

Minutes of a meeting of the SCRUTINY COMMITTEE on Monday 27 March 2017

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Committee members:

Councillor Gant (Chair)	Councillor Hayes (Vice-Chair)
Councillor Azad	Councillor Chapman
Councillor Pegg	Councillor Simmons
Councillor Taylor	Councillor Tidball
Councillor Wilkinson	Councillor Pressel

Officers:

Richard Adams, Community Safety Service Manager
Linda Ludlow, Human Exploitation Coordinator
Alison Cassidy, Anti-Social Behaviour Investigation Team - Case Manager
Jo Colwell, Service Manager Environmental Sustainability
Helen Vaughan-Evans, Project Manager
Andrew Brown, Scrutiny Officer
Sarah Claridge, Committee Services Officer

Also present:

Councillor Bob Price, Board Member for Corporate Strategy and Economic Development, Corporate Strategy and Economic Development
Councillor Dee Sinclair, Board Member for Community Safety, Community Safety
Councillor Elizabeth Wade, Councillor for St Margaret's ward

Apologies:

Councillor(s) Fry sent apologies.

99. Tribute to Councillor Van Coulter

The Committee had a one minute silence for Cllr Van Coulter. The Chair read a tribute to Cllr Coulter.

100. Apologies for absence

Apologies for absence were received from Councillor Fry substitute Councillor Pressel.

101. Declarations of interest

There were no declarations of interest made.

102. Minutes

The Committee resolved to APPROVE the minutes of the meeting held on 28 February 2017 as a true and accurate record.

103. Work Plan and Forward Plan

The Chair presented the report.

Work Plan

The Committee reviewed and noted the following changes in its work plan for the 2016/17 council year.

The Scrutiny Officer requested ideas for next year's work plan. He will also consult other members and executive members.

He asked for a lead member for the local plan item. The Chair said as he was part of the local plan review group he was happy to also be lead member. The Committee agreed.

Shareholder panel meeting

Cllr Simmons updated the Committee on the panel meeting. He said the panel had come up with a number of questions on the Housing Company business plan and wished to revisit this in the coming months.

Forward Plan

The Scrutiny Officer updated the Committee on the Forward Plan.

For the May meeting, the City Centre Strategy and Safeguarding reports have slipped to the June meeting.

The following reports had been added to the May CEB meeting since the Scrutiny agenda was published.

- Concessions for Wi-Fi
- Housing IT system
- Low Emissions Taxi Infrastructure
- Sale of a HRA Property from Oxford City Council to Oxford City Housing Limited

The Committee requested the Low Emissions Taxi Infrastructure report for the May meeting.

104. Public Safety and addressing anti-social behaviour on Oxford's waterways.

Councillor Wade, Councillor for St Margaret's ward addressed the committee. She felt the solutions suggested for the Aristotle Rd mooring were not needed.

- Pollution levels are negligible and need to be independently verified before considered a nuisance.
- Complaints about boats overstaying the 48 hour time period came from a few residents who complain numerous times.

Councillor Dee Sinclair, Board Member for Community Safety presented the report. She outlined the background of the report, and explained that after the preliminary consultation had decided not to progress the plan for a full waterway PSPO.

The Community Safety Service Manager said the waterways were an asset to be protected and officers had identified 4 problem areas that required bespoke solutions.

The Committee discussed the following:

They welcomed the excellent example of engagement that had taken place, the proposed review of the waterways as a whole, the carefully prepared Equalities Impact Assessment and the narrowing of focus since the previous report a year ago, which had proposed a PSPO for the entirety of the Oxford waterways (and was not supported by a majority of the Committee at the time).

They considered the feedback provided by different groups in the preliminary consultation. Members heard that land owners had tended to support the original waterways PSPO proposal, boaters had not supported it and businesses had asked for specific issues to be tackled, such as drug use and paraphernalia. The Community Safety Service Manager said that the engagement had been high quality and provided assurance that the level of response had been very good for an engagement exercise of this nature.

They raised concerns that a PSPO was listed as an intervention option on the Folly Bridge to Iffley Lock stretch of the River Thames, given that this was a big stretch of river. The Committee also raised concerns about issues such as sewage dumping in this stretch of river, which was popular with rowers and tourists. The Community Safety Service Manager advised that PSPOs could be suitable in particular hotspots. No decisions had been taken yet on which intervention options would be utilised and there would be a process to go through.

They questioned what powers the Council had to enter and inspect boats when concerns about sanitation and safety had been identified. The Community Safety Service Manager explained that gaining the right of entry was difficult but that the Private Sector Safety Team had some limited powers that had been used at Castle Mill Stream.

They sought assurances that strong partnerships were in place to support potentially vulnerable people living on the Oxford waterways and that clear pathways were in

place with clear responsibilities that worked seamlessly in practice. The Community Safety Service Manager advised that pathways were in place but that the crucial issue was one of effective engagement with particular individuals living in squalor on the waterways who had complex needs and chaotic lifestyles. Triage was used in high demand cases and there had been a small number of positive interventions.

They considered the extent to which fumes from boats were a problem at Aristotle Lane, adjacent to a playground, and heard opposing views about this and the significance of a resident's complaints. The Community Safety Service Manager said that the impact of smoke can vary in different climatic conditions and that some fumes (e.g. diesel emissions) were more visible than others. The Council had investigated on some 70 occasions whether fumes at Aristotle Lane constituted a statutory nuisance in response to complaints. To date a statutory nuisance had not been identified but that did not mean that fumes were not a real issue at Aristotle Lane at certain points in time. The Council was also supportive of a 'quiet zone' at this location including a limit of two boats being present during winter months (with some specific exceptions allowed).

In response to a question about riparian land ownership, the Committee heard that the problem of identifying land owners was a significant and complex problem to resolve. The provision of additional temporary and permanent moorings, which was identified as being integral to addressing safety issues at the areas of concern, would also be challenging to achieve. The Council wanted to achieve a regularised environment with sensible solutions to these issues.

They noted that the timetable for addressing the four areas of concern and conducting a review into the wider use of the waterways is dependent upon identifying resources to take this work forward. The Committee strongly support this work and hope that appropriate resources can be made available at the earliest opportunity.

The Committee requested a progress report in a year.

The Scrutiny Committee made the following recommendation to the City Executive Board.

That resources are made available at the earliest opportunity for addressing the areas of concern and conducting a wider review of the use of the Oxford waterways.

105. Update on the City Centre and Foresters Tower PSPOs

Councillor Dee Sinclair, Board Member for Community Safety presented the report.

The Community Safety Service Manager said that as there have been no breaches of the Foresters Tower PSPO, it will not be renewed when it expires. As it doesn't meet the legal test to have a PSPO.

The Community Safety Service Manager said there had been a reduction in aggressive begging but not begging. Only 4 fixed penalty notices have been issued under the PSPO, all for illegal peddling. No cases have gone to the magistrate court.

People ignoring the cycling restrictions on Cornmarket and Queen Street are an ongoing problem and every year officers need to re-educate new students in the city. There are not the resources to effectively control the problem as it requires officers catching people in the act. Officers don't know whether people are ignoring the signage or whether they don't know it's there.

The Committee discussed the following:

Oxfordshire County Council can't improve the signage as traffic regulations orders won't allow any other form of signage

They questioned whether displacement been monitored for the city centre PSPO. Is the Council dealing with the problems or just moving people around? The Community Safety and Resilience Manager explained that the PSPO did not seek to address rough sleeping (which has generally increased across the city) and that many of the restricted behaviours were only relevant to the city centre (e.g. cycling in certain streets).

They queried how the FAQ system worked and whether if an individual got caught with two FAQs for different issues do they get two FAQs or does it get escalated to a penalty notice. They requested that officers provide data that shows the number of repeat offenders compared to individual FAQs. The Community Safety Service Manager said there were a very small number of repeat offenders; he would create a table of repeat offenders for the Committee.

They queried the method of data collection given that data was only collected when officers were present to observe nuisance behaviours and issue FAQs. This made it difficult to know how much weight to give the data to determine if a PSPO is the best way to deal with the social problems listed in the report.

The Scrutiny Committee made the following recommendation to the City Executive Board.

Request that Oxfordshire County Council do what it can to improve the cycling signage on Cornmarket and Queen Street in the city centre.

Support more targeted enforcement actions aimed at addressing breaches of cycling restrictions in Queen Street and Cornmarket Street, together with proactive messaging to key groups such as students.

106.Recommendation Monitoring - Guest Houses

The Human Exploitation Co-ordinator presented the report, she explained that the Hotel Watch partnership was named by the police. Despite the name, it included guest houses as well as hotels. Oxford City Council wanted to call it Accommodation Watch.

The Oxford City Hotel Watch working group meets 4 times a year. It is a partnership between different council services – Environmental Health, Licensing and the Police,

and Fire and Rescue. It looks at hotels of concerns and enquires about safeguarding procedures.

All establishments are added to the Thames Valley Alert system to receive regular updates on any related crimes. The Council has 2-3 contacts for each establishment due to the high staff turnover in the hotel industry. We started with 84 guest houses on the list and we now have 105. Establishments are graded high, medium or low risk and monitored accordingly.

The Committee discussed the following:

They questioned whether homeless families were being housed in premises not covered by the voluntary code of conduct. The Community Safety Service Manager said that most homelessness families go to travel lodge which is part of the code of practice. The Human Exploitation Co-ordinator said officers needed to evaluate whether the code of practice was being adequately followed.

They asked why the Council was not monitoring under 16s. The Human Exploitation Co-ordinator explained that hoteliers were taught to question the adult and to engage the child in conversation to find out if the child was comfortable with the adult. If they were not happy with the replies they should call the police. Proving the identity of children is a big challenge as children don't tend to carry ID.

They queried what the Council was doing with secondary schools to raise awareness of internal trafficking. Was there a communication or awareness campaign? The Community Safety Service Manager said the Council was targeting parents in the early intervention sector.

Although the recommendations the panel created were good at the time, some are now outdated and others have been dealt with in different ways. Cllr Simmons (as a member of the original panel) offered to meet with officers to reshape some of the Panel's recommendations to make sure they were still fit for purpose.

The Scrutiny Committee requested a progress report in one year.

107. Graffiti prevention

The Anti-Social Behaviour Investigation Team - Case Manager presented the report. She said it was difficult to catch people who tag as you need to catch them in the act. Her focus was on the proactive approach to graffiti and she had been working with street artist to find them free wall space within the city to paint street art. Artists tend to self-police and once something is considered street art, it is not often defaced.

The Committee discussed the following:

They asked why people can't be identified by their tag. The Anti-Social Behaviour Investigation Team - Case Manager said the police have investigated doing this but a lot of people tag to acknowledge other people.

They asked about the ongoing maintenance costs of street art. If it isn't maintained over time places look shabby. The Anti-Social Behaviour Investigation Team - Case Manager agreed and said that some artists have applied for money get shabby artwork re-painted.

There is some work being done to encourage children to produce street art rather than tagging.

There is currently no formal policy or agreed consultation process for deciding the type of street art being produced or where it should go. Projects have been consulted on in an ad hoc manner as funding for projects comes from different sources and involves different artists. Creating a consistent policy across of the city is something for officers to look at.

They questioned whether the Council was reacting fast enough to tagging. The committee requested an update on the Council's role in removing tagging.

The Committee noted the report.

The Committee requested a report on how the Council reacted to the negative elements of graffiti.

That a policy which encourages engagement with residents before art is commission and outlines how the long term maintenance of sites will be funded be created.

The Committee asked officers to email all members to:

- Suggest spaces or walls in their ward that could be used by street artists.
- Talk to residents about appropriate spaces/ what they would like to see produced
- Use CIL money when appropriate to fund street art projects in their ward.

108. Oxford Flood Alleviation Scheme

Councillor Bob Price, Board Member for Corporate Strategy and Economic Development presented the report. He explained that the Environment Agency has a funding gap which they are attempting to fill by asking involved organisations to donate land to the scheme. The benefits to the west of the city of developing the scheme are significant as Botley and Abingdon Roads have been closed on several occasions due to flooding. This has severely affected businesses and had meant the scheme has progressed faster than usual.

It is expected a planning application for the scheme will be submitted later this year, at the same time as the request for Treasury approval.

The Committee discussed the following:

The land will be committed to the Environment Agency on approval that the scheme goes ahead. The sale will be on condition that the public has access to the land, there will be walking and cycling access and improvement to the water based environment.

The cost benefit ratio was worked out by the Environment Agency. It's based on what might be the damage to the local economy divided by the cost of the whole scheme.

The current scheme only covers the future maintenance cost for the next 25 years. There is an idea of forming a trust in the future which would raise money to pay for the future maintenance of the site. It will include an ecological site that will need to be maintained.

Compensation will be negotiated between the tenants and the Environmental Agency. Although Council is the owner of the land, compensation is discussed between the developer and the tenant.

The Project Manager explained how the contribution will be shown in the council accounts. The land values need to be approved by CEB and also require approval from the secretary of state to sell the land at a below market value price.

Compensation can be sought for loss of income from the development, eg if 3 car park spaces at the Redbridge Park and Ride are used as a storage space, the average income of those 3 spaces from the previous 4 years will be paid in compensation.

The proposal will go out for public consultation from 5 May – 6 June.

The Scrutiny Committee noted the report.

The Committee asked to be emailed the map of the scheme before consultation begins.

109. Reports for approval

The Committee approved the following reports (as amended) for submission to the City Executive Board on 6 April 2016:

Health inequalities (report of the Health Inequalities Panel)

Agreed

University housing needs (report of the Housing Panel)

Additional recommendation: that there is a limit of the total number of student accommodation in any area.

Additional recommendation: That all new student accommodation built be accessible for disabled student.

Agreed with the additional recommendations

Air quality

Agreed

Workplace Parking levies

Agreed

Police and Crime Panel

Agreed

110.Dates of future meetings

The Committee noted that the next meeting is scheduled for 2 May 2017

The meeting started at 6.00 pm and ended at 8.35 pm