McManners and Smith.

17. APPOINTMENTS TO COMMITTEES

None.

18. LORD MAYOR'S ANNOUNCEMENTS

The Lord Mayor made announcements as follows:-

(a) Visitors to Council

He welcomed to the meeting a party of Chinese public sector managers who were in England to learn about public service provision.

(b) Conduct of Council Business

- Members should switch off mobile devices unless:-
 - ❖ They were expecting an urgent call, in which case they should use the vibrate mode for incoming calls and messages
 - ❖ They were using a mobile device to read the Council agenda
- Members should treat each other with mutual respect, should listen to what Members say and should not interrupt or disrupt Member speeches or addresses or questions by members of the public
- Council Business should be conducted through the Chair.
- When the Lord Mayor stood to speak all Members should sit down.

(c) Council Clock

The clock on the wall in the Council Chamber had now been repaired and showed a correct time. The supplementary clocks had therefore been removed.

(d) Freedom of the City

A presentation of the Freedom of the City certificate (the Freedom having been granted in 1997) had been made to Aung San Suu Kyi on 20th June 2012. Aung San Suu Kyi had thanked the Council for awarding her the Freedom. Her timetable of meetings and visits whilst in England had prevented her from receiving the Freedom certificate formally at a Council meeting and so instead the University of Oxford had agreed to the certificate being presented during an event that it had organised. Some Councillors had been invited to the event, and had been in attendance.

(e) Crown Court Attendance

Judge Gordon Risius had invited him to observe Crown Court proceedings recently which he had found very interesting. He said that the Courts were interested in involving the Council in some way in their work and in developing a closer working relationship with the Council.

19. SHERIFF'S ANNOUNCEMENTS

The Sheriff made announcements as follows:-

(a) Port Meadow Inspection

The Annual inspection of Port Meadow had taken place 22nd June 2012. Some issues had been noted and were being pursued.

(b) The Port Meadow Round-Up

This would take place in due course and she was preparing to play a central role in that event

(c) Aunt Sally Match

The Annual Aunt Sally match against the Freeman of Oxford had taken place on xx June 2012. She was pleased to report that after failing to win at this event for a number of years, the Sheriff's team had won on this occasion.

20. ANNOUNCEMENTS BY THE LEADER

The Leader made announcements as follows:-

(a) Museum of Oxford

Phase One of a two year programme of improvements to the Museum of Oxford had opened to the public recently. The programme was being led by the Head of Policy, Culture and Communications with support from the Civic Society. The Leader thanked in particular Sadie Paige (Museum Development Support Officer) and Vanessa Lea (Museum Operations Officer) for their work on Phase One.

(b) Torch Relay

The Leader thanked officers for their work in making the Torch Relay and the events in South Park a highly successful occasion. LOCOG (London Organising Committee for the Olympic Games) had said that the arrangements in Oxfordshire had been the best of any county so far. The Leader thanked Alison Drummond (Events Officer) and Rachel Capell (City Events and International Links Officer) for their work on the Torch events.

21. ANNOUNCEMENTS BY THE CHIEF EXECUTIVE, THE CHIEF FINANCE OFFICER AND THE MONITORING OFFICER

There were no announcements by the Chief Finance Officer or the Monitoring Officer.

The Chief Executive announced that Stephen Clarke had been appointed to the position of Head of Housing with the Council. Stephen had some 30 years experience in housing management. He brought unitary experience with him and had held substantive positions with two London boroughs and one ALMO. Stephen would start work with Council on 28 August 2012.

22. ADDRESSES BY THE PUBLIC

Council received the following addresses from the persons mentioned below:-

- (1) Nigel Gibson – petition – ‘Labour must listen to Oxford’ – Mr Gibson presented a petition entitled ‘Labour must listen to Oxford’ which he explained contained just under 2000 signatures. It had been collected over a 3 week period. The preamble to the petition read as follows:-

‘In the Local elections in May Labour received 14,321 votes, 12.8% of the electorate. The save Temple Cowley Pools campaign has over 17,500 signatures on the petitions it has submitted to the Oxford City Council Labour still controls. As a result, we the undersigned, do not believe that Labour has a moral mandate to build a new 25 metre non-Olympic swimming pool in Blackbird Leys for over £13 million, one third of this years building budget affecting all Oxford Council tax payers when £3 million will refurbish and improve the existing leisure facilities in East Oxford. I call on Labour to stop the scheme now, keep the green in Blackbird Leys for the estate to enjoy and ensure that both the existing Blackbird Leys swimming pool and Temple Cowley Leisure Centre remain open.’

Council received the petition and noted that, provided it contained 1,500 signatures or more it would be considered formally at the Council meeting on 8th October 2012.

- (2) William Clark – Blackbird Leys Swimming Pool – Mr Clark made an address concerning the decision-making around the provision of a new swimming pool at Blackbird Leys. The full address is appended to the signed copy of these minutes.
- (3) Joshua Knight – St Clement’s Car Park – Mr Knight made an address opposing the sale of the St Clement’s Car Park. The full address is appended to the signed copy of these minutes.
- (4) David Quinn – Squash provision – Mr Quinn made an address concerning the impending closure of Squash courts at Ferry Sports Centre. Full address is appended to the signed copy of these minutes.
- (5) Martin Murphy – St Clement’s Car Park – Mr Murphy made an address concerning the nature of the proposed development at the St Clement’s Car Park and its impact on the surrounding area. The full address is appended to the signed copy of these minutes.
- (6) Mark Pitt – Barn, Bury Knowle Park – Mr Pitt made an address concerning the preservation of the Barn adjacent to Bury Knowle House in

Bury Knowle Park. The full address is appended to the signed copy of these minutes.

- (7) Nigel Gibson – Democracy in Oxford – Mr Gibson made an address concerning the ills as he perceived them of the current governance structure of the Council. The full address is appended to the signed copy of these minutes.
- (8) Nigel Gibson – Financing Leisure Services in Oxford – Mr Gibson made an address in which he analysed the cost per visit to leisure facilities under the Fusion Leisure contract. The full address is appended to the signed copy of these minutes.

23. QUESTIONS BY THE PUBLIC

Five questions by the public were submitted to Council under Council Procedure Rule 11.9 and replies given as follows:-

(1) Question to the Leader (Councillor Bob Price) from Nigel Gibson

At the local government elections in May, Labour canvassers were overheard several times on the doorstep saying that Labour will rebuild Temple Cowley Leisure Centre and so people should vote Labour. As a member of the Save Temple Cowley Pools Campaign, I am of course delighted that Labour has decided to switch to evidence-based decision and policy making and support the campaign. Can I ask the Leader when he is going to be formally announcing this change in policy, and does this mean that he and Labour will not be wasting over £13m of public money on a white elephant of a vanity project that is the 25m swimming pool planned in Blackbird Leys, or were Labour supporters simply lying during the election to try and gain votes?

Response: The questioner's informers must have misheard doorstep remarks. The Councils policy has not changed; the Temple Cowley Pool and Leisure Centre had reached the end of its useful life and needs to be replaced. The Council is still planning to construct a new Pool at Blackbird Leys. If the questioner can supply evidence about the comments that are referred to they will be investigated.

(2) Question to the Board Member, Customer Services and Regeneration (Councillor Val Smith) from Sietske Boeles

Can you please provide a breakdown of student council exempt properties which are classified as Halls of Residence (M category) and private dwellings which are exempt due to be being occupied by full time students (N category)? Can you provide a breakdown of each category (either M or N) for the St Clements, Iffley and St Mary's Wards. Can you also give us a breakdown of these exemptions for these three wards for the year 2008.

Response:

	<u>2008</u>	<u>2012</u>
--	-------------	-------------

	<i>Exemption M (Halls of Residence)</i>	<i>Exemption N</i>	<i>Exemption M (Halls of Residence)</i>	<i>Exemption N</i>
<i>St Clements</i>	139	408	145	389
<i>Iffley Fields</i>	29	139	20	153
<i>St Mary's</i>	81	383	102	377

(3) Question to the Leader (Councillor Bob Price) from Diana Hutcheson

On 4 April 2005, Oxford City Council adopted a policy in which it was recommended that there should be no overlap of membership between the Executive Board and the Strategic Development Control Committee (Planning Committee). For your ease of reference, I attach the link relating to this decision –

<http://www.oxford.gov.uk/Direct/26219item10.pdf>

It was also decided that the Council's Constitution confirms that there is a distinction of membership between the Executive Board and the SDCC. The rationale behind this policy was that, in line with Government guidance, there should be a clear distinction between the Council's Executive role (between landowner) and its regulatory role (between Local Planning Authority). Such a distinction would necessitate ensuring that any members of the Executive Board and its working groups are not also members of the SDCC (Planning Committee).

Can the Council please confirm when the above policy was withdrawn and replaced with a new policy; where this was recorded, and was the Constitution

Response: The Council's Constitution did earlier include, as the Questioner suggests, a provision that members of the Executive could not sit on the SDCC. However, following clarification of the law in *R (on the application of Lewis) V Redcar and Cleveland Borough Council* in 2008 the restriction that was introduced in 2005 was, following that judgement, no longer necessary and the Constitution was accordingly amended.

(4) Question to the Board Member, Parks and Sports (Councillor Mark Lygo) from Jane Alexander

I would like to know who made the decision to have the temporary toilets brought to South Park three full days before they were required for just 6 hours for the Olympic Torch event, who paid for them and how much this cost, how much the road closures cost and what was charged for the policing for the event and are councillors aware that for only £50,000, half the cost of hosting the Torch, we could have Temple Cowley diving pool refurbished so that all can use it especially young people inspired by Olympics?

Response: It had in fact proved cheaper to buy in the temporary toilets earlier than the event for which they were to be used. The road closures were the responsibility of the County Council, not the City Council. The event had been managed by some 700 volunteers.

(5) Question to the Board Member, City Development (Councillor Colin Cook) from Sarah Lasenby

In January 2008 the City Council adopted the Supplementary Planning Document "Balance of Dwellings". In this document it states that East Oxford and St. Margaret's Neighbourhood Area is a "red light" area meaning that there needs to be intense effort to safeguard family housing and build new family housing as part of mixed developments.

How many family dwellings have been given planning permission in East Oxford since January 2008? Please indicate how many of them are affordable?

Please give a breakdown of the totals of dwelling types by electoral wards; ie St Clements, St Mary's and Iffley Fields Wards?

This question was not taken or responded to at the Council meeting because the time allowed for addresses and questions by the public had been fully used by this time. Council noted that in accordance with Council Procedure Rule 11.9(h) the answer to the question would be supplied to the questioner after the meeting.

24. TREASURY MANAGEMENT ANNUAL REPORT 2011/12

Council had before it the report of the Executive Director, Organisational Development and Corporate Services together with a minute extract of the meeting of the City Executive Board held on 4th July 2012 (both documents previously circulated, now appended).

Council resolved:-

- (1) To agree changes to the Council's Treasury Investment Strategy that had been approved by Council on February 2012 (minute 94 refers) as set out in Sections 49-51 of the Executive Directors Report;
- (2) To note the Treasury Management Annual Report for 2011/12 as set out in Sections 41-48 of the Executive Director's Report;
- (3) To note that the City Executive Board had resolved to keep under review the effects of Right to Buy on the Housing Revenue Account Business Plan and had asked the Executive Director to report in the Autumn in the context of the medium term financial strategy review on the effects on the HRA Business Plan of Right to Buy take up.

25. INTRODUCTION OF ALTERNATIVELY FUELLED VEHICLES TO THE COUNCIL FLEET

Council had before it a report to the Head of Direct Services together with a minute extract of the meeting of the City Executive Board held on 4th July 2012 (both documents previously circulated, now appended).

Council resolved:-

- (1) To include in the Council's capital programme the additional budget highlighted in paragraph 9 of the Head of Direct Services' report, funded from savings in running expenses over the life of the asset (as shown in Table 3 of the report) as part of the spend to save initiative;
- (2) To note that the City Executive Board had approved the use of more electrically driven vehicles in the Council's vehicle fleet where viable and cost-effective.

26. CITY EXECUTIVE BOARD DECISIONS (MINUTES) AND SINGLE EXECUTIVE MEMBER DECISIONS (MINUTES)

Council had before it minutes of Executive meetings as follows:-

- (a) City Executive Board – 23rd April 2012
- (b) City Executive Board – 4th July 2012
- (c) Single Member Decision – Corporate Governance and Strategic Partnerships – 29th May 2012
- (d) Single Member Decision – Housing – 22nd June 2012

Councillors spoke on the minutes relating to the Community Infrastructure Levy (minute 5, City Executive Board – 4th July), Periodic Reporting - Finance-Year End 2011/12 (minute 6, City Executive Board – 4th July) and the Oxford City Cycle Plan (minute 12, City Executive Board – 4th July) and Board Members commented upon the points made.

27. RECOMMENDATIONS AND REPORTS FROM SCRUTINY AND OTHER COMMITTEES

Councillor adopted a recommendation of the Appointments Committee of 2nd July 2012, namely to alter the designation of Chief Finance (Section 151) Officer from the Executive Director, Organisational Development and Corporate Services (Jacqueline Yates) to the Head of Finance (Nigel Kennedy), the designation to take place with immediate effect.

28. QUESTIONS ON NOTICE FROM MEMBERS OF COUNCIL

(a) Questions notified in time for replies to be provided before the Council meeting

1. Question to the Board Member, City Development (Councillor Colin Cook) from Councillor Sajjad Malik

Former Oxford Bus Garage development

When the former Oxford Bus Garage site on the Cowley Road received planning permission, residents were told that part of the site

(on the left as you face the site) would be a one storey employment site, what has changed?

What efforts did the Council make to advertise the development site for employment purposes and where was it advertised?

If a mistake was made in the planning process who is responsible, the Planning Department or the Legal Department?

Response: The original outline application for this site dates back to twelve years ago in 2000. Ever since then, the City Council has sought to achieve some form of employment use on the site. However, as the years have passed the nature and scale of such a use have changed. The outline application 09/01201/OUT in 2009 was reported to the Cowley Area Committee on 4th November 2009 and the Strategic Development Control Committee on 25th November 2009 and is still extant. The reserved matters application 11/01150/RES was called in to the East Area Planning Committee and was approved on the 6th July 2011. It is my understanding that it is this permission which is currently being implemented, and business space will be provided and offered onto the market. I can find no reference to the B1 business space ever being described as "single storey" in any of these applications.

At the time of the original application the agreed process was to work in partnership with East Oxford Action, a Single Regeneration Bid organisation in existence at the time, to create a vehicle to own the employment part of the site through a development trust and that this trust would select a partner to fund, build and operate a start-up business centre. Therefore at the time there was no intention that the City Council would be involved in advertising the site for employment purposes.

I understand that Councillor Malik received a reply in November last year to his complaint that there had been irregularities in the way this site has been handled. This reply concluded that no mistake was made and it is not possible to attribute blame to any particular officer or department. Those originally involved, none of whom is still employed by the Council, worked with the best intentions. Present staff have sought to ensure that the Council can achieve the outcome desired when the original permission was granted.

In a supplementary question Councillor Malik asked if the Board Member had himself looked at the planning agreement between the Council and the developer. The Board Member said that he had not.

2. Question to the Board Member, City Development (Councillor Colin Cook) from Councillor Elise Benjamin

Westgate Development

Could the Portfolio Holder give a clear indication of what is precisely happening with the proposed new Westgate development and when we will be able to see exact plan?

Could he give an indication of what has been the total cost to the City Council of acquiring or achieving the emptying of Abbey Place housing from 2007 to 2011 and how has this money been used to replace the 14 unit facility with its generous storage space and gardens for vulnerable and disabled tenants in a city centre position?

Would he also say what is the justification in housing terms for the City Council, who has just published a Your Oxford bemoaning the lack of affordable housing in Oxford, in seeking to support the eviction and demolition of these 14 purpose built city centre units in good condition?

Response: Approval has previously been given by the City Executive Board on 8th February 2012 to the revised commercial terms with Crown Estates/Land Securities and the formal documenting of those terms is now progressing.

The direct costs to the Council in terms of acquiring the former Abbey Place properties, paying compensation, fees associated etc were met by the developer under the terms of a Compulsory Purchase Order Indemnity Agreement. The original transaction with the former developer Capital Shopping Centres effectively involved a swap, provision of the replacement units in consideration of the disposal of Abbey Place to them.

The demolition of Abbey Place was required for the previous scheme and is so likely to be so required for the new scheme being promoted by Crown Estates/Land Securities. The justification is that the level of housing has been maintained (with better quality properties being provided) and the removal of Abbey Place will facilitate significant commercial development in due course.

Land Securities are in the process of appointing a master architect and it is anticipated that the process of detailed design will commence in the near future. There will be full consultation with interested stakeholders.

In a supplementary question Councillor Benjamin asked about the identification of suitable alternative housing provision. The Board Member responded by emphasising the opportunities a new Westgate development would bring to the Council's area. He considered that it would not be in the Council's interests to turn away the development opportunity.

3. Question to the Board Member, City Development (Councillor Colin Cook) from Councillor Craig Simmons

Cowley Road Saturation Zone

Could the Portfolio Holder please indicate for the last 12 months how many license applications for extensions of hours and capacity increases have been approved and how many refused in the area covered by the East Oxford Saturation Zone?

Response: Two new applications approved, one variation approved, and no refusals.

In a supplementary question Councillor Simmons asked if the Board Member agreed that the Cowley Road Saturation Zone policy was not working and the members of the Licensing and Gambling Acts Committee needed to be reminded of the policy. The Board Member replied that he did not agree. Licensing hearings took decisions on licensing applications on the evidence before them.

4. Question to the Board Member, City Development (Councillor Colin Cook) from Councillor David Williams

Barton West School

Would the Portfolio Holder agree that with such a large development (over 800 units of accommodation) the proposed Barton West Development must have a local primary school deep within the new development and it is important not to fantasize that this will happen but to ensure that there is a direct and clear commitment from the County Council to build a school.

Would he indicate what absolute and fulsome guarantees have been given by the County Council to build a new primary school within the new development?

Would he agree that going ahead building houses without community support such as new shops, community centres and schools, would mean a new estate would become a characterless dispirited accommodation block without a community hub

Response: Policy BA11 in the Barton Area Action Plan requires the provision of a new Primary School as part of a Community Hub within the local centre. The onus to build the new school will fall on the developer not the County Council. The County Council are already having detailed discussions with the Limited Liability Partnership, the Joint Venture Partnership between the City Council and Grosvenor, as regards the needs of the school. There is no intention, and nor has there ever been any intention, to provide a characterless new estate. The City Council's aspiration is to provide an exemplar development and it is working hard to ensure this outcome.

In a supplementary question Councillor Williams put to the Board Member that to go ahead with any large scale housing development without guarantees about community development was risky. The Board Member said in reply that if absolute guarantees were sought before development, no progress would be made. He referred again to policy BA11 in the Barton Area Action Plan. He suggested moreover that as the Council was the landowner it had considerable control and influence on the makeup and mix of the development.

5. Question to the Board Member, City Development (Councillor Cook) from Councillor Craig Simmons

Gloucester Green

In the tender documents currently being prepared to tender out management of the Gloucester Green Market, can the portfolio holder confirm that environmental, social and local economic development criteria will be incorporated as tender requirements and whether the contract will be open to a 'community right to challenge'.

Response: Any tender will include the Council's normal procurement requirements, and particularly related questions on economic and social benefits. If the Council receives a "community right to challenge" it will consider the request in the context of its plans for the development of an invigorated market solution.

In a supplementary question Councillor Simmons pursued the issue of community right to challenge. The Board Member responded that officer advice had and would continue to be taken on this matter.

6. Question to the Board Member, Leisure Services (Councillor Van Coulter) from Councillor David Williams

Replacement Blackbird Leys Pool costing

(A) Could the Portfolio Holder confirm that the estimated cost of the non Olympic replacement pool at Blackbird Leys has increased by over 30% since the scheme was first proposed in 2007 to the present figure of £9.2m?

Response: Following the September 2010 feasibility and business case the administration decided to include fun water for toddlers. This increased the cost of the scheme from £7.6 million to £8.5 million. In July 2011 we increased the contingency, making the project budget £9.23 million.

In a supplementary question Councillor Williams pursued the matter of the cost of a new pool. The Board Member repeated that a fixed price contract had been agreed for £9.23 million

(B) Could the Portfolio Holder give a categorical assurance that £9.2m is the final figure for building this modest replacement 35 metre facility and give Council a fulsome assurance that persistent rumours that the costs are already escalating beyond that figure are incorrect?

Response: The new high quality pool will be adjoined to Blackbird Leys Leisure Centre and comprises a 25 meter main pool, teaching pool, moveable floor to enable improved programming, toddlers splash pool, sauna, soft play area and low carbon technologies such as a biomass boiler and combined heat and power unit.

A fixed cost contract has been signed with our construction company Willmott Dixon for £9.23 million. Legal challenges continue to delay the construction of the new pool and while we are confident we will

ultimately be able to deliver our leisure facility strategy, defending the challenges is a costly and slow process.

The council has been awarded a £75,000 grant from Sport England towards the new pool at Blackbird Leys and this is at risk if the matters are not resolved soon.

Originally it was planned to be able to close the older expensive pools during this year. Last year alone £97,000 was spent on maintaining Temple Cowley Pools in an attempt to keep the pool open until the replacement pool opens at Blackbird Leys. This is becoming increasingly difficult and there is an increased risk of unplanned closures for emergency works to be undertaken. The Council will therefore have to keep under review whether it is feasible to keep the pools open until such time as the replacement is open.

(C) Could the Portfolio Holder also give an assessment of how the massive new attractive Family Fun Pool, with slides, wave machines and superior facilities now being built in Didcot will have on the conventional traditional replacement Blackbird Leys Pool usage?

Response: The proposed pool at Didcot will be over 14 miles from Blackbird Leys and as such we do not believe it will have any real impact on usage of the new pool. As of the 10th of July 2012 the responsible officer at South Oxfordshire District Council has confirmed that the Didcot pool remains at concept stage and the facility mix has not yet been agreed. There is as yet no approved scheme although they do have a £15m budget and a site has been identified.

7. Question to the Board Member, Housing (Councillor Scott Seamons) from Councillor Elise Benjamin

Tenant Liaison

What is the next move of the Labour Party with regard to tenant liaison in the City Council's Housing Services?

Could the Portfolio Holder be clear as to what is being proposed for the new structure of Council Tenants Liaison illustrating if democratic structure will be taken away?

Response: Currently we are consulting with all tenants/leaseholders for their views on involvement and the draft Local Offers and the closing date is 16th July. There have been around 500 completed surveys returned so far which is very encouraging. This is part of the development of the strategy for tenants involvement which we are developing with TPAS(Tenants Participation Advisory Service). TPAS will analyse and collate the feedback which will be presented to a steering group that involves TPAS, Officers and tenants' representatives. The final report will be going to the City Executive Board in September outlining the way forward for Tenants Involvement.

8. Question to the Board Member, Crime and Community Safety (Councillor Dee Sinclair) from Councillor Sajjad Malik

CCTV and licensing issues

(A) At a meeting the City Centre Police Sergeant said, we have CCTV cameras in Park End Street, but they are not that good. Could the Portfolio Holder tell me what is wrong with them and why they are not good and what you will be going to improve them?

Response: The council jointly operate the city centre CCTV scheme of over 40 cameras, covering areas of the city from the railway station to Broad Street and down to St Aldates. All cameras adhere to relevant standards of construction, are operated through a Code of Practice and are regularly maintained.

Park End St is a high volume area and the police regularly use CCTV footage to identify and apprehend offenders. I am unaware of the particular incident the police sergeant is referring to but they may have been referring to the quality of the image. Image quality can be affected by the distance from the camera, whether a clear view of the face was available and the camera location.

(B) Could the Portfolio Holder provide the crime figures year by year in the City centre for 2008/09, 2009/10, 2010/11 and 2011 to date

Response:

Crime trend data from 2008/09 to 2011/12

Source: Thames Valley Police crime data

Crime type	2008/09	2009/10	2010/11	2011/12
Serious Acquisitive crime*	2770	2192	1910	1956
Theft from a person	611	578	638	618
Criminal damage	2883	2289	2294	1899
Total violence against the person with injury		1283	1024	800
Total violence against the person without injury		2722	2412	1764
Total violence against the person		4005	3436	2564
All crime	20627	18624	18243	17419

* Comprises Burglary dwelling, theft from a vehicle, theft of a vehicle, personal robbery

(C) As most night spots are open till 3am and people are still on the street till 4.30am/5am does the Police stay till 5.00am or do their shifts end at 4.00pm?

Response: The police operate a specific Nightsafe operation at weekends when they have additional officers in the City centre and East Oxford, working closely with door staff, licensed premises and Street Pastors.

These additional officers end their duty at 4 a.m. but commonly continue working until the streets are cleared. Most people are leaving premises at 3 a.m. and are gone by 4 a.m.

The usual rota of early, late and night shift are maintained so at no time are there no police officers on duty in the city.

(D) Over the last year how many alcohol venues been given extension of hours against the Saturation policy within the Council's Saturation Zone?

Response: Three venues within the designated area have been given an extension of hours.

9. Question to the Board Member, Cleaner Greener Oxford (Councillor John Tanner) from Councillor Graham Jones

Defacement of residents' parking signs

How many residents' parking signs have had to be replaced in Oxford in the last year due to spray-paint defacement?

Response: We have replaced 22 parking signs specifically due to spray paint defacement in the last year. However we have dealt with a further 24 incidents where we have managed to remove the spray paint rather than replace the sign and another 48 incidents of refixing or replacing vandalised/damaged residents' parking signs.

The signs cost approx £30 each to replace and are mainly Controlled Parking Zone signs, and the City covers the cost from the Section 42 financial allocation.

In a supplementary question Councillor Jones asked whether the defacement of signs was increasing, whether expenditure on signs meant less money available to repair potholes and whether the police were involved. The Board Member said that he would ensure that incidents of sign defacement were brought to the attention of the police.

10. Question to the Board Member, Cleaner Greener Oxford (Councillor John Tanner) from Councillor David Williams

Recycling Rates

Could the Portfolio Holder give the recycling rates for the City of Oxford and compare them with the surrounding districts for the following years:

- 2006-7
- 2007-8
- 2008-9
- 2009-10
- 2010-11
- 2011-12

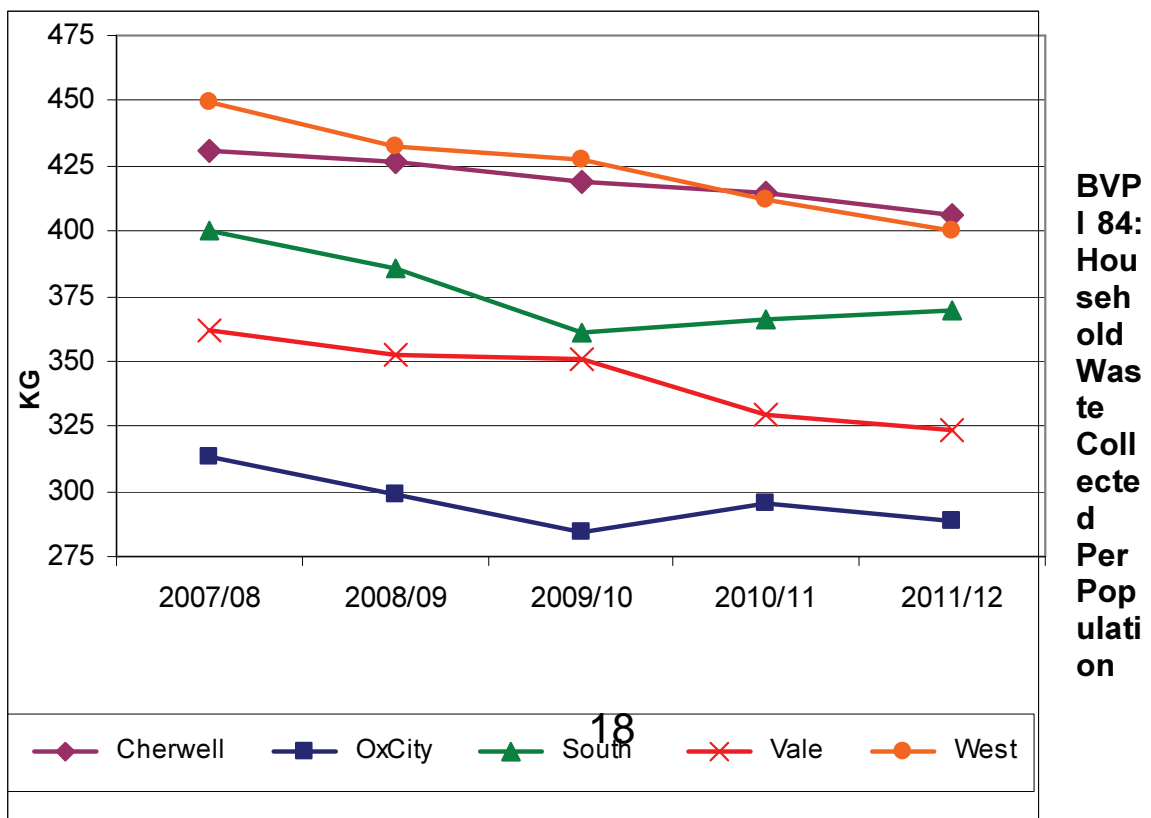
What does the Portfolio Holder deduce from these figures? Especially when contrasted against the rates for the surrounding District Authorities. Would he agree that progress is painfully slow?

Response: No. Progress has been good and continues to improve. Since 2008 the residents of Oxford have increased their recycling of household waste by a quarter. Just as important, the amount of total waste per household which is taken to landfill has continued to fall, as shown in the following charts:-

NI192: Oxfordshire LA Recycling and Composting Rates						
	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12
Cherwell	44.63%	47.46%	49.66%	51.36%	57.49%	57.27%
OxCity	24.04%	35.62%	37.78%	38.23%	43.18%	44.40%
South	33.04%	39.36%	42.80%	61.41%	65.11%	67.92%
Vale	29.10%	32.67%	35.67%	36.10%	51.77%	68.71%
West	26.82%	28.41%	28.89%	33.73%	42.37%	61.21%

* All figures are from Waste Data Flow. However, 2011/12 data is provisional.

BVPI 84: Household Waste Collected Per Population Head (KG)					
	2007/08	2008/09	2009/10	2010/11	2011/12
Cherwell	430.90	426.37	418.59	414.68	406.13
OxCity	313.25	298.77	284.77	295.39	288.65
South	400.36	385.95	360.78	366.40	369.06
Vale	361.81	352.83	350.57	329.07	323.92
West	449.30	432.59	427.64	411.67	399.89



Head (KG)

In a supplementary question Councillor Williams suggested that the figures supplied did seem to indicate that the recycling rate increase was slow and that it would not be until late 2020's before recycling would be up to 100%. In reply the Board Member said that it should not be assumed that the percentage increase in recycling would continue at the same rate. Overall, the City's recycling scheme was one to be proud of.

11. Question to the Deputy Leader (Councillor Ed Turner) from Councillor Craig Simmons

Redundancies – Senior Officers

Could the Portfolio Holder confirm that certain long serving senior staff may soon take voluntary redundancy under 'minor changes in senior management structure'?

Could he give an estimate of how much these redundancy packages will cost the authority? And confirm that there would be no large scale voluntary redundancy packages if these staff had worked until retirement.

Could he confirm that this was the real reason for earmarking £750,000 in a special redundancy pot in the budget when the policy for the Council was to meet the envisaged reduction in staffing by natural wastage?

For the record could the Portfolio Holder indicate in whose interest he is working for, the welfare of senior officers or the ratepayer?

Response: A redundancy has arisen following the recent senior management restructure which was carried out to ensure it remains fit for purpose in the light of the current challenges and aspirations of the Council - in particular, the continued drive for efficiency and performance improvement, plus an increased focus on community development and cohesion, education attainment and physical regeneration. The restructure also provides more balance to Executive Directors' portfolios and better alignment of service areas: Organisational Development and Corporate Services with all the corporate levers to drive efficiency and effectiveness; Community Services delivering through Direct Services, Leisure and Parks, Environmental Development and a Community Development team; and City Regeneration focusing on major regeneration projects, planning and developing our housing service.

Details of redundancy packages for senior officers are reported in the Council's Annual Pay Policy Statement (published each March for that financial year).

In total, is it estimated that the Council's establishment will reduce by approximately 110 posts over the period of the current Medium Term

Financial Plan. This figure includes our best estimate of the impact the introduction of Universal Credit will have on our Housing Benefit function (we have been advised by the Department for Work and Pensions that TUPE does not apply). Consequently, provision has been made for a contribution to the redundancy reserve of £750k in 2012/13 which will be added to the balance as at 31/3/2012 of £1.2 million. A further contribution of £250k is planned to be made in 2013/14. This figure is based on average costs over the previous 2 -3 years and is considered sufficient to fund future liabilities over the period.

All reserves are reviewed as part of the annual refresh of the Medium Term Financial Plan.

In the interests of transparency, details of staffing reductions have been clearly set out in recent budgets, and it will be obvious to most councillors that some redundancy funding is required (with a higher level needed to avoid compulsory redundancies). Regrettably that was not the case for the Green Group, which proposed a budget amendment last year which officers strongly advised against adopting, as it would not be deliverable, and would thus expose the authority to unacceptable risk.

This administration is completely committed to providing the best possible service to local people, in particular the most vulnerable. We want to avoid compulsory redundancies, and support the council's excellent workforce, in circumstances where council funding is being slashed by a government wedded to a failed Thatcherite economic dogma. Nobody's interests will be served by fantasy budget amendments, misinformation about the purpose of reserves, or a continued denial of the extent of the Council's financial challenges.

12. Question to the Deputy Leader (Councillor Ed Turner) from Councillor Ruth Wilkinson

Business Rates

How are preparations being made for the transfer of business rate retention at the local level next year?

Response: I am afraid the councillor is misinformed or has been misled by coalition government 'spin' - the vast majority of Business Rates (at a level set centrally) will be retained by the government or pooled centrally.

Business Rates Reform legislation was introduced in the Local Government Finance Bill in December 2011 with an intention for some business rate growth to be locally retained from 1st April 2013. More recently the Government have indicated that it will retain 50% of business rate receipts (the 'central share') with the remaining 50% being distributed back to local authorities through Revenue Support Grant, (RSG). Communities and Local Government have also listed a number of specific grants that they roll into mainstream funding, delivered through the new RSG, these include council tax support

grant, council tax freeze grant and homelessness prevention grant. The level of grant for 2013/14 and 2014/15, the last two years of CSR10 will be laid out in the 2013/14 finance settlement report.

Therefore, despite the creation of RSG (and its increased size due to the rolling in of specific grants), local authorities will continue to be reliant on the allocation of a grant from central government (i.e. RSG, rather than Formula Grant) and will continue to receive funding notifications through a local government finance settlement.

Under the business rate growth retention scheme, local government (as a sector) will retain 50% of any NDR growth (or decline) achieved locally. However, there is the potential for individual authorities to receive only a small proportion of any growth, due to the operation of a levy to dampen disproportionate gains or losses.

The current Medium Term Financial Plan provides for reductions in grant funding of 2% and 9% for 2013/14 and 2014/15 respectively and no prediction has been made at this stage for growth. Informally, we are hearing that central government funding cuts are likely to be greater than this level.

Discussions are ongoing with Customer Services staff, Finance and Economic Development as April 2013 approaches in order to support economic growth locally. Discussion will also be undertaken with the Valuation Office. In addition the City Council is part of a County wide Group of Districts and County considering the financial implications of the cut to funding for council tax benefit, and also the changes the Business Rates.

In a supplementary question Councillor Wilkinson asked about the percentage of non-collection of Business Rates and she asked how robustness was decided. The Board Member said that he would arrange for a written response to be given, copied to all Councillors.

13. Question to the Board Member, Customer Services and Regeneration (Councillor Val Smith) from Councillor Ruth Wilkinson

Housing Benefit

What is the current percentage of council errors in benefit claims?

Response: Following the Benefits Service Review we are in the process of establishing a new Quality Assurance system for Benefits processing. When this is established, performance will be reported on a monthly basis. In terms of Benefit Subsidy, Local Authorities only receive full subsidy in relation to overpayments they have raised, providing that their level of Official error is less than 0.48% of their total Benefit expenditure. We have been below this threshold for the last three years. Official error is classified as an error caused by the action of a Local Authority, or other government organisation, which the claimant could not have been expected to be aware of.

In a supplementary question Councillor Wilkinson asked how performance would be reported and in what document would it be reported to Councillors. The Board Member said that performance would be reported to the Department for Work and Pensions but could be copied to the questioner.

14. Question to the Board Member, Cleaner Greener Oxford (Councillor John Tanner) from Councillor Jean Fooks

Green Travel Plan

When will the City Council's Green Travel Plan be ready for use? What basic data has been collected on staff's travel choices?

Response: I understand the Green Travel Plan for staff will be completed by the end of this financial year. Most City Council staff already travel to work sustainably by foot, bike, bus and train. At work some employees already travel by bus, bicycle or in vehicles using renewable and electric fuel.

In a supplementary question Councillor Fooks asked for some precise information. The Board Member said he would obtain this and let the questioner have it.

15. Question to the Deputy Leader (Councillor Ed Turner) from Councillor Jean Fooks

Dial-a-Ride

Now that the outturn figures for the year 2011/2 are showing a surplus of £500,000, which is proposed to be placed in a reserve, will you now reconsider your decision not to pay the County Council, as provider of Dial-a-Ride services across the county, the £58,000 needed to reprovide the much-missed second dial-a-ride bus for the elderly and disabled residents of the city for another year?

Response: The outturn position for 2011/12 is a one-off saving and as a matter of principle should not be used to fund ongoing revenue costs such as the Dial a Ride Service, as suggested.

With effect from 1st April 2012 concessionary bus services transferred to the County Council and grant monies from Department for Communities and Local Government are paid to the County Council through formula grant and as such it is considered that responsibility for delivering Dial-a-Ride lies with Oxfordshire County Council. It is very regrettable that the County Council decide to cut the level of service.

When planning its budget proposals for next year, the administration will bear in mind the strong representations it has had from pensioners' groups on this issue (and it is to be hoped that the County Council will do likewise). However, given the likely scale of further cutbacks to council funding, no promises about reinstatement can be made at this stage.

In a supplementary question Councillor Fooks asked whether some of the surplus could be used for a second Dial-a-Ride bus. The Board Member replied first by repeating that Dial-a-Ride responsibility was that of the County Council. He suggested that the questioner as a County Councillor should bring her influence to bear on the County Council in respect of Dial-a-Ride provision. He then repeated his earlier remarks about next year's budget and that the administration would bear in mind the representations received from pensioners groups on the matter but without commitment to the ability to provide money while faced with competing demands upon resources.

16. Question to the Leader (Councillor Bob Price) from Councillor Jean Fooks

Ombudsman

What was the outcome of the complaint to the Local Government Ombudsman about the basis of the calculation of the fee for the partial release of the 1933 covenant on the property of one of my constituents in Sunnymead?

Response: The Ombudsman has decided to discontinue the investigation because the Council has agreed to pay the complainant £8,250 and to review its policy and procedures (for dealing with the release/partial release of restrictive covenants).

In response to supplementary remarks the Leader said that all points would be taken into consideration in the review referred to and in the asset management plan review.

17. Question to the Board Member, Customer Services and Regeneration (Councillor Val Smith) from Councillor Stuart McCready

Housing Benefit

Given the uncertainty of the impact of Housing Benefit changes, can the Portfolio Holder for Housing assure Council that meetings of the City Executive Board and the Housing Scrutiny Panel will be kept informed by way of routine reports this year of the numbers affected by the Housing Benefit Cap, the numbers seeking supplementary relief as a result, and what relief the Council has been able to provide?

Response: The question is assumed to relate to the overall benefit cap. No cases are affected by the household benefit cap. We will be receiving quarterly reports from the Department for Work and Pensions in relation to this matter. The first report contained 230 households affected by the benefit cap. However it seems that some excluded cases may have been included with this information.

In response to a supplementary question the Board Member agreed that scrutiny would be updated regularly on numbers of Council Houses subject to Right to Buy.

18. Question to the Leader (Councillor Bob Price) from Councillor Ruth Wilkinson

Freedom of Information

Since January 1st 2011, what percentage of Freedom of Information requests to Oxford City Council have been answered in the time stipulated by law?

Response: From 1st January 2011 until 31st May 2012, 87.4% of requests were answered in the time stipulated by law (i.e. within 20 working days). During that time 928 requests were received.

In a supplementary question Councillor Wilkinson remarked that 1 in 8 Freedom of Information requests had not been answered in the time stipulated. What factors were contributing to this less than satisfactory situation. The Leader replied to say that the statistic did not represent unsatisfactory performance. Timescale to respond was short. Nevertheless, he would talk to officers about the Council's performance to see what could be done.

(b) Questions notified by the deadline in the Constitution where no reply in advance of the Council meeting was given

19. Question to the Board Member, City Development (Colin Cook) from Councillor Jim Campbell

(a) Today is exactly six months since the strategic workshop to look at the future of the Covered Market. Can you please tell us what action has been taken to implement the 12 Next Steps that were proposed in the review document produced after the workshop?

Response: A written response would be sent to the questioner.

(b) Despite frequent requests from the Market Traders Association for a decision to be made, more than three months have now passed since the relevant date for the latest three year review for Covered Market rents? While I accept the legal validity of the point "time is not of the essence", can you tell us when the new notices will be served?

Response: The notices would be issued on 18th and 19th July.

In a supplementary question Councillor Campbell said that the rate of increase was running at 40%-60%. Nine units in the Covered Market were vacant. Negotiations between Traders and the Council took a long time. Were the rent increases sought in the best interests of the Council, the City and the traders? In response the Board Member said that the increases sought were the result of the professional work conducted by the Council's officers. Oxford had a buoyant retail economy with one of the lowest overall vacancy rates. Footfall showed a 7.7% increase against a 5.4%

reduction nationally. He looked forward to working with the traders to improve uptake for the future.

20. Question to the Board Member, Leisure Services (Van Coulter) from Councillor Jim Campbell

- (a) Has a final decision already been made to close one of the three remaining Squash Courts at the Ferry Centre? If so, can you give us details of any consultation that has taken place with squash players and organisers in the city? If a decision has not been taken, what steps will you take to carry out such a consultation?
- (b) In the light of the response of the National Squash Association what will be the impact of the proposed decision on a sport which is aiming for Olympic status?

Response: On part (A) the project was approved by the City Executive Board in September 2011. The works include a new café, spinning studio (static bike class) and a soft play area.

The project is part of the City's leisure strategy to improve the quality of the centres that remain so they have a wider appeal. The success to date can be seen with Ferry Leisure Centre increasing its usage from 280,000 visits in 2009-10 to 456,000 visits in 2011-12.

The details of the proposal had been informed by Fusion's expertise and customer feedback and then developed by the Leisure Partnership Board which is made up of senior officers at the Council and Fusion Lifestyle, elected members, and representatives from young people, older people, centre users and health. 27 of quarter one membership cancellations at Ferry gave the reason as not being able to book classes, with two specifically citing the reason as being that the Centre does not offer spinning.

The new development will increase participation by at least 22,000 participants per year alongside further reducing the management fee which lets us invest in inclusive activities such as the new targeted free swimming lessons.

The usage of the squash courts overall is around 50% with some parts of the day as low as 5%. Squash continues to struggle to attract a broader range of participants, the first quarter of this year shows just 6% of squash bookings were from concessionary card holders. This compares to an average of 21% of all activities at Ferry being concessionary.

Following the return of public health as a responsibility for local councils, it is all the more important for the City's leisure offer to support the drive to increase participation and to encourage healthier local communities. Developing the leisure facilities and delivering high quality value for money services across the City will

have positive outcomes for service users and the community as a whole.

The works have been communicated to Ferry centre users. We are meeting with the squash players to listen to their views to see if there is anything we can do that helps them to continue to play squash such as improving the quality of the remaining courts, or more coaching sessions. It would though be disingenuous to launch a public consultation on this matter.

On part (B) we are retaining two squash courts at Ferry which will still enable competitive leagues to be played.

In a supplementary question Councillor Campbell pressed the Board member on consultation. The Board member said that the meeting he referred to earlier would take place tomorrow and the views expressed would be taken into account.

21. Question to the Board Member, Leisure Services (Van Coulter) from Councillor David Rundle

Considering the recent concern over provision for squash in this city, when will the Council be reviewing its decision to concentrate support on a small range of sports rather than the wide and impressive plethora of sports in which Oxford's citizens participate and gain enjoyment?

Response: Sport England recognised 46 sports and there are many more outside of this. To ensure that we can maximise opportunities in line with current resources we have focus and priority sports that the Council's Sports Development Team concentrate on and these are demonstrated within the Sport and Physical Activity review 2009. The Sports Development Team also work with the governing bodies of other sports when the opportunities arise, and have even been involved with Quidditch (from the Harry Potter books). This strategy has been extremely effective with 26.4% of adults participating in regular sports, placing us in the top quartile of district councils in the Country and also with one of the biggest increases in participation (5.7% (almost 10,000 more people)) of all districts since the baseline was first established.

In a supplementary question Councillor Rundle asked for more detail about non-focus sports and the Board Member agreed that this detail would be supplied to the questioner.

22. Question to the Board Member, Housing (Scott Seamons) from Councillor Jim Campbell

Last month Icolyn "Ma" Smith was told that she would no longer receive funding from the City Council for the weekly lunch she has been providing for the homeless in the City for more than 20 years. The grounds for the rejection of her application were that "research has shown that *this kind of facility encourages rough sleeping*". Do you agree with this view?

Response: Firstly I believe it would be useful to set out to council the history surrounding grant applications to 'Ma' Smith and why she did not receive a grant in 2010/11.

In respect of the homelessness grants – Mrs Smith received funding of £5,000 from the City Council in each of the years 2006/7, 2007/8, 2008/9, 2009/10. A further application for £8,000 in 2010/11 was turned down and it should be noted this coincided with a cut in the grants budget of £250,000 that year. In the year 2010/11 36 applications were received and a total of £216,658 requested against a budget of £68,000 for the homelessness in the open bidding programme.

During the latter two years that Mrs Smith received a grant she did so under the homelessness commissioning theme and subsequent monitoring information at the time told the council that a high percentage of the users of the Manzil Way facility had their own place. Further, full council with the support of all parties adopted the 'Place of Change' approach to our homelessness commissioning theme. This decided to prioritise grants for organisations that supported rough sleepers into settled accommodation and contribute to the reduction of repeat homelessness. Since Mrs Smith's facility doesn't reduce the number of rough sleepers, is used by some people who are not homeless and was unable to confidently say that it could be sustained on less than 50% of the requested grant (limiting options for officers) officers recommended that the facility not be funded that year. The recommendations of funding in the open bidding grants programme that year were supported by all parties.

Mrs Smith made no further grant applications in the most recent two years.

On the issue the questioners have asked if whether or not soup kitchens and facilities like that run by 'Ma' Smith encourage homelessness, this is an emotive and difficult question with differing opinions. Indeed there is division in opinion amongst homelessness charities: Jeremy Swain, chief executive of Thames Reach (homelessness organisation), said: "Street handouts do little to help people make the step away from rough sleeping. Instead they frequently prevent people from facing up to the reality of the harmful life-style they have adopted." Whilst former chief executive of Shelter, Adam Sampson said "Well-developed and co-ordinated soup runs play a valuable role in providing a mixture of practical and emotional help to vulnerable homeless people". Charles Fraser, chief executive of St Mungo's homeless charity, provided a more nuanced view, "While we recognise the compassion involved in providing food to vulnerable people, those in distress and rough sleeping need services that will support them off the streets for good". These quotes reference street handouts but I believe the debate to be similar.

For my own part I do not see soup kitchens or soup runs and facilities like Mrs Smith's as encouraging homelessness although they may not alleviate the problem. Consequently, I would not have expressed the

view that “this kind of facility encourages rough sleeping” quoted in the Oxford Mail. I believe the Council to be taking the right approach in focussing its limited funding through grants to organisations like the many hostels in the city that provide shelter, food and clothing for the homeless; provide skills, work or training to help people secure accommodation. I welcome the compassion shown to vulnerable people by Mrs Smith and her team of volunteers and am happy that she has received considerable financial support for her work from the ‘Secret Millionaire’. Finally it is important that institutions providing hot food or clothing to the homeless link those people up with the range of hostels in the city or the city outreach team workers as we strive to end rough sleeping in Oxford and ensure ‘No Second Night Out’.

23. Question to the Board Member, Housing (Scott Seamons) from Councillor Sam Hollick

Could the portfolio holder please present and explain the evidence that soup kitchens encourage rough sleeping, as suggested by a City Council spokesperson in the Oxford Mail of 8th June?

Response: The Board Member referred to his response to Councillor Campbell.

In a supplementary question Councillor Hollick said that he had not considered the language used in the Oxford Mail of the 8th of June as attributed to a City Council spokesperson to have been helpful. In response the Board Member said he tended to agree. The Council’s response had not been approved politically. He would make sure that this did not happen again.

29. STATEMENTS ON NOTICE FROM MEMBERS OF COUNCIL

There were no member statements.

30. PETITIONS

There were no petitions for debate

31. MOTIONS ON NOTICE

Council had before it ten Motions on Notice and reached decisions as follows:-

(1) Council Estate Management – (Proposer – Councillor Stuart McCready, seconder Councillor Jean Fooks)

‘Up until the start of the 2011/12 financial year, twelve estate managers provided a landlord presence that reached all Council housing in Oxford. The estate manager visited frequently and kept

a constant pro-active eye out for problems and knew which department had the solutions. Tenants knew who their estate manager was and could depend on getting a reply when they asked their estate manager to visit, see what a given problem was, and provide advice, help and advocacy in identifying and dealing with the City departments that had the solutions.

For the past year we have had only five estate managers for the whole City, and the emphasis has been on tenants identifying and contacting for themselves the specialist team most likely to help with a given problem - and then they cannot be sure of dealing with the same person twice in a row. This has meant that tenants are faced with a more fragmented, and consequently less effective, landlord service. There is a sense on some estates that cases that were progressing when an estate manager was on the case have stalled and even very simple matters sometimes seem a bewildering challenge to get seen to.

The Council therefore asks the Executive to investigate restructuring the landlord function to ensure that every tenant has a single familiar officer to whom they can reliably turn for a home visit and advice when they need help or service from the Housing Department.'

Following a debate Council voted on the adoption of the Motion but this was not carried, 16 Members voting in favour of Motion and 24 Members voting against it.

Following the vote the Chief Executive said that in the light of the points made in the debate he would arrange for estate managers to receive further training on their wider role in the community.

(2) Failure of the Green New Deal – (Proposer – Councillor David Williams, seconder Councillor Craig Simmons)

'This Council is concerned that the Government flagship policy, the so called 'Green Deal' to be launched in Oxford and other Cities in the Autumn, is already set to herald (by the Government's own figures) a massive decline in roof insulation and cavity wall insulations year on year.

By listening to the energy companies demands to remove some of their obligations, plus narrowing considerably the social criteria for subsidized insulation and most important setting the public loans at a commercial rate, as illustrated by the Secretary of State in his statement on the 11th of June, the impact of the Green New Deal will be totally counter productive. His own revised figures indicate a drop of roof insulation from 900,000 per year (2012) to 150,000 (2013) (-83%) plus a fall in the number of cavity wall insulations from 700,000 (2012) to 400,000 (-67%). This will mean that the UK will without doubt miss its future climate change targets.

Council asks the Chief Executive to make representations as follows:-

- (1) To bring to the attention of the Secretary of State that a primary objective of his office should be to reduce carbon emissions and to reduce energy usage and that to achieve that a loft insulation programme and cavity wall schemes are the most cost effective ways to reduce heating bills and reduce costs to consumers;
- (2) To advise the Secretary of State that a Government prediction of a dramatic decline in roof insulation and cavity wall schemes to 150,000 and 400,000 respectively is a fraction of the target set in 2009 of 2.1 million homes with roof insulation each year and 1.4 million cavity wall schemes and unless these targets are met the UK will without doubt miss its own targets for carbon emissions;
- (3) To call on the Government not to restrict loan subsidies to only the very poorest pockets in a limited number of communities and not to rely on market forces via commercial loans to deliver the necessary increases in loft insulation and cavity wall insulation that are needed but to expand the social criteria so that large areas of Oxford City may benefit;
- (4) To inform the Secretary of State that with an expanded social criteria to include low income families, all pensioners, those with a disability or on income support and other vulnerable groups the primary objective of maintaining the insulation programme can be achieved.'

Following a debate Council have voted on the adoption of the Motion and this was carried, 30 Members voting in favour of the Motion and 10 voting against.

(3) Local Authority Co-operative Network – (Proposer – Councillor Elise Benjamin, seconder Councillor David Williams)

'This Council resolves to investigate becoming a member of the Local Authority Co-operative Network and to that end asks the Chief Executive to prepare a report to the City Executive Board in the Autumn illustrating the advantages that may accrue from membership in terms of a range of policies especially in the area of economic development, the creation of local co-operatives and housing trusts.

Council believes that this would assist the Council in developing the Co-operative ideal with possible trader's co-operative such as the Covered Market, co-operative housing trusts, small co-operative productive enterprises and many more.'

Councillor Rundle proposed an amendment to the Motion, and before it was seconded, the mover of the Motion and the seconder agreed to accept the amendment. The affect of the amendment

was to delete the second paragraph and replace it with alternative wording so that the Motion for debate read as follows:-

'This Council resolves to investigate becoming a member of the Local Authority Co-operative Network and to that end asks the Chief Executive to prepare a report to the City Executive Board in the Autumn illustrating the advantages that may accrue from membership in terms of a range of policies especially in the area of economic development, the creation of local co-operatives and housing trusts.

This Council, moreover, is determined to assist Oxford in becoming a city of co-operatives. To that end, it considers that, alongside investigating membership of the Local Authority Co-operative Network, it is a matter of priority to consider how the Council can support and promote co-operatives and requests that officers and Community and Partnerships Scrutiny Committee investigate all possible means to develop and embed co-operatives further in the fabric of our City's life.'

Following a debate Council voted on the adoption of the amended Motion and this was carried by general assent.

(4) Passenger Right to Privacy – (Proposer – Councillor David Williams, seconder Councillor Craig Simmons)

'Given the intrusion into privacy and the abuse of civil liberties this Council will oppose the introduction of recording (secret or explicit) of passenger conversations in public transport vehicles including buses, taxi cabs and licensed private hire vehicles. To that end Council resolves as follows:-

- (1) The concept of a passenger right to privacy in the passenger space will be incorporated into Oxford licensing conditions for taxi and private hire vehicles.
- (2) Oxfordshire County Council will be approached to seek a joint policy endorsing the same passenger rights to privacy in the passenger space concept to be a condition of all operators using bus routes in Oxfordshire.
- (3) The views of the Council are brought to the attention of the Stagecoach Company and a request made that they limit their present pilot project of recording passenger conversations on the Oxford to London Oxford Tube service to driver/passenger conversations whilst driving and that there is no recording in the passenger seating space.'

Following a debate Council voted on the adoption of the Motion but this was not carried, 14 Members voting in favour of the Motion and 21 Members voting against.

(5) Support for Gay Marriage and Civil Rights Partnerships – (Proposer – Councillor Criag Simmons, seconder Councillor Sam Hollick)

‘This Council places on record its support not only for the right of gay, lesbian and bi-sexual individuals to have the right to marry but also for heterosexuals to have a civil partnership if that is their preferred option. The Council believes that it is the right of all Oxford residents and those beyond the City to marry or enter civil partnerships in the manner they desire, whatever their sexuality.

The Chief Executive to submit this stance by the Council to the relevant Secretary of State as a part of the Governments recent consultation leading up to the promised primary legislation on the issue.’

Councillor Van Nooijen proposed an amendment to the Motion and, before it was seconded, the mover of the Motion and the seconder agreed to accept the amendment. The effect of the amendment was to add a paragraph at the end so that the Motion for debate read as follows:-

‘This Council places on record its support not only for the right of gay, lesbian and bi-sexual individuals to have the right to marry but also for heterosexuals to have a civil partnership if that is their preferred option. The Council believes that it is the right of all Oxford residents and those beyond the City to marry or enter civil partnerships in the manner they desire, whatever their sexuality.

The Chief Executive to submit this stance by the Council to the relevant Secretary of State as a part of the Governments recent consultation leading up to the promised primary legislation on the issue.

Noting that no rooms in the Town Hall are currently used for religious marriage ceremonies, and that 'marriage' in the context of this motion is not a matter relating to the conscience of any one of the many religions represented in this City and this Council Chamber but rather a simple matter of administrative procedure, Council wholeheartedly affirms its intention that the rooms in the Town Hall currently used for civil marriage ceremonies should continue to be used for marriages once the law has been changed to provide equal civil marriage rights for same-sex couples.’

Following a debate Council voted on the adoption of the Motion and this was carried, 37 Members voting in favour of the amended Motion and 3 Members voting against.

(6) Taxi Licenses City Quotas – (Proposer – Councillor Criag Simmons, seconder Councillor Dick Wolff)

‘This Council is conscious of the present review of taxi licensing laws being carried out by the Law Commission and would place on record its desire for local authorities to retain the power to establish

a restricted quota of taxi licenses in Oxford City. The Council takes this stance in the belief that limiting the number of licenses will assist the City in enforcing regulations on the taxi and private hire operators that may be laid down from time to time.

The Chief Executive is instructed to forward a clear statement to that effect to the Secretary of the Law Commission illustrating the advantages that accrue to local authorities from not adopting a free market unrestricted unregulated system.'

Councillor Price proposed an amendment to the Motion and, before it was seconded, the mover of the Motion and the seconder agreed to accept the amendment. The effect of the amendment was to delete the first paragraph and to amend the second paragraph by deleting the words 'to that effect' and inserting the words 'of current Council policy on taxi Licensing' so that the Motion for debate read as follows:-

'The Chief Executive is instructed to forward a clear statement of current Council policy on taxi Licensing to the Secretary of the Law Commission illustrating the advantages that accrue to local authorities from not adopting a free market unrestricted unregulated system.'

Following a debate Council voted on the adoption of the amended Motion and this was carried by general assent.

(7) Localising Democracy – (Proposer – Councillor David Williams, seconder Councillor Dick Wolff)

'The present Area Forum structure is not seen as a meaningful devolution of power and responsibility in tune with the present Localism Act.

Abolition of Area Committees diminished local participation in planning decisions and engagement of local voluntary organisations and citizens in real local grass roots democracy.

The replacement Area Forum structure introduced in 2011 is not seen as a meaningful devolution of power in tune with the present Localism Act, having no defined responsibilities or budget.

Consequently there is a need to reconsider devolved decision making in Oxford with a new approach that focuses on localising democracy to reflect the diversity of the City and its many communities.

In Blackbird Leys, Littlemore, Old Marston, and Risinghurst and Sandhills, the Parish Councils have statutory powers regarding planning and services, and in some other areas local communities and neighbourhoods are seeking a greater say in local planning through neighbourhood and community forums.

To ensure consistency and to advance fairness and democracy across the City, the Chief Executive is tasked to conduct a Community Governance Review, in accordance with the Local Government and Public Involvement in Health Act (2007) and the more recent Localism Act (2011) with a view to establishing new local elected councils (which may be called: Parish Councils, Community Councils, Neighbourhood Councils or Village Councils), to cover all areas of the City of Oxford.

In addition to these local councils' powers of precept, the City will provide additional funding to support real devolved decision making in a defined range of services. The new local councils would thus be publicly elected bodies with clearly identified powers, responsibilities and budgets.

The Chief Executive to produce a report to Council in the late autumn after a period of consultation illustrating the defined communities the local councils would serve, the services that could be devolved to the new local councils, and the funding mechanism that could be deployed to ensure their effectiveness.'

Councillor Fooks proposed an amendment to the Motion and, before it was seconded, the mover of the Motion and his seconder agreed to accept the amendment. The effect of the amendment was to delete the sixth and seventh paragraphs and replace them with revised paragraphs so that the Motion for debate read as follows:-

'The present Area Forum structure is not seen as a meaningful devolution of power and responsibility in tune with the present Localism Act.

Abolition of Area Committees diminished local participation in planning decisions and engagement of local voluntary organisations and citizens in real local grass roots democracy.

The replacement Area Forum structure introduced in 2011 is not seen as a meaningful devolution of power in tune with the present Localism Act, having no defined responsibilities or budget.

Consequently there is a need to reconsider devolved decision making in Oxford with a new approach that focuses on localising democracy to reflect the diversity of the City and its many communities.

In Blackbird Leys, Littlemore, Old Marston, and Risinghurst and Sandhills, the Parish Councils have statutory powers regarding planning and services, and in some other areas local communities and neighbourhoods are seeking a greater say in local planning through neighbourhood and community forums.

In accordance with the Local Government and Public Involvement in Health Act 2007 and the more recent Localism Act 2011, Council asks the Chief Executive to conduct a community Governance

review, with a view to establishing whatever form of Local Governance is supported by the residence of an area. This might be Parish Councils, Community Councils, Neighbourhood councils or Community Assemblies.

Council further asks the City Executive Board to work with the new bodies to determine what powers and budgets they would like to give the real influence over what happens in their areas.

The Chief Executive to produce a report to Council in the late autumn after a period of consultation illustrating the defined communities the local councils would serve, the services that could be devolved to the new local councils, and the funding mechanism that could be deployed to ensure their effectiveness.'

Following a debate Council voted on the adoption of the amended Motion but this was not carried, 17 Members voting in favour of the amended Motion and 25 Members voting against.

At this point the time allowed in the Constitution to deal with Motions had been fully used. The remaining three Motions on notice were therefore not taken.

32. REPORTS AND QUESTIONS ABOUT ORGANISATIONS THE COUNCIL IS REPRESENTED ON

No reports were made or questions asked under this item.

33. APPOINTMENT OF INDEPENDENT MEMBERS FOR STANDARDS PURPOSES UNDER THE LOCALISM ACT

Council resolved to appoint the following persons, each for a five year term, as the Council's Independent Persons for Standards/Members Code of Conduct purposes under the Localism Act 2011:-

Chris Ballinger
Godfrey Cole
Jill McLeery
Ben Simpson

34. ATTENDANCE MANAGEMENT POLICY AND PROCEDURE

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

Council resolved:-

- (1) To approve with immediate effect the Attendance Management Policy and Procedure agreed with the Trade Unions as attached to the report of the Head of Human Resources and Facilities;

- (2) To authorise the Head of Human Resources and Facilities to implement the policy and procedure within an appropriate timeframe, make changes as required to put right any clerical mistakes or to reflect changes in the law and agree any changes to absence score intervention levels in consultation with Trade Unions.

35. COMMUNITY GOVERNANCE REVIEW - BLACKBIRD LEYS PARISH COUNCIL - REDUCTION IN MEMBERS

The Head of Law and Governance submitted a report (previous circulated, now appended).

Council resolved to authorise the Head of Law and Governance to make an Order under the Local Government and Public Involvement in Health Act 2007 to reduce the number of Parish Councillors on Blackbird Leys Parish Council from 16 to 14 (7 Councillors in each of the 2 Parish wards) and to note that the change would take effect on 1st August 2012.

The meeting started at 5pm. It ended at 9.16pm. It broke for refreshment between 6.54pm and 7.38pm.

To: City Executive Board

Date: 12th September 2012

Report of: Head of Finance

Title of Report: BUDGET MONITORING AS AT 30TH JUNE 2012 (QUARTER 1)

Summary and Recommendations

Purpose of report: This report sets out the forecast outturn position for the Council's Capital and Revenue budgets as at 30th June 2012 compared to the approved 2012/13 budget. In addition it provides information on key financial indicators in order to provide an assessment of the overall financial health of the organisation.

Key Decision: No

Executive lead member: Councillor Ed Turner

Policy Framework: Budget

Recommendation(s): That the City Executive Board;

1. Note the forecast outturn for the General Fund Revenue Budget – Table 1
2. Note the movement of resources from the Redundancy Cost Contingency to service budgets as per Para 31.
3. Note the HRA budget virements as detailed in Table 3.
4. CEB recommends to Council the addition to the Capital Programme of the schemes detailed in Table 5.

APPENDICES TO REPORT:

Appendix A: June 2012 monitoring – General Fund Forecast Outturn

Appendix B: June 2012 monitoring – Capital Programme Forecast Outturn

Appendix C: June 2012 monitoring – Housing Revenue Account Forecast Outturn

Appendix D: June 2012 monitoring – General Fund year to date position

EXECUTIVE SUMMARY

1. This report sets out the Council's projected outturn position as at the 30th June 2012 and highlights major variances to the approved budget. In summary
 - The General Fund Revenue account indicates an adverse variance of £399k against latest budget
 - The HRA indicates a favourable variance of £729k
 - The capital programme indicates slippage of £8.8m and an adverse variance of £1.7m
2. The Approved Budgets have been re-aligned to reflect changes to the senior management re-structure plus virement requests approved by the Head of Finance in accordance with the Council's Financial Regulations and set out in Table 1 below.
3. As part of the monitoring process Finance staff have met and had budget monitoring discussions with Cost Centre Managers and Heads of Service to verify the current budgetary position. The following forecast variances have been identified and these are commented on and explained more fully within the body of the report:
4. The main projected General Fund outturn variances to the latest budgets are shown below:
 - Chief Executive Directorate – No projected outturn variance to the latest budget is identified as at the end of June for this Directorate.
 - City Regeneration Directorate – Similarly, no projected outturn variance is currently predicted as at the end of June.
 - Community Services Directorate – So far a £ (114k) favourable projected outturn variance is shown for this Directorate relating to projections within the Direct Services area.
 - Organisational and Development Directorate – As at the end of June the Directorate are projecting a £513k adverse variance, £226k within Customer Services, £207k associated with Human Resources and Facilities and £80k linked with Law and Governance. The Directorate are working to mitigate this position.
 - The pay inflation contingency of £624k is unlikely to be required during 2012/13. However, at this stage it is assumed that if it is not required it will be transferred to an earmarked reserve for consideration as part of the annual MTFP refresh.
5. **Appendix A** provides a General Fund revenue outturn position, broken down by Directorate and Service. Table 1 below also details the GF position as at the end of June 2012.

Table 1 – General Fund Forecast Outturn as at 30th June 2012

GF Outturn Report @ Q1 30th June, 2012	Approved Budget (per Budget book)	Latest Budget	Actual YTD	% Budget Spent to 30th June,2012	Projected Outturn @ 30th June,2012	Outturn Variance to Latest Budget	Outturn Variance to Previous Month
	£000's	£000's	£000's	%	£000's	£000's	£000's
Directorates							
Policy, Culture & Communication	1,525	1,377	137	10%	1,377		
Chief Executive	1,525	1,377	137	10%	1,377		
City Development	1,039	1,039	311	30%	1,039		
Housing	7,152	3,278	624	19%	3,278		
Corporate Property	(3,733)	(3,733)	(1,943)	52%	(3,733)		
City Regeneration	4,457	583	(1,008)	(173%)	583		
Environmental Development	1,638	1,619	295	18%	1,619		
Leisure & Parks	3,357	3,357	727	22%	3,357		
Direct Services	(1,113)	(1,128)	43	(4%)	(1,242)	(114)	(114)
Community Development Team		3,873	1,055	27%	3,873		
Community Services	3,882	7,722	2,120	27%	7,608	(114)	(114)
Business Improvement & Technology	3,909	3,940	916	23%	3,940		
Customer Services	2,536	2,613	716	27%	2,839	226	226
Finance	2,209	2,209	519	23%	2,209		
Human Resources & Facilities	1,078	1,219	600	49%	1,426	207	207
Law & Governance	2,448	2,448	713	29%	2,528	80	50
Organisational Dev & Corp Services	12,180	12,428	3,464	28%	12,941	513	483
Directorate Total Excl SLA's & Capital Charges	22,044	22,111	4,714	21%	22,510	399	369
SLA's & Capital Charges	(1,274)	(1,264)	77	(6%)	(1,264)		
Corporate Accounts	1,815	1,738	(4,049)	()	1,738		
Contingencies	3,151	3,151	(30)		3,151		
Total Corporate Accounts & Contingencies	4,966	4,889	(4,079)	()	4,889		
Net Expenditure Budget	25,736	25,736	712	()	26,135	399	369
Transfer to / (from) GF working balances	(1,622)	(1,622)		0%	(1,622)		
Net Budget Requirement	24,113	24,113	712	()	24,512	399	369
Funding							
External Funding	11,719	11,719	3,176	27%	11,719		
Council tax	12,587	12,587		0%	12,587		
Less Parish Precepts	(193)	(193)	(97)	50%	(193)		
Total Funding Available	24,113	24,113	3,080	13%	24,113		
(Surplus) / Defecit for year			(2,368)	()	399	399	369

6. There have been several virements approved during June as well as changes in budgets following management changes at Heads of Service level which are reflected in the above table.
7. Overall the HRA outturn position indicates that the projected in-year surplus for 2012/13 will be higher than the latest budget by £ (729k) primarily caused by reduction in interest payments of £ (955k) associated with procuring the £198.5m self-financing debt.
8. The Capital outturn for the year now suggests in-year spend to be approximately £7m less than the approved budget including £8.8m of slippage and £1.7m of new spend which is itemised in Table 5 that the City Executive Board will be requested to recommend to Council for inclusion in the Capital Programme.

GENERAL FUND OUTTURN

9. As at the end of June the forecast outturn position is £24,512k, some £399k higher than the approved budget.

Chief Executive Directorate - The directorate's projected outturn position is £1,377k in line with the approved latest budget.

10. **City Regeneration Directorate - The directorate is currently estimated to have a projected outturn position of £583k, which is in line with the approved latest budget.**
11. The City Development service is projecting a £43k adverse year to date variance which includes spend associated with the West End Redevelopment and Housing Development programme that will be funded from Earmarked Reserves. The income target in relation to Planning Fees will be difficult to achieve this financial year due to delays associated with the Government's review of locally set planning fees and the Northern Gateway development that will now not occur in 2012/13. However, income associated with pre-application fees is anticipated to exceed budgetary levels and will potentially mitigate the under-recovery of general planning fees and therefore no outturn variance is forecast.
12. Corporate Property continues to project a budgeted position of a favourable £ (3,733k) position as at year end. There are several year to date adverse variances associated with professional fees expenditure linked with the Barton project, however there is an Earmarked Reserve set aside to accommodate these costs and the necessary virements will be approved by the Head of Finance in the next quarter.
13. **Community Services Directorate - The directorate is currently estimated to have a projected outturn position of £7,608k, which is a favourable variance of £ (114k) against the approved budget**
14. Expenditure within Environmental Services associated with HMO's/SALIX/Taxi licensing services will be accommodated by both in-year budgetary provision and designated Earmarked Reserves.
15. There is no projected year end variance identified for Leisure and Parks although several year to date budgetary pressures are nonetheless evident as at the end of June. These relate to income streams that are currently lower than budgeted, however, income levels in other areas are expected to accommodate these shortfalls. Budgetary pressures relating to fuel costs and vehicle fleet recharges will be mitigated via increased housing tree maintenance works.

Direct Services

16. The year end projection for Direct Services as at the end of June is £ (114k) favourable due to additional rechargeable works. The year to date position is currently £ (494k).
17. Engineering £ (80k) favourable.
The team is continuing to win additional works which has given rise to an additional contribution of £80k year to date.
18. Other Income and Expenditure
Non membership of the pension scheme and vacancies, have resulted in an under spend on staffing budgets as at the end of June of £ (320k). Changes in legislation around pensions are likely to increase take up of staff in the pension fund resulting in increased cost. No outturn variance is currently shown
19. Local Overheads £ (40k) favourable
The additional car parking requirement at the Horspath Road depot has been relinquished therefore there will be an ongoing saving of £ (40k).

20. **Organisational Development and Corporate Services Directorate - The directorate is currently estimated to have a projected outturn position of £12,941k, which is £513k adverse to the latest budget. The key variances are:**
21. Customer Services - projected adverse outturn position of £226k as at the end of June. This is made up from £60k in the Contact Centre for temporary staff employed between April and June 2012 to back fill training of CSO staff. All temporary staffing within the Contact Centre will stop after July mitigating any further budgetary pressures. The Revenues area is predicting a £95k adverse variance at year end due to the outcome of the Rent and Revenues review not delivering the level of savings budgeted (£114k shortfall) offset by some additional court cost income of £ (19k). Housing Benefits are predicting a £71k overspend at year-end due to additional costs (£60k) associated with a 20% higher caseload and the need to make additional use of the resilience contract in place.
22. Human Resources and Facilities are estimated to show an adverse variance at year-end of £207k. This is due to a £37k pressure on Occupational Health activities, plus, a £160k shortfall in town hall income due to the Main Hall being closed during works being carried out to the balconies, this meant the hall was unable to be booked for 2 months, together with a 6 months delay in the Café re-opening, loss of long term bookings and the general impact of the economic climate. Additionally, a £15k budgetary pressure associated with the itrent payroll contract is predicted, offset by £ (5k) of salary savings.
23. Law and Governance is projecting an £80k overspend at year-end. This is due to a pressure within the democratic services budget of £28k, plus pressure within the salaries budget of £52k in part due to maternity cover costs.
24. The service areas concerned are currently looking at mitigating actions which will reduce these pressures.

Corporate Activities

25. Whilst there are some significant in-year variances associated with the Local Cost of Benefits caused by the volatility associated with collection rate, volume of overpayments, credits recovered from previous years and rates of DHP spend, it is still too early to recommend any variance from the budgeted position.
26. Pay inflation of 2% was budgeted for in 2012/13 of around £624k but with nil pay rise, this budget will therefore not be required

ACHIEVEMENT OF SAVINGS AND EFFICIENCIES

27. The Council's budget identifies £1,761k of efficiencies and £290k of service reductions for 2012/13. As at the end of June these are all anticipated to be delivered, save for the £114k associated with the Revenues and Rents team in Customer Services. No mitigating savings have been identified to date.
28. So far service areas have achieved £447k of efficiencies and savings as at the end of June.
29. Table 2 below details the financial position relating to efficiencies and service reductions so far this financial year.

Table 2 – Savings and Efficiencies as at 30th June 2012

	Efficiencies				Service Reductions			
	Approved Savings	Projected outturn	Var	Savings made to date	Approved Savings	Projected outturn	Var	Savings made to date
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
Policy, Culture & Communications	(6)	(6)						
Chief Executive	(6)	(6)						
Finance	(225)	(225)			(72)	(72)		
Business Improvement & Technology	(130)	(130)						
Law & Governance	(33)	(33)		(33)	(53)	(53)		(53)
Human Resources & Facilities	(61)	(61)		(61)				
Customer Services	(247)	(133)	114	(68)				
Organisational Development and Corporate Services	(696)	(582)	114	(162)	(125)	(125)		(53)
Direct Services	(120)	(120)		(28)				
Leisure & Parks	(310)	(310)		(197)	(35)	(35)		(8)
Environmental Development	(12)	(12)			(98)	(98)		
Community Services	(442)	(442)		(225)	(133)	(133)		(8)
City Development	(5)	(5)			(16)	(16)		
Housing and Communities	(192)	(192)			(16)	(16)		
Corporate Property	(420)	(420)						
City Regeneration	(617)	(617)			(32)	(32)		
Total	(1,761)	(1,647)	114	(386)	(290)	(290)		(61)

CONTINGENCIES, RESERVES AND BALANCES

30. As previously mentioned it is unlikely that the Employee Inflation contingency of £624k will be used in 2012/13. This will generate a saving which will offset some of the pressures identified above. In addition, within the budget is provision for contributions to the reserve for unachieved savings in the order of £900k. Should all efficiencies be achieved then this reserve will be used to fund the Partnership Payment.

31. To deliver Service restructures and efficiencies over the longer term the Council has incurred redundancy costs of approximately £168k to date which are being funded from the Council's £750k Redundancy Cost Contingency.

HRA OUTTURN

32. The summary HRA position as at 30th June 2012 is set out in Table 3 and detailed in Appendix C attached. The table below exemplifies the major movements commented on in the following paragraphs.

Table 3 – Housing Revenue Account (HRA)

HRA Outturn Report @ Q1 30th June, 2012		Approved Budget (per Budget book)	Latest Budget	YTD Net Spend	Percentage budget spent %	Projected Outturn	Outturn Variance to Latest Budget
		£'000	£'000	£'000	%	£'000	£'000
Income							
	Dwelling Rent	(36,508)	(36,508)	(9,230)	25.28	(36,508)	
	Service Charges	(956)	(956)	(242)	25.28	(956)	
	Shops/Garages/Furn/Other Rent	(2,208)	(2,208)	(739)	33.46	(2,256)	(48)
	Interest On Balances	(35)	(35)	(9)	25.00	(35)	
	Fees/Other	(721)	(721)	(140)	19.45	(621)	100
	Net Income	(40,428)	(40,428)	(10,360)	25.62	(40,376)	52
Expenditure							
	Item 8 Interest Payable	8,055	8,055		0.00	7,100	(955)
	Rent/Income Collection	361	361	46	12.72	361	
	Tower Blocks and Flats	598	598	92	15.36	599	1
	Management/Infrastructure	1,839	1,839	453	24.65	1,825	(14)
	Depreciation	8,147	8,147	2,037	25.00	8,147	
	ICT services	281	281	70	25.00	281	
	Contact Centre	786	786	196	25.00	786	
	Rent Team	499	499	117	23.44	499	
	Tenant's Participation	208	208	44	20.97	208	
	Furnished Tenancies	473	473	112	23.64	543	70
	Local Housing Management	835	835	187	22.44	835	
	Major Projects/Policy/Technical	626	626	133	21.26	626	
	Bad Debt Provision	410	410	60	14.74	410	
	Decant Costs	201	201	11	5.68	200	(1)
	<i>Sub Total Tenancy Management</i>	<i>23,319</i>	<i>23,319</i>	<i>3,559</i>	<i>15.26</i>	<i>22,421</i>	<i>(899)</i>
	Caretaking Service	941	941	235	25.00	941	
	Garden Scheme	268	268	67	25.00	268	
	Void Property officers/Garage team	248	248	62	25.00	248	
	Day to Day Responsive	4,450	4,450	1,135	25.50	4,463	13
	Planned Maintenance	4,938	4,938	1,025	20.76	4,938	
	Capital	636	636	217	34.21	740	104
	<i>Sub Total Direct Services</i>	<i>11,481</i>	<i>11,481</i>	<i>2,742</i>	<i>23.88</i>	<i>11,599</i>	<i>117</i>
	Total Expenditure	34,801	34,801	6,301	18.11	34,019	(781)
Appropriations							
	CDC, Pensions & Retirement Costs	74	74	16	21.35	74	0
	Employers Pension FRS17 Adj	37	37	9	25.00	37	0
	Revenue Contribution to Capital	383	383	96	25.00	383	0
		494	494	121	24.45	494	0
Total HRA Surplus - Deficit		(5,133)	(5,133)	(3,938)	76.70	(5,863)	(729)

33. The projected outturn for the HRA as at the end of June 2012 is a surplus of £ (5,863k), which is higher than the latest budget by £ (729k).

Income

34. Dwelling rents are slightly higher than the profiled budget mainly due to no RTB's completions being processed by the end of June, (the HRA budget assumed a total of 78 RTB's would be completed during the financial year).
35. However, 32 applications have been received which is significantly up compared to previous financial years. It is anticipated that a high proportion of these will actually complete during the second quarter. To comply with the agreement signed with the Secretary of State that RTB receipts will be recycled into affordable housing provision, any resultant receipts will therefore be earmarked for this purpose.
36. The Furnished Tenancies scheme continues to grow and consequently it is anticipated that income levels for the year will increase by £48k. This is shown by an anticipated increase in the expenditure associated with the scheme of £70k within Tenancy Management activities.
37. Fees/Other Income relates to the recharges the Major Projects Team can allocate to HRA capital schemes. This was budgeted at £721k as per previous years. However, as there are vacancies within the team that are unlikely to be filled the ability to recharge at this level is now unlikely to occur. Thus, the projected outturn suggests a reduction of £100k down to £621k.

Expenditure on Tenancy Management

38. When the HRA BP was drafted last autumn the costs of borrowing the self-financing buy out was estimated at a slightly higher margin than prevailing rates in case the money markets took an adverse turn prior to the procurement date. Fortunately the authority was able to procure at very good rates effectively saving £955k p.a. against budget.
39. Direct Services undertakes several HRA capital schemes throughout the financial year. Part of the recharged costs Direct Services have always assigned to their recharges are the Direct Services Management overheads. The outturn forecast is shown to increase by £104k due to increased charges.

CAPITAL PROGRAMME

General Fund and HRA Capital Programme

40. The budget approved for the General Fund and HRA Capital Programme for 2012/13 is shown in summary in Table 4 below. Appendix B attached shows the Capital Programme on a scheme by scheme basis.
41. As at the 30th June the Capital Programme shows a net favourable variance of £7,053k against the latest budget. This is a net position made up of £1.720m of additional spend listed in Table 5, plus (£7.5m) in project slippage associated with the new Competition Swimming Pool which is currently subject to judicial review and unlikely to proceed until later in the year and slippage on other leisure schemes totalling £300k. Plus slippage of £950k on work relating to the Tower blocks which are not now expected to commence on site until 2013/14.

Table 4 – Capital Programme as at 30th June 2012

Capital Budget and Spend as at 30th June 2012

Capital Scheme	Approved Budget 2012/13	Projected Outturn at 30th June 2012	Outturn Variance to Approved budget	Outturn Variance due to Slippage	Outrun variance due to Over/ Under spend
	£	£	£	£	£
City Development	0	656,214	656,214	0	656,214
Environmental Development	800,000	800,000	0	0	0
Communities and Housing	252,302	252,302	0	0	0
Corporate Assets	5,409,565	5,259,287	(150,278)	(328,278)	178,000
Customer Services	126,958	126,958	0	0	0
City Leisure	9,682,589	2,182,589	(7,500,000)	(7,500,000)	0
Direct Services	2,564,051	2,569,051	5,000	5,000	0
ICT services	637,434	625,860	(11,574)	0	(11,574)
GF Total	19,472,898	12,472,261	(7,000,638)	(7,823,278)	822,640
Housing Revenue Account	8,395,000	8,342,500	(52,500)	(950,000)	897,500
Grand Total	27,867,898	20,814,761	(7,053,138)	(8,773,278)	1,720,140
Total General Fund Financing	19,472,898	12,472,261	(7,000,637)	(7,823,278)	822,640
Total HRA Financing	8,395,000	8,342,500	(52,500)	(950,000)	897,500
Total Financing	27,867,898	20,814,761	(7,053,137)	(8,773,278)	1,720,140

42. The following table summarises increases in the capital programme which although funded are required to be approved by Council under existing financial rules.

Table 5 – Proposed Capital Budget Adjustments

Activity	£'000
Purchase of Generators – Town Hall and St Aldates	160
City Dev – Bridge over Fiddlers Stream s106	201
Other Section 106 funded schemes	39
City Dev – West End Partnership s106	417
HRA – HCA New Build Phase 1 Bradlands	466
Other HRA related spend - net	437
	1,720

PERFORMANCE INFORMATION

43. There are a number of additional key performance indicators that need to be assessed along with the financial performance information to provide an overall financial health check position for the authority as at the end of June 2012. These additional indicators are detailed as follows:

The Level of Debtors

Table 6 – General Fund Debtors as at 30th June 2012

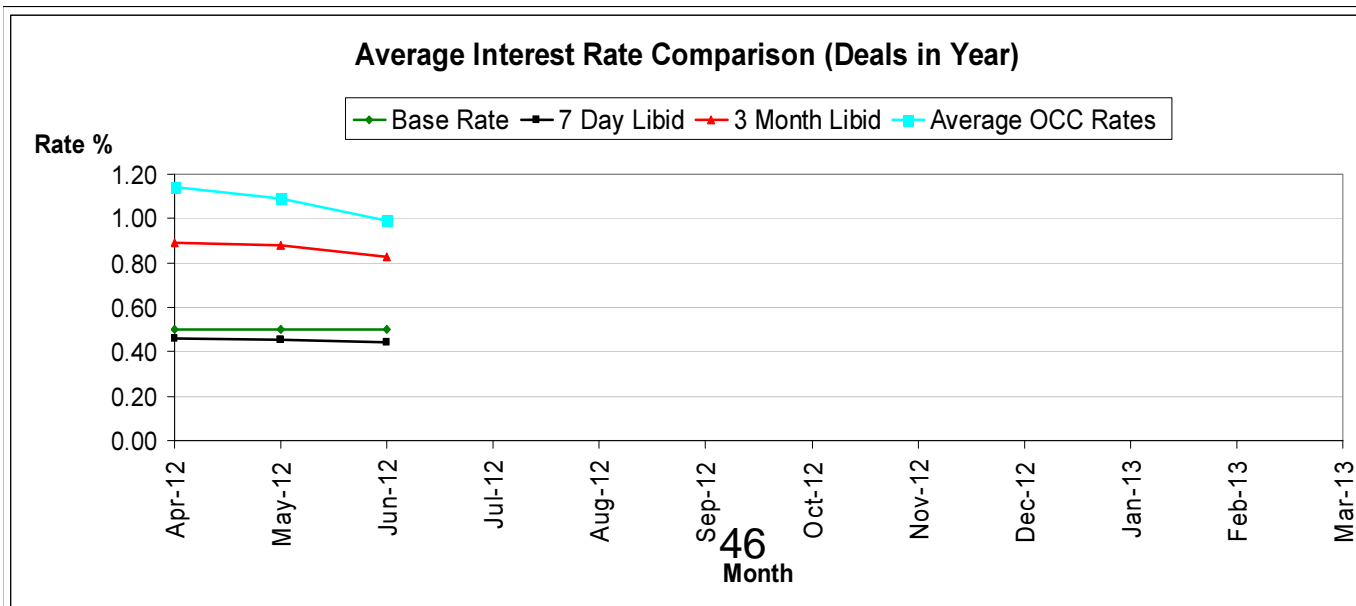
30 th June 2012	Sundry Debtors	Periodic Income & Service Charges	Housing Benefit Overpayments	City Works Parks and OCH Debtors	Grand Total
	£000's	£000's	£000's	£000's	£000's
31-90 Days	916	8	0	290	1,214
91-180 Days	39	97	0	19	155
< 1 Year	9	43	543	20	615
< 2 Years	7	49	1,370	13	1,439
< 3 Years	3	12	765	16	796
< 4 Years	2	(1)	532	10	543
< 5 Years	8	0	400	2	410
< 6 Years	5	0	243	0	248
Over 6 Years	8	3	856	16	883
Total	997	211	4,709	386	6,303

44. The Council's total General Fund debtors aged 31 days or more stands at £6.3m.

45. As at 30th June 2012 £2.9m or 46% of the debt is aged 3 years or over. Housing Benefit overpayments represent 97% of the debt aged over 3 years. The overall HB arrears increased over June from £4,494k at the start of the month to £4,552k at the end. The total of overpayments raised in the month was £320k, up on the May figure of £281k. Total overpayments recovered during the month, either by deductions/offsets of Housing Benefit or by payments received, totalled £211k.

46. The overall Housing Benefit overpayments balance outstanding at the end of June was 14.5% higher than that of 12 months earlier. This is a worrying trend and efforts will be put in place to determine the causes and reported back to Council in due course.

Investment Performance



47. The cumulative average rate of return on investments to 30th June 2012 was 1.07%. The cumulative return has decreased by approximately 4 basis points from May 2012. This is still above the treasury performance indicator target of 50 basis points above the Bank of England's Base Rate (currently 1.00%) and the Council's benchmark interest.

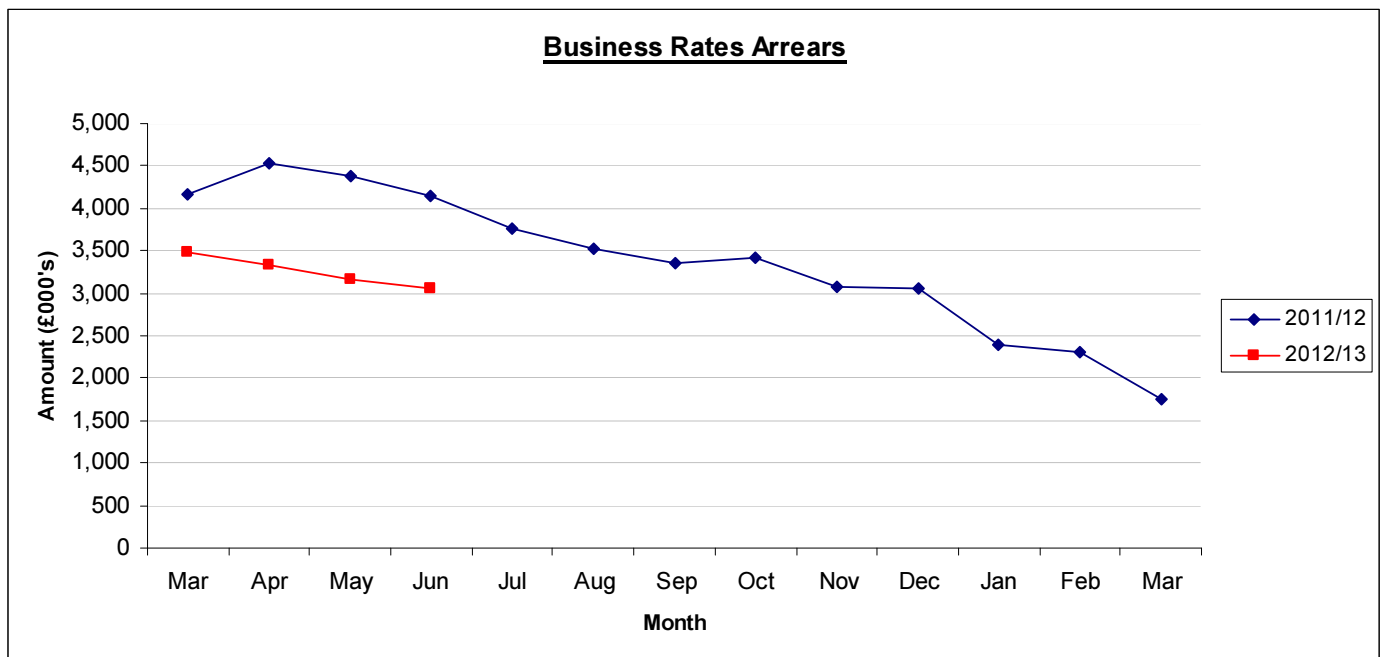
48. The reduction in monthly investment returns in recent months has been due to a downturn in external market conditions, which has led to a reduction in lending options and an increase in average investment balances. Officers are currently reviewing counterparty lists and it is anticipated that this will increased average investment returns

Business Rates

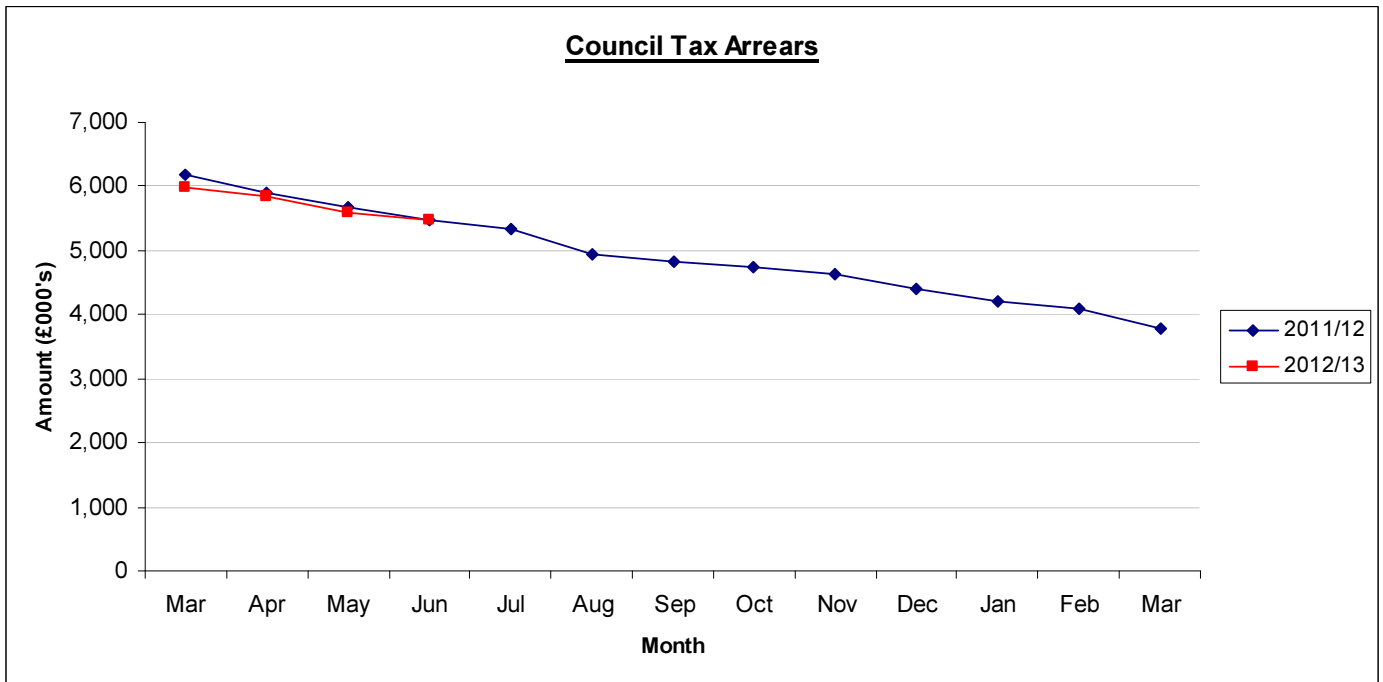
49. The arrears carried forward on April 1st 2012 of £3,490k had fallen to £3,051k as at the end of June, a reduction of 12.57%. This figure was a healthy 26.2% down on the arrears figure 12 months earlier.

50. During June payments received totalled £96k making cumulative arrears received so far during 2012/13 as £460k. Refunds relating to previous financial years totalled £5k during June whilst retrospective adjustments of £62k were made (RV reductions, backdated exemptions etc).

51. The 2011/12 collection rate of 97.75% had risen to 98.20% as at the end of June 2012. The June 2012/13 collection rate was 32.10%, slightly down on last year's equivalent of 32.26%. Collection rates as at the end of June were nonetheless £932k higher than our profiled target of 31%.



Council Tax Arrears Collection



52. The arrears carried forward on 1 April 2012 of £5,985k had dropped to £5,468k by the end of June. This represents an overall reduction in the year to date of 8.64%. The arrears figure on 30th June was 0.09%, slightly up on the equivalent figure last financial year.

53. During June the arrears fell by £132k. This was in the main due to payments being received totalling £106k. Backdated debit adjustments (granting of exemptions, discounts etc relating to previous periods) totalled £46k, whilst refunds made on previous periods totalled £10k.

54. Over 2012/13 we have received arrears cash to date of £549k. Last year's collection rate had moved on from 96.80% to 97.16%.

55. The current year's collection rate is 30.36% as at the end of June which is marginally down on last year's equivalent of 30.82%. It was however £239k up on the profiled collection target for June which was set at 30%.

Creditor Payment Times

56. During June 2012 the percentage of creditor invoices paid on time was 93.06%. and the years to date figure now showing 93.48%.

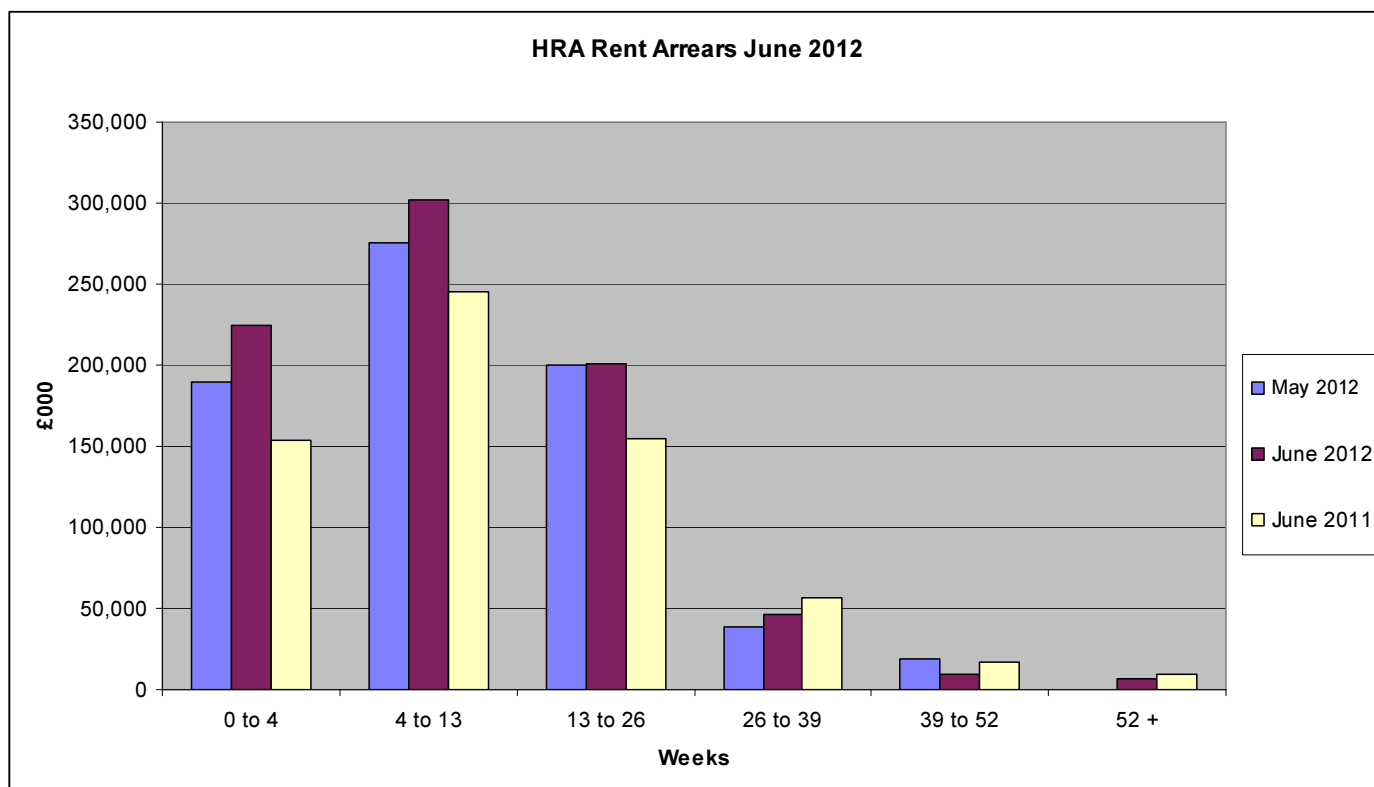
57. The table below sets out the June 2012 and year to date results by service area.

Table 7 – Creditor Payment Times as at 30th June 2012

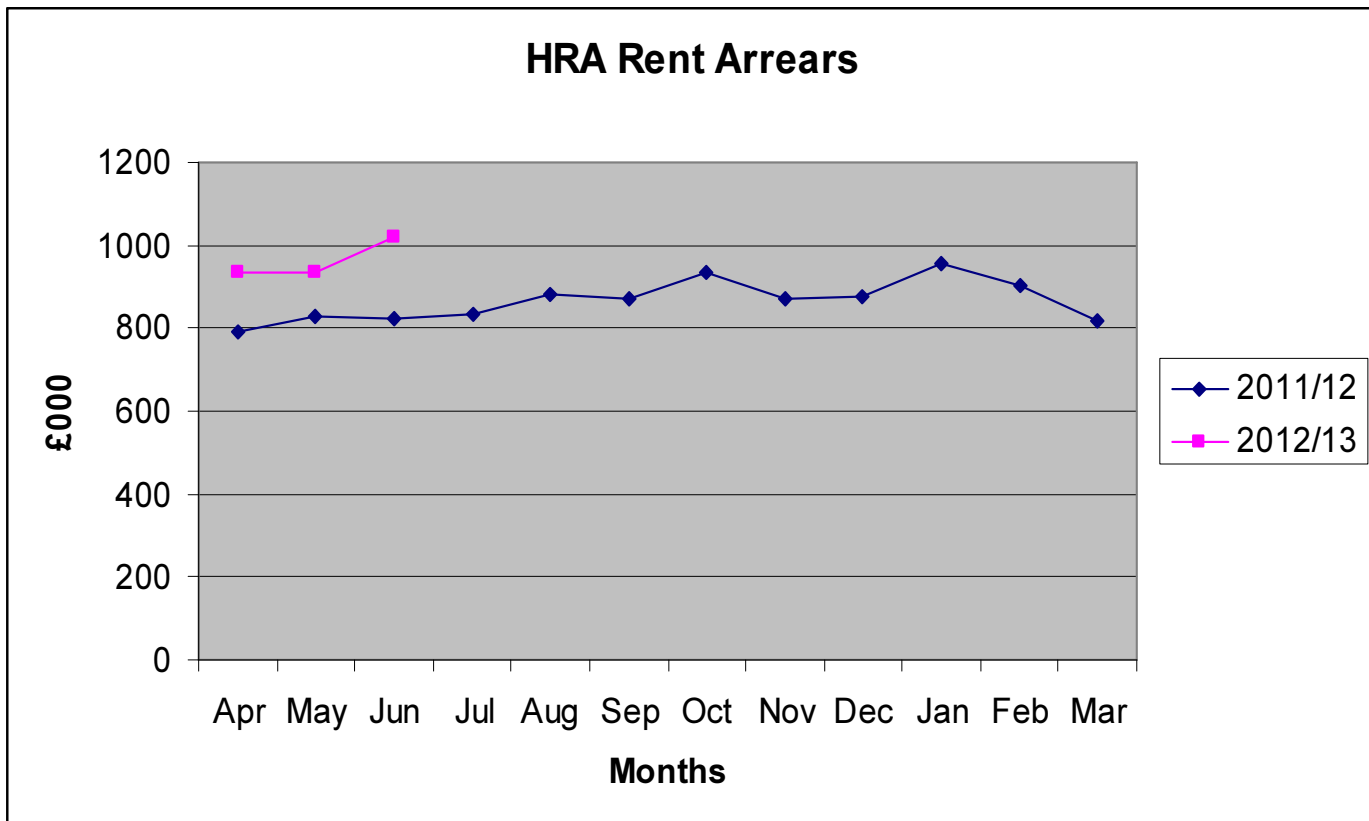
Service Area	June Total Invoices	Over 30 Days	June %Over	June On time	YTD Total Invoices	YTD Over 30 Days	YTD % Over	YTD % On time
S01 Policy, Culture & Communications	73	13	17.81%	82.19%	257	41	16.08%	83.92%
S02 Executive Support	7	4	57.14%	42.86%	25	6	24.00%	76.00%
S03 Business Development	10	1	10.00%	90.00%	58	5	8.77%	91.23%
S11 City Development	29	3	10.34%	89.66%	91	12	13.79%	86.21%
S12 Environmental Development	48	0	0.00%	100.00%	180	16	9.20%	90.80%
S13 Community Housing	160	12	7.50%	92.50%	566	48	8.63%	91.37%
S14 Corporate Assets	81	6	7.41%	92.59%	379	21	5.82%	94.18%
S21 Customer Services	11	4	36.36%	63.64%	54	14	26.42%	73.58%
S22 City Leisure	133	6	4.51%	95.49%	472	42	9.15%	90.85%
S23 Direct Services	1,284	50	3.89%	96.11%	4,241	164	3.90%	96.10%
S24 Housing Revenues Account	177	29	16.38%	83.62%	595	73	12.67%	87.33%
S31 City ICT	14	3	21.43%	78.57%	81	22	29.33%	70.67%
S32 Finance	7	0	0.00%	100.00%	46	2	4.65%	95.35%
S33 People & Equalities	30	13	43.33%	56.67%	101	22	22.45%	77.55%
S34 Law & Governance	37	2	5.41%	94.59%	548	14	2.56%	97.44%
Totals	2,101	146	6.94%	93.06%	7,694	502	6.52%	93.48%

HRA Rent Arrears (Current Tenants)

Aged Debt Analysis



Arrears Analysis 2012/13 compared to 2011-12



58. Overall arrears stand at £1.017k; this is £82k higher than that reported last June. It is fair to say that arrears performance has worsened due to much of the attention of the rent recovery team's time and efforts being concentrated on the Direct Payments pilot scheme. This required a selection process of our eligible tenants and a resource intensive communication exercise to ensure those selected tenants had bank accounts, direct debit mandates and other payment mechanisms in place when the scheme embarks in July. Furthermore, training and liaison with both DWP and other affordable housing providers in the City was also required to ensure a consistent and uniform service was made available to all affordable housing tenants in the City. The consequence of this exercise over recent months has been that collection of rents has suffered. Resources and attention will now be focused on collection of rents as normal from now on as the initial demands of the Direct Payments exercise have diminished.

59. Of the aged debt, £726k (92.12%) is less than 6 months old.

60. Former tenant arrears stood at £132k as at the end of June 2012, which is just over £20.6k more than that reported for June 2011 (this data is not aged and has not been included above).

61. The Council has estimated a bad debt provision of up to £410k against HRA dwelling debt.

Name and contact details of author:-

Name: Nigel Kennedy
 Job title: Head of Finance
 Service Area / Department Finance and Efficiency
 Tel: 01865 272708 e-mail: nkennedy@oxford.gov.uk

APPENDIX A

GF Outturn Report @ Q1 30th June, 2012	Approved Budget (per Budget book)	Latest Budget	Actual YTD	% Budget Spent to 30th June,2012	Projected Outturn @ 30th June,2012	Outturn Variance to Latest Budget	Outturn Variance to Previous Month
	£000's	£000's	£000's	%	£000's	£000's	£000's
Directorates							
Policy, Culture & Communication	1,525	1,377	137	10%	1,377		
Chief Executive	1,525	1,377	137	10%	1,377		
City Development	1,039	1,039	311	30%	1,039		
Housing	7,152	3,278	624	19%	3,278		
Corporate Property	(3,733)	(3,733)	(1,943)	52%	(3,733)		
City Regeneration	4,457	583	(1,008)	(173%)	583		
Environmental Development	1,638	1,619	295	18%	1,619		
Leisure & Parks	3,357	3,357	727	22%	3,357		
Direct Services	(1,113)	(1,128)	43	(4%)	(1,242)	(114)	(114)
Community Development Team		3,873	1,055	27%	3,873		
Community Services	3,882	7,722	2,120	27%	7,608	(114)	(114)
Business Improvement & Technology	3,909	3,940	916	23%	3,940		
Customer Services	2,536	2,613	716	27%	2,839	226	226
Finance	2,209	2,209	519	23%	2,209		
Human Resources & Facilities	1,078	1,219	600	49%	1,426	207	207
Law & Governance	2,448	2,448	713	29%	2,528	80	50
Organisational Dev & Corp Services	12,180	12,428	3,464	28%	12,941	513	483
Directorate Total Excl SLA's & Capital Charges	22,044	22,111	4,714	21%	22,510	399	369
SLA's & Capital Charges	(1,274)	(1,264)	77	(6%)	(1,264)		
Corporate Accounts	1,815	1,738	(4,049)	()	1,738		
Contingencies	3,151	3,151	(30)		3,151		
Total Corporate Accounts & Contingencies	4,966	4,889	(4,079)	()	4,889		
Net Expenditure Budget	25,736	25,736	712	()	26,135	399	369
Transfer to / (from) GF working balances	(1,622)	(1,622)		0%	(1,622)		
Net Budget Requirement	24,113	24,113	712	()	24,512	399	369
Funding							
External Funding	11,719	11,719	3,176	27%	11,719		
Council tax	12,587	12,587		0%	12,587		
Less Parish Precepts	(193)	(193)	(97)	50%	(193)		
Total Funding Available	24,113	24,113	3,080	13%	24,113		
(Surplus) / Deficit for year			(2,368)	()	399	399	369

This page is intentionally left blank

Capital Budget and Spend as at 30th June 2012

APPENDIX B

Capital Scheme	Approved Budget 2012/13	Projected Outturn at 30th June 2012	Outturn Variance to Approved budget	Outturn Variance due to Slippage	Outturn variance due to Over/Under spend
	£	£	£	£	£
F1323 Bridge Over Fiddlers Stream	0	200,000	200,000		200,000
F6013 Bullingdon Community Centre -Enhancement of Community Facilities	0	4,807	4,807		4,807
F6015 Slade Area Public Work of Art	0	3,379	3,379		3,379
F7008 Landscaping Work at Lamarsh Road	0	13,441	13,441		13,441
F7019 Work of Art at Rose Hill	0	1,000	1,000		1,000
Z3710 St Lukes Church Community Facilities	0	16,362	16,362		16,362
M5014 West End Partnership	0	417,225	417,225		417,225
City Development	0	656,214	656,214	0	656,214
E3511 Renovation Grants	50,000	50,000	0	0	0
E3521 Disabled Facilities Grants	750,000	750,000	0	0	0
Environmental Development	800,000	800,000	0	0	0
G1013 Dawson Street Gardens	19,000	19,000	0	0	0
G3013 Diamond Place car park footpath extension	6,324	6,324	0	0	0
G3014 East Oxford Community Association Improvements	2,550	2,550	0	0	0
G4006 Florence Park CC Kitchen	1,411	1,411	0	0	0
G6010 Mount Place Square Refurbishment	383	383	0	0	0
G6011 St Lukes Church Hall Extension	10,000	10,000	0	0	0
G6012 South Oxford Community Centre Main Hall Replacement	9,238	9,238	0	0	0
G3015 NE Marston Croft Road Recreation Ground	25,000	25,000	0	0	0
G3016 Peat Moors all weather pitch	17,000	17,000	0	0	0
G3017 CCTV Replacement Programme	84,271	84,271	0	0	0
M5015 Old Fire Station	77,125	77,125	0	0	0
Communities and Housing	252,302	252,302	0	0	0
A4808 Blackbird Leys LC Improvements	128,278	0	(128,278)	(128,278)	0
A4812 Building Improvements (GF Leisure)	22,684	0	(22,684)	0	(22,684)
A4813 Hinksey Pools main pool liner	110,000	110,000	0	0	0
A4814 Leisure Centre substantive repairs	419,641	242,325	(177,316)	(200,000)	22,684
Offices for the Future					0
Q2000 Offices for the Future	383,347	543,347	160,000	0	160,000
Community Centres					
B0022 DDA East Oxford Community Centre Lift	109,083	109,083	0	0	0
B0033 Community Centres	315,765	315,765	0	0	0
B0034 Rose Hill Community Centre	148,000	148,000	0	0	0
Covered Market					
B0010 Covered Market signage improvements	42,941	42,941	0	0	0
B0027 Covered Market - Improvements & Upgrade to Roof	76,061	76,061	0	0	0
B0028 Covered Market - New Roof Structures to High St Entrances	115,000	115,000	0	0	0
B0036 Investment ~ Covered Market	232,251	232,251	0	0	0
B0063 Covered Market Replacement Sprinkler System	150,000	150,000	0	0	0
B0064 Covered Market - Improvements to Emergency Lighting	50,000	50,000	0	0	0
Investment Properties					
B0003 Roof Repairs & Ext Refurbishment 44-46 George St	30,000	30,000	0	0	0
B0040 Investment ~ Broad Street	167,500	167,500	0	0	0
B0041 Investment - Misc City Centre Properties	7,000	7,000	0	0	0
B0042 Investment - Gloucester Green	5,500	5,500	0	0	0
B0044 Investment - Outer City	15,000	15,000	0	0	0
B0045 Investment ~ St. Michael's Street	43,000	43,000	0	0	0
B0046 Investment - Ship Street	20,000	20,000	0	0	0
B0070 Ramsay House Replacement Comfort Cooling System	300,000	300,000	0	0	0
Miscellaneous Council Properties					
B0031 Miscellaneous Admin Buildings	25,000	25,000	0	0	0

B0035 Miscellaneous Civic Properties	52,218	52,218	0	0	0
B0037 Car Parks	135,380	135,380	0	0	0
B0039 Houses and Lodges	16,423	16,423	0	0	0
B0052 Miscellaneous Properties	75,000	75,000	0	0	0
B0053 Public Toilets	489	489	0	0	0
B0055 Property Surveys	57,600	57,600	0	0	0
B0059 FIT Panels on Leisure Buildings	0	0	0	0	0
B0060 Feasibility Studies Depot Relocation	250,000	250,000	0	0	0
Parks & Cemeteries					
B0048 Leisure - Cemeteries	13,500	13,500	0	0	0
B0050 Leisure ~ Depots	74,000	74,000	0	0	0
B0051 Leisure - Pavilions	110,500	110,500	0	0	0
B0065 Parks & Cemetery - Masonry Walls & Path Improvements	40,000	40,000	0	0	0
B0067 Fencing Repairs across the City	150,000	150,000	0	0	0
B0071 Parks properties (H&S works)	36,648	54,648	18,000	0	18,000
A4823 Cemetery Development	15,000	15,000	0	0	0
Town Hall					
B0054 Town Hall	795,852	754,583	(41,269)	0	(41,269)
B0056 City Centre Office Security	75,904	75,904	0	0	0
B0057- Town Hall Fire Alarm	195,000	236,269	41,269	0	41,269
B0068 Town Hall - Conference System Refurbishment	400,000	400,000	0	0	0
Budget Approved for Future Years - To be allocated					
Refurbishment of Council Buildings	0	0	0	0	0
Corporate Assets	5,409,565	5,259,287	(150,278)	(328,278)	178,000
C3041 New server for telephone system	11,288	11,288	0	0	0
C3042 Customer First Programme	115,670	115,670	0	0	0
Customer Services	126,958	126,958	0	0	0
A1300 Playground Refurbishment	414,797	414,797	0	0	0
A1301 Play Barton	113,538	113,538	0	0	0
A4810 New Build Completion Pool	7,582,254	82,254	(7,500,000)	(7,500,000)	0
Z3008 Contribution to Skate Park	50,000	50,000	0	0	0
Z3010 Rosehill/Iffley Play Sites	38,000	38,000	0	0	0
A4815 Leisure Centre Improvement Work	700,000	700,000	0	0	0
A4817 Develop new burial space	0	0	0	0	0
A4818 Lye Valley & Chiswell Valley Walkways	62,000	62,000	0	0	0
A4816 Sports Pavilions	450,000	450,000	0	0	0
A4819 Rose Hill Cemetery Water Leak	8,000	8,000	0	0	0
A4820 Upgrade Existing Tennis Courts	50,000	50,000	0	0	0
A4821 Upgrade Existing Multi-Use Games Area	76,000	76,000	0	0	0
A4822 Recycling & Bin Improvement (City Parks)	38,000	38,000	0	0	0
G6013 Cycle Oxford	100,000	100,000	0	0	0
City Leisure	9,682,589	2,182,589	(7,500,000)	(7,500,000)	0
F0011 Pay & Display Parking in the Car Parks	84,000	84,000	0	0	0
F0012 P & R Purchase of Capital Items - Peartree, Redbridge	191,644	191,644	0	0	0
F0014 Purchase of ANPR for use in car park enforcement	50,000	50,000	0	0	0
R0005 MT Vehicles/Plant Replacement Programme.	1,500,500	1,500,500	0	0	0
T2266 Purchase of Brown Bins Waste Recycling	7,907	7,907	0	0	0
T2267 Purchase of two hand operated street sweepers	30,000	30,000	0	0	0
T2268 Purchase of two vehicles for garden waste collection	155,000	155,000	0	0	0
T2269 Toilet improvements	185,000	190,000	5,000	5,000	0
T2270 Bin stores for council flats to assist recycling	325,000	325,000	0	0	0
T2271 Low emission vehicle for litter bin collection	20,000	20,000	0	0	0
T2272 Wyatt Road Resurfacing Works	15,000	15,000	0	0	0
Direct Services	2,564,051	2,569,051	5,000	5,000	0
C3039 ICT Infrastructure	260,434	260,434	0	0	0
C3043 ICT Development	200,000	200,000	0	0	0
C3044 Software Licences	177,000	165,426	(11,574)	0	(11,574)
ICT services	637,434	625,860	(11,574)	0	(11,574)
GF Total	19,472,898	12,472,261	(7,000,638)	(7,823,278)	822,640
External Contracts					
N6384 Foresters Towers	1,000,000	50,000	(950,000)	(950,000)	0
N6387 Controlled Entry	0	210,000	210,000	0	210,000
N6393 External Doors	200,000	200,000	0	0	0

N7020 External Adaptations	0	250,000	250,000		250,000
N7021 Extensions	0	0	0		0
N7018 Minox	0	19,500	19,500		19,500
N6394 Windows	300,000	250,000	(50,000)		(50,000)
N6389 Damp-proof works (K&B)	0	90,000	90,000		90,000
N6392 Roofing	250,000	150,000	(100,000)		(100,000)
N6386 Structural	0	125,000	125,000		125,000
N7010 Headley House - Refurbishment	0	0	0		0
N6427 Shops	0	69,000	69,000		69,000
N6396 Sheltered Blocks	0	0	0		0
N7028 Non Dwelling HRA Assets	117,000	48,000	(69,000)		(69,000)
N7026 Communal Areas	150,000	150,000	0		0
N7027 Environmental Improvements	100,000	100,000	0		0
New Contingency	19,000	0	(19,000)		(19,000)
New Fees	94,000	0	(94,000)		(94,000)
New Build					
N7011 Cardinal House - Refurbishment	0	0	0	0	0
N7019 Lambourn Road	0	0	0	0	0
HCA New Build	0	466,000	466,000	0	466,000
Internal Contracts	0	0	0	0	0
N6385 Adaptations for disabled	900,000	900,000	0	0	0
N6390 Kitchens & Bathrooms	2,850,000	2,850,000	0	0	0
N6391 Heating	1,256,000	1,256,000	0	0	0
N6388 Major Voids	850,000	850,000	0	0	0
N6395 Electrics	309,000	309,000	0	0	0
Housing Revenue Account	8,395,000	8,342,500	(52,500)	(950,000)	897,500
Grand Total	27,867,898	20,814,761	(7,053,138)	(8,773,278)	1,720,140
Financing - General Fund					
Developer contributions	0	656,215	656,215		656,214
Government Funding	590,000	590,000	0		
Capital Receipts	7,079,787	5,586,556	(1,493,231)	(1,559,157)	6,426
Direct Revenue Funding	3,600,000	3,600,000	0		
Revenue Reserves	457,505	617,505	160,000		160,000
DRF For Vehicles	1,481,485	1,421,985	(59,500)		
Prudential Borrowing	6,264,121	0	(6,264,121)	(6,264,121)	
Total General Fund Financing	19,472,898	12,472,261	(7,000,637)	(7,823,278)	822,640
Financing - HRA					
MRR	8,395,000	8,342,500	(52,500)	(950,000)	897,500
Capital receipts	0	0	0		
Decent Homes Reserve	0	0	0		
Prudential Borrowing	0	0	0		
External Contributions					
Total HRA Financing	8,395,000	8,342,500	(52,500)	(950,000)	897,500
Total Financing	27,867,898	20,814,761	(7,053,137)	(8,773,278)	1,720,140

This page is intentionally left blank

HRA Outturn Report @ Q1 30th June, 2012		Approved Budget (per Budget book)	Latest Budget	YTD Net Spend	Percentage budget spent %	Projected Outturn	Outturn Variance to Latest Budget
		£'000	£'000	£'000	%	£'000	£'000
Income	Dwelling Rent	(36,508)	(36,508)	(9,230)	25.28	(36,508)	
	Service Charges	(956)	(956)	(242)	25.28	(956)	
	Shops/Garages/Furn/Other Rent	(2,208)	(2,208)	(739)	33.46	(2,256)	(48)
	Interest On Balances	(35)	(35)	(9)	25.00	(35)	
	Fees/Other	(721)	(721)	(140)	19.45	(621)	100
	Net Income	(40,428)	(40,428)	(10,360)	25.62	(40,376)	52
Expenditure	Item 8 Interest Payable	8,055	8,055		0.00	7,100	(955)
	Rent/Income Collection	361	361	46	12.72	361	
	Tower Blocks and Flats	598	598	92	15.36	599	1
	Management/Infrastructure	1,839	1,839	453	24.65	1,825	(14)
	Depreciation	8,147	8,147	2,037	25.00	8,147	
	ICT services	281	281	70	25.00	281	
	Contact Centre	786	786	196	25.00	786	
	Rent Team	499	499	117	23.44	499	
	Tenant's Participation	208	208	44	20.97	208	
	Furnished Tenancies	473	473	112	23.64	543	70
	Local Housing Management	835	835	187	22.44	835	
	Major Projects/Policy/Technical	626	626	133	21.26	626	
	Bad Debt Provision	410	410	60	14.74	410	
	Decant Costs	201	201	11	5.68	200	(1)
	<i>Sub Total Tenancy Management</i>	23,319	23,319	3,559	15.26	22,421	(899)
	Caretaking Service	941	941	235	25.00	941	
	Garden Scheme	268	268	67	25.00	268	
	Void Property officers/Garage team	248	248	62	25.00	248	
	Day to Day Responsive	4,450	4,450	1,135	25.50	4,463	13
	Planned Maintenance	4,938	4,938	1,025	20.76	4,938	
Capital	636	636	217	34.21	740	104	
<i>Sub Total Direct Services</i>	11,481	11,481	2,742	23.88	11,599	117	
	Total Expenditure	34,801	34,801	6,301	18.11	34,019	(781)
Appropriations	CDC, Pensions & Retirement Costs	74	74	16	21.35	74	0
	Employers Pension FRS17 Adj	37	37	9	25.00	37	0
	Revenue Contribution to Capital	383	383	96	25.00	383	0
		494	494	121	24.45	494	0
Total HRA Surplus - Deficit	(5,133)	(5,133)	(3,938)	76.70	(5,863)	(729)	

This page is intentionally left blank

Subjective Analysis of YTD spend as at 30th June, 2012 Q1 12/13

	Latest Budget			Latest Budget			Latest Budget			Latest Budget			Latest Budget			Latest Budget			Latest Budget			Latest Budget		
	Actual	Actual	Var	Actual	Actual	Var	Actual	Actual	Var	Actual	Actual	Var	Actual	Actual	Var	Actual	Actual	Var	Actual	Actual	Var	Actual	Actual	Var
	Employees			Premises			Transport			Supplies & Services			External Income			Internal Income			Other			Total		
Policy Culture and Comms	161	164	3	1	2	1	1	0	(1)	199	130	(69)	(18)	(159)	(141)	0	0	0	0	0	0	344	137	(207)
Chief Executive	161	164	3	1	2	1	1	0	(1)	199	130	(69)	(18)	(159)	(141)	0	0	0	0	0	0	344	137	(207)
City Development	683	662	(21)	2	0	(2)	8	3	(5)	57	98	41	(482)	(453)	29	0	0	0	0	0	0	268	310	42
Housing	562	533	(29)	39	31	(8)	7	6	(1)	1,278	416	(862)	(1,164)	(417)	747	0	0	0	75	54	(21)	797	623	(174)
Corporate Property	283	279	(4)	598	651	53	7	7	0	28	115	87	(2,977)	(3,086)	(109)	0	0	0	92	92	0	(1,969)	(1,942)	27
City Regeneration	1,528	1,474	(54)	639	682	43	22	16	(6)	1,363	629	(734)	(4,623)	(3,956)	667	0	0	0	167	146	(21)	(904)	(1,009)	(105)
Environmental Development	529	674	145	6	10	4	14	9	(5)	78	109	31	(377)	(485)	(108)	(21)	(21)	0	0	0	0	229	296	67
Leisure & Parks	614	588	(26)	149	130	(19)	121	135	14	339	263	(76)	(491)	(383)	108	(34)	(6)	28	0	0	0	698	727	29
Direct Services	4,806	4,484	(322)	2,102	2,002	(100)	1,197	1,110	(87)	1,484	1,524	40	(2,996)	(3,200)	(204)	(6,068)	(5,890)	178	13	13	0	538	43	(495)
Community Development	430	428	(2)	51	54	3	7	5	(2)	564	590	26	(38)	(23)	15	0	0	0	0	0	0	1,014	1,054	40
Community Services	6,379	6,174	(205)	2,308	2,196	(112)	1,339	1,259	(80)	2,465	2,486	21	(3,902)	(4,091)	(189)	(6,123)	(5,917)	206	13	13	0	2,479	2,120	(359)
Transformation	0	47	47	0	0	0	0	0	0	0	68	68	0	0	0	0	0	0	94	0	(94)	94	115	21
Bus Improvement & Technology	375	413	38	0	0	0	0	1	1	464	451	(13)	(60)	(56)	4	0	0	0	0	0	0	779	809	30
Customer Services	896	984	88	14	16	2	2	1	(1)	120	82	(38)	(237)	(368)	(131)	0	0	0	0	0	0	795	715	(80)
Finance	452	429	(23)	0	0	0	1	1	0	169	138	(31)	(47)	(49)	(2)	0	0	0	0	0	0	575	519	(56)
Human Resources & Facilities	417	458	41	11	38	27	(17)	0	17	57	197	140	(168)	(93)	75	0	0	0	0	0	0	300	600	300
Law and Governance	594	667	73	13	23	10	2	(1)	(3)	76	77	1	(27)	(53)	(26)	0	0	0	0	0	0	658	713	55
Org Dev & Corp Services	2,734	2,998	264	38	77	39	(12)	2	14	886	1,013	127	(539)	(619)	(80)	0	0	0	94	0	(94)	3,201	3,471	270
Grand Total	10,802	10,810	8	2,986	2,957	(29)	1,350	1,277	(73)	4,913	4,258	(655)	(9,082)	(8,825)	257	(6,123)	(5,917)	206	274	159	(115)	5,120	4,719	(401)

This page is intentionally left blank

EXTRACT FROM THE MINUTES

CITY EXECUTIVE BOARD

Wednesday 12 September 2012

18. PERIODIC REPORTING - FINANCE 2012/13

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

Scrutiny comments made earlier in the meeting were noted (minute 21 refers.)

Resolved:-

1. To note the forecast outturn for the General Fund Revenue Budget – Table 1;
2. To note the movement of resources from the Redundancy Cost Contingency to service budgets as per Para 31;
3. To note the HRA budget virements as detailed in Table 3;
4. That CEB recommends to Council the addition to the Capital Programme of the schemes detailed in Table 5.

This page is intentionally left blank

To: City Executive Board

Date: 12 September 2012 **Item No:**

Report of: Head of Corporate Assets

Title of Report: ASSET MANAGEMENT PLAN 2011-14 – CONSULTATION
OUTCOME

Summary and Recommendations

Purpose of report: To obtain approval by CEB for the adoption of the Asset Management Plan 2011-14, following the release of the Consultation Draft which closed on the 31 July 2012.

Key decision: Yes

Executive lead member: Councillor Ed Turner

Report approved by: David Edwards

Finance: Nigel Kennedy

Legal: Lindsay Kane

Policy Framework: Linked to all Corporate Priorities

Recommendation(s): The Member is asked to:

1. Approve the Asset Management Plan 2011-14 for adoption by Council.

Asset Management Plan 2011-14 – Consultation Draft

- 1.1 The new Asset Management Plan (AMP), when adopted will supersede the existing plan, which was approved by the Council in January 2010.
- 1.2 The main purpose of this plan is to set out the Council's objectives, priorities, programme and performance for its land and buildings. It also:
 - provides a clear statement of direction for other external stakeholders;
 - identifies to the public the way the Council will deal with its land and buildings in the short and medium term.
- 1.3 The Consultation Draft of the AMP has been released through the e-consult platform on the Council website, in addition it has been sent to Executive Officers, Heads of Service, together with external partners including the County Council, PCT, Police, NHS, and Oxford Universities/Colleges. There have been no substantive comments received from any of the consultees, therefore it is not proposed that any material changes are made to the plan prior to adoption.
- 1.4 The draft version of the AMP 2011-14 has been examined by Value and Performance Scrutiny Committee (VAPSC) and their comments have been considered and incorporated into the Consultation Draft where these are consistent with the document and the purpose thereof.

Legal implications

- 2.1 There are no direct legal implications arising out of this report at the present time.

Financial Implications;

- 3.1 The Financial Implications of the Asset Management Plan have been included in the Councils Capital Programme and Housing Business Plan. For next financial year , 2012/13 the capital programme is in the order of £25million and for future years, this will rise substantially to include new build housing, financed from HRA revenue resources released from the new Self Financing regime.

Environmental implications

- 4.1 The AMP reiterates the Council's policies on environmental matters and relates them specifically to property.

Equalities impact

- 5.1 Each project in the action plan of the AMP will specifically address equality issues. Consideration of the need for Impact Assessment will be made at the appropriate time.
- 5.2 The AMP has policy guidelines on equalities generally as far as they impact on property.

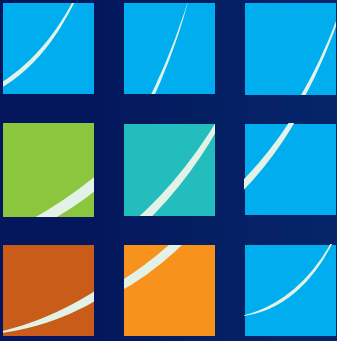
Risks

10. Not having an up to date AMP will impact on the Council's ability to effectively manage its property assets as a Corporate Resources
11. A detailed Risk Register has now been incorporated within the AMP which is appended to this report.

Appendices;

1. Asset Management Plan 2011-14
2. Appendices

Name and contact details of author: Richard Hawkes 252124
Email: rhawkes@oxford.gov.uk



Investing in our **Property Portfolio**

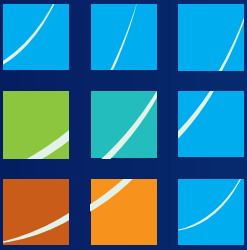
www.oxford.gov.uk



Asset Management Plan 2011-2014

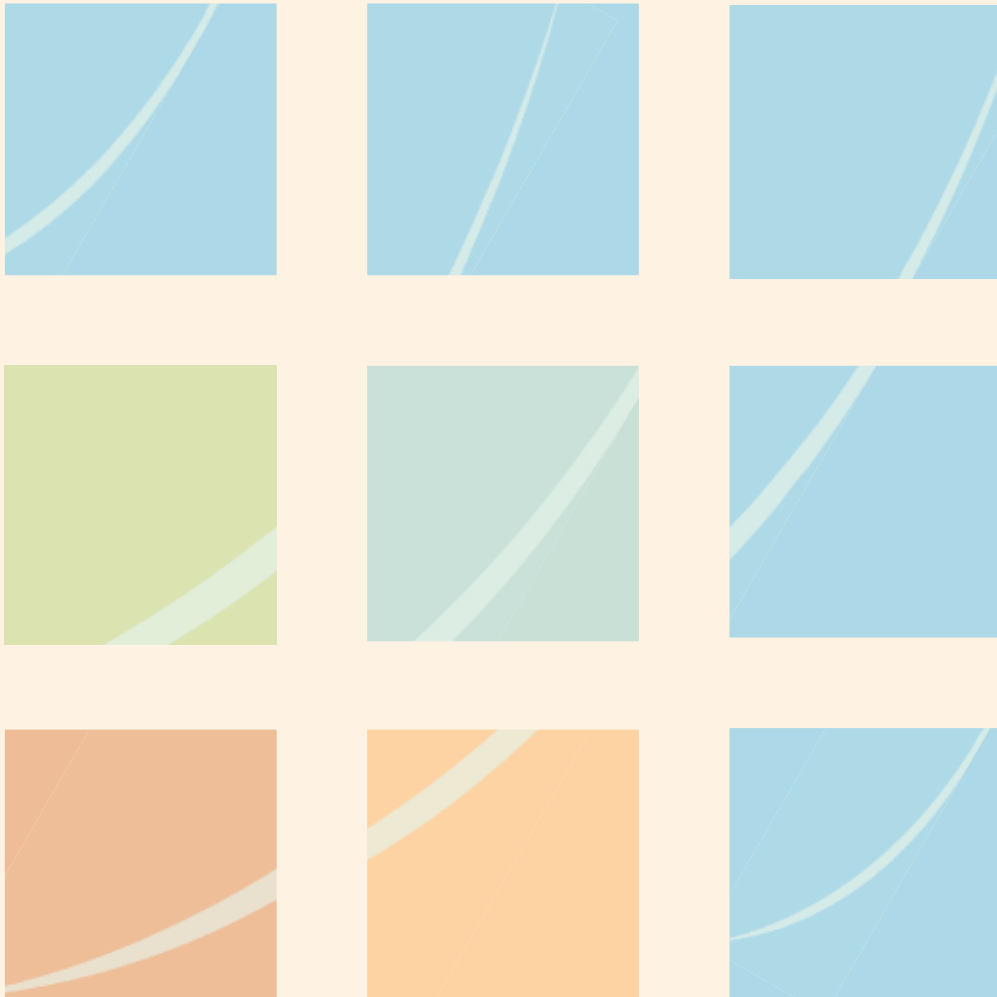


Building a world-class city for everyone



Investing in our
Property Portfolio

www.oxford.gov.uk





Oxford City Council Consultation Document

Asset Management Plan **2011–2014**

Contents

Foreword **5**

Introduction **6**

1 Review of 2009 Asset Management Plan **8**

2 Portfolio Objectives and Overview **11**

3 Performance Objectives **14**

4 Asset Strategy **19**

5 Organisational and Governance Structure **28**

6 Capital Programme **31**

7 Planned Maintenance Programme **33**

Appendices 35

Appendix 1 Annual Performance Measurement 2010/2011 **36**

Appendix 2 Action Plan 2011 to 2015 **43**

Appendix 3 Asset Management Protocols **44**

Appendix 4 Risk Register **52**



Investing in our
Property Portfolio

www.oxford.gov.uk





Foreword

Oxford City Council has had significant success in implementing the strategy outlined in the existing Asset Management Plan adopted in 2010. Notable achievements include:

- the reduction in city centre office occupancy by 43%
- the establishment of a fully funded Joint Venture vehicle to deliver housing at Barton
- the completion of the Old Fire Station development.

In addition, we have preserved and enhanced income from investment property and have maintained strong capital receipts momentum in difficult property and financial market conditions.

The Council understands the positive role that active asset management has on the built environment and the Council's ability to deliver first-class front-line services, and therefore we would like to build on the success of the existing plan.

Our new Asset Management Plan is for the period 2011-2014 and outlines the detail of a strategy which underpins the Council's corporate objectives and our aims to

- deliver better and more efficient use of our property and improvements in its condition
- bring forward major regeneration and housing schemes
- deliver improvements to our capital values, income stream and levels of return

Key measures of success will include commencement of delivery of the Barton housing scheme, promotion of the Westgate retail redevelopment and delivery of 112 affordable homes.

Steve Sprason
Head of Corporate Property



Introduction

This is the Oxford City Council's Asset Management Plan which supersedes the previous version, which was adopted by the Council in January 2010.

The plan covers all the Council's interests in land and buildings, and unlike previous versions, it includes the Housing Revenue Account properties (council social housing and related land and buildings) as well as General Fund properties (all other council land and buildings). The main purpose of this plan is to set out the Council's objectives, priorities, programme and performance for its land and buildings. It also:

- provides a clear statement of direction for other external stakeholders
- identifies to the public the way the Council will deal with its land and buildings in the short and medium term.

The Asset Management Plan is one of the Council's principal policy and performance documents which support the delivery of the Corporate Plan

The Asset Management Plan is arranged as follows:

Section 1 Review of previous Asset Management Plan 2009

Section 2 Portfolio Objectives and Overview: defines the Council's strategic objectives for property-asset ownership and management

Section 3 Performance Objectives: defines quantitative and qualitative measures, and targets to specify when these objectives are met.

Section 4 Asset Strategy: defines the strategy, policy and future actions on individual asset classes.

Section 5 Organisational and Governance Structure: this explains how we are going to deliver the strategy.

Section 6 Capital Programme: provides financial information on the allocation of capital across the Council within the four-year time horizon of the Asset Management Plan.

Section 7 Planned Maintenance Programme: provides detail on the rationale and proposals for investment in the assets to improve their performance.



The relationship of the Asset Management Plan to the other strategies and the Corporate Plan that informs it

Appendices

Appendix 1 Performance Measurement General Fund and Housing Revenue Account: this will be updated annually and will report performance of the property portfolio and management thereof.

Appendix 2 Action Plan 2011 to 2015: This will also be updated annually and will take account of changes to strategic priorities, or measures required to improve the performance of the portfolio, within the AMP period between 2011 and 2014.

Appendix 3 Asset Management Protocols: this will effectively be a series of procedure notes or policies as to how the portfolio will be managed. Any amendments to operating procedures will be made in this document as they occur within the AMP period.

Appendix 4 Risk Register: this will highlight risk and specify mitigation and risk control. This will also be updated annually in line with all appendices.



Section 1

1 Review of 2009 Asset Management Plan

1.1 What we said we would do

The previous 2009 Asset Management Plan (AMP) set out a number of key actions and milestones projecting forward from 2009/14. Our progress against these goals may be viewed below:

By the end of 2009/10

Target milestones set, 2009 AMP	Progress against target at Dec 2011
To have reduced our occupied office accommodation floor space by 10% from 2008/09 levels.	Vacation and demolition of Northway offices produced 12% savings in office accommodation by Dec 2009.
To have maintained income from investment properties at 2008/9 levels.	The income from investment properties in 2008/09 was £6.18m. Stripping out the effects of IFRS accounting (and changes associated with accounting for finance leases) the forecast income for the financial year 2011/12 is £6.3m.
To have completed the Property and Facilities Management Service reorganisation and recruited vacant posts.	Completed June 2009.
To have a proper system of corporate asset management in place and be managing property corporately.	Corporate Asset Management and Capital Board with agreed terms of reference set up February 2010. The committee continues to meet monthly to oversee asset management, operational property, capital planning and allocation.
To have implemented a new system of financial accounting for property.	Completed in part. Migration from Atrium system for repairs onto Uniform common platform enabling reconciliation between income and costs.
To have a clear property strategy for Blackbird Leys, cemeteries, council offices investment.	Blackbird Leys strategy – ongoing. Cemeteries – Update report presented to City Executive Board December 2011, further tests underway at the preferred site. Offices – Offices For The Future strategy agreed July 2010. Completion set for February 2012.



Investing in our Property Portfolio

By the end of 2010/11

Target milestones set, 2009 AMP

Progress against target at Dec 2011

Property, off-street car parks.	Ongoing
To have achieved a General Fund capital receipts target of £2m.	General Fund capital receipts: <ul style="list-style-type: none"> ■ £2.51m 2009/10 ■ £1.54m 2010/11 Total: £4.05m over the two year period.
To have decided on all the property aspects of Customer Services shops.	New Customer Service Outlet completed Sept 2011. Review of Templar Square Customer Services Centre underway November 2011.
To have a clear property strategy for Northway.	Conditional terms agreed on the redevelopment for housing and re-provision of a new purpose-built community centre.
To have a clear strategy for new affordable housing on housing estates.	Housing Revenue Account 30-year Business Plan to be presented to City Executive Board February 2012. Affordable Homes Programme to deliver up to 112 new homes forming part of the Business Plan.

By the end of 2013/14

Target milestones set, 2009 AMP

Progress against target at Dec 2011

To have decreased the maintenance backlog year on year from 2008/2009 levels	£7m Planned Preventative Maintenance programme agreed between 2011–2015: <ul style="list-style-type: none"> ■ Northway demolition removed £70,000 from back log; ■ Offices For The Future programme removed £1m from Maintenance back log; ■ Leisure substantive works have removed £2m from backlog
To have increased our income from investment properties by 2.5% in real terms compared to 2008/9 levels.	It is projected that at 2011/12 year end the income from investment properties will have increased by 1.8% in absolute terms. This is in the context of difficult trading conditions in the retail/leisure sector towards which the portfolio is heavily weighted.
To have reduced our occupied office accommodation floor space by 20% from 2008/09 levels.	On target for 43% reduction in city centre operational office accommodation by Feb 2012 due to the Office For The Future programme.
To have supported the advancement of the Oxpens redevelopment area with a view to commencing development in, say, 2015/16; to have concluded whether the Council's offices will, in due course, relocate there; and, to have determined whether this will be on the basis of shared space with our Partners.	The Offices For The Future strategy was to reduce city centre office buildings from four to two, retaining St Aldate's Chambers as the main office building in addition to the Town Hall. The progress of Oxpens development has not advanced due to the economic climate, however we continue to engage with key stakeholders and will consider utilising our land holdings in this area for the purpose of regeneration at the appropriate time.



Section 1

By the end of 2013/14 (continued)

Target milestones set, 2009 AMP

Progress against target at Dec 2011

To have appropriate community centres fit for purpose and in good condition.

Significant progress has been made in the redevelopment of Northway and Cowley community centres. An overarching strategy for remaining community centres is emerging and will be documented in the refreshed Asset Management Plan.

To have leisure centres fit for purpose and in good condition, both by improvement and rationalisation.

Partnership with Fusion is progressing well. The substantive repair programme has now had a visible impact on the quality of the leisure-centre offering. A second phase of improvements will be undertaken in 2012.

To have brought forward land at Barton (adjacent to the ring road) for housing development and if possible to implementation.

Joint Venture partner selected and Limited Liability Partnership incorporated as a delivery vehicle for development of the site over a five year period.

To have explored the possibilities for additional housing provision at South Oxford Urban Extension and taken them as far as possible, and if feasible, to the implementation stage (some of this is outside the Council's direct control).

On hold due to changes in planning legislation.

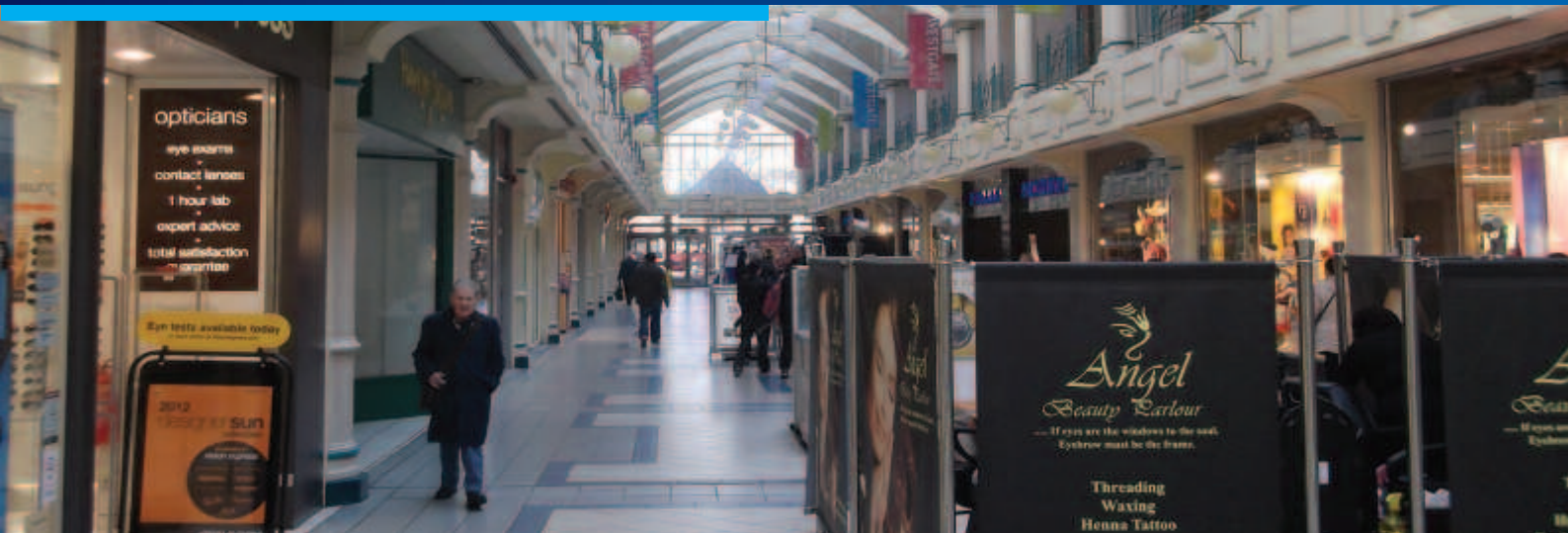
To have decreased the carbon footprint for the Council's operational buildings from 2008/9 levels.

On target for 28% reduction in carbon footprint by March 2012. This is as a result of technological investment, smart-metering and exit of operational buildings.

1.2 Further achievements

Further achievements across General Fund and Housing Revenue Account portfolios include the following:

- A favourable Report has been received from the Audit Commission on the Council's Property Asset Management in April 2010, showing significant improvement over the previous two years
- Major refurbishment of the Old Fire Station is now complete, which will provide community and cultural facilities
- A major programme of improvements to childrens' play spaces is almost complete
- Decent Homes Standard has been achieved across the portfolio at 31/12/2010
- Decommissioned sheltered schemes are being demolished and replaced in the programme (e.g. Alice Smith House) or have been redeveloped (e.g. Cardinal House and Lambourne Road)
- Redevelopment of defective 'Orlit' houses on Rose Hill is progressing and will be complete by end of 2011/12
- Participation in benchmarking is ongoing for housing services using House Mark for landlord services and Housing Quality Network for strategic housing services.



Section 2

2 Portfolio Objectives and Overview

2.1 Asset Management Objectives

The strategic objectives for our General Fund and Housing Revenue Account assets are as follows:

Objective 1 We want all of our property (General Fund and Housing Revenue Account) to support our corporate objectives in regeneration, housing, environmental, community and customer services

Objective 2 We want all of our property (General Fund and Housing Revenue Account) to be well-managed and efficient with, as appropriate, efficient running costs, efficient income generation and recovery and optimal utilisation, with value for money provided by our property services

Objective 3 In our Housing Revenue Account properties, we want to improve the quality of our dwellings, to add to our housing stock and improve the quality of life on our estates

Objective 4 Within the next three years we only want to own and/or occupy the minimum amount of operational property that is needed to fulfil the objectives of the services we provide and the corporate plan

Objective 5 We want our General Fund investment property to make the greatest possible financial contribution to the Council within the context of the Council's wider corporate plan and policies, good

estates management and good investment management, thereby protecting and, where possible, enhancing asset value

Objective 6 We shall work in partnership with other service providers/landowners where appropriate.

2.2 Portfolio Overview

The Council's assets are held in two portfolios: a General Fund and a Housing Revenue Account (HRA).

General Fund Overview

The portfolio comprises investment, commercial and community assets, totalling 659 assets by number and circa £193m by value as at 31 March 2011.

The main changes to the portfolio are as follows:

- In the year 2009/10 the number of assets has been reduced by five through disposals, and in 2010/11 by four through disposals, with no acquisitions in the period.
- Investment Property rental income has remained broadly static between the period 2009–2011.
- Notwithstanding disposals of £4.05m between 2009 and 2011, the overall capital value of the estate has increased by circa £23m, reflecting increases in market values.



Section 2

General fund assets value and income 2009–2011

	2009–2010		2010–2011	
	Value at 31.3.10	Rental income	Value at 31.3.11	Rental income
Investment assets	£78,670,000	£6,230,000	£89,430,000	£6,200,000
Other land and buildings (including operational assets (offices and depots))	£87,430,000	£334,000	£91,750,000	£397,000
Community assets	£92,000	0	£157,000	0
Infrastructure assets	£207,000	0	£207,000	0
Assets under construction	0	0	£899,000	0
Assets held for sale	£965,000	0	£8,350,000	0
Surplus assets	£2,250,000	0	£2,200,000	0
Total	£169,610,000	£6,560,000	£192,990,000	£6,590,000

Condition

All operational assets* are ranked in terms of condition and suitability for the purpose of strategic portfolio planning, and are categorised as follows:

Operational assets ranked by condition

Designation	Definition	Assets by floor area (m ²)	No. of Assets
A. Good	<p>Properties that will be required in the foreseeable future, which meet current and future defined requirements well and at acceptable cost.</p> <p>In these properties, over time, the Council will endeavour to:</p> <ul style="list-style-type: none"> ■ significantly reduce any maintenance backlog (and if possible eradicate it) ■ invest in effective planned maintenance and in making improvements. 	18,223	20
B. Satisfactory	<p>Properties that meet current and future defined requirements but where the costs are likely to be unacceptably high for long-term retention. These properties will be retained unless and until a better alternative is available.</p> <p>In these properties, over time, the Council will endeavour to:</p> <ul style="list-style-type: none"> ■ reduce any maintenance backlog, as appropriate ■ invest in effective planned maintenance. 	32,670	49
C. Poor	<p>Properties that do not meet future defined requirements but where the costs are acceptable for short-term retention. These may either be retained or moved to the 'surplus' category.</p> <p>In these properties, the Council will:</p> <ul style="list-style-type: none"> ■ maintain at minimum maintenance levels (i.e. health and safety/watertight/legislative/contractual requirements) 	31,955	21

* Excludes Car Parks, and Depots previously the responsibility of the Service area – these properties are being brought into the scope of Corporate Property and will be reported on in the annual performance management from 2012/13 onwards.



Operational assets ranked by condition (continued)

Designation	Definition	Assets by floor area m ²	No. of Assets
D. Bad	<p>Properties that will not be required in the future.</p> <p>If these properties are temporarily occupied, the Council will:</p> <ul style="list-style-type: none"> maintain at minimum maintenance levels (i.e. H&S / Watertight / Legislative / Contractual requirements) but only consistent with their expected occupied life. <p>When these properties are vacated, the Council will:</p> <ul style="list-style-type: none"> keep them secure and undertake minimum work on them to meet legal requirements and to preserve their value, if appropriate. 	0	0

This enables capital and revenue expenditure to be profiled and allocated accordingly. The Council's target is to achieve 50% in category A & B by December 2013. Performance against this aim will be measured annually and reported.

Housing Revenue Account (HRA)

Overview

The portfolio comprises the Council's social housing together with shops, garages and other associated assets. The total portfolio value (based on Existing Use Value) was £466m at 31 March 2011. The main changes to the portfolio are as follows:

- new housing stock has come into the portfolio due to developments at Cardinal Place (53 homes) and Lambourne Road (38 homes),

however this is offset by the closure of Eastern House (15 homes) and Alice Smith House (20 homes).

- housing income has increased in line with the rent convergence formula.
- income from estate shops has decreased by 10% following lease expiries and tenant defaults, which has been somewhat mitigated by the positive effects of rent reviews and lease renewals.

Housing Revenue Account fund assets value and income 2009–2011

	2009–2010		2010–2011	
	Value at 31.3.10	Rental income	Value at 31.3.11	Rental income
Housing stock (dwellings)	£556,260,000	£32,600,000	£466,000,000*	£34,350,000
Housing stock (hostels)	£2,040,000	£39,000	£2,040,000	£39,000
Estate shops	£4,230,000	£508,000	£4,250,000	£455,000
Miscellaneous	£5,260,000	£108,000	£2,960,000	£108,000
Garages and parking spaces	£8,860,000	£871,000	£10,220,000	£930,000
Total	£576,650,000	£34,126,000	£485,470,000	£35,882,000

* this reduction in value is largely attributed to the social housing discount factor published by Department of Communities and Local Government being reduced to 32% of market value ie 68% discount compared to the previous discount factor of 45% of market value i.e. 55% discount



Section 3

3 Performance Objectives

3.1 Asset Management Objectives

The six primary objectives set out in 2.1 for General Fund and Housing Revenue Account will be met and measured as detailed on the following two tables.

General fund primary objectives

Objective	Measures	Target
Objective 1 We want all of our property to support our corporate objectives.	1. Reduction in office footprint by 2% (assuming post Offices for the Future baseline)	<ul style="list-style-type: none"> ■ 2% reduction from 6243 m² by December 2012. ■ Overall target of 10 m² per full time employee by March 2014.
	2. Effective Planned Preventative Maintenance programme on General Fund assets, leading to an improvement in condition as measured by Chartered Institute of Public Finance and Accountancy benchmark	<ul style="list-style-type: none"> ■ 75% in category A and B within the life of this plan
	3. Reduction in carbon footprint in the portfolio against 2009 levels	<ul style="list-style-type: none"> ■ 28% (2,800 tonnes) by March 2012
	4. Efficient fit for purpose Community Centre portfolio, leading to an improvement in condition as measured by Chartered Institute of Public Finance and Accountancy benchmark	<ul style="list-style-type: none"> ■ 50% in category A and B by December 2013
	5. Use of assets to bring forward development/regeneration	<ul style="list-style-type: none"> ■ 1 major development/regeneration under contract by Dec 2013



General fund primary objectives (continued)

Objective	Measures	Target
<p>Objective 2</p> <p>We want all of our property to be well managed and efficient.</p>	<ol style="list-style-type: none"> Performance to exceed benchmark for collection, arrears, voids, rent increases Performance measurement of internal property service function 	<ul style="list-style-type: none"> Budget 2011/12: £6.3m per annum Arrears (>21 days): <7.5% 2012/13 and <5% 2013/14 2.5% rental growth through the life of the Asset Management Plan 4% per annum rate of return VOIDS < 12 months at individual asset level Corporate property costs of managing investment portfolio not to exceed equivalent benchmarked costs
<p>Objective 4</p> <p>Within the next three years, we want our General Fund operational property to be 'lean', that is, we only want to own and or occupy the minimum amount of operational property that is needed to fulfil the objectives of the services we provide.</p>	<ol style="list-style-type: none"> Office occupancy ratios should be in line with Chartered Institute of Public Finance and Accountancy benchmark or better Depot footprint reduced Community centres should be modern and fit for purpose 	<ul style="list-style-type: none"> 10 m² per full time employee or less to be achieved during the life of this plan Reduction of 50% by number and up to 18% by size within the life of this plan Revenue costs for community centres not to exceed 2011/12 levels, due to pro-active management, effective planned maintenance regime and, where appropriate, Community Asset Transfer
<p>Objective 5</p> <p>We want General Fund investment property to make the greatest possible financial contribution to the Council within the context of good estates management and good investment management, thereby protecting and where possible, enhancing, asset value.</p>	<ol style="list-style-type: none"> Income maintained at 2008/09 levels or above. Capital value maintained at 2010/11 level or above. Minimum level of return 	<ul style="list-style-type: none"> £6.18m + £89.43m + 4% per annum
<p>Objective 6</p> <p>We want to maximise synergies by working in partnership with other service providers/ landowners where appropriate.</p>	<ol style="list-style-type: none"> Informal joint ventures or formal local asset back vehicles established with partners 	<ul style="list-style-type: none"> Westgate: exchange of conditional contracts Barton Joint Venture established Northway and Cowley: exchange of conditional contracts.



Section 3

Housing Revenue Account primary objectives		
Objective	Measures	Target
<p>Objective 1 We want all of our property to support our corporate objectives.</p>	<ol style="list-style-type: none"> 1. New build social and affordable housing at Barton, Northway and Cowley 2. Effective Planned Preventative Maintenance programme, improvement in condition of housing stock 	<ul style="list-style-type: none"> ■ Conditional contracts exchanged by December 2013 ■ Capital and Revenue delivered on budget ■ Volume of replacement elements undertaken ■ Split between planned and re-active works 60/40 respectively
<p>Objective 2 We want all of our property to be well managed and efficient.</p>	<ol style="list-style-type: none"> 1. Performance to exceed benchmark for collection, arrears, voids 2. Performance measurement of internal property service function 	<ul style="list-style-type: none"> ■ Rental Income: £35m per annum ■ Arrears: <2% ■ Voids: 21 days ■ Corporate property re-charge not to exceed equivalent benchmarked costs
<p>Objective 3 In HRA properties, we want to improve the quality of our dwellings, to add to our housing stock, and improve the quality of life on our estates.</p>	<ol style="list-style-type: none"> 1. Effective Planned Preventative Maintenance programme, leading to an improvement in condition of housing stock 2. Homes and Communities Agency Affordable Homes programme 	<ul style="list-style-type: none"> ■ Capital and revenue delivered on budget ■ Volume of replacement elements undertaken ■ Split between planned and re-active works 60/40 respectively ■ 112 affordable homes by 2015
<p>Objective 6 We want to maximise synergies by working in partnership with other service providers/landowners where appropriate.</p>	<ol style="list-style-type: none"> 1. Informal joint ventures or formal local asset back vehicles established with partners 	<ul style="list-style-type: none"> ■ Barton Joint Venture established ■ Northway and Cowley exchange of conditional contracts

3.2 Supplemental Policy Objectives

These may be additional specific objectives or priorities that may be applicable to land and building assets and should be fed into to overall asset management strategy. They are summarised below:

a. Carbon Management and Sustainability

As a general principle the Council will aim to manage its assets in order to minimise carbon emissions. Accordingly, the Council will utilise land and buildings

assets to help achieve the following Corporate targets:

- To implement measures to reduce the Council's carbon footprint by 28% (2,800 tonnes) by March 2012, compared to 2005/06, and 5% (300 tonnes) year on year thereafter
- To comply with all carbon and energy related legislation and reporting including Carbon Reduction Commitment Energy Efficiency Scheme, Display Energy Certificates, and use compliance to drive improvements in the way we use and manage resources



- To facilitate progress towards the Council-adopted 40% carbon reduction target for the City of Oxford as a whole, by 2020, compared to 05/06
- To implement, on a large scale, renewable technologies to generate electricity – such as photovoltaics – on our operational and domestic properties, taking advantage of the government fiscal instrument (Feed-In Tariff) for investment return and carbon reduction
- To implement appropriate renewable technologies to generate heat – such as biomass boilers – in our operational and domestic properties, taking advantage of the government fiscal instrument (Renewable Heat Incentive) for investment return and carbon reduction
- By 2020 to make Oxford a low-carbon city with a low-carbon economy
- Aim for all new buildings to be BREEAM ‘Excellent’ and where this is not possible they should be a minimum of ‘Very Good’.

b. Community Groups and Asset Transfer

The Council is supportive of the content the ‘Quirk Report’ (Department for Communities and Local Government 2007) and the government’s response ‘Opening the Transfer Window’ (Department for Communities and Local Government 2007), which sets out the principles of Community Asset Transfer. The Council considers that this will be mainly relevant to its Community Centres and Pavilions and therefore the strategy for these asset classes will have due regard to these principles.

c. Property Subsidisation

The Council is empowered, in certain circumstances, to grant interests in property at less than best consideration. However, this often disguises the actual costs of property in any particular project. From 2010/2011 onwards, the Council has moved to a system of charging full rental value in all cases. This will make the service costs of the Council’s property transparent. Any other arrangements will be by exception and subject to the Council’s express approval through its executive board.

d. Equalities

The Council has an Equalities Action Plan and it will ensure that all actions taken under the AMP support

this action plan. In the delivery of the projects we will ensure that Equality Impact Assessments are undertaken as necessary.

The Council will continue its work on access to public buildings Disability Discrimination Act. All of our buildings have now had accessibility surveys and have accessibility plans in place. Wherever appropriate the Council will also support equalities initiatives in property management and construction.

d. Heritage and Environment

The Council has significant land and building holdings in key parts of the city centre and elsewhere in the city. In some cases this property not only supports the Council in delivering its services or supporting its budgets but also, incidentally, it contributes to the historic and/or environmental fabric of the city. In managing and reviewing its property holdings the Council will be mindful of this, and where it considers that the historic or environmental fabric of the city may be prejudiced unless it continues its ownership, it will retain ownership.

3.3 Benchmarked Performance Measurement

The results of benchmarking the performance of the Council’s assets are fed into the overall strategy, with all actions that are required to improve the overall performance of the portfolios considered.

General Fund

The General Fund comprises the Council’s operational, community, commercial and investment assets. The performance measurement is assessed using Chartered Institute of Public Finance and Accountancy National Property Performance Management Initiative data (2008/9) for comparison. Because the Councils’ portfolio contains a diverse range of property types, comparisons between aggregate portfolio averages can only be a general guide. The Council aims to be in the top quartile of the National Average Benchmark. In summary, the Council’s current performance is as follows:

Above National Average Benchmark

- Higher proportion of assets in good/satisfactory repair
- Lower proportion of assets in urgent need of repair



Section 3

- Lower average energy consumption (per m²)
- Lower carbon emissions (per m²)
- All properties with access plans

Below National Average Benchmark

- Higher proportion of reactive maintenance vs planned maintenance
- Higher average energy cost (per m²)
- Water consumption and cost above average (per m²)

Housing Revenue Account

Various quantitative and qualitative measures are reported on monthly and annually against our own performance- target benchmark. The measures, targets and performance statistics are monitored by the Housing Landlord Services Board, and any actions required to improve performance of the assets are fed into the Asset Management Action

Plan. Based on our current performance measurement system of the Housing Revenue Account, the following areas are currently running below our target benchmark:

- Percentage cash collected, excluding Housing Benefit
- Cash value of arrears
- Proportion of rents collected
- Environment Improvement budget spend (£70,000)
- Evictions attended / percentage requested to
- Budget spent on profile
- Mutual exchanges / assessed within target

Full details of the performance of the General Fund and Housing Revenue Account portfolios may be viewed in Appendix 1; these statistics will be refreshed annually and fed into the annual Action Plan in Appendix 2.

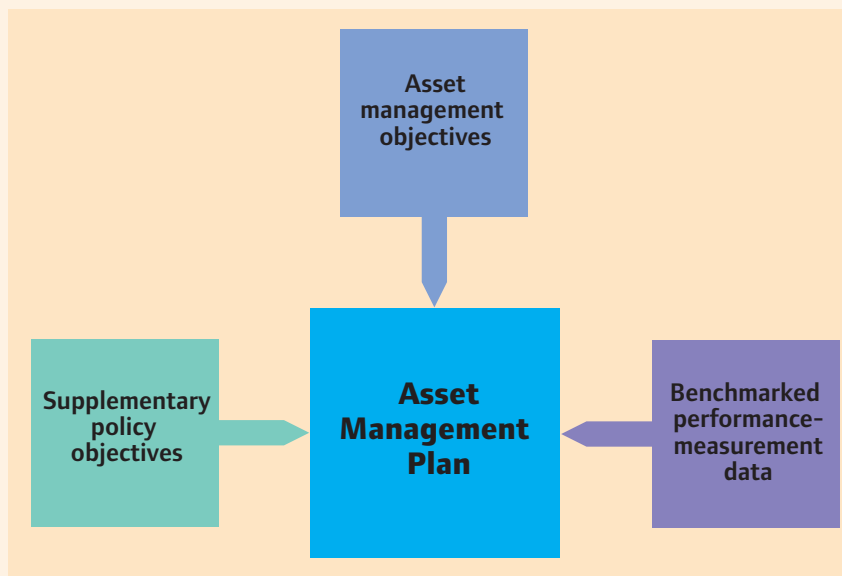




Section 4

4 Asset Strategy

Having set the overall strategy for the Council's assets aligned to the Council's priorities, these principles are then distilled down to individual asset classes.



**Elements
contributing to
Asset Management
Plan**

Our General Fund and Housing Revenue Account assets are summarised into the following classes:

- Agricultural
- The Covered Market
- Investment properties
- Allotments
- Depots
- Leisure assets, parks and open spaces
- Car parks
- Development and regeneration
- Sheltered housing
- Cemeteries
- Estate shops
- Tower blocks
- Community centres
- Garages
- Council offices
- Housing stock



Section 4

4.1 Agricultural Properties

The portfolio consists of circa 936 acres of agricultural land, incorporating four farms, long-term leased farmland, short-term grazing land, seasonal lettings, and vacant land.

In addition the Council holds approximately 1000 acres of countryside property comprising meadow land, nature parks and reserves, woodland, country parks and other countryside amenity land.

Agricultural land held by the Council is held for two main reasons: as a property investment; or in some cases as a potential 'land bank' particularly where opportunities arise to develop land for housing purposes.

There are number of sites in the Council's ownership that may offer strong potential for long-term residential development. These areas should be retained and promoted, which would result in a substantial uplift in value. Some smaller sites appear to have potential in the short term and will be investigated as opportunities become apparent.

There is considerable variation in rent for areas let as Farm Business Tenancies or for horse grazing. These should be standardised where they are inconsistent.

A number of sites are surplus to requirements and do not appear to meet the Council's aims. The Council will review whether these sites are appropriate for disposal.

Countryside properties are held by the Council largely as public assets for the benefit of the community alongside the protection of sites of scientific interest, conservation/ preservation of wildlife, natural habitat and flora and fauna of the area. The Council will seek to manage such sites effectively and efficiently.

Actions

- Alignment of rents across the portfolio for Farm Business Tenancies and Horse Grazing etc
- Review of any sites that do not meet the Council's objectives to establish if they are appropriate for disposal.

4.2 Allotments

The portfolio consists of 29 open allotments sites of which 27 are held freehold and two are leased in by the Council.

There is a waiting list for new allotment plots. However in accordance with the Green Spaces Strategy 2012–26, vacant plots on current sites will be cleared to reduce this waiting list, rather than investing further in allotment space, other than urgent improvement and repair works.

Actions

- The Council will retain allotment sites and will pick up issues on specific sites in its programme of area reviews, or if they are pressing, as they arise.
- All opportunities to revise fees and charges will be considered in line with the national average position, and supply and demand will be balanced
- The Council is committed to its existing portfolio of allotments and in accordance with the Green Spaces Strategy, the Council will continue to provide at least one plot per 125 head of population.

4.3 Car parks

The portfolio consists of 16 car parks, made up of three Park and Rides, two multi-storey, one underground and 10 surface car parks (excluding Parks car parking). The total spaces provided are circa 4,798 spaces which produce a gross revenue income of around £7.1m per annum

With effect from 1 October 2011, the operation of the Park and Rides at Redbridge, Sea Court and Pear Tree were transferred back to Oxford City Council.

Accordingly, all opportunities for improving these car parks are currently being considered, including the provision of improved waiting facilities and W.C.s where permitted, and all commercial opportunities will be fully explored.

The Council will continue to invest in both its city-centre and non-city-centre car parks, to support the retail offering and commercial interests of the city, and provide amenities for its citizens, visitors and tourists.

Where there are potential commercial opportunities within the portfolio (as in the case of St Clements car park), it will explore these opportunities in pursuit of its corporate priorities for housing and regeneration, provided that this is consistent with the broader objectives for the car park portfolio.

The redevelopment of the Westgate shopping centre will require both the Westgate multi-storey and Abbey Place surface car parks to be disposed of to facilitate



the development. Negotiations continue on this and commercial terms are expected to be concluded in 2012/13.

Actions

- Improvement of Park and Ride facilities
- Investment in city-centre and non-city-centre car parks to preserve and improve the quality
- Consideration of all commercial opportunities to advance the Council's corporate priorities.

4.4 Cemeteries

The portfolio consists of four cemeteries: Botley, Headington, Rosehill, and Wolvercote. Of these only Wolvercote and Botley are open to new burials, and are predicted to be closed to new burials between 2018–21 and 2021–24 respectively.

The Council will make available adequate site provisions for cemetery space for the foreseeable future. In doing so it will review its current policies for grave re-use and fees to protect its ability to continue to make provision of this service. A review of potential sites was conducted throughout 2010/11 and a shortlist of four sites was selected for detailed geological surveys.

Action

- The survey results were presented in late 2011 and recommendations will be made for taking forward the project in 2012.

4.5 Community Centres

The portfolio consists of 19 Community Centres across the city with an existing use value of about £12.41m at 31 March 2011.

We have made progress in 2011 on the existing Northway centre and the former community centre site at Cowley, where the Council is close to securing a redevelopment which will see much needed new affordable housing and fit-for-purpose community centres at both sites. The Council will continue to undertake feasibility studies across the portfolio to explore the possibilities of improving the community centres, whilst also contributing to other corporate priorities.

The Localism Act 2011 gives communities the freedom to run their own affairs in their own way by enacting a series of specific rights that can be

exercised on the initiative of local people. Specifically 'Community right to bid' gives the power to save assets of community value threatened with closure, by allowing communities to bid for ownership and management of them.

The Council will establish occupational leases with community groups to formalise responsibilities. These leases will be between one and three years, but will not guarantee future security of tenure. The Council will consider granting Community Associations long-leasehold interests (or asset transfers) where the following criteria are met:

- The building is in repair and unlikely to have any major defects during the life of the lease granted
- The Community Association is significantly on the way to achieving VISIBLE or an equivalent accreditation recognised by the Council
- There is no realistic prospect of the building being redeveloped in the medium to long term.

Action

- The Council will consult with Community Associations in its assessment and application of the above criteria to individual centres.

4.6 Council offices

The portfolio consists of leased property (with an annual rental of £416,000 per annum) and freeholds with a value of approximately £17m. Following the successful implementation of the Offices For The Future programme (March 2012), the office portfolio comprises 6,243 m² (including Horspath Road):

- Town Hall
- St Aldate's Chambers
- Bury Knowle House
- Horspath depot

The average occupancy level and costs (post-Offices For The Future implementation) are summarised in the table on page 22.

The Council aims to reduce its occupancy ratios to circa 10 m² per full time employee overall, and through the use of modern working protocols, following the completion of the Offices for the Future programme, aims to reduce further the office space it occupies by a further 2% (128 m²) before the end of 2012. It is the Council's aim for a medium term target of 10 m² per full time employee, this will be largely achieved as part of



Section 4

Council offices: average occupancy level and costs

Building	Size (m ²)	Running cost (£ : 2011/12 budget)	Value fixed asset Register (31.3.2009)	Occupancy ratio (m ² /Full-time employee)
St Aldate's Chambers	2,687	607,891	Nil	6.55
Town Hall (Offices)	1,351	129,000	£13,700,000 (total)	12.53
Bury Knowle House	128	45,818	£135,000	7.53
Horspath	2,077	Not split	£3,400,000	26.9
Total	6,243	£783,000	£17,230,000	13.37 (average)

the depot rationalisation project, within the period of the Asset Management Plan.

The Council aims to increase the efficient use of the Oxford Town Hall, and generate further net revenues. Several proposals are currently being considered which will involve significant capital expenditure on the Oxford Town Hall in order to generate more income-producing events and external lettings. A business plan is currently being developed to explore and assess all such proposals.

Actions

- Implementation of Office for the Future delivery programme
- Further rationalisation of non city centre offices and depot ancillary offices
- Town Hall business plan and programme.

4.7 The Covered Market

The market consists of 57 units with a total trading floor space of about 2,323 m², producing a gross rental income at March 2012 of £920,000 per annum

The Covered Market is one of the most important assets within the Council's investment property portfolio. Despite its notional high value in property investment terms, the Council is committed to maintaining ownership of this asset in perpetuity because of its historic and future significance to the wider city community and its contribution to the offering for tourists and other visitors.

The Council has an adopted leasing strategy for the market, which provides a framework for regulating both the tenant mix and physical configuration of the market. This is its primary asset management tool for ensuring the future commercial success and vibrancy

of the market. The Council will continue to apply this document to all future leasing decisions and applications for change of use.

The Council has recently embarked on a new 'visioning' initiative with the Market Traders Association and other key stakeholders to develop a sustainable business plan to preserve and enhance this specialist asset into the future. This work is underway and will continue throughout 2012/13.

A significant proportion of leases within the market are aligned in terms of rent review dates; these leases have the next rent review due in March 2012, negotiations on which will commence close to the review date.

Cleaning, caretaking and security services for the market are undertaken by Oxford Direct Services on behalf of the Council. Whilst this historic arrangement has proved to be effective there is a desire to formalise this arrangement further by the agreement of a Service Level Agreement. This will be developed and consulted on with stakeholders in 2012/13.

In addition, various capital improvement works are planned for the market in 2012/13; these will be consulted on with all the market stakeholders prior to implementation.

Actions

- Ongoing implementation of the Leasing Strategy
- 'Visioning' initiative underway with stakeholders
- Rent review 2012/13
- Development and agreement of SLA for cleaning, caretaking and security with Direct Services
- Capital improvement works programmed for 2012.



4.8 Depots

The portfolio consists of 11 depots throughout the city, of which there are three main depots, six parks/ ancillary depots, and two depots that have been formally designated as surplus, and will be disposed of in due course. The portfolio value is around £4m (Existing Use Value) and the retained portfolio consists of approximately 11,000 m² of accommodation.

The Council has undertaken a review of its depot portfolio during 2010/11. Phase 1 of the Depot Review recommended that the six parks depots could be reduced to three, effectively creating a 'Northern Hub' (Cutteslowe Park) and 'Southern Hub' (Florence Park) with an ancillary depot being retained at Horspath Sports Ground. The three other depots were subsequently designated as surplus (although only two have been vacated to date) and Corporate Assets have subsequently been working-up planning permissions for alternative use on these surplus assets prior to disposal.

A number of works will be required on the retained sites to improve the standard of accommodation and staff welfare facilities, which will be implemented in 2012 as part of the Capital programme.

The Depot Review will be progressed further through 2012/13 with business case and options appraisal for consolidation of main depots of Cowley Marsh and Horspath Road together with further due diligence and feasibility work as necessary as matters progress.

Actions

- Capital works to be progressed in 2012 for retained depot sites

- Disposals of surplus depot sites
- Development of a business case for a consolidation of Cowley Marsh and Horspath Road main depots.

4.9 Development and Regeneration Assets

There are sites where the Council's land ownership can unlock the delivery of corporate priorities. The following sites are currently being promoted for redevelopment, which is likely to commence during the 2011/13 Asset Management Plan period:

- **Barton:** housing-led redevelopment to be delivered through a public and private Joint Venture vehicle between 2015 and 2020
- **Northway:** housing and community facilities to be delivered through private-sector development between 2012 and 2014
- **Cowley:** housing and community facilities to be delivered through private-sector development between 2012 and 2014.

The following site is currently being promoted and in the early stages of negotiation:

- Westgate Shopping Centre – city-centre retail and leisure extension and redevelopment to the existing shopping centre.

The following areas are considered to have medium to long-term redevelopment potential:

- Blackbird Leys – regeneration of central and public realm areas and provision of much needed affordable housing



Section 4

- Oxpens – commercial and residential mixed use regeneration project at the edge of the city.

Actions

- Completion of development agreement for Barton in 2011
- Start on sites for Northway and Cowley in 2012
- Completion of development agreement for Westgate in early 2012
- Blackbird Leys regeneration strategy commissioned in late 2011
- Oxpens commissioning of Supplementary Planning Guidance by Local Planning Authority 2012/13.

4.10 Leisure assets, parks and open spaces

The portfolio consists of nine assets, including five swimming pools, one ice rink, and four leisure centres. Together the portfolio consists of circa 15,800 m² of space, with a total value (Existing Use Value) of approximately £20m.

The Council is currently three years into a ten-year partnership with Fusion Leisure, who lease the leisure facilities and deliver services. The partnership delivers a saving of just under £7m over the life of the contract. This will involve further capital works to improve the assets – recommendations for which were brought forward and approved in late 2011.

The Council intends to review the future of the existing swimming pools at Blackbird Leys and Temple Cowley which have reached the end of their useful life alongside proposals to construct a new competition standard pool adjoining Blackbird Leys Leisure Centre a project for which funding is in situ.

The Council has reviewed its pavilions stock within the 2012–26 ‘Playing Pitch Strategy’. The existing buildings, in the main, are of a very low standard, with a very significant maintenance backlog. The Council will aim to improve the quality of these facilities over a phased period. In tandem with this it will continue to explore all opportunities for working with partners to assist in this improvement programme, to make the facilities sustainable over the long term.

Actions

- A second phase of leisure improvement works to be commenced in 2012 as per approved plan
- Pavilion scoping to be in place by the second quarter of 2012.

4.11 Housing stock

The portfolio consists of about 7,770 dwellings, producing a rent of £34m, and a capital value of £466m.

The housing stock is now compliant with the Decent Homes Standard (save for any homes where tenants have refused these works being done); this will be maintained in line with the Council’s legal and statutory duty going forward.

The principal planning tool for the housing stock portfolio will be the 30-year Housing Revenue Account business plan, which will develop a rolling annual programme of planned maintenance and building improvements across the portfolio. This business plan will consist of both a basic work programme of planned maintenance, together with strategic planning for life-expired assets, and opportunities for new-build and value- and revenue-generating opportunities.

This business plan will also act as a capital-planning tool over the time horizon and will aim to eliminate any shortfalls in funding by efficient planning of capital receipts and prudential borrowing where applicable.

Actions

- The draft business plan will be produced by February 2012 and took effect in April 2012 in accordance with the proposed Housing Revenue Account reforms due to take effect
- The Council has prepared itself for the introduction of the proposed Housing Revenue Account reforms by the appointment of a project team, which will consist of internal and external resources. The team will report in to the Housing Landlord Services Board.

4.12 Estate shops

The portfolio consists of 60 shops which are situated within or close to housing estates. These produce £455,000 in income and are currently valued at £4.25m.



The Council will continue to support the provision of community local retail facilities through its estate shops. These shops will be managed in accordance with the Council's Asset Management Protocols (see appendices) and will be on commercial terms at market rental values. The Council will seek to promote an appropriate tenant mix in each parade to promote viable businesses and provide appropriate facilities to the community that they serve.

Actions

- Implementation of lease renewals and rent reviews as they arise in order to protect income, mitigate risk, and promote a healthy retail offering for the local community.

4.13 Garages

The portfolio consists of circa 2,330 garages and car spaces producing an income of £930,000 and currently valued at £10.22m (Existing Use Value). The garages are let to council-house tenants, private individuals, and businesses.

The Council will continue to provide essential garage and car-parking spaces for the benefit of its council house tenants. However it is considered that there may be opportunities to introduce a more commercial approach to the letting of garages and car spaces. This may involve the alignment of rents with prevailing market levels for non-housing tenants.

There may also be opportunities to redevelop garage sites for new housing projects. All such opportunities will be explored and considered as part of the strategic analysis of the portfolio. All opportunities for re-provision of spaces will be considered where

appropriate, however in certain instances the Council may favour its corporate priority of the development of affordable housing without the re-provision of garages and car spaces.

Actions

- A review of rents charged and alignment of rents charged to non council tenants with the prevailing market levels
- A review of garage sites to promote opportunities for new-build, much needed, housing provision within the city.

4.14 Sheltered housing

The portfolio consists of ten operational complexes, with a further two complexes that are being used for temporary homeless accommodation. The operational portfolio consists of 306 units with a total value (Existing Use Value – Social Housing) of approximately £12.5m.

The strategy currently underway is to rationalise a number of existing blocks in order to generate capital receipts to fund Decent Homes works, and to redevelop and increase the density of housing on a number of the retained sites. A number of feasibility studies will inform the nature, timing and sequence of the re-developments, however the strategy is being considered in the context of the Housing Revenue Account reform programme and will be aligned to the 30-year Business Plan and the overall capital funding of the portfolio. Pending this decision to move forward, a number of blocks will be utilised for temporary homeless accommodation.



Section 4

Actions

- Alignment of existing strategy with Housing Revenue Account 30-year Business Plan.

4.15 Tower blocks

The portfolio consists of five blocks, providing a total of 298 units (excluding units sold off under Right to Buy) with a portfolio value (Existing Use Value – Social Housing) of around £8.75m.

Several studies have been commissioned to inform the future strategy for the Council's Tower Blocks. It is clear that there are certain technical building features common to most of the blocks that will require investment in order to prolong the life of the assets, and improve the quality of the accommodation for tenants and leaseholders. The Council remains committed to the future of these assets and will invest in them to improve the quality of accommodation for

our tenants and leaseholders. A full programme of investment will be aligned to the Housing Revenue Account 30-year Business Plan and all proposals will be fully consulted on prior to the implementation of any improvement works.

Actions

- A proposed tower block investment programme is part of the Housing Revenue Account 30-year Business Plan.

4.16 Investment properties

The portfolio is made up of all properties that are let on 'arms length' commercially negotiated leases or licenses, which are held for the purpose of income or capital gain. The portfolio consists of some 180 assets which produce an annual rental income of £6.2m, and have a capital value of £89.43m at 31 March 2011 (Market Value/Fair Value)

Asset management categorisation

	Institutional investment assets	Socio-economic investment assets
For the purpose of devising its asset strategy, rather than for IFRS financial accounting purposes, the Council will divide its Investment assets into the following categories	<p>These assets are held and managed primarily for financial return.</p> <p>The overarching Investment Strategy for this category of asset is to generate and preserve an 'institutional grade' of investment return, with low risk profile and long unexpired lease terms.</p>	<p>These assets may be held for financial return, but this is incidental to the primary rationale for enduring ownership, which is for the wider socio-economic benefit. This category may also include regeneration and development assets, which are held by the Council to secure specific city regeneration and corporate objectives. Such assets may have a varied maturity profile which extends through the short/medium and long term development cycle. These assets are required to have a detailed strategy formulated and proven for retention, together with a short/medium term strategy for income and capital enhancement.</p>

Principles for disposal

	Institutional investment assets	Socio-economic investment assets
Assets will only be considered for disposal if the following lists in each category applies	<p>The income from the site is below what could be achieved from:</p> <ul style="list-style-type: none"> ■ An alternative/more intensive use ■ Investment of the capital receipt (i.e. the property is uneconomically let) ■ There is no potential to re-gear, or otherwise manage the lease in a more economically advantageous way. 	<p>If all three of the following statements can be applied to the asset:</p> <ul style="list-style-type: none"> ■ It no longer makes a positive contribution to the current delivery of Council services ■ It has no potential for future strategic regeneration and/or redevelopment purposes in pursuit of the Corporate Plan aims and objectives ■ An alternative site can provide a more cost-effective and/or efficient point of service delivery.



Investment criteria for Institutional and Socio-economic assets

	Value added assets	Opportunistic assets
Both institutional and socio-economic grade investment property assets may subsequently fall into one or the following sub-categories	Assets held by the Council which produce 'core' returns, however through active asset management techniques, may be capable of generating additional income or capital returns for a given level of risk – examples of such techniques would include lease re-gearing, refurbishment and re-letting opportunities.	Assets held by the Council which require significant redevelopment works or re-positioning to maximise income and or capital value. This grade of asset has a high risk/return profile.
Risk/return policies for each category	Within a given level of risk and capital commitment, the Council is prepared to invest in such projects subject to detailed analysis and preparation of a Business Case. The primary objective should be to mitigate the risk; however the principle of use of capital resources to improve the revenue position is endorsed, albeit in line with the wider Council Treasury Management Strategy. Any investment decision would meet target hurdle rates of return appraised using discounted cash flow/internal rates of return methodology.	These assets are by their very nature likely to be of a significant scale in both capital, revenue and risk terms, and would be unsuitable for the Council to deliver alone. In such cases the Council will seek to mitigate risk by the introduction of joint venture partners, and will consider a range of delivery options (Local Asset Backed Vehicles etc).

Principles for acquisition of Institutional and Socio-economic assets

Assets in either category may only be considered for acquisition if the following principles apply	<ul style="list-style-type: none"> ■ The acquisition of the interest has potential for future strategic regeneration and/or redevelopment purposes in pursuit of the Council's corporate objectives; ■ The investment in land and buildings is used as a part of a wider treasury management function for the allocation of capital to provide an investment/revenue return to support front line services. Any investment decision would meet target hurdle rates of return appraised using discounted cash flow/internal rates of return methodology.
---	---

The principles for their strategic management of the investment property portfolio are shown in the table below.

The overall portfolio strategy is to improve the rate of return on the portfolio, reduce portfolio risk, and enhance the quality of the portfolio by proactive tenant mix strategies.

Performance and risk of the portfolio will be measured in an annual report during the life of the Asset Management Plan, and fed into the annual action plan which will be developed for improvement in performance and mitigation of risk in the portfolio.

The management and administration of the portfolio will need to demonstrate value for money. A full

evaluation of data, systems and processes will continue to be undertaken. In the interest of maximising the rate of return on the portfolio, all options for management and administration of the portfolio will be evaluated.

Actions

- Classification of assets into institutional and socio-economic categories
- Annual performance and risk report to be produced
- Review of data, systems and processes and evaluation of options for management and administration of the portfolio.



Section 5

5 Organisational and Governance Structure

The Council has recognised the need to manage its property asset base corporately and has therefore established a structured approach with clear roles and responsibilities and clarity of accountability and control.

The diagram on page 29 shows the principles of this type of approach based on a diagram in the Royal Institution of Chartered Surveyors publication *Public Sector Asset Management Guidelines* (2011). This structure shows the following roles and functions:

- Responsibility for the day-to-day asset management function
- Operational departments' role in asset management
- The asset management corporate forum
- The asset champion
- The senior manager responsible for asset management
- Officer decision making
- Member decision making.

5.1 Responsibilities that apply in the Council

Responsibility for the asset management function

The Head of Corporate Property manages Oxford City Council's property corporately. All day-to-day decisions

regarding property or land and its occupation are his/her responsibility and the Head of Corporate Property takes the lead on strategic property matters. Service departments are responsible for the service activities within properties and on land, so long as they do not involve any change in property or land and its use, utilisation or occupancy.

The Corporate Asset Management and Capital Board, and operational departments' role in asset management

A Corporate Asset Management and Capital Board is responsible for major strategic decisions on the Council's General Fund and Housing Revenue Account. These are not day-to-day decisions but major decisions which consider the way the council deploys its property assets in furtherance of the its core strategic objectives. The Council's services are represented on this group. It is chaired by the Executive Director of Organisational Development and Corporate Services.

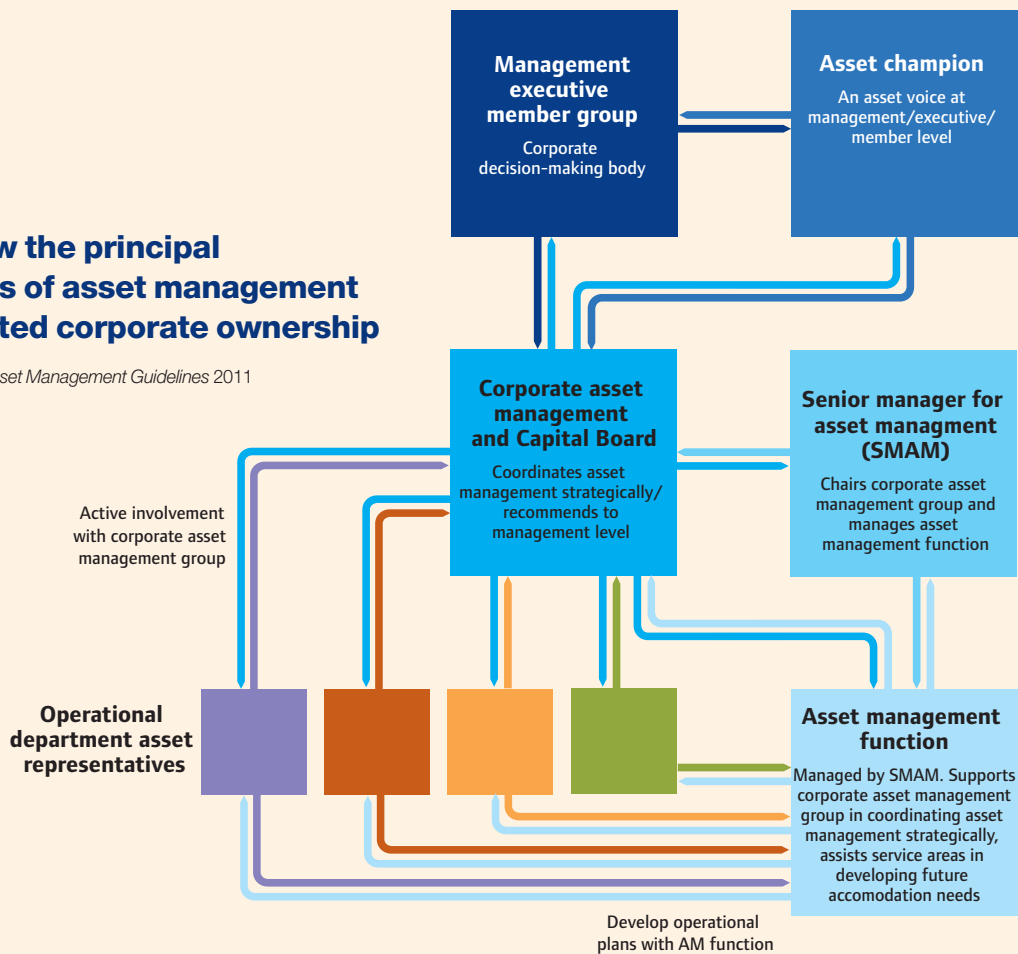
Asset champion

The City Executive Board Member responsible for Asset Management is the lead member of the Council specifically charged with pushing forward asset management initiatives and making sure that all major



Diagram to show the principal communications of asset management through integrated corporate ownership

Based on RICS Public Sector Asset Management Guidelines 2011



initiatives and projects are progressed on time, and that assets are managed and considered strategically and targets are met.

Senior manager for asset management

This role is a similar role to the Asset Champion but at senior officer level. This person will work closely with the Asset Champion and the Head of Corporate Property. The senior manager with responsibility for asset management is the Executive Director of Organisational Development and Corporate Services.

5.2 The Housing Revenue Account reform

In the light of the forthcoming Housing Revenue Account (HRA) reform and the Council's desire to transform the way in which HRA construction and property matters are dealt with, the 'Council 2012' initiative has reorganised responsibilities for construction and property matters for HRA

properties. In simple terms the current responsibilities for HRA assets are as follows.

The Head of Housing

Acts as the Housing Client with responsibility for housing strategy, housing capital programme, housing landlord function, neighbourhood renewal commissioning, HRA Business Plan development and implementation, commissioning housing maintenance programmes, tenant involvement and housing needs and homelessness.

Executive Director of Organisational Development and Corporate Services

General Fund (GF) and HRA financial planning and accounting (capital and revenue) and HRA reform.

Head of Corporate Property

Responsible for large scale housing estate regeneration projects and development of affordable housing and will support the development of HRA Business Plan in conjunction with the Head of Housing and Head of Oxford Direct Services.



Section 5

Head of Oxford Direct Services

The Head of Oxford Direct Services will be an internal contractor currently providing maintenance and home improvement services. It is important that there is complete transparency and good governance in contracting and as a contractor the Head of Oxford Direct Services will be careful not to be involved in policy making and decisions about tenders, due to a possible conflict of interest.

The City Executive Board Member for Housing

Elected member lead on housing strategy and implementation.

Housing Landlord Services Board

Is responsible for ensuring that the Council:

- Meets its obligations as a landlord
- Improves tenant satisfaction
- Meets the decent homes standard
- Develops the HRA business plan
- Monitors service standards and unit cost, providing an effective, efficient and responsive service to tenants.

Financial Planning

The forward housing financial plan and the annual housing budget will be prepared by the Head of Finance and the Head of Housing, supported by the Head of Corporate Property. The Head of Oxford Direct Services will provide data and information to the process as needed.

Budget Holders for Property Work

The Head of Housing will be the primary budget holder for all HRA expenditure. However the major construction, homes improvement and repairs and maintenance, capital and revenue budgets will be delegated by the Head of Housing to the Head of Corporate Property. The Head of Corporate Property will be responsible for these annual budgets and will procure major construction, homes improvement and repairs and maintenance works on the basis of value for money. The Head of Oxford Direct Services has a successful track record of undertaking HRA improvement and maintenance work and has built up a good team capable of doing this work. Provided that value for money can be demonstrated, Oxford Direct Services will continue to undertake the majority of maintenance works for the HRA portfolio, where this is within their area of expertise and will budget for reactive maintenance.





Section 6

6 Capital Programme

The management and planning of the Council's capital programme is undertaken by the Corporate Asset Management and Capital Board. This board oversees both the capital funding and capital expenditure and following a programme, by delivering the disposal programme, prudential borrowing and funding strategy, together with oversight and monitoring of the capital bidding and business-case development processes.

In order for a capital bid to be included within the capital programme a prioritisation methodology is applied which considers and appropriately weights the following criteria:

- Contribution to corporate priorities
- Statutory/non-statutory
- Small scheme weighting
- Funding availability
- Revenue implications
- Risk factor.

The various schemes are ranked, and included in the provisional capital programme subject to final allocation of available funding and approval of a business case. Once a business case has been endorsed by Corporate Asset Management and Capital Board, it may proceed under delegated powers where appropriate, or alternatively will need to be specifically approved by Single Member Decision or City Executive Board where required.

Following the application of the above process at 31 March 2011 the four year capital and funding programme by service are summarised in the tables on page 32.

Key projects in the capital programme include the following:

- Offices for the Future
- Blackbird Leys competition standard pool
- Play Barton
- Playground refurbishments
- General Fund Planned Preventative Maintenance programme
- New depot.

In addition, the Housing Revenue Account reforms will allow the Council to undertake a significant programme of new build housing and within the Housing Revenue Account Business Plan amounts have been included as follows.

Homes and Communities Agency Affordable Homes Programme

The Council has successfully bid for programme funding to deliver 112 new homes in the period 2012 to 2015. The programme comprises the redevelopment of an existing sheltered housing block (Bradlands: 40 homes) together with a range of small surplus sites in the Council's ownership which would otherwise be sold and are beneath the Section 106 Planning Obligations requirement to contribute to affordable housing (fewer than ten homes). The programme provides for 68 homes at social rents. The balance of the programme will be higher 'affordable rents' to provide accommodation for homeless persons who would not otherwise find housing at market rents in the private rented sector. The Homes and Communities



Section 6

Four-year capital programme total finance*				
Capital scheme	2012/13	2013/14	2014/15	2015/16
City development total		0	0	0
Environmental development total	790,000	1,090,000	740,000	690,000
Community housing and development total	90,000	0	0	0
Corporate assets total	3,958,000	1,510,000	1,466,000	910,000
City Leisure total	8,739,071	1,830,000	492,000	108,000
City works total	2,216,271	4,239,000	2,083,000	1,811,000
Business transformation total	327,000	377,000	277,000	327,000
General Fund total	16,120,342	9,046,000	5,058,000	3,846,000
Housing Revenue Account	8,395,000	8,375,000	8,029,000	7,736,000
Grand total	25,515,342	17,421,000	13,087,000	11,582,000

* This is correct at the time of closing the Consultation Draft, any amended programme will be substituted in this final adopted document.

Four-year capital programme funding*				
Financing of General Fund	2012/13	2013/14	2014/15	2015/16
Government funding	590,000	390,000	390,000	390,000
Capital receipts	3,900,000	2,262,583	1,000,000	632,220
Direct revenue funding	3,600,000	1,340,000	1,333,280	1,453,780
Direct revenue funding: Vehicles	1,291,000	1,230,000	1,270,000	1,370,000
Revenue reserves	457,505	356,000	0	0
Prudential borrowing	6,281,837	3,467,417	1,064,720	0
Total General Fund financing	16,120,342	9,046,000	5,058,000	3,846,000
Financing: Housing Revenue Account				
Housing Revenue Account funding	8,395,000	8,375,000	8,029,000	7,736,000
Total Housing Revenue Account financing	8,395,000	8,375,000	8,029,000	7,736,000
Grand total financing	25,515,342	17,421,000	13,087,000	11,582,000

* This is correct at the time of closing the Consultation Draft, any amended programme will be substituted in this final adopted document.

Agency grant is £2.42m with the balance of £17.9m funded by the Housing Revenue Account (A15).

Barton Development

The Council has a partnership with Grosvenor Developments to deliver over 900 new homes over the next 10 years, with a minimum of 40% affordable social rent. The Council may elect to develop, fund and manage the affordable stock. This might be partly

or fully funded through the Housing Revenue Account for which a amount of £60m has been included.

The programme is underpinned by the following key disposals:

- Sale of land at BMW
- Disposal of Temple Cowley Pool
- Grantham House disposal, now completed.



Section 7

7 Planned Maintenance Programme

7.1 General Fund

Following completion of the current works within the 'Office for the Future' and leisure programmes a programme has been prepared which will address an outstanding backlog of maintenance over the coming six years alongside normal cyclical maintenance. Funding for this work is now included in the capital programme, which was approved by city Executive Board on 9th February 2011

In order to add rigour to the prioritisation of the maintenance backlog works, the building and schemes contained within the maintenance backlog programme have been scored against a range of criteria including the significance of the building and relevance or importance of the proposed project. The criteria used have been:

a. For the building, its significance as:

- Commercial (investment) property
- Civic property
- Operational property
- Community property
- Listed building.

b. For the project relevance or importance, the criteria used are:

- Legal, statutory or contractual
- Health and safety

- Operational property
- Overall project significance or importance.

This prioritisation methodology has been used to compile the programme on which the budget for the next six years has been agreed, which may be summarised below.

Budget cost

2012/13	2013/14	2014/15	2015/16
£2,011,000	£1,400,000	£1,400,000	£910,000

7.2 Housing Revenue Account

The completion of the stock condition survey has resulted in a 30-year plan which has in turn informed the planned maintenance budgets shown above. The Council's housing stock database, 'Codeman', is updated on a regular basis, with new surveys and data downloaded as works are completed. The budgets reflect the need to maintain the Decent Homes standard, but also to ensure the building fabric is maintained in a good condition and improvements are made to increase the quality of life for our tenants. The survey data will need to be expanded to include external elements of buildings and estate areas, together with any retrofit



Section 7

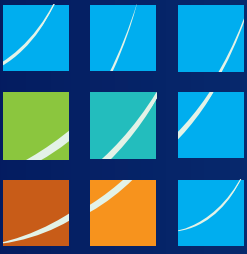
technologies or photovoltaic solar panels that are fitted to the housing stock.

Although additional work is required, this will form a sound basis on which to build the 30-year business plan required as part of the Council's preparation for Housing Revenue Account reform. The programme for Housing Revenue Account Planned Preventative

Maintenance over the next four years may be summarised below:

Budget cost			
2012/13	2013/14	2014/15	2015/16
£2,011,000	£1,400,000	£1,400,000	£910,000





Appendices



Appendices



Appendix 1

Appendix 1

Annual Performance Measurement 2010

1.0 General Fund performance

1.1 The last return made to Chartered Institute of Public Finance and Accountancy (CIPFA), using 2009 data, under the national performance indicators initiative produced the following results against their benchmark:

Measure 1: Asset condition									
KPI Category	CIPFA Benchmark				OCC				
	A	B	C	D	A	B	C	D	
Percentage of buildings	13%	62%	17%	1%	23%	39%	38%	0	
A	Good	Performing as intended/ operating efficiently							
B	Satisfactory	Performing as intended/showing minor deterioration							
C	Poor	Showing major defects/not operating as intended							
D	Bad	Life expired and/or serious risk of imminent failure.							

Oxford City Council has a higher proportion of property classified as Good than the national benchmark, but also a higher proportion of property identified as Poor where there is a requirement to address major defects and maintenance.

Measure 2: Outstanding maintenance						
KPI Category	CIPFA Benchmark			OCC		
	A	B	C	A	B	C
Percentage of buildings	46%	37%	17%	47%	46%	4%
A	Desirable	Within three to five years; fabric maintenance; low risk				
B	Essential	Within two years; prevent deterioration; medium risk				
C	Urgent	Immediate requirement; high risk				

Oxford City Council has a small percentage of properties that are in urgent need of repair. Most of the outstanding maintenance is classified as Essential or Desirable (within the next two years or beyond).



Measure 3: Outstanding maintenance expenditure

KPI	CIPFA Benchmark	OCC
Expenditure/m ²	£111	£83

Oxford City Council's outstanding maintenance cost per m² is lower than the national average, which is consistent with having a small proportion of the maintenance (4%) classified as urgent and high risk.

Measure 4: Planned and responsive maintenance

Maintenance Programme	CIPFA Benchmark		OCC	
	Planned	Responsive	Planned	Responsive
Percentage	59%	41%	36%	64%

The national average is close to the notional division of 60:40 planned: responsive maintenance adopted as good practice in typical general portfolios as evidence of effective maintenance planning. The Council is working on rebalancing of its maintenance programme to achieve this.

Measure 5: Energy consumption

Energy	CIPFA Benchmark	OCC
Energy Cost £/m ²	£11.14	£15.23
Consumption kWh/m ²	210	103.47

Oxford City Council's average energy consumption is under half the national average, but its energy costs are nearly 50% above the national average.

Measure 6: Water consumption

Water	CIPFA Benchmark	OCC
Cost £/m ²	1.53	4.07
Consumption litres /m ²	0.63	2.06

Oxford City Council's average water cost and consumption are between two and a half and three times the national average.



Appendix 1

Measure 7: CO ₂ emissions		
Emmissions	CIPFA Benchmark	OCC
CO ₂ /m ² in tonnes	0.06	0.046

Oxford City Council's carbon emissions are nearly 25% less than national averages.

Measure 8: Accessibility		
Accessibility	CIPFA Benchmark	OCC
Accessibility surveys: % of portfolio	93%	100%
Accessibility plans: % of portfolio	84.94%	100%

Oxford City Council has completed accessibility surveys and plans for its portfolio, ahead of national benchmarks.

Measure 9: Office occupancy		
KPI	CIPFA Benchmark	OCC
Offices as a % of total portfolio (GIA)	10	15.7
Office space per FTE (office teams)	11	13.37

2.0 Housing Revenue Account performance

- 2.1** The Housing Revenue Account (HRA) comprises the Council's housing and associated assets, such as retail, and other estate property, such as garages. The performance measurement is based on external benchmarking and corporate programme targets.

Tenants and leaseholders revenues						
Service area	Last year	Target	Previous	Current	YTD	Status
% cash collected/excluding Housing Benefit	—	99%	97.90%	tbc	97.90%	■
% rent roll paid by Housing Benefit	—	>52%	53%	52.70%	52.7%	■
Cash value of arrears	—	<£500,000	£653,185	£617,311	£617,311	■
Value of agreed write-off	—	<£60,000 pa	—	£6,480	£49,458	■
Cases served Notice Seeking Possession (number and % on arrears over 7 weeks)	518	tbc	73/100%	36/100%	350/100% 0% ¹	■

Key ■ Exceeding target ■ Off track ■ Falling short of target ■ Not assessed.



Tenants and leaseholders revenues

Service area	Last year	Target	Previous	Current	YTD	Status
Cases in court	94	tbc	6	6	66	■
Cases evicted	13	tbc	0	1	7	■
Total arrears / % of debit	—	2%	1.83%	1.73%	1.73%	■
Collection rate	—	97.49%	96.43%	97.12%	97.12%	■
% leasehold collection rate	—	98%	—	—	—	■
% rent loss due to vacant dwelling	—	<1%	—	—	—	■
Debit transferred to FTA	—	tbc	−£10,073	£8,282	£127,008	■

¹ Within current processes many exceptions to this target exist. The recorded performance therefore relates only to those due a NSP within current process.

Repair Service

Service area	Last year	Target	Previous	Current	YTD	Status
Number/% Right to Repair jobs completed within target	—	98%	99.86%	100%	99.91%	■ Since Sept.
Number/% emergencies completed within target time	—	100%	100%	100%	—	■
Number/% non-Right to Repair jobs undertaken within target	—	97%	100%	tbc	tbc	■ Since Sept.
Average cash value of Right to Repair (including management/administration costs)	—	tbc	under review	under review	—	■
Average cash value of non-Right to Repair (including management/administration costs)	—	tbc	under review	under review	—	■
Tenant satisfaction with repair undertaken	—	98%	under review	under review	—	■
Number and % pre inspection undertaken	—	>10%	10%	tbc	tbc	■ Since Sept.
Number and % post inspection satisfactory	—	tbc	100%	tbc	tbc	■ Since Sept.

Planned works (Planned preventative maintenance/cyclical)

Service area	Last year	Target	Previous	Current	YTD	Status
Gas servicing completed to planned target	100%	100%	99.64%	99.71%	100.83%	■
High-rise water tanks checked–cleaned to planned target	—	100%	100%	100%	100%	■
High-rise fire safety standard compliance	—	100%	100%	100%	100%	■
Lifts serviced to planned target	—	100%	100%	100%	100%	■
Lift call-outs within target time (within 1 hour)	—	100%	pending review ²	pending review ²	pending review ²	■
Lift release within target time (under 30 mins)	—	100%	pending review ²	pending review ²	pending review ²	■



Planned works (Planned preventative maintenance/cyclical) *continued*

Service area	Last year	Target	Previous	Current	YTD	Status
Communal area health and safety check low rise to target	—	100%	—	tbc	tbc	■
Communal area health and safety check sheltered to target	—	100%	—	tbc	tbc	■

² Not currently recorded, but now required as an indicator.

Voids and allocations

Service area	Last year	Target	Previous	Current	YTD	Status
Average repair time for void property	—	<17 days	16.6	tbc	tbc	■
Average allocation time for property in period	—	<5 days	6.24	tbc	5.54	■
Average void time (total)	—	<21 days	17.8	19.9	19.29	■
Average repair cost for void (including admin costs)	—	tbc	£2,496	£3,874	tbc	■
Properties let first offer (excluding sheltered)	—	75%	96%	tbc	78%	■
All identified priority transfer cases not bidding are supported	—	Yes	Yes	Yes	Yes	■
Homeless / Housing Waiting List lettings split	—	tbc	—	tbc	tbc	■
Cases let with 'tenancy sustainment' support	—	tbc	—	tbc	tbc	■
% new lettings satisfied with condition of property	—	tbc	—	tbc	tbc	■

Community safety

Service area	Last year	Target	Previous	Current	YTD	Status
Anti-social behavior cases received	—	tbc	40	tbc	116 ³	■
Anti-social behavior cases investigated within target time	—	95%	collected from Nov	tbc	collected from Nov	■
Anti-social behavior cases actioned/closed (pre court) within target	—	90%	collected from Nov	tbc	collected from Nov	■
Anti-social behavior cases to court action (number)	—	tbc	0	tbc	0 ³	■
Perpetrator leaseholder/tenant	—	tbc	collected from Nov	tbc	collected from Nov	■
Cases evicted (number)	—	tbc	0	tbc	0 ¹	■
% tenants satisfied with outcome of anti-social behavior action	—	85%	collected from Nov	tbc	collected from Nov	■
Hate crime reported (number of cases)	—	tbc	2	tbc	5 ³	■

³ Records monitoring started in August.

Key ■ Exceeding target ■ Off track ■ Falling short of target ■ Not assessed.



Communities & neighbourhoods

Service area	Last Year	Target	Previous	Current	YTD	Status
No. active tenant associations	5	1	1	1	6	■ From Sept
Tenant and Resident Association meetings attended in month	—	3	4	3	11	■ From Sept
Estate walkabouts undertaken in month	—	3	0	0	0	■ From Sept
Tenant newsletters produced	—	1/3 (quarterly)	0	0	2	■
Tenants training events run	—	1/2 (bi monthly)	1	1	3	■ From Sept
Environment Improvement budget spend (£70,000)	—	100%	0	£21,708	£21,708	■ From Sept

Tenancy management

Service area	Last Year	Target	Previous	Current	YTD	Status
Welcome visits undertaken (number / % in target)	—	100%	38	22	115	■ From Sept
Tenancy updates undertaken	—	tbc	37	58	92	■ From Sept
Tenancy breaches served Notice to Quit	—	tbc	7	5	17	■ From Sept
Unlawful occupants identified referred for possession (no./%)	—	100%	0	0	0	■ From Sept
Transfer cases assessed/medical cases	—	tbc	tbc	tbc	tbc	■
Right to Buy cases received	—	tbc	6	4	12	■
Right to Buy sales	—	tbc	tbc	tbc	tbc	■
Mutual exchanges/assessed within target	—	tbc	11 / 100%	15 / 100%	36 / 77.78%	■
Evictions attended/% requested to	—	tbc	1 / 100%	2 / 100%	7 / 72.43%	■

Housing service

Service area	Last Year	Target	Previous	Current	YTD	Status
Complaints received	not available ⁴	tbc	0	0	152	■
Complaints investigated and closed in target time	not available ⁴	98%	—	tbc	tbc	■
Member of Parliament and Council Member enquiries responded in target	not available ⁴	tbc	9 ⁴	15 ⁴	52 ⁴	■ From Sept
Health and safety issues raised/closed (staff)	not available ⁴	100%	—	tbc	100%	■
Health and safety issues raised/closed (public)	not available ⁴	100%	—	tbc	100%	■
Phone calls answered within five rings	not available ⁴	95%	—	tbc	tbc	■ From Dec
Letters responded to within ten days	not available ⁴	95%	—	tbc	tbc	■
Appointments kept within five days of request	not available ⁴	100%	—	tbc	tbc	■

⁴ Includes housing need figures, yet to be separated.



Finance

Service area	Last year	Target	Previous	Current	YTD	Status
Budget spent on profile	—	Yes	Yes	No ⁵	No ⁵	■
Housing Revenue Account cash flow +/- £'000	—	>£500	£792	£1,289	£2,081	■
Compliance with business plan, treasury management plan	not monitored	Yes	not monitored	not monitored	relevant in 2012/13	■
Housing service cost per property (excluding repairs and maintenance)	—	tbc	£450	£557	£557	■
Repairs and maintenance cost per property	—	tbc	£675	£649	£649	■

⁵ Several factors under review, but responsive repairs one key factor. This caused by seasonal factors, i.e. good weather, will hold surplus and review at end of quarter 3.

Staffing Housing Revenue Account excluding Oxford Direct Services

Service area	Last year	Target	Previous	Current	YTD	Status
Average sickness per employee (per year)	—	<8 days	—	tbc ⁶	tbc ⁶	■
Total days lost through sickness (in period)	—	tbc	—	tbc ⁶	tbc ⁶	■
% days lost through sickness (in period)	—	tbc	—	tbc ⁶	tbc ⁶	■
Vacant posts	—	tbc	1	1	tbc	■
Average days post vacant	—	<42	—	tbc ⁶	tbc ⁶	■
Staff turnover	—	<5%	—	tbc ⁶	tbc ⁶	■
Staff appraisal completed on target time	—	95%	100%	100%	100%	■
Disciplinary action: number (anonymous)	—	tbc	0	0	tbc	■

⁶ Trent report requested.

Staffing Housing Revenue Account Oxford Direct Services

Service area	Last year	Target	Previous	Current	YTD	Status
Average sickness per employee (per year)	—	<8 days	—	tbc ⁷	tbc ⁷	■
Total days lost through sickness (in period)	—	tbc	—	tbc ⁷	tbc ⁷	■
% days lost through sickness (in period)	—	tbc	—	tbc ⁷	tbc ⁷	■
Vacant posts	—	tbc	—	tbc ⁷	tbc ⁷	■
Average days post vacant	—	<42	—	tbc ⁷	tbc ⁷	■
Staff turnover	—	<5%	—	tbc ⁷	tbc ⁷	■
Staff appraisal completed on target time	—	95%	—	tbc ⁷	tbc ⁷	■
Disciplinary action: number (anonymous)	—	tbc	—	tbc ⁷	tbc ⁷	■

⁷ Trent report requested.

Key ■ Exceeding target ■ Off track ■ Falling short of target ■ Not assessed.



Appendix 2

Action Plan 2011 to 2015

Property Asset Management Action Plan 2012/13

Project	2011/12	2012/13	2013/14	2014/15
Office Footprint	<ul style="list-style-type: none"> ■ Completion of Office for the Future 	<ul style="list-style-type: none"> ■ 2% reduction ■ Town Hall commercialisation business plan 	<ul style="list-style-type: none"> ■ Depot ancillary offices reduction (linked to depots rationalisation) 	
Carbon reduction, renewable technologies and sustainability		<ul style="list-style-type: none"> ■ PV solar panels Go/no-go decision on leisure centres and Housing Revenue Account assets 	<ul style="list-style-type: none"> ■ Achieve minimum Code 4 and preferably Code 5 rating on Bradlands development 	
Planned preventative maintenance General Fund (GF) and Housing Revenue Account (HRA)	<ul style="list-style-type: none"> ■ GF: £1m programme ■ HRA: £8.5m programme 	<ul style="list-style-type: none"> ■ GF: £2m programme ■ HRA: £7.75m programme ■ Phase 2 leisure works ■ Covered Market capital works 	<ul style="list-style-type: none"> ■ GF: £1.4m programme ■ HRA: £7.75m programme 	<ul style="list-style-type: none"> ■ GF: £1.4m programme ■ HRA: £7.75m programme
Community centres		<ul style="list-style-type: none"> ■ Consultation on asset 	<ul style="list-style-type: none"> ■ Implementation of policy Management policy 	
Regeneration & development	<ul style="list-style-type: none"> ■ Commercial agreement for Barton completed 	<ul style="list-style-type: none"> ■ Commercial agreement for Westgate completed ■ Blackbird Leys regeneration strategy commissioned ■ Oxpens Supplementary Planning Guidance commissioned 	<ul style="list-style-type: none"> ■ Northway and Cowley start on sited 	
Investment portfolio		<ul style="list-style-type: none"> ■ Agricultural review ■ Annual performance report issued ■ Review of systems and processes 		
Affordable Homes programme		<ul style="list-style-type: none"> ■ Phase 1 underway ■ Homes and Communities Agency agreement of terms 	<ul style="list-style-type: none"> ■ Final phases underway 	<ul style="list-style-type: none"> ■ Completion
Housing Revenue Account business planning	<ul style="list-style-type: none"> ■ Annual business plan review 	<ul style="list-style-type: none"> ■ Garage rents and sites ■ Annual business plan review ■ Tower blocks review and programme agreed 	<ul style="list-style-type: none"> ■ Annual business plan review 	<ul style="list-style-type: none"> ■ Annual business plan review
Depots		<ul style="list-style-type: none"> ■ Capital works for retained depots ■ Disposals of surplus depots ■ Go/no-go decision on main depot consolidation 		
Cemeteries		<ul style="list-style-type: none"> ■ Site investigations and feasibility 	<ul style="list-style-type: none"> ■ Go/no-go decision point 	
Leisure assets		<ul style="list-style-type: none"> ■ Phase 2 leisure works ■ Pavilions programme of improvement works 		

Appendix 2



Appendix 3

Appendix 3 Asset Management Protocols

- 1.0 Introduction**
- 2.0 Purpose of Asset Management Protocols**
- 3.0 Links to Corporate Priorities**
- 4.0 The Council's role as a property owner**
- 5.0 Acquisitions**
- 6.0 Disposals**
- 7.0 Development/regeneration**
- 8.0 Letting and tenant-mix strategy (incorporating the Covered Market leasing strategy)**
- 9.0 Community lettings**
- 10.0 Environmental impact**
- 11.0 Restrictive covenants and competition**
- 12.0 Landlord's consent**
- 13.0 Service charges**
- 14.0 Insurance**
- 15.0 Rent arrears**
- 16.0 Repairs and maintenance**
- 17.0 Rent reviews and lease renewals**
- 18.0 Dilapidations**
- 19.0 Tenant Associations**
- 20.0 Commercialisation opportunities**
- 21.0 Valuation**

1.0 Introduction

- 1.1** The purpose of the Asset Management Plan 2011–14 is to provide a framework for the strategic management of the Council assets as a corporate resource. Its aim is to set out the Council's vision, aspirations and objectives for its portfolio, and outlines an action plan for how it aims to achieve these outcomes.

2.0 Purpose of Asset Management Protocols

- 2.1** The Asset Management Protocols will provide a consistent framework of values to determine and shape how the Council implements the Asset Management Plan 2011–14.
- 2.2** These Asset Management Protocols will define detailed areas of asset management activity, which will provide an insight into the corporate approach adopted in the management of the council property portfolio.



NB: As at February 2012 Corporate Property are currently developing protocols for the following areas:

- Localities Act
- Asset Transfer
- Sustainability standards on new build and repairs and maintenance activity
- Facilities Management
- Asset rents and re-charges
- Covenants cost recovery
- Use of Internal Direct Labour Organisation
- Void property.

These protocols will be used as internal guidance and procedure notes and will be revised by officers as required, and subsequently published annually with the Annual Asset Management Plan, action plan and performance measurement.

3.0 Links to Corporate Priorities

- 3.1** The Asset Management Protocols will consist of generic objectives and practices that are aligned to a private sector 'institutional' or corporate owner and occupier of property assets, however in addition, the protocols will reflect the historic legacy, local circumstances, the community and social role of the council and the corporate priorities of the council.
- 3.2** The Asset Management Protocols also reflect wider trends and central government policy. These will evolve and be reflected in refinements to the Asset Management Protocols over time. The key external influences that have been reflected in this policy area:
- Promotion of access to public services
 - Value for money
 - Good governance principles
 - The capital and investment strategy – prudential accounting
 - The e-government agenda
 - The Gershon review of efficiency
 - Support of partnering, third sector and multi-agency approaches across various services;
 - Promotion of overall socio-economic well-being
 - Regeneration and renaissance.

4.0 The Council's role as a property owner

- 4.1** Beyond its scale and cost, the Council's property portfolio is significant also in the impact it makes on the city's economy and environment. The quality and condition of Council properties makes an important impact on the environment.
- 4.2** Under-used or vacant property represents an actual as well as opportunity cost to the Council. Also, by under-exploiting a scarce land asset under-used or vacant property often prevents another more beneficial use or form of development from taking place.
- 4.3** The Council recognises the importance of indirect as well as direct costs of holding under-used property assets and is committed to a continuous process of property review to monitor and promote opportunities for identifying and releasing surplus property.



Appendix 3

- 4.4** The requirement for property as a resource does not necessitate its ownership and the Council should similarly consider alternative tenure options within the context of its corporate financing strategy.

5.0 Acquisitions

- 5.1** Land and property interests will only be considered for acquisition if, after consultation, the following circumstances apply:

- The acquisition will make a positive contribution to the current delivery of Council services
- All other methods for the delivery of this service have been investigated and a full property options appraisal has been undertaken which highlights this acquisition route as the most economically advantageous and efficient method of service delivery.

In addition to the above, the following circumstances may apply:

- The acquisition of the interest has potential for future strategic regeneration and/or redevelopment purposes in pursuit of the Community Strategy or Council strategic aims and priorities
- No other available land and property asset can provide a more cost effective and/or efficient point of service delivery
- There is an adopted Council plan/policy/strategy, with resources identified, which will bring the land or property into beneficial use in the foreseeable future
- There is potential for advantageous shared use
- The investment in land and buildings is used as a part of a wider treasury management function for the allocation of capital to provide an investment/revenue return to support front line services. Any investment decision would meet target hurdle rates of return appraised using discounted cash flow/internal rates of return methodology.

6.0 Disposals

- 6.1** Land and property will be considered to be surplus or under-used if, following consultation, any of the following statements apply.

- The asset no longer makes a positive contribution to the current delivery of Council services
- The asset has no potential for future strategic regeneration and/or redevelopment purposes in pursuit of the Corporate Plan aims and objectives
- An alternative site can provide a more cost effective and/or efficient point of service delivery.
- The income from the site is below that which could be achieved from:
 - an alternative/more intensive use
 - Investment of the capital receipt (i.e. uneconomically let)
- There is no potential to re-gear, or otherwise manage the lease in a more economically and advantageous way
- There is no adopted Council plan/policy/strategy, with resources identified, which will bring the site into beneficial use in the foreseeable future
- There is no potential for advantageous shared use.



- 6.2** Disposals will be managed by the Corporate Property services as part of a programme to deliver capital receipts targets. These targets will be driven by the Council's wider needs and the potential to release surplus capital inherent in the portfolio. This may lead to the Council's targets being exceeded.
- 6.3** The Council will, as a matter of general policy, seek to achieve best consideration in all property disposals other than where specific cases can be sustained for sales at less than best consideration. Transfers for community use will normally include the imposition of 'community lock out clauses' to ensure the enduring use is for the wider community.

7.0 Development/Regeneration

- 7.1** In certain cases the Council will hold property interests in anticipation of some wider benefit to be secured through re-development, sometimes for long periods.
- 7.2** These property interests will be maintained in a secure and safe condition. Where possible, holding costs will be defrayed by securing temporary rental or licence fees.
- 7.3** The continued holding of these properties usually has an opportunity cost and this is not generally justified where the redevelopment potential is small or remote. Continued justification will need to be substantiated on the basis of specific development proposals and estimated timescales, holding cost and return assumptions
- 7.4** In pursuance of the Council's regeneration strategy it will be appropriate for a planning brief to be prepared for any land capable of redevelopment to identify the most advantageous use and nature of the redevelopment, the objective of stimulating further regeneration in the locality.
- 7.5** An evaluation should be carried out in each case, as appropriate, to identify whether additional land should be acquired to enhance the impact and viability of any redevelopment.
- 7.6** Where the land forms or could form part of a larger redevelopment scheme in private ownership, the property can be offered to the owner by private treaty at an appropriate price reflecting beneficial value and subject to positive planning covenants, producing additional benefits for the regeneration strategy. Alternatively it may be appropriate in certain circumstances for various forms of Joint Ventures or joint promotion agreements to be considered.
- 7.7** The Council seeks to achieve regeneration and beneficial change by leadership of redevelopment and stimulation of diversity and quality in employment, service and residential accommodation, to be accomplished through a combination of land ownership and planning powers and processes.

8.0 Letting and tenant-mix strategy (incorporating the Covered Market leasing strategy)

- 8.1** The Council will pursue a commercial letting policy designed to promote efficient management and maintain or enhance asset values and preserve income flow, in accordance with the Portfolio Business Plan.
- 8.2** The Council will promote diversity in the retail estate so as to maximise retail opportunities to local residents and visitors, and encourage economic prosperity in the city.
- 8.3** The Council recognises that the prime goal of shops or other retained assets on housing estates and in residential neighbourhoods will often be to provide facilities for residents. An appropriate mix of convenience and food outlets will take precedence over maximisation of rental income.



Appendix 3

- 8.4** The Council will comply with the Government's 'A Code of Practice for Commercial Leases in England and Wales' which is designed to offer potential tenants a varied range of tenure options, subject to the principles of good estate management.
- 8.5** The Council will ensure that commercial units are also available to all people in accordance with the Council's equality and diversity policies. The Council will also provide documentation in a format that is accessible to people with disabilities.
- 8.6** The Council will consider all applications for consent and new lettings in the Oxford Covered Market in accordance with the adopted leasing strategy document.
- 9.0 Community lettings**
- 9.1** The Council's policy is to adopt the principles advocated in the RICS report 'Whose Property Is It Anyway?' and the findings of the Quirk review. This policy will be supplemented by the contents and principles established by the Localities Act.
- 9.2** The Council recognises the importance of providing support to voluntary organisations that provide services to the community compatible with the Council's wider objectives and the Community Strategy. Traditionally this support has taken the form of 'soft' rental terms on Council properties.
- 9.3** This traditional approach is seen as damaging from three perspectives. Firstly, it promotes under-management by voluntary organisations of important resource costs. Secondly, it makes it more difficult to perform day-to-day property management decisions sensibly, for example enforcing repairing covenants. Thirdly, a suppressed rent not only reduces the income receivable but also damages the underlying asset value base of the Council, and the performance analysis and understanding thereof.
- 9.4** The Council's policy is therefore to let properties on proper commercial lease terms and open market rents on an 'arm's-length basis', and where appropriate, to replace the hidden rental subsidy with an overt grant subsidy, with appropriate fully-offsetting adjustments to budgets. This will also make the Council's overall support to the voluntary sector as a whole more visible and transparent.
- 10.0 Environmental impact**
- 10.1** The Council seeks to own and occupy property in an environmentally responsible way with a commitment to reduce carbon emissions.
- 10.2** New buildings should aim to achieve a Building Research Establishment Environmental Assessment Method (BREEAM) assessment of at least 'Very Good' and ideally 'Excellent', subject to commercial considerations of capital and life-cycle cost. All new technologies for new build and retrofit will be considered and where possible prioritised for both General Fund and Housing Revenue Account assets.
- 10.3** Where buildings are directly managed by the Council all property services, i.e. repair and maintenance activity, will have due regard to environmental and sustainability considerations and life-cycle costing in the design, specification and implementation.
- 11.0 Restrictive covenants and competition**
- 11.1** The Council will not seek to breach covenants placed by third parties on its land where still enforceable, but will seek to negotiate modification or removal where appropriate to do so.



- 11.2** In relation to covenants the Council has imposed, it will seek to enforce such covenants where it is rational, sensible and proportional to do so, or, where no longer required, seek reasonable payment for its release or partial release where lawful to do so.
- 11.3** In accordance with its letting and tenant-mix strategy, the Council will seek to restrict the use of premises, where it is deemed that such a competing use would be to the detriment of an existing tenant or the Council's adjacent land ownerships, or detrimental to the community or economic prosperity of an area.

12.0 Landlord's consent

- 12.1** All requests for consent from the Council should be submitted in writing, with supporting information, to the Head of Corporate Property.
- 12.2** Requests will be dealt with in a reasonable time period and replied to in writing, confirming if consent will be granted, or alternatively stating grounds for refusal of consent. Consent will not be granted until the completion of a formal license where required.
- 12.3** The Council will outline scale fees if applicable for providing consent, and the process of providing formal consent.
- 12.4** The Council will have regard to principles of good estate, management practice in considering any application, and will consider financial and non-financial matters, and the impact on the remainder of the Council's land-holdings, existing and adjacent tenants, and impact on the community and economic prosperity of the area.

13.0 Service charge

- 13.1** Where ever practicable, the Council will endeavour to recharge landlords outgoings when running buildings let to occupying tenants.
- 13.2** The basis of the recharge will be subject to an agreed formula, and will be administered by the Council's Corporate Property Services.
- 13.3** Service charge accounts will be levied on the basis of 'on account' payments, half-yearly, or annual recharges, and/or reconciliations running between March and February. The service-charge account will be closed in March and full reconciliations will be provided within three months of closing the account for the year.
- 13.4** The Council will comply with the RICS Service Charge Code of Practice.

14.0 Insurance

- 14.1** The Council will endeavour where permitted to recharge insurance premiums to tenants where they are insured under the terms of the Council block policy.
- 14.2** The Council will insure on the basis of an 'All-risks' commercial insurance policy, which where possible will include terrorism insurance where this is commercially available in the insurance market.
- 14.3** A copy of the insurance schedule will be provided to the tenant if requested.
- 14.4** All recharges of insurance premiums will be administered annually in advance and will be issued in March, and will run until February of the following year.



Appendix 3

- 14.5** Where responsibility for insurance rests with the tenant, the tenant will be required to give evidence of this insurance to the Council upon a reasonable period of notice. Similarly the tenant may be required from time to time to give evidence upon request of all statutory compliance with health and safety legislation where they are required to do so.

15.0 Rent arrears

- 15.1** The Council will act promptly and diligently in recovering rent arrears in order to protect revenues for front-line services.
- 15.2** Rent is deemed to be in arrears if on the day it becomes due the Council is not in receipt of cleared funds.
- 15.3** The Council will use whatever means are available or appropriate to recover arrears of rent, including distraint, legal proceedings, bankruptcy or referral to debt recovery specialists.
- 15.4** It is advised that any tenants who are experiencing problems should make contact with the Corporate Property services of the Council as soon as is practicable.

16.0 Repairs and maintenance

- 16.1** The Council will display a preference to let property on a full repairing and insuring basis, and therefore the tenant will be responsible for repair and maintenance of the assets in accordance with the express provisions of the lease/license, and requirements under statute.
- 16.2** The Council will undertake to comply with all covenants, health-and-safety and statutory legislation in the provision of property services.
- 16.3** The Council will ensure that its properties are maintained in accordance with corporate standards. A poor physical condition can contribute to an atmosphere of decay in the immediate area whereas properties that are well-maintained and secure can sustain or elevate the tone of the neighbourhood. The Council recognises that responsible ownership and occupation of property includes acting as a good neighbour by maintaining it in a good condition. It also recognises that insufficient expenditure on maintenance and management is normally reflected in a proportionately greater erosion of value.
- 16.4** A priority will be given to the allocation of repair/maintenance and capital budgets to the income producing portfolio. However, in each instance a business case with full option appraisals will be produced to demonstrate the rate of return, and risk analysis.

17.0 Rent Reviews and Lease Renewals

- 17.1** This area of professional activity will be co-ordinated by the Corporate Property services, in conjunction with the Council Legal service. The activity may be instigated in-house or may be outsourced to appropriately qualified professional advisers.
- 17.2** Where the Council implements rent reviews and lease renewals, it will seek to establish the highest market rental value supported by comparable evidence, to preserve the capital value and income flow of the portfolio.
- 17.3** Where the Council implements Lease Renewals it will seek to impose terms that are commensurate with market practice and RICS guidance, and that preserve the value and income-flow from the portfolio.



- 17.4** In accordance with the letting and tenant-mix strategy, the Council in all new leases will consider providing tenants with priced options in relation to monthly or quarterly in-advance rents, upwards and downwards reviews, and all other reasonable requests. The Council is required to secure best consideration in rent review and lease renewals activity.

18.0 Dilapidations

- 18.1** The Council will undertake interim and terminal dilapidations schedules where appropriate to do so. The costs of preparation and service will be advised at the time of preparation and will be recovered where it is permitted to under the terms of the lease/license.
- 18.2** The Council will comply with the Dilapidations Protocol: 2008 Version of Property Litigation Association, and will use its best endeavours to mitigate any claim for damages and costs.

19.0 Tenant Associations

- 19.1** The Council will promote and encourage the adoption of Tenant Associations or membership of tenant bodies etc.
- 19.2** All such associations will have their primary relationship with the Corporate Property services of the Council.

20.0 Commercialisation opportunities

- 20.1** The Council will explore all opportunities to generate additional income from its portfolio of land and buildings, which although not limited to these will include:
- Telecoms and Wayleaves etc.
 - Wind turbines
 - Advertising
 - Kiosks
 - Promotional displays and events
 - Markets and street trading.
- 20.2** In all instances the Council will have regard to the impact of the activity on neighbouring owners, tenants and the community and neighbourhood.

21.0 Valuation

- 21.1** Professional property valuation services will be undertaken by the Corporate Property services of the Council. These will be undertaken by RICS-qualified members of staff for a range of purposes across both commercial and residential sectors. Alternatively, the Corporate Property team will be responsible for commissioning external valuation advice from appropriately qualified professionals.
- 21.2** An internal system of Quality Assurance is observed, and in each instance, the valuation will be signed off by a line manager and by the Head of Corporate Property.
- 21.3** All valuations comply with Chartered Institute of Public Finance and Accountancy requirements in relation to the valuation and asset register requirements of the end of year accounts.
- 21.4** The Council will outline scale fees, for undertaking valuations if appropriate.



Appendix 4

Appendix 4 Risk Register

Risk			
Risk title	Opportunity/ threat	Risk description	Risk cause
Asset Management Plan	Threat	Not having an up to date Asset Management Plan	The Council determines not to adopt the proposed plan.
Asset Management Plan Actions	Threat	Actions proposed in Asset Management Plan are not undertaken	Under-resourcing or lack of buy-in from stakeholders
Resourcing	Threat	Inadequate resources to implement the Asset Management Plan	Inability to recruit and/or retain staff on proposed terms and conditions
Support	Threat	Inadequate political/senior officer support	Political/senior officers fail to support proposed strategy and actions.
Market	Threat	Deteriorating property market conditions	Deteriorating market conditions impact adversely on capital receipts, and/or rental income

Risks identified refer to the preparation adoption and implementation of the plan and have been assessed on the basis of impact (I) and probability (P) in worst case scenario (gross risk) and position after mitigation actions are taken (residual risk) together with assessment of current risk with actions and mitigations currently in place



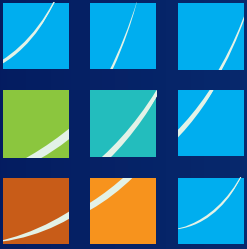
Consequence	Date raised	Corporate objective 1 to 5	Gross risk		Residual risk		Current risk		Owner	Date risk reviewed
			I	P	I	P	I	P		
Not having an up-to-date Asset Management Plan will impact on the Council's ability to effectively manage its property assets as a corporate resources	12 Jan	1,2,3,4,5	5	2	1	1	2	2	SS	Annually
The benefits and overall strategy proposed will not be implemented	12 Jan	1,2,3,4,5	5	3	2	2	3	3	SS	Annually
The benefits and overall strategy proposed will not be implemented	12 Jan	1,2,3,4,5	5	2	1	1	2	2	SS	Annually
The benefits and overall strategy proposed will not be implemented	12 Jan	1,2,3,4,5	5	3	3	2	2	2	SS	Annually
The benefits and overall strategy proposed may not be capable of full implementation	12 Jan	1,2,3,4,5	5	2	5	2	2	2	SS	Annually



Investing in our
Property Portfolio

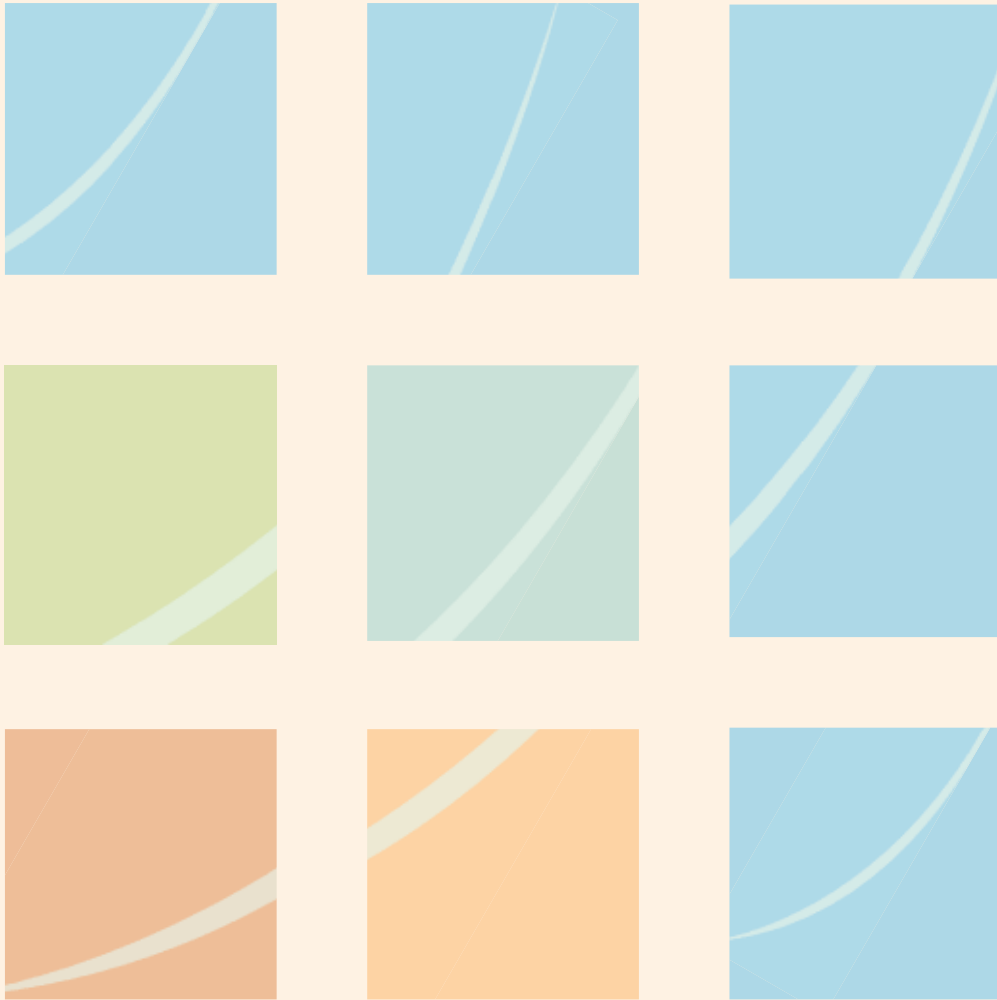
www.oxford.gov.uk





Investing in our
Property Portfolio

www.oxford.gov.uk





Investing in our
Property Portfolio

www.oxford.gov.uk



Asset Management Plan

2011-2014

Consultation Document

For further information contact

www.oxford.gov.uk

E: rhawkes@oxford.gov.uk

Oxford City Council, Corporate Property
Oxford Town Hall, St Aldate's, Oxford, OX1 1BX



Building a world-class city for everyone

EXTRACT FROM THE MINUTES

CITY EXECUTIVE BOARD

Wednesday 12 September 2012

18. ASSET MANAGEMENT PLAN - CONSULTATION OUTCOME

The Head of Corporate Assets submitted a report (previously circulated, now appended).

Scrutiny comments made earlier in the meeting were noted (minute 21 refers) and amendments made in the light of them.

Councillor Campbell made an additional address to the meeting, expressing concern about higher energy costs for the water supply and the need for a “visioning initiative” for the Covered Market. City Executive Board noted his comments.

Resolved to approve the Asset Management Plan 2011-14 for adoption by Council.

This page is intentionally left blank

CITY EXECUTIVE BOARD

Wednesday 12 September 2012

COUNCILLORS PRESENT: Councillors Turner (Deputy Leader), Cook, Coulter, Curran, Lygo, Seamons, Sinclair, Tanner and Smith.

18. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Price.

In the absence of Councillor Price, Councillor Ed Turner chaired the meeting.

19. DECLARATIONS OF INTEREST

The following declarations were made:-

- (1) Councillor Coulter explained that, in the past, he had withdrawn during the consideration of any item involving Ruskin College. However, he has since received legal advice that owing to the change to requirements around the declarations of interest, he no longer needs to withdraw;
- (2) Councillor John Tanner declared his membership of Donnington Doorstep and his wife's membership of the management committee for Rose Hill and Donnington Advice Centre;
- (3) Councillor Ed Turner declared his girlfriend's involvement with Donnington and Rose Hill Advice Centre.

20. PUBLIC QUESTIONS

Full written questions with answers were distributed at the start of the meeting. These are attached to the minutes as appendix one.

21. SCRUTINY COMMITTEE REPORTS

Councillor Ed Turner explained that the relevant items on the agenda would be taken alongside the scrutiny reports.

The following reports were presented:-

- (1) Periodic reporting - Finance 2012/13 (agenda item 9) - Councillor Rowley presented the report on behalf of the Finance and Performance Panel. Councillor Jean Fooks addressed the meeting. Councillor Val Smith responded to questions about housing benefit. City Executive Board accepted the scrutiny recommendations and agreed the report recommendations.

- (2) Service Targets Performance (agenda item 8) - Councillor Rowley presented the report on behalf of the Finance and Performance Panel. City Executive Board accepted the scrutiny recommendations and agreed the report recommendations.
- (3) Implementation of Youth Ambition Programme (agenda item 5) – Councillor Curran presented this item to the City Executive Board. Councillor Mike Rowley presented the scrutiny report, adding that the scrutiny panel welcomed this programme but had some concerns that it sought to address through its recommendations. Councillor Fooks also spoke on this item. City Executive Board accepted the scrutiny recommendations and agreed the report recommendations.
- (4) Asset Management Plan (agenda item 14) – Councillor Jean Fooks presented the report of the Asset Management Plan Panel. City Executive Board noted the scrutiny comments and agreed to recommend the Asset Management Plan 2011-14 to Council for adoption.

22. YOUTH AMBITION PROGRAMME FOR OXFORD CITY

The Director of Community Services submitted a report (previously circulated, now appended). Councillor Steve Curran presented the report to the City Executive Board. Scrutiny comments on this matter had been considered earlier in the meeting (minute 21 refers)

Resolved to:-

- a) Note the analysis in this report of current local provision, the delivery options and means to bring in additional external funding, and,
- b) Agree that for the remainder of 2012/13 the Youth Ambition Programme funding be committed broadly on the basis of:-
 - i) Up to 14 sessions each week to be delivered through the City Council's Positive Futures Team focused on those areas of greatest need and lowest relative provision where there is currently no viable alternative provider;
 - ii) An £50k being made available to support by grants open access sessions delivered by other suitable providers for the remainder of this year;
 - iii) The remainder of funding for 2012/13 to be retained in a Youth Ambition Fund available to support bids to external funders to provide positive activities for young people in the Council's priority areas and other areas of relative deprivation;
 - iv) Request that the Director of Community Services produces a strategy for the development of the Council's Youth Ambition Programme with appropriate objectives and targets;

- iv) In future years the balance of spending to be agreed following a detailed service planning exercise with a view to maximising the overall impact of the programme with the emphasis to be on supporting others to develop and deliver services to meet the objectives and targets of the Youth Ambition Programme;
- vi) Delegate to the Director of Community Services authority to approve:-
 - The detailed allocation of funding in line with the above proposals;
 - The grant criteria and any applications;
 - Future years detailed budget allocations;All of the above in consultation with the Board Member for Young People, Education and Community Development and a cross party Youth Ambition reference group.

23. THE OXFORD CHALLENGE: ACHIEVING WORLD CLASS TEACHING IN OXFORD CITY SCHOOLS SERVING DISADVANTAGED PEOPLE

The Head of Policy, Culture and Communications submitted a report (previously circulated, now appended). Councillor Steve Curran presented the report to City Executive Board. Anna Wright (Education Advisor) provided information about KRM.

Resolved that:-

- (1) Following the tender process, KRM have been selected as the provider. They will present their scheme to head teachers at a conference on the 19th September. Schools will then decide if they wish to participate. If sufficient numbers wish to take up the scheme, it will go ahead, subject to the agreement of the portfolio holder.

24. COMMUNITY GRANTS PROGRAMME 2011/12 - MONITORING FEEDBACK

The Director of Community Services submitted a report (previously circulated, now appended). Councillor Steve Curran presented the report to City Executive Board.

Resolved to note the report.

25. PERIODIC REPORTING - PERFORMANCE 2012/13

The Head of Business Improvement and Technology submitted a report (previously circulated, now appended).

Scrutiny comments made earlier in the meeting were noted (minute 21 refers).

Resolved to note the report.

26. PERIODIC REPORTING - FINANCE 2012/13

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

Scrutiny comments made earlier in the meeting were noted (minute 21 refers.)

Resolved:-

1. To note the forecast outturn for the General Fund Revenue Budget – Table 1;
2. To note the movement of resources from the Redundancy Cost Contingency to service budgets as per Para 31;
3. To note the HRA budget virements as detailed in Table 3;
4. That CEB recommends to Council the addition to the Capital Programme of the schemes detailed in Table 5.

27. PERIODIC REPORTING - RISK 2012/13

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

Resolved to note the report.

28. TENANCY STRATEGY

The Head of Housing submitted a report (previously circulated, now appended).
Councillor Scott Seamons presented the report to City Executive Board.

Resolved to approve the draft Tenancy Strategy for Oxford City and Tenancy Policy for Council homes for formal consultation.

29. HOMELESSNESS STRATEGY REVIEW

The Head of Housing submitted a report (previously circulated, now appended).
Councillor Scott Seamons introduced the report to City Executive Board.

Resolved that the draft Homelessness Strategy Consultation Document 2013 to 2018 as attached at Appendix 1 of the report is approved for public consultation with the following amendment:-

- Potential priorities for action 2013-2018, item 2 – Greater understanding / improved knowledge. Add the following:

“Encourage people to preferentially support organisations who help in getting homeless people off the street, and deter them from giving money to beggars”

30. CULTURE STRATEGY - CONSULTATION OUTCOME

The Head of Policy, Culture and Communications submitted a report (previously circulated, now appended). Peter McQuitty presented the report to City Executive Board, and introduced Dr Ceri Gorton (Cultural Development Manager).

Councillor Jim Campbell addressed the meeting as follows

- The cultural offer in Oxford is outstanding and the City Council has been a good cultural facilitator;
- Welcomed the issue identified in the report of emphasising the city, as opposed to the University, element of the cultural offer;
- However, he could not support the presentation of the report to Council as it stands at present. Councillor Campbell did not feel that the report was well presented, it did not invite people to read it, and if failed to show what a good cultural offer the City Council provides;
- A representative from local arts/cultural groups should be invited to join the Cultural Actions Group (CAG) otherwise it would comprise only “big players”;
- He welcomed the 3 priorities identified, but felt they should be made more measurable. Scrutiny should have a role as well as City Executive Board.

Councillor Turner responded that there was no intention to exclude anyone from the CAG, and he would be happy for scrutiny to have a role in monitoring the priorities. It was agreed that a representative from a smaller arts /cultural group would be invited to join the CAG, and that Councillor Campbell could work with Peter McQuitty on the presentation and physical appearance of the strategy

Resolved that, subject to the above comments and any other minor revisions agreed informally on a cross-party basis, the new Cultural Strategy would be recommended to Council for adoption.

31. ASSET MANAGEMENT PLAN - CONSULTATION OUTCOME

The Head of Corporate Assets submitted a report (previously circulated, now appended).

Scrutiny comments made earlier in the meeting were noted (minute 21 refers) and amendments made in the light of them.

Councillor Campbell made an additional address to the meeting, expressing concern about higher energy costs for the water supply and the need for a “visioning initiative” for the Covered Market. City Executive Board noted his comments.

Resolved to approve the Asset Management Plan 2011-14 for adoption by Council.

32. TELEPHONY STRATEGY

The Head of Business Improvement submitted a report (previously circulated, now appended)

Resolved to:-

- (1) Approve the corporate Telephony Strategy and Action Plan attached at Appendix 1 of the report;
- (2) Note the Equalities Impact Assessment attached at Appendix 2

33. CARBON REFRESH

The Head of Environmental Development / Cleaner Greener Oxford Board submitted a report (previously circulated, now appended). Councillor John Tanner presented this report to the City Executive Board.

Councillor Gotch addressed the meeting and suggested a feasibility study for a combined heat and power plant (CHP) for Barton. City Executive Board noted his comments.

Resolved to:-

- (1). Adopt the Carbon Management Plan 2012-2017 as attached at Appendix 1,
- (2) Note that all departments across the Council will need to make sustained efforts to assist in delivery of the Plan and ensure targets are met (including contributing to maximising use of Salix funds) and;
- (3) Support the ongoing development of the carbon management programme that will be managed by the Cleaner, Greener Oxford Board.

34. STREET SCENE REVIEW AND SERVICE STANDARDS

The Head of Direct Services submitted a report (previously circulated, now appended). Councillor John Tanner presented the report to City Executive Board.

Councillor Graham Jones addressed the meeting and welcomed the report.

Resolved to:-

- (1) Note the outcomes of the Streetscene Service Review and the service improvements and staffing reductions detailed in paragraph 5;
- (2) Adopt the service standards for the Streetscene Service as detailed in Appendix A. These improvements will involve the procurement of new machinery to remove cigarette ends more efficiently, to provide consistent chewing gum removal, to lease Big Belly compactor bins and to achieve Grade A standard for litter removal when we carry out our cleaning schedules;
- (3) Note that the establishment of the Streetscene Service will be reduced by 4 FTE staff from 1 April 2013, by means of natural wastage, as detailed in paragraph 5;
- (4) Note that the Streetscene revenue budget will be reduced by £80,000 per annum from 1 April 2013, as detailed in paragraph 8.

35. PARKING IN PARKING AREAS ADJACENT TO PARKS - MONITORING

The Head of Direct Services submitted a report (previously circulated, now appended). Councillor Colin Cook presented the report to the City Executive Board.

Councillor Gotch addressed the meeting and expressed concern about the effect of displacement parking in various areas of the City. He suggested that this report should be deferred pending a monitoring exercise into the effect of displacement parking. City Executive Board noted his comments.

City Executive Board observed that it had not wished to charge for parking at parks; however there would additional pressure on budgets if it did not do so.

Resolved:-

- (1) To continue with charging at the existing sites and review tariffs during the normal off street parking process;
- (2) To note the ongoing maintenance issues and that provision for this will be made in the forthcoming budget process.

36. 41 - 47 GEORGE STREET - LEASE RESTRUCTURING

The Head of Corporate Assets submitted a report (previously circulated, now appended).

Resolved to note the action taken by the CEO in approving the restructuring of the lease on the terms as detailed in the confidential not for publication Appendix 3, and otherwise on terms and conditions to be approved by the Head of Corporate Assets.

37. FUTURE ITEMS

Nothing was raised under this item.

38. MINUTES

Resolved to confirm as a correct record the minutes of the meeting held on 4th July 2012.

39. MATTERS EXEMPT FROM PUBLICATION

Resolved to exclude the press and public from the meeting during consideration of the items in the exempt from publication part of the agenda in accordance with the provisions in Paragraph 21(1)(b) of the Local Authorities (Executive Arrangements) (England) Regulations 2000 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, in all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

Summary of business transacted by the Board after passing the resolution contained in minute 36

The Board received and noted the contents of not for publication appendix to the reports at agenda 19 item (minute 40 refers).

40. 41 - 47 GEORGE STREET - LEASE RESTRUCTURING

The Board received and noted the contents of not for publication appendix to the reports concerning the lease restructuring at 41-47 George Street.

The meeting started at 5.00 pm and ended at 7.00 pm

DELEGATED DECISIONS OF THE BOARD MEMBER, CORPORATE GOVERNANCE AND STRATEGIC PARTNERSHIPS

Monday 30 July 2012

COUNCILLORS PRESENT: Councillors Price.

Councillor Fooks was in attendance to speak at item 3.

OFFICERS PRESENT: Lois Stock (Democratic and Electoral Service Officer), Sarah Claridge (Trainee Democratic and Electoral Services Officer) and Lois Stock (Democratic and Electoral Services Officer)

1. DECLARATIONS OF INTEREST

Councillor Bob Price declared that he was a Trustee of the South Oxford Adventure Playground and the Lake Street Playgroup.

2. PUBLIC ADDRESSES

None

3. COUNCILLOR ADDRESSES

Councillor Jean Fooks made the following points:-

- (1) There should be a Councillor representative, not just an officer, on the Oxfordshire Supporting People Commissioning body;
- (2) Steven Curran (now a Councillor) had not been appointed previously to the City of Oxford Charity.

Councillor Bob Price explained that the Oxfordshire Supporting People Commissioning Body would shortly be absorbed into the Children's' Board and would therefore cease to exist. Mr Curran had replaced Councillor Price on the City of Oxford Charity last year.

4. APPOINTMENTS TO OUTSIDE BODIES

The Head of Law and Governance submitted a report (previously circulated, now appended) concerning appointments to outside bodies for the Council Year 2012/2013.

Councillor Price considered the report and resolved:-

- (1) To make the appointments to outside bodies as shown in Appendix 4 of the report, with the following additions/amendments:-

- APSE – appoint Councillor Coulter;
- Citizen’s Advice Bureau – appoint Councillor O’ Hara and Rundle;
- Fusion Arts – appoint Councillor Clack and ask if Councillor Campbell could continue;
- Mortimer Hall – appoint Councillor Clarkson and 1 vacancy at present;
- OXRAD – appoint Councillor Fry;
- Oxford Policing Board – add Councillors Gotch and Jones to those nominated;
- Oxford Buildings Trust – appoint Councillor Gotch;
- Rose Hill Advice Centre – appoint County Councillor John Sanders and Councillor Wilkinson;
- Katherine Rawson Trust – appoint Councillor Gotch;
- Old Marston Parish Charity – appoint Councillor Haines;
- St Mary Magdalene Charity – appoint Councillor Mills;
- St Clement’s Parish charity – appoint Councillors Clack and Jones;
- St Aldate’s parish Charity – appoint Councillors Kennedy and Mills;
- Headington Action – appoint Councillor Sinclair and ask if an additional place can be granted for Councillor Rundle;
- Oxford Homeless Pathways – agree to the requested reduction to 2 representatives and appoint Councillors Canning and Smith.

(2) Delete the following appointments on the grounds thatb the groups are inactive:-

- CCTV Monitoring
- CCTV Inspection;
- Radiolink Steering Group.

(3) Appoint for 1 year to the following groups, to be reviewed and deleted at the end of the year if there is no development, contact or demonstrable value to the Council within 12 months:-

- Alice Smith Trust and Sarah Nowell Educational Trust;
- Oxfordshire Ethnic Minorities Enterprise Unit;
- Florence Park Community Association;
- Oxford Asian Cultural Association;
- National Association of British Market Authorities;

(4) Delete member involvement from the Oxfordshire Supporting People Commissioning Body on the grounds that this body has ceased to exist;

(5) Make the following amendments as requested by the outside body:

- Oxford Homeless Pathways – reduce member representatives from 3 to 2;
- St Margaret’s Institute Community Centre – cease the appointment of a Council representative with immediate effect.

It was noted that, in the case of resolution (3), Councillors appointed to these groups would be informed that their appointment would be for 1 year only, and that they should, in February / March next year, give an indication of whether or not they feel it is worthwhile continuing involvement.

5. MATTERS EXEMPT FROM PUBLICATION

None

The meeting started at 12.00 pm and ended at 12.20 pm

This page is intentionally left blank

DELEGATED DECISIONS OF THE BOARD MEMBER, CUSTOMER SERVICES AND REGENERATION

Thursday 16 August 2012

COUNCILLORS PRESENT: Councillor Smith.

OFFICERS PRESENT: William Reed (Law and Governance), Helen Bishop (Head of Customer Services).

1. DECLARATIONS OF INTEREST

None.

2. PUBLIC ADDRESSES

None.

3. COUNCILLOR ADDRESSES

None.

4. COUNCIL TAX BENEFIT SUPPORT SCHEME

The Head of Customer Services submitted a report (previously circulated, now appended).

Resolved:-

- (1) In principle and subject to consultation, that the existing Council Tax Benefit Scheme be adopted in Oxford as the City Council's Local Council Tax Support Scheme for 2013/14;
- (2) In partnership with the County Council and the other Oxfordshire district councils, to issue joint advertising and consultation on the proposed Scheme for a period of six weeks between 27th August and 5th October 2012.

The meeting started at 5.00 pm and ended at 5.12 pm

This page is intentionally left blank

DELEGATED DECISIONS OF THE BOARD MEMBER, CLEANER GREENER OXFORD

Thursday 23 August 2012

COUNCILLORS PRESENT: Councillors Tanner.

OFFICERS PRESENT: Mathew Metcalfe (Democratic and Electoral Services)

1. DECLARATIONS OF INTEREST

No declarations of interest were made at the meeting.

2. PUBLIC ADDRESSES

Nigel Gibson addressed the meeting and said that it was not clear why this was being proposed. He felt that the stated objectives when compared to the background papers were more of a reputation issue for the Council and wondered whether this was an initial step to close down democracy.

In response Councillor John Tanner said that the Council was trying to reduce the amount of litter in the City centre. In the past there had been problems with commercial organisations handing out leaflets and this was why the initial scheme was introduced and at that time it was stated that the scheme would be reviewed. He added that the amended scheme would exclude political, religious and charities from requiring a license. The Bus Companies would also be exempt for a further 6 months.

3. COUNCILLOR ADDRESSES

None made.

4. REVIEW OF LEAFLET CONSENT SCHEME

The Head of Environmental Development submitted a report (previously circulated, now appended) following a review of the existing Leaflet Consent Scheme for the distribution of free printed matter.

Resolved to agree the proposed changes to the Leaflet Consent Scheme for the distribution of free printed matter as set out in the report.

5. MATTERS EXEMPT FROM PUBLICATION

None.

The meeting started at 5.00 pm and ended at 5.10 pm

This page is intentionally left blank

To: Council

Date: 8th October 2012

Item No:

Report of: Head of Law and Governance

Title of Report: PETITIONS SCHEME – LABOUR MUST LISTEN TO OXFORD

Summary and Recommendations

Purpose of report: To advise on the procedure that Council needs to follow under the Council's Petitions Scheme in respect of large petitions, and to provide information specifically on the petition entitled 'Labour Must Listen to Oxford'.

Report Approved by:

Legal: Jeremy Thomas, Head of Law and Governance

Policy Framework: Not applicable

Recommendation(s): Council is RECOMMENDED to follow the procedure for large petitions in the Council's Petitions Scheme by hearing the head petitioner for the petition entitled "Labour Must Listen to Oxford" and to then debate the petition and decide how to advise the Executive.

1. A petition entitled "Labour Must Listen to Oxford" was handed in at the full Council meeting on 16th July 2012. The petition contains 1,911 signatures. The petition reads as follows:-

"In the local elections in May, Labour received 14,321 votes, 12.8% of the electorate. The Save Temple Cowley Pools Campaign has over 17,500 signatures on the petitions it has submitted to the Oxford City Council that Labour still controls. As a result, we the undersigned do not believe that Labour has an electoral moral mandate to build a new 25m non-Olympic swimming pool in Blackbird Leys for over £13m, one third of this year's building budget affecting all Oxford Council taxpayers, when £3m will refurbish and improve the existing leisure facilities in East Oxford. I call on Labour to stop the scheme now, keep the green in Blackbird Leys for the estate to enjoy and

ensure that both the existing Blackbird Leys Swimming Pool and Temple Cowley Leisure Centre remain open”.

2. Council adopted a Petitions Scheme (as required by the Local Democracy, Economic Development and Construction Act 2009) in July 2010. The scheme says that petitions containing over 1,500 signatures will be debated by full Council. The 2009 Act says that in order for signatures on a petition to count they must give the signatories name and address and those people so signing must live, work or study in the authority’s area. A sufficient number of signatures to achieve the 1,500 mark have accompanying names and addresses. It is not of course possible to check whether any signatories from outside Oxford work or study in the City.
3. Our Petitions Scheme says that the petition organiser will be given five minutes at Council to present the petition and that Council will then debate the petition. Where the issue is one on which the Council’s Executive is responsible for reaching the final decision, the Council will decide whether to make recommendations to inform that decision. The petition, the subject of this report is not one for the Executive to consider.
4. Council is being recommended to follow the procedure for large petitions in the Council’s Petitions Scheme and decide how it wishes to proceed.

Name and contact details of author:

Mathew Metcalfe
Democratic and Electoral Services Officer
Oxford City Council
Town Hall
Oxford
OX1 4BX
Tel 01865 252214
Email address mmetcalfe@oxford.gov.uk

Background papers: None

Version number: 1

18. MOTIONS ON NOTICE

(1) **Building Regulations** – (Proposer – Councillor Mike Gotch, seconder Councillor Graham Jones)

Council notes that Building Regulations are due to be radically tightened in 2013 and 2016, when new dwellings must be constructed and run to have a carbon neutral footprint .

Council further notes the ambition to lead the country in reducing carbon emissions, and therefore asks the City Executive Board

- to require the City Development department to adopt a strategy of requesting private and public sector planning and building regulations' applicants to begin to adopt those standards now, rather than delay that which will soon become compulsory, and,
- as an exemplar, ensure that all of the new Barton West is in full conformity with the 2016 standards, including a combined Heat and Power unit, to serve all new dwellings, but also existing Barton dwellings following a feasibility study to establish viability.

(2) **Institutional investment in Private Rented Housing** – (Proposer – Councillor Ed Turner)

Council notes the review commissioned by the Government into institutional investment into Private Rented Housing, Chaired by Sir Adrian Montague, of 3i.

Council further notes, with concern, proposals from the British Property Federation to this review, and associated media reports suggesting that the review will endorse these, which would allow developers freely to substitute institutionally-financed private rented housing for affordable housing provided through the planning process.

Council believes that there is a major shortage of genuinely affordable housing in Oxford. Council endorses the existing approach of requiring social rented housing through the planning system, and expresses strong concern that the "affordable rent" model promoted by the Tory-Lib Dem Government is not affordable in Oxford.

Council in particular resolves to resist any attempt to substitute private rented housing, at full rent, for affordable housing, as a result of the Montague Review.

(3) Potential impact of proposed developments - (Proposer Councillor Dick Wolff, seconder Councillor Craig Simmons)

Notwithstanding the general development permissions relating to particular sites in planning policies, this Council is concerned to consider in greater detail the potential impact of proposed developments which are subject to planning approval on:

- (a) sustainability,
- (b) vitality,
- (c) diversity and
- (d) ongoing development of local economies (both city-wide and at neighbourhood level).

Specific considerations include:

- (i) the financial viability of local businesses, particularly independents
- (ii) the number of people in paid employment in a neighbourhood
- (iii) the importance of maintaining economic diversity in neighbourhoods as a whole, in addition to concern about individual businesses.

Although the great majority of planning applications will not have significant implications for local economic sustainability, the Council deems it appropriate that where it is clear that a proposed development is worthy of concern with regard to the considerations described above, that an appropriate Local Economic Impact Assessment is made by Council officers and presented as an integral part of the officers' report when a planning application is considered, together with recommended conditions and mitigation measures where potential negative impacts are identified.

A Local Economic Impact Assessment will only be conducted when there is a clear potential impact on an area as a whole.

(4) Police Commission Elections - (Proposer Councillor David Williams, seconder Councillor Elise Benjamin)

This Council is concerned that the forthcoming Elections for a Police Commissioner are profoundly undemocratic. The election procedures make it virtually impossible for political groups that do not have the backing of wealthy sponsors to field a candidate.

With candidates having to pay a deposit of £5,000.00 and there being no freepost of literature over an area with more than half a million voters the election is effectively restricted to candidates sponsored by wealthy organisations.

Oxford City Council is concerned that political groups without access to great wealth by being excluded from the election are not able to forward their views on modern policing and by their exclusion deny voters a full spectrum of opinion and a real choice.

The only organisations likely to fight this election are the large wealthy political parties and affluent corporate organisations.

By restricting the type of candidate who may stand, the election is outside the British tradition that all elections should be open to all, pluralist in the arguments deployed and inclusive of all opinions.

The Council calls on the Electoral Commission to recognise the inequity of the present arrangements and to recommend that either the election be abandoned as undemocratic or dramatically reduce costs by introducing a free post system and reducing the candidate deposit to an affordable sum.

(5) North West London Airport Proposal – (Proposer Councillor David Williams, seconder Councillor Craig Simmons)

This Council is alarmed by the proposal submitted to the Secretary of State for Transport by a business consortium, backed by Chinese financiers, for a fifth London Airport to be constructed in North West Oxfordshire alongside the agreed High Speed Rail link .

Oxford City Council is dismayed that a consultation and bids for greater airport capacity is now to be held in view of the stance taken in the General Election of 2010 that there would be no further expansion at Heathrow and the abandonment of the arguments accepted at the time that this was economically unnecessary and damaging to the environment.

The City Council believe that such an airport close to the landing systems of Brize Norton and the glide path of London Oxford Airport is unnecessary and would bring greater pollution and disturbance to the area.

Oxford City Council urges the Secretary of State to resist demands for ever more airport expansion and to recognise that air transport is having a major impact on global carbon emissions and hence climate change. The Council urges Patrick McLoughlin MP to consider that, other transport systems offer a lower carbon profile and can be just as effective in meeting demand and to recognise that air transport is adding significantly to global warming.

This Council asks that the Chief Executive to write to the Secretary of State outlining the Councils views on this matter.

(6) **Night Time Economy Levy – (Proposer Councillor Craig Simmons, seconder Councillor Elise Benjamin)**

This Council recognises that areas of the City suffer badly from noise and nuisance caused by licensed premises serving alcohol; as evidenced by the introduction of a Special Saturation Policy.

The power to introduce a 'late night levy' has been granted to local authorities under new Police Reform and Social Responsibility Act 2011.

This Council therefore asks the City Executive Board to consult on the introduction of a local levy on late night premises to pay for mitigating measures such as better policing.

(7) **Road Deaths of Cyclists – (Proposer Councillor David Williams, seconded by Councillor Craig Simmons)**

Although there has been a decline in the number of deaths of cyclists over the last ten years on UK roads by 49% the figures for Oxfordshire are not so encouraging with a corresponding figure of only 27%? (Office of National Statistics). From the County Council's own figures the majority of the decline in the County was in the first 5 years with the numbers of those killed or seriously injured remaining essentially static for the following five.

There is no doubt a number of reasons as to why this figure is so out of line with the national average figure, especially 2011 when the annual figure increased dramatically, virtually doubling.

With this in view the City Council will work with the County Council with three clear objectives in the short, medium and long term and take into consideration the Western European models of urban traffic management that generally see half the number of fatal injuries to cyclists .

The Council cycle plan will include:

In the short term, identification of accident black spots that keep occurring in the accident statistics and make recommendations for alterations in the traffic management that will improve safety for cyclists.

In the medium terms, recognise that a primary reason for deaths and serious injuries to cyclists is integrated urban traffic especially the mix of cyclists and very heavy vehicles and to move to limiting speed, weight restrictions and other planned traffic management proposals that will cut the number of fatalities in the City and surrounding towns.

In the long term, as renovation work progresses to adopt the European model of separation of cycle lanes and roads with a well

planned three stage structure of pavement, distinct separate cycle ways and road surface.

(8) Fair Pay – (Proposer Councillor Sam Hollick, seconder Councillor David Williams)

This Council understands that a more equal society is better for all.

We are proud, that Council staff, are now paid at least a living wage, setting a precedent as a major employer in Oxford that pay should meet the cost of living, rather than submitting to arguments about the market rate for labour.

This Council notes that between 2009 and 2010, senior executives received average pay rises of 23%, while the average pay rise given to staff taking into account the impact of inflation was effectively a pay cut.

In the interests of promoting greater equality, this Council resolves to:

- (1) Publish the highest-to-lowest pay ratio for directly employed Council staff, including all forms of remuneration in the calculation of pay.
- (2) Commit to distributing any further pay increases to all staff fairly, such that the highest-to-lowest pay ratio does not increase and sets as an aim to narrow that differential.
- (3) Request all organisations that hold contracts with the Council to publish their highest-to-lowest pay ratio.

(9) Affordable Housing Requirements – (Proposer Councillor Sam Hollick, seconder Councillor Elise Benjamin)

This Council believes that building new social housing is the best way of meeting the housing needs of people on low pay. Consequently, we are seriously concerned about the Government's planning reforms (announced 6th September) that allow developers to renegotiate agreements to provide affordable housing via appeals to Planning Inspectors.

This Council is committed to providing enough social housing, and instructs the Leader to write to the Secretary of State explaining how these reforms will undermine our attempts to meet housing need in Oxford.

(10) Loan Sharks – (Proposer Councillor Mike Rowley)

1. This Council expresses its deep concern about the activities of "pay day loan" companies which target people suffering from significant day-to-day financial pressures.
2. This Council notes that "Wonga", the most prominent of these companies, recorded a 225% rise in profits last year while charging interest rates of up to 4,000%.
3. This Council believes that the activities of these companies can trap some of the poorest and most vulnerable people in our communities in a descending spiral of toxic debt. We strongly condemn "pay day loan companies" and believe the advertising produced by "Wonga" targetting pensioners and students to be particularly irresponsible.
4. This Council resolves:
 - (a) to support the campaign for caps on the costs of credit and a real time register to give consumers the protection they so desperately need;
 - (b) to request the Leader and the Chief Executive to write accordingly to the Secretary of State for Business, Innovation and Skills; and
 - (c) to request the City Executive Board to ensure that sound advice on loans is incorporated into any money advice Council officers provide in the transition to Universal Credit.

(11) Universal Credit – (Proposer Councillor Van Coulter, seconder Councillor Antonia Bance)

This Council calls upon the Government to act with caution and that it must postpone the introduction of its Universal Credit.

The risks are great, yet the Government refuses to publish the risk register for the programme.

The project has already been delayed owing to problems with information technology - and the IT industry declares that the timescales involved are unrealistic.

Should the Government persist with its current aim of introducing the Universal Credit in October 2013, it will be a disaster. Whilst the trial to "prove" the fitness of Universal Credit is to run from April 2013, it is to be carried out in Tameside, Oldham, Wigan and Warrington – metropolitan areas with modest housing and living costs.

If pressed ahead, Universal Credit will be a disaster for people reliant on welfare. It will be a disaster for the district councils that the Government will expect to resolve the problems that arise, and it will be a disaster for the public as a whole, because they will have the burden of the cost for a failed programme of “reform”.

As it stands, Universal Credit has many predicted defects – as set out by more than seventy highly credible organisations.

There is reasonable certainty, that as it stands, Universal Credit will leave many single people and families worse off.

As it stands, people with disabilities and those who are currently unable to work because of illness face harsh fitness for work tests.

As it stands, the new benefit cap will badly hit larger families and people who live in places where the cost of housing is high.

As it stands, there are unrealistic expectations for lone parents with young children to go out to work.

As it stands, Universal credit will be paid in one monthly payment and normally to one person in each household.

As it stands, Universal Credit will disadvantage women – and by doing so, it will disadvantage children.

As it stands, the community action programme, or so called 'support for the very long-term unemployed', amounts to no more than an easy way for companies to get free labour and take advantage of people who have been unable to find work.

As it stands, people will be forced into low-paid jobs.
As it stands, poorer working people will be forced to leave their homes.

As it stands, the Universal Credit programme is, for all practices and purposes, unachievable.

This Council calls upon the Government to defer introduction of Universal Credit – less haste and give more thought for the consequences for this so called “reform”

(12) Day Centre Charges – (Proposer Councillor Gill Sanders)

This Council notes with concern the County Council’s plan to pass on a massive increase in fees for attendance at day centres from £10 to £25 per session - an increase of 150%. Many people attend day centres three times a week which would mean an increase from £30 to £75 and so they would not be able to attend the centres so frequently.

One of the biggest problems of getting older is isolation and this will only serve to increase the isolation of older people.

We recognise the need to make increases in the existing charges, and most older people would accept this. However the proposed increase would mean that fewer people would be able to attend the day centres and the fall in numbers attending would probably result in some centres closing, resulting in even more isolation for many older people.

At the moment the County is consulting on these proposed increases and we urge them to take careful note of the comments received during the consultation process and to consider very carefully the consequences of such an increase in charges and ask them only to make increases that would not have such a devastating effect on the older, most vulnerable and isolated people in our communities.

(13) Destabilisation of University finances – (Proposer Councillor Bob Price)

This Council regrets the destabilising of University finances caused by the Coalition Government's trebling of fees, attacks on the recruitment of international students, and the arbitrary capping of student numbers at individual universities.

(14) Educational Attainment – Key Stage 1 – (Proposer Councillor Jean Fooks, seconder Councillor Jim Campbell)

This Council

- * regrets that too many Oxford City children have not been reaching their potential at Key Stage 1, and later, for far too long
- * supports the decision to provide intensive support to primary School's in disadvantaged areas, and
- * believes that it is essential that the City and County Councils work together for the benefit of Oxford's children.

Council therefore asks the Leader to invite the County Council to nominate members of its Children's Services Scrutiny Committee to join in the work being done by this Council's Community and Partnerships Scrutiny Committee through its Educational Attainment panel.

(15) Break the Bag Habit Campaign – (Proposer Councillor Graham Jones)

Council

- notes with dismay that in 2011 the staggering number of eight billion 'thin-gauge' bags were issued in the UK. (This equals 254 bags handed out per second and represents an increase of 5.4% over the number issued in 2010);
- notes with interest that in Ireland and Wales, where there is a 5p levy on bags, there was a drop of up to 90% in the use of such bags;
- and that the Campaign to Protect Rural England, Keep Britain Tidy, the Marine Conservation Society and Surfers Against Sewage have launched a the *Break the Bag Habit Campaign*, calling on the Government to introduce a levy on single-use plastic.

Council reaffirms its wish to reduce litter as well as to limit environmental damage, and therefore asks the Leader to write to the City's two MPs requesting them to support the campaign.

(16) Relaxation of Planning Regulations – (Proposer Councillor Roy Darke)

The Council condemns the recently announced relaxation of planning regulations. The planning system has served Oxford and the country well over many decades by reducing sprawl and ad-hoc un-neighbourly development. The coalition delusion that less planning control will unlock pent up demand "for more affordable housing" (Nick Clegg) is wholly unrealistic and unlikely. Supply-side tinkering is not the answer. The main problem for new and expanding households is failure of the banks to lend money during the deep world-wide recession. Planning controls are not the principal blockage to home extension to family houses.

This is another example of the failure of the Coalition Government to understand that knee-jerk policies have unintended consequences when not properly thought through. In Oxford, and elsewhere, the proposed measures will open up opportunities for landlords and developers with capital to acquire and extend family homes for multi-occupation leading to poorly designed and overbearing extensions with loss of garden space and amenity.

(17) Erosion of affordable housing – (Proposer Councillor Ed Turner)

Council condemns the proposal to allow developers to appeal against Section 106 requirements for affordable housing and seek to have them reduced by the Planning Inspectorate. Council believes that with the dire shortage of affordable housing, coupled with the shortage of sites for development in Oxford, such a move will further compound Oxford's housing crisis. Council also expresses concern that a hiatus may result, with developers delaying construction of new homes until an appeal can be heard against the S106 requirement.

Council asks the Chief Executive and any group leaders willing to sign to write to the Secretary of State for Local Government, opposing this proposal which it believes is a further assault on affordable housing by the Coalition Government.

(18) Expansion of powers of the Planning Inspectorate – (Proposer Councillor Ed Turner)

Council opposes the proposal of September 2012 to remove from local authorities who fail to meet centrally set targets the ability to determine planning applications in their areas, and believes that such a move is an unwarranted assault on local democracy.

To: Council

Date: 8th October 2012

Item No:

Report of: Head of HR & Facilities

Title of Report: New Employment Policies

Summary and Recommendations

Purpose of report: To present for approval and adoption a revised Disciplinary Policy and Procedure, and Alcohol and Drug Misuse policy

Key decision? No

Executive lead member: Cllr Bob Price

Report approved by:

Finance: Nigel Kennedy
Legal: Jeremy Thomas

Policy Framework: Efficient & effective Council

Recommendation(s):

- 1) That the Disciplinary policy and procedure agreed with the Trade Unions (appendix A) be approved with immediate effect.
- 2) That the Alcohol and Drug misuse policy agreed with the Trade Unions (appendix B) be approved with immediate effect.
- 3) That the Head of HR & Facilities be authorised to implement these policies and procedures within an appropriate time frame, making changes as required in accordance with best practice and relevant legal frameworks.

INTRODUCTION

1. The Council is continuing to progress its people management initiatives and this includes the periodic review of existing employment policies (in consultation with trade unions) in addition to the introduction of new policies to support the Council's Organisational Development Strategy, 'Good to Great'.
2. The changes to the Disciplinary policy and procedure result in a reduced easy to follow document which contains all the key information. The policy is supported by supplementary documents outlining the procedure for investigation, hearing and appeal. The key emphasis is placed on the investigatory process to ensure the facts presented lead to effective and appropriate decision making.
3. The introduction of the Alcohol and Drug misuse policy replaces the existing 'alcohol and drug abuse problems in employment' information. The key emphasis of the policy is to provide support to employees who acknowledge they have drug or alcohol problems. Within the policy provision is made for the Council to conduct searches for related substances and carry out screening where it is deemed necessary in the interest of the Council, its employees and the public.
4. Trade unions have been consulted and the attached documents reflect any changes agreed with them. There were no unresolved areas of dispute and both Unison and Unite agree with the introduction of the revised policies.

SUMMARY

1. The **Disciplinary Policy & Procedure** is summarised as follows:

- Replaces the previously agreed version.
- Policy simplified and based on ACAS guidelines
- Supplementary documents included to clarify procedures for investigation, hearing and appeal
- Key emphasis is placed on the investigatory process to ensure facts presented allow decision making to take place effectively and appropriate decisions made
- Identification of 4 key roles within the process – Commissioning Manager, Investigating Officer, Disciplinary Meeting Chair, and Disciplinary Appeal Meeting Chair
- No one person may hold more than one key role for any individual case – to ensure objectivity and fairness throughout the process
- Elected Members retain an observers role at appeal
- Each stage will have been supported through representation from HR
- There are two categories of appeal:
 1. Dispute re: sanction issued – Review of case
 2. Dispute of facts and evidence within original hearing or new evidence which may effect sanction (Re-hearing of the case – most appeals expected to be a rehearing)

2. The Alcohol and Drug misuse policy is summarised as follows:

- provides a clear policy
- clarifies the responsibilities of the organisation, its managers and employees
- outlines support available to employees
- clarifies requirements of relevant legislation (e.g. drink-driving)

- introduction of the right to search
- introduction of screening and testing 'for cause' – i.e. where there is a reasonable suspicion that an employee may be under the influence of alcohol or drugs. The tests are to be conducted by a third party specialist company who can conduct the tests appropriately and guarantee the integrity of the evidence chain

Assessment of Risk

3. A risk management framework is attached at Appendix C.

Climate change / environmental impact

4. There are no climate change or environmental impacts.

Equalities impact

5. An Equalities Impact Assessment form is attached at appendix D.

Financial implications

6. Cost of administering the tests estimated to be £50 each, and expected to be no more than 20 tests per year, so £1,000 to be met from existing budgets.

Legal Implications

7. These policies form part of the council's governance arrangements for all employees, requiring all staff to adhere to their contents. Managers are required to ensure consistent, fair and equitable application of these policies to meet employment law requirements and good practice.

Name and contact details of author:

Simon Howick, Head of HR & Facilities,

List of background papers:

None

Version number: 1.0

This page is intentionally left blank

DISCIPLINARY POLICY

APPENDIX A

1.	POLICY STATEMENT	2
2.	PRINCIPLES	2
3.	SUMMARY OF DISCIPLINARY PROCEDURES	2
4.	DISCIPLINARY ROLES	3
5.	INFORMAL PROCEDURE	3
6.	FORMAL DISCIPLINARY SANCTIONS	4
7.	SUSPENSION.....	5
8.	APPEALS	5
9.	RELATIONSHIP WITH OTHER POLICIES	6
10.	MONITORING & REVIEW	6

APPENDIX A

OXFORD CITY COUNCIL

DISCIPLINARY POLICY AND PROCEDURE

1. POLICY STATEMENT

This procedure is designed to help and encourage all employees to achieve and maintain standards of conduct, attendance and job performance. Oxford City Council policies and procedures apply to all employees. The aim is to ensure consistent and fair treatment for all in the organisation.

2. PRINCIPLES

- 2.1 Informal action will be considered, where appropriate, to resolve problems. No disciplinary action will be taken against an employee until the case has been fully investigated.
- 2.2 For formal action the employee will be advised of the nature of the complaint against him or her and will be given the opportunity to state his or her case before any decision is made at a disciplinary meeting. Employees will be provided, where appropriate, with written copies of evidence and relevant witness statements in advance of a disciplinary meeting.
- 2.3 At all stages of the procedure the employee will have the right to be accompanied by a trade union representative, or work colleague.
- 2.4 No employee will be dismissed for a first breach of discipline except in the case of gross misconduct, when the penalty may be dismissal without notice.
- 2.5 An employee will have the right to appeal against any disciplinary action.
- 2.6 The procedure may be implemented at any stage if the employee's alleged misconduct warrants this.

3. SUMMARY OF DISCIPLINARY PROCEDURES

- 3.1 This Disciplinary Policy is supported by 3 supporting documents incorporate 4 key documents:

Conducting Disciplinary Investigations

This document is used by an Investigating Officer to gather facts and determine whether a disciplinary meeting should be held.

Conducting a Disciplinary Meeting or Disciplinary Appeal Meeting

This document is used by a Disciplinary Meeting Chair or Disciplinary Appeal Chair to guide the procedure and decision making process of the meeting.

Conducting a Disciplinary Appeal Meeting

This document is used by a Disciplinary Appeal Meeting Chair to guide the process of review of a disciplinary sanction where this has been appealed.

APPENDIX A

4. DISCIPLINARY ROLES

4.1 The structure of these procedures therefore identifies 3 key roles:-

The Commissioning Manager

- This person will normally be the employee's line manager and will commission an investigation. At any meeting they will be called as a witness, including to give an explanation as to why they brought the case forward

The Investigating Officer

- This person will fully investigate the allegations to determine if a disciplinary case exists and a Disciplinary meeting should be held.
- For further details of this role refer to the document *Conducting Disciplinary Investigations*.

The Disciplinary Meeting Chair

- This person will chair the meeting, which may include a panel where dismissal could be considered. This person will determine any sanction to be issued as a result of the meeting – but see section 6.2 below if dismissal is a possible outcome.
- For further details of this role refer to the document *Conducting a Disciplinary Meeting or Disciplinary Appeal Meeting*

The Disciplinary Appeal Meeting Chair

- This person will chair the meeting and determine the appropriateness of the sanction issued at the disciplinary meeting where this has been appealed. They will normally be at the same level or higher than the Disciplinary Meeting Chair
- For further details of this role refer to the document *Conducting a Disciplinary Appeal Meeting*.

4.2 Where a Disciplinary Appeal Meeting is required an independent manager not previously involved will conduct the appeal in line with the procedure outlined in *Conducting a Disciplinary Meeting*. There will be no further right of appeal following a Re-Hearing.

4.3 Any of these roles may be carried out by the employee's line manager depending on the circumstances of the allegations. If the line manager is to be a witness, then they will not undertake any of the roles above.

4.4 In each instance, the role will be held by a different individual to ensure objectivity and a fair and reasonable approach to each meeting.

5. INFORMAL PROCEDURE

5.1 Cases of minor misconduct are usually best dealt with informally. If conduct is not satisfactory and is minor in nature then a manager can give an informal warning, which is not part of the formal disciplinary procedures outlined in the documentation above.

5.2 The matter should be discussed with the employee privately and:

- State that the conduct is unsatisfactory
- Give the employee the opportunity to explain and discuss reasons for the conduct
- State clearly the conduct expected, including any timescales for improvement if appropriate
- State that if the conduct does not improve to the required standard, the formal procedures will then be instigated.

5.3 The Line Manger will then confirm this discussion in writing confirming again that this is not part of the formal procedures.

APPENDIX A

6. FORMAL DISCIPLINARY SANCTIONS

6.1. This will normally be either:

an improvement note for unsatisfactory conduct or performance if conduct or performance does not meet acceptable standards. This will set out the conduct or performance problem, the improvement that is required, the timescale, any help that may be given and the right of appeal. The individual will be advised that it constitutes the first stage of the formal procedure. A record of the improvement note will be kept for 6 months, but will then be considered spent – subject to achieving and sustaining satisfactory performance or,

a first warning for misconduct if conduct does not meet acceptable standards. This will be in writing and set out the nature of the misconduct and the change in behaviour required and the right of appeal. The warning will also inform the employee that a final written warning may be considered if there is no sustained satisfactory improvement or change. A record of the warning will be kept, but it will be disregarded for disciplinary purposes after a specified period (eg, twelve months).

final written warning if the misconduct is sufficiently serious, or if there is further misconduct or failure to improve performance prior to the expiry of a first written warning, a final written warning may be given to the employee. This will give details of the complaint, the improvement required and the timescale. It will also warn that failure to improve may lead to dismissal (or some other action short of dismissal) and will refer to the right of appeal. A copy of this written warning will be kept by the supervisor but will be disregarded for disciplinary purposes after twelve months subject to achieving and sustaining satisfactory conduct or performance.

6.2. Dismissal or Other Sanction

6.2.1 If there is further misconduct or failure to improve performance the final step in the procedure may be dismissal or some other action short of dismissal such as demotion or disciplinary suspension or transfer (as allowed in the contract of employment). **Dismissal decisions can only be taken by a Head of Service or above**, and the employee will be provided in writing with reasons for dismissal, the date on which the employment will terminate, and the right of appeal.

6.2.2 If a sanction short of dismissal is imposed, the employee will receive details of the complaint, will be warned that dismissal could result if there is no satisfactory improvement, and will be advised of the right of appeal. A copy of the written warning will be kept by the line manager but will be disregarded for disciplinary purposes after twelve months subject to achievement and sustainment of satisfactory conduct or performance.

6.3. Gross Misconduct

6.3.1 The following non-exhaustive list provides some examples of offences which are normally regarded as gross misconduct:

- theft or fraud
- physical violence or bullying
- deliberate and serious damage to property
- serious misuse of an organisation's property or name
- deliberately accessing internet sites containing pornographic, offensive or obscene material
- serious insubordination
- unlawful discrimination or harassment
- bringing the organisation into serious disrepute
- serious incapability at work brought on by alcohol or illegal drugs
- causing loss, damage or injury through serious negligence

APPENDIX A

- a serious breach of health and safety rules
- a serious breach of confidence.

6.3.2 If you are accused of an act of gross misconduct, you may be suspended from work on full pay (see section 7 below). This period will be long enough to allow completion of a full investigation while acknowledging that this should be for as short a period as possible. If, on completion of the investigation and the full disciplinary procedure, the organisation is satisfied that gross misconduct has occurred, the result will normally be summary dismissal without notice or payment in lieu of notice.

7 SUSPENSION

7.1 A member of staff may be suspended from work with pay during a disciplinary investigation. The action of suspension does not imply guilt or that any decision about the outcome has been reached.

7.2 A preliminary assessment of the situation will take place to determine whether it is necessary to suspend an employee pending an investigation. An employee may be suspended from duty in the following circumstances:

- a. in serious situations of alleged gross misconduct where dismissal is a possible outcome;
- b. where there are grounds for doubt as to the suitability of an employee to continue working e.g. pending criminal investigations or where there is a serious risk to the reputation of the Council;
- c. where there is a reason to be concerned that the employee or others may be placed at risk if the employee remains in his/her position during an investigation;
- d. where it is considered possible that the employee may influence witnesses or interfere with relevant evidence and the investigation.

7.3 A line manager must seek the approval of a Head of Service or more senior officer and, wherever possible, consult with Human Resources before suspending an employee.

7.4 The employee will be advised of the reasons for suspension, which is with pay, and the expected duration. Employees may have a witness present with them at the point of suspension, but there is no right of representation. Failure by the employee to find a suitable witness will not prevent a manager suspending the employee. During any period of suspension the employee must remain contactable and available to attend any meetings related to the suspension. Meetings may be requested at short notice. The employee must comply with all the requirements specified at the time of suspension. Where annual leave has been pre-booked prior to suspension this may be taken.

7.5 Any suspension will be confirmed in writing to the employee. Suspension will be regularly reviewed and the time period kept to a minimum subject to the circumstances of the case. Suspension can happen at any stage of a disciplinary investigation

8 APPEALS

8.1 An employee who wishes to appeal against a disciplinary decision must do so within five working days. There are two types of appeal; a review of the sanction or a re-hearing (details of these are set out in the Council's 'Conducting a Disciplinary Appeal Meeting' document). The Disciplinary Appeal Meeting Chair will hear all appeals and his/her decision is final.

APPENDIX A

9 RELATIONSHIP WITH OTHER POLICIES

- 9.1 If an employee wishes to raise a grievance whilst they are subject to the disciplinary process they must follow the Grievance Procedure. The manager receiving the grievance will seek Human Resources advice to determine the most appropriate route for the grievance to be heard. If the grievance relates to the disciplinary process then it will be considered as part of this disciplinary procedure. If the grievance is about another unrelated matter then the grievance procedure may either be invoked to run concurrently or, exceptionally, delayed until disciplinary process is complete.

The Council's Performance Improvement Policy and Procedure should be used for issues of performance.

10 MONITORING & REVIEW

- 10.1 The Chief Executive, as Head of Paid Service, has overall responsibility for employees and will receive regular monitoring information including diversity information regarding formal disciplinary action and appeals from Human Resources.



CONDUCTING A DISCIPLINARY INVESTIGATION

APPENDIX A

1. THE ROLE OF THE INVESTIGATING OFFICER 9

2. CONDUCTING THE INVESTIGATION 9

2.1 PLANNING 9

2.2 ESTABLISHING FACTS 10

2.3 EVALUATING 14

2.4 REPORTING 14

3 AN INVESTIGATING OFFICER’S ROLE AT A DISCIPLINARY MEETING 16

APPENDIX A

1. THE ROLE OF THE INVESTIGATING OFFICER

- 1.1 The role of the Investigating Officer is to establish the facts of the case by:
- Interviewing the employee(s) regarding the allegations and any witnesses.
 - Obtaining any other relevant documentary evidence.
 - Preparing a comprehensive report that contains all the relevant factual information, copies of statements received and any other relevant documentary evidence.
 - Providing the Disciplinary Meeting Chair with a summary of issues and factors to be considered, and any contradictory evidence.
- 1.2 The Investigating Officer is commissioned by the Commissioning Manager (usually the employee's line manager) who is responsible for deciding whether the individual has a case to answer, based on the facts established throughout the course of the investigation into the specific allegations). The Investigating Officer is not responsible for making a decision about what course of action should be followed at a Disciplinary Meeting.
- 1.3 The Investigating Officer should agree terms of reference with the Commissioning Manager the investigation outlining the issue(s) to be investigated, proposed timeframe and the circulation details for the report produced.
- 1.4 It is essential that the Investigating Officer keeps details of the investigation confidential from anybody who should not receive a copy of the report and that no personal opinion is expressed within the investigation interviews or the report itself.
- 1.5 All documentation will be provided electronically unless in exceptional circumstances. Where agreed by all parties involved, electronic recording equipment including audio recording equipment may be used to record any interviews or meetings.

2. CONDUCTING THE INVESTIGATION

Investigations will normally consist of four main stages:

- Planning
- Establishing facts
- Evaluating
- Reporting

2.1 PLANNING

Effective planning is a key component of any successful investigation as it will help the Investigating Officer to define the parameters of the investigation and keep focus on what is relevant. A good initial plan will help to reduce the disruption of unforeseen circumstances. The plan should be agreed with the person commissioning the investigation (as previously stated, they will normally be the line manager **but will not be** the Disciplinary Meeting Chair) in order that they understand the actions to be taken prior to any formal Disciplinary Meeting.

Defining the Allegation - A good investigation plan starts with a precise definition of the allegation. Knowing exactly what the Investigating Officer is trying to establish will help focus. Ambiguity about the exact nature of the allegation may cause difficulties later on in the investigation.

To help focus the investigation in the right areas, the Investigating Officer should ensure clarity about the nature of the misconduct and which parts of the Code of Conduct or Council policies may have been breached. One of the greatest dangers is becoming distracted by issues that only serve to muddy the waters and increase the amount of time and effort spent on an investigation.

APPENDIX A

As a matter of natural justice, the employee concerned should be informed of the allegations made against them and told that an investigation will be carried out, unless the Investigating Officer in agreement with an HR representative determines that there are good reasons why it is necessary to conceal the investigation from them (such as in cases of ongoing theft). If, the allegation is sufficiently serious as to suggest that it is an issue of gross misconduct, suspension may be considered and this will be carried out in line with the Council's Disciplinary Policy.

Action plan - The Investigating Officer should set out how the necessary information is to be obtained. The plan should include the witnesses to be interviewed, the order in which the interviews will be conducted, the questions to be asked and the subject areas to be covered. It should also include any documents to be obtained and any visits to other locations that would be useful.

It is usually best to secure all relevant documents before beginning the interviews as they may have an impact on the questions to be asked. The Investigating Officer should also consider what documents, if any, are to be issued to the interviewee before the interview.

Information/evidence required - It is helpful to work out what further information or evidence may be needed in order to determine whether the alleged misconduct occurred. Being as focused and precise as possible, being clear about what information is needed at this stage will help avoid delays and distractions later on.

An investigator only has to do as much of an investigation as is reasonable. It is necessary to keep a sense of proportion as exhaustive detail is usually only needed where there is a particularly complex or major issue.

If necessary the Investigating Officer should call for specialist help in order to clarify details. For example, an auditor or Health and Safety expert or a technical expert may be involved in any investigations that involve their specific knowledge base (in consultation with the Commissioning Manager or HR as required)

Where conflicting information/evidence is received the investigating officer should make enquiries to ascertain (as far as possible) which evidence or information is accurate.

Clear timeline - It is beneficial to include target dates for completion of the various stages of the investigation and an overall target date for completion of the final report. Where possible, this should be within 10 working days of the start of the investigation.

2.2 ESTABLISHING FACTS

In the vast majority of investigations the Investigating Officer will need to gather documents and conduct interviews to establish the facts of a case.

Gathering documents and background information - The Investigating Officer will need to obtain the background information and other documentary evidence identified as relevant to the investigation. It may be a requirement to obtain written statements from witnesses as opposed to going through the process of interviewing them, although these are usually only successful where the information sought is very straightforward. They will not be helpful where there is a need to probe the answers given for further information, test an individual's responses, or where there is some doubt about the credibility of an individual's account of events.

Where written statements are required, the request should:

- be made in writing
- explain the reasons for the request
- be precise about the information needed
- set a deadline for responding

Planning interviews - The Investigating Officer should already have identified the people to be interviewed and the areas to be covered within the investigations plan, and also considered the

APPENDIX A

order in which they should be approached. These interviews should be arranged as soon as possible to ensure that memories of any incidents do not get the opportunity to fade.

It is beneficial to plan the order of the interviews so that each witness is interviewed only once, although repeat interviews are sometimes unavoidable.

Interviewing the person who is the subject of the investigation first may save time if, for example, they admit to the alleged misconduct.

It may also help establish which facts, if any, are disputed. However, the Investigating Officer may learn things during other interviews that need to be discussed with the employee involved, requiring a second interview – this should be explained at the start of the first interview.

The individual being investigated should be aware of the people being interviewed as part of the investigation and be given the opportunity to suggest further interviewees. If they request that certain people are not interviewed, the investigator should attempt to find out why, and explain the reasons behind why the individual being investigated made the request in the final report.

Interviews should be conducted in a private setting, away from interruptions. There may be a need to make special provisions for witnesses whose first language is not English, or who have disabilities, learning difficulties or other needs that can be reasonably accommodated.

It is important to prepare a list of the core questions before commencement of the interview process, although other questions can be asked throughout the course of the interview based on information given by the interviewee.

Right to be accompanied - The Investigating Officer should write to the individual to arrange an interview, and must inform them of the appointment to investigate the allegations and advise them of their right to be accompanied by a work colleague or trade union representative at investigation interviews. If the employee wishes to be accompanied, a short period of time should be allowed to arrange this.

The employee is responsible for notifying their accompanying person of the interview and only in exceptional circumstances should the interview be postponed to allow for representation. If there is no accompanying person the Investigating Officer should confirm with the employee at the beginning of the interview that they have chosen not to be accompanied.

It is not appropriate for an accompanying person to be someone who may be interviewed as a witness as part of the investigation.

Whether or not the employee is accompanied, the Investigating Officer should have someone with them as note-taker.

Confidentiality - All information gathered during an investigation interview must be treated as confidential and as such all interviewees are reminded that they must not discuss the matter with any person not involved in conducting the investigation.

The interview - It is important that the Investigating Officer remains impartial and keeps an open mind throughout the investigation interviews.

At the beginning of the interview, the Investigating Officer should initially advise the interviewee:

- The format for the interview
- That notes will be taken

APPENDIX A

- That they will receive a written statement of the information they provide and will have the opportunity to make any corrections before it is finalised
- That they need to sign and date the statement as an accurate record when it has been finalised
- That their evidence may form part of a Disciplinary Meeting and they may be required to give evidence at that meeting
- That all discussions during the interview are confidential, and must remain so

Note: In this context, confidential means that whilst the interview is held in a confidential setting, the content of the subsequent statement may be used as part of the formal disciplinary process or in an employment tribunal.

During the interview the Investigating Officer should:

- Make the purpose of the interview clear (fact finding).
- Use open questions (questions that don't have a yes or no answer) to gain an overall picture of events.
- Query and probe in order to clarify and obtain accurate and full information i.e. using phrases such as....in your own words..., tell me about..., describe to me..., give me an example of..., how did it make you feel?
- Use closed questions (questions that have a yes or no answer) to obtain specific facts.
- Not ask leading questions (questions that attempt to guide the interviewee's answer).
- Separate fact from opinion.
- Separate direct observation from third-party comment.
- Not be accusatory.
- Allow allegations to be put forward and note responses.
- Challenge the interviewee where necessary, but in a non-adversarial manner. It is important to ensure that questions are posed to reflect what the interviewer has encountered as a result of previous interviews and reviews of documentation. This will assist evaluating evidence at the end of the process.

At the conclusion of the interview the Investigating Officer should:

- Ask the interviewee if there is anything else that they would like to add.
- Explain that there may be a need to meet with them again depending on the outcome of any other interviews.
- Tell the interviewee what will happen next and when, e.g. "I intend to complete the investigation by (date) and I will let you know if you will be needed to give further evidence at a disciplinary meeting" or "I will now be completing my report regarding the investigation and [name of manager] will be in touch with you shortly".
- Provide the interviewee with a copy of the notes of the meeting, and ask them to sign and date them. If the interviewee does not agree to the contents of the notes, they should be asked to make amendments, signing against the changes made. If the changes that the interviewee makes do not match the notes of the interviewer/note taker, discuss these matters with the interviewee. If the interviewee insists on the changes being made, this should be referred to in the report. If changes are to be made then this should be done using electronic 'track changes' so that it is easy to identify where the changes have been made.

At the end of each interview, the Investigating Officer should have obtained:

- The date, time and place of the alleged incident(s).
- The names of those involved in the alleged incident.
- Details of what actually happened and the order of events.
- Details of how the individual reacts to any other document or witness evidence that is inconsistent with their account.
- How the individual felt after the incident.
- Any steps taken by the individual to resolve the situation.

APPENDIX A

Record of Interview - A record of interview should include:

- The witness' name, position and duration of employment.
- The date, time and place of the incident(s).
- Where the witness was at the time of the incident, and how was it that they could see or hear what happened.
- Information about the nature of the working relationship between the witness and the employee, and the length of time the person has worked there in that capacity.
- When other people are identified in a statement, their full name and position should be included.
- Circumstantial evidence (evidence that is drawn not from direct observation of a fact at issue but from events or circumstances that surround it), should be used only if the statement includes details of why the witness came to the particular conclusion from the circumstances.
- If a witness wants to remain anonymous, take a statement in any event. It may be necessary later to erase parts of the statement if there is good reason to preserve anonymity.
- The Investigating Officer should check as far as possible whether the witness has some ulterior motive – obtain corroborating evidence where possible.

The following format for statements should be followed:

- All statements should be typed.
- Handwritten statements, which are subsequently typed, must be retained.
- The exact words spoken by the Investigating Officer and the witness should be recorded, without editing or paraphrasing where possible.
- Audio recordings of interviews are allowed but are subject to the agreement of both parties.
- Amendment to statements should be made by the employees themselves and initialled accordingly.
- On completion of a typed statement, the employee will be asked to read it and will be asked to sign the following statement at the end:
I (Name)..... have read the above statement and I have been able to correct, alter or add anything as I wish. The statement is true to the best of my knowledge and belief. I have made it of my own free will."
- All statements are confidential and should only be circulated to authorised personnel.
- Individual witnesses are entitled to a copy of their statements, but these are still covered by the need for confidentiality.

Witnesses should not be coerced into signing a statement if they are unhappy with it. It may be that a witness asks for modifications before they sign it. If a witness who is reluctant to participate in the investigation also refuses to sign a statement, then the Investigating Officer should include it, but making it clear in the report that it is unsigned. This will usually be given less weight when reviewed alongside other statements. Trade union representatives may also act as witnesses where appropriate.

Investigations of property - searching of desks and cupboards for evidence

Before conducting a search of desks and/or cupboards belonging to the employee under investigation, the Investigating Officer should invite the employee and any accompanying person to be present during the search. Where for some reason this is not practical, an independent manager should be present to witness the search.

Where the search reveals that a possible criminal offence has been committed, the search should automatically be suspended and the matter reported to the police. The desk or cupboard should be kept secure from interference until the police have arrived.

Searching employee e-mails and computers - **It may be necessary to search and monitor an employee's work e-mails as part of a disciplinary investigation, if this is deemed necessary. Any such search will be in accordance with the Council's Internet and E-mail Usage Policy, and**

APPENDIX A

investigators should be mindful that any method used to extract information about suspected breaches of the disciplinary policy must be lawful e.g. not contravene data protection legislation.

Suspected criminal or fraudulent activity - **the Council does not have the authority to undertake a search of personal belongings; or detain an employee against their wishes.**

If the employee's manager believes a criminal offence has been committed, the Council may be under a duty to notify the police. Further advice from the Head of Human Resources & Facilities and the Monitoring Officer should be obtained.

Depending on the nature of the offence, it may appropriate to carry out an independent internal investigation, even if the police are involved in a criminal investigation. In this situation contact Human Resources to seek the advice and guidance of the police on how best to continue internal enquiries without prejudicing any potential criminal case.

In cases of alleged fraud, it is the responsibility of the Investigating Officer to contact the Section 151 Officer who will liaise with the Monitoring Officer and Head of Human Resources to determine whether the matter needs to be referred to the police. The police should only be contacted following approval by the Monitoring Officer and the Head of Human Resources and Facilities.

2.3 EVALUATING

The Investigating Officer will need to review all the evidence gathered to determine if there are any gaps in it.

The Investigating Officer must be able to take a view on all disputed relevant matters. While absolute certainty is desirable, it is sufficient for the Investigating Officer to form an opinion based on the balance of probabilities. If this cannot be done further information may need to be sought.

Whilst each case must be judged on its own merits, there are some considerations which may help the Investigating Officer to form a view:

- Direct witness evidence (particularly from eye witnesses) who have no obvious reason to be biased either way, will usually be stronger than indirect evidence or evidence from those with an obvious bias when relating to the surrounding circumstances.
- Evidence which is inconsistent with documents produced at the time may be questionable.
- Evidence which contains inherent contradictions of its own may be questionable, as is evidence which is vague or omits significant details.
- Anonymous evidence may be less reliable.
- The demeanour of witnesses at interview may affect the weight given to their evidence.
- Consider whether the witnesses may have been influenced by others.
- Different individual's perceptions of the same events may differ, particularly when emotions are running high.

The Investigating Officer will need to weigh up all of the evidence and decide whether it is likely that the misconduct did occur and it is appropriate for the individual to be subject to attend a Disciplinary Meeting, in order for an appropriate sanction to be considered. It is useful to bear in mind that, under a disciplinary procedure, an employer has to show it has acted on reasonable belief after a reasonable investigation has been conducted.

2.4 REPORTING

When the investigation is concluded, the Investigating Officer should write up the findings in an investigation report.

APPENDIX A

The report must contain all relevant issues (including any conflicts of evidence) as this will form the basis of the case put forward at the Disciplinary Meeting.

Below is a suggested structure for a full and formal report:

Contents - All pages should be numbered and the contents page should detail where each section of the report, including appendices, can be found.

Introduction and background - After reading this section, the reader should understand:

- Why the investigation was deemed necessary
- The terms of reference of the investigation
- Why the person leading the investigation was selected for the role
- Any other factors regarding the organisation or individuals which may be relevant at this stage for the reader to know

It is also important to add that, before commencing the investigation, the Investigating Officer was provided with a copy of the Disciplinary Policy together with this document and that the process outlined in these documents was followed.

Methodology - In this section, the Investigating Officer should detail how the information was found. If this involved interviewing people, a full list of interviewees and their job titles should be given, together with a brief rationale as to why they were interviewed. If the investigation involved activities such as reviewing documentation or watching video tapes, then these should also be detailed.

Chronology of events - This is a timeline and sets out briefly, in chronological order, dates and details of the main events.

Overview of allegations - Set out the details of the allegations so it is clear who has made them and in what form they were made. The Investigating Officer should make reference to any specific documents in which allegations were made, for example letters of complaint, and point to where these can be found in the appendices.

Allegations and findings - This will be the largest section of the report. In this section, the Investigating Officer should describe the evidence gathered, how it was evaluated, findings and the reasons. Mitigating factors should be described in full and their relative contribution evaluated.

The Investigating Officer should be clear about which findings relate to which allegations. Where conflicting views were given, the Investigating Officer should describe why a particular version of events was preferred. Consistencies and inconsistencies should be outlined and explanations given for these, if known. Risks presented to the organisation should be detailed in the findings. These may be:

- Litigious.
- Reputational
- Financial.
- Health and safety.
- Regarding employee relations

The Investigating Officer may describe what was believed, either by fact or inference, providing full reasons. It is important to remember that report is likely to be disclosed in legal proceedings.

APPENDIX A

Conclusions and recommendations - The Investigating Officer should refer back to the terms of reference at this stage, and then state the conclusions. It is for the commissioning manager (in consultation with HR) to determine whether it is believed that there is a case to answer under disciplinary proceedings and proceed accordingly, or determine that no formal meeting should proceed

Appendices - These should be clearly labelled and contain information that is relevant to the investigation but had no place in the main body of the report. Typical appendices could include:

- Copies of signed witness statements
- Copies of documents reviewed during the investigation process
- Copies of interview questions used, and guidance given to interviewees about the investigation process

Executive summary - In longer, more detailed reports, it may be useful to have a section which summarises the background, methodology, findings and conclusions of the investigation.

When the report has been completed, it should be given to the manager who requested the investigation with a copy issued to the HR Business Partner for the Service Area.

3 AN INVESTIGATING OFFICER'S ROLE AT A DISCIPLINARY MEETING

If as a result of the investigation the commissioning manager reasonably considers that there is a case to answer, it is likely that a Disciplinary Meeting will be arranged. The Investigating Officer is likely to be required to attend the meeting in order to present the findings of the investigation.

At the Disciplinary Meeting the Investigating Officer should:

- Make an opening statement to set the scene, explaining how it is intended to substantiate the case and indicating that the witnesses will be called. This should be brief and to the point.
- Present the case to the panel.
- Explain how the investigation was conducted, what (if anything) was said by the employee(s) and how the statements from anyone not attending the Disciplinary Meeting were obtained.
- Sum up the investigation findings. This needs careful preparation. It is not an opportunity to introduce new evidence or to voice opinion. It is a gathering of the points of the case that were set out in the introduction. It should be short and to the point giving areas recommended for consideration in coming to a decision
- On conclusion of this, the Investigating Officer should leave the meeting remaining available close by if required to answer any points of clarification for the Panel that are not clear from the employee(s), witnesses or report provided.



CONDUCTING A DISCIPLINARY HEARING

APPENDIX A

1. POINTS TO CONSIDER.....	19
2. PREPARING FOR THE DISCIPLINARY MEETING.....	19
3. THE RIGHT TO BE ACCOMPANIED.....	20
4. DEALING WITH DELAYS.....	20
5. STRUCTURE OF THE DISCIPLINARY MEETING.....	20
6. MAKING A DECISION.....	22
7. MAKING FINDINGS OF FACT.....	22
8. MITIGATION.....	22
9. THE DECISION.....	22
10. TEST OF REASONABLENESS.....	23
11. THE SANCTION.....	23
APPENDIX 1 – TEST OF REASONABLENESS TEMPLATE.....	25

APPENDIX A

1. POINTS TO CONSIDER

- 1.1 All those involved in disciplinary issues should remember that the meeting is an opportunity for the employee to hear the complaint(s) or allegation(s) made against them, put their case forward and to be treated under a fair process.
- 1.2 Attending a disciplinary meeting may be a distressing experience for employees and it is also a difficult time for the disciplinary panel. The meeting must be conducted with sensitivity, with absolute confidentiality and in a fair and consistent manner.
- 1.3 The HR representative is available to provide support and advice to the Disciplinary Meeting Chair (and other parties) if needed. They form part of the disciplinary panel and will assist in making a decision about the outcome of the meeting.
- 1.4 The point of the meeting is to
 - establish the facts, not catch people out;
 - establish whether the employee is prepared to accept that they may have done something wrong, then decide on the steps which should be taken to remedy the situation;
 - give the employee the opportunity to state their case and answer any allegations that have been made. They should be able to ask questions, present evidence and call witnesses. The accompanying person may also ask questions and should be able to confer privately with the employee;
 - listen carefully and be prepared to wait in silence for an answer as this can be a constructive way of encouraging the employee to be more forthcoming.
- 1.5 It is possible that the disciplinary meeting may not proceed very smoothly – people may be upset or even angry. If the employee becomes upset or distressed allow time for them to regain composure before continuing. If the distress is too great to continue then adjourn and reconvene at a later date however, the issues should not be avoided.
- 1.6 During the meeting emotions may not be fully controlled, and while this can be helpful in finding out what has actually happened, abusive language or conduct should not be tolerated.
- 1.7 If an employee raises a separate grievance during a disciplinary meeting, the Disciplinary Meeting Chair may adjourn the meeting in order that the grievance is dealt with first.

2. PREPARING FOR THE DISCIPLINARY MEETING

- 2.1 Prior to a disciplinary meeting, a full investigation of the alleged misconduct will have been conducted and a written report from the Investigating Officer will be given to the commissioning manager (who will not be the Disciplinary Meeting Chair) who will reasonably determine if there is a case to answer (in consultation with HR).
- 2.2 In the event of a Disciplinary Meeting being scheduled, letters and accompanying paperwork should be sent to the employee's home by first class mail, or handed to them personally. The paperwork will include:-
 - a copy of the investigation report and Disciplinary Policy,
 - the date, time and venue for the meeting (usually within 10 working days of the letter),
 - the right to be accompanied by a trade union representative or a work colleague,
 - details of any witnesses to be called during the meeting,
 - The deadline for submission of any documentation to be considered during the meeting (normally 3 working days before the date of the meeting to allow this to be circulated).

APPENDIX A

- 2.3 All documentation will be provided electronically unless in exceptional circumstances. Where agreed by all parties involved, the meeting may be recorded using electronic recording equipment (including audio).
- 2.4 The documentation must also be copied to the Investigating Officer. Both parties are responsible for making arrangements for their witnesses to attend and should ensure at least 3 working days notice.
- 2.5 The meeting should be held as privately as possible, preferably away from the normal work location in a suitable room where there will be no interruptions. Appropriate consideration should be made should there be issues of understanding or language difficulties. The Disciplinary Meeting Chair, with support from their HR representative, should consider the structure of the meeting and make a list of points to be covered.

3. THE RIGHT TO BE ACCOMPANIED

- 3.1 It is a statutory right for a worker to be accompanied, by a fellow worker or trade union official, at formal disciplinary and grievance meetings. Particularly where this is the first formal process for an employee, they may be overawed or feel intimidated by some meetings, and the accompanying person can help the individual to make all the necessary points. The trade union representative will usually come from an Oxford City Council recognised union.
- 3.2 The accompanying person can address the meeting, but not answer questions on behalf of the employee.

4. DEALING WITH DELAYS

- 4.1 If the employee is genuinely unable to attend the disciplinary meeting, e.g. because they are ill, they should be offered an alternative at a reasonable date and time. If the accompanying person cannot make the meeting, the employee must propose another date and time which is no more than five working days after the day originally proposed, beginning with the first working day after that day.
- 4.2 If the employee fails to attend the rearranged meeting, this stage of the procedure is complete and a decision may be made on the available information. Even if this is the case, the employee should still receive notification of the decision in writing and include confirmation that they have the right to appeal.
- 4.3 If the date of the meeting has to be changed for any reason other than the attendance of the employee or their representative, the employee should be offered a reasonable alternative date and time. It is important that the employee is notified as soon as possible of any delays.

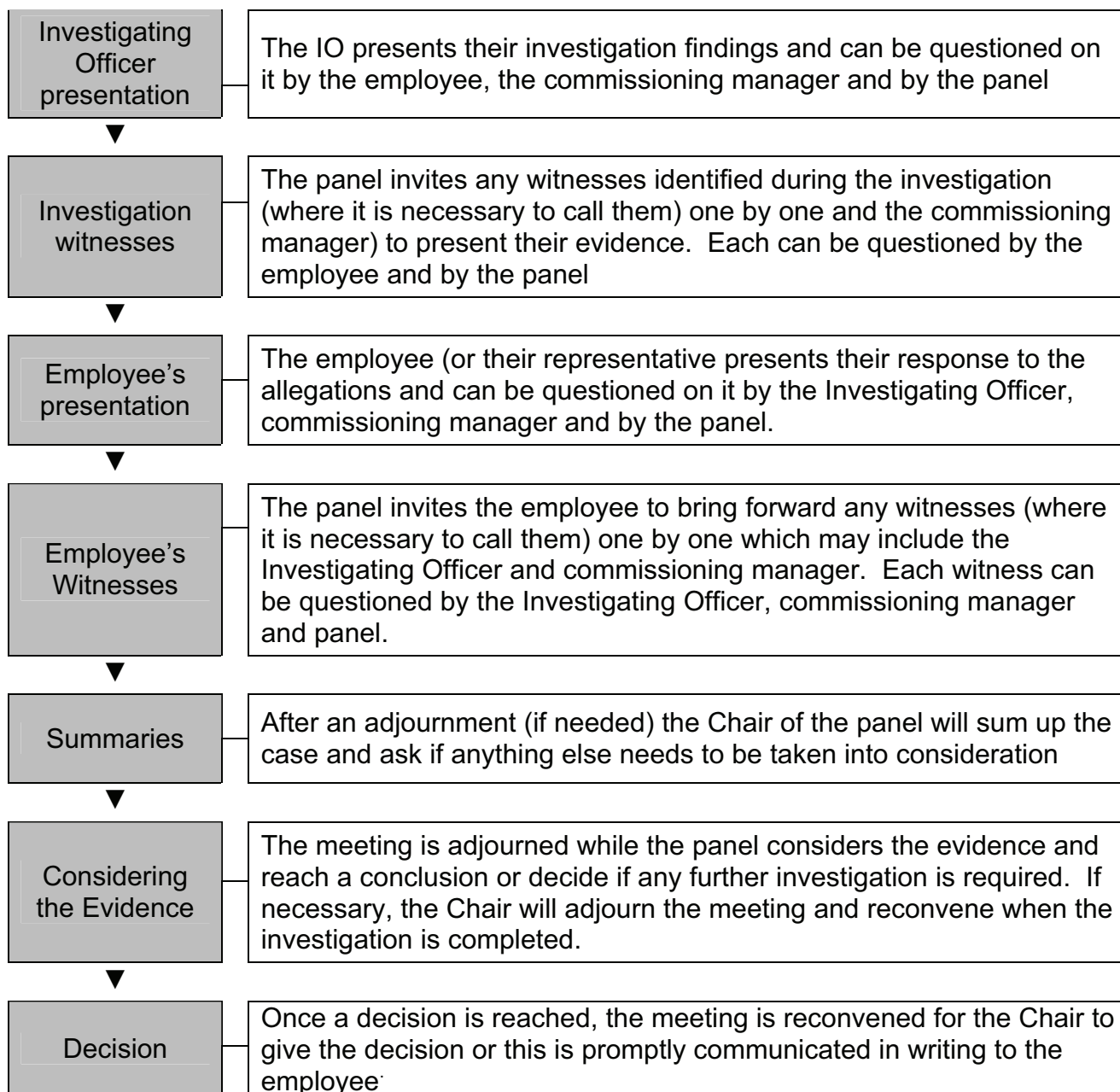
5. STRUCTURE OF THE DISCIPLINARY MEETING

- 5.1 The Disciplinary Meeting Chair will introduce those present. In most instances the other people in attendance will be:-
 - the employee concerned and their representative (or person accompanying them)
 - a supporting HR representative advising the Chair
 - in exceptional cases, it may be appropriate for another specialist to be present to assist the Disciplinary Meeting Chair where there is a need for professional/technical advice.
- 5.2 The Disciplinary Meeting Chair should explain that the meeting is being conducted as part of the disciplinary procedure and a written record of the meeting will be made. It should be stated if any witnesses have been asked to give evidence and if so who they are.

APPENDIX A

5.3 The role of the accompanying person if present should be explained. If the employee is unaccompanied, the Disciplinary Meeting Chair should confirm that the employee understood that they had the right to be accompanied, but chose not to exercise this right. Although the employee may confer with their representative at any time during the meeting, the Disciplinary Meeting Chair has the right to ask the employee personally to answer any questions put to them.

5.4 Running order for the meeting



5.5 Witnesses should be released from the meeting when they are no longer required.

5.6 While the employee may submit late evidence or evidence on the day, it is at the discretion of the Disciplinary Meeting Chair as to whether or not this is accepted as evidence during the meeting.

5.7 **Adjournment** - Any party may request that the Disciplinary Meeting Chair grant a short break at any time in the proceedings. If the Chair considers that more than a short break for deliberation is necessary then the meeting should be formally adjourned. If at any time those present become too

APPENDIX A

upset to continue or the meeting is becoming heated, the Chair should arrange for an adjournment to allow people to compose themselves before continuing.

6. MAKING A DECISION

- 6.1 Decision making is a two-stage process: the Disciplinary Meeting Chair is responsible for making the decision and will need to decide whether the allegations are substantiated before deciding on the appropriate disciplinary action.
- 6.2 In coming to a conclusion on the facts of the case, the Disciplinary Meeting Chair will need to decide 'on the balance of probabilities' whether the employee concerned carried out the alleged misconduct. It requires a conclusion based on evidence rather than instinct or intuition.
- 6.3 In most Disciplinary Meetings, evidence is put forward that is in some ways contradictory and the disciplinary panel will need to come to a conclusion as to where the truth lies. To do so, the Disciplinary Meeting Chair will need to use judgement and management experience to balance the evidence for and the evidence against. The Disciplinary Meeting Chair should consider how likely it is that the act or omission happened, e.g. how unusual would it be for the alleged act to have occurred? Does any of the evidence sound more far-fetched than the rest? If two people are directly contradicting one another, is there any corroborating evidence that adds weight to one or other of them?
- 6.4 Generally, the less likely the act or omission is to have occurred, the greater the burden of proof required. In conjunction with the HR representative, the Disciplinary Meeting Chair will need to identify evidence that corroborates one side or the other.

7. MAKING FINDINGS OF FACT

- 7.1 If the Disciplinary Meeting Chair cannot come to a judgement about where the truth lies because there is not sufficient evidence to do so, it will not be possible to make a finding that the act or omission did occur as alleged. In this case, the Disciplinary Meeting Chair would not be able to take any disciplinary action and the case will be dismissed and all relevant paperwork destroyed.
- 7.2 If it is concluded that the alleged misconduct did occur in full or in part, the Disciplinary Meeting Chair should record the findings and the reasons for those findings, then move on to considering the appropriate disciplinary sanction.

8. MITIGATION

- 8.1 In many cases, the employee concerned will have offered an explanation about what happened and why. In some cases, the misconduct may be admitted and the only evidence put forward by the employee relates to mitigating circumstances. Based on the facts, the Disciplinary Meeting Chair will then need to consider any mitigation put forward by the employee to decide what sanction should apply. The Disciplinary Meeting Chair will also need to take account of the employee's previous unspent disciplinary record in deciding what level of action is appropriate.

9. THE DECISION

- 9.1 Having considered mitigation, it is important to also consider the seriousness of the misconduct in the context of the employee's previous record and the circumstances of the case. The HR representative should be able to advise on any precedents to ensure the decision is consistent with them.

APPENDIX A

9.2 The Disciplinary Meeting Chair should work with the HR representative to establish the exact wording of the findings and any sanction. The Disciplinary Meeting Chair should also consider any arrangements that may need to be put in place to assist the employee to improve and/or be monitored. Any findings that would support improvement in the future for the individual or the wider team should be recorded in the written decision.

9.3 At this stage, the Disciplinary Meeting Chair should complete the Test of Reasonableness template at [Appendix 1](#).

10. TEST OF REASONABLENESS

10.1 Has there been as much investigation as is reasonable in the circumstances?

10.2 Have the requirements of the disciplinary policy been properly complied with up to this point, including advance notice to the employee of the matter(s) to be considered at this meeting?

10.3 Has there been sufficient regard paid to any explanation put forward by or on behalf of the employee?

10.4 Is there a genuine belief that the employee committed the misconduct?

10.5 Are there reasonable grounds for sustaining that belief on the balance of probabilities?

10.6 Is the misconduct sufficiently serious to justify the disciplinary decision being contemplated?

10.7 Has there been regard paid to any mitigating circumstances put forward by, or on behalf of, the employee e.g. health, domestic, bereavement?

10.8 Is the decision within the band of 'reasonable' responses of a 'reasonable' employer in the circumstances?

11. THE SANCTION

11.1 Full details are available in the Council's Disciplinary Policy. In summary, the options available are:

- To take no action if the allegations are unfounded. If this is the case, all papers relating to the meeting will be destroyed.
- To recommend that the employee is counselled and/or supported by their line manager or another in connection with the complaint(s) or allegation(s). This option is appropriate if the misconduct is of a minor nature and the employee has a clean employment record.
- To issue the employee with either a verbal or written warning if the complaint(s) or allegation(s) is/are substantiated.
- To dismiss the employee if there is a current final warning on file or if the misconduct is serious enough to move straight to dismissal (a list of some gross misconduct allegations is included in the Council's Disciplinary Policy). The employee will be required to work their period of notice, or if the dismissal is effective immediately, they will be paid in lieu for their contractual notice.
- To summarily dismiss the employee, if the misdemeanour is serious enough to be considered as gross misconduct, and dismissal is considered to be a suitable penalty. In this case, the dismissal will be effective immediately and will be without notice. Any other contractual entitlements such as outstanding holiday pay will be made to the employee.
- To transfer to a lower graded job or differing terms and conditions, if available, without any protection of pay or benefits.
- To consider a financial penalty e.g. making good a financial loss suffered by the Council, or paying back money falsely claimed, losing pay.

APPENDIX A

- Any other sanction that the Disciplinary Meeting Chair considers reasonable and appropriate in the circumstances.
- 11.2 Once that decision is made, written confirmation of the decision will be given within five working days of the meeting or where this is not possible written confirmation of when the decision will be notified. This will be sent to the employee's home by First Class post or handed to them personally. In any event, this should be no more than 14 days from the date of the meeting.
- 11.3 The employee will be advised of their right to appeal against the decision and informed who that appeal should be lodged with and in what timescale.

APPENDIX A

APPENDIX 1 – TEST OF REASONABLENESS TEMPLATE

For completion by Disciplinary Meeting Chair during the decision-making process

Name of Employee _____

Date of Disciplinary Meeting _____

Disciplinary Meeting Chair _____

Consider	Information Taken into Account
Has there been as much investigation as is reasonable in the circumstances?	
Have the requirements of the disciplinary policy been properly complied with up to this point, including advance notice to the employee of the matter(s) to be considered at this meeting?	
Has there been sufficient regard paid to any explanation put forward by or on behalf of the employee?	
Is there a genuine belief that the employee committed the misconduct?	
Are there reasonable grounds for sustaining that belief on the balance of probabilities?	
Is the misconduct sufficiently serious to justify the disciplinary decision being contemplated?	
Has there been regard paid to any mitigating circumstances put forward by, or on behalf of, the employee eg health, bereavement etc	
Is the decision within the band of “reasonable” responses of a “reasonable” employer in the circumstances?	



CONDUCTING A DISCIPLINARY APPEAL HEARING

APPENDIX A

1. THE RIGHT TO APPEAL AND APPEAL REASONS	28
2. THE PURPOSE OF AN APPEAL AND POINTS FOR THE CHAIR TO CONSIDER	28
3. OTHER POINTS TO CONSIDER	28
4. PREPARING FOR THE DISCIPLINARY APPEAL MEETING	29
5. THE RIGHT TO BE ACCOMPANIED	30
6. DEALING WITH DELAYS	30
7. STRUCTURE OF THE DISCIPLINARY APPEAL MEETING	30
8. MAKING A DECISION.....	33
9. MAKING FINDINGS OF FACT	33
10. MITIGATION	33
11. THE DECISION	33
12. TEST OF REASONABLENESS (RE-HEARING).....	34
13. DECISION AND SANCTIONS	34
APPENDIX 1 – TEST OF REASONABLENESS TEMPLATE (RE-HEARINGS ONLY).....	36

APPENDIX A

1. THE RIGHT TO APPEAL AND APPEAL REASONS

- 1.1 An employee has the legal right to appeal against the decision made following a formal Disciplinary Meeting. They must be notified of this right in the letter advising them of the outcome of the Disciplinary Meeting. The deadline to submit an appeal is five working days from when the employee receives notification of the decision in writing either by first class post or a hand delivered letter.
- 1.2 The employee should outline their reasons for appeal in their submission and state clearly:-
- a) Where the facts and evidence are not in dispute, but the sanction is considered too harsh;
 - b) Where the facts and evidence presented during the Disciplinary Meeting are disputed, the procedure has allegedly not been followed or where substantial new evidence has arisen which would have had a bearing on any sanction issued
- 1.3 Appeals submitted under 1.2(a) will be conducted **as a review of the sanction only**. Appeals submitted under 1.2(b) will be conducted as a re-hearing. It is expected that the vast majority of appeals will be submitted under 1.2(b) and as such a re-hearing will be necessary
- 1.4 If the employee does appeal, an Appeal Meeting Chair will be appointed and an Appeal Meeting arranged.
- 1.5 On appointment, the Disciplinary Appeal Chair will first consider the appeal letter and determine, with the support of their HR representative, whether an appeal meeting is to consider a Review or a Re-Hearing. As stated in 1.3, it is expected that It is expected that the vast majority of appeals will be submitted under 1.2(b) and as such a re-hearing will be necessary. There is a risk that in considering an appeal as a review information presented may give rise to the need for a re-hearing so the HR representative should ensure that in receiving the written notification from an employee of a wish to submit an appeal on the basis of a review only that they understand they are accepting the judgement of the Disciplinary Panel but not the sanction, so it will not be possible for the appeal to be upheld in terms of dismissing the case. It may be that the sanction changes

2. THE PURPOSE OF AN APPEAL AND POINTS FOR THE CHAIR TO CONSIDER

- 2.1 The purpose of an appeal is to enable an independent review of the 'reasonableness' of the outcome of the Disciplinary Meeting. In the context of the Appeal Meeting, the Disciplinary Appeal Meeting Chair should consider the following points:
- Has a thorough and sufficient investigation been conducted?
 - Has the procedure has been followed properly?
 - Was the Disciplinary Meeting Chair's decision to take disciplinary action reasonable based on the evidence relating to the case?
 - Was the disciplinary action decided upon reasonable, given the circumstances of the case?
 - Is the treatment of the employee consistent with the Council's general approach to similar cases?
 - Has the matter been handled fairly and appropriately and is it consistent with the Disciplinary Procedure?

3. OTHER POINTS TO CONSIDER

- 3.1 All those involved in disciplinary issues should remember that the meeting is an opportunity for the employee to hear the complaint(s) or allegation(s) made against them, put their case forward and to be treated under a fair process.

APPENDIX A

3.2 Attending a disciplinary appeal meeting may be a distressing experience for employees and it is also a difficult time for the disciplinary appeal panel. The meeting must be conducted with sensitivity, with absolute confidentiality and in a fair and consistent manner.

3.3 The HR representative is available to provide support and advice to the Disciplinary Appeal Meeting Chair (and other parties) if needed. They form part of the disciplinary appeal panel and will assist in making a decision about the outcome of the meeting. However the Disciplinary Appeal Meeting Chair will be responsible for making decision

3.4 The point of the meeting is to

- establish the facts, not catch people out;
- give the employee the opportunity to state the basis of their appeal, their case and answer any allegations that have been made. They should be able to ask questions, present evidence and call witnesses. The accompanying person may also ask questions and should be able to confer privately with the employee;
- listen carefully and be prepared to wait in silence for an answer as this can be a constructive way of encouraging the employee to be more forthcoming.

3.5 It is possible that the disciplinary appeal meeting may not proceed very smoothly – people may be upset or even angry. If the employee becomes upset or distressed allow time for them to regain composure before continuing. If the distress is too great to continue then adjourn and reconvene at a later date however, the issues should not be avoided.

3.6 During the meeting emotions may not be fully controlled, and while this can be helpful in finding out what has actually happened, abusive language or conduct should not be tolerated.

3.7 If an employee raises a separate grievance during a disciplinary appeal meeting, the Disciplinary Appeal Meeting Chair may adjourn the meeting in order that the grievance is dealt with first.

4. PREPARING FOR THE DISCIPLINARY APPEAL MEETING

4.1 In the event of a Disciplinary Appeal Meeting being scheduled, letters and accompanying paperwork should be sent to the employee's home by first class mail, or handed to them personally. The paperwork will include:-

- a copy of employees appeal submission
- a copy of the letter issuing the disciplinary sanction and Appeal Meeting Procedure
- a copy of the investigation report and Disciplinary Policy,
- the date, time and venue for the meeting (usually within 10 working days of the letter),
- the right to be accompanied by a trade union representative or a work colleague,
- details of any witnesses to be called during the meeting,
- The deadline for submission of any documentation to be considered during the meeting (normally 3 working days before the date of the meeting to allow this to be circulated).

4.2 All documentation will be provided electronically unless in exceptional circumstances. Where agreed by all parties involved, the meeting may be recorded using electronic recording equipment (including audio).

4.3 The documentation must also be copied to the Investigating Officer. Both parties are responsible for making arrangements for their witnesses to attend and should ensure at least 3 working days notice.

4.4 The meeting should be held as privately as possible, preferably away from the normal work location in a suitable room where there will be no interruptions. Appropriate consideration should be made should there be issues of understanding or language difficulties. The Disciplinary Appeal Meeting Chair, with support

APPENDIX A

from their HR representative, should consider the structure of the meeting and make a list of points to be covered.

5. THE RIGHT TO BE ACCOMPANIED

5.1 It is a statutory right for a worker to be accompanied, by a fellow worker or trade union official, at formal disciplinary and grievance meetings, including appeals. Particularly where this is the first formal process for an employee, they may be overawed or feel intimidated by some meetings, and the accompanying person can help the individual to make all the necessary points. The trade union representative will usually come from an Oxford City Council recognised union.

5.2 The accompanying person can address the meeting, but not answer questions on behalf of the employee.

6. DEALING WITH DELAYS

6.1 If the employee is genuinely unable to attend the disciplinary appeal meeting, e.g. because they are ill, they should be offered an alternative at a reasonable date and time. If the accompanying person cannot make the meeting, the employee must propose another date and time which is no more than five working days after the day originally proposed, beginning with the first working day after that day.

6.2 If the employee fails to attend the rearranged meeting, this stage of the procedure is complete and a decision may be made on the available information. Even if this is the case, the employee should still receive notification of the decision in writing. There is no further right of appeal.

6.3 If the date of the meeting has to be changed for any reason other than the attendance of the employee or their representative, the employee should be offered a reasonable alternative date and time. It is important that the employee is notified as soon as possible of any delays.

7. STRUCTURE OF THE DISCIPLINARY APPEAL MEETING

7.1 The Disciplinary Appeal Meeting Chair will introduce those present. In most instances the other people in attendance will be:-

- the Disciplinary Meeting Chair (in the case of a review only)
- the HR representative from the disciplinary meeting (in the case of a review only)
- the commissioning manager
- the employee concerned and their representative (or person accompanying them)
- a supporting HR representative not previously involved in the case.
- an Elected Member to observe proceedings but not to participate in the decision.
- in exceptional cases, it may be appropriate for another specialist to be present to assist the Appeal Meeting Chair where there is a need for professional/technical advice.

7.2 The Appeal Meeting Chair should explain the purpose of the appeal meeting which is

- a) In the case of a review of the sanction - to determine whether the outcome from the original meeting was correct and whether the disciplinary sanctions imposed at that meeting should be upheld, overturned or replaced with another sanction.
- b) In the case of a re-hearing – to mirror the Disciplinary procedure as stated below

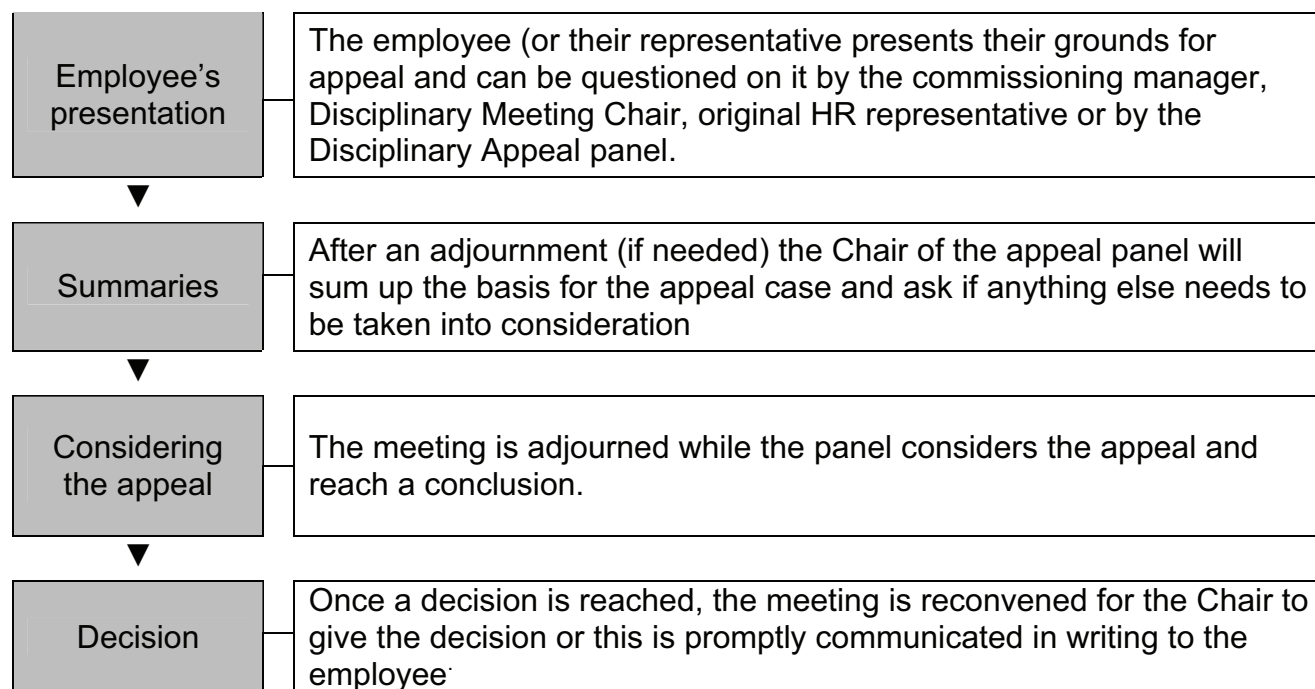
7.3 The Appeal Meeting Chair should explain that the meeting is being conducted as part of the disciplinary appeals procedure and a written record of the meeting will be made. It should be noted if any witnesses have been asked to give evidence and if so who they are.

7.4 The role of the accompanying person if present should be explained. If the employee is unaccompanied, the Appeal Meeting Chair should confirm that the employee understood that they had the right to be

APPENDIX A

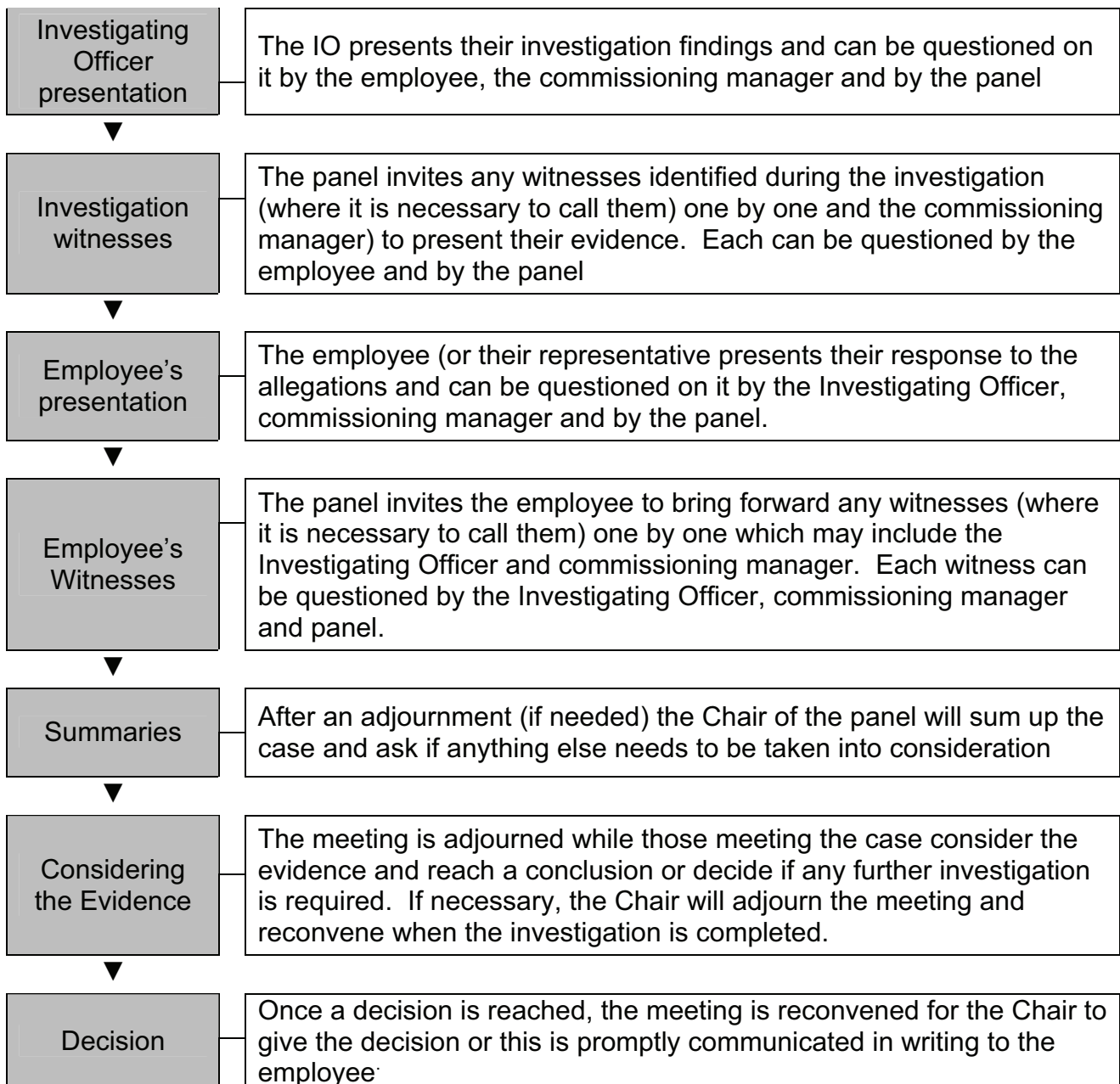
accompanied, but chose not to exercise this right. Although the employee may confer with their representative at any time during the meeting, the Appeal Meeting Chair has the right to ask the employee personally to answer any questions put to them.

7.5 Running order for a review



APPENDIX A

7.6 Running order for a re-hearing



7.7 Witnesses should be released from the meeting when they are no longer required.

7.8 While the employee may submit late evidence or evidence on the day, it is at the discretion of the Disciplinary Appeal Chair as to whether or not this is accepted as evidence during the Appeal meeting.

7.9 **Adjournment** - Any party may request that the Disciplinary Appeal Chair grant a short break at any time in the proceedings. If the Chair considers that more than a short break for deliberation is necessary then the meeting should be formally adjourned.

7.10 If at any time those present become too upset to continue or the meeting is becoming heated, the Chair should arrange for an adjournment to allow people to compose themselves before continuing.

APPENDIX A

8. MAKING A DECISION

8.1 In coming to a conclusion on the appeal (which as a re-hearing will be the entire case), the Disciplinary Appeal Meeting Chair will need to decide 'on the balance of probabilities' whether there is merit in the appeal or if the employee concerned carried out the alleged misconduct. It requires a conclusion based on evidence rather than instinct or intuition.

8.2 In most cases, evidence is put forward that is in some ways contradictory and the disciplinary appeal panel will need to come to a conclusion as to where the truth lies. To do so, the Disciplinary Appeal Meeting Chair will need to use judgement and management experience to balance the evidence for and the evidence against, or consider the merits of an appeal against a sanction (review).

8.3 In a re-hearing, The Disciplinary Appeal Meeting Chair should consider how likely it is that the act or omission happened, e.g. how unusual would it be for the alleged act to have occurred? Does any of the evidence sound more far-fetched than the rest? If two people are directly contradicting one another, is there any corroborating evidence that adds weight to one or other of them?

8.4 Generally, the less likely the act or omission is to have occurred, the greater the burden of proof required. In conjunction with the HR representative, the Disciplinary Appeal Meeting Chair will need to identify evidence that corroborates one side or the other

9. MAKING FINDINGS OF FACT

9.1 If the Disciplinary Appeal Meeting Chair cannot come to a judgement about where the truth lies because there is not sufficient evidence to do so, it will not be possible to make a finding that the act or omission did occur as alleged. In this case, the Disciplinary Appeal Meeting Chair must uphold the employee's appeal and dismiss any sanction

9.2 If it is concluded that the alleged misconduct did occur, the Disciplinary Appeal Meeting Chair should record the findings and the reasons for those findings, and confirm the original decision

9.3 A review of sanction will be more about judgement and precedent than making findings of fact because in submitting an appeal against a sanction, the decision is not in question, merely the level of sanction applied

10. MITIGATION

10.1 In many cases, the employee concerned will have offered an explanation about what happened and why. In some cases, the misconduct may be admitted and the only evidence put forward by the employee relates to mitigating circumstances. Based on the facts, the Disciplinary Appeal Meeting Chair will then need to consider any mitigation put forward by the employee to decide what sanction should apply. The Disciplinary Meeting Chair will also need to take account of the employee's previous unspent disciplinary record in deciding what level of action is appropriate.

11. THE DECISION

11.1 Having considered an appeal against sanction or mitigation in a re-hearing, it is important to also consider the seriousness of the misconduct in the context of the employee's previous record and the circumstances of the case. The HR representative should be able to advise on any precedents to ensure the decision is consistent with them.

APPENDIX A

11.2 The Disciplinary Appeal Chair should work with the HR representative to establish the exact wording of the findings and any sanction. They should also consider any arrangements that may need to be put in place to assist the employee to improve and/or be monitored. Any findings that would support improvement in the future for the individual or the wider team should be recorded in the written decision.

11.3 At this stage in a re-hearing, the Disciplinary Appeal Chair should complete the Test of Reasonableness template at [Appendix 1](#).

12. TEST OF REASONABLENESS (RE-HEARING)

12.1 Has there been as much investigation as is reasonable in the circumstances?

12.2 Have the requirements of the disciplinary policy been properly complied with up to this point, including advance notice to the employee of the matter(s) to be considered at this meeting?

12.3 Has there been sufficient regard paid to any explanation put forward by or on behalf of the employee?

12.4 Is there a genuine belief that the employee committed the misconduct?

12.5 Are there reasonable grounds for sustaining that belief on the balance of probabilities?

12.6 Is the misconduct sufficiently serious to justify the disciplinary decision being contemplated?

12.7 Has there been regard paid to any mitigating circumstances put forward by, or on behalf of, the employee e.g. health, domestic, bereavement?

12.8 Is the decision within the band of 'reasonable' responses of a 'reasonable' employer in the circumstances?

13. DECISION AND SANCTIONS

13.1 When considering a **review**, the appeal panel can either:

- Uphold the appeal against sanction on the basis that the panel considers the original sanctions imposed were too severe and not in the band of reasonable action, they may replace the original decision with a lesser sanction. The Appeal Meeting Chair cannot replace the original decision with more severe disciplinary action, or
- Dismiss the appeal and uphold the original decision

13.2 When considering a **re-hearing**, the appeal panel can decide to:

- Uphold the appeal in full and dismiss the case. The panel must be able to justify that there is sufficient evidence to warrant an overturning of the original panel's decision. Circumstances may include new evidence being presented, a review of the process has uncovered flaws in how the disciplinary was conducted, or if mitigating circumstances have been uncovered which were not previously taken into account. If this is the case, all papers relating to the meeting will be destroyed.
- substitute a different disciplinary sanction(s) providing it is not more severe than the original one;
- dismiss the appeal and uphold the original decision.

13.3 For reference, the possible sanctions are:

APPENDIX A

- To recommend that the employee is counselled and/or supported by their line manager or another in connection with the complaint(s) or allegation(s). This option is appropriate if the misconduct is of a minor nature and the employee has a clean employment record.
- To issue the employee with either a verbal or written warning if the complaint(s) or allegation(s) is/are substantiated.
- To dismiss the employee if there is a current final warning on file or if the misconduct is serious enough to move straight to dismissal (a list of some gross misconduct allegations is included in the Council's Disciplinary Policy). The employee will be required to work their period of notice, or if the dismissal is effective immediately, they will be paid in lieu for their contractual notice.
- To summarily dismiss the employee, if the misdemeanour is serious enough to be considered as gross misconduct, and dismissal is considered to be a suitable penalty. In this case, the dismissal will be effective immediately and will be without notice. Any other contractual entitlements such as outstanding holiday pay will be made to the employee.
- To transfer to a lower graded job or differing terms and conditions, if available, without any protection of pay or benefits.
- To consider a financial penalty e.g. making good a financial loss suffered by the Council, or paying back money falsely claimed, losing pay.
- Any other sanction that the Disciplinary Appeal Chair considers reasonable and appropriate in the circumstances.

13.4 Once that decision is made, written confirmation of the decision will be given within five working days of the meeting or where this is not possible written confirmation of when the decision will be notified. This will be sent to the employee's home by first class post or handed to them personally. In any event, this should be no more than 14 days from the date of the meeting.

13.5 There is no further right of appeal.

APPENDIX A

APPENDIX 1 – TEST OF REASONABLENESS TEMPLATE (RE-HEARINGS ONLY)

For completion by Disciplinary Appeal Meeting Chair during the decision-making process

Name of Employee _____

Date of Appeal Meeting _____

Disciplinary Appeal Chair _____

Consider	Information Taken into Account
Has there been as much investigation as is reasonable in the circumstances?	
Have the requirements of the disciplinary policy been properly complied with up to this point, including advance notice to the employee of the matter(s) to be considered at this meeting?	
Has there been sufficient regard paid to any explanation put forward by or on behalf of the employee?	
Is there a genuine belief that the employee committed the misconduct?	
Are there reasonable grounds for sustaining that belief on the balance of probabilities?	
Is the misconduct sufficiently serious to justify the disciplinary decision being contemplated?	
Has there been regard paid to any mitigating circumstances put forward by, or on behalf of, the employee eg health, bereavement etc	
Is the decision within the band of “reasonable” responses of a “reasonable” employer in the circumstances?	

This page is intentionally left blank

**APPENDIX B
ALCOHOL AND DRUG MISUSE POLICY**

OXFORD CITY COUNCIL

APPENDIX B
ALCOHOL AND DRUG MISUSE POLICY

CONTENTS

CLAUSE

1.	Policy statement.....	1
2.	Who is covered by the policy?	2
3.	Scope and purpose of the policy	2
4.	Personnel responsible for implementation of the policy	2
5.	Alcohol and drugs at work	4
6.	Searches	5
7.	Alcohol and Drug screening	5
8.	Management of suspected substance misuse	5
9.	Providing support.....	6
10.	Confidentiality.....	6
11.	Performance and disciplinary issues	7
12.	Relationship with Other Policies and Procedures (P&Ps).....	7
13.	Monitoring and Review	7
14.	Supporting Information.....	7
15.	Appendix 1 Drug and Alcohol Testing Regime	8
16.	Appendix 2 - Process for dealing with drugs and alcohol problems	10

APPENDIX B
ALCOHOL AND DRUG MISUSE POLICY

1. POLICY STATEMENT

- 1.1 We are committed to providing a safe, healthy and productive working environment for all our staff, customers and visitors. This includes ensuring that all staff are fit to carry out their jobs safely and effectively in a working environment which is free from alcohol and drug misuse. Reference to “drugs” in this policy includes, but is not limited to, prescribed, over the counter and illegal drugs, as well as “legal highs”, irrespective of whether they are marketed as such, and inhalants/solvents intended for purposes other than human consumption.
- 1.2 All staff are expected to arrive at work fit to carry out their jobs and to be able to perform their duties safely without any limitations due to the use of or after effects of alcohol or drugs (whether prescribed, over the counter or illegal).
- 1.3 Misuse of alcohol and drugs can lead to reduced levels of attendance, reduced efficiency and performance, impaired judgement and decision making and increased health and safety risks, not only for the individual but also for others. Irresponsible behaviour or the commission of offences resulting from the misuse of alcohol or drugs may damage our reputation and, as a result, our business.
- 1.4 We recognise that:
- (a) some of our staff may become dependant on alcohol or drugs.
 - (b) such dependencies can be successfully treated.
- 1.5 We wish to promote a culture which understands and is sympathetic to the problems associated with alcohol and drug misuse in which staff with dependency problems are encouraged to seek help and are supported.
- 1.6 We will **not** accept staff
- (a) arriving at work under the influence of alcohol or drugs, and/or
 - (b) whose ability to work is impaired in any way by reason of the consumption of alcohol or drugs, or
 - (c) who consume alcohol or take drugs (other than prescription or over the counter medication, as directed) on our premises or in the course of employment, or whilst on call or standby.

APPENDIX B
ALCOHOL AND DRUG MISUSE POLICY

2. WHO IS COVERED BY THE POLICY?

- 2.1 This policy covers all individuals working at all levels and grades, including senior managers, officers, directors, employees, consultants, contractors, trainees, homeworkers, part-time and fixed-term employees, casual and agency staff and volunteers (collectively referred to as **staff** in this policy).
- 2.2 This policy does not form part of any employee's contract of employment and it may be amended at any time (subject to the usual consultation process for any fundamental changes).

3. SCOPE AND PURPOSE OF THE POLICY

- 3.1 This policy is principally intended to deal with alcohol and drug problems which, in the context of this policy are any drinking or taking of drugs, whether intermittent or continual, which interferes with work performance in relation to attendance, efficiency, productivity, attitude or safety. You will be deemed to be under the influence of alcohol or drugs where that is the reasonable opinion of a manager or supervisor, as evidenced by one or more factors in 15.2.
- 3.2 This policy is not intended to apply to "one-off" incidents or offences caused by alcohol or drug misuse at or outside work where there is no evidence of an ongoing problem, which may damage our reputation, and which are more properly dealt with under our disciplinary policy.
- 3.3 The purpose of this policy is to ensure that:
- (a) All staff are aware of their responsibilities regarding alcohol and drug misuse and related problems.
 - (b) Staff who have an alcohol or drug related problem are encouraged to seek help, in confidence, at an early stage.
 - (c) Staff who have an alcohol or drug related problem affecting their work are dealt with sympathetically, fairly and consistently.

4. PERSONNEL RESPONSIBLE FOR IMPLEMENTATION OF THE POLICY

- 4.1 The Head of HR has overall responsibility for the effective operation of this policy. The Head of HR has delegated day-to-day responsibility for operating the policy and ensuring its maintenance and review.

APPENDIX B
ALCOHOL AND DRUG MISUSE POLICY

- 4.2 Managers and supervisors have an important role to play in identifying problems at work that are being caused or contributed to by alcohol or drug misuse.
- (a) Where a manager or supervisor considers that deterioration in work performance and/or changes in patterns of behaviour may be due to alcohol or drug misuse they should seek advice and assistance from the Occupational Health (“OH”) or Human Resources (“HR”)
 - (b) When a member of staff arrives at work and a manager or supervisor reasonably believes that they are under the influence of alcohol or drugs, or the after effects of alcohol or drugs, they shall:
 - (i) immediately contact the Safety Adviser, or a member of HR in order that the member of staff can be taken to the first aid room or provided with assistance and an investigation can be undertaken.
 - (ii) If the arrival occurs outside of normal office hours, the employee should be immediately suspended from duty in accordance with the disciplinary policy, paragraph 5.3.
 - (iii) arrange for the employee to take a breath or urine test as soon as possible (see Appendix 1).
- 4.3 If you notice a change in a colleague's pattern of behaviour you should encourage them to seek assistance through their manager or supervisor or the HR. If they will not seek help themselves you should draw the matter to the attention of your manager or supervisor. Covering up for a colleague whose work, behaviour or attendance is suffering as a result of an alcohol or drug-related problem will not help them deal with their problem.
- 4.4 If you believe that you have an alcohol or drug-related problem you should seek specialist advice and support as soon as possible. Our OH team, who can be referred through HR, can assist you and will do so in confidence.
- 4.5 Managers and supervisors will, depending on the level of responsibility and the knowledge and skills considered necessary for implementing this policy, be given training in:
- (a) The nature of alcohol and drug problems, their possible causes and effects.
 - (b) The impact of alcohol and drug misuse on workplace safety and performance.
 - (c) The assistance that can be provided by HR and/or outside agencies such as Oxfordshire PCT or Alcoholics Anonymous (AA).

APPENDIX B
ALCOHOL AND DRUG MISUSE POLICY

5. ALCOHOL AND DRUGS AT WORK

- 5.1 Drinking alcohol while at work without authorisation or working under the influence of alcohol or non-prescribed drugs may be considered **serious misconduct**. Incapability at work caused by being under the influence of alcohol or non-prescribed drugs is **gross misconduct**.
- 5.2 **If you work in a Safety Critical Role (paragraph 15)**, you should **not** drink alcohol during the normal working day, at lunchtime, at other official breaks or at official work-based meetings and events. **If you do not work in a Safety Critical Role**, we expect you to demonstrate responsible behaviour at work, work-related functions and work-related social events and to act in a way that will not have a detrimental effect on our reputation. If you entertain clients or represent us at external events where alcohol is served, you are considered to be "at work" regardless of whether you do so outside normal working hours. Consequently, we will expect you to remain professional and fit for work at all times.
- 5.3 Managers should act to prevent excessive consumption of alcohol by any member of staff and should take steps to deal with any unacceptable conduct that occurs at such functions. Any such behaviour may lead to disciplinary action.
- 5.4 Exceptionally, you may participate in events where alcohol is available e.g. the employee Christmas Lunch held in the Town Hall, providing this is with the express prior approval of your Head of Service and providing it doesn't contravene the rules in Safety Critical Role (paragraph 5.1 and 15). In these circumstances if you return to work afterwards you must be able to undertake your duties soberly, safely and competently. Any such consumption of alcohol will render you unfit for Safety Critical Work (see paragraph 15).
- 5.5 You must not be in possession of alcohol or unprescribed drugs at work without a reasonable explanation.
- 5.6 We expect all our staff to comply with the **drink-driving legislation** at all times. Our reputation will be damaged if you are convicted of a drink-driving offence and, if your job requires you to drive and you lose your licence, you may be unable to continue to do your job. Committing a drink-driving offence outside or during working hours or while working for us may lead to disciplinary action and could result in dismissal in accordance with our Disciplinary Procedure.
- 5.7 If you are prescribed medication or if you are taking part in a clinical drug trial you must seek advice from your GP, pharmacist or other clinician involved in

APPENDIX B ALCOHOL AND DRUG MISUSE POLICY

your treatment about the possible effect on your ability to carry out your job and whether your duties should be modified or you should be temporarily reassigned to a different role. If your GP or pharmacist advises you that some action should be taken you must tell your line manager or HR without delay.

- 5.8 If you are working in a property in which you believe illegal drugs are being smoked, tell your manager as soon as you can safely do so. Your manager must ensure that you are not exposed to this smoke.

6. SEARCHES

- 6.1 We reserve the right to conduct searches of Council property for alcohol or drugs, including, but not limited to, searches of lockers, filing cabinets and desks, and packages sent to our address which are on our premises. Any search will only take place with Head of Service consent and following consultation with trade union representation.

- 6.2 Any drugs found as a result of a search will be confiscated and disciplinary action and if appropriate police referral may result.

7. ALCOHOL AND DRUG SCREENING

- 7.1 Refer to Appendix 1

8. MANAGEMENT OF SUSPECTED SUBSTANCE MISUSE

- 8.1 If your manager or supervisor has reason to believe that you are suffering the effects of alcohol or drugs misuse, for example, due to a deterioration in your work or behaviour, they will invite you to an **investigatory interview**. You will be entitled to be accompanied by a work colleague or trade union representative. The purpose of the interview is to:

- (a) discuss the reason for the investigation and seek your views on, for example, the deterioration of your work performance and/or behaviour; and
- (b) where appropriate, to offer to refer you to the OH or HR for medical and/or specialist advice.

- 8.2 If, as the result of the interview, your manager or supervisor continues to believe that you are suffering the effects of alcohol or drugs misuse and you refuse an offer of referral to the OH the matter may be dealt with under our Disciplinary Procedure or Performance Improvement Policy and Procedure.

APPENDIX B
ALCOHOL AND DRUG MISUSE POLICY

8.3 If you agree to be referred to the OH your manager will request an urgent appointment and prepare a referral form, a copy of which will be provided to you.

8.4 The OH may ask for your consent to approach your GP for advice. A report will be sent to your manager who will then reassess the reasons for their investigatory meeting with you and decide on the way forward. This may include suspension from work or from certain duties (.e.g. driving, operating machinery).

9. PROVIDING SUPPORT

9.1 Alcohol and drug related problems may develop for a variety of reasons and over a considerable period of time. We are committed, in so far as reasonable, to treating these problems in a similar way to other health issues. Support will be provided where reasonable with a view to supporting a full recovery, allowing a return to work and the full range of your duties. This may include:

- (a) referral through the HR to the OH Team and/or appropriate treatment providers, where necessary in conjunction with your GP.
- (b) time off work to attend treatment as recommended by the OH or your GP or specialist and may include recognition of some or all periods of your absence for treatment as periods of paid sickness absence.
- (c) adjusting your duties or other support as recommended by the OH or your GP or specialist during treatment and for an agreed period thereafter, subject to operational requirements and feasibility.

9.2 If you do not finish a programme of treatment (either because the treatment provider ceases to support you or because you stop attending) or your recovery and return to work does not happen as anticipated at the outset of a course of treatment, your manager or your supervisor or HR will meet with you to decide what further action should be taken.

10. CONFIDENTIALITY

10.1 We aim to ensure that the confidentiality of any member of staff experiencing alcohol or drug-related problems is maintained appropriately by HR and/or the OH, managers, supervisors and, where it is necessary to inform them, colleagues. However, it needs to be recognised that, in supporting staff, some degree of information sharing is likely to be necessary.

10.2 If you seek help with an alcohol or drug-related problem directly from the OH or HR without the knowledge of your manager the matter will be treated

**APPENDIX B
ALCOHOL AND DRUG MISUSE POLICY**

confidentially unless, in the opinion of the OH maintaining confidentiality could put you, your colleagues or anyone else at risk. In those circumstances the HR or OH will encourage you to inform your manager and agree with you sufficient time to do so before sending them a written report advising of any potential risks. You will be given a copy of this report when it is sent to your manager or supervisor.

11. PERFORMANCE AND DISCIPLINARY ISSUES

- 11.1 If, having acknowledged an alcohol or drug related problem, you undertake treatment and/or rehabilitation, any related performance or disciplinary action may be suspended pending the outcome of the treatment.
- 11.2 Our intention is to support all staff with alcohol or drug related problems to regain good health. Depending on the progress made on the course of treatment, any disciplinary action may be suspended for a specified period, discontinued or continued.

12. RELATIONSHIP WITH OTHER POLICES AND PROCEDURES (P&Ps)

- 12.1 Matters that may be touched upon when dealing with cases of drug or alcohol misuse are also covered in other Council policies and procedures:

Issue	Policy & Procedure (P&P)
Sickness/ill health issues	Attendance Management
Therapy	Health & Wellbeing
Performance Improvement	Performance Improvement
Conduct	Disciplinary
Disclosure of employee concerns	Whistleblowing
Driving	Occupational Road Risk

13. MONITORING AND REVIEW

- 13.1 The Chief Executive, as Head of Paid Service, has overall responsibility for employees and will receive regular monitoring information including diversity information regarding the application of this policy from HR.

14. SUPPORTING INFORMATION

- 14.1 This policy is supported by a manager’s guide, information and training for managers, and information for all employees setting out its approach and promoting the help available. A process map is shown in Appendix 2

APPENDIX B ALCOHOL AND DRUG MISUSE POLICY

15. APPENDIX 1 DRUG AND ALCOHOL TESTING REGIME

15.1 Safety-critical work

Safety-critical work is work that involves a risk of serious personal injury to the employee engaged in the work, or others who may be affected by the work. This includes the following work:

- Work at Height
- Driving
- Operating dangerous machinery
- Working in road traffic
- Commissioning, servicing and repair of electrical and gas systems.
- Any other piece of work that could reasonably be considered safety critical.

15.2 For cause screening and testing

For any employee engaged in safety-critical work, testing “for cause” may take place in the following circumstances:

- When a manager has reasonable grounds to believe an employee’s conduct or performance is impaired by drug or alcohol misuse.
- When an employee discloses that drug or alcohol misuse is affecting their work
- When an employee is involved in an accident at work and there are reasonable grounds to suspect that the employee may have been intoxicated by drugs or alcohol
- When a colleague or service user raises concerns that an employee is impaired through drug or alcohol misuse.

You will be deemed to be under the influence of alcohol or drugs where that is the reasonable opinion of a manager or supervisor.

In all cases of ‘for cause’ testing, the manager will inform the Head of Service and HR immediately and justify the reason(s) to the Head of Service as soon as reasonably practicable (which in some circumstances may be after the test is administered).

15.3 Alcohol screening and testing

If a manager has reasonable grounds to suspect that an employee is under the influence of alcohol, and that the safety of that employee and/or others is at risk, the manager should immediately suspend the employee from duty, and arrange for the employee to take a breath test.

If the employee’s breath test proves positive for alcohol (>35 µg per 100 millilitres), the manager administering the test should immediately arrange for a

APPENDIX B
ALCOHOL AND DRUG MISUSE POLICY

urine sample to be taken by an approved sampling and testing contractor. The employee should remain with the manager who administered the breath test until the sampling and testing contractor arrives. During this time the manager will prepare the sampling room.

15.4 Drug testing

If a manager has reasonable grounds to suspect that an employee is under the influence of drugs, and that the safety of the employee and/or others may be at risk, the manager should immediately suspend the employee from duty, and immediately arrange for a urine sample to be taken by an approved sampling and testing contractor. The employee should remain with the manager who administered the breath test until the sampling and testing contractor arrives. During this time the manager will prepare the sampling room.

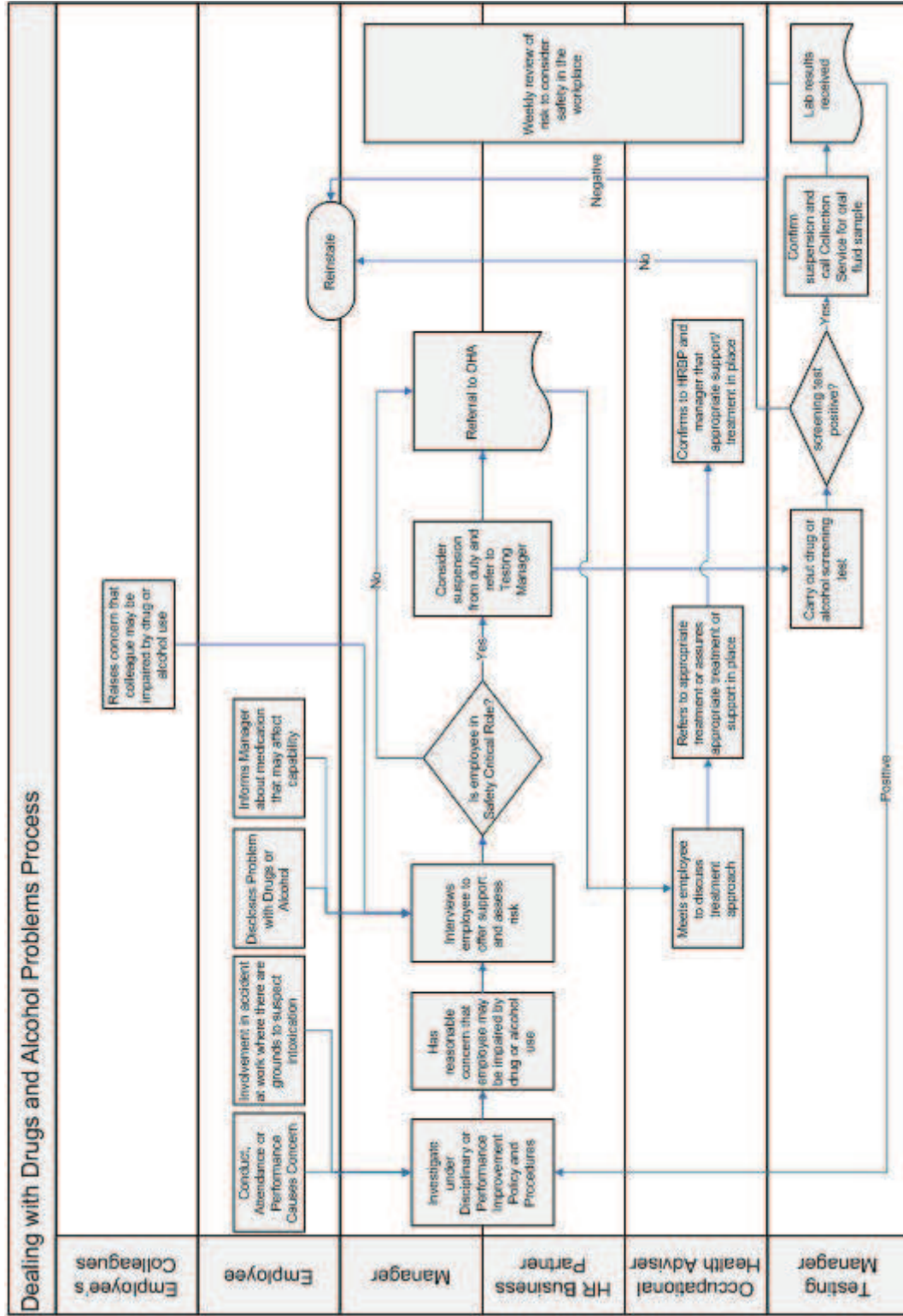
Substances to be screened for during the test are from the following groups of drugs:

Amphetamines	Cocaine
Barbiturates	Opiates
Benzodiazepines	LSD & Other Hallucinogens
Cannabis	MDMA (Ecstasy)

Drug testing results will only be reported and recorded where they are at levels that would lead to impairment at work.

**APPENDIX B
ALCOHOL AND DRUG MISUSE POLICY**

16. APPENDIX 2 - PROCESS FOR DEALING WITH DRUGS AND ALCOHOL PROBLEMS



**APPENDIX C
DISCIPLINARY POLICY AND PROCEDURE**

Risk Register

Risk ID	Risk	Corporate Objective	Gross Risk	Residual Risk	Current Risk	Owner	Date Risk Reviewed	Proximity of Risk (Projects/ Contracts Only)
Category -000- Service Area Code	Risk Title	Opportunity / Threat	Risk Description	Risk Cause	Consequence	Date raised		
207	Employment Policy and Procedures	T	Failure to provide a suite of policies that fit for purposes of improving performance and managing risk	Managers not equipped with a revised policy and procedure	Effective employment policies not implemented, consistently and fairly applied	1.1.2010		
SRR-007-PE		6	3	2	2	Simon Howick	11.6.2010	

**APPENDIX C
DISCIPLINARY POLICY AND PROCEDURE**

Management of the Risk

Risk ID	Risk Title	Action Owner	Accept, Contingency, Transfer, Reduce or Avoid	Details of Action	Key Milestones	Milestone Delivery Date	%Action Complete	Date Reviewed
SRR-007-PE	Employment Policy and Procedures	Simon Howick	R	Develop and agree policy through internal consultation process to produce final policy documents for approval by Council. To provide appropriate guidance and training to managers and employees on new policies and procedures.	Approval of Disciplinary Policy and Drugs and Alcohol Policy by Full Council	8.10.12	95%	29.5.12

APPENDIX D DISCIPLINARY POLICY AND PROCEDURE

Initial screening EqIA template

Prior to making the decision, the Council's decision makers considered the following: guide to decision making under the Equality Act 2010:

*The Council is a public authority. All public authorities when exercising public functions are caught by the Equality Act 2010 which became law in December 2011. In making any decisions and proposals, the Council - specifically members and officers - are required to have **due regard** to the 8 protected characteristics defined under the Act. These protected characteristics are: **age, disability, race, gender reassignment, pregnancy and maternity, religion or belief, sex and/or sexual orientation.***

The decision maker(s) must specifically consider those protected by the above characteristics:

- (a) to seek to ensure equality of treatment towards service users and employees;*
- (b) to identify the potential impact of the proposal or decision upon them.*

If the Council fails to give 'due regard', the Council is likely to face a Court challenge. This will either be through a judicial review of its decision making, the decision may be quashed and/or returned for it to have to be made again, which can be costly and time-consuming diversion for the Council. When considering 'due regard', decision makers must consider the following principles:

- 1. **the decision maker is responsible for identifying whether there is an issue and discharging it.** The threshold for one of the duties to be triggered is low and will be triggered where there is any issue which needs at least to be addressed.*
- 2. **the duties arise before the decision or proposal is made, and not after and are ongoing.** They require **advance** consideration by the policy decision maker with conscientiousness, rigour and an open mind. The duty is similar to an open consultation process.*
- 3. **the decision maker must be aware of the needs of the duty.***
- 4. **the impact of the proposal or decision must be properly understood first.** The amount of regard due will depend on the individual circumstances of each case. The greater the potential impact, the greater the regard.*
- 5. **Get your facts straight first!** There will be no due regard at all if the decision maker or those advising it make a fundamental error of fact (e.g. because of failing to properly inform yourself about the impact of a particular decision).*
- 6. What does 'due regard' entail?
 - a. **Collection and consideration of data and information;***
 - b. **ensuring data is sufficient to assess the decision/any potential discrimination/ensure equality of opportunity;***
 - c. **proper appreciation of the extent, nature and duration of the proposal or decision.****
- 7. **Responsibility** for discharging can't be delegated or sub-contracted (although an equality impact assessment ("EIA") can be undertaken by officers, decision makers must be sufficiently aware of the outcome).*
- 8. **Document the process** of having due regard! Keep records and make it transparent! If in any doubt carry out an equality impact assessment ("EIA"), to test whether a policy will impact differentially or not. Evidentially an EIA will be the best way of defending a legal challenge. See hyperlink for the questions you should consider
<http://occweb/files/seealsodocs/93561/Equalities%20->*

APPENDIX D DISCIPLINARY POLICY AND PROCEDURE

%20Initial%20Equality%20Impact%20Assessment%20screening%20template.doc

1. Which group (s) of people has been identified as being disadvantaged by your proposals? What are the equality impacts?

This is an assessment of the revised Disciplinary Policy and Procedure, which will replace the existing policy that was introduced in January 2009. There are no anticipated adverse effects for groups with protected characteristics.

2. In brief, what changes are you planning to make to your current or proposed new or changed policy, strategy, procedure, project or service to minimise or eliminate the adverse equality impacts?

Please provide further details of the proposed actions, timetable for making the changes and the person(s) responsible for making the changes on the resultant action plan

The principle changes relate to providing clear direction for the investigatory process and procedure and any subsequent hearings and appeals. Key roles and responsibilities are also identified. It also seeks to ensure that any investigation focuses on collating facts to present to appropriate decision makers

3. Please provide details of whom you will consult on the proposed changes and if you do not plan to consult, please provide the rationale behind that decision.

Please note that you are required to involve disabled people in decisions that impact on them

The Councils' Corporate Management team, Law & Governance team, Unite and Unison leads, members of the Human Resources Team including the Equalities & Diversity Business Partner were invited to comment on the proposed policy and reach agreement on the changes. The Policy will go before Council on 8th October 2012 for approval.

4. Can the adverse impacts you identified during the initial screening be justified without making any adjustments to the existing or new policy, strategy, procedure, project or service?

Please set out the basis on which you justify making no adjustments

**APPENDIX D
DISCIPLINARY POLICY AND PROCEDURE**

There are no adverse impacts envisaged upon those with protected characteristics.

5. You are legally required to monitor and review the proposed changes after implementation to check they work as planned and to screen for unexpected equality impacts.

Please provide details of how you will monitor/evaluate or review your proposals and when the review will take place

Policies will be subject to regular reviews of any changes made to legislation/directives by central government. Any challenges to the policy that result in gaps or irregularities being found will be amended following further review, agreement between the employer and the local trade unions, and subsequent sign off from CEB/Council (if required).

All managers will receive training on this policy via e-learning supported by any necessary workshops and regular meetings with respective service area Business Partners.

The effectiveness of the policy will be monitored through the number of disciplinary investigations, hearings and appeals that take place.

Lead officer responsible for signing off the EqIA: Simon Howick

Role: Head of Human Resources and Facilities

Date: 17th September 2012

Note, please consider & include the following areas:

- Summary of the impacts of any individual policies
- Specific impact tests (e.g. statutory equality duties,)
- Post implementation review plan (consider the basis for the review, objectives and how these will be measured, impacts and outcomes including the “unknown”)
- Potential data sources

APPENDIX D DISCIPLINARY POLICY AND PROCEDURE

Initial screening EqIA template

Prior to making the decision, the Council's decision makers considered the following: guide to decision making under the Equality Act 2010:

*The Council is a public authority. All public authorities when exercising public functions are caught by the Equality Act 2010 which became law in December 2011. In making any decisions and proposals, the Council - specifically members and officers - are required to have **due regard** to the 8 protected characteristics defined under the Act. These protected characteristics are: **age, disability, race, gender reassignment, pregnancy and maternity, religion or belief, sex and/or sexual orientation.***

The decision maker(s) must specifically consider those protected by the above characteristics:

- (a) to seek to ensure equality of treatment towards service users and employees;*
- (b) to identify the potential impact of the proposal or decision upon them.*

If the Council fails to give 'due regard', the Council is likely to face a Court challenge. This will either be through a judicial review of its decision making, the decision may be quashed and/or returned for it to have to be made again, which can be costly and time-consuming diversion for the Council. When considering 'due regard', decision makers must consider the following principles:

- 9. **the decision maker is responsible for identifying whether there is an issue and discharging it.** The threshold for one of the duties to be triggered is low and will be triggered where there is any issue which needs at least to be addressed.*
- 10. **the duties arise before the decision or proposal is made, and not after and are ongoing.** They require **advance** consideration by the policy decision maker with conscientiousness, rigour and an open mind. The duty is similar to an open consultation process.*
- 11. the decision maker must be **aware of the needs of the duty.***
- 12. the **impact of the proposal or decision must be properly understood first.** The amount of regard due will depend on the individual circumstances of each case. The greater the potential impact, the greater the regard.*
- 13. **Get your facts straight first!** There will be no due regard at all if the decision maker or those advising it make a fundamental error of fact (e.g. because of failing to properly inform yourself about the impact of a particular decision).*
- 14. What does 'due regard' entail?*
 - a. **Collection and consideration of data and information;***
 - b. **ensuring data is sufficient to assess the decision/any potential discrimination/ensure equality of opportunity;***
 - c. **proper appreciation of the extent, nature and duration of the proposal or decision.***
- 15. **Responsibility** for discharging can't be delegated or sub-contracted (although an equality impact assessment ("EIA") can be undertaken by officers, decision makers must be sufficiently aware of the outcome).*
- 16. **Document the process** of having due regard! Keep records and make it transparent! If in any doubt carry out an equality impact assessment ("EIA"), to test whether a policy will impact differentially or not. Evidentially an EIA will be the best way of defending a legal challenge. See hyperlink for the questions you should consider
<http://occweb/files/seealsodocs/93561/Equalities%20->*

**APPENDIX D
DISCIPLINARY POLICY AND PROCEDURE**

%20Initial%20Equality%20Impact%20Assessment%20screening%20template.doc

6. Which group (s) of people has been identified as being disadvantaged by your proposals? What are the equality impacts?

This is an assessment of the revised Drugs and Alcohol Policy, which will replace the existing policy. There are no anticipated adverse effects for groups with protected characteristics.

7. In brief, what changes are you planning to make to your current or proposed new or changed policy, strategy, procedure, project or service to minimise or eliminate the adverse equality impacts?

Please provide further details of the proposed actions, timetable for making the changes and the person(s) responsible for making the changes on the resultant action plan

There are no adverse equalities impacts identified. The misuse use of drugs or alcohol is not a disability as defined by the Disability Discrimination Act 2010. Medical conditions and health problems that arise as a result of the use of drugs or alcohol may, however, meet the definition criteria of being a disability under the Act. The Council's policy is to provide support to employee's who accept that they need help.

8. Please provide details of whom you will consult on the proposed changes and if you do not plan to consult, please provide the rationale behind that decision.

Please note that you are required to involve disabled people in decisions that impact on them

The Councils' Corporate Management team, Law & Governance team, Unite and Unison leads, members of the Human Resources Team including the Equalities & Diversity Business Partner were invited to comment on the proposed policy and reach agreement on the changes. The Policy will go before Council on 8th October 2012 for approval.

Disabled people have been involved [by inviting Lynne Hooper, the Council's access officer, for suggestions], and involving the trade unions in the proposals by consulting them.

**APPENDIX D
DISCIPLINARY POLICY AND PROCEDURE**

9. Can the adverse impacts you identified during the initial screening be justified without making any adjustments to the existing or new policy, strategy, procedure, project or service?

Please set out the basis on which you justify making no adjustments

There are no adverse impacts envisaged upon those with protected characteristics.

10. You are legally required to monitor and review the proposed changes after implementation to check they work as planned and to screen for unexpected equality impacts.

Please provide details of how you will monitor/evaluate or review your proposals and when the review will take place

The policy will be subject to regular reviews of any changes made to legislation/ directives by central government. Any challenges to the policy that result in gaps or irregularities being found will be amended following further review, agreement between the employer and the local trade unions, and subsequent sign off from CEB/Council (if required).

All managers will receive training on this policy via e-learning supported by any necessary workshops and regular meetings with respective service area Business Partners.

The policy will be monitored by reviewing the number of issues raised and take up and effectiveness of the support mechanisms.

Lead officer responsible for signing off the EqIA: Simon Howick

Role: Head of Human Resources and Facilities

Date: 17th September 2012

Note, please consider & include the following areas:

- Summary of the impacts of any individual policies
- Specific impact tests (e.g. statutory equality duties,)
- Post implementation review plan (consider the basis for the review, objectives and how these will be measured, impacts and outcomes including the “unknown”)
- Potential data sources

To: Council

Date: 8th October 2012

Report of: Head of Law and Governance

Title of Report: POLICY FRAMEWORK – RECONFIGURATION

Summary and Recommendations

Purpose of report: This report reviews the composition of the Council's Policy Framework; it explains that the Policy Framework has developed over time and has not been comprehensively reviewed; it reviews the present Policy Framework; and it proposes a reconfiguration.

Report Approved by:

Finance: Jacqueline Yates

Legal: Jeremy Thomas

Policy Framework: Not applicable

Recommendation(s): Council is recommended to approve the reconfigured Policy Framework as set out in Annex 2 to this report.

1. Full Council is responsible for the Council's Policy Framework and Budget, that is to say full Council is the final decision-making body for the Council's policies and the Council's Budget. Policies agreed by full Council are collectively described as the Council's Policy Framework. It is within and in accordance with the Policy Framework that the Council through the Executive sets strategies and takes operational decisions.
2. Some policies are required by law to be in the Policy Framework. These are set out in Annex 1 to this report. Other policies are in the Policy Framework by the Council's own choice. The Council's full Policy Framework is set out in Column 1 of Annex 2 to this report.
3. The Council's Policy Framework has been developed over time, in fact since October 2001 when the Council first started operating to the

decision-making and political arrangements required by the Local Government Act 2000. Your officers have reviewed the Policy Framework that has been developed over the past eleven years and are recommending a rationalisation of it. Column 2 of Annex 2 recommends the retention (✓) or repeal (X) of framework policies. Column 3 gives reasons for the recommendation. We have also included some new matters that in due course will be recommended to Council to form part of the Policy Framework.

Name and contact details of author:

William Reed
Democratic Services Manager
Oxford City Council
Town Hall
Oxford
OX1 1BX

Tel 01865 252230 wreed@oxford.gov.uk

Background papers: None

Version number: 1

POLICY FRAMEWORK RECONFIGURATION

Plans and Strategies that must in law constitute a Council's Policy Framework

Annual library plan (County Council)
Best value performance plan
Children and young people's plan (County Council)
Crime and disorder reduction strategy
Development plan documents
Licensing authority policy statement
Local transport plan (County Council)
Plans and alterations which together comprise the development plan
Sustainable community strategy
Youth justice plan (County Council)

"Policy Framework" is defined in the Constitution as follows:-

5.1 Budget and policy framework

(a) Description of responsibility

- The budget, including decisions to allocate money to services and projects, set up contingency funds, set the council tax base, set the council tax, control the council's borrowing requirement, control capital spending, set a limit on the amount that can be transferred between cost centres, agree the treasury management strategy and the corporate asset management plan.
- The policy framework, including the best value performance plan, the community strategy, the crime and disorder reduction strategy, the [local development framework](#) and any other plans or strategies agreed by full council.

POLICY FRAMEWORK RECONFIGURATIONRationalisation of the City Council's Policy Framework

Policy	Retention Recommendation	Reason
Best Value Performance Plan (BVPP)	X	BVPP no longer a requirement of the Government (but law has not been changed to delete the requirement that the authority itself adopts). Best value is included in the Council's Corporate Plan which is for retention as a Policy Framework document.
Community Strategy (now called the Sustainable Community Strategy)	X	Sits under the Council's Corporate Plan as a strategy. The Oxford Strategic Partnership Sustainable Community Strategy refresh will be presented as a strategy to CEB for adoption in due course.
Crime and Disorder Reduction Strategy (now called the Community Safety rolling plan)	✓	This is now a rolling work programme within the Oxfordshire Safer Communities Partnership and is a work programme and not a policy (or a strategy). The law requires the authority to have adopted such a strategy however and so we need to continue to list the strategy in the Policy Framework. It is officers' intention in due course for the rolling plan to sit under the Council's Corporate Plan.
Corporate Plan	✓	Policy Framework document

Food Law Enforcement Service Plan	X	A work plan, not a policy
Local Agenda 21 Strategy	X	Superseded by the Sustainability Strategy adopted by Council into the Policy Framework on 19 th December 2011
Corporate Equality Policy	X	Superseded by the Corporate Equalities Scheme adopted by the CEB on 7 th December 2011. Not a Policy Framework document because not adopted by full Council.
Economic Development Strategy	X	Sits under the Regeneration Framework (now called the Economic Development and Growth Strategy) as a strategy
Leisure Strategy	✓	Retain but will be replaced by a new Leisure Policy, to be consulted upon and adopted in 2013.
Employment Stability Policy	✓	Rename Organisational Change Policy
Overall management structure of the authority	X	Overtaken by the current scheme of delegation – see 5.15 in the Constitution.
Capital Strategy	X	Now part of the Budget and Medium Term Financial Strategy
Corporate Asset Management Plan	✓	Title changed to Asset Management Plan. Currently consulting upon a refresh of the Plan with a view to adoption in October 2012.
E-Government Strategy	X	No longer needed as a policy. Has been implemented and technology has moved on

Contaminated Land Strategy	x	This sits under the Sustainability Strategy adopted by Council on 19 th December 2011.
Consultation Strategy	✓	Retain as a Policy Framework document
The plan and strategy that comprise the Housing Investment Programme	X	The Housing Investment Programme as a separate document no longer exists. Its provisions are included in the Housing Strategy
Housing Capital Programme	X	An integral part of the budget and the HRA Business Plan. Not a policy in its own right.
HRA Business Plan	✓	Adopted by Council on 20 th February 2012.
Housing Strategy	✓	Adopted by Council on 23 rd April 2012
Homelessness Strategy	✓	It is a requirement of the Homelessness Act that the Council itself adopts a Homelessness Strategy, so this amounts to a Policy Framework document. Review of Strategy has commenced and will be reported to Council in December 2012
Black and Ethnic Minorities Housing Strategy	X	This is a strategy that sits under the Housing Strategy (policy)
Annual housing policy statement	X	This is a strategy that sits under the Housing strategy (policy)
Allocations policy	✓	
Day to day repair policy	X	This will be a strategy or plan that sits under the HRA Business Plan.
Tenancy Strategy	✓	The Localism Act introduced a requirement for councils to adopt a Tenancy Strategy. Programmed for consultation in Autumn 2012

Renovation and disabled facilities grants and loans policy	✓	Policy required in law.
Local air quality management: Central Oxford Air Quality Plan	X	An action plan and so not a policy as such. The plan was adopted by Council because that is what the law requires.
Member Development Framework	X	This represents a statement of intent in respect of member development. It is not a policy per se.
Audit Commission quality of life indicators	X	Not a council document (and so not in the Council's control) and in any case now obsolete
European common indicators 7 and 10	X	Not a council document and so not in the Council's control.
Policy on quantity control on the numbers of hackney carriage vehicle licences	✓	A policy of the Council of long-standing, confirmed most recently by full Council in July 2010.
Regeneration Framework	✓	Name changed to Economic Development and Growth Strategy.
Plans and alterations which together form the Development Plan (eg Local Plan saved policies, neighbourhood plans)	✓	
Development Plan documents (eg Core Strategy)	✓	
Community Infrastructure Levy Charging Schedule	✓	
Licensing authority policy statement	✓	This policy statement is required by law to be adopted by Council.
Statement of gambling policy	✓	This policy statement is required by law to be adopted by Council.

Culture Strategy	✓	Programmed to go to Council for adoption into the Policy Framework in October 2012.
Sustainability Strategy	✓	Adopted by Council on 19 th December 2011.