

# Agenda

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## City Executive Board

Date: **Wednesday 23 April 2014**

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Time: **5.30 pm**

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Place: **St Aldate's Room, Town Hall**

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For any further information please contact:

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# City Executive Board

## Membership

<b>Chair</b>	<b>Councillor Bob Price</b>	Corporate Governance, Strategic Partnerships and Economic Development
	<b>Councillor Ed Turner</b>	Finance, Efficiency and Strategic Asset Management
	<b>Councillor Susan Brown</b>	Benefits and Customer Services
	<b>Councillor Colin Cook</b>	City Development
	<b>Councillor Steven Curran</b>	Youth and Communities
	<b>Councillor Pat Kennedy</b>	Education, Crime and Community Safety
	<b>Councillor Mark Lygo</b>	Parks and Sports
	<b>Councillor Mike Rowley</b>	Leisure Services
	<b>Councillor Scott Seamons</b>	Housing
	<b>Councillor John Tanner</b>	Cleaner, Greener Oxford

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# AGENDA

## PART ONE PUBLIC BUSINESS

Pages

### 1 APOLOGIES FOR ABSENCE

### 2 DECLARATIONS OF INTEREST

Board Members are asked to declare any disclosable pecuniary interests they may have in any of the following agenda items. Guidance is contained at the end of these agenda pages.

### 3 PUBLIC QUESTIONS

When the chair agrees, questions from the public for up to 15 minutes – these must be about the items for decision at the meeting (excluding the minutes) and must have been given to the Head of Law and Governance by 9.30am on a day so that there is one clear working day before the meeting (email [executiveboard@oxford.gov.uk](mailto:executiveboard@oxford.gov.uk) or telephone the person named as staff contact). No supplementary questions or questioning will be permitted. Questions by the public will be taken as read and, when the Chair agrees, be responded to at the meeting.

### 4 COUNCILLOR ADDRESSES ON ANY ITEM FOR DECISION ON THE BOARD'S AGENDA

With the Chair's agreement - addresses by Councillors must be about the items for decision at the meeting and can be up to 3 minutes in length. The Board Member who has political responsibility for the item for decision may respond or the Board will have regard to the points raised in reaching its decision

Addresses must have been given to the Head of Law and Governance by 9.30am one clear working day before the meeting (email [executiveboard@oxford.gov.uk](mailto:executiveboard@oxford.gov.uk) or telephone the person named as staff contact).

### 5 SCRUTINY COMMITTEE REPORTS

There are no Scrutiny Committee reports.

## 6 FLOOD SUPPORT PACKAGE

9 - 34

**Lead Member:** Councillor Price, Executive Board Member for Corporate Governance, Strategic Partnerships and Economic Development

The Head of Finance has submitted a report which considers a range of support schemes for the households and businesses affected by flooding in Winter 2013/14 to enable the Council to provide financial support to local residents and businesses affected.

**Recommendations:** That the City Executive Board agrees:

(i) The following flood support schemes for the payment of:

- Support to businesses, including
  - \* Business rates flooding relief
  - \* Business support grant
  - \* Repairs and renewals grants
- Help to homeowners, including
  - \* Council tax discount and
  - \* Repairs and renewals grants

and that the schemes are in line with approved government guidance and follow the principles set out in Appendix A;

(ii) That members delegate the administration of the above schemes to the Executive Director of Community Services and Executive Director of Organisational Development and Corporate Services.

## 7 LEASE OF 1930 OFFICE BLOCK OF TOWN HALL FOR SERVICED OFFICE USE

35 - 42

**Lead Member:** Councillor Turner, Executive Board Member for Finance, Efficiency and Strategic Asset Management

Confidential appendices are attached in Part II of this agenda

The Regeneration and Major Projects Service Manager has submitted a report which seeks approval to lease out the North Wing of the Town Hall.

**Recommendations:** That the City Executive Board:

1. Approve the proposed lease of the surplus office space within Oxford Town Hall. The outline details of the lease are set out in the Not for Publication Confidential Appendix 4 of this report. The detailed provisions of the lease are to be approved by the

Regeneration and Major Projects Service Manager.

2. Grant authority to the Regeneration and Major Projects Service Manager, in consultation with the Board Member, to vary or extend the areas to be leased as detailed herein provided the transaction continues to represent best consideration and operational benefit.

## 8 HEADINGTON NEIGHBOURHOOD AREA - NEIGHBOURHOOD PLAN

43 - 58

**Lead Member:** Councillor Cook, Executive Board Member for City Development

The Head of City Development has submitted a report which proposes the designation of the Headington neighbourhood area. For clarification, this is not intended to be designated as business areas.

**Recommendations:** That the City Executive Board

1. Designates the proposed Headington Neighbourhood Area.
2. Does not designate the area as a business area.

## 9 FUTURE ITEMS

This item is included on the agenda to give members the opportunity to raise issues on the Forward Plan or update the Board about future agenda items.

## 10 MINUTES

59 - 62

Minutes of the meeting held on 9 April 2014. City Executive Board is asked to note in particular minute 167 relating to Fusion Lifestyle Annual Service Plan 2014/15 and the details proposed and agreed by the Executive Board Member for Leisure at the meeting.

**Recommendation:** The City Executive Board NOTES the minutes of the meeting held on 9 April 2014 as a true and accurate record.

## 11 MATTERS EXEMPT FROM PUBLICATION

If the Board wishes to exclude the press and the public from the meeting during consideration of any of the items on the exempt from publication part of the agenda, it will be necessary for the Board to pass a resolution in accordance with the provisions of Paragraph 21(1)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (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.

The Board may maintain the exemption if and so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**PART TWO**  
**MATTERS EXEMPT FROM PUBLICATION**

**12 LEASE OF 1930S OFFICE BLOCK OF TOWN HALL FOR  
SERVICED OFFICE USE**

63 - 70

**Lead Member:** Councillor Turner, City Executive Board Member for Finance, Efficiency and Strategic Asset Management

This paper contains two not for publication appendices to the report at agenda item 7

It contains information concerning the terms of the proposed lease.

The public interest in maintaining the exemption from publication is in order not to compromise commercially sensitive information under paragraph 3 of Part 1, Schedule 12A of the Local Government Act 1972.

No comments were received from the public on the exemption of this item.

## **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.

\*Disclosable 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.

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**To:** City Executive Board  
**Date:** 23<sup>rd</sup> April 2014  
**Report of:** Head of Finance  
**Title of Report:** Financial Flood Support Packages

## Summary and Recommendations

**Purpose of report:** To consider a range of support schemes for households and businesses affected by flooding in Winter 2013/14 to enable the Council to provide financial support to local residents and businesses affected.

**Key decision:** No

**Executive lead member:** Councillor Bob Price

**Policy Framework:** Finance

**Recommendation(s):** It is recommended that the City Executive Board agree:

(i) The following flood support schemes for the payment of:

- Support to businesses, including
  - \* Business rates flooding relief
  - \* Business support grant
  - \* Repairs and renewals grants
- Help to homeowners, including
  - \* Council tax discount and
  - \* Repairs and renewals grants

and that the schemes are in line with approved government guidance and follow the principles set out in Appendix A;

(ii) That members delegate the administration of the above schemes to the Executive Director of Community Services and Executive Director of Organisational Development and Corporate Services.

Appendix A: Details of Flooding Support

Appendix B: Definition of a Flood

Appendix C Application for Repairs and Renewals Grant

## BACKGROUND

1. During the period December 2013 to February 2014 businesses and households within the city suffered from the effects of severe weather and flooding over a period of time.
2. The numbers of households and businesses affected was relatively low in comparison to other areas of the country. Latest information indicates around 13 businesses and some 51 households may have had water enter the premises, with another 52 businesses indirectly affected by the flooding.
3. The government have announced a number of schemes to help homeowners and businesses recover from the adverse weather since 1<sup>st</sup> December 2013. Local authorities will be responsible for administering these schemes in local areas. Full details of the schemes being promoted are attached at Appendix A and are summarised below.

### Support for Businesses

4. Businesses that have been directly or indirectly affected by the floods for any day between 1<sup>st</sup> December 2013 and 31<sup>st</sup> March 2014 qualify for:
  - **Business Rate Flooding Relief** – Key points include:
    - Businesses qualify for three months business rate relief, regardless of how long they were flooded;
    - The property has to have been flooded in whole or in part
    - **Funding** -The Government will fully reimburse local authorities that use their discretionary relief powers (under Section 47 of the Local Government Finance Act 1988) to grant relief in line with the eligibility criteria shown in Appendix A, under Section 31 of the Local Government Act 2003.
    - **Scheme Discretion** – Limited – scheme In accordance with the principals set by Government as detailed above.
  - **Business Support Scheme** – Key points include:
    - Available to small and medium sized businesses (as defined by turnover not exceeding €50m and having less than 250 employees) that have sustained hardship and significant loss of trade, to develop and implement business recovery plans;
    - Eligible costs include: clean-up costs, materials. Exceptional business costs (such as hire of drying equipment) and temporary accommodation to enable the business to continue trading
    - The grant covers direct and indirectly impacted businesses within flood affected areas. Indirect impact means limited access to premises equipment and or stock as a result of flooding, restricted access to customers and suppliers and suffered a significant loss of trade

- Local authorities have discretion on the maximum level of grant but Government advised that in other similar recovery schemes average grants were £2500 per business.
  - **Funding** - £10 million allocated nationally which has been paid to Local authorities via Section 31 of the Local Government Act 2003. Initial allocation for Oxford City £30k, followed by a second tranche of £32k, making £62.5k in total.
  - **Scheme Discretion** – Discretion on the maximum amount of grant to be given as above, with indication that average grant should be around £2,500 but in exception circumstances additional grant may be available. The maximum level of grant will be determined having regard to demand and to manage within anticipated support from Government.
- **Repairs and Renewals Grant- Key points include:**
    - Provides financial support of up to £5,000 for work that improves a property's resilience against future flooding.
    - To fund resilience works that are over and above repairs that would normally be funded by insurance
    - Government will reimburse local authorities for eligible expenditure under Section 31 of the Local Government Act 2003.
    - **Scheme Discretion-** Up to the local authority to adopt a local scheme and determine cases on their merit. The application form for claimant to use is based on a draft by Defra for local authorities to use. Scheme adopted will be based on information provided by homeowner of up to £5,000 having regard to the indicative amounts in Appendix C with recommendations from officers within Environmental Development.
    - Grant applications will be determined by a technical recommendation to the Panel described in paragraph 8 below.

### Help for Homeowners

5 People whose homes have been flooded for any day between 1<sup>st</sup> December 2013 and 31<sup>st</sup> March 2014 may be eligible for:-

- **A Council Tax Discount;**
  - Local authorities can use powers under Section 13A of the Local Government Finance Act 1992 to grant council tax discounts
  - **Funding** The Government have made £4 million available nationally to provide funding for up to 3 months. Depending on take up they have indicated they will review the funding envelope to see whether further funding can be made available.
  - **Scheme Discretion** – Local authority to determine duration of discount but limited by available funds from Government

- **Repairs and Renewals Grant**

- To provide financial support for work that improves a property's resilience against future flooding. To provide grants of up to £5,000 to homeowners and businesses that have been flooded.
- To fund resilience works that are over and above repairs that would normally be funded by insurance
- Indicative costs of repairs to be funded by this grant are shown in Appendix C
- **Funding** – Government will reimburse local authorities for eligible expenditure under Section 31 of the Local Government Act 2003.
- **Scheme Discretion**- Up to the local authority to adopt a local scheme and to determine individual cases on their merit. The application form for claimant to use is based on a Defra draft for local authorities to use.
- Scheme adopted will be based on information provided by homeowner of up to £5,000 having regard to the indicative amounts in Appendix C with recommendations from officers within Environmental Development
- Grant applications will be determined by a technical recommendation to the Panel described in paragraph 8 below

### **Severe Weather Payment**

- 6 The Government announced that around £7 million will be available to help fund recovery costs incurred by Councils in supporting their communities, repairing local Highway Infrastructure and funding repairs arising from the impact of the East Coast tidal surge and dealing with severe weather up to the 7<sup>th</sup> February. Oxford City Council has received a payment of £34.9k. Details of the scheme are contained in Appendix A.

### **Bellwin Scheme**

- 7 Local authorities are able to claim for eligible costs that exceed the threshold set by the Government. For Oxford City Council this is £48.5k. The Council has yet to finalise its claim which is due to be submitted by 30<sup>th</sup> June 2014. Estimated expenditure is in the region of £250k, hence the claim is likely to be in the region of £201.5k.

### **Action to Date**

- 8 Council officers have to date:
  - Established a web site with details of how to apply for flooding support
  - Have mailshot owners of properties where it is known flooding took place, namely Abingdon Road, Botley Road and Osney Mead with a return date of 21<sup>st</sup> April 2014.
  - Established a panel to assess and agree applications for flooding support consisting of :
    - Head of Finance

- Service Manager- Revenues and Benefits
- Environmental Policy Team Leader
- Environmental Development Technical Officer
- Corporate Secretariat Manager

## **FINANCIAL IMPLICATIONS**

- 9 The government has committed to reimburse Councils' costs for flood support in their local communities. The Council will be reimbursed fully for the costs of Business Rate Relief and Repair and Renewal Grants.
- 10 Nationally, funding of £4m has been announced for Council Tax Exemptions, £10m for the Business Support Scheme and £3.5m for the communities element of the Severe Weather Recovery Scheme.
- 11 The funding allocation at a local level for each of these schemes has not yet been fully announced although the Council has received
  - a. £62,500 from the first and second tranches of the Business Support Scheme funding
  - b. £34,900 in respect of the severe weather payment
- 12 Whilst eligible costs of providing flooding support through business rates relief and repair and renewals grants to businesses and homeowners are fully funded by Government, business support and council tax discounts are not. Should the Council receive requests for funding, and subsequently provide financial support which exceeds its funding allocation from the Government, the balance will need to be funded by local Council Tax payers.
- 13 It may therefore be prudent to wait until all applications for flooding support have been received before setting the final aspects of each of the schemes. This will give time for the authority to :
  - a. Receive the final details for the scheme reimbursement from DCLG
  - b. Assess the potential claim against the business support cash limited sum

## **RISKS**

- 14 If nationally the costs of the Business Support Scheme, Council Tax Discount and Severe Weather Recovery Scheme exceed the £10m, £4m and £3.5m respective allocations, a share of the financial burden in the District area may rest with Council Tax payers. The Council will seek to ensure that this is mitigated as far as possible
- 15 Any grants or relief given will be subject to State Aid restrictions and consequently the Council will need to satisfy itself that any of the business related schemes limit relief to less than € 200,000 over a three year period.

## **ENVIRONMENTAL IMPACT**

16 These schemes will help householders and businesses recover from the effects of the flooding, but will also help with flood prevention schemes going forward

## **LEGAL IMPLICATIONS**

17 The legal implications are contained within the body of the report

### **Name and contact details of author:-**

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Job title: Head of Finance

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**List of background papers: Flood Support Schemes Guidance issued  
24<sup>th</sup> February 2014**

**Version number: v1**

**Extract from HM Government Flood Support Scheme Guidance issued 24<sup>th</sup> February 2014**

**The Repair and Renew Grant**

On 12<sup>th</sup> February 2014, the Prime Minister announced details of a new scheme to provide grants of up to £5,000 to homeowners and businesses that had been flooded. The Repair and Renew Grant is being provided to fund additional flood resilience or resistance measures for homes and businesses that were flooded between 1st December 2013 and 31<sup>st</sup> March 2014. The flooding must have been as a result of recent adverse weather conditions and not, for instance, from the failure of water mains, internal water systems or a sewerage system (unless the failure was itself caused by the adverse weather conditions).

This is a one-off scheme to cover needs arising from the flooding of Winter 2013/14.

Grants are intended only to fund measures which improve the property's resilience or resistance to flooding, over and above repairs that would normally be covered by insurance. Where resilient repairs can be provided at the same cost as standard like-for-like repairs, insurers should act to encourage take-up as part of the standard reinstatement process.

Properties will not be eligible if they are due to benefit from a planned community-level scheme that would reduce the level of flood risk below 'significant', rendering the measures unnecessary. The Environment Agency must have announced plans for the scheme and be due to complete it within the next five years (i.e. before December 2018).

In addition, where households are currently benefitting from an existing or agreed Property Level Protection scheme, additional funding should only be used to take the whole package up to a maximum value of £5,000. The Council will need to work with the Environment Agency Area Office and the Lead Local Flood Authority to identify these properties, and how much additional funding they could be eligible for.

The Government will work with affected local authorities alongside the insurance industry and other technical specialists over the next few weeks in order to agree a clear process to enable the delivery of surveys, work needed and the grant payments.

## **Business Rate Flooding Relief**

On 12<sup>th</sup> February 2014, the Prime Minister announced details of a new Business Rate Relief scheme for properties that have been flooded.

As this is a temporary emergency measure, the Government is not changing the legislation around the reliefs available to properties. Instead, the Government will reimburse local authorities that use their discretionary relief powers (under Section 47 of the Local Government Finance Act 1988 (as amended by the Localism Act)) to grant relief. The Government will fully reimburse local authorities for the local share of any Discretionary Relief (using a grant under Section 31 of the Local Government Act 2003). The Government expects local government to grant relief to qualifying ratepayers.

The Government will fund 100% rate relief for three months, for those hereditaments which meet the following criteria:-

For any day between 1<sup>st</sup> December 2013 and 31<sup>st</sup> March 2014:-

- (i) the hereditament has been flooded in whole or in part as a result of adverse weather conditions; and
- (ii) on that day, as a result of the flooding at the hereditament, the business activity undertaken at the hereditament was adversely affected; and
- (iii) the rateable value of the hereditament on that day was less than £10m.

In considering whether the business activity has been adversely affected, the Council will consider the impact of the flooding in the full context of all business activities undertaken at the hereditament. Very small or insignificant impacts will be ignored.

The funding is for the impacts of flooding from the recent adverse weather conditions and not, for instance, from the failure of water main, internal water systems or the failure of a sewerage system (unless the failure was itself caused by the adverse weather conditions). As a guide, the definition of flood from Section 1 of the Flood & Water Management Act 2010 is attached at Appendix B.

The scheme applies to all types and uses of non-domestic hereditaments (other than those occupied by the Council itself).

Relief will be provided for three months starting on the day the hereditament first met the criteria. The three months relief will apply irrespective of how long the flooding or adverse business impacts last.

Where a hereditament has been flooded more than once and business activities are adversely impacted, only one period of three months relief will be awarded and should be applied from the first date on which the criteria.

The relief will be awarded after all other reliefs have first been applied, including the retail relief where applicable.



This relief will be calculated ignoring any prior year adjustments in liabilities which fall to be liable on the day.

Ratepayers that occupy more than one property may be granted relief within the scheme for each of their eligible properties.

### **Council Tax Discounts**

On 19<sup>th</sup> February 2014, the Prime Minister announced that funding of up to £4m will be available to local authorities in support of Council Tax Discounts for homes that have been flooded.

Local authorities can use powers under Section 13A of the Local Government Finance Act 1992 to grant Council Tax discounts on properties affected by flooding. It allows local billing authorities the flexibility to grant reductions or exemptions on an individual basis or for a class of Council Tax payer. In usual circumstances, it would fall to local authorities to fund any reduction granted from Council Tax. However, for this scheme, local authorities will be able to claim support through the Department for Communities and Local Government for Council Tax Discounts to homes that have been flooded.

### **Business Support Scheme**

On 17<sup>th</sup> February 2014, the Prime Minister announced details of a new scheme to support all small and medium sized business in flood affected areas that have been impacted by the floods and suffered a significant loss of trade. Local authorities will administer this business support funding.

Support from this fund will be available to support small and medium sized businesses to develop and implement business recovery plans. Eligible businesses will be able to claim for costs which could include immediate clean-up costs, materials, exceptional business costs (such as hire of drying equipment) and temporary accommodation to enable these businesses to continue trading. Business continuity planning and marketing costs may also be covered.

#### Proposed Local Scheme

- (i) *only* businesses affected by coastal and inland flooding since 1<sup>st</sup> December 2013 will be eligible for funding;
- (ii) eligible businesses are those that have sustained hardship and significant loss of trade as a result of the floods, but it is not to be used for rewarding poor business practice (e.g. if a business has not put any insurance arrangements in place) or for routine business expenses or costs that are recoverable elsewhere;
- (iii) unlike the Business Rate Relief and the Repair and Renew grant, this Business Support scheme can also be used to support businesses which have been indirectly impacted on by the floods;

- (iv) the grant covers direct and indirect impacted businesses within flood affected areas. It does not cover loss of trade suffered by businesses outside directly-affected areas;
- (v) 'direct impacts' means that business has suffered direct damage and loss to premises, equipment and/or stock and has been unable to trade normally as a result of flooding;
- (vi) 'indirect impacts' means business has had no or highly limited access to premises, equipment and/or stock as a result of flooding, restricted access to customers and suppliers and suffered significant loss of trade;
- (vii) in considering whether the business activity has been adversely affected, the Council will consider the impact of the flooding in the full context of all business activities undertaken at the hereditament. Very small or insignificant impacts will be ignored;
- (viii) the scheme applies to all types and uses of non-domestic hereditaments, other than those occupied by the Council.

The grant will be available to support business to recover from the impacts of flooding from the recent adverse weather conditions and the Council will consider funding for items including: non-recoverable insurance excesses for repair or replacement of buildings, equipment and stock; removal of debris, additional business accommodation or extra staff costs; structural surveys, security measures, additional marketing, exceptional costs to improve access to/for suppliers and customers etc.

The funding is for the impacts of flooding from the recent adverse weather conditions and not, for instance, from the failure of a water main, internal water systems or the failure of a sewerage system (unless the failure was itself caused by the adverse weather conditions). As a guide, the definition of flood from Section 1 of the Flood & Water Management Act 2010 is attached at Appendix 'B'.

Local authorities will have discretion on the maximum payments to individual businesses with funding from the scheme but the Government has stated that, in similar recovery schemes, the average claims were approximately £2,500 per business.

### **Severe Weather Recovery Scheme**

The £7m Severe Weather Recovery Scheme was announced on 17th January 2014. The scheme covers the period 5th December 2013 to 7th February 2014. The Government has made £7m available in total - £3.5m for supporting communities and £3.5m for repairs to local highway infrastructures.

The communities element of the grant is available to local authorities that are able to demonstrate that:-

- (i) they have incurred, or will incur, expenditure on supporting their communities during the recovery phase following the East Coast tidal

surge and severe weather between December 2013 and 7th February 2014. Qualifying activities may include one or more of the following:-

- offering Council Tax discounts;
  - providing assistance for long-term displaced households;
  - placing households in temporary accommodation;
  - support payments to flood affected households;
  - purchase/provision of new household items for those affected, provision of temporary caravans etc.;
  - use of rest centres;
  - tourism impacts; and
- (ii) that at least ten residential and/or commercial properties have been reported as having been flooded (water having entered the property) in their local authority area.

It is understood that the grant will be distributed using a simple formula based on the number of properties affected (internally flooded) as a proxy for scale of wider impacts. At this point in time, the allocation of funding to this Council is not known.

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## Appendix B

### Definition of Flood

Section 1 of the Flood & Water Management Act 2010

1(1) "Flood" includes any case where land not normally covered by water becomes covered by water.

(2) It does not matter for the purpose of subsection (1) whether a flood is caused by—

- (a) heavy rainfall,
- (b) a river overflowing or its banks being breached,
- (c) a dam overflowing or being breached,
- (d) tidal waters,
- (e) groundwater, or
- (e) anything else (including any combination of factors).

(3) But "flood" does not include—

- (a) a flood from any part of a sewerage system, unless wholly or partly caused by an increase in the volume of rainwater (including snow and other precipitation) entering or otherwise affecting the system, or
- (b) a flood caused by a burst water main (within the meaning given by section 219 of the Water Industry Act 1991).

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## APPENDIX C

<b>5. Is your grant application for;</b>	
Resilience/ resistance measures that you will install in the future should your grant be approved?	Yes/ No
For resilience/ resistance measures that you have already purchased and installed following the flooding (retrospective application).	Yes/ No

**6. Please indicate which of the available resilience/ resistance measures you intend to or have installed (if a retrospective application), and cost (including VAT).**

Two like for like quotes should be provided with your application to support the identified cost, at least one of which must be from a local supplier (if available). Alternatively, retrospective applications should answer question 8.

Please note that the maximum grant that can be applied for is £5,000 (including VAT costs). Any costs incurred above £5,000 will need to be met from your own funds.

When selecting which measures you intend to install, please read the application guidance note. We also strongly advise that you consider information available on reference websites such as [www.nationalfloodforum.org.uk/property-level-protection-community-tool/](http://www.nationalfloodforum.org.uk/property-level-protection-community-tool/). The guidance will help you select the appropriate resilience/ resistance measures for the nature of flooding in your area – not all of the identified measures may be appropriate, and may make limited difference to protecting or minimising the damage to your premises.

**Should you choose to seek professional advice prior to making an application, you can retrospectively claim up to £500 of the cost as part of your application.**

We recommend you only install products that are marked with the 'kitemark' logo

Resistance measures	Cost each £	Number of units	Total Cost £
Demountable Door Guards			
Demountable Window Guards			
Airbrick Cover			
Sewage Bung			
Toilet Pan Seal			
Sump Pump			
Re-pointing external walls with water resistant mortar			
Waterproof external walls			
Automatic Door Guards			
Automatic Window Guards			
Self-closing airbrick			
Non-return valves 110 mm soil waste pipe			
NRV 40 mm utility waste pipe			
NRV 12 mm overflow pipe			
Garage/ Driveway Barrier			
Resilience measures			
Replace sand-cement screeds on solid concrete slabs (with dense screed)			



## APPENDIX C

Replace chipboard flooring with treated timber floorboards			
Replace floor including joists with treated timber to make water resilient			
Replace timber floor with solid concrete			
Raise floor above most likely flood level			
Replace mineral insulation within walls with closed cell insulation			
Replace gypsum plaster with water resistant material, such as lime			
Install chemical damp-proof course below joist level			
Replace doors, windows, frames with water-resistant alternatives			
Mount boilers on wall			
Move washing machine to first floor			
Replace ovens with raised, build-under type			
Move electrics well above likely flood level			
Move service meters well above likely flood level			
Replace chipboard kitchen/ bathroom units with plastic units			
<b>Total Cost of Resilience/ Resistance Measures implementing</b>			<b>£</b>
Professional advice on flood resistance/ resilience			£
Flood Risk Report (Professional advice)			£
<b>Total Amount of Grant Applying For if different (maximum £5,000 including VAT)</b>			<b>£</b>

**7. Two like for like quotes for the purchase and installation of the identified measures should be included with your application. If you have not selected the cheapest available quote, please briefly explain why.**

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**8. FOR RETROSPECTIVE APPLICATIONS ONLY – If you are applying for works that have already been undertaken, please briefly describe how you ensured value for money i.e. utilised insurance company contractor, or sought quotes from a range of providers. Evidence of quotes and invoices should please be included with your application.**

--

**9. Have you received any alternative funding (such as previous grant funding or insurance claim payment) for any of the equipment you are applying for grant funding for?**

**Yes/  
No**

**If yes, please specify and state why also seeking Repair and Renew Grant support**



## Annex B - Guidance to applicants

### Purpose of the Fund

Following an announcement by the Prime Minister on the 12 February 2014, the Repair and Renew Grant (RRG) scheme has been established to provide grants of up to £5,000 to homeowners and businesses that had been flooded between the **1 December 2013 and up to 31 March 2014**, to implement flood resistance and/ or resilience measures to minimise the impact of any future floods.

The RRG will **not** provide funding support for general repairs from flood damage, or to supplement insurance excess payments.

### Who can apply?

The owners of the following premises are eligible for RRG;

- *Residential properties (including static caravans where primary residence) where habitable internal areas of the premise have been damaged by flooding between the 1st December 2013 and the 31 March 2014.*
- *Business (including social enterprise) and charitable organisation properties where internal areas of the premise which are critical to the day to day operations (i.e. not storage sheds or warehouses) have been damaged by flooding between the 1 December 2013 and the 31 March 2014.*

Grants will be payable to the person responsible for the fabric of the property, normally the property owner. Applications from lease holders of businesses will need to provide confirmation from the freeholder that works can be carried out and that grant payment can be made to the leaseholder. Only ONE application per property inside a curtilage.

### Criteria

- The interior of your home or business premises must have been damaged by flooding between 1 December 2013 and 31 March 2014. Please see definition above and appendix A
- The applicant must not have received other sources of public or insurance funding to establish the same resilience and/ or resistance measures applied for (such as from a Property Level Protection scheme).
- Business applicants will need to comply with state aid regulations. To be eligible for RRG support businesses must not have received more than 200,000 Euros of public funding in the last 3 years. For primary agriculture and fisheries sections the deminimis threshold is 15,000 and 30,000 Euros respectively.
- Applicants should utilise advice on the Property Protection Adviser website (<http://nationalfloodforum.org.uk/property-level-protection-community-tool/>), and other sources of information referenced in this guidance, to help select the most appropriate resilience and/ or resistance measures for the nature of the flood risk to their property.
- Properties which will benefit from wider community flood defence schemes which will be completed prior to the winter (October/November) 2014 are not eligible to apply. Information regarding approved schemes can be found on the Environment Agency website at <http://www.environment-agency.gov.uk/research/planning/118129.aspx>.

**What can I apply for?**

*Up to £5,000 grant funding towards 100 per cent of the costs (including VAT) of purchasing and installing appropriate resilience and/ or resistance measures from the eligible list below.*

Should you choose to implement measures that cost in excess of £5,000, the additional costs must be met from alternative resources.

The following resilience and/ or resistance items can be applied for. When selecting which measures you intend to install, we strongly advise that you consider information available on reference websites such as [www.nationalfloodforum.org.uk/property-level-protection-community-tool/](http://www.nationalfloodforum.org.uk/property-level-protection-community-tool/). The guidance will help you select the appropriate resilience/ resistance measures for the nature of flooding in your area – not all of the identified measures may be appropriate for the type of flood risk to your property, and may make limited difference to protecting or minimising the damage to your premises.

Should you choose to seek professional advice to help you select the appropriate measures prior to making an application, you can retrospectively claim up to £500 of the cost as part of your application (within the total £5,000 including VAT that you can apply for). **Please note that Oxford City Council cannot provide this professional advice service**

Property level-measures	Description of measure/type of flood risk?	Indicative cost range £s
Professional Survey of Premises to Identify Flood Risks ( <i>can be undertaken prior to RRG application to identify most appropriate measures and up to £500 of costs applied for retrospectively</i> )	Professional survey undertaken to identify property flood risk, and identify appropriate resilience and/ or resistance measures.	Up to £500 including VAT
Flood Risk Report	Professional Flood Risk Report can be commissioned after resilience and/ or resistance measures fitted to inform any future works, and/ or to submit to insurance companies to demonstrate action taken/ level of future risk.	£?
Airbrick Cover	Watertight cover for airbricks.	20-40
Self-closing airbrick	Replacement airbrick that automatically closes to prevent flooding.	50-90
Sewerage Bung	Inflatable device to insert in U bend of toilet to prevent sewage backflow.	30-50
Toilet Pan Seal	Seal to prevent sewage backflow.	60-80
Non-return valves 12mm overflow pipe	Valve prevents backflow via overflow pipe.	70-110
Non-return valves 110mm soil waste pipe	Prevents backflow via soil waste pipe	550-650
Non-return valves 40mm utility waste pipe	Valve prevents backflow via waste pipe.	80-120
Silicone gel around openings for cables etc.	Prevents flooding via openings for cables to access properties.	80-120
Water resistant repair mortar	Water resistant mortar used to repair walls and improve future resistance.	80-120
Re-pointing external walls with water resistant mortar	Improve water resistance through using water resistant mortar to re-point walls.	150-250
Waterproof external walls	Membrane fitted to make external walls water resistant?	200-400

## APPENDIX C

Replace sand-cement screeds on solid concrete slabs (with dense screed)	Dense water resistant screed to replace sand-cement screed	670-740
Replace mineral insulation within walls with closed cell insulation	Replacement of wall insulation with water resistant insulation.	720-800
Replace gypsum plaster with water resistant material, such as lime	Replace existing plaster to water resistant material in property.	4280-4740
Sump Pump	A pump used to remove water that has accumulated in a water collecting sump basin	400-600
Demountable Door Guards	Guard fitted to doors to resist flooding	500-900
Automatic Door Guards	Door guards that automatically close to prevent flooding	1000-2000
Demountable Window Guards	Guard fitted to window to resist flooding	500-900
Replace ovens with raised, built-under type	Raising oven off floor above flood level	700-780
Replace chipboard kitchen/bathroom units with plastic units	Fit plastic kitchen and/ or bathroom units to minimise water damage.	5000-5520
Move electrics well above likely flood level	Re-wiring of electrics (such as socket points) above flood level.	760-840
Mount boilers on wall	Raise boiler above flood level.	1080-1200
Move service meters above likely flood level	Raise service meters above flood level	1620-1800
Replace chipboard flooring with treated timber floorboards	Replace floor (including joists) to make water resistant.	920-1020
Replace floor including joists with treated timber to make it water resilient	Replace floor including joists with treated timber to make it water resilient	3490-3850
Install chemical damp-proof course below joist level	Install damp proof course to resist groundwater flooding.	6250-6910
Replace timber floor with solid concrete	Replace wooden flooring with concrete.	8210-9070
Garage/Driveway Barrier	Driveway gate or garage barrier to resist flooding.	2000-3000

Where appropriate, we recommend that homeowners and businesses use products that carry the BSI kitemark for flood protection products (PAS1188) or similar standards.

### **Collaborative community flood defence scheme**

Streets or areas of residence wishing to apply collectively to establish community defence schemes resulting in better resilience measures to be implemented on behalf of a number of properties are encouraged to apply where owners meet the criteria.

### **How to apply and support documentation**

Applicants should complete an application form and submit it to:

Tanya Bandekar  
 Service Manager, Revenues and Benefits  
 Oxford City Council  
 St Aldate's Chambers  
 St Aldate's  
 Oxford  
 OX1 1BX

Alternatively you can scan and send the documents electronically to:

tbandekar@oxford.gov.uk

**PLEASE ENSURE YOU INCLUDE ALL QUOTES AND INVOICES**

Applicants should complete an application form and submit it to the council no later than 31 December 2014.

Applications should be submitted with two like for like quotes for each of the resilience and/ or resistance measures (including installation costs and VAT) applied for, at least one of which must be from a local supplier (if available). If you have not selected the cheapest available quote, you should explain why in the application form (question 8).

The quotes must:

- be independent of the applicant
- be comparable (e.g. of same or similar specification (quality), size, quantity, units)
- be dated (within the last six months)
- show the supplier's address, telephone number and contact details
- give the VAT number (if the supplier is VAT registered and VAT is charged on the quote)
- show the supplier's company registration number (if they are a limited company).

**How will applications be assessed?**

Oxford City Council will assess each application to ensure that the applicant is eligible (property flooded between 1 December 2013 and 31 March 2014), meets the criteria of the fund outlined above, and represents value for money (costs in line with expectations).

Oxford City Council will aim to assess each application within 20 working days of receipt of a completed application (including all required supporting information), subject to the volume received.

**When can I start to purchase and install the equipment?**

Wherever possible, you should not incur any costs for purchase and installation of resilience and/ or resistance measures before your application has been approved and you have been formally notified (letter or e-mail). Should you incur costs before your application is considered, you do so at your own risk that your application may not be approved, and therefore the expenditure will not be recoverable.

Oxford City Council and/ or Defra do not have any liability for costs incurred prior to the submission and approval of an RRG application.

However, we realise that some people that have been flooded since the 1 December 2013 and the 31 March have;

- already installed eligible resilience and/ or resistance measures before the RRG was announced or launched.
- have had to install flood resilience and/ or resistance measures as part of repair works to premises that had to proceed before the RRG was launched or an application decision could be reached.

In these circumstances a retrospective application can be made where you can demonstrate that the value for money was achieved. Any payment of grant against retrospective costs is dependent on a successful application being submitted and approved.

Should your application **not** be approved, you will **not** be able to recover costs incurred. Oxford City Council and/ or Defra do not maintain any liability for any expenditure prior to the submission and approval of an RRG application.

### **Can I make a retrospective application?**

As above, we realise that some people whose property has been flooded between the 1 December 2013 and the 31 March have;

- Already installed eligible resilience and/ or resistance measures before the RRG was announced or launched.
- Have had to install flood resilience and/ or resistance measures as part of repair works to premises that had to proceed before the RRG was launched or an application decision could be reached.

In these circumstances a retrospective application can be made where you can demonstrate that the value for money was achieved. Any payment of grant against retrospective costs is dependent on a successful application being submitted and approved.

Should your application **not** be approved, you will **not** be able to recover costs incurred. Oxford City Council and/ or Defra do not maintain any liability for any expenditure prior to the submission and approval of an RRG application.

### **If approved, how/ when do I claim the grant?**

If your application is approved, we will confirm in writing and you can purchase and install the flood resilience or resistance measures applied for in line with the quote you selected and submitted with your application.

Once the works have been completed, you have received and paid the invoice, you can submit a grant claim (on relevant form) to the council. We will send you a copy of the grant claim form when we confirm your application has been approved. You should submit a copy of the invoice, and a photograph (s) of the resilience and/ or resistance measure(s) that have been installed.

Should your grant claim be in line with the original grant approval (in terms of equipment purchased and installed at identified costs), the grant claim will be processed and payment in to your bank account within 30 working days of receipt.

Please note that at some future stage an employee of Oxford City Council may visit your premises to ensure the resilience and/ or resistance measures have been installed in line with the requirements of the grant. If during the inspection it is found that you have not installed the relevant equipment, or it is no longer in situ, we may seek the recovery of the original grant funding.

### **What is the deadline for Grant claims?**

Applications can be submitted at any time between the 1 April 2014 and the 31 December 2014. Oxford City Council has to claim payment from Government by 31 March 2015. **YOUR CLAIM MUST BE WITH US BY 15 MARCH 2015 TO BE PAID.**

### **When will someone visit to inspect that the works have been completed?**

A random selection of premises that have received RRG funding will be inspected following installation of the resilience and/ or resistance measures, and the grant has been paid.

If selected, we will be in contact to arrange a time to visit.

If during the inspection it is found that you have not installed the relevant equipment, or it is no longer in situ, we may seek the recovery of the original grant funding.

### Local guidance

When considering your application, the council will look at any community level flood defence works which are planned in the local area and would make any household/ business premises works redundant. If this is the case, we will inform you.

In Oxford during flooding, river levels can drive groundwater up through floors of houses in the flood plain. Even if flood-resistant measures are used to keep water out it might be useful to consider utilising a pump. Despite the risk of loss of electric power, mains electric pumps are safer for use in domestic properties, because of the risk of carbon monoxide poisoning from fuel-driven options.

Flood defences can be either 'reactive' or 'passive'.

- 'Reactive' measures (which you have to put in place) such as airbrick covers or flood boards for doorways are practical in Oxford because the Environment Agency can give at least two hours warning by phone. In practice there's normally at least a day's warning of flooding, giving plenty of time to respond.
- 'Passive' defences (such as automatic airbricks and flood-proof doors) remain in place, so will help protect the building even if you are away. So, if residents are unable to fit defences when needed, flood-proof doors could be a practical solution.
- In Conservation Areas, solutions must be appropriate for the building as it might not be acceptable to fix permanent frames to doorways and airbricks.

It can help to consider flood-resilient measures too: Raising white goods on plinths; Fitting plastic skirting boards or wainscoting; Rerouting electric cable above ceilings and putting sockets higher on the wall; Lime plaster instead of conventional gypsum; or perhaps lightweight doors on lift-off hinges. Such measures can be adopted progressively, to gradually reduce the cost of flood damage in successive events.

The ultimate protection against groundwater flooding in many Oxford houses would be to replace timber floors with solid concrete. This is a costly and disruptive option, but could be worth considering if the floor has to be replaced after a flood. Even with a solid floor, it's worth including a sump to hold a pump to remove leakage through walls or other defences.

### Sources of further guidance

Prior to implementing any flood resilience and/ or resistance measures (whether through the RRG or at your own cost) it is strongly advised that you seek some guidance as to the most appropriate means of protecting your premises. Flooding can occur for a wide variety of reasons, and you could mistakenly install resilience and/ or resistance measures which will make no or very little difference to protecting your premises in the future. It is very unlikely that Property Level Protection will prevent future flooding to your home or business, but informed resilience and/ or resistance measures can reduce the level or risk or damage incurred.

There are a wide range of sources of information available to you;



- **Insurance Company Advice** - Your insurance company may be able to offer advice during an assessment visit, or through a helpline. A number of insurance companies have established free advisory services following the recent flooding.
- **Property Protection Adviser Website** ([www.nationalfloodforum.org.uk/property-level-protection-community-tool/](http://www.nationalfloodforum.org.uk/property-level-protection-community-tool/))  
- Homeowners and businesses can obtain a tailored report on the type of flood resilience measures that might be appropriate for their property from the Defra funded Property-Protection-Adviser website, which will give guidance on the kind of measures that might need to be fitted and their likely cost. You will be asked a few simple questions about your property and will receive a tailored report that takes into account the age and type of property.
- **Environment Agency Website** - <http://www.environment-agency.gov.uk/homeandleisure/floods/default.aspx>
- **Planned flood defence schemes in your area** - The programme of Flood and Coastal Erosion Risk Management projects is available on the Environment Agency's website <http://www.environment-agency.gov.uk/research/planning/118129.aspx>. The "2014/15 FCRM schemes programme", a spreadsheet available on that page, shows the approved programme with funding reserved for 2014/15 on the first tab and indicative funding for projects in the years 2015/16-2018/19 on the second tab. The list can be filtered by parliamentary constituency or Regional Flood and Coastal Committee area to identify any planned schemes that may be relevant to a Repair and Renew Grant application.
- **Prepare you property for flooding guide** - <http://a0768b4a8a31e106d8b0-50dc802554eb38a24458b98ff72d550b.r19.cf3.rackcdn.com/geho1009brdl-e-e.pdf>
- **Companies able to carry out surveys.** Please refer to the yellow pages or local internet searches. Companies should have previous experience of supplying expert advice on property flood resilience and resistance.

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**To:** City Executive Board

**Date:** 23 April 2014

**Report of:** Regeneration and Major Projects Service Manager

**Title of Report:** Lease of 1930s Office Block of Town Hall for Serviced Office use

## Summary and Recommendations

**Purpose of report:** To seek approval to the lease as detailed herein

**Key Decision?** Yes

**Executive lead member:** Councillor Ed Turner, Executive Member for Finance, Efficiency and Strategic Asset Management

**Policy Framework:** Corporate Plan

**Recommendations:** That the City Executive Board

1. Approve the proposed lease of the surplus office space within Oxford Town Hall. The outline details of the lease are set out in the Not for Publication Confidential Appendix 4 of this report. The detailed provisions of the lease are to be approved by the Regeneration and Major Projects Service Manager.
2. Grant authority to the Regeneration and Major Projects Service Manager, in consultation with the Board Member, to vary or extend the areas to be leased as detailed herein provided the transaction continues to represent best consideration and operational benefit.

**Appendices to report:**

**Appendix 1 - Plan of Site**

**Appendix 2 - Risk Register**

**Appendix 3 - Not for publication confidential appendix**

**Appendix 4 – Not for publication confidential appendix**

## **Background**

1. This report seeks approval to a new lease for the 1930's Block of the Town Hall shown hatched on the plan attached at **Appendix 1**.
2. The property has been occupied by Oxford City Council as offices for their own use and they have been identified as being surplus to requirements under the Offices for the Future 2 Project.
3. VSL Partners were appointed as letting agents, to find a new tenant on a conventional lease basis in March 2013 ahead of the offices being vacated in September 2013.
4. Marketing undertaken included:
  - a. Board on site
  - b. Brochure
  - c. Web advertising
  - d. Oxford Mail advertisement
5. The offices were marketed for a conventional lease initially but with no success. This was due to factors such as the cellular layout and the low profile shared entrance. Due to the lack of interest, in October the serviced office sector was explored to see if an occupier could be found to utilise the space to provide serviced office accommodation on a Management Agreement arrangement. At that stage direct contact was made with all local and national suppliers of this type of accommodation and offers were received initially from them to provide this under a Management Agreement.
6. Under a Management Agreement the offices would be run by the operator who would be paid a fixed management fee, other operational costs to then be met by the landlord (ie the Council here) and the net profits split in agreed proportions between both parties
7. The level of interest from the 3 serviced office providers interested in the space prompted further, more detailed negotiations which gave them the confidence to also bid on a traditional lease model.

## **Offers Made**

8. The offers received are from 3 parties each on a Management Agreement basis and also on a conventional lease basis where previously there had been no interest. One of the lease based offers also provides for an element of additional profit share. Each offer has been assessed on the basis of financial returns, cost, risk, added value and alignment with corporate objectives and policy.
9. The evaluation matrix is attached at Not for Publication **Appendix 3**.

### **Recommended Option**

10. Details of the recommended tenant and lease are attached in the Not for Publication **Appendix 4**.
11. The recommended option gives certainty of income along with an incentive to the operator to generate a profit in which the Council will share, albeit with an increased level of risk to the Council.
12. The recommended option also gives added value over and above the financial offer alone, this additional value contributes to corporate objectives and policies, and is lower risk than the Management Agreement option.
13. The recommended occupier is a successful local company who have a good track record of working with and encouraging small business

### **Planning Implications**

14. There are no planning implications, the office use falls within the existing use class.

### **Risk Implications**

15. A risk assessment has been undertaken and the risk register is attached as **Appendix 2**.

### **Sustainability and Climate Change Implications**

16. No change of use so no overall implications but the offices will now not be used for Oxford City Council own occupation thereby reducing its own carbon emission levels.

### **Equalities Implications**

17. No implications arising

### **Financial Implications**

18. After the rent free period, rent will be received which will be certain for the period of the lease.
19. The lease will be subject to refurbishment works being carried out, to a previously agreed specification, prior to occupation being taken, the cost of these works is to be met by the Council. The monies for this, £200,000, are allocated in the Capital expenditure budget.
20. Appropriate due diligence on the proposed tenant's financial position has been undertaken.

21. The tenant will pay a service charge to cover maintenance of the common areas and utilities and will be responsible for business rates. These will then be accounted for under the profit share agreement.
22. Further income likely to be created from additional meeting room demand in the Town Hall from the occupiers of the offices.
23. Savings of £16,000pa on business rates and £6,500 on utilities will be made on the Council's own occupancy costs from the letting.

### **Legal Implications**

24. The power to dispose of land is contained within Section 123 of the Local Government Act 1972 for best consideration

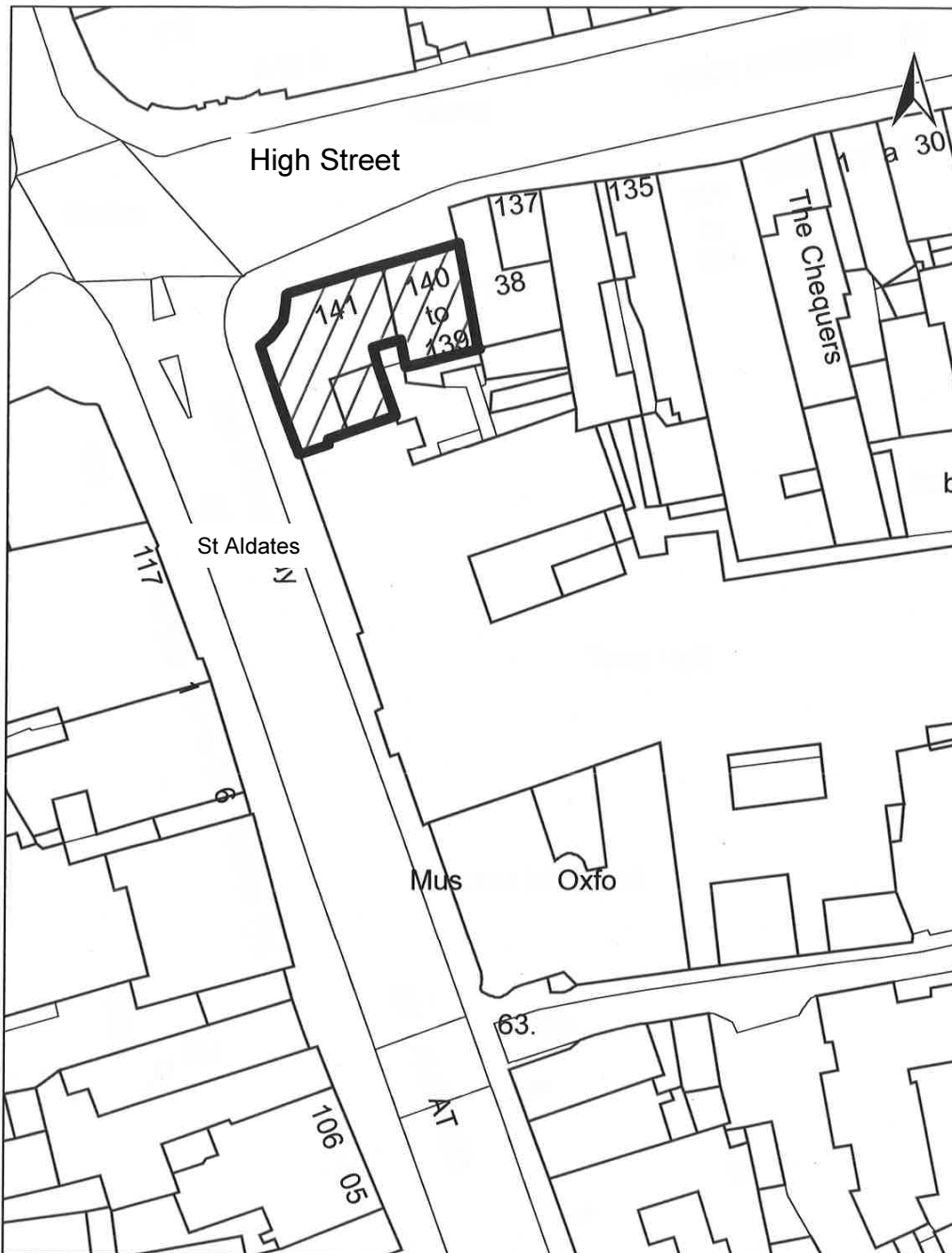
<b>Name and contact details of author:-</b>
---

Julia Castle Disposals and Letting Surveyor Corporate Property Tel: 01865 252223 e-mail: <a href="mailto:jcastle@oxford.gov.uk">jcastle@oxford.gov.uk</a>
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**List of background papers: none**

**Version number: 1**

Plan of Premises



1930's Block of Oxford Town Hall (excluding ground floor)

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## Appendix 2

### Report Risk Register – Entering into a Lease on the Vacant offices in Oxford Town Hall

No.	Risk Description	Gross Risk		Cause of Risk	Mitigation	Current Risk		Further Management of Risk: Transfer/Accept/Reduce/Avoid	Monitoring Effectiveness	Residual Risk		
Risk Score		Impact Score: 1 = Insignificant; 2 = Minor; 3 = Moderate; 4 = Major; 5 = Catastrophic						Probability Score: 1 = Rare; 2 = Unlikely; 3 = Possible; 4 = Likely; 5 = Almost Certain				
		I	P			I	P			I	P	
41	Lack of Occupancy. Take up is not as projected	4	3	Projections are over optimistic or market demand changes or the tenant does not operate an efficient or effective serviced office operation	References taken along with financial checks on their trading history. The minimum level of rent is due in any event.	3	3	Establish close working relationships and monitoring systems with the tenant.		2	3	
2	The lease does not proceed to completion	4	4	Tenant decides not to proceed	Complete transaction as quickly as possible and work as closely as possible with the tenant to identify issues early to enable resolution	4	2			4	2	
3	The cost of the works exceeds the initial estimate	4	3	Overrun on cost or specification changed	Direct Services aware of maximum budget and will work within this	4	2	Monitoring of works and budget on an on going basis		4	2	

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**To:** City Executive Board

**Date:** 23<sup>rd</sup> April 2014

**Report of:** Head of City Development

**Title of Report:** Designation of Headington Neighbourhood Area

### Summary and Recommendations

**Purpose of report:** To designate the Headington neighbourhood area. For clarification, this is not intended to be designated as business areas.

**Key decision?** Yes

**Executive lead member:** Councillor Colin Cook

**Policy Framework:** Designation of neighbourhood areas will be the first step for local groups wishing to produce neighbourhood plans. Adopted Neighbourhood plans will contain statutory planning policies to guide development in the neighbourhood plan areas.

**Recommendation(s):** That City Executive Board:

1. Designates the proposed Headington Neighbourhood Area.
2. Does not designate the area as a business area.

**Appendix 1 Map of the proposed neighbourhood area**

**Appendix 2 Application received**

**Appendix 3 Summary of comments received**

### Introduction

1. City Executive Board is asked to consider the proposed Headington neighbourhood area for designation. The applications to designate the neighbourhood area has been received from a group who wish to begin the neighbourhood planning process. A map of the areas is shown in **Appendix 1**.
2. The local group has applied for designation of the neighbourhood areas as a first step to preparing a neighbourhood plan. The Localism Act has introduced new rights and powers to enable communities to get directly involved in planning for their areas. Neighbourhood planning will allow interested communities to come together through a neighbourhood forum (or parish council where they exist) and produce a neighbourhood plan. The

contents of the neighbourhood plans will be shaped by the local communities. They are about being able to say where new houses, businesses, shops and so on should go and what they should look like. Once plans are adopted they will become part of the statutory development plan, and therefore an important consideration when making decisions on planning applications.

3. Planning Regulations set out the requirements for designation of a neighbourhood area. The neighbourhood area application received (see **Appendix 2**) should be judged against these criteria. The proposed neighbourhood area has been advertised for a statutory period of six weeks (14<sup>th</sup> February-28<sup>th</sup> March 2014) and comments were invited. A summary of comments received is shown in **Appendix 3**.

### **Compliance with planning regulations**

4. The Neighbourhood Planning (General) Regulations 2012 include the criteria that must be met in neighbourhood area applications. These are that:
  - a map is provided that identifies the area to which the area application relates;
  - a statement is provided explaining why the area is considered appropriate to be designated as a neighbourhood area; and
  - a statement that the organisation or body making the area application is a relevant body for the purposes of section 61G of the 1990 Act.
5. In addition to this, the City Council's own guidance suggests some other criteria are met, mainly for practical reasons. These are that:
  - The area should be at least the size of one Council ward, and only smaller if it is justified;
  - An area is expected to be contiguous with ward or existing electoral boundaries (for example polling station boundaries). This is so that it is possible to run the referendum in which all residents of the neighbourhood area will be given the opportunity to vote for whether a completed neighbourhood plan should be adopted;
  - Support from Ward Councillors is expected;
  - There should be support from a cross section of local groups not just one organisation.
6. The application received is attached in **Appendix 2** and a map of the area in **Appendix 1**. Information is provided to show that the applicant is capable of being a relevant body (i.e. of being designated a neighbourhood forum, which has its own set of requirements set out in the Neighbourhood Planning Regulations). Ward councillors have been involved in the application, as is suggested by the City Council's guidance note. The ward boundary of Headington was not felt to be an adequately representative boundary of the local community. The neighbourhood forum has put a lot of work into attempting to draw up a suitable boundary. The proposed boundary represents a fairly large area; certainly not one that is impractically small. It includes the whole of Headington Ward. It also includes the part of Quarry and Risinghurst outside of the parish boundary and the part of Churchill and Wood Farm Ward that is outside of the Wood Farm

regeneration area and excluding South Park, which is considered more of a city wide resource. It includes a polling district in Barton and Sandhills Ward that is within the ring road and the part of Headington Hill and Northway ward that falls within the Headington Hill conservation area and to include a portion of Jack Straws Lane. Electoral services were consulted by the local group with regards to electoral boundaries, to ensure the referendum can run smoothly.

### **Consultation responses**

7. The City Council has a statutory requirement to publicise for 6 weeks any qualifying applications we receive to designate a neighbourhood area (which is the first step for groups wishing to develop a neighbourhood plan) or a neighbourhood forum (which gives qualifying groups the status they need in order to develop a neighbourhood plan).
8. The receipt of the area application was publicized by direct letter and email and also posters, with the intention of raising awareness within and around the relevant area. Comments were invited, giving people the opportunity to raise objections. It was particularly important that local groups within or adjoining the proposed areas were made aware of the applications, because once an area is designated no other area within or partly within it can then be designated. Known local groups were contacted directly.
9. Nine consultees responded in support of the proposed neighbourhood area, including Friends of Old Headington, Highfield Residents' Association, Headington Action. Several of these acknowledged that the identification of a neighbourhood area representing Headington is a complicated task.
10. A few respondents were concerned that the proposed area was too large and did not represent a community. One respondent felt the area beyond Osler Road is really related to Marston. This area was included to ensure some major institutions and Brookes campuses, which are considered by the neighbourhood group to be relevant to Headington, can be included in the neighbourhood plan. There was support from several respondents for inclusion of major institutions within the area.
11. One respondent thought that the area was so large that it cannot cover local concerns; these local concerns will be different from, and sometimes antithetical to, opinions and needs of residents and institutions in different parts of the space. It is certainly the case that there will be different concerns and needs in such a large area. However, it could also be argued that that would be the case in a smaller area; even within one road people's concerns or needs will vary greatly. There may indeed be many who do not feel they share a community interest with those in a different part of the proposed area. However, there were a larger number of respondents concerned that the proposed area missed out places it should include, than there were respondents who thought the area was too large.
12. Six respondents objected to the proposed boundary coming in from the ring road at Trinity Road and excluding a triangular area including the Stansfeld

Outdoor Education Centre, Stansfield Close, Douglas Downes Close and Spring Lane. There is particular concern about this area because the Stansfeld Education Centre, owned by Birmingham City Council, is being marketed for sale. The site is protected as a SLINC, but there is a feeling among respondents that including the land in a neighbourhood plan would ensure residents have more of a say on what developments are permitted if the site is sold off. However, it would not be possible to include the area in a neighbourhood area, because it is within Risinghurst and Sandhills Parish Council's area. Schedule 9 of the Localism Act says in paragraph 4 of 61F that: 'An organisation or body may be designated for a neighbourhood area only if that area does not consist of or include the whole or any part of the area of a parish council.' Therefore, for a group to later be capable of being designated the neighbourhood forum for a designated neighbourhood area, that neighbourhood area cannot include any part of a parish council area. The neighbourhood forum state in their neighbourhood area application they envisage that residents excluded because of the parish boundary will still be consulted about any neighbourhood and community plans in the Headington neighbourhood area.

13. One respondent was concerned that there would be administration issues in the future because a part of the Old Headington Conservation area close to the boundary with Northway is not included in the proposed neighbourhood area. It is the case that the Dunstan Park is included in the conservation area but not in the neighbourhood plan area. However, there is no particular practical reason that an entire conservation area be included in a neighbourhood area. Adopted Planning Policies that relate to the conservation area will continue to apply. Friends of Old Headington responded in support of the initiative and said they feel the proposed area is appropriate.
14. Two respondents objected to much of Wood Farm being excluded from the proposed neighbourhood area. The neighbourhood area application notes that the part of the Churchill and Wood Farm ward that is within the Wood Farm regeneration area boundary is excluded from the proposed neighbourhood area. There is no technical reason why the designation of Wood Farm as a regeneration area should mean it is excluded from the Headington Neighbourhood Area. However, its designation as a regeneration area suggests that the Wood Farm area has previously been defined as a community itself.
15. The neighbourhood forum has worked hard to define the area. There are those who feel excluded. There are also those who feel the area is too large and does not represent a true community. However, clear reasons for the choice of the proposed Headington Neighbourhood Area were given in the application. The area chosen is said to include 'those residential areas having a clear association with Headington through the three historic villages and the approach from Headington Hill. It also includes the majority of hospital and University sites.' The proposed area is justified, as required by the Regulations, and also meets other requirements of the Regulations such as excluding parished areas. There is also evidence of local support for the proposed area.

### **Business Area Designation**

16. When the City Council designates a neighbourhood area it is required to also consider whether the area should be designated as a business area. An area should be designated as a business area only if the City Council considers that the area is wholly or predominantly business in nature. It is considered that the proposed neighbourhood area does not meet this criterion and, accordingly, should the neighbourhood area be designated it is recommended that it is not also designated as a business area.

### **Environmental impact**

17. This stage of the neighbourhood planning process only involves the defining of areas. No Sustainability Appraisal is required for this stage; although as plans are drafted it may be necessary to carry out Sustainability Appraisals for any plan assessed as having potentially significant environmental effects.

### **Equalities impact**

18. Consideration has been given to the public sector equality duty imposed by s149 of the Equality Act 2010. Having paid due regard to the need to meet the objectives of that duty the view is taken that the duty is met.

### **Financial implications**

19. Once applications are received for groups to be granted neighbourhood forum status, the city council is required to publicise these. The City Council is also obliged to offer a certain degree of help to groups as they produce their plans. As well as this, the City Council must consult on draft plans, organise an examination and run the referendum. These requirements will be met from the current resources of the Planning Policy team, supplemented by grants available from central government to district councils for each neighbourhood plan.

20. It should also be noted that, on adoption of a neighbourhood plan, the local community will be entitled to an increase in the proportion of CIL receipts that are to be spent in the locality with community input. This will rise from 15% of CIL receipts to 25% of CIL receipts. The City Council will retain all the CIL monies but engage with the communities where the development has taken place and agree with them how best to spend the neighbourhood funding element. The neighbourhood forum will not directly receive the money, as it will not be an "accountable body". All that would change on adoption of a neighbourhood plan would be that the proportion to spend locally in agreement with the community would rise from 15% to 25%.

## **Legal implications**

21. Officers consider that the information provided by the neighbourhood forum is adequate to show that the statutory requirements for the designation of the neighbourhood area are met.

## **Risk assessment**

22. A risk assessment has been undertaken. No significant risks were identified.

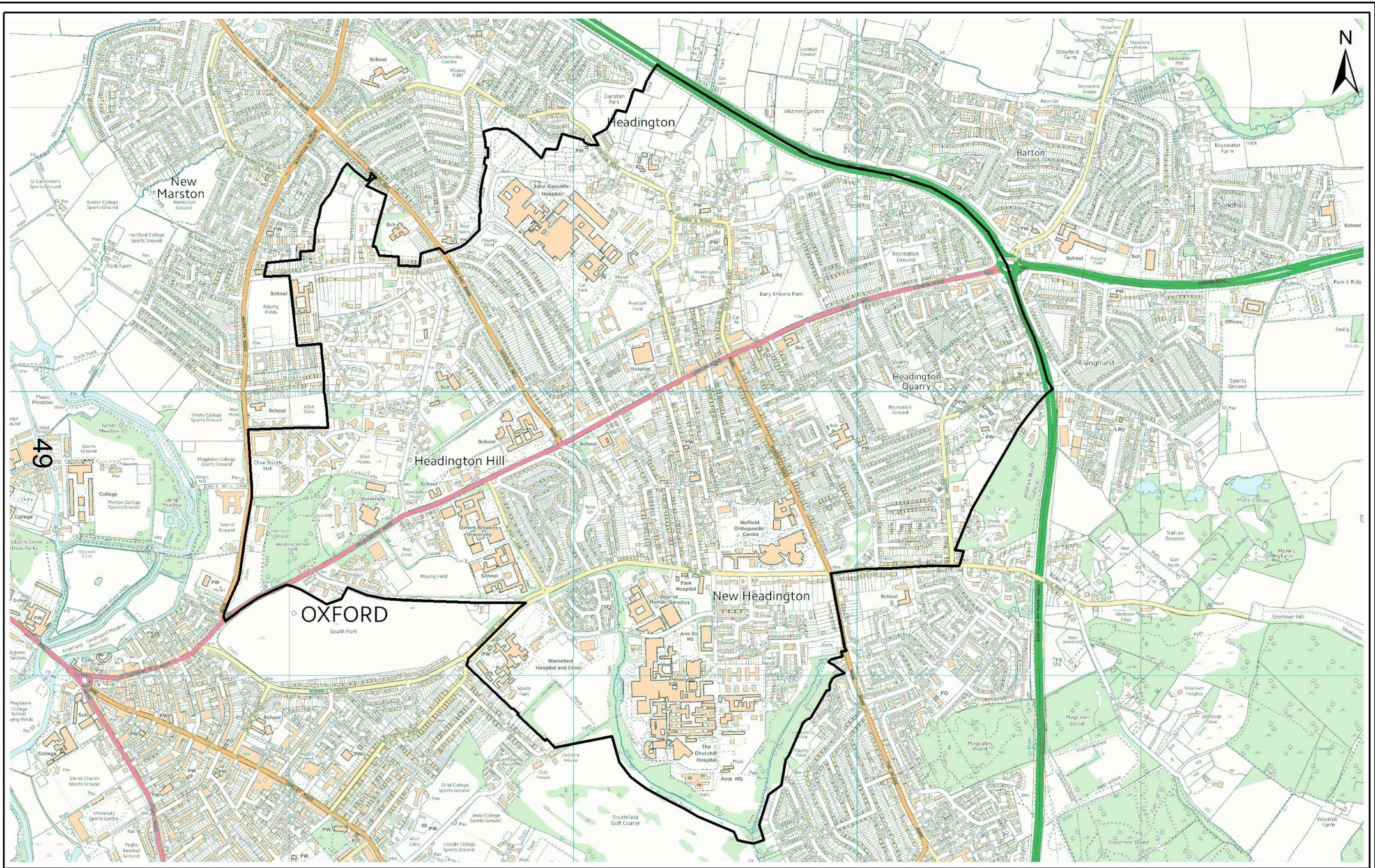
### **Name and contact details of author:-**

Name Sarah Harrison  
Job title Senior Planning Officer  
Service Area / Department City Development  
Tel: 01865 252015 e-mail: sbharrison@oxford.gov.uk

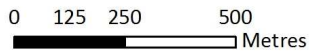
**List of background papers:** None

Version 1





## Headington Neighbourhood - Draft Area



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Application for designation of

## Headington Neighbourhood Area

Name of the applicant	Headington Neighbourhood Forum
Address of the relevant body	<i>c/o Mr Michael Ratcliffe 37 Bickerton Road, Headington, OX3 7LT</i>
Map identifying proposed area	Please see attached

### Statement explaining why the area is considered appropriate to be designated as a neighbourhood area

The area comprises:

- The whole of Headington Ward
- That part of Quarry and Risinghurst Ward that lies outwith the Risinghurst and Sandhills parish boundary
- That part of Churchill and Wood Farm Ward that lies outwith the Wood Farm regeneration area and excluding South Park which is considered to be a whole City resource (note that the flats at the end of Cheney Lane are included)
- Polling district VA of the Barton and Sandhills ward which falls within the ring road
- Polling district XC of Headington Hill and Northway ward that falls within the Headington Hill Conservation Area boundary, and to include the portion of Jack Straws Lane adjacent to Oxford Brookes University's teaching site on the Marston Road (together with that site) and McClabe Place and Mary Price Close, and include that part between the southern side of John Garne Way and the Marston Road (such that University's Clive Booth Hall site is included) .
- Lye Valley nature reserve including the SSSI so that the integrity of the brook remains intact and the area boundary does not fall midstream.

There are some anomalies in that some properties in Old Road and Spring Lane cannot be included in the proposed area because of illogical ward and parish council boundaries. It is envisaged that residents excluded because of this will still be consulted about any neighbourhood and community plans in the Headington neighbourhood area.

The boundaries of Headington have not been clearly defined since the incorporation of Headington in the Oxford Extension Act of 1928 and this process has stimulated local debate. The area chosen includes those residential areas having a clear association with Headington, through the three historic villages and the approach from Headington Hill. It also includes the major Hospital and University sites which are associated with Headington. The proposed Neighbourhood Area boundaries outlined here are informed by:

- Meetings of Forum members with Michael Crofton-Briggs, planning officers, and Martin John at Oxford City Council

- Informal discussion with a representative of Risinghurst and Sandhills Parish Council
- Informal discussion with ward and county councillors
- Feedback from public consultation at the Headington Festival
- Feedback from Headington Forward (major employers)
- Feedback from Headington Action (community group representatives)
- Feedback from extended consultation on the Headington Neighbourhood Forum website <http://headingtonplan.org.uk/>
- Headington Neighbourhood Forum meetings

Non land-based issues arising out of public consultation will be taken forward in smaller more localised community plans; land-based issues will be considered separately and taken forward as appropriate within one wide Headington Neighbourhood Area Plan.

The extent of the Headington Neighbourhood Area will enable synergy between

- Conservation Area Groups, e.g. Friends of Old Headington, Friends of Quarry
- SSSI user groups e.g. Lye Valley, Rock Edge
- Friends of Parks groups e.g. Bury Knowle Park, Headington Hill Park
- Community single interest groups, e.g. Headington Transport Group, Headington Churches Together, Highfield Traffic Group
- Residents' Associations, e.g. New Headington Residents Association, Jack Straws Lane Association

The proposed area is not predominantly business in nature so this application is made for designation as a Neighbourhood Area, rather than a business area.

Statement that the body making this application is a relevant body for the purposes of the Town and Country Planning (1990) Act Section 61G

The Headington Neighbourhood Forum has been established as an organisation whose purpose is to promote the social, economic and environmental well-being of Headington.

Membership is free, and open to all who live and/or work in the proposed area. The Forum has in excess of 80 members including elected members of Oxford City and Oxfordshire County Councils.

All local groups operating in the area and owners of land within the area but not resident or working in the area have been invited to be represented. Presentations have been made to representative groups including Headington Action, Headington Forward and Oxford Brookes Students Union. Open meetings of the Forum have been publicised online and in the local media and membership sought through these means.

The Forum's membership represents a full cross-section of the local community including those who live and work in Headington. The Forum met three times in 2013 with the purpose of agreeing the plan area and the constitution as well as beginning to discuss the issues that should be addressed in the plan if designated.

The Headington Neighbourhood Forum is therefore a body capable of being designated as a Neighbourhood Forum for the purposes of the T&CP 1990 Act (Section 61G).

Contacts: Mike Ratcliffe, Chair of the Steering Group, 37 Bickerton Road [mike1ratcliffe@gmail.com](mailto:mike1ratcliffe@gmail.com)  
or Ruth Wilkinson, City Councillor for Headington ward and member of the Steering Group  
[ruthewilkinson@gmail.com](mailto:ruthewilkinson@gmail.com)

2 February 2014

## **THE CONSTITUTION of HEADINGTON NEIGHBOURHOOD FORUM**

**1.** Headington Neighbourhood Forum (the Forum) was established by public meetings of residents of Headington for the purpose of promoting and improving the social, economic and environmental well-being of the Headington Neighbourhood through the development and implementation of a Neighbourhood Plan. It has no political allegiance and operates by consensus for the benefit of the majority of those who live and work in the area.

**2.** Boundaries

For the purposes of this constitution the Headington Neighbourhood (the Neighbourhood) shall be taken to consist of the area delimited in black on the annexed map.

**3.** The Forum

**a)** The Forum shall exist for 5 years from its establishment at its first Annual General Meeting (AGM) and at its AGM at the end of year 4 the meeting will give consideration to a continuing or successor organisation to maintain and monitor the Headington Neighbourhood Plan.

**b)** The decision to dissolve the Forum at the end of 5 years from its establishment, or at a later date to be decided by the Forum, shall be taken by a two-thirds majority of those voting at the AGM of the Forum. Any funds remaining at the disposal of the Forum at that date shall be disbursed to a Headington-based charitable organisation, e.g. Headington Action, for the benefit of the community of the Headington Neighbourhood by the Steering Committee at its discretion, subject to any directions which the Committee may be given by the Forum.

**4.** Meetings of the Forum

**a)** The AGM (see b) below), and other Forum meetings held, give legitimacy to the Steering Committee of the Forum (as defined in 6 below) and to plans which they or Forum Task or Working Groups may develop.

**b)** In any calendar year there will be at least three meetings of the Forum. The meeting closest to May or June will be designated as the AGM.

**c)** All Forum meetings will be called with at least 15 working days' notice and will be open to members of the public. These will be advertised on the website, and via such other means as the Steering Committee shall from time to time decide, e.g. social media, community notice boards, residents' associations, local employers and the Library.

**d)** The AGM has the power to both elect, and remove by a vote of no confidence, any member of the Steering Committee.

- e) At each AGM the Chair will provide a written report, the Treasurer will provide a set of accounts for the previous year and the Secretary will record the proceedings.
- f) The quorum for meetings of the Forum shall be not less than half the minimum membership of the Forum, as specified in clause 5e below.
- g) At meetings of the Forum the chairmanship shall be undertaken by the Chair of the Steering Committee, or, if the Chair is unavailable, by the Vice-Chair, or, if the Vice-Chair is unavailable, by another person nominated by the Steering Committee.

## **5. Membership of the Forum**

- a) Membership of the Forum is open to all residents of the Neighbourhood, as delimited in 2 above, all those working in the Neighbourhood and all elected local authority councillors whose ward or district includes or overlaps with the Neighbourhood. Individuals may sign up as members at any Forum meeting or by contacting the Forum via its website or any Steering Committee member.
- b) Members may be contacted by the Steering Committee from time to time to give feedback on ideas and proposals, or to be invited to participate in other activities related to the work of the Forum..
- c) Local residents' associations and similar groups will be invited by the Steering Committee to nominate one representative each to the Forum. The Steering Committee shall designate which associations or groups fall under the terms of this clause.
- d) The Forum may liaise with the larger employers in the Headington Neighbourhood via those larger employers' designated representative(s).
- e) Membership of the Forum shall at all times be a minimum of 21 individuals, to include at least one local councillor, as specified in clause 5a above.

## **6. Forum Steering Committee**

- a) The Steering Committee (SC) exists to co-ordinate, implement and monitor the work of the Forum including developing a Neighbourhood Plan for the Neighbourhood. It will prioritise, schedule and publicise the work of the Forum via an elected Press/Communications officer (or officers). The SC may be authorised by the Forum to take executive action on specific matters, previously specified by a meeting of the Forum. Any such action shall be reported to the next meeting of the Forum.
- b) The SC consists of members of the Forum elected at the AGM, as specified in clause 6e below.

- c)** People with specialist skills may be co-opted onto the SC, and the SC may set up Task or Working Groups of Forum members for specific projects or tasks. Such co-opted persons may not vote on the SC.
- d)** The SC will liaise with relevant bodies such as the **u**niversities and hospitals in Headington, businesses, schools, places of worship, residents' associations and other local organisations, and with the local authorities and elected representatives as specified in 5a) above.
- e)** SC members to be elected at the AGM, are: Chair, Vice-Chair, Treasurer, Secretary, and Press/Communications officer(s), plus up to 8 other members of the Forum. If there are vacancies on the SC, the SC has the power to invite up to three Forum members to join the SC. These additional members must seek election at the next AGM if they are to continue as members of the SC.
- f)** SC decision-making may be by consensus or by simple majority after a vote – the Chair will have the casting vote.
- g)** The SC has the power to hold votes of no confidence in any officer or member of the SC by simple vote. Any vacancy resulting from such a vote shall be filled by appointment by the SC. Any person thus appointed must seek election at the next AGM if they are to continue as an officer or member of the SC.
- h)** Only members of the Forum may stand for the SC (and they shall be nominated and seconded by a member of the Forum).
- i)** The quorum for meetings of the **SC** shall be not less than 5 persons, including 2 of the officers specified in clause e) above.



## Summary of Comments received

<b>Respondent</b>	<b>Summary of Comment</b>
<b>Objections to the area- suggestions for extra inclusions</b>	
Cllr Katharine Harborne 5 local residents	Several respondents suggested the triangular area of land to the north of Old Road and close to the ring-road (that includes the Stansfeld educational centre, Douglas Downes Close, Dorchester Close and Stansfield Close) should be included in the neighbourhood area. Stansfeld Outdoor Education Centre is up for sale by Brimingham City Council and residents are concerned about the site being sold off to property developers. They feel that including it in the plan will ensure that residents have much more of a say on what developments are permitted here if the land is sold off. One respondent said they feel the area seems part of the historic Headington Quarry area and is unified with the rest of Headington by Quarry Road.
2 local residents	A few respondents were concerned that Wood Farm, or part of Wood Farm, is excluded from the neighbourhood area. The respondents believe Wood Farm to be part of Headington. They had heard different things about whether the existence of a regeneration area designation for Wood Farm would conflict with a neighbourhood plan and therefore was a reason to exclude the area.
Local resident	One respondent noted that the part of Old Headington Conservation area close to the boundary with Northway is not included in the proposed neighbourhood area. There was concern this could cause admin issues in the future. Another respondent largely in support of the plan wondered whether Dunstan Park could be included in the boundary.
Local resident	This respondent appreciates the difficulty of defining the area, but feels there are areas missed out and also areas included that shouldn't be included. The respondent notes that the first part of Risinghurst built in the thirties is near to Quarry and also considers that Wood Farm and the old hamlet of Titup seem to be part of Headington.  However, the respondent also considers the area beyond Osler Road bordered by the London and the Marston Road to be in Marston, partly because this is the catchment area for schools in Marston.
<b>Objection to the area- area too large/ includes more than one community</b>	
Ella Derow	A neighbourhood is much smaller than the boundaries that have been artificially developed. Many of my local concerns are different from & sometimes antithetical to the opinions & the needs of residents and institutions in different parts of this space. As I understand it, many vested interests in any way bearing the slightest association with the name 'Headington' pressed for inclusion in the proposed area. A committee-developed spatial elephant has been put forward as a neighbourhood.
<b>Support for the proposed area</b>	
Oxford Brookes University Estates and Facilities Management; Cllr Roz Smith, 5 local residents, Friends of Old Headington, Highfield Residents' Association,	Several respondents were supportive of the proposed area. One specific reason for support included the inclusion of the Lye Valley North Fen area (rather than using the brook as a boundary and splitting the site). Another was that the proposed area reflected a community of residents and businesses who have worked well together in the past. It was acknowledged that complete agreement on the boundaries would be difficult to obtain, but thought that a good solution has been found. One respondent agreed that all the hospitals and Oxford Brookes needed to be included, meaning that the area would have to be large. The feeling was also expressed that the opportunity for residents to have a say in future development is needed. Headington Action and Highfield Residents' Association both stated that they approve of the area including major institutions and local amenities and they feel it will provide a platform from which to strengthen Headington's identity.

### Appendix 3

Headington Action.	
<b>Other/general comments</b>	
Highways Agency; The Coal Authority; Oxfordshire County Council; Natural England; English Heritage	All these consultees responded to confirm that they had reviewed the consultation but do not have any comments to make at this stage.
Local resident	Request for information about whether certain streets are included or excluded from the plan, as they found the map too faint to read.
local resident (part of a larger comment summarised elsewhere in the table)	The respondent agrees that all of the groups listed have an interest in Headington's development, including the Universities and hospitals. They felt that elected local city and county councillors to represent local residents and should make decisions on their behalf. The university and the hospitals do employ many local people and provide many benefits to the area but the respondent feels many people's views towards them are ambiguous because of the extra traffic, demands on local housing and parking problems that they bring to the area.

## CITY EXECUTIVE BOARD

Wednesday 9 April 2014

**COUNCILLORS PRESENT:** Councillors Price (Leader), Brown, Cook, Kennedy, Lygo, Rowley, Seamons and Tanner.

### **162. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Curran and Turner

### **163. DECLARATIONS OF INTEREST**

No declarations of interest were received

### **164. PUBLIC QUESTIONS**

None

### **165. SCRUTINY COMMITTEE REPORTS**

None

### **166. COUNCILLOR ADDRESSES ON ANY ITEM FOR DECISION ON THE BOARD'S AGENDA**

None

### **167. FUSION LIFESTYLE - ANNUAL SERVICE PLAN 2014/15**

The Head of Leisure and Parks submitted a report (previously circulated, now appended) that presented for endorsement Fusion's Annual Service Plan for the management of the Council's leisure facilities for 2014/2015.

Ian Brooke, Head of Leisure and Parks, presented the report to the Board and provided some background and context to it. He drew the Board's attention to the notable increase in usage (40%) of the Council's leisure facilities, along with significant savings. Usage by target groups has also increased pleasingly. There is a challenge to maintain the uplift in usage, which has now reached a plateau. Free sessions for young people at the Blackbird Leys Leisure Centre have proved successful, and are now being widened to include a cultural aspect.

Tim Sadler, Executive Director Community services, added that there was a reward scheme for the young called "Bounce" through which participants can gain points for attendance which can then be spent on various goods and prizes. The Council wanted to encourage more young people to take part in this.

Councillor Mike Rowley, Board Member for Leisure, commented that the Fusion contract was important for the future of the Council's leisure services, and in particular its aspiration to produce a world class leisure service for everyone. He intended to meet with all leisure service user groups and to look at ways by which leisure participation could be increased. He thanked Officers for all their hard work on this matter, and for facilitating useful meetings with Fusion.

Councillor Susan Brown observed that there were weaknesses in the ways by which feedback on service was received, and that there should be greater clarity around the whole feedback process. Fusion should be encouraged to do everything it could to increase and obtain feedback.

Councillor Rowley proposed the following amendments to the submitted report which he felt would strengthen the Council's commitment to continued improvement to its leisure services:-

(1) Add new paragraph 1.3 to read "*Nevertheless, the Council remains committed to continuous improvement in order to maintain Oxford's leisure facilities as a world-class affordable public leisure service for the people of the City*";

(2) Add to paragraph 2.1 the following sentence: "*The Council will look at ways to encourage and increase user participation in the Board [Leisure Partnership Board]*";

(3) Add new paragraphs 4.2 and 4.3 which will say:-

*"4.2: The Council will step up its regular programme of unannounced inspections of all leisure facilities managed by Fusion and will ensure regular Council attendance at all user groups"*

*"4.3: Working with Fusion, the Council will seek to ensure that scheduling is optimised in order to avoid any capacity issues as usage continues to increase, with particular focus on activities aimed at target groups"*

Resolved to endorse Fusion Lifestyle's Annual Service Plan for 2014/15, with the amendments to the report detailed above.

## **168. OXFORD STADIUM, SANDY LANE - DESIGNATION AS A CONSERVATION AREA**

The Head of City Development submitted a report (previously circulated, now appended) concerning the proposal to designate Oxford Stadium as a Conservation Area. Councillor Colin Cook, Board Member for City Development, presented the report to the Board and provided some background to it. He thanked Officers for all their hard work on this matter. The community value of this site was enormous, and he was proud to think that it could be designated as a conservation area.

Nick Worledge, Heritage and Specialist Services Team Leader, added that Oxford City Council had been quite progressive in recognising areas of the City that were valued locally. There had been a public consultation on this matter, but

there was nothing in the responses that would lead officers to make a different recommendation from the one that was currently before the Board.

Resolved to designate Oxford Stadium, Sandy Lane, as a Conservation Area.

## **169. SAVING COMMUNITY PUBLIC HOUSES**

The Head of City Development submitted a report (previously circulated, now appended) concerning a range of measures and actions to help preserve community public houses in Oxford. Councillor Colin Cook, Board Member for City Development, presented the report to the Board and provided some background to it.

Councillor Cook explained that the report before the Board had come about as a result of various motions on this issue that had been presented at Council. Community pubs can be great community assets; they can also be buildings with a considerable heritage attached. The proposals contained in the report would allow greater clarity for applicants when applying for a change of use for one of these building. The Technical Advice Note proposed would support policy RC18 as well.

Michael Crofton Briggs, Head of City Development, added that the Council already worked with the local community to add to the City's assets of local worth and local interest; and it was intended to continue with this work. It was of particular value outside Conservation Areas, as such buildings could be difficult to protect.

Resolved to:-

- (1) Approve the preparation and publication of a Technical Advice Note to support Policy RC18 on public houses;
- (2) Support officers in working with amenity bodies and the local community to ensure public houses of heritage significance are included on the Local Heritage Assets Register, and to increase awareness of listing public houses as Assets of Community value;
- (3) Support Kirklees submission under the Sustainable Communities Act;
- (4) Note that Officers will also continue to monitor and review the operation of the Sustainable Communities Act's effectiveness in bringing forward new proposals for measures that would help to protect community public houses in other local authority areas;
- (5) Ask officers to circulate all Members and ask them to identify any public houses that they believe are worthy of listing.

## **170. FUTURE ITEMS**

Nothing was raised under this item.

**171. MINUTES**

Resolved to confirm as a correct record the minutes of the meeting held on 12<sup>th</sup> March 2014.

**172. MATTERS EXEMPT FROM PUBLICATION**

None

**The meeting started at 5.00 pm and ended at 5.33 pm**

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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