

MINUTES OF THE CITY EXECUTIVE BOARD

Thursday 10 September 2015

www.oxford.gov.uk



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

OTHER MEMBERS PRESENT: Councillor Jean Fooks, Councillor Craig Simmons and Councillor Louise Upton

OFFICERS PRESENT: Peter Sloman (Chief Executive), Tim Sadler (Executive Director Community Services), Nigel Kennedy (Head of Financial Services), Lindsay Cane (Law and Governance), Ian Brooke (Head of Community Services), Matthew Bates (City Development), Lyndsey Beveridge (Senior Planner), Geoff Corps (Cleaner Greener Services Manager), Paul Wilding (Benefit Operations Manager) and Catherine Phythian (Committee Services Officer)

64. APOLOGIES FOR ABSENCE

Apologies were received from Cllr Kennedy and Cllr Tanner.

65. DECLARATIONS OF INTEREST

There were no declarations of interest.

66. PUBLIC QUESTIONS

The City Executive Board noted the following public questions and the written officer responses (as published) on agenda item 7: Adoption of the Leisure & Wellbeing Strategy:

- Mr Nigel Gibson
- Mr Artwell

67. COUNCILLOR ADDRESSES ON NEIGHBOURHOOD ISSUES

Cllr Sinclair addressed the Board with regard to the closure of the Ampleforth Tavern. She said that the pub had closed suddenly earlier in the year and that some local residents (The Ampleforth Revival group) were hoping to re-open it as a community asset. Cllr Sinclair asked whether there was any practical support that the City Council could provide to this group, for example in drafting

the business case. She also suggested that there might be an opportunity to use the premises/site for housing units.

The Board noted that the number of closures of pubs across the city was an issue of concern. They Board agreed that the Council should provide some practical support to the resident group and that it would be appropriate to ask Housing Association partners to make contact as well. The Board requested that the Head of Financial Services and Head of Housing and Property should take this forward with the local resident group.

68. SCRUTINY COMMITTEES REPORTS

The Chair of the Scrutiny Committee submitted the following reports for consideration by the Board:

(a) Leisure & Wellbeing Strategy 2015-2020

This report (previously circulated, now appended) was considered as part of the discussion of agenda item 7: Adoption of the Leisure & Wellbeing Strategy 2015-2020 (minute 70).

(b) Oxford Growth Strategy

This report (previously circulated, now appended) was considered as part of the discussion of agenda item 9: Oxford Growth Strategy (minute 72).

(c) Report of the Scrutiny Finance Panel - Municipal Bonds

This report (previously circulated, now appended) was considered as part of the discussion of agenda item 12: Treasury Management Annual Report 2014-2015 (minute 75).

(d) Report of the Cycling Review Group

The Scrutiny Officer submitted a report (previously circulated, now appended) which detailed the findings and recommendations of the cross-party Cycling Review Group, and the City Executive Board responses to those recommendations.

Cllr Upton, Chair of the Cycling Review Group presented the report. She said that the first meeting of the Cycling Forum had taken place on 9 September 2015 and that this promised to be fertile ground for further progress and initiatives.

She urged the Board to support the case for a dedicated “cycling officer” either as a City Council post or through some joint funded arrangement with either the County Council, the NHS and the universities. In discussion the Board concluded that it would be a better use of limited resources to support and develop the role of the Cycling Forum and joint working with other organisations.

The Board noted that there had been no response from the County Council with regard to the Council motion on cycling which was passed at the meeting on 14 December 2014.

With reference to the Cycling Review Group recommendations the Executive Board Member for Planning, Transport and Regulatory Services confirmed that the Council would accept and progress Recommendation 1 on signage as a “quick fix”. He said that the Board was generally supportive of the recommendations and that where there was “agreement in part” this was because there was further work needed on the details and costings of the recommendation before it could be accepted. Similarly it was important to focus the limited resources on those recommendations where the Council had most control and the greatest chance of success.

The Board commended the Scrutiny Cycling Review Group on an excellent piece of review work and thorough report.

The City Executive Board resolved to:

1. **Agree** the following recommendations from the Cycling Review Group: Recommendations 3, 4, 5, 6, 7 and 9.
2. **Agree** in part the following recommendations from the Cycling Review Group: Recommendations 1, 2 and 8.

(e) Report of the Waste Water Flooding Panel

The Scrutiny Officer submitted a report (previously circulated, now appended) which detailed the outcomes of the Waste Water Flooding Panel’s recent engagement with Thames Water Utilities on the progress of the Oxford Catchment Study.

Cllr Simmons, Chair of Scrutiny Committee presented the report, highlighting the fact that although this was a relatively short report it was the product of a significant amount of underlying discussions and interactions between the Council and Thames Water Utilities. He said that he was confident that as a result of the work of the Scrutiny Panel the Council was now receiving a better level of service from Thames Water Utilities. The Board endorsed this view. The Board supported the suggestion that the next meeting with Thames Water Utilities should be an all member seminar rather than a meeting with the Scrutiny Panel.

The City Executive Board resolved to AGREE the Scrutiny Committee recommendation:

1. That the City Council continues to engage with Thames Water Utilities (TWU) at a senior level through the Oxford Area Flood Partnership and other appropriate channels. This should include early engagement in relation to future development proposals that affect TWU.

69. COUNCILLOR ADDRESSES ON ANY ITEM FOR DECISION ON THE BOARD'S AGENDA

Cllr Fooks addressed the Board with regard to agenda item 9: Oxford Growth Strategy and agenda item 13: Integrated Performance Report Quarter 1 2015-16.

Her comments were addressed during the discussion of those items (Minutes 72 and 76).

70. ADOPTION OF LEISURE & WELLBEING STRATEGY 2015 - 2020

The Head of Community Services submitted a report (previously circulated, now appended) which presented the Leisure & Wellbeing Strategy 2015-2020 that had been updated to reflect responses from public consultation.

Cllr Rowley, Executive Board Member for Leisure, Parks and Sports presented the report and tabled the City Executive Board responses to the Scrutiny Committee recommendations (appended).

Cllr Simmons, Chair of Scrutiny Committee, said that the Scrutiny Committee had concluded that the overall leisure offer in the City was very good and he was pleased to note that the recommendations had been accepted in whole or in part.

The Head of Community Services undertook to provide the Board with an update on progress in developing and improving the leisure elements of the Council's social media apps.

In discussion the Board noted that although the Council did not provide any specific leisure activities for disabled residents on the autistic spectrum, the "low impact" activities such as pilates and outdoor activities were regarded as being suitable. These were complemented by activities provided by organisations like the Pegasus Theatre and the South Oxfordshire Adventure Playground. The Head of Community Services said that this was a matter that could be kept under review. The Board was pleased to note the important role of volunteers in providing the City's leisure service.

The City Executive Board resolved to:

1. **Approve** the Leisure & Wellbeing Strategy, 2015-2020.

71. AWARD OF CONTRACT FOR DISPOSAL OF WASTE FOR RECYCLING

The Head of Direct Services submitted a report (previously circulated, now appended) which detailed the procurement process for the disposal of City collected recycle and requested that the Director of Community Services be given delegated authority to award contracts to a supplier or suppliers having completed the open procedure of tender.

The Director of Community Services and Deputy Head of Direct Services presented the report. They said that the Council faced substantial pressure on the waste collection service due to the dramatic fall in market prices for recycle. They explained that this was linked directly to global oil prices. The Board noted that this would be a complicated procurement process but that the intention was to retain maximum flexibility in order to respond to changing market conditions going forward.

The Board agreed that recommendation 2 should be approved as drafted but added the caveat that if there were any complications in the procurement process the Director of Community Services should bring the matter before the Board.

The City Executive Board resolved to:

1. **Grant** project approval in regard to the project for the disposal of recycled materials, as described in this report;
2. **Delegate** authority to the Director of Community Services, after consultation with the Council's s151 and Monitoring Officers, to award the contract or contracts to the supplier or suppliers selected following completion of the EU-compliant open tender process described in this report, for the disposal of the City's recycle.

72. OXFORD GROWTH STRATEGY

The Head of Planning and Regulatory Services submitted a report (previously circulated, now appended) which detailed the progress of the Oxford Growth Strategy and identified future financial pressures which may arise as a consequence of it.

Cllr Hollingsworth, Executive Board Member for Planning, Transport and Regulatory Services presented the report and tabled the City Executive Board responses to the Scrutiny Committee recommendations (appended). In summary he said that the aim of the Growth Strategy was to promote and deliver sustainable urban extensions to Oxford, by way of a Green Belt review in order

to meet the huge housing need within the City. Fundamental to this was the success of the City Council's joint working with the other Oxfordshire authorities and stakeholders.

In discussion the Board noted the importance of ensuring that the Growth Strategy addressed both social/affordable and private housing need and also the requirements of the local workforce. The Board also commented on the challenges facing the Council in delivering the Growth Strategy.

The Board thanked officers for the clear and comprehensive report.

The City Executive Board resolved to:

1. **Note** the contents of this report, in particular the potential need to identify additional resources of £310,000.

73. COUNCIL TAX REDUCTION SCHEME 2016-2017

The Executive Director of Organisational Development and Corporate Services submitted a report (previously circulated, now appended) which detailed recommendations for the operation of the Council's Council Tax Reduction Scheme in 2016-2017.

Councillor Brown, Executive Board Member for Customer Services and Corporate Services presented the report.

In response to questions from the Board regarding future cost projections the Revenue and Benefits Programme Manager said that any future increase in expenditure under the scheme would be directly proportional to the reduction in overall grant funding. The Head of Financial Services advised the Board that it would be prudent to assume that the Revenue Support Grant could reduce to zero by 2017-18 and that this would have a significant impact on the future cost of the scheme.

The City Executive Board resolved to:

1. **Approve** the existing Council Tax Reduction Scheme for use in 2016-2017.

74. AWARD OF INTERNAL AUDIT CONTRACT

The Head of Financial Services submitted a report (previously circulated, now appended) which requested authorisation to award a contract to deliver the Council's Internal Audit service.

Councillor Turner, Board Member for Finance, Corporate Asset Management and Public Health presented the report.

The City Executive Board resolved to:

1. **Approve** the award of the Internal Audit Service contract to BDO LLP for a period of 3 and a half years initially with the possibility of an extension for up to 2 years.

75. TREASURY MANAGEMENT ANNUAL REPORT 2014-2015

The Head of Financial Services submitted a report (previously circulated, now appended) which detailed the Council's treasury management activity and performance for 2014-2015 and recommended some changes to the Treasury Management Strategy for 2015-16.

Councillor Turner, Board Member for Finance, Corporate Asset Management and Public Health presented the report.

In discussion of this agenda item the Board also considered the report of the Scrutiny Finance Panel on Municipal Bonds (agenda item 5c refers) and the City Executive Board responses to the Scrutiny recommendations.

The Board welcomed the establishment of the Municipal Bonds Agency (MBA) as an alternative source of financing, whilst noting that the City Council was unlikely to need to use its services in the immediate future. The Section 151 Officer said that he and the Council's financial advisers had some reservations about the detail and robustness of the MBA service offering and preferential investment rates. The Board Member said that he would bring an update report to the City Executive Board once these points had been clarified. The Board noted that the final decision on any potential future investment would be a matter for the Section 151 Officer in consultation with the Portfolio Holder.

The City Executive Board resolved to:

1. **Note** the Treasury Management Annual Report; and
2. **Recommend Council to resolve to** approve the Revised MRP Policy as set out in Appendix 1 and approve the amendment to the Non-Specified Investments list attached at Appendix 2 of the report.

76. INTEGRATED PERFORMANCE REPORT QUARTER 1 2015/16

The Head of Financial Services and the Head of Business Improvement submitted a report (previously circulated, now appended) which detailed the Council's projected outturn for finance and performance and the risks faced at the end of Quarter 1, 30 June 2015.

Councillor Turner, Board Member for Finance, Corporate Asset Management and Public Health presented the report. He said that the overall position was satisfactory but drew attention to Recommendation 5 which was in response to the Chancellor's July Budget Statement proposals which would significant

ramifications for the Council's Medium Term Financial Plan and the Housing Revenue Account. He said that the Council needed to be cautious at this stage and that it was hoped that there would be greater certainty about the situation at the time of the budget consultation.

The Board noted that the Scrutiny Finance Panel would be meeting to scrutinise the budget proposals and agreed that this should include the proposed deferment of some capital projects.

The Head of Financial Services undertook to provide a written response to Cllr Fooks' query regarding the % estimated savings that relate to the total budget.

The Leader of the Council expressed concern about the following Financial Services performance indicators:

- % of invoices paid on time – currently 85.2% of invoices paid on time against a target of 98%;
- Time to process new benefit claims – currently at 15.66 days against a target of 14 days.

He acknowledged the hard work of the Financial Services staff but stressed that these were performance indicators for two very important Council functions which had a direct impact on residents and businesses.

The City Executive Board resolved to:

1. **Note** the projected General Fund outturn of £0.385 million which will be funded from corporate contingencies, the break-even position on the Housing Revenue Account and projected Capital underspend and slippage of £0.921 million
2. **Note** the performance and associated risk positions as set out in paragraphs 11-15;
3. **Approve** a £0.300 million virement from the corporate policy contingency to the Culture service;
4. **Recommend to Council to resolve that** additional budget of £115,289 for parks works be included in the Capital Programme to be financed from external grant funding; and
5. **Approve** the recommendation to apply a temporary moratorium on General Fund and HRA capital expenditure in accordance with paragraphs 14 and 15.

Cllr Turner left the meeting at the end of this item.

77. LOAN FACILITY TO LOW CARBON HUB

The Head of Direct Services submitted a report (previously circulated, now appended) which detailed the first draw down and repayment of the Council's loan to the Low Carbon Hub agreed by the City Executive Board at its meeting on the 11 June 2014 and recommended subsequent drawdowns.

The Executive Director, Community Services reminded the Board that he was a Non-Executive Board Member of the Low Carbon Hub.

The Head of Financial Services presented the report, highlighting the work of the Low Carbon Hub on projects which had delivered £500k benefit to the residents of Oxford as detailed in paragraph 8 of the report.

The City Executive Board resolved to:

1. **Note** the success of the first draw down and repayment of the 2014 loan facility, and approves a further draw down from the loan facility as follows:
 - a) 800k secured against solar panel equipment (as in the previous tranche)
 - b) 823k secured against the Hub's income stream from current projects
 - c) that such further draw down be on a 12 month repayment timescale at an interest rate of 5%; and
2. **Delegate authority to** the Council's Section 151 Officer, in consultation with the Monitoring Officer, to enter into a Supplemental Agreement with the Low Carbon Hub, reflecting the arrangements for the further draw down from the loan facility.

78. BMW DEVELOPMENT AND HORSPATH SPORTS PARK

The Head of Community Services submitted a report (previously circulated, now appended) which detailed proposals to agree a contract with BMW which would transfer their sports facilities to a new site enabling future development of their factory.

The Executive Board Member for Leisure, Parks and Sport presented the report, noting that the proposals related to outdoor facilities only and did not concern the sports and social club facilities.

The Board noted that this would be a complex and challenging project to deliver.

The City Executive Board resolved to:

1. **grant project approval** to facilitate the transfer of the existing sports facilities on land owned by BMW at its Horspath Road, Cowley site ("the BMW Site") to adjacent land held by the Council ("the Council Land");
2. **agree** to the termination of the Council's current use of the Council Land, on the basis that it is to be used for the purpose of re-providing the sports and leisure facilities currently on the BMW Site.
3. **grant delegated authority** to the Executive Director, Community Services, in consultation with the Council's s151 and Monitoring Officers, to
 - a. negotiate and agree the terms of the arrangement with BMW, on the basis that the total payment received from BMW is not less than £4.9m (index linked as stated in the report) and that any contract agreed with BMW contains provisions to ensure that the Council receives an

- appropriate share in any uplift in value of the BMW Site on any future sale of it;
- b. award, after undertaking a suitable procurement process and securing planning consent a contract to the selected supplier or suppliers, to undertake all construction work required for the re-provision of the sports and leisure facilities; and
 - c. undertake a market testing exercise of the management of the re-sited sports facilities on the Council Land.
4. **seek** to protect and re-provide, where possible, all current use by sports clubs of the sports and leisure facilities on the BMW Site.
 5. **recommend Council to resolve to** agree a new capital budget of £4.9 million funded by the capital receipt from the sale of the land to fund the replacement of the facilities.

79. ITEMS RAISED BY BOARD MEMBERS

No items were raised by Board Members.

80. MINUTES

The Board resolved to APPROVE the minutes of the meeting held on 30 July 2015 as a true and accurate record.

Matters Exempt from Publication

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

81. CONFIDENTIAL APPENDICES FOR LOW CARBON HUB

The Board received and noted the contents of the not for publication appendices to the report at agenda item 14 (minute 77).

82. CONFIDENTIAL APPENDICES FOR BMW DEVELOPMENT AND HORSPATH SPORTS PARK

The Board received and noted the contents of the not for publication appendices to the report at agenda item 15 (minute 78).

The meeting started at 5.00 pm and ended at 6.30 pm

This page is intentionally left blank

Executive response provided by the Board Member for Leisure, Parks and Sport – Leisure and Wellbeing Strategy

Recommendation	Agreed? (Y / N / In part)	Comment
That the City Council looks into extending the functionality of its mobile apps to enable leisure bookings.	Agreed	We will look into this in conjunction with Fusion.
That the City Council's Leisure and Wellbeing Strategy includes a greater emphasis on strengthening integration between leisure centres and the broader leisure offer, including community centres.	Agreed	This is already one of the main thrusts of the Leisure and Wellbeing Strategy, but we will look into strengthening the language.
That the City Council continues to monitor the accessibility of leisure provision across Oxford, including in those parts of the city that have no swimming pools within a 20 walk, such as Littlemore and Cowley, and how this relates to leisure target groups (the Committee noted that corporate performance measure LP106: To increase participation at our leisure centres by target groups was below target for 2015/16 quarter 1).	In Part	<p>We will of course continue to monitor leisure participation across the City.</p> <p>Transfer of membership from Temple Cowley to the Leys Pools and Leisure Centre has been a great success, and Oxford is over-provided with swimming pools by national standards. The new Spires Temple Cowley gym with associated public-access facilities is due to open in December.</p> <p>We are working with Fusion to ensure that the missed target is not repeated. It is very important that we continue to increase participation in physical exercise from areas of deprivation in particular, given the significantly above average levels of obesity in the Leys especially and also in Barton, Littlemore and Rose Hill. The Leys Pools and Leisure Centre is at the centre of our strategy for tackling this.</p> <p>We are also continuing to press the bus companies to improve connections between the Rose Hill/Littlemore and Leys/Cowley areas to help make our leisure facilities easier to get to.</p>

This page is intentionally left blank

Response to Scrutiny Recommendations – Oxford Growth Strategy

1. That the Council's strategic approach to providing new affordable housing should be aligned with, and referenced in, the Oxford Growth Strategy.

Agreed. It is important to note that the Oxford Growth Strategy is one of a range of documents which taken together outline Oxford City Council's approach to meeting both overall housing need and affordable housing need, and that therefore the Oxford Growth Strategy implicitly includes affordable housing in its coverage. For example, the documents that make up the Local Plan specify how the City Council's policies for affordable housing should be applied to development sites within Oxford's boundaries, the overall number of which are part of the Growth Strategy.

However, as the Scrutiny Committee heard, the difference between the objectively assessed need for housing (SHMA¹) for Oxford and the number of homes that can be accommodated within the City's administrative area (SHLAA²) is substantial, and the majority of unmet need will have to be met on sites outside Oxford's boundaries. This means that different affordable housing policies of other Local Planning Authorities will apply to those sites. Where the City Council is a landowner it may be possible to take a different approach above and beyond that laid down in the relevant LPA's planning policies, but in most instances the sites are owned by others.

In the SHMA numbers the need for affordable housing was a major factor, alongside supporting expected economic growth. Even so, it is important to note that it has been estimated that to meet all of Oxford's unmet need for just affordable housing, using current planning policies, requires a number that is HIGHER than the highest figure in the SHMA range (24-32k). That is why the City Council will continue to argue strongly for housing allocations to meet unmet need in Oxford to be at the higher end of the range in the SHMA.

In conclusion, it will be helpful for future iterations of the Oxford Growth Strategy to make clear both the origin of the SHMA range as being in part influenced by the assessed need for affordable housing, and the likely impacts for affordable housing

¹ Oxfordshire Strategic Housing Market Assessment, 2014

² Oxford City Strategic Housing Land Availability Assessment, 2014

of different policy options being pursued by the City Council and by others in the current discussions over housing allocations in Oxfordshire.

2. That the Oxford Growth Strategy includes a greater emphasis on mobile working and the opportunities presented by Better Broadband for Oxfordshire.

Not Agreed. For many years now the growth in technology-driven networked working, in particular fast broadband, has been used as an argument for reducing the absolute numbers of new homes that would be required, and for their dispersal over a wider geographic area, which appears to be the suggestion here. However the evidence that such dispersal is actually workable is no more compelling now that when the same arguments were produced to argue for reductions in housing numbers during debates over the emerging South East Plan in the early 2000s.

The City Council has been strongly of the view that the most sustainable and practical approach to the allocation of housing to meet Oxford's needs is by carefully designed urban extensions to the city itself, not dispersal to Oxfordshire's towns and in particular not widespread dispersal to villages (villages will be planning for housing to meet their own needs, but the quantum of housing needed to meet the unmet need of Oxford would far exceed those figures, and would be highly detrimental to village communities without benefitting the city itself). In particular the proximity of existing services and networks, whether transport, data/technology or social/community, makes development adjacent to the current built-up area of the City the most environmentally, economically and socially sustainable approach.

The assumption that mobile working makes is that all members of a household will be equally able to work remotely, and that all activities carried out by that household are equally able to be done using remote working technology: neither assumption is tenable. While it is true to say that many people are now able to carry out their work remotely, it is far from true for all occupations. For example, it is not possible for nursing staff at the city's hospitals or skilled engineers at BMW to carry out their jobs remotely. Equally, children cannot go to school remotely, and while internet shopping in some retail sectors has grown exponentially in recent years, so have small scale markets and local shopping, and it is not possible for many other social activities to be done remotely.

Moreover, it is clear that the unequal access to high-speed broadband in urban and rural areas is a major constraint on existing rural communities being able to make full use of the opportunities for remote working, thus making a policy of dispersal of Oxford's unmet housing need based on universal access to high-speed data highly problematic.