

# MINUTES OF THE CITY EXECUTIVE BOARD

Thursday 9 July 2015

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**COUNCILLORS PRESENT:** Councillors Price (Leader), Turner (Deputy Leader), Brown, Hollingsworth, Kennedy, Rowley, Seamons, Simm, Sinclair and Tanner.

**OTHER MEMBERS PRESENT:** Councillor Van Coulter, Councillor Andrew Gant and Councillor Craig Simmons

**OFFICERS PRESENT:** Peter Sloman (Chief Executive), Tim Sadler (Executive Director Community Services), Jackie Yates (Executive Director Organisational Development and Corporate Services), Lyndsey Beveridge (Senior Planner), Sarah Harrison (Senior Planner), Mai Jarvis (Environmental Policy Team Leader), Jane Lubbock (Head of Business Improvement and Technology), Jeremy Thomas (Head of Law and Governance), Julia Tomkins (Grants & External Funding Officer), Anna Winship (Financial Accounting Manager), Dave Scholes (Housing Needs Manager), Ian Wright (Environmental Development), Tanya Bandekar (Service Manager Revenue & Benefits), Adrian Roche (City Development) and Catherine Phythian (Committee Services Officer)

## 30. APOLOGIES

There were no apologies for absence.

## 31. DECLARATIONS OF INTEREST

There were no declarations of interest.

## 32. PUBLIC QUESTIONS

The City Executive Board noted the following public questions and the written officer responses (as published):

- Ms Sarah Lasenby (Item 4a - Report of the Scrutiny Inequality Panel)
- Members of the North Oxfordshire Association Community Centre (Item 7 - Diamond Place Development Brief Supplementary Planning Document (SPD) - Adoption)

## 33. SCRUTINY COMMITTEE REPORTS

Cllr Simmons, Chair of the Scrutiny Committee submitted the following reports:

- Report of the Inequality Panel – Combatting inequality
- Grant Monitoring Information for 2014/15
- Statement of Community Involvement in Planning 2015
- Debt Management Policy – from the Finance Standing Panel – provisional
- Integrated Performance Report 2014/15 Q4 – from the Finance Standing Panel - provisional

**34. REPORT OF THE SCRUTINY INEQUALITY PANEL - COMBATTING INEQUALITY: IS OXFORD CITY COUNCIL DOING ALL IT CAN TO MAKE OXFORD A FAIRER, MORE EQUAL PLACE?**

The Inequality Panel of the Scrutiny Committee submitted a report (previously circulated now appended) which considers issues of inequality in the city.

Councillor Van Coulter, Chair of the Inequality Panel, presented the report.

On behalf of the Board, Cllr Price thanked the members of the Inequality Panel and the Scrutiny Committee for an excellent report which raised significant issues of concern. He said that he proposed to remit the report to all party groups for consideration and to prepare a substantive response from CEB. The Board suggested that the Scrutiny Committee should consider circulating the report to a wider audience such as the County Council and the Oxfordshire Strategic Partnership.

The City Executive Board resolved to:

1. REFER the report for discussion at the next meeting of the Cross Party Group;
2. INCLUDE the report on the agenda for the City Executive Board meeting in September.

**35. REPORT OF THE SCRUTINY COMMITTEE - GRANT MONITORING INFORMATION 2014/15**

Cllr Rowley, Board Member for Leisure, Parks and Sport responded to the Scrutiny Committee recommendation that “the underspend of £21,040 is rolled forward and spent on grants to community and voluntary organisations in 2015/16.”

He explained that this was not possible because the underspend had already been absorbed into the general fund but assured the Board that every effort would be taken to spend all of the grant allocation within the year on deserving projects.

### **36. REPORT OF SCRUTINY COMMITTEE - STATEMENT OF COMMUNITY INVOLVEMENT IN PLANNING 2015**

The Scrutiny Committee recommendations were addressed during the discussion of agenda item 12 (Minute 46).

### **37. REPORT OF THE SCRUTINY FINANCE PANEL - DEBT MANAGEMENT POLICY**

The Board noted the following responses to the Scrutiny Committee recommendations:

1. We recommend that the City Executive Board approves the Debt Management Policy subject to a minor amendment to the timescales for recovering Miscellaneous Debts set out in the table on page 9 of the policy.

A: There is an error on page 7 of the policy which will be corrected- this should say 10 days and not 7 days.

2. We reaffirm recommendation 15d of the Inequality Panel about the Council moving towards having a single view of debt. It will still require considerable effort to make this a reality but we strongly endorse this direction of travel and the progress made to date, including the use of fraud detection software to identify individuals with multiple debts owed to the Council.

A: The project to implement this software which will allow us the single view of debt is underway, and will greatly assist in the management of all outstanding debts to the Council and allow us to operate in accordance with the Corporate Debt Policy.

3. We recommend that consideration is given to restructuring relevant teams and resources around a single view of debt model as this initiative progresses.

A: This is already underway as the team restructures take effect and the software is implemented.

### **38. REPORT OF THE SCRUTINY FINANCE PANEL - INTEGRATED PERFORMANCE REPORT 2014/15 Q4**

The Board noted the following responses to the Scrutiny Committee recommendations:

1. The City Council's General Fund outturn position for 2014-15 (a favourable variance of £1.808m) is a very good outcome and we recommend that officers are congratulated on overachieving against income targets.

- A: The favourable variance has largely arisen from increased income arising from commercial property rents, engineering works and other income.
2. We support the transfer of £1.4m to a Dry Recyclate Reserve and recommend that the City Council assesses options for significantly mitigating this serious budget pressure, including exploring the possibility of building and operating a waste transfer station and changing the Council's waste collection system.
- A: The Council is exploring a number of options to mitigate budgetary pressures around dry recyclate which have become apparent during negotiations for the renewal of the contract with the current waste transfer station provider. Due to changes in the market price for recyclate the current provider is seeking significant increases in gate fees in order to ensure the viability of the current operation.
3. We note that there are 4 red performance indicators against Meeting Housing Needs but only 3 are explained in the Corporate Summary. We recommend that this is corrected and that fuller explanations are provided for the amber risks relating to Environmental Development (section 4.3 in the Community Services Directorate).
- A: The missing red performance indicator for Meeting Housing Needs relates to Tenant satisfaction with their Estates; this has been discussed in a previous report and there is no new data. Further explanation on the risks within Environmental Development are included in an updated appendix (now appended).
4. We recommend that the City Executive Board considers:
- a) Re-directing a relatively small portion of the underspend (£50-100k) towards rough sleeping activities where it could potentially go a long way.
  - b) Explores other potential uses for part of the under-spend in improving performance against corporate targets, including investing in an additional HMO licensing officer.
- A: The under-spend from 2014/15 has been transferred to earmarked reserves largely to mitigate future budgetary pressures. A small proportion has been transferred to the capital funding reserve which is considered prudent given the size of the council's capital programme. There is already a substantive reserve available for the area of homelessness and this can be used if needed. HMO licensing is currently being consulted on and it will be appropriate to consider whether the staffing resource is adequate as part of the response to that consultation.
5. We recommend that the City Council continues to embed and improve the capital gateway process to further reduce capital slippage.
- A: The overall slippage on the capital budget was around £15million in comparison to the original budget of £63million. This primarily related to three schemes, Rose Hill Community Centre, Affordable Homes Programme, and Vehicles. The average spend on capital over the last 9 years has been around £20million and the delivery of £48.7 million in

2014/15 is significantly above this. The Council will continue to embed and improve its monitoring through the Capital Gateway process

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

Cllr Gant addressed the Board with regard to agenda item 7: Diamond Place Development Brief Supplementary Planning Document (SPD) – Adoption

His comments were addressed during the discussion of that item (Minute 41).

### **40. COUNCILLOR ADDRESSES ON NEIGHBOURHOOD ISSUES**

There were no Councillor addresses on neighbourhood issues.

### **41. DIAMOND PLACE DEVELOPMENT BRIEF SUPPLEMENTARY PLANNING DOCUMENT (SPD) - ADOPTION**

The Executive Director of Regeneration and Housing submitted a report (previously circulated, now appended) which sought approval for the Diamond Place Development Supplementary Planning Document.

Cllr Hollingsworth, Board Member for Planning, Transport and Regulatory Service presented the report. He said that this document was intended to provide context and detail to the existing policies (such as SP14) and that they were intended as guidance to shape the plans for the development of Diamond Place. He stressed that the proposals in the document were not definitive and did not preclude any options that would emerge in more detailed planning discussions.

In response to the points raised by Cllr Gant he said that:

- The concerns about the Diamond Place / Banbury road junction were recognised and a range of options would be carefully considered
- Public open space would be available for all user groups
- Inclusion of other “health services” such as dental practices would be welcome
- All OCC housing policies would apply to the Diamond Place development
- The valued contribution of the North Oxfordshire Association Community Centre was recognised by the Council. NOA would be fully involved in the on-going discussions regarding the proposed relocation of the centre to ensure that there was no risk to services or reputation.

The City Executive Board resolved to:

1. ADOPT the Diamond Place Development Supplementary Planning Document;

2. DELEGATE AUTHORITY TO the Head of Planning and Regulatory to make any necessary editorial corrections to the document prior to publication in consultation with the Board Member for Planning, Transport and Regulatory Services.

#### **42. CUMBERLEGE HOUSE - DEVELOPMENT APPRAISAL**

The Head of Housing and Property submitted (previously circulated now appended) which detailed the options for Cumberlege House which is due to be vacated when the new Bradlands sheltered housing scheme is completed.

Cllr Seamons, Board Member for Housing recommended the report to the Board.

The City Executive Board resolved to:

1. AGREE not to pursue the disposal of Cumberlege House as approved in principle by Executive Board in November 2007;
2. ADOPT Option 4 in principle as set out in this report – to redevelop Cumberlege House for new Council housing and in consultation with the Council's S151 officer to include the scheme in the HRA new build development programme 2015-18, subject to a reassessment of the Council's HRA investment priorities;
3. APPROVE the demolition of Cumberlege House and instruct the Head of Housing and Property to procure and enter into contract to enable demolition works to start either as soon as the property is vacated or, should a short term lease be agreed, as set out in sections 18-19 of the report, then after that lease end date and prior to the development start on site; and in any case after the impact of the Right to Buy extension has been fully assessed;
4. GRANT delegated authority to the Head of Housing and Property to negotiate and enter into a fixed term lease, should a suitable lessee be identified within a two month period.

#### **43. HOUSING IMPROVEMENT AGENCY CONTRACT AWARD**

The Head of Housing and Property submitted a report (previously circulated now appended) which detailed the proposed arrangements for a Home Improvement Agency that is part funded through a contract with Oxfordshire County Council.

Cllr Seamons, Board Member for Housing introduced the report. He explained that the Home Improvement Agency provides services to enable disabled and elderly people to remain living in their own homes. He said that he was pleased to report that the County Council had asked to extend the scope of the contract to include a minor works element previously undertaken by a private contractor.

The Board suggested that there was scope for the Council to do more to publicise the work of the Home Improvement Agency, in terms of the range of valuable services that it provided to allow people to live in their own homes.

The City Executive Board resolved to:

1. GRANT delegated authority to the Executive Director of Regeneration and Housing, in consultation with the Head of Financial Services and Head of Law and Governance to enter into an appropriate contract for the provision of a Home Improvement Agency.

#### **44. ADOPTION OF CORPORATE BIODIVERSITY STRATEGY**

The Executive Director Community Services submitted a report (previously circulated now appended) which seeks approval for the adoption of A Biodiversity Action Plan for Oxford City Council 2015 - 2020 following a public consultation exercise.

Cllr Tanner, the Board Member for Climate Change & Cleaner, Greener Oxford presented the report, highlighting the wide range of wildlife and natural habitat to be found in the city.

The Environmental Policy Team Leader briefed the Board on the details of the Action Plan, noting the Board's concern that there must be close practical links between the biodiversity team and the parks team to ensure that the Council's practices complied with the principles of the Biodiversity Action Plan. In response to questions from the Board the Chief Executive said that he would be looking at ways in which to promote the Plan with the County Council and other organisations. He would also be looking at ways to promote the initiative to all members of staff.

The City Executive Board resolved to:

1. ADOPT the Biodiversity Action Plan for Oxford City Council;
2. DELEGATE authority to the Board Member for Climate Change & Cleaner, Greener Oxford and the Board Member for Leisure, Parks & Sport to work with officers to ensure that the park service management plans are consistent with the principles of the Biodiversity Action Plan.

#### **45. SUMMARY OF MONITORING INFORMATION REPORTED BY COMMUNITY & VOLUNTARY ORGANISATIONS 2014/15**

The Head of Community Services submitted a report (previously circulated now appended) which provided details of monitoring information returned by community & voluntary organisations awarded a grant by the City Council in 2014/15.

The Board was pleased to note that the level of grant funding was higher than 5 years earlier despite the reduction in funding from central government, demonstrating the Council's commitment to the voluntary sector.

The Board noted the comments from the Scrutiny Committee concerning the need for a rigorous assessment of all grant applications to ensure that they delivered the best value for money. Officers were asked to provide additional analysis on this point in future monitoring reports. Cllr Simm confirmed that this was an important aspect of the existing process to review grant applications and invited members to refer concerns about any particular scheme to herself and the Grants & External Funding Officer.

The City Executive Board resolved to NOTE the report.

#### **46. ADOPTION OF THE STATEMENT OF COMMUNITY INVOLVEMENT IN PLANNING 2015**

The Head of Planning and Regulatory submitted a report (previously circulated now appended) which detailed a revised and improved version of the Statement of Community Involvement in Planning following an extensive public consultation exercise.

Cllr Hollingsworth, Board Member for Planning, Transport and Regulatory Services presented the report. He explained that it was both best practice and a legal requirement that the Council had a formal Statement of Community Involvement in Planning. He said that the document had been subject to extensive public consultation and consideration by all councillors. He thanked the report author for her hard work in preparing the document.

With reference to the Scrutiny Committee recommendations on this item Cllr Hollingsworth said that the suggested drafting amendments would be addressed in the final version of the document; that the action plan would address the need to improve ICT systems to enhance the user experience; and that options for "neighbouring property notification letters" would be referred to all Political Groups for comment.

The Senior Planner briefed the Board on the detail of the report. She explained that an Action Plan had been added to capture issues raised by councillors and residents which could not be immediately addressed. She said that much of the focus of the Action Plan would be to continue to look at best practice and new ideas to promote greater interaction with a wider audience.

The Board noted that residents often felt frustrated by the lack of information available from developers at the earliest, pre-application, stages of large planning developments. The Board asked what could be done to address this. The Senior Planner explained that the document sought to encourage developers to engage with the local community from the outset but that this was not something that could be enforced. One local authority required developers

to sign its Statement of Community Involvement and this was an initiative that the planning officers would be monitoring.

The City Executive Board resolved to:

1. AGREE to adopt the Statement of Community Involvement in Planning as the Council's formal statement about how it will engage and involve people in planning decisions; and
2. DELEGATE authority to the Head of Planning and Regulatory, in consultation with the Executive Lead Member, to make any necessarily editorial corrections to the Statement of Community Involvement in Planning prior to final publication.

The Board noted that this was the final attendance at CEB of Adrian Roche, City Development officer. They thanked him for his work and support and wished him well in his new position.

#### **47. FLAG FLYING PROTOCOL ON CIVIC BUILDINGS**

The Head of Law and Governance submitted a report (previously circulated now appended) which detailed the proposed protocol for flag flying on civic buildings.

The City Executive Board resolved to:

1. APPROVE the Flag Flying Protocol (as set out at appendix 1 and its annex at appendix 2 to the report);
2. AGREE to delegate to the Head of Law and Governance the operation of the protocol including the arrangements for considering one off requests as outlined.

#### **48. AWARD OF TEMPORARY AGENCY STAFF CONTRACT**

The Head of Business Improvement submitted a report (previously circulated now appended) which detailed proposals for a temporary agency staff contract available for use by Oxfordshire Councils, following the current contract coming to an end.

The Head of Business Improvement and Technology presented the report explaining that it was a straightforward retender exercise for an existing contract arrangement.

The Board noted and welcomed the initiatives in place to reduce the level of agency staff employed by the Council but recognised that external factors such as the high cost of living and property prices in the city presented a challenge to the recruitment and retention of permanent staff.

The City Executive Board resolved to GRANT delegated authority to the Executive Director of Organisational Development and Corporate Services to award a new temporary agency staff contract.

#### **49. DEBT MANAGEMENT POLICY**

The Head of Financial Services submitted a report (previously circulated now appended) for the approval and formal adoption of the Oxford City Council Debt Management Policy.

The Executive Director for Organisational Development and Corporate Services presented the report. She explained that this draft Debt Management Policy was a refresh of the existing policy, dating from 2013, and that there were no major changes to note. She briefed the Board on the recent organisational changes within the Council which meant that there was now a closer alignment of all service teams dealing with debt management.

The Board was pleased to note the good collection rates for 2014/15.

The City Executive Board resolved to

1. APPROVE the Debt Management Policy, as set out in Appendix A to the report.

#### **50. INTEGRATED PERFORMANCE REPORT 2014/15 QUARTER 4**

The Head of Financial Services submitted a report (previously circulated now appended) which detailed the finance, risk and performance position as at the end of Quarter 4, 31 March 2015.

Cllr Turner, Board Member for Finance, Corporate Asset Management and Public Health presented the report, referencing the written responses to the Scrutiny Committee recommendations. He drew attention to the Council's General Fund outturn position for 2014-15 (a favourable variance of £1.808m) and congratulated officers in exceeding income targets. He also commented on the improved capital performance of the Council.

The City Executive Board resolved to:

1. NOTE the financial outturn and performance of the Council for the year 2014/15 and also the position on risks outstanding as at 31 March 2015;
2. NOTE the transfers to General Fund earmarked reserves detailed in the report and Appendix E5;
3. NOTE the transfers to the Housing Revenue Account (HRA) earmarked reserves as detailed in paragraph 16;

4. AGREE the carry forward requests outlined at paragraph 8 and detailed in Appendix E4;
5. NOTE the capital carry forwards as detailed in Appendix E2

#### **51. ITEMS RAISED BY BOARD MEMBERS**

No items were raised by Board Members.

#### **52. MINUTES**

The Board resolved to APPROVE the minutes of the meeting held on 11 June 2015 as a true and accurate record.

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

The City Executive Board resolved to exclude the press and public from the meeting during consideration of the item in the exempt from publication part of the agenda in accordance with the provisions in Paragraph 21(1)(b) of the Local Authorities (Executive Arrangements) (England) Regulations 2000 on the grounds that their presence could involve the likely disclosure of exempt information as described in specific paragraphs of Schedule 12A of the Local Government Act 1972 and that, in all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

#### **53. NOT FOR PUBLICATION - APPENDIX 1B CUMBERLEGE HOUSE DEVELOPMENT APPRAISAL**

The Board received and noted the contents of the not for publication appendix to the report at minute 42.

#### **54. NOT FOR PUBLICATION - APPENDIX 2 - HOUSING IMPROVEMENT AGENCY CONTRACT AWARD**

The Board received and noted the contents of the not for publication appendix to the report at minute 43.

**The meeting started at 5.00 pm and ended at 6.25 pm**

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Formal Risk Summary

(Oxford --> Community Services --> Environmental Development)

As at: Mar-2015

Ref	Title	Risk description	Risk			Date Raised	Owner	Gross		Current		Residual		Comments	Controls				
			Opp/ threat	Cause	Consequence			I	P	I	P	I	P		Control description	Due date	Status	Progress	Action Owner
<b>Environmental Development</b>																			
CRR-010	Carbon Management/Climate Change	Opportunity to develop Low Carbon City status and to share best practices outside organisation	O	Inadequate engagement/ persuasion of key partners/ stakeholders; poor internal Council performance giving rise to a loss of credibility. Inadequate civic leadership	Missed opportunity to drive change and hold the Council in exemplar status. Increased costs to council and key partners/ stakeholders	28-Feb-2011	Jo Colwell	4	4	3	3	2	3		Build vision of 'Low Carbon Economy'	31-Mar-2015	In Progress	50%	Tim Sadler
															Calculation of internal benefits to Low Carbon City	31-Mar-2015	In Progress	50%	Jo Colwell
															Share best practice with other organisations offering the service of	31-Mar-2015	In Progress	50%	Jo Colwell
SRR-001-ED	Service Failure	Opportunity to embed HMO licensing across the City and to regulate the private rented sector	O	Systems failure/ poor delivery of service; inadequate engagement; non-compliance with regulation/ legislation	Damage to Council reputation and potentially finances; risks to occupiers, neighbours	28-Feb-2011	Ian Wright	4	3	2	4	2	4	Enforcement levels remain high. Work required on identifying unlicensed HMOs.	Ensure that the HMO Business Plan is robust and up to date	31-Mar-2017	In Progress	50%	Ian Wright
SRR-004-ED	Compliance with environmental strategy action plan	Maintaining compliance with the ES Action Plan	T	Failure to corporately deliver agreed actions on time	Damage to council reputation and potential increased operational costs	28-Feb-2011	Jo Colwell	3	3	3	3	2	2		Programme in preparation to monitor planned and unplanned actions so as to ensure achievement by year end	31-Mar-2015	In Progress	75%	Jo Colwell
SRR-013-ED	Public Health Protection	Threats to public health eg, from food borne communicable disease	T	Uncontrolled spread of diseases; illness and possible deaths; damage to Council reputation.	Failure to adequately control/respond to outbreaks.	1-Apr-2012	Ian Wright	4	4	3	4	3	4	Staffing levels remained constant. Ebola threat diminishing.	Competent and experienced specialist staff; effective links with the CCDC; protocols for outbreak and control	31-Mar-2015	In Progress	50%	Ian Wright
SRR-014-ED	Night time economy	Threats to public safety, environmental quality and economic viability	T	Personal threats & injuries; damage to viability of business & community events; damage to Council reputation.	Failure to effectively regulate licensable activities and establishments.	1-Apr-2012	Richard J Adams	4	4	3	3	3	3		Defined work programmes including nighttime enforcement	31-Mar-2015	In Progress	50%	Julian Alison
SRR-017-ED	Contaminated Land Remediation	Potential budget pressure on the Council as a whole in future if we identify any Part 2A contaminated sites and we are found to be the 'appropriate person' liable to pay for the remediation .	T	Revocation of the Contaminated Land Remediation grant which was previously available from Government	Oxford City Council would need to fund or part fund investigation and remediation and communicate carefully. Financial consequence could range from 5K for an initial investigation to £ millions for full remediation	11-Jun-2014	Nathan Vear	4	2	3	3	3	3		CEB accept recommendation to adopt the Land Quality Strategy in September 2014. Objectives of the strategy include: using Part 2A as a last resort and to secure investigation and remediation through the planning process and voluntary action.	30-Sep-2014	In Progress		Nathan Vear
SRR-015-ED	Customer Service	Opportunity to meet customer expectations when handling service requests.	O	Increased complaints and use of limited resources to address failures.	Loss of public confidence due to failure at the public interface.	1-Apr-2012	Nathan Vear	4	3	3	3	3	3		Defined Customer First protocols and call handling frameworks	1-Mar-2015	Closed	100%	Helen Bishop

**Current Risk Score**

This is the risk score at the time that the risk is reviewed. When the risk is first identified it will be the same as the gross risk score. The current risk score is tracked to ensure that progress is being made to manage the risk and reduce the Council's exposure.

**Residual Risk Score**

This is the risk score after mitigating actions have taken place. The residual risk score shows how effective your action plans are at managing the risk.

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