

Agenda

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Council

Date: **Monday 25 July 2016**

Time: **5.00 pm**

Place: **Council Chamber, Town Hall**

For any further information please contact:

**Jennifer Thompson, Committee and Members Services
Officer**

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Council

Membership

Lord Mayor	Councillor Mohammed Altaf-Khan	
Deputy Lord Mayor	Councillor Rae Humberstone	
Sheriff	Councillor Susan Brown	
Members	Councillor Colin Cook	Councillor Sajjad Malik
	Councillor Mohammed Abbasi	Councillor Chewe Munkonge
	Councillor Farida Anwar	Councillor Michele Paule
	Councillor Jamila Begum Azad	Councillor Jennifer Pegg
	Councillor Ruthi Brandt	Councillor Susanna Pressel
	Councillor Nigel Chapman	Councillor Bob Price
	Councillor Mary Clarkson	Councillor Mike Rowley
	Councillor Van Coulter	Councillor Gill Sanders
	Councillor Steven Curran	Councillor Christine Simm
	Councillor Jean Fooks	Councillor Craig Simmons
	Councillor James Fry	Councillor Dee Sinclair
	Councillor Andrew Gant	Councillor Linda Smith
	Councillor Stephen Goddard	Councillor John Tanner
	Councillor Angie Goff	Councillor Richard Tarver
	Councillor Mick Haines	Councillor Sian Taylor
	Councillor Tom Hayes	Councillor David Thomas
	Councillor David Henwood	Councillor Marie Tidball
	Councillor Alex Hollingsworth	Councillor Ed Turner
	Councillor Dan Iley-Williamson	Councillor Louise Upton
	Councillor Pat Kennedy	Councillor Elizabeth Wade
	Councillor Tom Landell Mills	Councillor Ruth Wilkinson
	Councillor Ben Lloyd-Shogbesan	Councillor Dick Wolff
	Councillor Mark Lygo	

The quorum for this meeting is 12 members.

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SUMMONS

A meeting of the City Council will be held in the Council Chamber, Town Hall, on Monday 25 July 2016 at 5.00 pm to transact the business set out below.



Proper Officer

AGENDA

	Pages
PART 1 - PUBLIC BUSINESS	
1 APOLOGIES FOR ABSENCE	
2 DECLARATIONS OF INTEREST	
3 MINUTES	17 - 32
Minutes of the ordinary meeting of Council held on 18 April 2016.	
Minutes of the annual meeting of Council held on 16 May 2016.	
Council is asked to approve the minutes of both meetings as a correct record.	
4 APPOINTMENT TO COMMITTEES	
There are no proposed changes to committee memberships. Any notified after publication of this agenda will be circulated with the briefing note.	
5 ANNOUNCEMENTS	
Announcements by:	
(1) The Lord Mayor	
Councillors' attention is drawn to the ceremony for the award of the Freedom of the City ceremony to Lesley Dewhurst on 14 September 2016.	

- (2) The Sheriff
- (3) The Leader of the Council (in his absence, given by his appointed deputy)
- (4) The Chief Executive, Chief Finance Officer, Monitoring Officer

6 PUBLIC ADDRESSES AND QUESTIONS THAT RELATE TO MATTERS FOR DECISION AT THIS MEETING

Public addresses and questions to the Leader or other Board member received in accordance with Council Procedure Rule 11.11 and 11.12 relating to matters for decision on this agenda.

The request to speak accompanied by the full text of the address or question must be received by the Head of Law and Governance by 5.00 pm on Tuesday 19 July 2016.

The briefing note will contain the text of addresses and questions submitted by the deadline, and written responses where available.

A total of 45 minutes is available for both public speaking items. Responses are included in this time. Up to five minutes is available for each public address or question.

CITY EXECUTIVE BOARD RECOMMENDATIONS

7 INTEGRATED PERFORMANCE REPORT Q4 2015/16

33 - 72

The Head of Financial Services and Head of Business Improvement submitted a report to the City Executive Board on 16 June 2016 which provided an update on Finance, Risk and Performance as at the end of the financial year and included recommendations on budgetary provision.

The report, appendices, and Finance Panel report of 30 June are attached. The relevant Executive Board minute (18) is attached later in the agenda.

The Board Member will move the recommendation.

Recommendations

The City Executive Board recommends that Council establish budgetary provision in respect of the new bids show in paragraphs 7 and Appendix 4 of the officers' report.

The Executive Director, Community Services and Assistant Chief Executive submitted a report to the City Executive Board on 16 June 2016 which detailed the progress made on the Council's Safeguarding Action Plan and recommended the Action Plan for approval for 2016-2017.

The report, appendices, Scrutiny Committee report and responses are attached. The relevant Executive Board minute (19) is attached later in the agenda.

This is presented to Council for information only in accordance with the action in the Oxford City Council Section 11 Self- Assessment Action Plan 2015-16 Learning Point 1 (contained in the report to Council on 20 July 2015).

The Board Member will present the report.

Recommendations

Council is recommended to note the report and the accompanying documents.

COMMITTEE RECOMMENDATIONS

9 POLICY ON HACKNEY CARRIAGE QUANTITY CONTROL – UNMET DEMAND SURVEY

107 - 200

The Head of Community Services submitted a report to the General Purposes Licensing Committee on 18 May 2016 which details the findings of the "Unmet Demand" survey that was carried out between 7 September 2015 and 20 December 2015.

The General Purposes Licensing Committee resolved to:

1. agree to accept the conclusions of the Hackney Carriage "Unmet Demand" survey report prepared by CTS Traffic and Transportation that there is currently no significant unmet demand for Hackney Carriage Vehicles;
2. recommend to Council that there is currently no unmet demand for the services of Hackney Carriage Vehicles and to therefore resolve to maintain the Council's Policy of Hackney Carriage Quantity Control and the current quota of 107 Hackney Carriage Vehicle licences; and
3. recommend to Council that a further "Unmet Demand" survey be commissioned in 2018, subject to any future changes to relevant legislation.

The relevant extract of the Minutes of the General Purposes Committee meeting on 18 May is attached.

The Committee Chair will move the recommendations.

Recommendations

The General Purposes Licensing Committee recommends that Council:

1. note that there is currently no unmet demand for the services of Hackney Carriage Vehicles and to **therefore resolve** to maintain the Council's Policy of Hackney Carriage Quantity Control and the current quota of 107 Hackney Carriage Vehicle licences; and
2. **agree that** a further "Unmet Demand" survey be commissioned in 2018, subject to any future changes to relevant legislation.

OFFICER REPORTS

10 CONSTITUTION REVIEW 2016

201 - 224

The Head of and Governance has submitted a report recommending changes to the Council's constitution.

The Leader of the Council will move the recommendations.

Officer Recommendation: Council is recommended to approve, with immediate effect, the amendments to the Constitution outlined in the report and in:

Appendix 1 – Full Council Procedures;
Appendix 2 – Board Procedures;
Appendix 3 - Code of Practice for dealing with planning applications at Area Committees and Planning Review Committees;
Appendix 4 – Code on Councillor-Officer Relations;
Appendix 5 - Miscellaneous proposed changes.

11 AFFORDABLE HOUSING CONTRIBUTIONS IN THE LIGHT OF THE SUCCESSFUL LEGAL CHALLENGE TO THE PLANNING PRACTICE GUIDANCE

225 - 264

The Head of Planning and Regulatory Services has submitted a report to explain the impact of the Secretary of State for Communities and Local Government's successful appeal concerning his national affordable housing policy.

The Board Member will move the recommendations.

Officer recommendation: That Council **notes** the consequences of the decision of the Court of Appeal and national planning policy applicable to affordable housing contributions.

QUESTIONS

12 CITY EXECUTIVE BOARD MINUTES

This item has a time limit of 15 minutes.

Councillors may ask the Board Members questions about matters in these minutes.

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|----------|--|-----------|
| a | Minutes of meeting Thursday 14 April 2016 of City Executive Board | 265 - 270 |
| b | Minutes of meeting Thursday 19 May 2016 of City Executive Board | 271 - 274 |
| c | Minutes of meeting Thursday 16 June 2016 of City Executive Board | 275 - 280 |

13 QUESTIONS ON NOTICE FROM MEMBERS OF COUNCIL

Questions on notice from councillors received in accordance with Council Procedure Rule 11.10(b).

Questions on notice may be asked of the Lord Mayor, a Member of the City Executive Board or a Chair of a Committee. One supplementary question may be asked at the meeting.

The full text of questions must be received by the Head of Law and Governance by no later than 1.00pm on Monday 18 July 2016.

The briefing note will contain all questions submitted by the deadline, and written responses where available.

PART 2 - PUBLIC INVOLVEMENT AND SCRUTINY

14 PUBLIC ADDRESSES AND QUESTIONS THAT DO NOT RELATE TO MATTERS FOR DECISION AT THIS COUNCIL MEETING

Public addresses and questions to the Leader or other Board member received in accordance with Council Procedure Rule 11.11 and 11.12 and not related to matters for decision on this agenda.

The request to speak accompanied by the full text of the address or question must be received by the Head of Law and Governance by 5.00 pm on Tuesday 19 July 2016

The briefing note will contain the text of addresses and questions submitted by the deadline, and written responses where available.

A total of 45 minutes is available for both public speaking items. Responses are included in this time. Up to five minutes is available for each public address or question.

15 OUTSIDE ORGANISATION/COMMITTEE CHAIR REPORTS AND QUESTIONS - COMMUNITY SAFETY PARTNERSHIP REPORT

281 - 286

1. On behalf of Councillor Sinclair, the Community Safety Service Manager has submitted a report informing members of the work of the Oxford Safer Communities Partnership.

Council is invited to comment on and note the submitted report.

Each ordinary meeting of Council shall normally receive a written report concerning the work of one of the partnerships on which the Council is represented. The September 2016 meeting will receive a report on Environmental and Waste Partnership work

2. Members who are Council representatives on external bodies or Chairs of Council Committees who consider that a significant decision or event has taken place, will give notice to the Head of Law and Governance by 1.00pm on Wednesday 20 July 2016 that they wish present a written or oral report on the event or the significant decision and how it may influence future events.

16 SCRUTINY COMMITTEE UPDATE REPORT JULY 2016

287 - 314

The Chair of the Scrutiny Committee has submitted a report which updates Council on the activities of scrutiny Councillors and the implementation of recommendations since the last meeting of Council.

Council is invited to comment on and note the report.

PART 3 - MOTIONS REPRESENTING THE CITY

17 MOTIONS ON NOTICE

This item has a time limit of 60 minutes.

The full text of motions received by the Head of Law and Governance in accordance with Council Procedure Rule 11.17 by the deadline of 1.00pm on 13 July 2016 is below. Cross party motions are taken first then motions taken in turn from the Labour, Liberal Democrat, and Green groups in that order.

Substantive amendments to these motions must be sent by councillors to the Head of Law and Governance by no later than 1.00pm on Thursday 21 July 2016. The briefing note will list amendments submitted before its publication.

Council is asked to consider the following motions:

1. Following the Referendum this Council condemns the rise in hate crimes

(proposed by Councillor Price, seconded by Councillor Gant and supported by Councillor Simmons)

Cross party motion

Oxford City Council profoundly regrets the outcome of the referendum on the UK's membership of the European Union, and the way in which the tenor of the Leave campaign has stimulated a wave of hostility towards migrants and ethnic minorities. We are proud that Oxford voted overwhelmingly to remain in the EU, reflecting the open, diverse and tolerant character of our city, and we are committed to retaining our strong international links and to work with our city and county partners to reduce the negative economic and social consequences of leaving the EU.

We are particularly concerned by the reported rise in racism, xenophobia and hate crimes since the referendum, and wish to place on record our condemnation of such crimes.

The Council will work with local partners to fight and prevent racism and xenophobia and wish to reassure everyone living in our city that they are valued members of our community.

As part of the renegotiation process with the EU, the Council will make the strongest representations to protect the existing status and rights of EU citizens currently living or working in the city and the county.

2. Local Transport Plan 4 (LTP4)

(proposed by Councillor Tanner, seconded by Councillor Curran)

Labour member motion

Oxford City Council welcomes the improvements made by Oxfordshire County Council to Local Transport Plan 4 (LTP4), including the greater emphasis on walking and cycling, clean air, support for a workplace parking levy in Oxford and the option of more residents' parking schemes across the city.

However LTP4 is still not ambitious enough and offers too little too late. We consider that a unitary Oxford would be able to make the improvements needed more quickly and effectively. We also consider that the standard of road and pavement maintenance in Oxford is unacceptably poor.

The City Council calls on the County Council as highway authority, to improve cycling and pedestrian facilities, introduce a zero emission zone and to consult on a workplace parking levy for Oxford without delay.

The City Council also asks the County to review its spending priorities, and the areas of Oxfordshire where transport funding is spent, so that more money is available for road repairs and maintenance in the city.

3. Planning sustainability and the Green Belt

(proposed by Councillor Goff, seconded by Councillor Fooks)

Liberal Democrat member motion

Council notes that when the Green Belt was instituted in the late 1950s it was intended to be permanent. Council recognises the current crisis in availability of housing, but also recognises that the purposes for which the Green Belt was invented have not gone away. Council accepts that people living near areas of Green Belt have legitimate concerns at any suggestion of part of it being lost.

Council will, in the development of the Local Plan and other planning policy, give due consideration to the following:

- Oxford's Green Belt should not be built on in a piecemeal fashion
- proper weight should be given to the findings of a comprehensive review supported by all local councils and other stakeholders, similar to the approach used successfully in Cambridge:
- proper scientific assessment will be made of the full natural capital value of the Green Belt including its biodiversity and the ecosystem

services that it provides. This includes its value in terms of recreation and cultural services. A good example of this has been undertaken by Surrey County Council

-any building within the Green Belt will not only replace but actively enhance the biodiversity and natural capital provided by the area lost, by use of scientific techniques such as ecological risk assessment and biodiversity management plans working closely with relevant environmental NGOs

-as applicant or planning authority, Council will only support buildings which meet the eco-village and low-carbon approach supported by Council at its meeting of 18 April 2016

-Council will only support projects which guarantee sustainable infrastructure such as bike lanes to and from the development as well as on it, will encourage scientifically-based and forward-looking approaches to sustainable transport such as smart traffic lights, and will not allow these to be delayed or over-ridden by other parties.

Links: Naturally richer: A Natural Capital Investment Strategy for Surrey
<https://surreynaturepartnership.org.uk/> (follow the links to the report)

4. Banning Glyphosate in Oxford

(proposed by Councillor Brandt, seconded by Councillor Simmons)

Green member motion

This Council notes that there is growing evidence that glyphosate is a higher health risk than previously assumed, and that the World Health Organisation has recently upgraded glyphosate to 'probably carcinogenic to humans'*

It further notes that other local councils in Britain - Hammersmith & Fulham being the most recent - have already decided to ban the use of glyphosate and other chemicals from all their own operations. This is in the wake of large cities all over the world - such as Barcelona, Hamburg and Paris - who have already decided on a ban, and the Netherlands and Denmark, which have banned the use of glyphosate in urban areas.

In light of the known risk to human health, this Council resolves to ask the City Executive Board to follow the precautionary principle and:

1. Pledge to cut out the use of glyphosate completely from all its in-house operations (including in Parks, and Streetscene) within one year.
2. Consider the one year period until the ban takes effect as a testing period, during which the council will test non-chemical and mechanical alternatives to glyphosate. Banning glyphosate will not

result in increased use of other chemical weed-killers.

3. Use the opportunity of the end of the current weed spraying contract in April 2017 to request the contractor ceases to use glyphosate, or find another local contractor who will abide by a glyphosate ban.
4. Grant an exception to the above ban regarding the control of Japanese knotweed, or other invasive species, where there are currently no effective mechanical techniques available. However, in this case glyphosate will only be stem-injected, rather than sprayed, to reduce its spread in the environment.

** "The IARC Working Group that conducted the evaluation considered the significant findings from the US EPA report and several more recent positive results in concluding that there is sufficient evidence of carcinogenicity in experimental animals. Glyphosate also caused DNA and chromosomal damage in human cells, although it gave negative results in tests using bacteria." (International Agency for Cancer Research (IARC), WHO, Monograph Volume 112: evaluation of five organophosphate insecticides and herbicides, 20th May 2015. <http://www.iarc.fr/en/media-centre/iarcnews/pdf/MonographVolume112.pdf>)*

5. Scrapping of student grants and curbing of access to higher education for disadvantaged young people

(proposed by Councillor Hayes, seconded by Councillor Hollingsworth)

Labour member motion

This Council supports fair access and widening participation in higher education, and believes that these are important for making society more equal, in Oxford and across the country.

Accordingly, this Council notes with concern the Government's plan to scrap maintenance grants for up to 500,000 of the poorest university students, including those attending our city's universities.

This Council further notes that the poorest 40% of university students in England will graduate with an extra £12,500 for a three-year course, according to research by the Institute of Fiscal Studies.

This Council is concerned that scrapping grants risks putting many young people off applying to university, including many from disadvantaged backgrounds. A 2014 study by the Institute of Education has shown that a £1,000 rise in grants created a nearly 4% increase in participation.

This Council asks the Council Leader to write to Oxford's Members of Parliament to express our dissatisfaction with the abolition of grants and make representations to the Prime Minister and Secretary of State for Education about the impact of the loss of grants on students at our city's universities, particularly those from poorer backgrounds.

6. Democratic mandate for national leader

(proposed by Councillor Landell-Mills, seconded by Councillor Wade)

Liberal Democrat member motion

Council agrees with the Liberal Democrats that "The notion that it should be left to Conservative members to handpick a new prime Minister for what in effect will be a new government pursuing new priorities is absurd...this debilitating cocktail of hubris, incompetence and dishonesty must be overcome....The new prime minister... should immediately publish a white paper setting out a full plan...[and] must then seek a democratic mandate for their plan in an early general election...importantly, the election must be held before any attempt is made to activate article 50"

7. The future electoral system in Oxfordshire

(proposed by Councillor Wolff, seconded by Councillor Simmons)

Green member motion

Council believes that:

1. in the light of possible forthcoming changes to the structures of local government in Oxfordshire, with the creation of one or more unitary authorities,
 2. in the light of significant instability in the traditional political party demarcations in England brought to a head particularly by the EU referendum, and
 3. considering the need for political stability in the wake of the subsequent Brexit vote and its uncertain consequences,
- special attention should be paid to the electoral systems used in those structures.

Council believes that it should not be assumed that a 'first past the post' system is the most appropriate method of determining the will of the electorate in this region under new structures in the likely future political environment.

Council believes that the electoral system used in the new structures should balance:

1. the need for decisive governance with a mandate that commands wide respect and which serves the needs of the most vulnerable;
2. a personal relationship between elector and elected;
3. the need for councils more proportionately representative of the actual spread of political opinion, and therefore potentially more stable.

Council asks its senior officers, with the guidance of its Electoral Officer, to take practical proposals for a more proportional electoral system to the partnership of Districts which is currently drawing up a devolution plan to put to the Department for Communities and Local Government, and to urge that partnership to include those proposals in their joint bid.

18 MATTERS EXEMPT FROM PUBLICATION AND EXCLUSION OF THE PUBLIC

If Council wishes to exclude the press and the public from the meeting during consideration of any aspects of the preceding agenda items it will be necessary for Council to pass a resolution in accordance with the provisions of Section 100A(4) of the Local Government Act 1972 specifying the grounds on which their presence could involve the likely disclosure of exempt information as described in specific paragraphs of Part 1 of Schedule 12A of the Act 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.

(The Access to Information Procedure Rules – Section 15 of the Council's Constitution – sets out the conditions under which the public can be excluded from meetings of the Council)

UPDATES AND ADDITIONAL INFORMATION TO SUPPLEMENT THIS AGENDA ARE PUBLISHED IN THE COUNCIL BRIEFING NOTE.

Additional information, councillors' questions, public addresses and amendments to motions are published in a supplementary briefing note. The agenda and briefing note should be read together.

The Briefing Note is published as a supplement to the agenda. It is available on the Friday before the meeting and can be accessed along with the agenda on the council's website.

DECLARING INTERESTS

General duty

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

What is a disclosable pecuniary interest?

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

Declaring an interest

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

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

Members’ Code of Conduct and public perception

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

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

(a)

(b)

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MINUTES OF THE COUNCIL

Monday 18 April 2016



COUNCILLORS PRESENT: Councillors Humberstone (Lord Mayor), Cook (Deputy Lord Mayor), Abbasi, Anwar, Benjamin, Brown, Clack, Clarkson, Coulter, Darke, Fooks, Gant, Goddard, Gotch, Hayes, Henwood, Hollingsworth, Kennedy, Lloyd-Shogbesan, Lygo, Munkonge, Paule, Pegg, Pressel, Price, Rowley, Royce, Sanders, Simm, Simmons, Sinclair, Smith, Tanner, Tarver, Taylor, Thomas, Turner, Upton, Van Nooijen, Wade and Wolff.

101. APOLOGIES FOR ABSENCE

Councillors Altaf-Khan, Brandt, Fry, Haines, Hollick, Malik, and Wilkinson submitted apologies.

102. MINUTES

Council resolved to approve the minutes of the ordinary meetings held on 8 February 2016 and held on 17 February 2016 as a true and correct record.

103. DECLARATIONS OF INTEREST

There were no declarations.

104. APPOINTMENT TO COMMITTEES

There were no changes to committee appointments.

105. ANNOUNCEMENTS

The Lord Mayor thanked Councillors Clack, Darke, Gotch, Hollick, Royce and van Nooijen, who were standing down at the forthcoming election, for their service to the Council.

The Lord Mayor announced;

- His charity dinner the previous Friday had been successful and well attended. He thanked all those involved including sponsors, town hall staff and the Trax catering team.
- He encouraged everyone to attend the concert by the Jubilee band of the Rifles, free but with a collection for charity.
- Other engagements were as set out for information in the list in the briefing note.

The Leader of the Council announced:

- The city had come 4th at the European Capital of Innovation ceremony and been awarded a plaque.
- The City Council had undertaken a procurement exercise to select a consultant to undertake work on the devolution bid for the seven district councils. PWC had been selected and would report by the end of June.
- His thanks to the council's ICT team for their hard work in successfully transferring in the order of 57 applications and 20 million files from the County Council to the council's new supplier in a remarkably short time. He thanked them for the huge effort they had put in.
- His thanks to the Lord Mayor and his team, and Trax, for the successful charity dinner.
- That Niko Grigoropolous, Development Performance Manager in Planning, was leaving the Council after many years' service. He asked members to join in thanking Niko for his service.

106. PUBLIC ADDRESSES AND QUESTIONS THAT RELATE TO MATTERS FOR DECISION AT THIS MEETING

There were no addresses or questions.

107. DEVOLUTION UPDATE AND BUDGET ALLOCATION

Council considered a report to the City Executive Board on 24 March 2016 which gave an update on the proposals for devolution and sought authorisation for further joint working in support of those proposals.

Council resolved to

allocate the budget of £50k to support the initial study on viability and sustainability and governance; specialist work on collaboration around Children and Adult services; public consultation and involvement; and preparation of a revised Devolution Deal. This will be funded from reserves and balances.

108. A HOUSING COMPANY FOR OXFORD

Council considered a report to the City Executive Board on 17 March 2016 which presented the business case for the establishment of a Council owned housing company, and sought approval for the Council to enter into such agreements as are necessary to enable the company to acquire the affordable housing at Barton Park in place of the Council.

Council resolved to:

1. amend the Treasury Management Strategy to enable the making of loans to the wholly owned Housing Company on State Aid compliant terms of up to £12,250,000 to fund its purchase of the Phase 1 affordable housing at Barton

- Park and to delegate to the Chief Finance Officer approval of the terms of the loan and the terms of the facility agreement(s) and any associated documentation;
2. agree the inclusion of an amount of £12,250,000 in its General Fund Capital Programme in 2017/18 funded by Prudential Borrowing;
 3. agree the provision of a loan facility to the Company of up to £250,000 to fund the set up costs and provide initial working capital and delegate to the Chief Finance Officer approval of terms of the loan and the terms of the facility agreement;
 4. agree the adoption of the Local Authorities (Indemnities for Members and Officers) Order 2004 in respect of officers of the Council appointed to the Housing Board in accordance with paragraph 40;
 5. agree a General Fund revenue budget of £40,000 in 2016/17 for the setting up of the Company funded from reserves.

109. ASSET MANAGEMENT PLAN 2016-2020

Council considered a report to the City Executive Board on 17 March 2016 which presented the Asset Management Plan 2016-20 and recommended its adoption by Council thereby providing the basis for the management of the Council's property assets going forward.

Council resolved to approve the Asset Management Plan 2016-2020 attached at Appendix 1 for adoption by the Council.

110. INTEGRATED PERFORMANCE REPORT QUARTER 3 2015/16 - CAPITAL BUDGET CHANGE

Council considered a report to the City Executive Board on 17 March 2016 on the status of Finance, Risk and Performance as at the end of Quarter 3, 31 December 2015 and which sought approval for an additional capital budget of £0.150 million for electrical works at Cowley Marsh Depot (paragraph 12 of the report).

Council resolved to approve an additional capital budget of £0.150 million for electrical works at Cowley Marsh Depot to be funded from the service's projected underspend.

111. OXPENS: SALE OF OXPENS LAND AND LOAN TO OXFORD WEST END DEVELOPMENT LTD

Council considered a report to the City Executive Board on 14 April 2016 which seeks budgetary approval for the sale of Oxpens land and a loan to Oxford West End Development Ltd and noted that the recommendations agreed by the Executive Board were as set out in the agenda.

Council resolved to:

1. **approve** a loan of £4.16 million to Oxford West End Development Ltd to provide funds to the company to purchase land owned by Oxford City Council on terms set out in this report;
2. **approve** a capital budget of £4.16 million in the Council's General Fund Capital Programme in 2017/18 funded from the Capital Receipt received from the sale of the land.

112. AWARD OF FREEDOM OF THE CITY TO MS LESLEY DEWHURST

Council considered a proposal to confer the Honorary Freedom of the City on Ms Lesley Dewhurst, in accordance with Section 249 of the Local Government Act 1972, in recognition of her work with single homeless people in Oxford over the last 20 years.

Councillor Rowley moved that the Honorary Freedom of the City be conferred on Ms Lesley Dewhurst at a formal ceremony to be held at a later date, confirmed as 14 September 2016. He drew attention to the highlights of Ms Dewhurst's work in the city and nationally.

Councillor Fooks seconded the motion and Councillor Wolff supported the motion, both speaking of Ms Dewhurst's achievements.

Council resolved:

that in accordance with Section 249 of the Local Government Act 1972, that the Honorary Freedom of the City be conferred on Ms Lesley Dewhurst at a formal ceremony to be held on 14 September 2016.

113. PAY POLICY STATEMENT 2016

Council considered a report setting out the Council's annual pay policy statement in accordance with legislative requirements

Council resolved to approve the Annual Pay Policy Statement 2016 for publication.

114. REGULATION OF INVESTIGATORY POWERS ACT 2000

Council considered a report setting out the Council's application of its powers under the Regulation of Investigatory Powers Act 2000

Council noted that the Council had not used its powers under the Regulation of Investigatory Powers Act 2000 (RIPA) for the period 1 April 2015 to 31 March 2016.

115. CITY EXECUTIVE BOARD MINUTES

Council had before it the minutes of the City Executive Board meetings 11 February 2016, 17 March 2016, and 24 March 2016 and members asked questions on these.

On Minute 174, Councillor Fooks said she hoped there would be wide publicity to encourage people to participate in the pilot and she would like more details. Councillor Tanner said there was a lot of interest but the pilot needed more volunteers and anyone interested should get in touch with him.

On Minute 180, Councillor Fooks asked when the consultation on the private sector housing policy would start. Councillor Price said this was being finalised and the consultation would start soon.

On Minute 211, Councillor Simmons asked if the contract was awarded and if the organisation could be named. Councillor Price said the contract had been awarded to the Council by the Manor Surgery.

On Minute 212, Councillor Fooks asked whether the proposed populations for unitary authorities were too small. Councillor Price said there were precedents for populations of the proposed sizes.

116. QUESTIONS ON NOTICE FROM MEMBERS OF COUNCIL

Members of Council submitted 37 written questions to Members of the City Executive Board. The questions, written answers, and summaries of supplementary questions and answers, are in the supplement to the minutes.

117. PUBLIC ADDRESSES AND QUESTIONS THAT DO NOT RELATE TO MATTERS FOR DECISION AT THIS COUNCIL MEETING

Council heard addresses and questions to Executive Board Members from members of the public submitted in accordance with the Council's procedure rules.

Council agreed to suspend the relevant standing orders relating to the time allowed for public speaking to permit all speakers to be heard and answered.

Council heard addresses from

1. Nigel Gibson, Save Temple Cowley Pools
2. Dr. Stefan Piechnik about the economic rationale of tower block refurbishments.
3. Mr Artwell about providing community space in Barton.

Board members responded to these as summarised in the supplement¹.

Councillor Coulter, permitted to speak by the Lord Mayor, responded to Mr Artwell's assertion that he received no reply to enquiries and stated he had replied but these had been undeliverable.

And questions from

4. Nigel Gibson about the demolition of Temple Cowley Pools
5. Cassi Perry about the Waterways Public Space Protection Order (wPSPO) and protection from complaints
6. Sam Dent about the wPSPO and draft Guidance to local housing authorities on the periodic review of housing needs
7. Alex Wood about the wPSPO definitions
8. Jon Ody about the wPSPO supporting evidence
9. Jo Hamilton about the wPSPO alternative options
10. Penny Schenk about the wPSPO
11. Ruth Anderson about the British Waterways Act 1995 and legislation

Board members responded to these as summarised in the supplement.

A question from Helen Marshall, Need not Greed about OxLEP's Strategic Economic Plan was noted as the speaker did not attend. The written question and response is included in the supplement.

The supplement to these minutes contains the full text of addresses and questions where these were delivered as submitted, and summaries of speeches which were significantly different. Written responses and summaries of verbal responses from the Board Members are included.

118. OUTSIDE ORGANISATION/COMMITTEE CHAIR REPORTS AND QUESTIONS

Council had before it a report of the Leader of the Council providing an update on the work of the Oxfordshire Growth Board.

Council noted the report without comment.

119. SCRUTINY COMMITTEE UPDATE REPORT

Council had before it the report of the Scrutiny Committee Chair.

Councillor Simmons moved the report. He thanked his vice-chair Councillor Hayes and the Housing Panel chair Councillor Smith, and thanked Councillor

¹ A note was added to the supplement on 24 May 2016 subsequent to the meeting to clarify and correct the Board Member's response to Dr Piechnik's address.

Darke for his work. He also thanked the City Executive Board for engaging productively with the scrutiny process. Councillor Hayes added his thanks.

Councillor Rowley thanked Councillors Simmons and Smith for their work, particularly the Housing Panel's work on tenant involvement.

Council noted the report.

120. MOTIONS ON NOTICE

Council had before it eight motions on notice and amendments submitted in accordance with Council procedure rule 11.17, and reached decisions as set out below.

1. Oxford City Council support EU membership

Councillor Simmons proposed his submitted motion, agreeing to amend this to also incorporate the motion submitted by Councillor Tanner (Motion 5 on the agenda). Councillor Tanner seconded this.

After debate, and on being put to the vote, the motion as amended by the proposer was declared carried.

Council resolved to adopt the motion as set out below:

This Council strongly supports remaining in the European Union in the referendum and urges all Oxford's voters to use their vote to Remain.

Remaining in Europe will continue Oxford's free access to the world's largest single market, will allow Oxford citizens to live, work and holiday freely within the 27 other nations, and will demonstrate our solidarity with over 500 million Europeans.

Leaving Europe will be bad for jobs. It will threaten the BMW car plant, the universities and the science jobs at Culham. Remaining in Europe will guarantee rights at work, high environmental standards and a more democratic Europe.

In summary:

- Oxford is an international City, with three EU twin towns, and a proud City of Sanctuary. The last census in 2011 showed that 1 in 10 of its resident population were born in EU countries other than UK.***
- The City Council has benefited directly from more than £1m of EU funding and, in May 2015, the City's Finance Panel took evidence from three of the South East regions MEPs identifying more than seven other potential EU funding streams that the City Council could apply for.***
- Oxford's economy also benefits enormously from EU tourism (9 out of the top 10 countries of origin are other EU states), from EU funding to***

its Universities, and other institutions, and from European businesses, such as BMW, that have chosen to operate within the City and County.

- *Workers in Oxford are better off as a result of EU employment directives on equal rights, holidays, pensions, working hours, health and safety and so on.*
- *Oxford residents have more opportunities and lower costs when travelling as a result of the EU, free movement, lower mobile phone charges, European health card, educational possibilities and so on.*
- *Oxford's environment has also benefited from EU legislation and guidance on, for example, air quality, recycling and biodiversity.*

This Council therefore believes that the case for staying within the EU is overwhelming beneficial for the City and urges those electors eligible to vote to back an 'IN' vote at the forthcoming EU Referendum and asks the Leader to write to Oxford's MPs setting out the Council's views.

Of course, the EU is not perfect. But neither is Westminster. It needs to be more democratically accountable, transparent and efficient. This Council, however, believes that reform will be easier if the UK remains within the EU.

2. Unitary Council proposal (proposed by Councillor Price, seconded by Councillor Tanner)

Councillor Price proposed his submitted motion, seconded by Councillor Tanner.

After debate, and on being put to the vote, the motion was declared carried.

Council resolved to adopt the motion as set out below:

The City Council notes that the response from government to the devolution proposals for Oxfordshire that were presented to the Department of Communities and Local Government and Cabinet Office in December 2015 indicated that a different and stronger form of governance was required if the proposals were to make progress.

Council therefore welcomes the initiative from the five District Councils in partnership with South Northants and Cotswold District Councils for a revised proposal based on four unitary authorities. This proposal would restore city government to Oxford and create an effective partnership with the neighbouring unitary authorities.

The Council notes that a feasibility study covering the full range of possible unitary options is being commissioned, and urges the County Council to participate in the commissioning and management of this study rather than duplicating the work with a separate study that will cover the same ground.

3. Adopt an eco-village approach (proposed by Councillor Gotch, seconded by Councillor Tanner)

Councillor Gotch proposed his submitted motion, seconded by Councillor Tanner.

After debate, and on being put to the vote, the motion was declared carried.

Council resolved to adopt the motion as set out below:

Bicester eco-village is an exemplar of how energy efficient and low-carbon-footprint housing is being built now - helping to slow climate change for the sake of our children and grandchildren.

We call on the City to instruct its architects to design buildings of all types, on City owned sites, to adopt the eco-village approach and, by example, persuade / push / cajole private developers in Oxford to make their contribution to saving planet earth.

Motions not taken

Motion 5. Oxford City Council support EU membership was not taken as it was withdrawn after incorporation into Motion 1.

The following motions were not taken because the time allowed in the Constitution had elapsed:

4. Climate Change and Government Policy (proposed by Councillor Simmons, seconded by Cllr Thomas)

6. Independent review of unitary options (proposed by Councillor Fooks seconded by Councillor Gant)

7. Community Involvement in Community Centres (proposed by Councillor Wolff, seconded by Councillor Benjamin)

8. Scrapping of student grants and curbing of access to higher education for disadvantaged young people (proposed by Councillor Hayes, seconded by Councillor Hollingsworth)

The meeting started at 5.00 pm and ended at 9.30 pm

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MINUTES OF THE COUNCIL

Monday 16 May 2016

www.oxford.gov.uk



COUNCILLORS PRESENT: Councillors Altaf-Khan (Lord Mayor), Humberstone (Deputy Lord Mayor), Cook, Malik, Brown (Sheriff), Abbasi, Azad, Anwar, Brandt, Chapman, Clarkson, Coulter, Curran, Fooks, Gant, Goddard, Haines, Hayes, Henwood, Hollingsworth, Iley-Williamson, Kennedy, Lygo, Mills, Paule, Pegg, Pressel, Price, Rowley, Sanders, Simm, Simmons, Sinclair, Smith, Tanner, Taylor, Thomas, Tidball, Turner, Upton, Wade, Wilkinson and Wolff.

1. ELECTION OF LORD MAYOR FOR THE COUNCIL YEAR 2016/17

Councillor Gant proposed and Councillor Price seconded, and there being no other nominations, Council resolved that Councillor Altaf-Khan be elected as Lord Mayor of Oxford for the Council Year 2016/17.

Councillor Altaf-Khan took the Chair from Councillor Humberstone and subsequently signed the Declaration of Acceptance of Office.

2. ELECTION OF DEPUTY LORD MAYOR FOR THE COUNCIL YEAR 2016/17

Councillor Price proposed and Councillor Pegg seconded, and there being no other nominations, Council resolved that Councillor Humberstone be elected as Deputy Lord Mayor of Oxford for the Council Year 2016/17.

Councillor Humberstone subsequently signed the Declaration of Acceptance of Office.

3. APPOINTMENT OF SHERIFF FOR THE COUNCIL YEAR 2016/17

Councillor Tanner proposed and Councillor Coulter seconded, and there being no other nominations, Council resolved that Councillor Brown be elected as Sheriff of Oxford for the Council Year 2016/17.

Councillor Brown subsequently signed the Declaration of Acceptance of Office.

4. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Fry, Goff, Lloyd-Shogbesan, Munkonge, and Tarver.

5. DECLARATIONS OF INTEREST

There were no declarations.

6. ANNOUNCEMENTS BY THE LORD MAYOR

The Lord Mayor welcomed newly elected Councillors Azad, Chapman, Curran, Goff, Iley-Williamson, Landell Mills, and Tidball to the Council.

He welcomed those returning and congratulated them on their re-election.

He thanked those who had not returned after the election for their service to the Council.

7. ANNOUNCEMENTS BY THE CHIEF EXECUTIVE

The Chief Executive made no announcements.

8. ELECTION OF LEADER OF THE COUNCIL FOR 2016 TO 2020

Councillor Turner proposed and Councillor Pressel seconded, and there being no other nominations, Council resolved that Councillor Price be elected as Leader of the Council until Annual Council in May 2020.

9. REPORT OF THE LEADER OF THE COUNCIL

Councillor Price thanked Council for electing him as Leader.

He notified Council that the City Executive Board portfolio holders for 2016/17 were:

Councillor Price, Council Leader	Corporate Strategy and Economic Development
Councillor Turner, Deputy Leader	Finance, Asset Management and Public Health
Councillor Brown	Customer and Corporate Services
Councillor Hollingsworth	Planning and Regulatory Services
Councillor Kennedy	Young People, Schools and Skills
Councillor Rowley	Housing
Councillor Sinclair	Community Safety
Councillor Simm	Culture and Communities
Councillor Smith	Leisure, Parks and Sport
Councillor Tanner	Climate Change and Cleaner Greener Oxford

10. APPOINTMENT OF COMMITTEES FOR THE COUNCIL YEAR 2016/17

The Head of Law and Governance submitted a report and supplementary paper which invited Council to appoint Committees for the Council Year 2016/17 and appoint councillors to these.

Council resolved to:

1. note the arrangements for determining Political Groups and achieving political balance within the Political Governance arrangements;
2. appoint the bodies as currently defined within the Council's Constitution and included in the table in the report;
3. agree the nominations to committees made by political groups and attached within a document circulated separately (and as shown below);
4. agree that the Labour nomination to the Licensing and Gambling Acts Committee, listed as a vacancy, be made by the Leader of the Council on this occasion;
5. appoint Councillor Pressel to the Joint Oxfordshire Health Overview and Scrutiny Committee;
6. agree that all members of Council will form the pool of members able to observe on appeals and some grievances; and
7. authorise the Head of Law and Governance to make any changes to the Constitution as a consequence of these decisions.

Committee membership

Committee	Labour	Liberal Democrat	Green
Licensing and Gambling Acts Committee	Farida Anwar Mary Clarkson Colin Cook Van Coulter James Fry Chewe Munkonge Dee Sinclair Dan Iley-Williamson Nigel Chapman Tom Hayes vacancy (subsequently confirmed as Councillor Pressel)	Angie Goff Tom Landell-Mills Liz Wade	Ruthi Brandt

Committee	Labour	Liberal Democrat	Green
Oxfordshire Health Overview and Scrutiny Committee	Susanna Pressel		
Appeals	All members of Council		
General Purposes and Licensing Committee	Mary Clarkson Colin Cook Van Coulter Rae Humberstone Ben Lloyd-Shogbesan Farida Anwar Jamila Azad	Liz Wade Tom Landell Mills	Ruthi Brandt
Appointments Committee	Pat Kennedy Bob Price Gill Sanders Ed Turner	Andrew Gant	
Audit and Governance Committee	Van Coulter James Fry Michele Paule Chewe Munkonge Marie Tidball	Jean Fooks	David Thomas
Standards Committee	Louise Upton James Fry Susanna Pressel Gill Sanders Mike Rowley	Liz Wade	Dick Wolff
East Area Planning Committee	David Henwood Van Coulter Mary Clarkson Ben Lloyd-Shogbesan Nigel Chapman Sian Taylor Michele Paule	Ruth Wilkinson	Dick Wolff
West Area Planning Committee	Colin Cook Alex Hollingsworth Bob Price John Tanner Louise Upton Jennifer Pegg Marie Tidball	Jean Fooks Tom Landell-Mills	

Committee	Labour	Liberal Democrat	Green
Planning Review Committee	James Fry Pat Kennedy Ed Turner Farida Anwar Chewe Munkonge Dee Sinclair Sajjad Malik	Steve Goddard	Ruthi Brandt
Scrutiny Committee	Van Coulter Jennifer Pegg James Fry Tom Hayes David Henwood Nigel Chapman Sian Taylor Jamila Azad Marie Tidball	Andrew Gant Ruth Wilkinson	Craig Simmons
Disciplinary Committee	Van Coulter Susanna Pressel Bob Price	Liz Wade	

11. COUNCIL SCHEME OF DELEGATION FOR 2016/17

Council resolved to reaffirm for the Council Year 2016/17 its agreement to the Council's Scheme of Delegation set out in Section 5 of the Council's Constitution.

The meeting started at 4.00 pm and ended at 4.20 pm

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To: City Executive Board
Date: 16 June 2016
Report of: Head of Financial Services
 Head of Business Improvement
Title of Report: Integrated Performance Report for quarter 4 2015/16

Summary and recommendations	
Purpose of report:	To update Members on Finance, Risk and Performance as at the end of the financial year.
Key decision:	No
Executive Board Member:	Councillor Ed Turner
Corporate Priority:	Efficient and Effective Council.
Policy Framework:	Corporate Plan
Recommendation(s): That the City Executive Board resolves to:	
1.	Note the financial outturn and performance of the Council for the year 2015/16 and also the position on risks outstanding as at 31 March 2016;
2.	Agree the carry forward requests outlined at paragraphs 7 and detailed in Appendix 4 and recommend to Council the establishment of budgetary provision in respect of the new bids show in paragraphs 7 and Appendix 4;
3.	Agree the transfers to General Fund earmarked reserves detailed paragraph 7;
4.	Agree the transfers to Housing Revenue Account (HRA) earmarked reserves as detailed in paragraph 9;
5.	Agree the capital carry forwards as detailed in paragraph 13 Appendix 2.

Appendices	
Appendix 1	General Fund Outturn
Appendix 2	Capital Programme Outturn
Appendix 3	HRA Outturn
Appendix 4	Carry Forward Requests and New Bids

Appendix 5	Corporate Performance Outturn
Appendix 6	Corporate Risks
Appendix 7	Earmarked Reserves

Introduction and background

1. This report updates the Board on the performance of the Council for 2015/16 together with an analysis of corporate and service risks faced as at 31 March 2016. A brief summary is as follows:
2. Financial Outturn
 - a. **General Fund** – The outturn position is an underspend of £0.494 million, which is 2% of the gross budget;
 - b. **Efficiencies, Fees and Charges & Service Reduction Targets** – At year end all targets were either delivered as planned or exceeded. Additional income was achieved across service areas;
 - c. **Housing Revenue Account** – after transfers of £10.9 million to a capital reserve to fund investment in future years the HRA working balance remains at £4m;
 - d. **Capital Programme** – the outturn spend is £32.708 million (95% of the latest budget).
3. **Performance** – 74% (14) of Corporate performance targets were delivered as planned, 26% (5) did not meet their target; individual performance targets are detailed in Appendix 5.
4. **Risk Management** – There are no red corporate risks, but four amber risks at year end which are listed at paragraph 22 and Appendix 6.

General Fund Revenue

5. After taking account of transfers to/from earmarked reserves the General Fund is showing a favourable variance against budget of £0.494 million, the revenue balance remains unchanged at £3.622 million. Variances that are on-going will be picked up as part of the refresh of the Medium Term Financial Plan later in the year.
6. Recommended carry forwards are detailed in Appendix 4.
7. A full list of Earmarked Reserves is attached at Appendix 7.

General Fund Earmarked Reserves and Working Balances

8. A number of requests have been made to carry forward unspent sums that have either a) not yet started, or b) are started but not completed (£1,025k). Additionally, new bids of £361k have been received to be financed from the underspend. Details of these requests are shown in Appendix 4 and summarised below:

Description	Original Budget £	New Scheme Request £	Slipped Scheme £	Total £
Assistant Chief Executive	322,618	53,000	32,500	85,500
Environmental Sustainability	0	3,069	0	3,069
Planning & Regulatory	277,800	0	152,600	152,600
Housing & Property	240,000	40,000	59,878	99,878
Direct Services	0	232,000	0	232,000
Community Services	273,783	0	103,142	103,142
Partnership Team	689,800	0	358,500	358,500
Business Improvement	80,016	0	55,111	55,111
Organisational Development	383,045	0	262,770	262,770
Welfare Reform	0	33,367	0	33,367
Total	2,267,062	361,436	1,024,501	1,385,937

9. The new scheme requests include the following:

- Unitary Bid - £53k to fund the Council costs associated with its unitary bid
- Identifying fuel poverty in Oxford - £3k to be used to part fund the Councils involvement in the countywide Affordable warmth network
- Consultancy for establishing a Housing Company - £40k
- Cowley Marsh Recreation ground car park extension - £132k to facilitate additional fleet at existing depot
- Replacement brush wash for vehicles - £100k – to replace existing system

10. The City Executive Board is asked to review and agree the carry forward requests and new bids. Should all requests be approved then the balance to be transferred to the Capital Financing Reserve will be £494k, any sums not agreed will be added to this figure.

11. There has been a net transfer of £2.941million to General Fund reserves inclusive of the items shown in paragraph 8, a detailed breakdown on which is shown in Appendix 7.

12. The most notable transfers to earmarked reserves are:

NNDR retention reserve - £0.5 million to allow for variations in business rates

- Carry forward request and New bids - £1.386 million as referred to in para 8

- Capital Financing reserve – (£1.116) to finance the capital programme
- Fundamental service review - £0.2 million –to provide backfill and consultancy in respect of Fundamental Service reviews during the 2016/17 budget setting process

Housing Revenue Account

13. The Housing Revenue Account is showing an under spend of £9.809 million predominantly relating to the in year planned moratorium on capital spending, at year end, a variance against the latest budget of £10.946 million. This will be transferred to a HRA Capital Financing Reserve to finance slippage on the capital programme.
14. Net transfers to reserves totalled £9.416 million the majority of which related to the surplus described above. The HRA Working balance brought forward at 1 April 2015 was £4.0 million and as at 31st March 2016 this remains unchanged.

Capital

15. Capital expenditure for 2015/16 was £17.1 million on the General Fund and £15.6 million on the HRA giving a total spend of £32.7 million. This expenditure included some large schemes such as:
 - Opens Investment Purchase - £6.5 million
 - Homelessness Property Acquisitions - £0.857 million
 - Pavillions - £0.556 million
 - Car Parking across the city - £0.962 million
 - Tower Blocks refurbishment - £0.828 million
 - Rose Hill Community Centre - £3.571 million
 - New Build Council Dwellings- £2.730 million
16. The expenditure is shown on a scheme by scheme basis at Appendix 2. The balance of £0.495 million underspends will release funding back into capital resources. The Appendix also shows the detail of those schemes which have slipped into future years and those which have underspent since the last monitoring undertaken in February 2016. In total the additional variance is £1.884 million which is analysed as follows:

Capital Budget and Spend as at 31 March 2016						
Capital Scheme	Original Budget with Carry Forwards	Latest Budget 2015/16	Spend to 31 March 2016	Outturn Variance to Latest Budget	Outturn Variance due to Slippage	Outturn variance due to Over/Under spend
	£	£	£	£	£	£
	▼	▼	▼	▼	▼	▼
GF Total	22,960,665	18,072,684	17,129,070	(943,614)	(941,526)	(2,088)
Housing Revenue Account	24,618,977	16,518,894	15,578,538	(940,356)	(447,252)	(493,104)
Grand Total	47,579,642	34,591,578	32,707,608	(1,883,970)	(1,388,777)	(495,192)

17. The main areas of variation from the latest budget set in January 2015 are:

General Fund

- West End Partnership - £0.335, the spend will be one off contribution to the County Council once the agreement has been made;
- Headington Environmental Improvements - £0.059 million to be slipped into 2016/17. The scheme has not yet started but is planned to commence in 2016/17;
- Investment covered market - £0.075 million to continue improvements to the Covered Market;
- Repairs to investment properties - £0.054 million to continue improvements to investment properties;
- Bury Knowle House - £0.020 million to be slipped into 2016/17 to continue the works;
- Town Hall - £0.022 million to complete improvement to the Town Hall in 2016/17;
- Flood Alleviation - £0.047 million to be slipped into 2016/17 to continue the project;
- Cycle Oxford - £0.025 million to be slipped into 2016/17 for final expenditure;
- Direct Services Depots - £0.027 million to be slipped into 2016/17 to continue with Phase 2 of the project;
- Pavillions and Leisure Centres - £0.052 million to be slipped into 2016/17 so that work can continue on the individual projects;
- Car parking Oxpens - £0.055 million to be slipped into 2016/17 for work to complete in early 2016/17 to relocate Streetscene staff from Gloucester Green;
- Headington Environmental Improvements - £0.059 million to be slipped into 2016/17 to complete the landscaping works;

- Cutteslowe Lower Pavilion - £0.112 million to be slipped into 2016/17, work has started on the scheme but some issues have been encountered which have delayed progress.

HRA

- Tower Blocks - £0.311 million to be slipped into 2016/17, works have commenced on the project and the technical design is being agreed, the project will continue in to 2016/17;
- Structural - £0.080 million to be slipped into 2016/17, to carry out work on Banbury Road Balconies which is due to start in Sept 2016;
- Roofing - £0.060 million to be slipped into 2016/17 to continue project;
- External Doors and Windows - £0.090 million to be slipped into 2016/17 to continue the project;
- Various adaptations and repairs to Council Dwellings - £0.126 million to be slipped into 2016/17 to continue the planned work and repairs;
- Rose Hill Community Centre - £0.032 million to cover retention costs following completion;
- HCA New Build - £0.059 million to cover retention costs following completion;
- Blackbird Leys Regeneration - £0.015 million to continue the project into 2016/17;
- Kitchens & Bathrooms & Voids - £0.192 million to be slipped into 2016/17 to continue work on the rolling programme of repairs and refurbishments to Council Dwellings;

18. The 2015/16 original budget set in January 2015 for Capital was £47.579 million, the outturn position is £14.871 million underspent against this. The temporary moratorium imposed on both General Fund and HRA Capital schemes agreed by members at CEB on the 10th September (lifted in December) due to uncertainties around Government funding especially in the HRA was the main factor. Overall spend was 68% of the budget compared to 76% (£48.7million spent) in 2014/15. Major variations in 2015/16 against original budget include:

General Fund

- Community Centre backlog - £0.484 million – Deferred to future years
- Stage 2 museum - £0.434 million – Deferred to 2016/17 as part of the lottery funded project
- MT Vehicle replacement - £1.6 million – Deferred due to the changes in the ordering cycle
- R&D Feasibility - £0.4 million - Deferred
- Property Acquisitions - £1.7 million – Scheme changed to working with St Mungos Broadway
- Flood Alleviation - £1.4 million –to be spent after 2015/16

HRA

- Tower Bock refurbishment - £5.0 million – Awaiting approval to revised budget
- Extensions and Major Adaptions - £0.301 million – Deferred
- Insulation Works - £0.337 million - Deferred
- Controlled Entry - £0.30 million - Deferred
- Great Estates - £0.750 million - Deferred
- Major Voids - £0.4 million - Deferred
- Blackbird Leys Regeneration - £0.4 million – Scheme alteration to align with available funding
- Solar Panels - £0.5 million - Deferred
- Rosehill Community Centre - £0.175 million Slippage in scheme

Performance Management

19. There are nineteen Corporate performance measures that are monitored during the year, these are detailed within Appendix 5. Fourteen of these measures met their target, the most notable ones are listed below:

- **The % of Council spend with local businesses** – Target of 50% with an overall achievement of 64.9%;
- **Number of people moved into work by the Welfare Reform Programme** – Target of 4 with a year end achievement of 45;
- **Number of affordable homes for rent delivered** – Target of 67 and an overall achievement of 166;
- **Implementation of measures to reduce the City Council's carbon footprint by 5% each year** – Target of 454 Tonnes with an actual achievement of 637 Tonnes.

20. Five of the Corporate performance measures did not achieve their target as follows:

- **Percentage of all contact carried out online** – Year end result was 26.3% against a target of 27%.
- **The percentage of estimated HMO's in the City that are licensed** – Year end result was 73% against a target of 75%.
- **The number of people estimated to be sleeping rough** – The City Council's annual estimate in November 2015 has seen an increase (from 43 to 56) due to a number of factors with a lack of move-on from the hostel system into Private Rented Sector and social housing causing a major systematic block. Initiatives such as Real Lettings and the ethical landlord model are being developed to try and tackle these issues. In addition, changes to the benefit system impacting EEA nationals in particular have contributed to the increase. A large number of people also have no local connection to Oxford City.
- **The number of training places and jobs created as a result of Council investment and leadership** – We achieved a year end

figure of 466 against a target of 550. We continue to look for opportunities to deliver social value under our contracts. Work to encourage this further through the development of a social value toolkit will commence in the new fiscal year. Under the Tower Block project 6 apprenticeships, the creation of more than 50 FTE opportunities for local students, and 4 new jobs will be created as part of the circa £1m social value offered under the contract which will have a positive effect on the statistics going forward.

- **The number of Council apprenticeships created through Council investment for those who live in Oxford** – 22 apprentices in total against a year-end target of 26. 7 associated with projects at Rosehill Community Centre, Affordable Homes and the Competition Swimming Pool, 15 directly employed through the Council with 13 of those living within an OX postcode area.

Risk

21. Corporate and Directorate risks are reported within the appendices. Risks are measured according to the matrix shown below:

Probability							
>90%	Almost Certain	5	5	10	15	20	25
50-90%	Likely	4	4	8	12	16	20
30-50%	Possible	3	3	6	9	12	15
10-30%	Unlikely	2	2	4	6	8	10
<10%	Rare	1	1	2	3	4	5
			1	2	3	4	5
		Impact	Insignificant	Minor	Moderate	Major	Catastrophic

22. There are four amber Corporate Risks as listed below with more detail contained in Appendix 6:

- Resilience of the ICT function – managing projects and improvements alongside business as usual – mitigations to manage this risk have included: agreement of an ICT strategy; embedding ITIL processes; migration to ICT strategic partner; implementation of ICT helpdesk and multi-skilled applications development team.
- Partnership Risk - Potential reduction in funding to our partners – The Council has worked with partners to mitigate the impacts that this may have to mitigate this risk.
- Recruitment and Retention – the risk of losing and not being able to recruit key staff across the organisation – mitigations to manage this risk have included agreeing retention measures, identifying key posts and agreeing action to recruit/retain these posts and review of the recruitment process.

- d. HRA Business Plan Delivery Failure due to changes in Government legislation and the impact this will have on the Council's finances – this risk was introduced in Q2 following the summer budget and was reported as a red risk in both Q2 and Q3 but the Council has challenged DCLG to help shape the proposals and implementation of these changes to assist in mitigating this risk down to an Amber.
- 17 The risk relating to the Medium Term Financial Plan savings not being delivered was reported as an Amber risk during the year, and as the year progressed and action plans for delivery of savings were put in place this risk mitigated to a Green risk by the year end.

Financial implications

- 18 All financial implications are covered in the body of this report and the Appendices.

Legal issues

- 19 There are no legal implications directly relevant to this report.

Level of risk

- 20 All risk implications are covered in the body of this report and the Appendices.

Equalities impact

- 21 There are no equalities impacts arising directly from this report.

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Service area or department	Financial Services/Business Improvement
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e-mail	nkennedy@oxford.gov.uk / hbishop@oxford.gov.uk

Background Papers: None

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GF Outturn Report 15/16 @ 31st March, 2016	Final Actual	Latest Budget	Variance YTD	Carry Forward	Final Outturn	Final Variance
	£000's	£000's	£000's	£000's	£000's	£000's
<u>Directorates</u>						
Assistant Chief Executive	651	918	(267)	86	736	(182)
Assistant Chief Executive	651	918	(267)	86	736	(182)
Partnerships Team	582	960	(378)	359	941	(20)
Planning and Regulatory	684	583	101	153	837	253
Housing and Property	(6,737)	(5,242)	(1,495)	100	(6,637)	(1,395)
Regeneration & Housing	(5,471)	(3,698)	(1,773)	611	(4,860)	(1,162)
Environmental Sustainability	776	712	65	3	779	68
Community Services	5,771	6,024	(253)	103	5,874	(150)
Direct Services	1,066	2,052	(986)	232	1,298	(754)
Community Services	7,613	8,788	(1,174)	338	7,952	(836)
Transformation	225	225			225	
Business Improvement	8,619	8,610	10	55	8,674	65
Organisational Development	750	1,015	(266)	263	1,012	(3)
Welfare Reform Team	300	331	(31)	33	333	2
Financial Services	2,736	2,864	(128)		2,736	(128)
Law & Governance	2,500	2,482	17		2,500	17
Organisational Development & Corporate Services	15,129	15,527	(398)	351	15,481	(46)
Directorate Total Excl SLA's & Capital Charges	17,923	21,535	(3,612)	1,386	19,309	(2,226)
SLA's & Capital Charges	6,937	3,364	3,573		6,937	3,573
Corporate Accounts	(12,733)	(3,566)	(9,167)		(5,089)	(1,523)
Contingencies		1,318	(1,318)		1,178	(140)
Total Corporate Accounts & Contingencies	(12,733)	(2,248)	(10,484)		(3,911)	(1,662)
Net Budget Requirement	12,128	22,651	(10,524)	1,386	22,336	(316)
Total Funding Available	(22,791)	(22,612)	(179)		(22,791)	(179)
(Surplus) / Deficit for year	(10,663)	39	(10,702)	1,386	(455)	(494)

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Capital Budget and Spend as at 31 March 2016						
Capital Scheme	Original Budget with Carry Forwards	Latest Budget 2015/16	Spend to 31 March 2016	Outturn Variance to Latest Budget	Outturn Variance due to Slippage	Outturn variance due to Over/ Under spend
	£	£	£	£	£	£
C3039 ICT Infrastructure	90,365	86,365	106,072	19,707	19,707	0
C3044 Software Licences	177,000	175,000	164,045	(10,955)	(10,955)	0
C3045 Mobile Working	69,902	75,902	75,241	(661)	(661)	0
C3047 Oracle 11g Upgrade	25,000	25,000	9,000	(16,000)	(16,000)	
C3053 New Council website	101,119	101,119	162,123	61,004	61,004	
C3054 Purchase of web service (API's)	78,050	78,050	41,098	(36,953)	(36,953)	
S03 Business Improvement	541,436	541,436	557,578	16,142	16,142	0
<u>S106 Funded Schemes</u>						
F1323 Bridge Over Fiddlers Stream	228,016	5,000	3,770	(1,230)	(1,230)	
F7005 Oxford Road Park, Littlemore - Improvements	-	0	5,935	5,935		5,935
F7007 Woodfarm / Headington Community Centre	19,887	0	0	0	0	
F7009 CCTV Gipsy Lane Campus	60,000	0	0	0	0	
F7010 Work of Art Said Business School	50,000	0	0	0	0	
F7011 Headington Environmental Improvements	59,004	59,004	0	(59,004)	(59,004)	
F7012 Rose Hill Recreation Ground Improvements	3,300	3,300	0	(3,300)	(3,300)	
F7019 Work of Art Rose Hill	2,288	0	0	0	0	
F7020 Work of Art Shotover View	14,635	0	0	0	0	
F7022 Wyatt Road Recreation Ground	1,830	0	0	0	0	
F1332 Improvements to Pembroke Street		120,000	119,000	(1,000)		(1,000)
F7024 St Clements Environmental Improvements	50,000	0	0	0	0	
<u>Grants</u>						
E3511 Renovation Grants	50,000	25,000	16,917	(8,083)	(8,083)	
E3521 Disabled Facilities Grants	640,000	501,000	513,973	12,973		12,973
S11 Planning & Regulatory	1,178,960	713,304	659,594	(53,710)	(71,617)	17,907
M5014 West End Partnership	335,000	335,000	0	(335,000)	(335,000)	
M5022 Investment Purchase - Oxpens	2,000,000	6,500,000	6,500,000	0	0	0
S10 Partnerships Team	2,335,000	6,835,000	6,500,000	(335,000)	(335,000)	0
<u>Community Centres</u>						
B0033 Community Centres	547,012	50,000	62,580	12,580		12,580
<u>Covered Market</u>						
B0027 Covered Market - Improvements & Upgrade to Roof	49,789	124,789	114,993	(9,796)	(9,796)	
B0028 Covered Market - New Roof Structures to High St Entrances	75,598	22,514	16,896	(5,619)	(5,619)	
B0036 Investment ~ Covered Market	244,604	87,960	28,075	(59,885)	(59,885)	
<u>Investment Properties</u>						
B0003 Roof Repairs & Ext Refurbishment 44-46 George St	27,000	0	0	0		
B0040 Investment ~ Broad Street	92,087	69,209	38,016	(31,193)	(31,193)	
B0041 Investment - Misc. City Centre Properties	35,090	7,972	4,398	(3,574)	(3,574)	
B0043 Investment George Street	163,340	21,334	55,411	34,077	34,077	
B0044 Investment - Outer City	127,908	0	0	0		
B0045 Investment ~ St. Michael's Street	6,035	0	0	0		
B0046 Investment - Ship Street	52,184	52,184	6,859	(45,325)	(45,325)	
B0072 23-25 Broad Street		1,400	10,637	9,237		9,237
B0092 Acquisition of Investment Properties		693,000	684,743	(8,257)	(8,257)	
<u>Miscellaneous Council Properties</u>						
B0032 Bury Knowle House	37,900	77,900	57,484	(20,416)	(20,416)	
B0067 Fencing Repairs Across the City		3,430	4,202	772		772
B0077 Direct Services Depots	404,131	404,131	377,167	(26,964)	(26,964)	
B0078 Allotments	51,150	0	0	0		
B0079 Street Sports Sites	10,745	0	0	0		
B0082 Garages	138,309	125,453	128,325	2,872	2,872	

Capital Scheme	Original Budget with Carry Forwards	Latest Budget 2015/16	Spend to 31 March 2016	Outturn Variance to Latest Budget	Outturn Variance due to Slippage	Outturn variance due to Over/ Under spend
	£	£	£	£	£	£
B0088 Barns Road Car Park	128,254	163,000	163,000	0		
				0		
<u>Parks & Cemeteries</u>				0		
B0048 Leisure - Cemeteries	16,977	10,000	12,727	2,727	2,727	
B0050 Leisure ~ Depots	18,760	0	0	0		
B0065 Parks & Cemetery - Masonry Walls & Path Improvements	40,000	40,000	43,601	3,601		3,601
<u>Town Hall & St Aldates Chambers</u>						
B0054 Town Hall	45,940	251,940	271,030	19,090		19,090
B0068 Town Hall - Conference System Refurbishment	178,841	59,461	53,008	(6,453)	(6,453)	
B0090 St Aldates Security	-	4,000	7,095	3,095		3,095
B0091 Town Hall Boiler Replacement	157,500	130,750	114,686	(16,064)	(16,064)	
				0		
<u>General Fund Housing Projects</u>				0		
M5019 Homelessness Property Acquisitions	2,547,488	857,080	857,080	(0)	(0)	
M5020 Empty Homes CPO Revolving Fund	750,000	0	0	0		
M5021 Equity Loan Scheme for Teachers	300,000	0	0	0		0
S13 Housing and Property Total	6,246,617	3,257,507	3,112,011	(145,496)	(193,870)	48,374
E3554 Additional SALIX Plus funding	342,649	277,000	275,064	(1,936)	(1,936)	
E3555 Flood Alleviation at Northway & Marston	1,467,951	115,000	67,866	(47,134)	(47,134)	
F0015 Cycle Oxford	164,910	144,910	119,909	(25,001)	(25,001)	
S20 Environmental Sustainability	1,975,510	536,910	462,839	(74,071)	(74,071)	0
<u>Community Facilities</u>						
G3015 NE Marston Croft Road Recreation Ground	13,151	0	0	0		
G3018 St Ebbes Deaf and Hard of Hearing Centre	50,000	0	0	0		
G3019 Wood Farm Neighbourhood Community Facility Improvements	75,000	0	0	0		
<u>Community Safety</u>						
E3556 Additional CCTV to Speedwell street	40,000	40,000	21,210	(18,790)	(18,790)	
G6014 CCTV Project	25,000	0	0	0		
G6015 CCTV Rose Hill		2,810	2,810	0		0
<u>Museum of Oxford</u>						
B0075 Stage 2 Museum of Oxford Development	434,390	19,500	0	(19,500)	(19,500)	
<u>Indoor Sports</u>						
A4808 Blackbird Leys Leisure Centre Improvements	128,278	51,773	41,537	(10,236)	(10,236)	
A4810 New Build Completion Pool	102,827	37,403	41,795	4,392	4,392	
A4814 Leisure Centre Substantive Works		0	0	0		
A4815 Leisure Centre Improvement Work	442,992	77,355	77,355	0		
A4835 Biomass store at Cutteslowe Park to supply new	53,160	0	0	0		
A4829 Oxford Spires Academy	500,000	500,000	500,000	0		
<u>Sports Pavilions</u>						
A4816 Pavilions General	186,232	297,413	266,656	(30,757)	(30,757)	
A4837 Quarry Pavillion	-	0	1,540	1,540	1,540	
A4840 Cutteslowe Lower Pavilion	481,181	400,000	287,968	(112,032)	(112,032)	
A4832 Pavilions Grey Water Harvesting	28,000	0	0	0		
<u>Outdoor Sports</u>						
A3129 Donnington Recreation Ground Improvements	44,375	0	0	0		
A4820 Upgrade Existing Tennis Courts	101,738	72,000	76,008	4,008	4,008	
A4821 Upgrade Existing Multi-Use Games Area	46,714	20,000	17,747	(2,253)	(2,253)	
A4833 Horspath Athletics Ground	50,000	170,000	177,114	7,114	7,114	
A4834 Cutteslowe Park Splash Feature	100,000	0	0	0		
A4836 Court Place Farm Car Park	-	0	4,598	4,598	4,598	
A4839 New Skate Park -Northway, Bertie Place and	70,000	0	0	0		
				0		
<u>Parks & Cemeteries</u>				0		
Lye Valley & Chiswell Valley Walkways	-	46	0	1,599	1,599	1,599
A4826 Parks Works	51,037	151,079	151,579	500	500	

Capital Scheme	Original Budget with Carry Forwards	Latest Budget 2015/16	Spend to 31 March 2016	Outturn Variance to Latest Budget	Outturn Variance due to Slippage	Outturn variance due to Over/ Under spend
	£	£	£	£	£	£
A4830 Develop new burial space	35,275	35,275	13,300	(21,975)	(21,975)	
S22 Community Services Total	3,059,350	1,874,608	1,682,815	(191,793)	(193,391)	1,599
<u>Vehicles</u>						
R0005 MT Vehicles/Plant Replacement Programme.	3,318,589	2,244,669	2,253,481	8,812	8,812	
T2280 - Heavy Goods Vehicle Testing Facility	51,288	51,288	45,745	(5,543)		(5,543)
<u>Cleansing Services</u>						
T2269 Toilet improvements	20,000	22,000	21,143	(857)		(857)
T2277 Food waste collection from flats	204,839	207,000	184,635	(22,365)	(22,365)	
T2282 Solar Compacting Bins	25,000	0	0	0		
T2284 Waste & Recycling Compactors		50,000	49,980	(20)		(20)
<u>Car Parking & Highways</u>						
B0037 Car Parks	84,361	84,361	83,822	(539)		(539)
B0081 Car Parking Oxpens	542,804	349,804	295,101	(54,703)	(54,703)	
B0086 Extension to Seacourt Park & Ride	359,928	225,000	214,662	(10,338)	(10,338)	
T2273 Car Parks Resurfacing	452,703	452,703	452,703	0	0	
T2274 Gloucester Green Car Park Waterproofing	88,170	49,838	49,838	0	0	
T2279 Dunnocks Way Parking Project	83,124	83,124	83,124	0		
T2283 Sandy Lane Resurfacing	105,285	83,132	83,132	(0)	(0)	
S23 Direct Services Total	5,336,091	3,902,919	3,817,367	(85,552)	(78,593)	(6,959)
B0074 R & D Feasibility Fund	401,841	20,000	8,875	(11,125)	(11,125)	
C3052 Fraud Solutions and Data Warehouse	41,000	41,000	0	(41,000)		(41,000)
G6013 Superconnected Cities	844,860	350,000	327,991	(22,009)		(22,009)
S32 Finance Total	1,287,701	411,000	336,866	(74,134)	(11,125)	(63,009)
Cycling and Public Realm	500,000	0	0	0		
Western Conveyance Channel	500,000	0	0	0		
Third Party CIL Funding	1,000,000	0	0	0	0	0
GF Total	22,960,665	18,072,684	17,129,070	(943,614)	(941,526)	(2,088)
<u>Housing Revenue Account Capital Programme</u>						
<u>External Contracts</u>						
N6384 Tower Blocks	5,781,717	1,139,000	827,955	(311,045)	(311,045)	
N6386 Structural	131,000	131,000	51,206	(79,794)	(79,794)	
N6387 Controlled Entry	311,000	10,000	(944)	(10,944)		(10,944)
N6389 Damp-proof works (K&B)	95,000	95,000	67,089	(27,911)		(27,911)
N6392 Roofing	158,000	308,000	247,389	(60,611)		(60,611)
N6393 External Doors	301,000	210,000	167,761	(42,239)		(42,239)
N6394 Windows	263,000	113,000	67,197	(45,803)		(45,803)
N7020 Extensions & Major Adaptions	623,000	321,179	281,370	(39,809)		(39,809)
N7026 Communal Areas	178,000	158,000	128,982	(29,018)		(29,018)
N7027 Environmental Improvements	95,240	50,000	37,745	(12,255)		(12,255)
N7036 Food Waste Collection	57,427	58,000	51,607	(6,393)		(6,393)
		0	0	0		
N7033 Energy Efficiency Initiatives	363,000	163,000	165,773	2,773		2,773
N7037 Solar Panels	715,000	233,321	244,945	11,624		11,624
N7038 Insulation Works	780,000	442,500	433,788	(8,712)		(8,712)
N7039 Investment Programme Delivery	156,000	0	0	0		
<u>New Build</u>						
B0034 Rose Hill Community Centre	3,778,355	3,602,894	3,571,481	(31,413)	(31,413)	
N7029 HCA New Build	2,143,483	2,789,000	2,730,228	(58,772)	(25,000)	(33,772)
N7031 Homes at Barton	619,376	50,000	29,228	(20,772)		(20,772)
N7032 Great Estates: Estate Enhancements and	1,149,379	400,000	422,230	22,230		22,230
N7040 Blackbird Leys Regeneration	416,000	15,000	0	(15,000)		(15,000)
<u>Internal Contracts</u>						
N6385 Adaptations for disabled	573,000	609,684	654,837	45,153		45,153

Capital Scheme	Original Budget with Carry Forwards	Latest Budget 2015/16	Spend to 31 March 2016	Outturn Variance to Latest Budget	Outturn Variance due to Slippage	Outturn variance due to Over/ Under spend
	£	£	£	£	£	£
N6390 Kitchens & Bathrooms	3,177,491	3,178,000	3,044,778	(133,222)		(133,222)
N6391 Heating	1,633,509	1,659,000	1,638,523	(20,477)		(20,477)
N6388 Major Voids	764,000	427,316	343,411	(83,905)		(83,905)
N6395 Electrics	356,000	356,000	371,959	15,959		15,959
Housing Revenue Account	24,618,977	16,518,894	15,578,538	(940,356)	(447,252)	(493,104)
Grand Total	47,579,642	34,591,578	32,707,608	(1,883,970)	(1,388,777)	(495,192)

HRA Outturn Report 15/16 @ 31st March, 2016		Approved Budget (per Budget book)	Actual YTD	Budget YTD	Variance YTD	Final Outturn	Final Variance
	£000's	£000's	£000's	£'000's	£'000's	£'000's	£'000's
Dwelling Rent	(41,705)	(42,809)	(41,705)	(1,104)	(42,809)	(1,104)	
Service Charges	(1,244)	(1,810)	(1,244)	(566)	(1,810)	(566)	
Furniture & Other Rent	(757)	(976)	(781)	(195)	(976)	(195)	
Major Project Team Fees	(337)						
Net Income	(44,042)	(45,594)	(43,729)	(1,865)	(45,594)	(1,865)	
General Management	5,494	4,542	5,393	(851)	4,542	(851)	
Special Services	2,381	2,574	2,756	(182)	2,574	(182)	
Other Expenditure	3,195	1,239	1,797	(558)	1,239	(558)	
Bad Debt Provision	365	300	346	(45)	300	(45)	
Responsive & Cyclical Repairs	10,091	10,394	10,398	(4)	10,394	(4)	
Interest Paid	7,922	7,760	7,922	(162)	7,760	(162)	
Depreciation	5,849	9,115	5,849	3,266	9,115	3,266	
Total Expenditure	35,297	35,924	34,461	1,463	35,924	1,463	
Net Operating Expenditure/(Income)	(8,746)	(9,671)	(9,269)	(402)	(9,671)	(402)	
Total Appropriations	8,954	(138)	10,406	(10,544)	(138)	(10,544)	
Total HRA (Surplus)/Deficit	208	(9,809)	1,196	(10,946)	(9,809)	(10,946)	

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SUMMARY OF CARRY FORWARD REQUESTS AND NEW BIDS 2015/16

Description	Original Budget	New Scheme Request	Slipped Scheme	Total
	£	£	£	£
Assistant Chief Executive	322,618	53,000	32,500	85,500
Environmental Sustainability	0	3,069	0	3,069
Planning & Regulatory	277,800	0	152,600	152,600
Housing & Property	240,000	40,000	59,878	99,878
Direct Services	0	232,000	0	232,000
Community Services	273,783	0	103,142	103,142
Partnership Team	689,800	0	358,500	358,500
Business Improvement	80,016	0	55,111	55,111
Organisational Development	383,045	0	262,770	262,770
Welfare Reform	0	33,367	0	33,367
Total	2,267,062	361,436	1,024,501	1,385,937

SUMMARY OF CARRY FORWARD REQUESTS AND NEW BIDS 2015/16**S01 - Assistant Chief Executive**

Description	Original Budget £	New Scheme Request £	Slipped Scheme £	Total Requested £	Reason for Request
Unitary Bid	53,000	53,000		53,000	Consultancy and additional staff costs for Unitary status bid
Residents Survey	57,722		20,000	20,000	Residents satisfaction survey, assessing residents perceptions of their local area, Council services, community safety, local economy and health and well being issues
Assistant Comms Officer	211,896		12,500	12,500	There are two reasons for making this request. The first being the need to cover the cost of this post until end of July when a full-time temporary maternity cover fixed term contract ends. And the second to provide an additional two months cover to provide additional resource on the social media platforms throughout the Devolution consultation period and to assist with cover for marketing campaigns through the next six month period.
	322,618	53,000	32,500	85,500	

SUMMARY OF CARRY FORWARD REQUESTS AND NEW BIDS 2015/16**S01 - Assistant Chief Executive**

Description	Original Budget £	New Scheme Request £	Slipped Scheme £	Total Requested £	Reason for Request
Identifying Fuel Poverty in Oxford/EDIS	0	3,069		3,069	Unbudgeted income was received in 15/16 for this project, which is proposed to be used to part fund Oxford's involvement with the countywide Affordable warmth network in 16/17. This will address fuel poverty in Oxford for assisting fuel poor households with targeted home energy advice, energy efficiency upgrades, and signposting to financial help
	0	3,069	0	3,069	

SUMMARY OF CARRY FORWARD REQUESTS AND NEW BIDS 2015/16**S11 - Planning and Regulatory**

Description	Original Budget £	New Scheme Request £	Slipped Scheme £	Total Requested £	Reason for Request
Winter Warmth Grants	27,800	0	7,600	7,600	Underspent external funding to be carried forward to provide energy efficiency grants to vulnerable people
Oxford Growth Strategy	250,000		145,000	145,000	Carry out work on Oxford Growth Strategy - contribution to post SHMA join work/ SHMA Programme Officer; local plans and production of Oxford Growth Strategy. This will allow the Grenoble Road planning application to be submitted before the end of 2016
	277,800	0	152,600	152,600	

SUMMARY OF CARRY FORWARD REQUESTS AND NEW BIDS 2015/16**S13 - Housing and Property**

Description	Original Budget £	New Scheme Request £	Slipped Scheme £	Total Requested £	Reason for Request
Covered Market Sprinklers - Replacement Pipework	140,000		20,000	20,000	This budget is the reactive maintenance budget for Commercial Properties owned by the City Council. In 2015/16 less repair and maintenance was carried out to Shops on Housing Estates than in previous years.
Energy Advice Officer & CAB home visits	100,000		39,878	39,878	Posts were recruited in Sept 2015, budget needs to straddle into 16/17 to cover full year costs
Consultancy for establishing Housing company		40,000		40,000	The Housing Company forms part of the Councils General fund and there are set up costs which are required to be funded by the Council to set the company up
	240,000	40,000	59,878	99,878	

SUMMARY OF CARRY FORWARD REQUESTS AND NEW BIDS 2015/16**S23 - Direct Services**

Description	Original Budget £	New Scheme Request £	Slipped Scheme £	Total Requested £	Reason for Request
Cowley Marsh Recreation ground car park extension		132,000		132,000	it is proposed that the adjacent Marsh Recreation Car Park be extended and refurbished to provide extra car parking space, while some of the existing Depot staff parking is designated for fleet vehicle use.
Brush Wash		100,000		100,000	Purchase a new vehicle brush wash to replace the current one, which frequently breaks and is soon to be out of contract
	0	232,000	0	232,000	

SUMMARY OF CARRY FORWARD REQUESTS AND NEW BIDS 2015/16**S22 -Community Services**

Description	Original Budget £	New Scheme Request £	Slipped Scheme £	Total Requested £	Reason for Request
Ward Member Budgets	132,873		37,911	37,911	The precedent is that any unspent ward member balances are carried forward between financial years, allowing greater flexibility and potential to support larger projects. Carry forward ensures that wards with unspent balances are not penalised.
Develop a Community Trust	75,000		48,231	48,231	To set up a community trust with wide-range of benefits working closely with local partner organisations
Arts Development	65,910		17,000	17,000	Combination of SLA and one-off programming grants to deliver a variety of arts projects for organisations or City Council projects (CREATE, Cultural Fund, Museum of Oxford & Christmas Light Festival)
	273,783	0	103,142	103,142	

SUMMARY OF CARRY FORWARD REQUESTS AND NEW BIDS 2015/16**S10 - Partnership Team**

Description	Original Budget £	New Scheme Request £	Slipped Scheme £	Total Requested £	Reason for Request
Regeneration Consultants Budget	565,300		351,000	351,000	Oxpens selection of a development partner; Oxford Station masterplan SPD; Mixed use scheme at Cowley; Publicity and community engagement
Word academies and Innovation	124,500		7,500	7,500	To support the setting up of a workd based 'academy' at Barton and match for ERDF funding for innovation schemes
	689,800	0	358,500	358,500	

SUMMARY OF CARRY FORWARD REQUESTS AND NEW BIDS 2015/16
S03 - Business Improvement

Description	Original Budget £	New Scheme Request £	Slipped Scheme £	Total Requested £	Reason for Request
Customer First Programme	80,016		55,111	55,111	to support transformation and channel shift projects including: Rents & Revenues; Landlords portal; tenants portal and promote channel shift
	80,016	0	55,111	55,111	

SUMMARY OF CARRY FORWARD REQUESTS AND NEW BIDS 2015/16**S04 - Organisational Development**

Description	Original Budget £	New Scheme Request £	Slipped Scheme £	Total Requested £	Reason for Request
Corporate Wellbeing and Leadership & Management Development	200,000		152,000	152,000	to fund the contract with Q-learning to deliver the Leadership and Management Development Programme, due to a delayed start - etimated end date Oct 16
Apprenticeship Programme	183,045		110,770	110,770	Due to the nature of the programme funding is set aside at the start of the recruitment period and subsequently is used over a two year period. The carry forward is the remaining funding from year one
	383,045	0	262,770	262,770	

SUMMARY OF CARRY FORWARD REQUESTS AND NEW BIDS 2015/16**S04 - Organisational Development**

Description	Original Budget £	New Scheme Request £	Slipped Scheme £	Total Requested £	Reason for Request
Oxford Community Work Agency		33,367		33,367	Funding of posts in Oxford Community Work Agency following withdrawal of County Council Grant
	0	33,367	0	33,367	

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Corporate Performance Measures

Measure	Target	Result for 15/16
The % of Council spend with local businesses	50%	64.90%
The number of training places and jobs created as a result of council investment and leadership	550	466
The number of council apprenticeships created through Council investment for those who live in Oxford	26	22
Number of people moved into work by the Welfare Reform Programme	4	45
The percentage of estimated HMOs in the city that are licenced	75%	73%
Limit our use of temporary accomodation at 2015 levels	120	115
Number of affordable homes for rent delivered	67	166
The number of people estimated to be sleeping rough	45	56
The number of successful interventions with rough sleepers	250	326
The number of people taking part in our youth ambition programme	5400	6640
The % increase in the number of adults taking part in sport as measured by Sport england's Active People Survey	31.50%	31.50%
Satisfaction with our street cleaning services	75%	78.78%
Implementation of measures to reduce the City Council's carbon footprint by 5% each year	454 Tonnes	637 Tonnes
The amount of non-recyclable waste produced in the city per household decreases each year	425 kgs	409.74 kgs
Household waste recycled and composted	46.50%	46.86%
The % of customers satisfied at their first point of contact	80%	80%
The delivery of the Council's efficiency savings	£3,122,000	£3,122,000
Resident satisfaction with their area as a place to live	81%	81%
% of all contact carried out online	27%	26.30%

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Corporate Risk Register

Risk			Current Risk Rating	
Ref	Title	Risk description	I	P
CRR-001-15/16	ICT	Resilience of ICT function - managing projects and improvements alongside business as usual	3	3
CRR-004-15/16	Partnership Risk	Financial reduction in funding and impact on our partners	3	5
CRR-005-15/16	Recruitment and Retention	The risk of losing good quality staff and the inability to recruit into key posts with good quality staff	3	3
CRR-030	HRA Business Plan Delivery failure	Changes to variable factors threatens investment and service performance and medium term financial strategy	4	2
CRR-002-15/16	Budget and Income	Medium Term Financial Plan savings not delivered and pressures not anticipated or accurately recorded. Income not collected on a timely basis	3	2
CRR-003-15/16	Partnership Risk	Ability to engage with Partners	2	2
CRR-006-15/16	Environmental	The impact of adverse environmental episodes on service delivery and the subsequent adverse financial impact on Council	3	2

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List of Earmarked Reserves as at 31st March 2016

	Balance at 31 March 2016 £000	Transfers In 2015/16 £000	Transfers Out 2015/16 £000	Balance at 31 March 2015 £000
General Fund:				
Direct Revenue Funding of Capital	(13,425)	(1,036)	2,152	(14,541)
NNDR Retention Reserve	(3,829)	(500)	-	(3,329)
Committed Projects Reserve	(2,243)	(1,455)	1,564	(2,352)
Dry Recyclate Reserve	(1,400)	-	-	(1,400)
Grants Reserve	(1,309)	(875)	628	(1,062)
Employee Cost Reserve	(1,257)	-	-	(1,257)
Organisational Development Reserve	(1,185)	(1,298)	547	(433)
Business Transformation Projects	(988)	(867)	565	(685)
Homelessness	(952)	-	48	(1,000)
Housing Benefit Reserve	(804)	(804)	-	-
Westgate Redevelopment Reserve	(737)	-	-	(737)
IT Infrastructure and Equipment Reserve	(710)	(690)	333	(353)
Assets of Community Value	(707)	(707)	-	-
Loan and Property Fund Guarantee Reserve	(516)	-	-	(516)
Community Services Carry Forward Reserve	(438)	(122)	429	(746)
Repairs & Maintenance Reserve	(414)	-	45	(459)
Flood Reserve	(357)	-	-	(357)
Rose Hill Demolition	(339)	-	-	(339)
Reserve for Land Charges	(317)	(184)	59	(192)
OxFutures Reserve	(300)	-	-	(300)
SALIX Energy Projects Reserve	(265)	(184)	130	(212)
Blue Bin League Reserve	(262)	(262)	-	-
Fundamental Service Review	(200)	(200)	-	-
Economic Development Reserve	(158)	(27)	-	(131)
Taxi Licensing Reserve	(135)	-	25	(160)
P&R County Contribution - Future Maintenance	(117)	-	-	(117)
City Council Elections Reserve	(71)	(60)	-	(11)
Land at Barton	(69)	-	2	(71)
External Legal Fees Reserve	(65)	(125)	60	-
SALIX Management Fee	(60)	(20)	-	(39)
Lord Mayors Deposit	(52)	-	3	(56)
Disabled Transport Contingency	(50)	-	-	(50)
General Licensing reserve	(48)	-	18	(66)
Home Choice fund for single persons	(36)	(9)	3	(31)
Severe Weather Recovery Scheme	(35)	-	-	(35)
Business Support Scheme	(30)	(30)	-	-
Jobs Club Contingency	(25)	-	17	(42)
Town Hall Equipment Reserve	(20)	-	-	(20)
Shopmobility Reserve	(20)	(5)	-	(14)
Town Team Partners	(10)	-	-	(10)
Berkshire, Oxfordshire, Buckinghamshire and Milton Keynes Planning Fund	(9)	(2)	-	(6)
Museum Development Reserve	(5)	(2)	-	(3)
Work Of Art Reserve	(5)	-	-	(5)
HMO Licensing Reserve	-	-	9	(9)
Feed In Tariff Management Fee	-	-	2	(2)
CLG Homelessness Grant	-	-	-	-
Unlawful Dwellings Reserve	0	(0)	8	(7)
Total General Fund	(33,975)	(9,465)	6,647	(31,156)
HRA:				
HRA Capital Projects	(15,031)	(15,959)	6,438	(5,510)
IT Equipment Reserve	(196)	-	83	(279)
HRA - CRM Work	(120)	(248)	248	(120)
Eco Funding	(119)	(28)	-	(91)
Direct Payment Project Arrears Reserve	(101)	-	39	(141)
Committed Projects Reserve	(38)	(287)	248	-
SALIX Energy Projects Reserve	(18)	(18)	-	-
Albert House	-	-	60	(60)
Normandy Crescent Fund	-	-	7	(7)
Total HRA	(15,624)	(16,540)	7,124	(6,207)
Insurance Funds:				
Self Insurance Fund	(1,762)	(466)	-	(1,296)
Total Insurance Funds	(1,762)	(466)	-	(1,296)
Grand Total	(51,360)	(26,472)	13,771	(38,659)

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To: Council

Date: 25 July 2016

Report of: Finance Panel (Panel of the Scrutiny Committee)

Title of Report: Integrated Performance Report Q4 2015/16

Summary and Recommendations

Purpose of report: To present the observations of the Finance Panel on the Integrated Performance Report Q4 2015/16

Scrutiny Lead Member: Councillor Craig Simmons, Chair of Finance Panel

Executive lead member: Councillor Ed Turner, Board Member for Finance, Asset Management and Public Health

Recommendation of the Finance Panel to Council:

That Council notes the observations set out in this report.

Summary of Finance Panel observations

1. The Finance Panel has a role in budget monitoring and considered the Integrated Performance Report Q4 2015/16 at its meeting on 30 June 2016. The Panel would like to thank Nigel Kennedy and Anna Winship for presenting the report and answering questions.
2. Due to the timing of that first Finance Panel meeting of the Council year, the recommendations in the report had at that stage already been agreed by the City Executive Board.
3. A full record of the Panel's discussion is set out in the meeting minutes but the Panel agreed that the following observations would be brought to the attention of full Council:
 - That the General Fund under-spend of £0.5m was net of carry forwards and new bids that were not yet agreed (at the time the report was first published) and, excluding these, the total under-spend was close to £1.9m;

Item 7 Finance Panel report

- That the under-spend was partly a result of over-achievement against income targets, for which officers should be commended;
- That the capital outturn position of £33m equating to 95% of the latest budget was net of slippage that had taken place during the year, including due to a 4-month moratorium on many capital schemes;
- That the Council's earmarked reserves had increased significantly over the last year (from £38.7m to £51.4m) and while this increase was largely due to slippage in HRA capital projects, there had also been an overall increase in the remaining earmarked reserves;
- That risks to the Council should be reviewed in light of the leave result in the referendum on Brexit (British exit from the European Union).

Executive response to the observations of the Finance Panel provided by the Board Member for Finance, Asset Management and Public Health

Observation	Response
That the General Fund under-spend of £0.5m was net of carry forwards and new bids that were not yet agreed (at the time the report was first published) and, excluding these, the total under-spend was close to £1.9m	Agreed , para 10 of the report does say that in the event that any carry forwards or bids not agreed will be added to the £494k and transferred to the capital reserve. £1,024k of the underspend relates to the carry forwards with the balance largely arising from over achieved income.
That the under-spend was partly a result of over-achievement against income targets, for which officers should be commended;	Accepted
That the capital outturn position of £33m equating to 95% of the latest budget was net of slippage that had taken place during the year, including due to a 4-month moratorium on many capital schemes;	Agreed, around £9million of the addition to earmarked reserves of £12.7 million relates to HRA capital spend. Members will recall that in September 2015 CEB approved a moratorium on spend for a large number of capital schemes due to uncertainties in Government funding in the HRA and this wasn't lifted until December 2015. It should also be noted that the Council operates in an increasingly risky environment, with for instance very significant liabilities stemming from arrangements around Business Rate appeals. The government has sought to shift responsibility for certain risks to the Council, and it would be unwise not to review reserves accordingly.
That the Council's earmarked reserves had increased significantly over the last year (from £38.7m to £51.4m) and while this increase was largely due to slippage in HRA capital projects, there had also been an overall increase in the remaining earmarked reserves;	
That risks to the Council should be reviewed in light of the leave result in the referendum on Brexit (British exit from the European Union).	Agreed: officers are currently analysing the potential effects of this on the Council and will be reporting accordingly. Initial analysis says they are significant, both in immediate consequence and in the wider economic impact, and would endorse an appropriately cautious approach to the Council's finances.

Name and contact details of author:-

Andrew Brown on behalf of the Finance Panel (Panel of the Scrutiny Committee)
Scrutiny Officer
Law and Governance
Tel: 01865 252230 e-mail: abrown2@oxford.gov.uk

List of background papers: None

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To: City Executive Board

Date: 16 June 2016

Report of: Executive Director, Community Services

Title of Report: OXFORD CITY COUNCIL, SAFEGUARDING REPORT 2015-2016

Summary and recommendations	
Purpose of report:	To report the progress made on the Council's Safeguarding Action Plan and to recommend the Action Plan for approval for 2016-2017.
Key decision:	Yes
Executive Board Member:	Cllr Dee Sinclair, Executive Board Member for Crime, Community Safety and Licensing
Corporate Priority:	Strong and Active Communities
Policy Framework:	Corporate Plan.
Recommendation(s): That the City Executive Board resolves to:	
1.	To note the progress and development of the Council's safeguarding work 2015-2016;
2.	To agree the Action Plan as set out in Appendix 1

Appendices	
Appendix 1	Oxford City Council's Safeguarding Action Plan 2016-17
Appendix 2	Equalities Impact Assessment
Appendix 3	Risk Register

Background

1. Safeguarding children is the role of Oxfordshire County Council and it is overseen by the Oxfordshire Safeguarding Children's Board (OSCB). Oxford City Council is a key partner in ensuring safeguarding and in promoting the health and wellbeing of children and it strives for best practice in the services and support that it offers.

2. The Council must demonstrate that it complies with the Oxfordshire Safeguarding Children Board's policies and procedures and an annual safeguarding review is undertaken to ensure that this happens. This year the review looked in depth at:
 - Senior management commitment to the importance of safeguarding and promoting children's welfare.
 - A clear statement of the agency's responsibility towards children is available to all staff.
 - A clear line of accountability within the organisation for work on safeguarding and promoting welfare.
 - Service development takes into account the need to safeguard and promote welfare and is informed, where appropriate, by the views of children & families.
 - Training on safeguarding & promoting the welfare of children for all staff working with or, depending on the agency's primary functions, in contact with children & families.
 - Safer recruitment procedures including vetting procedures and those for managing allegations are in place.
 - Effective inter-agency working to safeguard & promote the welfare of children.
 - Effective information sharing.
 - Safe transportation of children.
3. The Council has also extended this review to included safeguarding of adults at risk as well as children.
4. A full copy of the safeguarding review is available on the Oxford City Council Web site:
https://www.oxford.gov.uk/info/20101/community_safety/348/keeping_people_safe
5. As a result of the safeguarding review, a Draft Action Plan 2016-17 has been developed for the City Council. This is provided in Appendix 1.

Safeguarding Action Plan 2015-16: Areas of best practice and achievements

6. The Council's 2014 -15 Safeguarding Review was considered as part of a peer review exercise in April 2016. The Council was awarded blue ratings in 5 of 7 areas. Blue ratings are awarded as evidence of best practice. In the remaining 2 areas, the Council received green ratings. There were no amber or red ratings. (Although we are waiting to receive this information in writing). Some examples of best practice are set out below.

Clear accountability

7. The Council has clear and effective lines of accountability in place. It has a Safeguarding Officers Group which meets every three months to review progress and development of the Council's safeguarding work. This group includes representatives across all service areas. There are also quarterly review meetings with the City's portfolio holder and the Chief Executive.

Services which support safeguarding and the promotion of health and well being

8. The Council provides a wide range of services which help to safeguard children and promote their health and wellbeing. City Council officers take a lead on the Oxford Community Safety Partnership's action plans for human trafficking, CSE, sex working, sexual abuse, domestic abuse, Preventing extremism, FGM and honour-based violence.
9. Some services directly contribute both to care plans for children and to early help and intervention work, such as the:
 - Housing Sustainability Team
 - Domestic Abuse, Drug, Human Trafficking and Child Sexual Exploitation work
 - Positive Futures Programme
10. The Council also works with the County Council's Occupational Therapists to help children and adults at risk to access disabled facilities grants. There are also other funding streams available such as the affordable warmth programme, flexible home loan and essential repairs grants.

Working within communities

11. The Council, along with the Thames Valley Police, is having discussions with the City's various language schools around the schools' safeguarding responsibilities.
12. The Council has a number of teams which have a role in identifying, preventing, and disrupting various types of exploitation: Community Safety, Customer Services, Direct Services, Environmental Health, Housing, Licensing (taxis, HMOs), Parks & Leisure, Waste & Recycling. Front line staff in all these teams have been trained to be aware of their safeguarding responsibilities and are supported when either raising concerns or making referrals.
13. The Council is working jointly with the Thames Valley Police in running a version of the 'Say Something If You See Something' scheme for hotels and guesthouses.
14. Working with communities will remain a priority in the action plan for 2016- 17.

Working with the other Oxfordshire District Councils

15. The Council is keen to develop and share best practice in safeguarding with other district councils in Oxfordshire. The Council attends and participates in a number of meetings on behalf of the other Oxfordshire district councils including the quarterly Performance and Quality Assurance meetings run by the OSCB and OSAB and the training sub groups.
16. The Council has been leading on the development of a Single Framework for Taxi Licencing, which includes all the district councils and the county council. The Framework includes standard training for all taxi drivers in the county and better training information sharing across authorities. The Framework has been agreed and is now being implemented. The Council will be monitoring the impact of improved information sharing.

Extensive and comprehensive training programme

17. The City Council has developed a comprehensive range of training. This includes safeguarding awareness training being provided as a part of the compulsory Conduct training for all new councillors.
18. Every member of staff has been assessed for the safeguarding training required for their particular role. An annual programme of training is developed to address any identified training needs. The completion of this training is tracked by HR using the City Council's internal IT system ('iTrent').
19. Training is also provided to particular teams including anti-social behaviour, community safety and housing. Examples of this include: sexual exploitation, domestic violence, human trafficking, mental health. There has also been Prevent (i.e. anti-radicalisation) training for Council officers and councillors. Further training needs have recently been identified relating to safeguarding offenders/perpetrators and the emerging issue of young carers.

Measuring the impact of training

20. As part of its annual safeguarding review, an online questionnaire was circulated to all staff who had been identified as requiring safeguarding training as part of their role. There were over 150 responses to this questionnaire. The results indicate that 100% of staff know how to report safeguarding concerns to either a line manager, safeguarding officer or the MASH, and 97% are aware of the procedures to use when raising a safeguarding concern. 85% of staff are either quite confident or very confident in raising a safeguarding concern. 70% know the name of at least one of the Council's four Designated Safeguarding Officers.
21. Of those responding, 93% had completed training in the past 3 years, with 50% having completed training in the past 12 months. Of the 7% who have not completed training, 4% were booked in to complete their first safeguarding training at the time the questionnaire was administered.

Information sharing

22. The Council chairs the Oxford Community Safety Partnership and is represented on the Oxfordshire Safeguarding Boards and the Children's Trust Board. The Council is also represented on the OSCB and OSAB Executive Boards. This ensures that there are clear links and information sharing across the boards
23. The Council fully cooperates with all OSCB serious case reviews, providing information where relevant and attending review meetings when required. The Council has also participated and led on Domestic Homicide Reviews.
24. The Council continues to review the types of prevalence of exploitation across the City through the Oxford Community Safety Partnership which meets quarterly. The Oxford Community Safety Partnership has a multi-agency risk assessment and action plan for each area of identified significant risk in the city.

Receiving feedback and escalating concerns

25. A going issue has been the need to ensure that there are clear processes for escalating concerns and receiving feedback on actions that have been taken. As a result the Council now keep a central record of all concerns raised. There is a review every three months of where feedback has been received and where escalation has been required. However, this is still a relatively new process and requires to be further embedded. As a result this remains a priority for improvement and action in 2016-17.

Priorities to focus on in 2016-17

26. There is a need for ongoing vigilance and to further develop and embed safeguarding services. The Action Plan for 2016-17 recognises the need to:
 - Regularly review safeguarding policy and procedures, training requirements and materials.
 - Continually improve our response to new and emerging priorities.
 - Remain vigilant to reports of CSE and other forms of exploitation.
 - Recognise the importance of all service areas in preventing and disrupting CSE and other forms of exploitation.
 - Ensure proactive and routine information and intelligence sharing and joint operations to combat CSE and other forms of exploitation
 - Ensure that there are effective escalation processes in place
 - Engage with communities to raise awareness, change perceptions and challenge behaviours

Financial Implications

27. There are no immediate financial implications related to the Safeguarding Action Plan 2016-17.

28. In its 2016/17 budget process, the Council agreed to invest in a part time Safeguarding Policy Officer position to support the Council's work around safeguarding children and vulnerable adults and support the safeguarding review process. This work was initially being carried out by the Safeguarding Coordinator on a fixed contract which comes to an end in May 2016. The Council has agreed that this role will continue as a permanent post on 3 days per week.

29. The Council makes a £20,000 annual contribution to the joint running costs of the OSCB and OSAB.

Legal implications

30. Section 11 of the Children Act 2004 places duties on a range of organisations and individuals to ensure their functions, and any services that they contract out to others, are discharged having regard to the need to safeguard and promote the welfare of children. Oxford City Council is one of the organisations to which the requirements in Section 11 apply.

31. Working Together 2015 (the statutory guidance) elaborates further:

Organisations should have in place arrangements that reflect the importance of safeguarding and promoting the welfare of children, including

- A clear line of accountability for the commissioning and/or provision of services
- Senior board level lead to take leadership responsibility for the organisation's safeguarding arrangements
- A culture of listening to children and taking account of their wishes and feelings, both in individual decisions and the development of services
- Clear whistleblowing procedures and a culture that enables issues about safeguarding and promoting the welfare of children to be addressed
- Arrangements which set out clearly the processes for sharing information, with other professionals and with the Local Safeguarding Children Board (LSCB)
- A designated professional lead for safeguarding
- Safe recruitment practices for individuals whom the organisation will permit to work regularly with children
- Policies on when to obtain a criminal record check
- Appropriate supervision and support for staff, including undertaking safeguarding training

32. The OSCB is the relevant LSCB for the City Council and is responsible for evaluating the degree to which each partner organisation fulfils its responsibilities under Section 11.

33. With regard to adults at risk, the Care Act 2014 imposes duties on local authorities, including district councils. The over-arching duty in the 2014 Act is

to promote an individual's well-being. As a 'relevant partner' of the County, the City Council is under a duty to co-operate and share information when required.

34. The City Council is required (under section 7) to share information when the County suspects that an adult in its area:

- Has needs for care and support;
- Is experiencing, or at risk of, abuse or neglect and
- As a result of those needs is unable to protect himself/herself against the abuse or neglect or the risk of it. (section 42).

35. The City Council is also required (under section 45) to share information with the Oxfordshire Safeguarding Adults Board (OSAB) to enable or assist OSAB to exercise its safeguarding function in relation to vulnerable adults.

36. The duty to share information is not an unqualified one. The City Council must cooperate with any enquiries relating to adult safeguarding except when it considers that doing so:

- would be incompatible with its own duties, or
- would otherwise have an adverse effect on the exercise of its function.

37. Oxford City Council has its own duties under the Data Protection Act 1998, which includes the principles that :

- Personal data shall be obtained only for one or more specified and lawful purposes and shall not be further processed in any manner incompatible with that purpose or those purposes;
- Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed. (Schedule 1).

Climate change/environmental impact

38. There are no climate change or environmental impact issues related to this report.

Risks

39. Oxford City Council will have to decide which of the information we hold is likely to be relevant to safeguarding and be careful not to provide anything more than what is required. This means that requests for such information should be considered carefully, balancing information sharing and data protection duties.

40. The County Council restructure of Social Care and Early intervention is likely to significantly impact on services available to children and families and adults at risk. The City Council is working with the County Council and other agencies to

see how this risk can be mitigated.

41. A risk register is set out at Appendix 3.

Equalities Impact Assessment

42. An Equalities Impact Assessment is set out at Appendix 2. There are no negative impacts related to this report.

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Oxford City Council Section 11 Self- Assessment Action Plan 2016-17**Including all learning points arising from:**

- The Section 11 Self-Assessment Audit
- The Oxford Safeguarding Children Board Bullfinch Serious Case Review
- Oxford City Council Learning and Development Action Plan following the Bullfinch Serious Case Review
Updated 3rd May 2016

B-Blue Action completed

G-Green Action on target to be met

A-Amber There is a risk that the action may not be completed on time

R-Red There is a high risk that the action will not be completed and remedial action is required.

Learning Points	Action	Evidence	Completion date	Lead	Progress	Status (RAG rating)
Learning Point 1 The need to regularly review Oxford City Council safeguarding procedures to ensure that we are adhering to our safeguarding responsibilities	Regularly review the Safeguarding Programme and Action Plan and ensure that Policy and Procedures are kept up to date.	Named Safeguarding Officers meeting minutes. Annual Section 11 Self-Assessment and Action Plan Bi-annual Assessment of the Safeguarding Action Plan Annual report to CEB and Council Quarterly Portfolio Holder meeting Review of Policy and Procedures, Keeping	June 2016 On-going Oct 2016 October 2016 / June 2016 June 2016 June 2016 quarterly On-going	Val Johnson Jennifer Kotilaine		G-Green

		People Safe Leaflet, Updating Keeping People Safe Intranet Page and Web site page				
		Review Data Sharing Protocols		FOI Officer		
82	Learning Point 2 We need to continually improve our response to new and emerging priorities with Safeguarding Children and Vulnerable Adults	Annual review of training needs and content	Named Safeguarding Officers meetings.	June 2016, quarterly.	Val Johnson	G-Green
		To identify appropriate training for staff working with perpetrators who are also vulnerable and with young carers To promote the support available to staff through the Employee Assistance Programme 'Work Well' and to develop further support where required	Review of Employee Assistance completed	June 2016	Jennifer Kotilaine	
		Work with the OSCB and OSAB Training Groups to develop training programme appropriate to our staff	Oxford City Council representation on OSCB/OSAB training subgroup	June 2016	Val Johnson	
			To increase the number of respondents to the Annual Survey OSCB Questionnaire in preparation for the Section 11 Self -Assessment	June 2016 On-going	Val Johnson/Jennifer Kotilaine	
		Measure training outcomes in practice and assess effectiveness of training staff.	Circulate OSCB Newsletter and information on learning events to all	October/November 2016	Jennifer Kotilaine	

83	<p>Review and reflection of new and emerging risks</p> <p>Clarify roles and responsibilities in respect of adult safeguarding</p>	<p>Named Safeguarding officers and advertise events in Council Matters</p> <p>Minutes from the Oxford Safety Community Partnership</p> <p>Minutes of Oxfordshire Safeguarding Board</p> <p>Minutes from the Oxford Safety Community Partnership</p>	<p>June 2016 on-going</p> <p>On-going</p> <p>October 2016</p>	<p>Val Johnson/Jennifer Kotilaine</p> <p>Tim Sadler</p>		
<p>Learning Point 3</p> <p>We have developed our understanding of CSE and the models of exploitation used in the city. We need to remain vigilant and responsive to reports of CSE and other forms of exploitation.</p>	<p>Make routine the review of prevalence and action planning by the Oxford Community Safety Partnership (OCSP)</p> <p>Joint intelligence sharing on organised crime and sexual exploitation undertaken by TVP and the Anti-Social Behaviour Investigation team (ASBIT)</p>	<p>Minutes of the Oxford Community Safety Partnership Executive Group</p> <p>Regular attendance at meetings</p>	<p>June 2016 On-going</p> <p>June 2016 On-going</p>	<p>Tim Sadler</p> <p>Richard Adams</p>		G-Green

84	Learning Point 4 Recognising the important role Oxford City Council functions have in identifying, preventing and disrupting CSE and other forms of exploitation: <ul style="list-style-type: none"> Community safety activities (ASBIT) Hackney Carriages and Private Hire HMO Licencing Environmental Health Parks Recycling and refuse 	Seek harmonisation of licensing standards across the County for Hackney Carriages and Private Hire vehicles, drivers and operators, by comparing policies and approaches across the five licensing authorities and working toward greater consistency.	Oxfordshire Chief Executives meeting minutes. Taxi licencing Task Group District meeting notes	June 2016 –on-going	Richard Adams/Tim Sadler	G-Green
		To implement recommendations following the Review Panel on Guesthouses.	Minutes of the City Community Safety Partnership Executive Group meetings	June 2016 and on-going	Val Johnson	
		Ensure that staff and Members are trained in safeguarding as required by their roles	HR records on iTrent	Ongoing	Angela Bowman	
	Learning Point 5 That proactive and routine information and intelligence sharing and joint operations are vital to combatting CSE and other forms of exploitation	Review of referral and escalation statistics	City Council Safeguarding Review meetings with Chief Executive and Portfolio Holder for Safeguarding	June 2016 and then quarterly	Val Johnson	Green
		Ensure that there are effective protocols for working with the Multi-agency Safeguarding Hub, Community Safety,	Named Safeguarding officer meeting notes Case Conference Notes MASH Case Audits	On-going	Val Johnson	

	Anti-Social Behaviour Investigation Team, Housing and other district council level services for working on individual cases. Cooperate with other agencies to disrupt CSE and other forms of exploitation	Joint disruption operations with TVP and County Council	Ongoing	Tim Sadler		
Learning Point 6 It is important to have effective escalation processes and strong relationships between the Oxford Community Safety Partnership and Oxfordshire Safeguarding Children Board and Oxfordshire Children's Trust Board.	Revised TOR have been agreed by the Health and Wellbeing Board to record relationships, escalation processes and accountability between Oxford Safer Community Partnership, Oxfordshire Safeguarding Children's Board and Oxfordshire Community Safety Partnership	Regular reports to Oxford Community Safety Partnership, Oxfordshire Safeguarding Board and Oxfordshire Community Safety Partnership.	April 2016 and on-going	Tim Sadler	G-Green	G-Green
	To ensure that relevant Members and Officers are briefed on papers going to the OSCB and Children's Trust Board and any decisions made.	Regular Briefings circulated prior to and following all OSCB and Children's Trust Board meetings.	June 2016 and on-going	Val Johnson and Jennifer Kotilaine		G-Green
		To regularly review the use of escalation at the Named Safeguarding Officers meetings (6 monthly).	June 2016 and on-going	Val Johnson and Jennifer Kotilaine		
		To regularly Review at City	June 2016 and	Jennifer Kotilaine		

	<p>Ensure that any multi-agency meetings managed by Oxford City Council have clear ownership and consistency of titles.</p> <p>To review and promote the use of the Escalation Procedures internally and ensure that they are clearly understood.</p>	<p>Council Safeguarding Review meetings with Chief Executive and Portfolio Holder for Safeguarding</p> <p>To regularly Review at City Council Safeguarding Review meetings with Chief Executive and Portfolio Holder for Safeguarding</p>	<p>quarterly</p> <p>June 2016 and quarterly</p>	Jennifer Kotilaine		
<p>Learning Point 7 CSE is not an isolated one off event. It is important to engage with communities to raise awareness, change perceptions and challenge behaviours</p>	<p>Working with the OSCP Executive Group to identify an on-going, coordinated programme between the City Council, County Council and police working in communities and with young people at risk.</p> <p>To develop effective community engagement to promote safeguarding and awareness of issues such as CSE, Human Trafficking and Prevent</p> <p>To monitor the feedback from children to test the effectiveness of safeguarding policies and</p>	<p>Notes of the OSCP, and Executive Group meetings</p> <p>Consideration of Prevalence Reports at CSE sub group of OSCB, attended by City Council</p> <p>Feedback from</p>	<p>On-going</p> <p>Ongoing</p> <p>June 2016 and on-going</p>	<p>Richard Adams</p> <p>Tim Sadler</p> <p>Val Johnson/Jennifer Kotilaine</p>		G-Green

	plans on the ground and to identify blockages	consultation on activities undertaken by the Youth Ambition Engagement Officer (with a special focus to feed into the section 11 Review in September/ October 2015)				
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Document Control

Document	Oxford City Council Safeguarding Action Plan 216-17
Owner	Tim Sadler, Executive Director, Community Services
Author	Val Johnson <i>Policy Culture and Communications</i> <i>vjohnson@oxford.gov.uk</i> <i>01865 252209</i>
Date last reviewed	3 rd May 2016
Next Review Date Due	Review following CEB comments
Version	2

Name: 'Oxford City Council Safeguarding Action Plan'**File Location:** M:\Policy, Culture and Communications\Policy\Safeguarding\Action plans\Safeguarding Action Plan 2016-17 - April 2015 vs 2.docx

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Form to be used for the Full Equalities Impact Assessment

Service Area: ASC		Section: Policy	Date of Initial assessment:	Key Person responsible for assessment: Val Johnson	Date assessment commenced: 18.02.16	
Name of Policy to be assessed:			Safeguarding Children, Young People and Vulnerable Adults			
1. In what area are there concerns that the policy could have a differential impact Other strategic/ equalities considerations			<i>Race</i> Yes, positive	<i>Disability</i> Yes, positive	<i>Age</i> Yes, positive	
			<i>Gender</i> Yes, positive	<i>Religion or Belief</i> Yes, positive	<i>Sexual Orientation</i> Yes, positive	

2. Background

In October 2013 the City Council commissioned an independent review of its Section 11 Safeguarding Children arrangements. Although there had been no specific complaints, a number of serious case reviews and domestic homicide reviews had identified a number of actions for the City Council and other local agencies. The subsequent policy review involved consultation with all key officers and included consultation on the need to place a greater emphasis on vulnerable adults, the need to review the content of training to include child sexual exploitation, and the need to support front line staff working with vulnerable adults and children. The self-assessment and action plan has since been reviewed on an annual basis.

Statistical evidence indicates that Oxford City is very different to other parts of Oxfordshire. There are issues in Oxford which have a direct and indirect impact on the well-being and welfare of children, young people and vulnerable adults. These include differences in the demographic make-up of the city, including population age groups, ethnicity and relatively high levels of deprivation in some areas of the city. Of particular concern are educational attainment, child poverty (at rates higher than the national average), homelessness and overcrowding.

https://www.oxford.gov.uk/downloads/file/2248/indices_of_deprivation_2015_oxford_report

https://www.oxford.gov.uk/info/20125/education_and_skills/455/education_and_skills_in_oxford

https://www.oxford.gov.uk/info/20131/population/497/poverty_and_deprivation

The majority of services for children, young people and vulnerable adults are provided by other agencies such as education, health and social care. But the City Council needs to play a strong leadership role and influence other agencies if the needs of vulnerable groups in the city are to be understood and met.

The City Council has a Children and Young People's Plan which sets out all the services provided by the Council and the work it undertakes with partners to safeguard and promote the wellbeing of children and young people. In particular these services include the Housing Sustainability, Housing Adaptations, Domestic Abuse, Drug, Human Trafficking and Child Sexual Exploitation work and the

	<p>Youth Ambition/ NEET intervention and support services.</p> <p>The primary aim of the Safeguarding Policy is to set out how the City Council will comply with its safeguarding functions in 2016-2017.</p> <p>The objectives of the policy are:</p> <ul style="list-style-type: none"> • To ensure that the City Council's policies and practices fulfil its duty to safeguarding and promote the welfare of children and young people • To improve opportunities for children and young people who lives in areas of deprivation and/or who experience poverty and disadvantage • To ensure that the City Council's policies and practices fulfil its duty to safeguarding and promote the welfare of adults at risk of harm. <p>The City Council's safeguarding plan is intended to benefit all children, young people and adults in Oxford, particularly those who are most excluded and at risk of harm.</p>
<p>3. Methodology and Sources of Data:</p> <p>The methods used to collect data and what sources of data</p>	<p>A statutory annual safeguarding audit ('Section 11') is completed by the City Council and is assessed by the Oxfordshire Safeguarding Children's Board. This is coordinated and led by the Policy & Partnership Team Leader. This audit includes a peer assessment of the City Council's Safeguarding Policy & Procedures and Action Plan.</p> <p>The most recent peer assessment was held in April 2015. This showed that the City Council has been rated either blue or green in all areas that were measured. Blue ratings are awarded as evidence of best practice, whilst green ratings are awarded when all points are met and most points are evidenced (i.e. 75% met).</p> <p>http://occweb/intranet/documents/keeping-people-safe-section-11-template-and-action-plan-2015</p> <p>Additional detailed information can be found in:</p> <ul style="list-style-type: none"> • Oxfordshire Safeguarding Children's Board meetings, data and reports

	<ul style="list-style-type: none"> • Oxfordshire Safeguarding Adults Board meetings, data and reports • PAQA performance data and reports • Multi Agency Safeguarding Hub (MASH) performance data and reports <p>Other documents that provided data and identified potential gaps in provision included Joint Needs Evidence, Oxford City Children and Young People's Plan and Oxford City Older People's need Assessment. Supporting performance and monitoring information is available through the Health and Wellbeing Board.</p>
<p>4. Consultation</p> <p>This section should outline all the consultation that has taken place on the EIA. It should include the following.</p> <ul style="list-style-type: none"> • Why you carried out the consultation. • Details about how you went about it. • A summary of the replies you received from people you consulted. • An assessment of your proposed policy (or policy options) in the light of the responses you received. • A statement of what you plan to do next 	<p>The Safeguarding Policy has been developed and implemented by City Council Officers across all service areas and with the input from Members.</p> <p>As part of the Council's most recent annual safeguarding audit, a questionnaire was circulated among all staff that have been identified as requiring safeguarding training as part of their role. There were over 150 responses to this questionnaire. The results indicate that 100% of staff know how to report safeguarding concerns to a line manager, safeguarding officer, or the Multi Agency Safeguarding Hub; and 97% are aware of the procedures to use when raising a safeguarding concern. 85% of City Council staff are either quite confident or very confident in raising a safeguarding concern.</p> <p>Although the audit ratings and questionnaire responses are very good, the City Council wants to ensure that it continues to develop its policies and procedures as required.</p>
<p>5. Assessment of Impact:</p>	<p>The 2015 the Safeguarding Review highlighted that there have been 23 referrals from the City</p>

<p>Provide details of the assessment of the policy on the six primary equality strands. There may have been other groups or individuals that you considered. Please also consider whether the policy, strategy or spending decisions could have an impact on safeguarding and / or the welfare of children and vulnerable adults</p>	<p>Council service areas to the County Council in 2015: 9 relating to adults, 14 relating to children. The nature of referrals in order of prevalence are:</p> <ul style="list-style-type: none"> • Sexual abuse/CSE: 6 • Homelessness (including children sleeping in cars): 4 • Mental health (including suicide threats): 3 • Neglect: 3 • Domestic violence: 2 • Financial abuse: 2 • Physical health: 2 • Self-neglect: 2 • Parental substance misuse: 1 <p>(Some referrals are made for more than one reason. This is why the number of referrals does not match the number of different concerns raised in the referrals.)</p> <p>There were 12 corporate safeguarding referrals that were made in 2015: 7 of these have been in relation to adults; 5 in relation to children. By contrast, in the first quarter of 2016, 14 corporate referrals and 1 escalation have been made during this three month period alone. The referrals related to 9 adults and 5 children. The escalation related to a family comprising of children and adults. The concerns raised in relation to children related to child cruelty/abuse by a parent (3), intra sibling abuse (2) and neglect (1). The concerns raised in relation to adults related to mental health (5), self neglect (3) threats to kill (2), and financial abuse (1).</p> <p>With the implementation of the MASH, the Council has been able to analyse data relating to referrals, which indicates that it is 'outstanding' in sharing relevant information in a timely fashion.</p> <p>Despite progress in the use of data analysis the Council is mindful not to make assumptions around groups with protected characteristics who may be a higher risk of being vulnerable. However, both national and local statistics do indicate that:</p> <p>Race: Culture, ethnicity and family background can have significant impact on child attainment and</p>
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well-being. BME groups in particular are over represented in child protection, with a higher number on Child Protection plans (DCSF, 2009). Evidence also suggests that African Caribbean and Pakistani children are in general terms at greater risk of academic underachievement (DfE, 2015: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/439861/RR439A-Ethnic_minorities_and_attainment_the_effects_of_poverty.pdf),

Disability: Disabled children and adults are more at risk of harm and abuse. They are over-represented as subjects of safeguarding cases and suffer disproportionately from bullying (NSPCC 2014: <https://www.nspcc.org.uk/globalassets/documents/research-reports/right-safe-disabled-children-abuse-summary.pdf>). Greater social difficulties are faced in terms of accessing opportunities for education, play and leisure. There is also a greater likelihood of developing mental health problems in children with learning difficulties: 36% of children and young people with learning disabilities will have a mental health problem, compared with 8 % of non-disabled children. (Emerson and Hatton (2007): <http://bjp.rcpsych.org/content/191/6/493>).

Age: The City's safeguarding policy is specifically targeted at safeguarding children, young people and their families. It also covers adults at risk. It should therefore impact positively on all age groups.

Gender: Girls are more at risk of forced marriage, and female genital mutilation. They are more likely to victims of cyber bullying and are less likely to be happy with their health and self-image.(HSCIC, 2015: <http://www.hscic.gov.uk/catalogue/PUB19244>).

More females than males are Not in Education, Employment or Training (House of Commons Library, 2016: <http://researchbriefings.files.parliament.uk/documents/SN06705/SN06705.pdf>) Oxford City NEET figures are found at https://www.oxford.gov.uk/downloads/file/2325/february_2016_chart_of_the_month_jsa_claimants_and_neet_statistics.

All of these factors make individuals more vulnerable to exploitation and abuse.

Religion or Belief: There is an emerging national issue of radicalisation and the Government has developed a Prevent' Strategy to help with the prevention of extremism (Note that groups/ individuals at risk of extremism or being radicalised are not uniquely identifiable by this

	<p>characteristic.) https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/97976/prevent-strategy-review.pdf</p> <p>The Muslim Council of Great Britain monitors the level of Islamophobia in Britain today. The state that in the last year there have been attacks against mosques, physical abuse against Muslims, anti-Muslim graffiti, a rise in verbal abuse, hate mail and reports of s of Islamophobia in schools. http://www.mcb.org.uk/islamophobia/</p> <p>Sexual Orientation Due to the stigmatisation attached to different sexual orientation it can have a significant impact on a child, young person or adult's mental well-being. There can be a greater risk of self-harming. (DoH, 2011: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/213764/dh_124514.pdf)</p> <p>Homophobia has also been identified as an area of concern for children in schools (DoH, 2011).</p>
<p>6. Consideration of Measures:</p> <p>This section should explain in detail all the consideration of alternative approaches/mitigation of adverse impact of the policy</p>	<p>A number of the activities set out in the Children and Young People's are aimed at reducing inequalities through positive action and targeting resources at particular groups.</p> <p>The actions contained in the Safeguarding Action Plan are aimed at:</p> <ul style="list-style-type: none"> • Ensuring regular review of the Policy and Procedures • To improve our response to new emerging priorities for safeguarding • Develop our understanding of CSE and other models of exploitation • Recognise the important role that the Council's functions have in identifying and safeguarding • To work closely with partners to proactively share information and intelligence • To ensure effective escalation procedures are in place. <p>Oxford City Council has a strong record of supporting people who are vulnerable and at risk, e.g. of becoming homeless, and of being proactive in the implementation of new public safety</p>

	initiatives
<p>6a. Monitoring Arrangements:</p> <p>Outline systems which will be put in place to monitor for adverse impact in the future and this should include all relevant timetables. In addition it could include a summary and assessment of your monitoring, making clear whether you found any evidence of discrimination.</p>	<p>We will continue to complete our statutory annual safeguarding audit. Our Action Plan and Training Programme are continually reviewed to ensure that they address emerging issues, including those issues that are identified at Serious Case Reviews. and other emerging issues.</p> <p>The Action Plan is monitored on a quarterly basis by the Director of Community Services and the Portfolio Holder. It is also reviewed regularly (every three months) by the Named Safeguarding Officers Group to capture any emerging issues from the community.</p> <p>Data analysis from MASH referrals and case studies will be an important aspect in monitoring the impact of the effectiveness of the policy and the improved outcomes as a result of interventions. It is also hoped that new reporting features of the MASH will act as a better mechanism for the Council to keep track of and learn from the outcomes of its referrals (including accountability for relevant agreed response rates from social services).</p>
<p>7. 12. Date reported and signed off by City Executive Board:</p>	
<p>8. Conclusions:</p> <p>What are your conclusions drawn from the results in terms of the policy impact</p>	<p>Safeguarding and promoting well-being is a priority for the City Council. We have a robust policy and procedures in place which are regularly monitored. We continue to develop our Action Plan to address emerging issues. There has been an increase in referrals made by service areas and also made at a corporate level. We believe that this is due to the programme of awareness-raising that we have undertaken with these service areas, encouraging staff to share any concerns that they might have.</p> <p>City Council officers will continue to lead on the Oxford Community Safety Partnership's action plans for Human trafficking, CSE, sex working, sexual abuse, domestic abuse, Preventing extremism, FGM and honour-based violence.</p> <p>Some key Council services directly contribute both to care plans for children and to help early</p>

		intervention work, such as: <ul style="list-style-type: none"> • Housing Sustainability Team • Domestic Abuse, Drug, Human Trafficking and Child Sexual Exploitation work • Youth Ambition/ NEET intervention and support Full information of contact details, key partnerships and safe reporting channels can be found at : https://www.oxford.gov.uk/info/20101/community_safety				
9. Are there implications for the Service Plans?	YES	NO	10. Date the Service Plans will be updated	April 2017	11. Date copy sent to Equalities Officer in HR & Facilities	24/05/16
13. Date reported to Scrutiny and Executive Board:			14. Date reported to City Executive Board:	16 th June 2016	12. The date the report on EqlA will be published	

Signed (completing officer)

Signed (Lead Officer)

Please list the team members and service areas that were involved in this process:

Organisational Development & Learning Advisor/ Equalities

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Title	Risk description	Opp/ threat	Cause	Consequence	Date Raised	Owner	Gross		Current		Residual		Comments	Controls				
							I	P	I	P	I	P		Control description	Due date	Status	Progress %	Action Owner
Safety and wellbeing of children, young people and adults at risk	Children young people or adults may be at risk of abuse or harm or suffering neglect.	O	Children , young people or adults at risk may be subject to various forms of exploitation or abuse by people they should be able to trust. They may also be subject to neglect. In the case of adults, some of this neglect may	Children, young people and adults may experience abuse or neglect, including self neglect.	19.02.16	Val Johnson	3	3	3	3	3	2		Regularly review policy and procedures to ensure they are fit for purpose. Intensive training available for all staff and members as required. Adequate resources to implement and develop safeguarding programme	ongoing	ongoing		Val Johnson
Reputational	The City Council is seen not to have acted to safeguard children, young people or adults at risk that have suffered harm	T	City Council staff may not have adequate training to identify a safeguarding concern or may not know how to raise a safeguarding concern. It may not have sufficient resources to deal with safeguarding concerns.	The City's reputation would be at risk	19.02.16	Val Johnson	3	3	3	3	3	2		Regularly review policy and procedures to ensure they are fit for purpose. Intensive training available for all staff and members as required. Adequate resources to implement and develop safeguarding programme	ongoing	ongoing		
Legal	The City Council is not compliant with legislation relating to safeguarding and information sharing. It does not follow statutory guidance.	T	The City Council may not comply with statutory duties in promoting the safeguarding of children and well being of adults. It may not follow ongoing developments in legislation and therefore may be unaware of	The City may be in breach of its statutory duties.	19.02.16	Val Johnson	3	3	3	3	3	2		Regularly review policy and procedures to ensure they are fit for purpose. Intensive training available for all staff and members as required. Adequate resources to implement and develop safeguarding programme	ongoing	ongoing		
Financial	The City Council is found not to have acted to safeguard children, young people or adults at risk that have suffered harm	T	City Council staff may be found to have failed to identify a safeguarding concern or not known how to raise a safeguarding concern	The City may be liable for breach of statutory duty which would incur financial damages	19.02.16	Val Johnson	3	3	3	3	3	2		Regularly review policy and procedures to ensure they are fit for purpose. Intensive training available for all staff and members as required. Adequate	ongoing	ongoing		
Operational	The City Council is expected to act outwith its statutory responsibility in relation to children, young people and adults at risk.	T	The restructure of County Council Social Casre and Early Intervention is likely to significantly impact on the services available for children and families and	The City may have increased demand on its services.	03.05.16	Val Johnson	3	3	3	3	3	2		The City Council is currently working with other agencies to see how how this risk can be mitigated.	ongoing	ongoing		

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To: City Executive Board

Date: 16 June 2016

Report of: Scrutiny Committee

Title of Report: Oxford City Council Safeguarding report 2015-16

Summary and Recommendations

Purpose of report: To present recommendations of the Scrutiny Committee on the

Scrutiny lead member: Councillor Andrew Gant

Executive lead member: Councillor Dee Sinclair, Board Member for Community Safety

Recommendation of the Scrutiny Committee to the City Executive Board:

That the City Executive Board states whether it agrees or disagrees with the six recommendations set out in the body of this report.

Introduction

1. The Scrutiny Committee pre-scrutinised the Oxford City Council Safeguarding report at its meeting on 6 June 2016. The Committee would like to thank Councillor Sinclair, Caroline Green and Jennifer Kotilaine for presenting this item and answering questions.

Summary of the discussion

2. The Board Member said that the Council complied with its statutory responsibilities and was going over and above in a number of areas but could not be complacent. The creation of a permanent part-time Safeguarding Co-ordinator post, which had previously been recommended by Scrutiny, was a very welcome development and more outward looking community work would be a priority for the year ahead. The Committee warmly welcomed the report including the extension of the annual safeguarding review to include vulnerable adults as well as children, and commended officers on their excellent work in this area.

3. The Committee noted that the Multi-Agency Safeguarding Hub (MASH) had been set up to facilitate safeguarding processes and information sharing with regards to children. The Committee heard that a decision had recently been taken not to extend the work of the MASH to include safeguarding vulnerable adults.
4. The Committee commented that neglect was a common form of abuse and that members needed to be sensitive to signs of neglect. It was suggested that anonymised case study examples of safeguarding issues that had been referred by City Council services to the County Council would be useful to elected members. Members also commented that they needed to know who to report concerns to and heard that safeguarding training was being offered to members.

Recommendation 1 - That anonymised case study examples of safeguarding referrals made by the Council are provided to elected members.

5. The Committee raised concerns about high levels of absence at some academy schools and questioned where the responsibility for addressing this lay. The Committee heard that the role of the City Council was limited here. What the Council could do was signpost effectively and work proactively in partnerships with other agencies to highlight these kinds of issues.

Recommendation 2 - That the Council continues to work positively and proactively through partnerships to raise awareness of potential safeguarding issues in the City and push for action to investigate and address these issues, including, for example, high levels of pupil absence at particular schools.

6. The Committee questioned whether increased awareness and more effective signposting were leading to more referrals and increased pressure on services. The Committee heard that the Council had a responsibility to report concerns but its role was not to investigate them. Officers said they would appreciate more feedback following referrals and did not know whether increased awareness was having a positive impact.

Recommendation 3 – That the Council continues to request feedback from partner agencies following safeguarding referrals.

7. The Committee considered safeguarding issues around language schools in the City and noted that the Council and the Police were beginning to engage with language schools around their safeguarding responsibilities through a new forum. The Committee heard that it was unclear where in the City many language school students (specifically those under the age of 18) were living and in what conditions. The absence of rigorous checking was a concern because these students didn't speak English and were potentially vulnerable. The Committee noted that this lack of rigor contrasted with, for example, the checks around fostering and adoption arrangements, and was a national issue that should be referred up to government.

Recommendation 4 – That the Council makes representations to government through appropriate channels about the need for more rigorous safeguarding arrangements for language school students aged under 18 living in private sector accommodation.

8. The Committee noted that the Council was not able to proactively check and monitor the welfare of language school students living in the City and heard that it could be difficult to engage with language schools. In response to a question about whether anyone had sought the views of language school students, officers advised that they did not know. It was suggested that these issues should be thought through and discussed with language schools and partner agencies, and that it may be possible to learn lessons from the recent scrutiny review of guest houses.

Recommendation 5 – That potential safeguarding issues around language school students aged under 18 living in private sector accommodation should be considered and discussed with language schools, the police and other relevant partner agencies.

9. The Committee noted that the Council's Houses in Multiple Occupations (HMO) and Private Sector Enforcement teams had a role to play in identifying and reporting safeguarding issues. It was suggested that these officers should be trained to recognise safeguarding issues relating to language school students and to report any concerns they come across.

Recommendation 6 – That Safeguarding training provided to the Council's HMO and Private Sector Enforcement Teams should cover how to recognise and report potential safeguarding issues around language school students aged under 18 living in the private sector.

Further consideration

10. The Committee agreed the following actions:
- a. An item on language schools would be added to the scrutiny work plan for a possible future review;
 - b. Details of non-compulsory Safeguarding training would be circulated to Committee members;
 - c. A question about how planning applications for a new category of student housing built by private developers would be dealt with would be referred to Planning Officers.

Name and contact details of author:-

Andrew Brown on behalf of the Scrutiny Committee
Scrutiny Officer
Law and Governance
Tel: 01865 252230 e-mail: abrown2@oxford.gov.uk

List of background papers: None

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Suggested City Executive Board response to the recommendations of the Scrutiny Committee on the Oxford City Council Safeguarding Report 2015-16

Provided by the Board Member for Community Safety

Recommendation	Agreed? (Y / N / In part)	Comment
1. That anonymised case study examples of safeguarding referrals made by the Council are provided to elected members.	Y	This is part of the safeguarding training that is provided for Members.
2. That the Council continues to work positively and proactively through partnerships to raise awareness of potential safeguarding issues in the City and push for action to investigate and address these issues, including, for example, high levels of pupil absence at particular schools.	Y	The City Council is represented on the Oxfordshire Safeguarding Children's Board and the Oxfordshire Children's Trust where these issues are discussed. It also leads on the Community Safety Partnership which is another forum for these issues.
3. That the Council continues to request feedback from partner agencies following safeguarding referrals.	Y	The Council relies on data from the Multi Agency Safeguarding Hub and will continue to seek feedback from partner agencies on how referrals are progressing. However, the Council's role is not to investigate
4. That the Council makes representations to government through appropriate channels about the need for more rigorous safeguarding arrangements for language school students aged under 18 living in private sector accommodation.	In part	This can only happen once multi agency work has been done on language schools in Oxford. (see recommendation 5, below) If this work raises concerns that should be raised at a national level, representations to government should be made.
5. That potential safeguarding issues around language school students aged under 18 living in private sector accommodation should be considered and discussed with language schools, the police and other relevant partner agencies.	Y	This work is already underway.
6. That Safeguarding training provided to the Council's HMO and Private Sector Enforcement Teams should cover how to recognise and report potential safeguarding issues around language school students aged under 18 living in the private sector.	Y	The Council's HMO and Private Sector Enforcement Teams are trained in safeguarding both children and adults. The issues relating specifically to language school students including a case study can be added to the training that is in place.

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To: General Purposes Licensing Committee

Date: 18 May 2016

Report of: Head of Community Services

Title of Report: Policy on Hackney Carriage Quantity Control – Unmet Demand Survey

Summary and Recommendations

Purpose of report: To consider the report of the “Unmet Demand” survey that was carried out between 7 September 2015 and 20 December 2015

Report Approved by:

Finance: Paul Swaffield

Legal: Daniel Smith

Policy Framework: Policy on Hackney Carriage Quantity Control
Vibrant Sustainable Economy
Cleaner, Greener Oxford

Recommendation(s): That the General Purposes Licensing Committee resolves to:

- (i) agree to accept the conclusions of the Hackney Carriage “Unmet Demand” survey report prepared by CTS Traffic and Transportation that there is currently no significant unmet demand for Hackney Carriage Vehicles;
- (ii) recommend to Council that there is currently no unmet demand for the services of Hackney Carriage Vehicles and to therefore resolve to maintain the Council’s Policy of Hackney Carriage Quantity Control and the current quota of 107 Hackney Carriage Vehicle licences; and
- (iii) recommend to Council that a further “Unmet Demand” survey be commissioned in 2018, subject to any future changes to relevant legislation.

Additional Papers:

Appendix 1: “Unmet Demand” Survey Report

Introduction

1. A Licensing Authority is permitted by virtue of S. 37 of The Town Police Clauses Act 1847 and S.16 of The Transport Act 1985 to limit the number of Hackney Carriage Vehicle licences that it issues provided that the Authority is ***“satisfied that there is no significant demand for the services of Hackney Carriages which is unmet”***.
2. A Hackney Carriage Quantity Control Policy is in force locally and has the effect of limiting the number of Hackney Carriage Vehicle licences granted by the Authority to a level that meets but does not exceed demand for the services of Hackney Carriage Vehicles. The current quota is set at 107 Hackney Carriage Vehicle licences.
3. The Licensing Authority reviews the specified limit by carrying out periodic “Unmet Demand” surveys. The Policy itself forms part of the Council’s Policy Framework and changes need be agreed by Council.

Background

4. A full review of Hackney Carriage Vehicle licensing function was carried out by the Environmental Scrutiny Committee (November 2007).
5. The recommendations from that review were presented to this Committee in January 2008, and the recommendation of the Committee to implement an official Policy on Hackney Carriage Quantity Control (as an unofficial quota of Hackney Carriage Vehicle licences had been historically set) was agreed by Council (June 2008), including imposing a requirement that periodic reviews of the Policy were carried out. This was then agreed by the General Purposes Licensing Committee and a study on “Unmet Demand” was requested to determine if there is a significant unmet demand for Hackney Carriage vehicles.
6. An Unmet Demand survey was carried out by Halcrow Group between October 2012 and December 2012, resulting in a recommendation by this Committee to Council to maintain the current policy and restrict the quota of Hackney Carriage Vehicle licences issued to a maximum of 107. A further “Unmet Demand” survey was requested be commissioned in 2015.
7. In September 2012 Council approved the recommendations of this Committee, resulting in the quota of 107 Hackney Carriage Vehicle licences issued by this Authority remaining unchanged, and to commission a further Unmet Demand survey be carried out in 2015.

Hackney Carriage Vehicles “Unmet Demand” Survey 2015

8. CTS Traffic and Transportation were appointed to undertake the survey, which was carried out between 7 September 2015 and 20 December 2015, with further interrogation of research (video and data intelligence) until February 2016.
9. CTS Traffic and Transportation’s report is attached at **Appendix 1**, the recommendations are on *Page 45* of the survey report. Ahead of this Committee meeting the full “Unmet Demand” survey report has been emailed to Members and a hard copy has been made available in St Aldate’s Chambers.
10. The survey recommends:

“There is no evidence of any unmet demand for hackney carriages either patent or latent which is significant at this point in time in the Oxford area. The committee is therefore able to retain the current policy and limit at the present level and defend this if necessary.”
11. A consultant from CTS Traffic and Transportation will be at the meeting to present the report to this Committee and answer any questions Members may have.

Legal Implications

12. Any legal implications are contained within this report.

Financial Implications

13. Any financial implications contained within this report will be met within existing budgets.

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THE DATA COLLECTION SPECIALISTS



Oxford City Council

Hackney carriage unmet
demand survey

Final Report

April 2016



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Executive summary

CTS Traffic and Transportation were appointed by Oxford City Council to undertake their "Hackney carriage unmet demand survey" on 3rd September 2015. This report presents the results of all investigations undertaken to provide a database of robust information on which a decision can be taken by councillors in regard to the hackney carriage vehicle limitation policy. All research was undertaken in line with the current Department for Transport Best Practice Guidance (April 2010) and taking advantage of the extensive research undertaken by the Law Commission in their recent review of licensing.

Oxford is a University town and a City within the county of Oxfordshire. Highway and transport policy, and therefore rank provision, come under the authority of the County. The current LTP supports hackney carriage and private hire services and considers their importance will increase in the transport mix with a focus on sustainable access to the city centre. A set of detailed plans provided by the County of rank locations is excellent best practise.

Statistics show eight hackney carriage plates added since 1997 whilst private hire growth has been 365% plus more recent influxes of out of town vehicles servicing the area. Driver growth has been much less – evidence of a decrease in the level of double and treble shifting of vehicles though there is evidence this remains high on the hackney carriage side. The hackney carriage and private hire trades are almost entirely separate in the area. The two largest private hire firms recently merged whilst there are a large number of non-public facing companies. There appears to be strong brand loyalty.

Rank provision has not changed since 2012 though at the time of this survey one key rank was not usable due to road works. Demand around some ranks has disappeared, particularly in some suburban areas. Nine ranks were covered for some 268 hours by video methods in November 2015. There was little abuse of ranks by other vehicles.

Despite claims of Oxford being a 24/7 City only Gloucester Green tends to operate 24/7 and even this has gaps mid week in the early hours. Queen St was active whenever it was legally available and was the busiest location in average passenger levels. The station rank was active when train services operated. Overall flows appear generally low compared to other cities. There appears spare capacity in the hackney carriage fleet to meet demand, which appears to have reduced since 2012. Even the private hire situation seemed to suggest reduced demand and increased competition.

The industry standard ISUD index showed improved performance from 2012 and the small levels of unmet demand observed are far from significant.

The 200 members of the public interviewed said 40% of them had recently used a 'licensed vehicle', reduced from 2012. Ranks provided 26% of demand with the main focus on phone demand. Overall licensed vehicle usage of 1.4 trips per person per month reduce to 0.4 when focussed specifically on hackney carriage usage. Private hire companies dominate provision, with the hackney carriage radio circuit relatively little used by people. Hackney carriages are very visible to people, but not used. Ranks were well-known but again relatively little used by people, with a need for better marketing of ranks needed.

The 100% WAV hackney carriage vehicle policy remained supported by those interviewed in the streets.

Most key stakeholders tended to use private hire services, although night clubs knew of and felt their customers appreciated and used the available central ranks. They also felt there was a lot of hailing. Despite growth since the last survey in passenger levels at Oxford station, hackney carriage demand there has seen a 10% actual reduction.

One person was seen using a wheel chair to access a hackney carriage at a rank during our surveys. One other person was noted visually disabled.

The trade response was at a normal level of 5%. 74% of respondents were hackney carriage. Typical weeks were generally low – five days, 37 hours. Rank use was consistent with the rank survey and public attitudes in terms of the station being most used, followed by Gloucester Green, then Queen St and finally St Giles.

35% supported retaining the limit policy but there was a vocal group wanting to own their own plates rather than rent therefore opposing the policy. This is not a recent issue.

Hackney carriage usage in Oxford appears to have declined since 2012. Whilst some is explained by the road works and loss of the key rank, it appears that there has been a much increased share of the overall work taken by private hire (from both within and outside the city). People do appreciate the hackney carriage fleet, know where to get them, are willing to hail them, but generally seem to choose private hire. The recent high levels of competition from and within private hire have probably ensured that this part of the trade have marketed themselves even more and therefore increased market share of what appears to be a reducing market.

There is no evidence of latent or patent significant unmet demand at this time and the limit on plates can remain and be kept at the current level, and defended in court if required.

Retention of the limit at the current level would help the trade to focus on attempting to develop their current offer. Whilst the Council and County could help by providing better access to rank location plans, and providing better information at ranks and on the internet about the service, there is a strong need for all the hackney carriage trade to unite and focus on developing and marketing their offer. This may include taking advantage of recent developments (such as apps) which mean that many other cities have much more utilised hackney carriage fleets than Oxford currently appears to have.

1. Introduction

Oxford City Council is responsible for the licensing of hackney carriage and private hire vehicles operating within the council area. The licensing authority retains a limit on the number of hackney carriage vehicles it licences. This limit has been in place since at least 1990, though formal DfT information suggests 1997. There have been regular reviews of policy supported by surveys with the last undertaken in 2012.

Study timetable

Oxford appointed CTS Traffic and Transportation on 3rd September 2015 to undertake this survey of taxi demand in line with our quotation dated 30th July 2015 as confirmed at the Inception Meeting held on 6th October 2015.

The review was carried out between September 2015 and April 2016, with pedestrian survey work undertaken in November 2015. Licensed vehicle driver opinions were obtained by issue of a letter to all drivers by the Council in November 2015. Other key stakeholder consultation was undertaken between September 2015 and April 2016. Rank surveys were undertaken in mid-November 2015. A Draft Final report was submitted and this was reviewed to identify any factual or missing issues. The Final Report will be reported to committee in May 2016.

National background and definitions

At the present time, hackney carriage and private hire licensing is carried out under the Town Police Clauses Act 1847 (as amended by various further legislation including the Transport Act 1985, especially Section 16) in regard to hackney carriages and the Local Government (Miscellaneous Provisions) Act 1976 with reference to private hire vehicles. A number of modifications have been made within more recent legislation and through case law.

The issue of limits on hackney carriage vehicle licences (and other potentially restrictive practices) were considered by the Office of Fair Trading (OfT) (and latterly the House of Commons Select Committee on Transport). The Department for Transport most recently published Best Practice Guidance in April 2010 to cover a number of more recent issues and take on board both the recommendations of the OfT and House of Commons Select Committee (HoC SC).

More recently a further HoC SC has led to the Law Commission (LC) taking on a wide ranging review of vehicle licensing law to be completed over the next few years. The consultation document from the LC was released in mid-May 2012, final LC recommendations were published on 23rd May 2014, but no specific Government response has yet been provided nor any date for when this might be provided.

The Deregulation Bill originally contained three clauses impacting on taxi licensing. These cover unlicensed relatives being able to drive private hire vehicles (dropped), operators being able to transfer work across borders and length of driver and operator licences. An opportunity was also given for trade representatives to identify conditions of licence that were felt to be unduly restrictive. None of these really impact on the issue of unmet demand directly but could have some impacts on operations which might move demand from hackney carriages towards private hire more than the current situation might. Both clauses taken forward came into effect in October 2015.

At the present time, passenger carrying vehicles in England are split by passenger capacity. All vehicles able to carry nine or more passengers are dealt with under national public service vehicle licensing and licensing authorities only have jurisdiction over those carrying eight or less passengers. These locally administered vehicles are subdivided into:

- Hackney carriage vehicles (sometimes referred to as 'taxis' in legislation), which alone are able to wait at ranks and pick up people in the street (ply for hire). To operate such a vehicle also requires a driver to be licensed to drive within the area the vehicle is licensed to operate
- Private hire vehicles, which can only be booked through an operating centre and who, otherwise, are not insured for their passengers (often also known as 'taxis' by the public, or mini-cabs in London and some other areas). To operate such a vehicle requires a vehicle and driver licence, and there must also be an affiliation to an operator. Such vehicles can only transport passengers who have made bookings via this operator.

For the sake of clarity, this report will refer to 'licensed vehicles' when meaning hackney carriage and private hire collectively, and to the specific type when referencing either specific type of vehicle. The term 'taxi' will be avoided as far as possible, although it has to be used in its colloquial form when dealing with the public, few of whom are aware of the detailed differences.

Further, there are several different kinds of licensing regime for vehicles within the hackney carriage framework. There are several authorities who have a requirement that all, or sometimes new, vehicles must be fully wheelchair accessible to various criteria. 20% of authorities have such a stipulation and are currently fully wheelchair accessible for hackney carriages. Oxford is one of these authorities. 40% of authorities have such a stipulation but are not 100% WAV whilst the remaining 40% (less the two authorities who have never licensed hackney carriages) have no such stipulation and have various levels of WAV vehicles in their fleet. Government legislation originally planned further requirements on WAV many years ago, but this was superseded by several sets of legislation since.

There is a further current issue that does impact on demand – the fact that many hackney carriages once properly licensed in an area with a driver then undertake private hire work in other licensing areas, often many miles from their home base. Such vehicles can have cost base advantages and can appear to be available for immediate hire when they are not in fact legally able to do so (eg with stickers saying ‘this vehicle can be hired immediately’, which only applies within their licensing area).

Review aims and objectives – national background

Oxford Council is seeking a review of their current policy towards hackney carriage quantity control in line with current Department for Transport (DfT) Best Practice guidance as published in April 2010. Further background information about previous policy is contained in Chapter 2 to set the context of the current situation.

The “Best Practice Guidance” paragraph 47 states: “Most licensing authorities do not impose quantity restrictions the Department regards that as best practice. Where restrictions are imposed, the Department would urge that the matter should be regularly reconsidered....”. Our database of taxi regulation, updated to December 2015, shows 91 authorities who openly declare a limit on hackney carriage vehicle numbers.

There are other licensing authorities who restrict new plates to various levels of wheelchair accessible vehicles and have various levels of grandfather rights for the remaining saloon vehicles which are effectively often limited in number albeit not in the terms of a formal limit under Section 16 (as this is counted as quality restriction rather than quantity).

Of the 91 authorities in England and Wales with a formal limit on vehicle numbers, four have never seemed to have any formal study of the limit. A further 26 have tested their policy, but on an irregular basis (and not within the last three years). Over two thirds (61 authorities) undertake a regular review, all but three of which tend to undertake this more or less every three years. Many of these authorities are very strict on their repeat cycle. Oxford is among these authorities.

In recent years several authorities have determined to remove their limit policy – most recently Exeter. Others – most recently Cambridge – have returned a limit. In some cases authorities returning a limit set either a ‘settling limit’ eg Watford, or a limit beneath the current level (Chesterfield), whilst others fixed at the level when the decision was made (allowing for vehicles in the pipeline at the time of decision). Some limited authorities (notably Knowsley) have set a new limit lower than the current to take account of dormant licences at time of survey. Some authorities still are found needing to issue plates (eg BANES). Other authorities are currently considering if a limit needs to be re-applied in their area given evidence that the market is not restricting numbers appropriately.

Current Oxford requirements

Oxford held the previous survey in 2012 and is repeating to ensure the policy is reviewed in line with the current BPG guidance.

The key objectives of the independent study of demand are to:

- Determine whether there is any evidence of significant unmet demand for hackney carriage services in Oxford
- If significant unmet demand is found recommend how many licences would be required to eliminate this

The study includes the following:

- Inception meeting
- Rank review
- Rank observations based on direct observations
- Public attitude interviews comprising face to face interviews
- Written consultation
- Report (draft and final)
- A presentation to committee

Methodology

In order to meet Oxford Council's objectives, the following methodology was adopted:

- Review of relevant policies, standards etc: to understand the authority's aspirations for meeting travel needs and social inclusion and provide context to determining overall demand for travel and how this should be met;
- Extensive rank observations and audits of all the ranks in the Authority, including monitoring passengers' waiting time, any illegal plying for hire, use of Hackney Carriages by wheelchair users and rank audits;
- On street interviews: a survey of representative people on street to obtain information about their understanding of the sector, their last taxi journey, their overall levels of taxi use, about quality and barriers to use;
- Consultation: including consultation with all relevant stakeholders – the local authorities, police, trade associations, all drivers, mobility impaired, specific user groups, businesses, and other major generators of taxi trips

In essence, the methodology used follows similar principles to all surveys undertaken by CTS together with all developments of methodology more recently applied to our surveys, particularly including guidance from both the 2004 DfT letter and their 2010 Best Practice Guidance (which includes the 2004 guidance as an appendix), and including the latest knowledge arising from the Law Commission Review and the current status of the Equality Act. This report also seeks to provide compatibility with previous reports provided by other consultants to the Council.

The 2012 (and 2009) survey was undertaken by another contractor but we have obtained relevant details to allow continuity to occur in the time series of data available. Some items undertaken in 2012 have not been repeated in 2015 to ensure best value for money.

Report structure

This Report provides the following further chapters:

- Chapter 2 – current background to taxi licensing statistics / policy
- Chapter 3 – results from the rank surveys
- Chapter 4 – results from the surveys undertaken with the public
- Chapter 5 – up to date stakeholder consultation
- Chapter 6 – results from consultation with the taxi licensing trade
- Chapter 7 – summary and conclusions of this review
- Chapter 8 – recommendations for policy arising from this review.

2. Background to taxi licensing in Oxford

The Oxford Council area

Oxford City Council is one of five councils within the Oxfordshire county area. The City has a current population of just over 150,700 according to the 2015 estimates from the 2011 census.

Oxford City Council covers a fairly tight urban area around the central part of Oxford but also includes more suburban areas of Cowley and Headington. It lies on both the Thames and Cherwell rivers and has key traffic routes including the M40, A34, A44 and A40 making it a strategic crossroads between London – Midlands and East – West routes. In public transport terms it is the focus of the rail route from London Paddington to Worcester as well as being on the Cross Country route from the Midlands to the South East. A further east-west link is under way currently providing the start of a second rail link to London Marylebone as well as the early beginnings of revival of the link eastwards to Cambridge, long severed.

Background Council policy

Oxford is a City Council with Oxfordshire County having highway and transport powers for the area. This includes provision of all taxi ranks. Transport Policy is summarised in the current Local Transport Plan (LTP). This covers the period from 2015 to 2031, having been adopted in September 2015. This acknowledges that many residents, particularly those with disabilities, rely on taxis, which are regulated by the local councils of the area. Their value providing links to stations is identified as well as that enabling people with disabilities or difficult journeys – with the County seeking to ensure there are adequate waiting and drop off facilities in central areas.

The LTP includes a specific Oxford Transport Strategy. This is partly driven by expected growth at Oxford Station of up to 70% by 2026 due to planned rail developments. Part of this includes improving the taxi interchange at the station alongside the other public transport provision there. This document recognises that 'taxis and private hire vehicles' will perhaps even more so be an important part of the Oxford integrated transport network. Works to reduce the attractiveness of the private car as a means of accessing the city centre should increase their role. A key role is seen of ensuring adequate interchange for licensed vehicles not just at the main station, but at Oxford Parkway and at the Park and Ride bus hubs (however all but one Park and Ride site as well as the Parkway station are in fact not within Oxford City Council's jurisdiction).

One aim is to try to encourage licensed vehicles to make use of electric vehicles where possible, including ensuring all taxi interchanges include charging points.

The City has ensured that detailed plans are available showing the location of each and every taxi rank – plans produced by the relevant authorities in the County but shared so both authorities are fully aware of the exact location and current scope of these facilities.

Policy of restricting hackney carriage vehicle licences

Oxford City Council has a power to restrict the number of hackney carriage vehicle licences it grants when it is satisfied there is no unmet demand for the services of hackney carriages which is deemed to be significant. This power has been in this format since the introduction of the 1985 Transport Act, Section 16 (before which the power to limit was unfettered). Formal Government encouragement remains towards the minimisation of restrictions, including limit policies.

Further details of rank locations are provided in Chapter 3 below although there are no major changes since 2012 in provision.

Background statistics

Information was obtained to demonstrate the current make-up of the licensed vehicle fleet in the Oxford area, including current vehicle trends. The table below shows the historic level of vehicle numbers in this area.

	Hackney carriage vehicles	Private hire vehicles	Total fleet	Driver numbers				Operators	
				Hcd	phd	Dual	Total		
	Limit began at least 1990								
1989	99	84	183		120				
1994D	99	unknown	n/k	350					
1997D	99	150	249	315	215	0	530	n/k	
1999D	99	198	297	0	251	278	529	8	
2001D	99	248	347	0	280	248	528	7	
2004D	106	278	384	0	358	292	650	9	
2005D	106	308	414	0	368	294	662	9	
2007D	106	350	456	0	406	317	723	10	
2009D	107	443	550	0	504	319	823	17	
2010N	107	520	627	Not collected					
2011D	107	524	625	0	631	333	964	20	
2012N	107	556	663	Not collected					
2013D	107	569	676	0	620	328	948	24	
2014N	107	583	690	Not collected					
2015D	107	697	804	0	644	331	975	30	
2015C	107						(939)		

*Note: DfT statistics used from 1994 to 2007, 2011/ 2013 and 2015 (D). National Private Hire Association surveys for 2010/12/14(N). Council figures given at start of survey, Sept 2015
NB 2011 DfT had figure of 101 hcv - amended*

The Table above shows that Oxford became a fully wheel chair accessible fleet around 2000. Since DfT stats have been available, plates have increased by a total of eight (8%). At the same time, dual driver numbers have increased by 20% (hackney carriage drivers can also drive private hire, but not the reverse). This has been the case since 1995. There has been a limit on hackney carriage vehicle numbers since at least 1990 (there was a study of demand in 1989 suggesting the limit was in place then).

In terms of private hire vehicle numbers, which cannot be limited, there has been growth of 365% since 1997. This growth has been continuous through all the data available. In 1989, there was 46% of the fleet private hire – the proportion is now 87%.

For the total licensed vehicle fleet, growth from 1997 to date has been some 223% overall, with the bulk of growth therefore on the private hire side. In 2015 the total fleet grew to around 800 vehicles for the first time.

The situation with drivers is slightly different to many places. It appears that hackney carriage drivers are all able to drive private hire, whilst people can have a private hire only drivers licence. This has been the case since around 1995. Total driver numbers grew between 2001 and 2011 but have remained relatively stable since then. There are about 21% more drivers than vehicles in total, but the picture on the private hire only driver side suggests there are many 'dual' drivers who are choosing to drive private hire vehicles at the present time. If the 'dual' driver number is compared to the hackney carriage vehicle numbers, there are very clearly significant levels of double shifting still in place with over 3 drivers per vehicle – even if there may be a number of these drivers not actually using their licence at present.

Operator numbers are now significantly higher than the eight to 10 from 1997 to 2009, with recent growth seeing the level currently at 30 according to the latest DfT statistics.

Driver ratios

As noted above, there appears to be evidence that the hackney carriage fleet has much higher levels of driver ratio than the private hire although with the partly dual driver licences this is not fully clear.

Structure of Trade

Information was provided with the tender documentation and at inception about the structure of the overall licensed vehicle trade, which can affect the overall way services are delivered.

We were advised that there is one hackney carriage radio network, and that the hackney carriage and private hire trades are entirely separate entities. None of the private hire companies have hackney carriages at all. There are around five WAV style vehicles in the private hire fleet mainly to fulfil contract work, particularly on Oxfordshire school contracts.

There is a hackney carriages association which administers the rail station contract from the trade side (COLTA) with up to 80 vehicles available to this site. The hackney carriage fleet became fully WAV in 2000 and all must also have swivel seats fitted. Many hackney carriage vehicles have remained in the same family over many years. There was a policy in the 1980's encouraging ethnic groups to join the hackney carriage trade and these plates are traditionally very highly used by members of families.

There are two large private hire companies (who press reports in July 2015 suggest had in fact merged). All Oxford private hire have operator stickers on rear doors but are not allowed roof signs. There are out of town vehicles – and some hackney carriages operating on local private hire circuits – who are saloons with roof signs which can cause some confusion.

3. Results from rank surveys

The Table below shows the result of our review of the ranks available in the Oxford licensing area. This is based on a list provided by Oxford in the proposal documents backed up by a full set of plans and further information provided at the inception meeting. They are listed in order of the usage category provided in the Council tender documents based on performance in 2012.

Rank / operating hours (council plan reference no.)	Spaces	Comments
Well used ranks		
Gloucester Green St Georges Place (8)	12	Main council rank
Queen Street, Carfax (6)	3	Operates from 18:30 to 08:00 only plus all day Sunday, advised works better now that nearby bus stop is no longer in use and has been removed
St Giles (9)	15	Original rank mainly used for parking by vehicles on break in day, but by passengers at night
Moderately used ranks		
Barns Road, Cowley (1)	4	Community Centre and Post Office this used to service now both gone.
Between Towns Road, Cowley (2)	2	Introduced to prevent phv parking on footway without consultation with council or trade and has seen little usage.
Cowley Road, Health Centre (3)	2	Rarely used – health centre generates little traffic and route has 24/7 bus services
Little if at all used rank locations		
The Plain (4)	3	Resurfaced but without lines on ground and with wrong times on signs – rarely used as night club it serviced closed. Correct hours are 2000-0600 every day
High Street (5)	2	
Park End Street (7)	3	Likely to be unavailable due to road works but need to try to survey
London Road A (11A)	1	Near London Tube bus stop
London Road B (11B)	1	For Oxford heading journeys
Oakthorpe Rd	n/a	Still formally exists but over-painted by County with disabled parking. Not currently active but might be valuable if could be restored – not required to be surveyed
Private rank location		
Oxford Station	15	Under agreement with rail operator

In comparison to 2012, Oakthorpe Road was not covered then either. The main difference otherwise will be the impact of road works in particular the displacement of any ability to provide hackney carriage pick-ups at or near to Park End Street. The changes to local facilities in Cowley and other reduction of facilities that might feed hackney carriage usage should imply reduced demand albeit at lesser used sites in general.

During our research we did not find evidence of any other ranks within the Oxford area and understand our rank coverage is therefore comprehensive as required by the Department for Transport's Best Practice Guidance on taxi and private hire licensing (BPG). The only private rank we are aware of is that at Oxford station which requires a supplementary permit from the current rail station operator.

The breakdown of rank hours covered by video is shown in **Appendix 1**. The aim was to cover the well-used ranks for all their operating hours over an extended weekend, with appropriate cover of the moderately and less-used ranks, and an attempt made to cover ranks affected by road works if at all possible. In the end, there was no suitable location identified to cover the effect of the road works in Park End Street so no data collection was possible in this area. Video observations at the London Road locations were also substituted by a more detailed on the ground review of these two sites (see below).

Ranks were observed, using video methods with the recordings observed by trained staff, and analysed to provide details of the usage and waiting times for both passengers and vehicles. Passenger waiting time was kept to that which was true unmet demand, ie when passengers were waiting but no hackney carriage vehicle was there. **Appendix 1** records the hours watched. This covered some 278 hours – marginally more than the 252 in 2012 and more than robust enough for the requirements of testing for significance of any observed unmet demand.

Full details of the observed volumes of passenger and vehicle traffic are included in **Appendix 2**. Our observations took account of feeder ranks where necessary to ensure true estimation of the hackney carriage waiting times at ranks for passengers (as at Oxford station).

Overall comments on ranks

A total of 9 different rank locations were observed by video methods. In total just over 4,600 vehicle arrivals and departures were observed at or near these ranks. Of these, some 90% were hackney carriages.

Of the total vehicle arrivals and departures observed, 7% were private cars at or near the ranks. 1% was goods vehicles. 2% was private hire vehicles and just one emergency vehicle stopped at a rank. This is overall a fairly good compliance rate with ranks – although many of the key ranks are in any event designed to reduce the opportunity for them to be abused, though this is not the case with the suburban locations.

There was just one wheel chair using passenger observed during the survey period – at Gloucester Green around 19:30 on the Thursday. One other passenger was observed as being visibly disabled (at the St Giles location just before midnight on the Friday). There were 51 cases observed of drivers assisting passengers beyond those in wheel chairs.

Detailed rank performance

The Table below summarises the time periods observed at each locations as well as providing overall operational statistics for each location during each period of observation. A detailed description of the observations follows below.

Rank	Period (2015)	Total passengers observed	Total loaded vehicle departures	Passengers per loaded vehicle	Empty vehicle departures	% of vehicles leaving empty	No. of passengers having to wait for vehicle to arrive
Well used ranks							
Gloucester Green	Thursday 12 th Nov	340	235	1.4	8	3	9
	Friday 5 th Feb 2016	748	438	1.7	18	4	0
	Saturday 14 th Nov	1065	602	1.8	31	5	0
	Sunday 15 th Nov	158	94	1.7	6	6	0
Queen Street	Thursday 12 th Nov	357	183	2	94	34	0
	Friday 13 th Nov	786	402	2	97	19	0
	Saturday 14 th Nov	521	246	2.1	51	17	4
	Sunday 15 th Nov	119	60	2	12	17	0
St Giles	Thursday 12 th Nov	58	38	1.5	17	31	3
	Friday 13 th Nov	176	89	2	20	18	5
	Saturday 14 th Nov	328	141	2.3	37	21	11
Moderately used ranks							
Barns Road	Saturday 14 th Nov	4	1	4	2	67	0
Between Towns Rd	Saturday 14 th Nov	0	0	0	2	100	0
Cowley Rd	Friday 13 th Nov	0	0	0	7	100	0
Little if at all used rank locations							
The Plain	Friday 13 th Nov	0	0	0	0	0	0
	Saturday 14 th Nov	23	9	2.6	3	25	2
High Street	Friday 13 th Nov	1	1	1	6	86	0
Private rank location							
Oxford Station	Friday 13 th Nov	795	601	1.3	236	28	6
	Sunday 15 th Nov	475	358	1.3	33	8	1

For each rank, we conclude with an overall qualitative appreciation of the performance of the rank over the days observed:

- Poor – major issues with service to rank resulting in long passenger queues;
- Fair – rank deals with high volumes but sees some passenger queueing at times;
- Good – no passenger queueing observed but nothing else of note in way rank operates;
- Excellent – very high turnover with no passenger queueing and clear examples of drivers helping passengers use rank;

Developing – rank of recent origin but clearly growing in use

Overview

An initial over-view of the above table suggests that the Friday sees very similar levels of usage between the station, Gloucester Green and Queen Street ranks, whilst most Sunday activity is at the station. The busiest overall period appears to be Saturday at Gloucester Green. There appears to have been further reduction in use of the formerly moderately used ranks whilst The Plain appears to see a little more usage. Further detail is provided below rank by rank.

Well used ranks

Gloucester Green rank

This rank is located off George Street in a section of road principally accessible by hackney carriages. It operates all hours and provides formally 12 spaces though more vehicles can fit here. Loading can be from either side of the vehicle as the area is effectively otherwise pedestrianised.

This rank was observed from 14:00 on Thursday 15th October 2015 through to 16:30 on Sunday 15th November 2015. Data from the Friday had to be re-collected on 5th February 2016 due to equipment issues on the original date.

Thursday observations

During the Thursday observations 340 passengers were observed leaving in 235 vehicles, giving vehicle occupancy of 1.4 persons per vehicle – low. Just eight vehicles left the rank empty (3%).

Nine passengers were observed arriving when no vehicle was available for immediate hire. Four waited in the 16:00 hour (with the longest wait being ten minutes). A further five waited in the 17:00 hour, but at this time the longest wait was just two minutes. When averaged over all passengers using this rank the average expected wait was just seven seconds.

In passenger terms, total passengers in any hour ranged from 22 to 42 in most hours up to the 23:00 hour. There was a peak of 47 in the 20:00 hour, and the midnight hour saw just 11, followed by 23, 17, 8, 3 and none in the 05:00 hour.

Average vehicle waiting times for fares were generally very low (two to 15 minutes) but increased from the 21:00 hour onwards to the order of 35 to 50 minutes as flows reduced.

Friday observations

During the Friday observations 748 passengers were observed leaving in 438 vehicles, giving vehicle occupancy of 1.7 persons per vehicle – moderate. 18 vehicles left empty (4%). No passengers arrived when there was not a vehicle available for immediate hire.

In passenger terms, flows ranged from eight to 25 in the hours between the 09:00 and the 17:00 hour (not significantly reduced from the level observed on the Thursday in November), and then rose to 37 and 34 before a peak of 81 in the 22:00 hour (and 79 in the 20:00 hour). From the 23:00 to 01:00 hour flows were stable around 66-68 passengers, rising to 72 in the 02:00 hour and then falling to 47, 18 and none in the 05:00 hour.

Average vehicle waiting times for fares were relatively high until the 15:00 hour (in the order of 40 minutes or more), but then fell to between 10 and 20 minutes until the 02:00 hour when they again increased.

Saturday observations

During the Saturday observations (all in November) 1,065 passengers were observed leaving in 602 vehicles, giving vehicle occupancy of 1.8 persons per vehicle – high. 31 vehicles left empty (5%). Again, no passenger arrived when there was not a vehicle available for immediate hire – ie there was no unmet demand on this day.

In passenger terms, flows rose from 13 to 22 in the 09:00, 10:00 and 11:00 hours to around the 40 mark until the 19:00 hour which saw 64 passengers. The peak of 106 persons was reached in the 22:00 hour with 94 in the 23:00 hour and a further 98 in the 02:00 hour. After this flows reduced but there were still four passengers in the 05:00 hour. The Saturday is clearly the later night at this location compared to the Friday though the peak remained at the same time – 22:00.

Average vehicle waiting times for fares were again higher before early afternoon and then reduced to between six and 20 minutes for most of the rest of the day. Much longer vehicle waits occurred in the last hour of the observations.

Sunday observations

During the Sunday observations (which covered only up to 16:30 that evening) 158 passengers were observed leaving in 94 vehicles, giving vehicle occupancy of 1.7 persons per vehicle – moderate. Just six vehicles left the rank empty (6%). No passenger ever arrived to find no vehicle available for immediate hire.

In passenger terms, the rank was quieter than on the other three days. However, every observed hour saw passengers, although flows generally rose from the 11:00 hour onwards. The peak was during the half hour just before observations ended – with 31 people, there had been 26 in the 15:00 full hour.

Average vehicle waiting times for fares were longer than on other days – with many vehicles waiting over an hour for fares. This is typical of the lower flows observed and a main rank.

Summary

Overall, service to this rank is **good**.

Queen Street

This rank is located at the High Street end of Queen Street on a section of road which has restricted access (mainly buses and hackney carriages). It provides three spaces, and loading can be from either side of the vehicle although buses would be passing on the driver side. It formally only operates from 18:30 until 08:00 but all day on Sundays. It was formerly located in a bus stop but this no longer exists making the site clearly a hackney carriage rank.

This rank was observed from 18:00 on Thursday 12th November 2015 through to 18:00 on Sunday 15th November 2015 (but excluding the non-operating hours on the Friday and Saturday daytimes).

Thursday observations

During the Thursday observations 357 passengers were observed leaving in 183 vehicles, giving vehicle occupancy of 2 persons per vehicle – relatively high. 94 vehicles left empty (34%). No passenger ever arrived to find no vehicle available for immediate hire.

In passenger terms, flows were 13 to 26 in the first three hours from the 19:00 hour onwards, then rising to 28-40 over the next three hours with 54, the peak of 91 (in the 02:00 hour), then 45, and then two persons per hour (04:00 and 05:00) and no-one in the two hours after that.

Average vehicle waiting times were generally low (between five and 13 minutes) although one vehicle waited much longer at the end of the busy hours (in the 04:00 hour).

Friday observations

During the Friday observations 786 passengers were observed leaving in 402 vehicles, giving vehicle occupancy again of 2 persons per vehicle – relatively high. A similar number of vehicles – 97 – left empty, though this was a much lower proportion of those servicing the rank (19%). Still, no passenger had to wait for a vehicle to arrive at the rank.

In passenger terms, flows on the Friday were much higher than the Thursday, although the peak remained at the same time (the 02:00 hour), and the rank was also quiet for the last two hours. The first full three hours saw flows between 32 and 38, rising to 86 to 95 in the next three hours, 113 at 01:00 and then the peak of 161 in the 02:00 hour. 03:00 saw 127, followed by four and then no further passengers.

Average vehicle waiting times were much lower, between two and eight minutes and no maximum observed wait longer than 21 minutes.

Saturday observations

The Saturday observations saw 521 persons leave in 246 vehicles, a higher (and relatively high) occupancy of 2.1 persons per vehicle. 51 vehicles, 17% of those arriving, left the area without passengers. Four passengers arrived when there was no vehicle immediately available for hire.

These passengers were in the 23:00 hour (one waiting three minutes), the midnight hour (two waiting a maximum of four minutes) and the 02:00 hour (one person waiting just one minute). Averaged over all passengers the expected wait was just one second.

In passenger terms, flows were lower than on the Friday, ranging from 18 to 74. The peak flow occurred earlier, in the 01:00 hour. There was a higher flow in the 21:00 hour than the other two nights, although there were also passengers present right through to the final hour at 05:00 – and some 54 people in the 04:00 hour.

Vehicle waits tended to be between three and eleven minutes with no vehicle waiting longer than 23 minutes.

Sunday observations

The Sunday daytime observations saw the rank used by 119 passengers leaving in 60 vehicles – again a relatively high occupancy of two passengers per vehicle. Just twelve vehicles left without passengers (17% of those serving the rank). No passenger ever arrived without a vehicle being there to take them immediately.

Passenger flows were low – no more than eight in any hour before the 12:00 hour which saw 16 passengers. Flows then remained between 11 and 13, with 25 in both the 16:00 and 17:00 hours.

Vehicle waits were correspondingly longer – from 14 to 40 minutes although with some examples around 14:00 of longer vehicle waits. As the rank became busier in the 16:00 hour, vehicle waits reduced.

Summary

Overall, service to this rank is **good**.

St Giles

This rank is one of the oldest in Oxford. It is located in the centre of the road and has a former hackney carriage office nearby. It has a capacity of 15 vehicles but is difficult for passengers to approach vehicles by its central location. Access however, is as hard from either driver or passenger side. The location is understood to be used principally for vehicles waiting to proceed to another rank, or later in the day. It is formally a 24-hour rank.

It was observed from 16:00 on Thursday 12th November 2015 through to 05:00 in the early hours of Sunday 15th November, although on both intermediate days the daylight hours between 08:00 and 17:00 were not observed.

Thursday observations

During the Thursday observations 58 passengers were observed leaving in 38 vehicles, giving vehicle occupancy of 1.5 persons per vehicle – moderate. 17 vehicles left empty (31%).

Three passengers had to wait for a vehicle to arrive. Waits occurred in the 20:00, 22:00 and 23:00 hours. Two of the waits were just a minute, with the longest wait being five minutes. Averaged over all those using this site on this day the typical wait was seven seconds.

In passenger terms, flows ranged from two to 15. Passengers were only observed from the 20:00 to the 02:00 hours. Peak usage was in the 23:00 hour.

Average vehicle waiting times for fares were three to 11 minutes with one vehicle observed to wait up to 25 minutes before leaving – not peculiarly long periods.

Friday observations

During the Friday observations a much higher level of 176 passengers were observed leaving in 89 vehicles, giving a relatively high vehicle occupancy of 2 persons per vehicle. 20 vehicles left empty (18%).

Five people had to wait for a vehicle to arrive, with one waiting six minutes and the others all waiting less than five minutes. Shared over all passengers, this equates to a five second average wait.

In passenger terms, flows began with four in the 20:00 hour rising to a peak of 41 – again in the 23:00 hour. There was a second peak of 31 in the 02:00 hour and no passengers from the 05:00 hour onwards.

Average vehicle waiting times for fares were four to 17 minutes although the 03:00 and 04:00 hours saw longer waits – the longest vehicle waiting time for a fare being 47 minutes.

Saturday observations

During the Saturday observations a yet even larger number of 328 passengers were observed leaving in 141 vehicles, giving vehicle occupancy of 2.3 persons per vehicle – relatively high. 37 vehicles left the rank empty (21%).

A total of 11 passengers arrived when there was no vehicle available for immediate hire. Waits occurred in most hours from 20:00 onwards apart from the 21:00 and midnight hours. Most waits were one or two minutes. However, the 03:00 hour saw one person wait 13 minutes, and the next hour saw just one person waiting overall, but for 11 minutes. When the overall total waits were averaged over all passengers, the typical wait was just eight seconds.

The rank saw passengers in every hour observed between the 20:00 and the 04:00 hours. Flows began at 10 and rose to a peak of 63 in the 01:00 hour and then 76 in the 03:00 hour. Flows were 42 or more in every hour from the 23:00 to the 03:00.

Average vehicle waiting times for fares were between two and nine minutes with the longest vehicle wait observed of 23 minutes.

Summary

Overall, service to this rank is **fair** during the short period it actually is in use.

Moderately used ranks

Barns Road, Cowley

This rank has space for four vehicles but has seen the main locations generating custom for it go away in recent years. This rank was observed from 09:00 on Saturday 14th November 2015 through to midnight that day.

During the full observation period just four people left the rank in one vehicle. Two other vehicles paused at the location. The vehicle that took the four people had waited 20 minutes for this fare – suggesting there was either a booking or that people took the opportunity to hire the vehicle that waited.

This rank should now be categorised as 'little if at all used' and no service level evaluation is appropriate.

Between Towns Road, Cowley

This rank, with two spaces, was introduced by the County with the aim of stopping private hire vehicles parking on the footway waiting for customers. It was also observed on Saturday 14th November between 09:00 and midnight. Although two vehicles paused here – one for 17 minutes, no passengers were observed and again this should be in the 'little if at all used' category, and again no service category is appropriate

Cowley Road

This rank has two spaces and like the others above has been overtaken by local changes. The nearby health centre does not really generate much potential trade, and introduction of 24/7 bus routes provides significant competition.

It was observed on Friday 13th November from 10:00 through to 02:00 the next morning. During this period seven vehicles paused here for up to seven minutes, but gained no passengers at all. Again, the rank should be placed in the 'little if at all used' category and no service level is appropriate.

The Plain

This rank has a unique location just off a roundabout. Again history has overtaken it with the club it used to serve having closed some while ago. It was observed for two periods – from 03:00 on Saturday 14th November until 11:00 and again from 19:00 that evening until 05:00 the next morning.

The first period saw no vehicles or passengers. During the second period, 23 passengers left the rank in nine vehicles, a very high occupancy of 2.6 per vehicle. Three other vehicles – 25% of those serving the location – left empty. All activity was between the 23:00 and 03:00 hours. In the 01:00 hour someone had to wait a minute for a vehicle to arrive, and in the 03:00 hour someone waited twelve minutes. However, averaged over those using the location the typical wait was 34 seconds. Flows in these hours were very light – varying from three to six (this peak being in the 01:00 hour). Vehicle waits for passengers were very small perhaps suggesting this was a location where vehicles perhaps paused on their way returning to the city centre from an outbound journey.

This rank should really be counted as 'moderately used' and obtains a **fair** service particularly given the low levels of demand.

High Street

This two space rank is located just outside the main town centre but with a number of nearby shops. It loads from the passenger side and is on a busy traffic route. It was observed from 09:00 to 21:00 on Friday 13th November 2015. During this period just one passenger obtained a hackney carriage here in the 16:00 hour but this was possibly a passing vehicle as it had not waited for the passenger. Six other vehicles did wait here for between a minute and 19 minutes during various other hours.

This rank is correctly a 'little if at all used' category rank and no service level is appropriate – though it is probably best left as a good potential hailing point.

Park End Street

This three space rank was well-used in 2012 and services many of the clubs in this area. In 2015 it did not prove possible to observe since road works were ongoing, and there was also no other location where people could obtain hackney carriages in replacement. Tests are needed to observe if this rank returns to use once the road works are over.

London Road ranks

These two single space ranks are clearly marked and within the shopping area of London Road. One services a key bus stop and both provide opportunities for interchange from key bus services into / out of the City for those who live around the main central area rather than within it.

These two ranks were reviewed by manual observations for short periods and by discussion with nearby shops who would day in day out observe what was occurring at the ranks. Just one of the ranks was believed to be used occasionally – although several shops told us they thought the main users were private hire vehicles rather than black cabs. Most respondents could not remember seeing any hackney carriage usage. However, both remain useful locations on a key route and should on balance be left in place.

Private rank **Oxford Station**

This rank is within the forecourt of Oxford station and requires a supplementary permit from the current rail operator. There are plans to revise the layout of this forecourt, but at present the taxi bay is close to the station exit. There are some 15 spaces available although some feeder spaces are nearer the exit from the area, requiring vehicles to circulate across bus flows to get to the actual rank. Although mainly loading from the passenger side, driver side loading is possible although it does need care due to buses passing on this side of the vehicle. Permits are related to COLTA and around 75% of the hackney carriage fleet are able to work here from this rank.

This rank was observed from 09:00 on Friday 13th November 2015 through to 03:00 the next morning, and then on Sunday 15th November 2015 from 07:00 until 21:00.

Friday observations

During the Friday observations 795 passengers were observed leaving in 601 vehicles, giving low vehicle occupancy of 1.3 persons per vehicle. 236 vehicles left empty (28%) although some of these could have been vehicles without permits setting down passengers and leaving.

Six passengers had to wait for a vehicle to arrive. Waits occurred in the peak hours of 17:00, 18:00 and 19:00. The longest wait, however, was just three minutes. When averaged over all passengers expected wait time was just a second.

In passenger terms, flows were generally between 30 and 70 per hour, with a peak of 91 in the 18:00 hour and just five passengers in the 02:00 hour.

Average vehicle waits varied by hour, ranging from around 15 to up to 53 minutes, although in the peak period this dropped to one to five minutes. At least one vehicle was observed waiting up to 68 minutes. These longer wait times are typical of a station location, where potential journeys can be longer and where there can also be gaps between periods where several trains arrive and a high number of vehicles can be needed in a short period to service peak demand from one large train.

Sunday observations

During the Sunday observations 475 passengers were observed leaving in 358 vehicles, giving vehicle occupancy of 1.3 persons per vehicle (same as Friday)– low. 33 vehicles left empty (8%), with just one passenger having to wait for a vehicle to arrive, waiting for just one minute in the 18:00 hour.

Passenger flows ranged from just one to 48 until the 18:00 hour when there were 53, followed by 104 in the 19:00 hour and 63 in the next hour – most likely people returning at the end of weekends away.

Vehicle waits for passengers were 15 to 40 minutes until the 16:00 hour when they fell to between four and 15 minutes as passenger levels increased. Maximum waiting times were generally lower on the Sunday.

Summary

Overall, service to this rank is **good**.

Comparison of overall supply and demand

The Table below provides a slightly different summary of supply and demand, comparing average vehicle arrivals per hour with average loaded departures per hour, ie seeing how supply and demand match on average.

Rank	Period	No of hours rank active	Average vehicle arrivals / hr	Average loaded departures / hr	Overall judgment of service provided
24-hour ranks					
Gloucester Green	Thursday 12 th Nov	15	16	16	Good
	Friday 5 th Feb 2016	21	22	21	
	Saturday 14 th Nov	24	26	25	
	Sunday 15 th Nov	11	9	9	
Queen Street	Thursday 12 th Nov	12	23	15	Good
	Friday 13 th Nov	12	42	34	
	Saturday 14 th Nov	12	25	21	
	Sunday 15 th Nov	9	8	7	
St Giles	Thursday 12 th Nov	7	8	5	Fair
	Friday 13 th Nov	9	12	10	
	Saturday 14 th Nov	9	20	16	
Moderately used ranks					
Barns Road	Saturday 14 th Nov	1	3	1	N/A
Between Towns Rd	Saturday 14 th Nov	0	0	0	N/A
Cowley Rd	Friday 13 th Nov	0	0	0	N/A
Little if at all used rank locations					
The Plain	Friday 13 th Nov	0	0	0	Fair
	Saturday 14 th Nov	5	2	2	
High Street	Friday 13th Nov	1	7	1	N/A
Private rank location					
Oxford Station	Friday 13 th Nov	18	47	33	Good
	Sunday 15 th Nov	13	30	28	

Of all the 18 rank / days observed, only Gloucester Green was truly a 24/7 rank location, and even there some hours were not used. The station was the next most used location in terms of length of time active. Queen Street was active for all the hours that it was available to the public. As expected, St Giles was mainly active for specific night hours, although there were between seven and nine of these (more at weekends). The Plain on the Saturday saw more activity than was expected, whilst two of the other outer ranks saw just an hour in use, and the three others saw no use at all.

In terms of overall passenger demand at ranks per hour when operational, Queen Street on the Friday was the busiest, followed by the two sets of observations at the station. All had average loaded departures of 28 to 34 per hour (approximately a departure every two minutes). Three other locations/days had flows around every three minutes – Gloucester Green, Saturday, then Friday, then Queen Street Saturday. There were four sites/days with between 10 and 16 average departures per hour and two with between 5 and 7. The remaining six days/sites had very low, if any usage. Overall all of these figures seem to be generally low compared to other similar locations.

In terms of overall service, comparing the number of vehicles supplied and the total number of loaded vehicles leaving (ie taking out the loading factor), Gloucester Green tended to have the closest match – with three of the four days seeing 95-97% of arriving vehicles leaving with passengers. The next closest match was 92% at the Station on the Sunday, linking with the high usage that day there compared to other locations. All the other locations and days had ratios of vehicle departures to loaded departures 83% or less – suggesting 17% or more spare capacity. Mid-week values tended to be lower – reflecting lower demand but not equally reduced levels of supply (eg Queen Street, Thursday, 66%). However, the tightest match was on the Thursday at Gloucester Green which may relate to the market usage there on that day.

Summary of Total demand

The table below calculates a typical week from the observations undertaken in 2015 and compares to information from the previous survey. Ranks or pick-up locations are listed in descending order of passenger usage in 2015.

Rank	2009	Passengers per week, 2012 survey	Passengers per week 2015 survey
Oxford Station		5956 (37%)	5380 (43%)
Gloucester Green		2922 (18%)	3529 (30%)
Queen Street		2853 (18%)	2557 (21%)
Park End St		2169 (13%)	Unusable
St Giles		946 (6%)	678 (6%)
Barns Rd		223 (1%)	24 (0.0%)
The Plain		225 (1%)	23 (0.0%)
High St		684 (4%)	9 (0.0%)
Between Towns Road		0	0
Cowley Road		128 (1%)	0
London Road B		23 (0.0%)	(0)
London Road A		0	(0)
Total estimated weekly demand	14,303	16,128	12,299
Growth from previous	n/a	+6%	-24%
Growth from 2009	n/a	n/a	-14%

Note – Total includes all observations at relevant points as available, both sets factored to full week from detail available.

The table shows overall there has been a decline in rank usage in Oxford of 24% since 2012. The decline since 2009 is around 14%. A significant part of this must relate to the road works in place – which meant at least 13% of demand had no easy place to meet hackney carriages which could be measured. Further, there have been changes in demand around the out of town ranks which have seen their usage also fall significantly in every case. At the same time, private hire vehicle numbers have continued to grow although not all is rosy in that area since we are aware that two large companies have recently merged to seek to remain competitive.

The table above demonstrates that Oxford station (private rank) remains the dominant rank, although both Gloucester Green and Queen Street have increased in the share they make up of the total. In fact, Gloucester Green has grown in actual numbers estimated as well as in market share – which could suggest some of those displaced from Park End Street have transferred to this location. Barns Road has reduced in actual level of usage but retained its share at 6%. High Street has seen a significant reduction in usage from 4% to next to nothing. Barns Road, The Plain and Cowley Road all had 1% share in 2012 but none now have very much demand at all. As noted above some of this is due to recent change.

The overall picture is an overall decline in hackney carriage usage which may relate to combination of the city centre road works and other changes to demand in the outer suburbs.

Plate activity levels

A sample of plate numbers were collected during the rank surveys to identify the level of activity of the fleet during the survey. Observations covered each part of the area near to key ranks (but not at the ranks) – covering a total of 10 hours on the Saturday of the surveys. This was to identify the level of activity of the fleet and to test if there was any 'playing up' by the trade to the survey. Three key locations were included.

A total of 429 vehicles were recorded. 94% of the 107 plates were observed – relatively high but of about the right order allowing for some to be off the road. This level may also suggest some element of most vehicles trying to be available, but it still leaves some vehicles not observed which provide a cushion of spare capacity. There was no similar calculation reported in the 2012 survey although we were advised at inception that the full fleet had been observed.

The most frequent vehicle was seen 11 times. The next most frequent was seen nine times. The most common occurrence was 17 vehicles seen five times. 15 vehicles were seen four times, and another 15 three times. This is a relatively active fleet.

Application of the ISUD index

The industry standard index of significant unmet demand (ISUD) has been used and developed since the initial Government guidance that limits could only apply if there was no significant unmet demand for the service of hackney carriage vehicles. Initially developed by a university, it was then adopted by one of the consultant groups undertaking surveys, developed further by them in the light of various court challenges, and most recently adopted as an 'industry standard' test utilised by most current practitioners of unmet demand studies.

The index is principally used to identify a statistical guide if observed unmet demand is in fact significant. Early in the process of developing the index, a cut-off point of 80 was identified beneath which no conclusion of unmet demand being significant had been drawn, and over which all studies had concluded there was significant unmet demand. This level has become accepted as the guide. Once unmet demand has been identified as significant it is usual for a calculation to be undertaken to identify the exact number of new licences needed in order to reduce the significance of the unmet demand below the threshold – although this cannot be an exact science in terms of outcomes due to the high number of parameters involved in determining where new licences actually end up working – there is no way to guarantee that licences will focus on reducing the unmet demand at all.

The ISUD calculations draw from various elements of the work, reflecting statistics which seek to capture components of 'significant unmet demand' although principal inputs are from the rank surveys, factored to produce a typical week of observations based on the knowledge available to us. It should also be noted that any ranks where the council could not affect the number of vehicles available – in this case the Oxford Station rank – are excluded from the ISUD calculations since even if unmet demand were identified and more plates issued it could not have any significant effect on this location and as such it is unfair to include.

The current index has two elements which can negate the need for use of the index by setting the value to zero. The first test relates to if there are any daytime hours (Monday to Friday 1000 to 1800) where people are observed to queue for hackney carriages. Using the direct outputs from the survey a value of 6.3% is estimated.

The other index that could be zero – proportion of passengers in hours in which waits occurred which was over 1 minute – was 0.6%.

The seasonality index is 1.0 since the surveys were undertaken in November 2015.

The area exhibits peaked demand, so this factor is 0.5.

Average passenger delay in minutes across the whole survey is 0.03 minutes (or two seconds).

From the public attitude work, the latent demand factor is 1.015, assuming all who did not give an answer had not ever given up waiting.

The ISUD index is the multiple of all the above. Using detailed numbers (but then rounding) the calculated value is 0.06. This is well short of the cut-off value of 80 suggesting there is no unmet demand in the Oxford area which is significant at this point in time. This result takes on board both patent (measureable) and latent demand. This needs to be considered with other evidence to understand the right course of action with plate numbers but it is unlikely that this guide value would be reversed by other evidence.

Comparison to previous studies

The ISUD index was used in the 2009 and 2012 studies. The Table below shows the change in specific indices between years to give an indication of the movement of the market between these two studies (where information is available). The surveys were all undertaken at the same time of year, so the seasonality index was 1.0 in all cases and has not been reported. There will be some differences arising from the specific sample hours used but in general an outline comparison is informative on the state of the hackney carriage market in Oxford over the last six years.

Element	2009	2012	2015
Average wait (mins)	0.24	0.65	0.03
Peak factor	1.0	0.5	0.5
% Queues in weekday daytime hours	10	7	6.3
% pass in hours with waiting over 1 minute	3.1	4.3	0.6
Latent demand	n/k	1.308	1.015
Overall index	4	13	0.06

All indicators have reduced showing that people are now much better served in Oxford than they were by hackney carriages in either 2012 or 2009. The apparent move towards unmet demand becoming significant shown between 2009 and 2012 has now been more than reversed. Although the station was possibly included in the 2009 and 2012 ISUD calculations, even this does not account for the significant improvement in performance. The drop in demand is the main reason that service appears to have improved so much – there is the same level of vehicles to service 24% less customers.

Further discussion occurs below to make use of this information in the decision regarding the significance or otherwise of unmet demand.

4. Public Consultation results

A fifteen question survey was undertaken with 200 persons in the Oxford City Council area (544 were obtained in 2012 although some were by telephone not post). Surveys were undertaken on Wednesdays 18th and 25th November 2015 in the shopping area. Responses were mainly from those available during the day time, following standard practise for these interviews. The Table in **Appendix 3** summarises the overall responses.

40% of those interviewed had used a licensed vehicle in the Oxford Council area in the last three months, a moderate level of recent usage. This was much lower than 2012 (64%).

59% told us how often they used a licensed vehicle. We have assumed the remaining non-respondents do not use licensed vehicles and calculated the average level of licensed vehicle trips per month. On average, there are 1.4 person trips by licensed vehicle per month based on these assumptions, a moderate level.

57% of interviewees told us how they obtained licensed vehicles in the Council area. By far the highest percentage got "taxis" by booking them by telephone (50%)(62% in 2012), followed by 26% (20%, 2012) saying ranks and 19% saying mobile or smart phones (not included in 2012). None suggested they hailed "taxis" (16% in 2012).

The use of phones was queried further, seeking to understand the companies that people used. 77 different people provided 114 mentions of company names. Five gave three names, 27 gave two, and 45 gave just one. Five of the nine companies were clearly listed in the council brief listing of companies. The top company obtained 43% of the mentions, the second 36%, with the following three obtaining 6, 5 and 4% respectively. The remaining four companies only obtained 3, 1, 1 and 1% of the total. This tends to suggest dominance of a few large companies with a moderate level of loyalty. The hackney carriage company was not named at all.

A set of questions were then asked relating specifically to use of hackney carriages. 62% of the people interviewed said they could not remember when they last used a hackney carriage. However, encouragingly, none said they could not remember seeing a hackney carriage – so they are very visible, but little used. Just 22% gave actual levels of hackney carriage usage. When factored in a similar way to the question focussing on all licensed vehicles the result was people making 0.4 hackney carriage trips per person per month.

Compared to the 1.4 result for all vehicles this suggests around 29% of people use hackney carriages – very consistent with the claim earlier that 26% use ranks, and confirming that potential hailing may be low.

People were asked to name all the rank locations they were aware of in the Council area and if they used the locations they named or not. 67% of those interviewed provided at least one rank location and if they used it or not. 23% named one location, 27% two and 17% three, giving a total of some 256 mentions of rank locations.

Of the 256 different mentions given, there were 16 different names provided. Only the Station was just known as itself. Of all the mentions, 43% named the station. 29% mentioned Gloucester Green, but split by four different names (plus Market Place, Odeon Cinema and Market Cinema). 13% named Queen Street – but used Carfax, opposite Town Hall (although this could in fact refer to a private hire booking office which is located there) and St Aldates in naming it. St Giles was also called Magdalen Street (total of 9% of mentions). 4% mentioned the bus or coach station as a rank location. Just a single person mentioned High Street and another Park End Street. Only one location (St Andrews) was not clear.

Of those naming ranks, 59% said they did not use the location they named, 27% said they did and 14% did not respond either way. This again suggests hackney carriage usage is low in the sample we spoke with.

This overall suggests people know the key ranks, but by a range of names based on their specific knowledge of Oxford. This suggests there might be value in providing a map of ranks showing agreed names to help focus peoples' minds on where the ranks are.

When asked about new locations, the whole sample provided only nine suggestions. Interestingly, 55% of these said a rank was needed in Cowley. Three others mentioned ranks needed in the city centre – but where ranks were already located.

In terms of problems with the local hackney carriages service 31% of those interviewed gave issues. 4% gave two issues, all others gave just one issue. None had issues with vehicle design or rank locations. 75% said their issue was their high cost. 16% said they had issues with drivers (and the only 'other' stated (1.5%) was also a number of issues with driver behaviour. Just 6% said their issue was delay getting a vehicle. The remaining 1.5% were issue with cleanliness. Overall, this suggests people are generally very happy with the Oxford hackney carriage service – they just feel it is too expensive. The main item that could be addressed would be ensuring continual and improving levels of service by drivers to the public.

Looking at this issue another way, people were asked what might make them use hackney carriages more. A slightly higher 42% responded giving a total of 98 responses, with 7% of the total interviewees providing two answers (nearly always one of the standard responses plus 'cheaper'). Again, there were no issues regarding vehicle types. The biggest thing that would increase usage was again 'if they were cheaper' with 77% of all responses including that suggestion. 11% said more hackney carriages that could be accessed by telephone (a matter for the hackney carriage radio network), and 10% said better drivers.

People were asked if they or anyone they knew had a disability needing either a wheel chair accessible licensed vehicle, or a vehicle adapted in some other way. 79% gave a response. Of these, 92% said they did not need, nor aware of anyone, who needed a disabled friendly vehicle. Of those needing a style of vehicle 6% said they knew someone needing a WAV and the remaining 1% said they knew someone who needed another type of adapted vehicle. This suggests the fully WAV policy for Oxford remains appropriate although our sample suggests this will be little used.

Of those answering if they had ever given up waiting for a hackney carriage, just three people said they had. All three of these were at current ranks, one in the suburbs. If it is assumed these three were the only people having given up waiting the latent demand factor can be assumed to be 1.015 – low. This is significantly reduced from the value of 1.308 in 2012 although our research suggests that value was based on a more stringent definition of latent demand not normally used.

When asked if people thought that those in Oxford City with disabilities got a good service from hackney carriage vehicles some, 88% had no view. 11% thought they did not get a good service and just 1% thought they did, but no further information was provided.

People were asked if they had ever tried to stop a hackney carriage in the street anywhere in the Oxford area. 32% said they had – suggesting people are willing to hail (though the method of hire suggested none had actually succeeded or felt it was their main method of getting hackney carriages).

57% said they had regular access to a car. 79% lived in the Oxford City area.

Our gender sample saw 43% males (lower than the census 49% and much lower than the 56% obtained in 2012). In terms of age groups, our survey captured 33% of the 56+ group (over represented compared to the 23% in the census). 16-30's were most under-represented (33% compared to the census value of 40%), whilst those 31-55 were 34% in the sample and 37% in the census, a slight under-representation. This is not too severe a bias, though should really imply a more favourable response for hackney carriages as they tend to be used more by the group we interviewed most – ie older females.

5. Stakeholder Consultation

The following key stakeholders were contacted in line with the DfT Best Practice Guidance 2010:

- Supermarkets
- Hotels
- Hospital
- Pubwatch / night clubs
- Disability representatives
- Police
- Rail operators
- Other council contacts
- County council contacts

Specific comments have been aggregated below to provide an overall appreciation of the current situation, although in some cases comments are specific to the needs of a particular stakeholder. It should be noted that the comments contained in this Chapter are the views of those consulted, and not that of the authors of this Report. **Appendix 4** provides further details of those consulted. Information was obtained by telephone / email / letter as appropriate. Contacts were made with a selection chosen from an extensive list provided by the Council as well as by checking internet sources for other contact details or more detailed references.

The licensed vehicle trade consultation is the subject of the following chapter.

Supermarkets

Five supermarkets were contacted. During the time available and following several attempts, just one response was obtained. This store had a Freephone and a drop-off point and had received no complaints about the service provided. No response was received from the other three stores contacted.

Hotels

Five hotels were contacted. During the time available, five responded. All those responding would phone for taxis for their customers, all of whom tended to use taxis. None were aware of any nearby ranks and one said they used a regular company. The only complaint any had was delay waiting for vehicles to arrive, and this was only mentioned by one hotel.

Restaurants / Night venues

Five restaurants, four entertainment venues, seven pubs and four night venues were contacted.

One restaurant refused to talk with us but four others provided response. All said they would call private hires for customers, though one said they would direct them to the Gloucester Green rank. Two others were also aware of nearby ranks. There were no issues reported apart from one that said some came late.

One of the four entertainment venues refused to respond. The others told us their customers did use taxis. Two said they would phone for customers, the other said their customers tended to use their own mobile phones as well as hailing hackney carriages nearby. One was aware of a rank and the one saying customers hailed said they were on a route that saw lots of passing hackney carriages. Again the only issue mentioned by just one respondent was late arrivals for bookings.

Four public houses did not reply in the time available. The three responding all said customers used taxis, and that if asked they would phone for customers. None were aware of nearby ranks, and none had received any complaints.

All four night clubs responded – which is unusual. Three said customers definitely used taxis. One said people walked to the rank nearby, two others said people either walked to the rank or made phone calls, and one believed their customers all used their own mobiles to make bookings. None had received any complaints. Three were very aware of the nearby ranks, and one was aware of the key companies they could phone (but only private hire).

Hospitals

Neither of the hospitals contacted responded apart from one issue with the actual email sent requesting information.

Police

No response was obtained during the time available for consultation.

Disability representatives

No response was obtained from those representing people with disabilities.

Rail Operators

National statistics are publicly available showing the total number of entries and exits at each rail station in the United Kingdom. These numbers are calculated using ticket barrier and ticket issue information from ticket sales. The Table below shows information from 1997/1998 to date (the last year of data ending in March for the last year quoted, with information published the December after this date). The figures after the station name show the position in rank in terms of usage of English, Welsh and Scottish railway stations, with the smallest usage being the 2,539th station and the highest being 1st in the list (Waterloo, London). Within the Oxford area there is currently only one station, which is currently the 23rd largest station in the terms of this data collection.

Rail year (ends March in last year noted)	Entries / exits	Growth / decline
Oxford (23rd)		
1997 / 1998	3,064,352	n/a
1998 / 1999	3,275,869	+7%
1999 / 2000	3,377,100	+3%
2000 / 2001	3,369,139	-0.0%
2001 / 2002	3,423,749	+2%
2002 / 2003	3,648,550	+7%
2003 / 2004	n/a	n/a
2004 / 2005	3,956,477	+8% (2 yrs)
2005 / 2006	4,076,814	+3%
2006 / 2007	4,540,878	+11%
2007 / 2008	4,712,647	+4%
2008 / 2009	5,080,934	+8%
2009 / 2010	5,427,286	+7%
2010 / 2011	5,797,984	+7%
2011 / 2012	6,226,478	+7%
2012 / 2013	6,309,582	+1%
2013 / 2014	6,509,093	+3%
2014 / 2015	6,624,954	+2%
Overall	97/98 to 14/15	+116%
Last three available	2011/12 to 2014/15	+6%

Since data began collection, rail patronage at Oxford has increased 116%, compared to overall national growth in the same period of 126%. The last data available suggests over 6.6 million passengers enter or leave the station per year. Growth since the last survey has been in the order of 6%.

The internet-based Train Taxi guide correctly states that Oxford is a major station with taxis usually available on a rank. Advance booking 'is not normally necessary or even possible..'. Three private hire operator numbers are given, two of whom claim wheel chair accessible vehicles.

No comment was obtained from the rail operator.

6. Licensed Vehicle Trade Consultation

Trade consultation

Previous surveys had not included any all-driver style survey. Main trade input was from discussion with trade representatives. For this survey, a letter and questionnaire was issued by the Council (to ensure data protection and best value distribution) to all licensed drivers (both hackney carriage and private hire). Some 939 letters were posted on 13th November 2015, with a return date of Saturday 12th December.

A total of 49 responses were received – 5% of those issued – a normal response for this kind of survey. There was an almost even split between returns using the on-line portal and by freepost return. 74% of returns were from hackney carriage drivers and 24% from private hire. 2% (one person) said they drove both hackney carriage and private hire vehicles.

Those replying said they had worked in the industry for an average of 14 years – ranging from a year to 35 years. People worked on average for five days (range between none and seven) and for 37 hours (range none up to 60 hours). The largest number of people worked on six days (38%) although there were two people replying who had not worked the previous week.

There were 26 responses telling us matters that affected why people worked and what shifts they worked. The dominant one was trying to avoid congestion or road work effects (23%) followed by focussing on busy times of demand (19%). There were three other reasons getting 15% of the vote each – family commitments, sharing a cab, and personal preferences. None were restrained by fear of drunken, violent or abusive customers, nor by wishing to work sociable hours.

47% said they owned and drove their own vehicle whilst 53% said they did not – quite a high level of potential renting. This was backed up by 48% saying that someone else drove their vehicle when they were not using it.

There was an almost even split between people working on radio circuits and not (49% did). The dominant radio link quoted was the hackney carriage circuit (52%) followed by 29% to one private hire company and 19% to another (both from the top four companies).

We were told which ranks drivers used. Of the 56 responses, the highest proportion was for the station (27%). Gloucester Green was next (19%) followed by Queen Street (16%) and St Giles (13%). This mirrors the rank usage statistics. 13% gave answers saying 'all ranks' 'city centre' or 'town'. Some mentioned bus and coach station whilst one person mentioned High Street and another mentioned Cowley.

Of those responding to the question regarding issues with ranks, 38% felt there were too few ranks or spaces available. 19% felt ranks needed to be more clearly signposted. 14% felt that Queen Street should be 24-hour.

For all respondents, 41% of work came from ranks, 30% from phone bookings, 22% from street hailing, 4% from private contracts and 3% from school contracts.

All but one person responded to the question if the limit policy remained appropriate. Unusually for this kind of survey, 35% felt the policy should remain and gave strong arguments for this. 65% - including many hackney carriage drivers – equally strongly disagreed, but most of these appeared to be those renting vehicles who wanted their own vehicle.

In terms of those giving reasons why a limit should be retained, many gave good reasoned responses including keeping over-ranking and congestion under control, encouraging an ability to keep vehicles safer and better maintained and encouraging vehicles to be readily available at ranks.

Within the comments made, there were two very clear groups – those feeling there were too many hackney carriage and private hire meaning it was hard to make a living, and strongly supporting the status quo, and another group who felt aggrieved having to pay to rent a vehicle and preferring a vehicle of their own.

COLTA provided a written response. They advised us of the severe issues that road works had caused for the hackney carriage trade in Oxford right through 2015, apart from in January. They also pointed out that redevelopment of the Westgate Shopping Centre will lead to traffic issues until 2017. A major hotel was also closed after a fire with both traffic impacts passing the site as well as reduced levels of demand for hackney carriages from that location.

7. Summary and conclusions

Policy Background

Oxford is a City Council but within the Oxfordshire county structure. The County therefore holds the highway and transport powers including setting transport policy and putting ranks in place. The current Local Transport Plan (LTP) adopted in September 2015 acknowledges that hackney carriage and private hire are relied on by many in the area. With increased encouragement of use of sustainable modes particularly for travel to the wider Oxford City Centre they believe licensed vehicles will become even more important in the transport mix than now. Good interchange is considered very important. The City Council has also ensured the County has provided it a clear and confirmed set of drawings documenting rank facilities at the present time – excellent best practise.

The City has licensing powers and has limited hackney carriage vehicle numbers since at least 1990 (there is a demand survey from 1989 available testing demand). It continues to exercise its powers under the auspices of Section 16 of the 1985 Transport Act and tests this policy every three years by an independent study, this being the latest in these.

Statistical Background

Eight hackney carriage plates have been added to the fleet since 1997 (8% growth). In the same period private hire from the City have grown 365% but more recently out of town private hire and hackney carriage operating on private hire circuits have further boosted the level of private hire vehicles active in the City.

In terms of City drivers, overall driver numbers have grown much less than vehicle numbers suggesting a switch from double or treble shifting of vehicles towards single operator/drivers. However, the statistics still suggest there remains a very significant level of renting of vehicles – borne out by the driver survey returns.

The hackney carriage and private hire trades are almost entirely separate. There is a hackney carriage radio circuit and several dominant private hire companies. Two of the largest merged recently. There are a large number of non-public facing operators as well. The hackney carriage fleet is fully WAV whilst there are a small number of WAV in the private hire fleets to meet contract needs.

Rank Survey results

Rank provision has not changed significantly since 2012. However, road works were in place in 2015 which removed one night rank which had seen significant flows in 2012. There have been changes to places around ranks that may have reduced rank usage since 2012 – principally closure of key places that may have generated hackney carriage demand particularly in the suburban locations.

Rank surveys were undertaken by video means covering 278 hours and nine locations in November 2015, marginally increased from the 2012 level of cover. Where there were feeder ranks (mainly at Oxford station) these were covered to ensure overall vehicle waiting times were accurate.

In terms of rank abuse by other vehicles, Oxford saw fairly good compliance rates – with just 7% of all observations being private cars, 2% private hire vehicles, 1% goods vehicles and just a few emergency services vehicles. This is partly a result of good design making it hard for locations to be abused, though this is not as true for the suburban locations.

Across the City, just Gloucester Green was a truly 24/7 rank location, and even there some hours saw no passengers or vehicles mid-week. Queen Street was active whenever it was legally available whilst St Giles was legally available 24 hours but only used during specific night hours – more at weekends than in the week. Three suburban ranks saw no usage during the survey and two of the others only saw occasional use.

In terms of average passengers per hour when in use, Queen Street was the busiest location followed by the Station. All had approximately a departure every two minutes. Gloucester Green tended to have an average of departures every three minutes. Overall, compared to other cities, these flows are generally low compared to other similar locations.

Comparing supply and demand the over-riding situation is spare capacity in the fleet to meet demand.

Overall statistics factored to a typical week suggest decline in demand since 2012. Some of this related to loss of one rank to road works, and reduction in demand generators in the suburbs has tended to see these ranks decline almost totally. Even the private hire situation appears difficult with evidence of the merger suggesting need to tighten operations – though of course determination from the private hire side may well also have further reduced hackney carriage demand as those companies sought to win as much business as possible.

94% of the fleet was active during the busiest night of the survey – though this is less than the 100% believed to have been observed in 2012. It still leaves some spare capacity and tends to suggest drivers did not play up to the survey (as if they had the figures would have been closer to 100%).

The industry standard ISUD index calculated is 0.06, well below the formal cut-off of 80 taken to suggest the observed unmet demand is significant. All elements of the index have reduced since 2012 with the off peak queue existence reducing the least. From 2009 to 2012 there was evidence for the area moving towards unmet demand increasing, but this has been far reversed in 2015 – consistent with the reduced flows observed.

Public Consultation

200 people were talked to in the streets of Oxford. 40% - a moderate level – had used a licensed vehicle in the last three months, although lower than the 64% in 2012. Trips per month are 1.4 for total licensed vehicles and 0.4 for hackney carriages. 69% said they got 'taxis' either by phone or mobile phone and 26% from ranks (consistent with the ratio of usage above, which is 29%). The high level of hailing in 2012 (16%) had dropped to zero this time. This may suggest the replacement of hailing by people using 'apps' to obtain immediate hirings.

In terms of companies used, the top two companies dominated with 78% of mentions. The hackney carriage radio company was not named by people suggesting most phone usage is of private hire vehicles and further substantiating the potential impact of 'apps'.

When asked, 62% of those responding could not remember when they had last used a hackney carriage, although none said they could not remember seeing them – suggesting they are very visible, just not used.

People knew about ranks but gave them lots of different names with only the Station named just as that. 43% named the station, 29% various names for Gloucester Green and 13% for Queen Street. There was some marginal evidence that people called a private hire office a rank. 59% of those naming rank locations said they did not use them whilst 27% did (again consistent with other measures). This suggests value in providing map-based rank plans in key places and perhaps on the web.

No real new rank locations were suggested.

People appeared generally very happy with the Oxford hackney carriage service apart from feeling it was too expensive. There was some evidence that improved driver service levels might increase usage a little. There were no issues with vehicle types.

In terms of disability, people generally felt the 100% WAV policy was best with only a small number saying they needed different sorts of adapted vehicles. In terms of if people felt Oxford users obtained a good service from hackney carriages, 88% had no view, but just 1% of those responding felt they got a good service, with the other 11% feeling people did not get a good service, but no further information was given.

32% of people said they had tried to hail a hackney carriage (stark contrast to the none who said this was their main method of getting hackney carriages).

The sample was found to under-represent males and the younger age groups though we do not think this will have biased the results significantly.

Stakeholder Consultation

Most stakeholders told us they effectively used private hire for their customers who got a good service. Some restaurants were aware of ranks and one would direct customers to the Gloucester Green rank. Entertainment venues mentioned rank usage and hailing but also saw a lot of customers using their own phones to book private hire.

An excellent night club response did focus on their customers using ranks, although one said most people booked by mobile phone.

Oxford station has seen entries and exits increase around 6% since the last survey in 2012. Passenger figures from the two surveys showed a 10% reduction for hackney carriage use from the station rank (though with other reductions the actual share of trips by hackney carriage from this rank has increased.)

Just one wheel chair passenger was observed accessing a hackney carriage in a wheel chair during the surveys. One other person was noted as being visually disabled.

Trade Consultation

A normal response rate of 5% was obtained for this posted out survey to all licensed drivers. 74% were from hackney carriage. People had an average of 14 years' experience in the industry.

Typical work weeks were five days and 37 hours, with most in number terms working six days. This is generally low.

The key factor determining when people worked was trying to avoid congested periods followed by working when there was most demand. 53% of those responding did not own and drive their own vehicle. There was a high response from those using the hackney carriage radio circuit. For the total sample, 41% got the bulk of work from ranks, 30% from phone, 22% from hailing and 7% from a mix of contract types.

Ranks used mirrored the rank survey with the Station top, Gloucester Green second, Queen Street next and St Giles least in the top four. Some said they service Cowley rank.

38% felt there were too few ranks or spaces. 19% felt ranks needed to be better signposted. 14% felt Queen Street should be 24-hour.

35% supported the retention of the limit policy. Many of those disagreeing with the policy were those wanting to own their own plates given that they currently rented.

Comments made were evenly split between those arguing very strongly in support of the limit and those equally strongly arguing they should have the right to their own plate. We were advised that this has been an ongoing matter within the Oxford hackney carriage drivers.

Synthesis and Conclusions

The 2015 independent review of demand for hackney carriages in the Oxford City council area appears to show a decreased level of demand for hackney carriages in this area. Whilst some of this could be attributed to changes in demand generators and the significant road works, even places that have seen increased demand (the station) have seen decreased usage of hackney carriages.

This is not because the vehicles are not obvious – everyone is aware of them. They also have very clear plate numbers so people can be confident they are legitimate City vehicles (with internal plates further encouraging security for passengers). Also, everyone more or less knows where the key ranks are (even if they don't know common names for them). Also, a high level of hackney carriage vehicles is available on radio networks but people in the street do not seem to be aware of this. High levels of competition, and marketing by private hire appear to have eroded levels of demand – and in one question people seem to suggest their levels of hailing of vehicles has reduced significantly.

The levels of service provided, and the vehicles used, are felt to be good. People tend to feel hackney carriages are expensive, although this is a national view.

However, at this time there is no evidence of any unmet demand for hackney carriages in the Oxford City council licensing area which is significant under the definition of Section 16 of the 1985 Transport Act.

The only pressure on the limit comes from those who currently rent plates who would like to own their own vehicle, although that would give them choice to work when they want, and in our experience can tend towards increasing the possibility of unmet demand becoming significant as people choose to work in 'preferred' hours rather than the sometimes more challenging time periods.

8. Recommendations

Limits on the number of hackney carriage vehicles

There is **no evidence** of any unmet demand for hackney carriages either patent or latent which is significant at this point in time in the Oxford area. The committee is therefore able to retain the current policy and limit at the present level and defend this if necessary.

Rank provision

The authority has a best practise record of the actual rank provision. This needs to be maintained. We would recommend it be drawn into a general rank plan that should be made available to the public both in printed format and more so on the Council web site. It may be possible to add central rank locations to maps in the central area when these are renewed by the City or County.

The only consideration for ranks is if the Queen Street site could be extended in its operating hours although this could be difficult with the traffic regulation orders providing access to the rank and the high levels of pedestrian flows this could introduce hackney carriages to.

Future review of hackney carriage demand

Unless there is any revision to licensing law, a further independent review of demand should be held with surveys occurring no later than October or November 2018. This complies with the Best Practice Guidance which remains current.

Trade development opportunities

Compared to other cities around England, hackney carriages in Oxford appear to be well-known but relatively under-utilised. There appears to be need to draw in the options to encourage greater use of their available radio network and perhaps consider use of hackney carriage apps as many other hackney carriage fleets do (such as in Blackpool).

Appendix 1 – Observed Video Observation Hours

		Gloucester Green, St George's Place	Queen St Carfax	St Giles	Barns Road Cowley	Between Towns Road Cowley	Cowley Road, Health Centre	The Plain	High Street	Park End St	London Rd Headington (two locations)	Oxford Station (FGW) (private)	Hours
Rank Spaces		12	3	15	4	2	2	3	2	3	1+1	15	
CC Plan ref no.		8	6	9	1	2	3	4	5	7	11A/11B	Private	
Operating Hours		All	1830-0800 + Sun	All	All	All	All	2000-0600	All	2300-0300	All	All	
2012 Usage?		Well used			Moderately used			Little if at all used				Well used	
Other comments				only used at night						lost due to roadworks	undertaken by manual review	Private	
Thursday	13:00									Roadworks in place			0
Thursday	14:00	1											1
Thursday	15:00	2											1
Thursday	16:00	3		1									2
Thursday	17:00	4		2									2
Thursday	18:00	5	1	3									3
Thursday	19:00	6	2	4									3
Thursday	20:00	7	3	5									3
Thursday	21:00	8	4	6									3
Thursday	22:00	9	5	7									3
Thursday	23:00	10	6	8									3
Friday	00:00	11	7	9									3
Friday	01:00	12	8	10									3
Friday	02:00	13	9	11									3
Friday	03:00	14	10	12									3
Friday	04:00	15	11	13									3
Friday	05:00	16	12	14									3
Friday	06:00	17	13	15								3	

Friday	07:00	18	14	16					
Friday	08:00	19							
Friday	09:00	20							1
Friday	10:00	21					1		2
Friday	11:00	22					2		3
Friday	12:00	23					3		4
Friday	13:00	24					4		5
Friday	14:00	25					5		6
Friday	15:00	26					6		7
Friday	16:00	27					7		8
Friday	17:00	28		17			8		9
Friday	18:00	29	15	18			9		10
Friday	19:00	30	16	19			10		11
Friday	20:00	31	17	20			11		12
Friday	21:00	32	18	21			12		
Friday	22:00	33	19	22			13		
Friday	23:00	34	20	23			14		
Saturday	00:00	35	21	24			15		
Saturday	01:00	36	22	25			16		
Saturday	02:00	37	23	26					
Saturday	03:00	38	24	27				1	
Saturday	04:00	39	25	28				2	
Saturday	05:00	40	26	29				3	
Saturday	06:00	41	27	30				4	
Saturday	07:00	42	28	31				5	
Saturday	08:00	43						6	
Saturday	09:00	44			1	1		7	
Saturday	10:00	45			2	2		8	
Saturday	11:00	46			3	3			
Saturday	12:00	47			4	4			
Saturday	13:00	48			5	5			
Saturday	14:00	49			6	6			
Saturday	15:00	50			7	7			
Saturday	16:00	51			8	8			
Saturday	17:00	52		32	9	9			
Saturday	18:00	53	29	33	10	10			
Saturday	19:00	54	30	34	11	11		9	

		3
		1
	1	3
	2	4
	3	4
	4	4
	5	4
	6	4
	7	4
	8	4
	9	5
	10	6
	11	6
	12	6
	13	5
	14	5
	15	5
	16	5
	17	5
	18	4
		4
		4
		4
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		2
		4
		4
		3
		3
		3
		3
		3
		3
		4
		5
		6

Saturday	20:00	55	31	35	12	12		10					6
Saturday	21:00	56	32	36	13	13		11					6
Saturday	22:00	57	33	37	14	14		12					6
Saturday	23:00	58	34	38	15	15		13					6
Sunday	00:00	59	35	39				14					4
Sunday	01:00	60	36	40				15					4
Sunday	02:00	61	37	41				16					4
Sunday	03:00	62	38	42				17					4
Sunday	04:00	63	39	43				18					4
Sunday	05:00	64	40										2
Sunday	06:00	65	41										2
Sunday	07:00	66	42								19		3
Sunday	08:00	67	43								20		3
Sunday	09:00	68	44								21		3
Sunday	10:00	69	45								22		3
Sunday	11:00	70	46								23		3
Sunday	12:00	71	47								24		3
Sunday	13:00	72	48								25		3
Sunday	14:00	73	49								26		3
Sunday	15:00	74	50								27		3
Sunday	16:00	75	51								28		3
Sunday	17:00	Lost	52								29		2
Sunday	18:00										30		1
Sunday	19:00										31		1
Sunday	20:00										32		1
Sunday	21:00												0
Sample details:			39		15	15	16	18	12	0	0	32	
Week day													
Week night													
Weekend day													
Weekend night													
Inter periods													
TOTAL		278											
Total hours at site		75	52	43	15	15	16	18	12	0	0	32	278

Appendix 2 – Detailed rank observation results

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Location	Date	Hour	No of Vehicle Arrivals	Total Passenger Departures	Loaded Vehicle Departures	Average vehicle occupancy	Empty Vehicle Departures	% of vehicles leaving empty	Total Vehicle Departures	Average Vehicle Waiting Time	Average Vehicle Waiting Time (for a fare)	Maximum Vehicle Waiting Time (for a fare)	Average Passenger Waiting Time in Hour	Average Passenger Waiting Time, those waiting only	Number of people waiting 1-5 mins	Number of people waiting 6-10 mins	Number waiting 11 mins or more	Maximum passenger wait time
Glos Gn Th	12/11/2015	14	9	2	2	1	0	0%	2	00:35:40	00:35:07	00:51:00						
Glos Gn Th	12/11/2015	15	16	23	17	1.4	1	6%	18	00:14:56	00:14:56	00:27:00						
Glos Gn Th	12/11/2015	16	16	22	17	1.3	0	0%	17	00:06:37	00:06:28	00:15:00	00:01:08	00:06:00	2	2	0	00:10:00
Glos Gn Th	12/11/2015	17	25	34	28	1.2	1	3%	29	00:02:21	00:02:21	00:08:00	00:00:12	00:01:24	5	0	0	00:02:00
Glos Gn Th	12/11/2015	18	23	34	21	1.6	1	5%	22	00:06:07	00:06:21	00:13:00						
Glos Gn Th	12/11/2015	19	20	22	18	1.2	0	0%	18	00:14:21	00:14:21	00:23:00						
Glos Gn Th	04/02/2016	20	37	47	32	1.5	0	0%	32	00:10:45	00:10:45	00:22:00						
Glos Gn Th	04/02/2016	21	16	29	18	1.6	0	0%	18	00:32:33	00:32:33	00:46:00						
Glos Gn Th	04/02/2016	22	28	42	26	1.6	0	0%	26	00:17:25	00:17:25	00:35:00						
Glos Gn Th	04/02/2016	23	22	23	19	1.2	0	0%	19	00:37:49	00:37:49	01:09:00						
Glos Gn Th	05/02/2016	0	9	11	9	1.2	0	0%	9	00:48:13	00:48:22	00:54:00						
Glos Gn Th	05/02/2016	1	12	23	13	1.8	1	7%	14	00:38:35	00:38:35	01:04:00						
Glos Gn Th	05/02/2016	2	8	17	9	1.9	0	0%	9	01:08:15	01:11:00	01:27:00						
Glos Gn Th	05/02/2016	3	5	8	4	2	2	33%	6	02:50:48								
Glos Gn Th	05/02/2016	4	1	3	2	1.5	1	33%	3	03:10:00								
Glos Gn Th	05/02/2016	5	0	0	0	0	1	100%	1									
Gloucester Gn Th	12/11/2015		247	340	235	1.4	8	3%	243				00:00:05		7	2	0	

Maximum passenger wait time												
Number waiting 11 mins or more												
Number of people waiting 6-10 mins												
Number of people waiting 1-5 mins												
Average Passenger Waiting Time, those waiting only												
Average Passenger Waiting Time in Hour												
Maximum Vehicle Waiting Time (for a fare)												
Average Vehicle Waiting Time (for a fare)												
Average Vehicle Waiting Time												
Total Vehicle Departures												
% of vehicles leaving empty												
Empty Vehicle Departures												
Average vehicle occupancy												
Loaded Vehicle Departures												
Total Passenger Departures												
No of Vehicle Arrivals												
Location	Date	Hour										
Glos Gn F	05/02/2016	6	1	0	0	0	1	100%	1	01:49:00	01:49:00	01:49:00
Glos Gn F	05/02/2016	7	3	0	0	0	3	100%	3	01:56:00	01:56:00	02:09:00
Glos Gn F	05/02/2016	8	3	1	1	1	0	0%	1	00:52:40	00:52:40	01:00:00
Glos Gn F	05/02/2016	9	5	8	7	1.1	0	0%	7	00:44:24	00:44:24	00:51:00
Glos Gn F	05/02/2016	10	11	9	7	1.3	0	0%	7	00:45:54	00:45:54	00:56:00
Glos Gn F	05/02/2016	11	13	11	10	1.1	0	0%	10	01:08:09	01:08:09	01:24:00
Glos Gn F	05/02/2016	12	3	9	8	1.1	0	0%	8	00:42:20	00:42:20	00:57:00
Glos Gn F	05/02/2016	13	15	14	12	1.2	0	0%	12	00:23:48	00:23:12	00:29:00
Glos Gn F	05/02/2016	14	13	18	13	1.4	2	13%	15	00:34:13	00:35:40	00:50:00
Glos Gn F	05/02/2016	15	16	21	15	1.4	1	6%	16	00:20:37	00:20:55	00:28:00
Glos Gn F	05/02/2016	16	14	25	17	1.5	1	6%	18	00:18:04	00:18:04	00:25:00
Glos Gn F	05/02/2016	17	12	16	11	1.5	0	0%	11	00:19:40	00:19:40	00:25:00
Glos Gn F	05/02/2016	18	24	37	23	1.6	2	8%	25	00:10:17	00:10:13	00:16:00
Glos Gn F	05/02/2016	19	23	34	21	1.6	1	5%	22	00:16:10	00:16:13	00:30:00
Glos Gn F	05/02/2016	20	38	79	36	2.2	0	0%	36	00:10:47	00:10:47	00:21:00
Glos Gn F	05/02/2016	21	32	46	28	1.6	0	0%	28	00:15:46	00:15:46	00:29:00
Glos Gn F	05/02/2016	22	37	81	43	1.9	0	0%	43	00:08:21	00:08:21	00:14:00
Glos Gn F	05/02/2016	23	43	68	41	1.7	0	0%	41	00:09:29	00:09:29	00:17:00
Glos Gn F	06/02/2016	0	33	66	34	1.9	0	0%	34	00:14:07	00:14:07	00:29:00
Glos Gn F	14/11/2015	1	45	68	36	1.9	0	0%	36	00:14:36	00:14:30	00:23:00
Glos Gn F	14/11/2015	2	39	72	35	2.1	1	3%	36	00:25:01	00:25:01	00:34:00
Glos Gn F	14/11/2015	3	28	47	30	1.6	1	3%	31	00:32:55	00:31:02	00:58:00
Glos Gn F	14/11/2015	4	9	18	10	1.8	3	23%	13	03:10:26	03:25:10	04:03:00
Glos Gn F	14/11/2015	5	0	0	0	0	2	100%	2			
Glos Gn F	05/02/2016		460	748	438	1.7	18	4%	456			

Location	Date	Hour	Maximum passenger wait time													
			No of Vehicle Arrivals	Total Passenger Departures	Loaded Vehicle Departures	Average vehicle occupancy	Empty Vehicle Departures	% of vehicles leaving empty	Total Vehicle Departures	Average Vehicle Waiting Time	Average Vehicle Waiting Time (for a fare)	Maximum Vehicle Waiting Time (for a fare)	Average Passenger Waiting Time, those waiting only	Number of people waiting 1-5 mins	Number of people waiting 6-10 mins	Number waiting 11 mins or more
173	Glos Gn Sa	14/11/2015	6	2	3	1	3	1	50%	2	02:13:00	02:13:00	02:35:00			
	Glos Gn Sa	14/11/2015	7	1	1	1	1	0	0%	1	01:47:00					
	Glos Gn Sa	14/11/2015	8	10	7	6	1.2	3	33%	9	00:47:42	00:47:20	01:01:00			
	Glos Gn Sa	14/11/2015	9	12	16	11	1.5	0	0%	11	00:53:20	00:53:20	01:04:00			
	Glos Gn Sa	14/11/2015	10	12	13	11	1.2	0	0%	11	00:44:10	00:44:16	00:56:00			
	Glos Gn Sa	14/11/2015	11	17	22	14	1.6	2	12%	16	00:46:24	00:46:32	00:56:00			
	Glos Gn Sa	14/11/2015	12	13	35	17	2.1	1	6%	18	00:31:27	00:31:50	00:52:00			
	Glos Gn Sa	14/11/2015	13	25	37	23	1.6	2	8%	25	00:19:38	00:19:47	00:27:00			
	Glos Gn Sa	14/11/2015	14	26	37	23	1.6	1	4%	24	00:17:57	00:18:02	00:26:00			
	Glos Gn Sa	14/11/2015	15	22	42	22	1.9	0	0%	22	00:27:13	00:27:05	00:40:00			
	Glos Gn Sa	14/11/2015	16	21	29	20	1.4	3	13%	23	00:16:05	00:16:25	00:32:00			
	Glos Gn Sa	14/11/2015	17	35	47	35	1.3	1	3%	36	00:06:58	00:07:00	00:14:00			
	Glos Gn Sa	14/11/2015	18	25	35	23	1.5	1	4%	24	00:11:57	00:12:02	00:20:00			
	Glos Gn Sa	14/11/2015	19	44	64	44	1.5	0	0%	44	00:09:46	00:09:46	00:20:00			
	Glos Gn Sa	14/11/2015	20	29	45	23	2	0	0%	23	00:31:00	00:31:00	00:39:00			
	Glos Gn Sa	14/11/2015	21	28	77	33	2.3	0	0%	33	00:22:51	00:22:51	00:31:00			
	Glos Gn Sa	14/11/2015	22	47	106	43	2.5	1	2%	44	00:12:48	00:12:46	00:22:00			
	Glos Gn Sa	14/11/2015	23	37	94	41	2.3	0	0%	41	00:15:03	00:15:03	00:27:00			
	Glos Gn Sa	15/11/2015	0	50	75	44	1.7	1	2%	45	00:13:25	00:13:22	00:18:00			
	Glos Gn Sa	15/11/2015	1	44	66	38	1.7	6	14%	44	00:12:25	00:12:13	00:19:00			
	Glos Gn Sa	15/11/2015	2	54	98	54	1.8	1	2%	55	00:12:57	00:12:57	00:20:00			
	Glos Gn Sa	15/11/2015	3	51	76	49	1.6	0	0%	49	00:13:54	00:13:55	00:26:00			
	Glos Gn Sa	15/11/2015	4	27	36	24	1.5	4	14%	28	01:03:51	01:04:57	02:43:00			
	Glos Gn Sa	15/11/2015	5	2	4	2	2	3	60%	5	03:16:00					
	Glos Gn Sa	14/11/2015		634	1065	602	1.8	31	5%	633						

Location	Date	Hour										
			No of Vehicle Arrivals	Total Passenger Departures	Loaded Vehicle Departures	Average vehicle occupancy	Empty Vehicle Departures	% of vehicles leaving empty	Total Vehicle Departures	Average Vehicle Waiting Time	Average Vehicle Waiting Time (for a fare)	Maximum Vehicle Waiting Time (for a fare)
Gloucester Gn Su	15/11/2015	6	4	5	4	1.2	0	0%	4	02:33:15	02:39:40	02:48:00
Gloucester Gn Su	15/11/2015	7	6	2	2	1	1	33%	3	02:12:50	02:10:48	02:25:00
Gloucester Gn Su	15/11/2015	8	4	4	3	1.3	2	40%	5	01:55:45	01:55:45	01:58:00
Gloucester Gn Su	15/11/2015	9	10	12	6	2	2	25%	8	01:46:54	01:46:54	01:53:00
Gloucester Gn Su	15/11/2015	10	4	6	5	1.2	0	0%	5	01:23:45	01:23:45	01:39:00
Gloucester Gn Su	15/11/2015	11	10	14	10	1.4	0	0%	10	00:55:00	00:55:00	01:17:00
Gloucester Gn Su	15/11/2015	12	20	27	18	1.5	0	0%	18	00:49:48	00:49:48	01:46:00
Gloucester Gn Su	15/11/2015	13	14	17	10	1.7	0	0%	10	01:56:55	01:56:41	02:15:00
Gloucester Gn Su	15/11/2015	14	5	14	5	2.8	0	0%	5	01:01:36	01:01:36	01:12:00
Gloucester Gn Su	15/11/2015	15	14	26	19	1.4	1	5%	20	00:41:51	00:41:51	00:49:00
Gloucester Gn Su	15/11/2015	16	0	31	12	2.6	0	0%	12			
Gloucester Gn Su	15/11/2015		91	158	94	1.7	6	6%	100			

Maximum passenger wait time												
Number waiting 11 mins or more												
Number of people waiting 6-10 mins												
Number of people waiting 1-5 mins												
Average Passenger Waiting Time, those waiting only												
Average Passenger Waiting Time in Hour												
Maximum Vehicle Waiting Time (for a fare)												
Average Vehicle Waiting Time (for a fare)												
Average Vehicle Waiting Time												
Total Vehicle Departures												
% of vehicles leaving empty												
Empty Vehicle Departures												
Average vehicle occupancy												
Loaded Vehicle Departures												
Total Passenger Departures												
No of Vehicle Arrivals												
Location	Date	Hour										
Queen St Th	12/11/2015	18	3	2	2	1	0	0%	2	00:08:20	00:08:20	00:11:00
Queen St Th	12/11/2015	19	17	16	13	1.2	1	7%	14	00:06:14	00:06:00	00:11:00
Queen St Th	12/11/2015	20	19	26	16	1.6	5	24%	21	00:09:47	00:10:46	00:15:00
Queen St Th	12/11/2015	21	16	13	9	1.4	6	40%	15	00:14:18	00:13:10	00:24:00
Queen St Th	12/11/2015	22	29	40	22	1.8	8	27%	30	00:07:22	00:07:57	00:20:00
Queen St Th	12/11/2015	23	31	28	16	1.8	14	47%	30	00:05:25	00:05:52	00:12:00
Queen St Th	13/11/2015	0	38	38	20	1.9	16	44%	36	00:05:52	00:06:19	00:10:00
Queen St Th	13/11/2015	1	42	54	23	2.3	20	47%	43	00:04:10	00:04:30	00:10:00
Queen St Th	13/11/2015	2	50	91	39	2.3	13	25%	52	00:03:33	00:03:43	00:11:00
Queen St Th	13/11/2015	3	31	45	20	2.2	8	29%	28	00:11:09	00:11:51	01:20:00
Queen St Th	13/11/2015	4	1	2	1	2	3	75%	4	00:46:00	00:46:00	00:46:00
Queen St Th	13/11/2015	5	0	2	2	1	0	0%	2			
Queen St Th	13/11/2015	6	0	0	0	0	0	0%	0			
Queen St Th	13/11/2015	7	0	0	0	0	0	0%	0			
Queen St Th	12/11/2015		277	357	183	2	94	34%	277			

Maximum passenger wait time													
Number waiting 11 mins or more													
Number of people waiting 6-10 mins													
Number of people waiting 1-5 mins													
Average Passenger Waiting Time, those waiting only													
Average Passenger Waiting Time in Hour													
Maximum Vehicle Waiting Time (for a fare)													
Average Vehicle Waiting Time (for a fare)													
Average Vehicle Waiting Time													
Total Vehicle Departures													
% of vehicles leaving empty													
Empty Vehicle Departures													
Average vehicle occupancy													
Loaded Vehicle Departures													
Total Passenger Departures													
No of Vehicle Arrivals													
Location	Date	Hour											
Queen St F	13/11/2015	18	2	2	1	2	1	50%	2	00:01:30	00:03:00	00:03:00	
Queen St F	13/11/2015	19	19	22	13	1.7	1	7%	14	00:08:15	00:08:38	00:21:00	
Queen St F	13/11/2015	20	26	38	25	1.5	5	17%	30	00:08:11	00:08:35	00:14:00	
Queen St F	13/11/2015	21	30	32	18	1.8	8	31%	26	00:08:06	00:08:00	00:18:00	
Queen St F	13/11/2015	22	50	87	42	2.1	8	16%	50	00:03:36	00:03:48	00:09:00	
Queen St F	13/11/2015	23	57	86	46	1.9	14	23%	60	00:02:07	00:02:16	00:07:00	
Queen St F	14/11/2015	0	61	95	53	1.8	7	12%	60	00:02:58	00:02:57	00:08:00	
Queen St F	14/11/2015	1	68	113	60	1.9	11	15%	71	00:01:40	00:01:49	00:06:00	
Queen St F	14/11/2015	2	90	161	72	2.2	16	18%	88	00:02:24	00:02:30	00:06:00	
Queen St F	14/11/2015	3	69	127	59	2.2	9	13%	68	00:02:23	00:02:16	00:05:00	
Queen St F	14/11/2015	4	26	19	11	1.7	16	59%	27	00:07:39	00:08:00	00:17:00	
Queen St F	14/11/2015	5	1	4	2	2	1	33%	3	00:04:00	00:04:00	00:04:00	
Queen St F	14/11/2015	6	0	0	0	0	0	0%	0				
Queen St F	14/11/2015	7	0	0	0	0	0	0%	0				
Queen St F	13/11/2015		499	786	402	2	97	19%	499				

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Location	Date	Hour																	
			No of Vehicle Arrivals	Total Passenger Departures	Loaded Vehicle Departures	Average vehicle occupancy	Empty Vehicle Departures	% of vehicles leaving empty	Total Vehicle Departures	Average Vehicle Waiting Time	Average Vehicle Waiting Time (for a fare)	Maximum Vehicle Waiting Time (for a fare)	Average Passenger Waiting Time in Hour	Average Passenger Waiting Time, those waiting only	Number of people waiting 1-5 mins	Number of people waiting 6-10 mins	Number waiting 11 mins or more	Maximum passenger wait time	
177	Queen St Sa	14/11/2015	18	7	18	7	2.6	0	0%	7	00:03:08	00:03:08	00:08:00						
	Queen St Sa	14/11/2015	19	16	26	10	2.6	2	17%	12	00:06:15	00:06:25	00:12:00						
	Queen St Sa	14/11/2015	20	24	43	21	2	2	9%	23	00:10:55	00:11:17	00:18:00						
	Queen St Sa	14/11/2015	21	27	60	24	2.5	5	17%	29	00:07:02	00:06:39	00:13:00						
	Queen St Sa	14/11/2015	22	44	66	32	2.1	12	27%	44	00:03:31	00:03:56	00:08:00						
	Queen St Sa	14/11/2015	23	33	55	30	1.8	6	17%	36	00:06:18	00:06:17	00:16:00	00:00:03	00:03:00	1	0	0	00:03:00
	Queen St Sa	15/11/2015	0	33	55	30	1.8	2	6%	32	00:01:16	00:01:17	00:04:00	00:00:05	00:02:30	2	0	0	00:04:00
	Queen St Sa	15/11/2015	1	35	74	33	2.2	3	8%	36	00:00:53	00:00:52	00:03:00						
	Queen St Sa	15/11/2015	2	22	48	21	2.3	0	0%	21	00:01:38	00:01:38	00:12:00	00:00:01	00:01:00	1	0	0	00:01:00
	Queen St Sa	15/11/2015	3	17	20	12	1.7	3	20%	15	00:04:00	00:04:04	00:14:00						
	Queen St Sa	15/11/2015	4	35	54	24	2.2	9	27%	33	00:07:01	00:06:07	00:23:00						
	Queen St Sa	15/11/2015	5	5	2	2	1	7	78%	9									
Queen St Sa	14/11/2015		298	521	246	2.1	51	17%	297				00:00:01		4	0	0		

Maximum passenger wait time													
Number waiting 11 mins or more													
Number of people waiting 6-10 mins													
Number of people waiting 1-5 mins													
Average Passenger Waiting Time, those waiting only													
Average Passenger Waiting Time in Hour													
Maximum Vehicle Waiting Time (for a fare)													
Average Vehicle Waiting Time (for a fare)													
Average Vehicle Waiting Time													
Total Vehicle Departures													
% of vehicles leaving empty													
Empty Vehicle Departures													
Average vehicle occupancy													
Loaded Vehicle Departures													
Total Passenger Departures													
No of Vehicle Arrivals													
Location	Date	Hour											
Queen St Su	15/11/2015	6	0	0	0	0	0	0%	0				
Queen St Su	15/11/2015	7	0	0	0	0	0	0%	0				
Queen St Su	15/11/2015	8	0	0	0	0	0	0%	0				
Queen St Su	15/11/2015	9	1	1	1	1	0	0%	1	00:40:00	00:40:00	00:40:00	
Queen St Su	15/11/2015	10	6	8	5	1.6	0	0%	5	00:18:10	00:18:10	00:30:00	
Queen St Su	15/11/2015	11	3	8	4	2	0	0%	4	00:21:40	00:21:40	00:38:00	
Queen St Su	15/11/2015	12	11	16	10	1.6	0	0%	10	00:17:54	00:17:54	00:30:00	
Queen St Su	15/11/2015	13	9	12	5	2.4	2	29%	7	00:33:00	00:35:42	00:49:00	
Queen St Su	15/11/2015	14	10	11	5	2.2	2	29%	7	00:51:48	01:12:00	02:16:00	
Queen St Su	15/11/2015	15	9	13	5	2.6	5	50%	10	00:10:26	00:14:48	00:27:00	
Queen St Su	15/11/2015	16	10	25	12	2.1	2	14%	14	00:04:30	00:04:33	00:08:00	
Queen St Su	15/11/2015	17	12	25	13	1.9	1	7%	14	00:10:05	00:09:54	00:16:00	
Queen St Su	15/11/2015		71	119	60	2	12	17%	72				

Location	Date	Hour																	Maximum passenger wait time
			No of Vehicle Arrivals	Total Passenger Departures	Loaded Vehicle Departures	Average vehicle occupancy	Empty Vehicle Departures	% of vehicles leaving empty	Total Vehicle Departures	Average Vehicle Waiting Time	Average Vehicle Waiting Time (for a fare)	Maximum Vehicle Waiting Time (for a fare)	Average Passenger Waiting Time in Hour	Average Passenger Waiting Time, those waiting only	Number of people waiting 1-5 mins	Number of people waiting 6-10 mins	Number waiting 11 mins or more		
179	St Giles Th	12/11/2015	16	0	0	0	0	0	0%	0									
	St Giles Th	12/11/2015	17	0	0	0	0	0	0%	0									
	St Giles Th	12/11/2015	18	0	0	0	0	0	0%	0									
	St Giles Th	12/11/2015	19	0	0	0	0	0	0%	0									
	St Giles Th	12/11/2015	20	5	5	3	1.7	2	40%	5	00:13:00	00:10:40	00:25:00	00:00:12	00:01:00	1	0	0	00:01:00
	St Giles Th	12/11/2015	21	9	9	6	1.5	1	14%	7	00:09:33	00:09:34	00:15:00						
	St Giles Th	12/11/2015	22	7	8	5	1.6	2	29%	7	00:09:34	00:11:00	00:29:00	00:00:33	00:05:00	1	0	0	00:05:00
	St Giles Th	12/11/2015	23	9	15	9	1.7	0	0%	9	00:07:06	00:04:00	00:10:00	00:00:04	00:01:00	1	0	0	00:01:00
	St Giles Th	13/11/2015	0	15	9	8	1.1	8	50%	16	00:02:24	00:02:46	00:10:00						
	St Giles Th	13/11/2015	1	7	10	6	1.7	0	0%	6	00:17:51	00:09:36	00:16:00						
	St Giles Th	13/11/2015	2	1	2	1	2	2	67%	3	00:02:00	00:02:00	00:02:00						
	St Giles Th	13/11/2015	3	1	0	0	0	1	100%	1	00:10:00								
	St Giles Th	13/11/2015	4	1	0	0	0	1	100%	1	00:12:00								
	St Giles Th	13/11/2015	5	0	0	0	0	0	0%	0									
	St Giles Th	13/11/2015	6	0	0	0	0	0	0%	0									
	St Giles Th	13/11/2015	7	0	0	0	0	0	0%	0									
	St Giles Th	12/11/2015		55	58	38	1.5	17	31%	55				00:00:07		3	0	0	

Location	Date	Hour																			
			No of Vehicle Arrivals	Total Passenger Departures	Loaded Vehicle Departures	Average vehicle occupancy	Empty Vehicle Departures	% of vehicles leaving empty	Total Vehicle Departures	Average Vehicle Waiting Time	Average Vehicle Waiting Time (for a fare)	Maximum Vehicle Waiting Time (for a fare)	Average Passenger Waiting Time, those waiting only	Average Passenger Waiting Time in Hour	Number of people waiting 1-5 mins	Number of people waiting 6-10 mins	Number waiting 11 mins or more	Maximum passenger wait time			
St Giles F	13/11/2015	17	0	0	0	0	0	0%	0												
St Giles F	13/11/2015	18	0	0	0	0	0	0%	0												
St Giles F	13/11/2015	19	0	0	0	0	0	0%	0												
St Giles F	13/11/2015	20	6	4	3	1.3	2	40%	5	00:07:40	00:07:30	00:18:00									
St Giles F	13/11/2015	21	3	7	3	2.3	1	25%	4	00:06:40	00:04:00	00:04:00									
St Giles F	13/11/2015	22	17	32	12	2.7	4	25%	16	00:06:03	00:06:15	00:13:00									
St Giles F	13/11/2015	23	18	41	16	2.6	1	6%	17	00:06:46	00:06:46	00:18:00	00:00:20	00:02:48	4	1	0	00:06:00			
St Giles F	14/11/2015	0	19	27	16	1.7	2	11%	18	00:07:34	00:07:56	00:14:00									
St Giles F	14/11/2015	1	17	20	14	1.4	2	12%	16	00:16:03	00:17:12	00:28:00									
St Giles F	14/11/2015	2	17	31	16	1.9	1	6%	17	00:12:35	00:11:34	00:22:00									
St Giles F	14/11/2015	3	11	8	6	1.3	2	25%	8	00:36:54	00:32:40	00:47:00									
St Giles F	14/11/2015	4	1	6	3	2	5	62%	8	00:06:00	00:06:00	00:06:00									
St Giles F	14/11/2015	5	0	0	0	0	0	0%	0												
St Giles F	14/11/2015	6	0	0	0	0	0	0%	0												
St Giles F	14/11/2015	7	0	0	0	0	0	0%	0												
St Giles F	13/11/2015		109	176	89	2	20	18%	109				00:00:05		4	1	0				

Location	Date	Hour																Maximum passenger wait time
			No of Vehicle Arrivals	Total Passenger Departures	Loaded Vehicle Departures	Average vehicle occupancy	Empty Vehicle Departures	% of vehicles leaving empty	Total Vehicle Departures	Average Vehicle Waiting Time	Average Vehicle Waiting Time (for a fare)	Maximum Vehicle Waiting Time (for a fare)	Average Passenger Waiting Time in Hour	Average Passenger Waiting Time, those waiting only	Number of people waiting 1-5 mins	Number of people waiting 6-10 mins	Number waiting 11 mins or more	
St Giles Sa	14/11/2015	17	0	0	0	0	0	0%	0									
St Giles Sa	14/11/2015	18	0	0	0	0	0	0%	0									
St Giles Sa	14/11/2015	19	0	0	0	0	0	0%	0									
St Giles Sa	14/11/2015	20	6	10	3	3.3	2	40%	5	00:05:10	00:02:45	00:06:00	00:00:05	00:01:00	1	0	0	00:01:00
St Giles Sa	14/11/2015	21	9	10	7	1.4	3	30%	10	00:06:26	00:06:40	00:12:00						
St Giles Sa	14/11/2015	22	14	11	6	1.8	6	50%	12	00:02:08	00:03:00	00:14:00	00:00:05	00:01:00	1	0	0	00:01:00
St Giles Sa	14/11/2015	23	19	42	18	2.3	2	10%	20	00:03:15	00:03:14	00:15:00	00:00:02	00:02:00	1	0	0	00:02:00
St Giles Sa	15/11/2015	0	28	55	24	2.3	2	8%	26	00:02:36	00:02:30	00:07:00						
St Giles Sa	15/11/2015	1	34	63	28	2.2	8	22%	36	00:03:42	00:03:55	00:23:00	00:00:01	00:01:00	2	0	0	00:01:00
St Giles Sa	15/11/2015	2	32	46	25	1.8	4	14%	29	00:04:48	00:04:55	00:17:00	00:00:02	00:02:00	1	0	0	00:02:00
St Giles Sa	15/11/2015	3	28	76	24	3.2	5	17%	29	00:07:06	00:07:13	00:21:00	00:00:20	00:06:15	2	1	1	00:13:00
St Giles Sa	15/11/2015	4	8	15	6	2.5	5	45%	11	00:10:07	00:09:00	00:10:00	00:00:47	00:11:00	0	0	1	00:11:00
St Giles Sa	14/11/2015		178	328	141	2.3	37	21%	178				00:00:08		8	1	2	

Maximum passenger wait time										
Number waiting 11 mins or more										
Number of people waiting 6-10 mins										
Number of people waiting 1-5 mins										
Average Passenger Waiting Time, those waiting only										
Average Passenger Waiting Time in Hour										
Maximum Vehicle Waiting Time (for a fare)										
Average Vehicle Waiting Time (for a fare)										
Average Vehicle Waiting Time										
Total Vehicle Departures										
% of vehicles leaving empty										
Empty Vehicle Departures										
Average vehicle occupancy										
Loaded Vehicle Departures										
Total Passenger Departures										
No of Vehicle Arrivals										
Location	Date	Hour								
Barns Rd Sa	14/11/2015	9	1	0	0	0	1	100%	1	00:00:00
Barns Rd Sa	14/11/2015	10	0	0	0	0	0	0%	0	
Barns Rd Sa	14/11/2015	11	0	0	0	0	0	0%	0	
Barns Rd Sa	14/11/2015	12	1	0	0	0	0	0	0	00:12:00
Barns Rd Sa	14/11/2015	13	0	0	0	0	1	100%	1	
Barns Rd Sa	14/11/2015	14	0	0	0	0	0	0%	0	
Barns Rd Sa	14/11/2015	15	1	4	1	4	0	0%	1	00:20:00 00:20:00 00:20:00
Barns Rd Sa	14/11/2015	16	0	0	0	0	0	0%	0	
Barns Rd Sa	14/11/2015	17	0	0	0	0	0	0%	0	
Barns Rd Sa	14/11/2015	18	0	0	0	0	0	0%	0	
Barns Rd Sa	14/11/2015	19	0	0	0	0	0	0%	0	
Barns Rd Sa	14/11/2015	20	0	0	0	0	0	0%	0	
Barns Rd Sa	14/11/2015	21	0	0	0	0	0	0%	0	
Barns Rd Sa	14/11/2015	22	0	0	0	0	0	0%	0	
Barns Rd Sa	14/11/2015	23	0	0	0	0	0	0%	0	
Barns Rd Sa	14/11/2015		3	4	1	4	2	67%	3	

Maximum passenger wait time									
Number waiting 11 mins or more									
Number of people waiting 6-10 mins									
Number of people waiting 1-5 mins									
Average Passenger Waiting Time, those waiting only									
Average Passenger Waiting Time in Hour									
Maximum Vehicle Waiting Time (for a fare)									
Average Vehicle Waiting Time (for a fare)									
Average Vehicle Waiting Time									
Total Vehicle Departures									
% of vehicles leaving empty									
Empty Vehicle Departures									
Average vehicle occupancy									
Loaded Vehicle Departures									
Total Passenger Departures									
No of Vehicle Arrivals									
Location	Date	Hour							
Bet Tns Rd Sa	14/11/2015	9	0	0	0	0	0	0%	0
Bet Tns Rd Sa	14/11/2015	10	0	0	0	0	0	0%	0
Bet Tns Rd Sa	14/11/2015	11	0	0	0	0	0	0%	0
Bet Tns Rd Sa	14/11/2015	12	0	0	0	0	0	0%	0
Bet Tns Rd Sa	14/11/2015	13	0	0	0	0	0	0%	0
Bet Tns Rd Sa	14/11/2015	14	1	0	0	0	1	100%	1
Bet Tns Rd Sa	14/11/2015	15	0	0	0	0	0	0%	0
Bet Tns Rd Sa	14/11/2015	16	0	0	0	0	0	0%	0
Bet Tns Rd Sa	14/11/2015	17	0	0	0	0	0	0%	0
Bet Tns Rd Sa	14/11/2015	18	1	0	0	0	1	100%	1
Bet Tns Rd Sa	14/11/2015	19	0	0	0	0	0	0%	0
Bet Tns Rd Sa	14/11/2015	20	0	0	0	0	0	0%	0
Bet Tns Rd Sa	14/11/2015	21	0	0	0	0	0	0%	0
Bet Tns Rd Sa	14/11/2015	22	0	0	0	0	0	0%	0
Bet Tns Rd Sa	14/11/2015	23	0	0	0	0	0	0%	0
Bet Towns Rd Sa	14/11/2015		2	0	0	0	2	100%	2

Maximum passenger wait time										
Number waiting 11 mins or more										
Number of people waiting 6-10 mins										
Number of people waiting 1-5 mins										
Average Passenger Waiting Time, those waiting only										
Average Passenger Waiting Time in Hour										
Maximum Vehicle Waiting Time (for a fare)										
Average Vehicle Waiting Time (for a fare)										
Average Vehicle Waiting Time										
Total Vehicle Departures										
% of vehicles leaving empty										
Empty Vehicle Departures										
Average vehicle occupancy										
Loaded Vehicle Departures										
Total Passenger Departures										
No of Vehicle Arrivals										
Location	Date	Hour								
Cowley Rd F	13/11/2015	10	2	0	0	0	2	100%	2	00:05:00
Cowley Rd F	13/11/2015	11	1	0	0	0	1	100%	1	00:01:00
Cowley Rd F	13/11/2015	12	0	0	0	0	0	0%	0	
Cowley Rd F	13/11/2015	13	1	0	0	0	1	100%	1	00:02:00
Cowley Rd F	13/11/2015	14	0	0	0	0	0	0%	0	
Cowley Rd F	13/11/2015	15	0	0	0	0	0	0%	0	
Cowley Rd F	13/11/2015	16	0	0	0	0	0	0%	0	
Cowley Rd F	13/11/2015	17	0	0	0	0	0	0%	0	
Cowley Rd F	13/11/2015	18	0	0	0	0	0	0%	0	
Cowley Rd F	13/11/2015	19	0	0	0	0	0	0%	0	
Cowley Rd F	13/11/2015	20	0	0	0	0	0	0%	0	
Cowley Rd F	13/11/2015	21	0	0	0	0	0	0%	0	
Cowley Rd F	13/11/2015	22	1	0	0	0	1	100%	1	00:07:00
Cowley Rd F	13/11/2015	23	1	0	0	0	1	100%	1	00:00:00
Cowley Rd F	14/11/2015	0	1	0	0	0	1	100%	1	00:01:00
Cowley Rd F	14/11/2015	1	0	0	0	0	0	0%	0	
Cowley Rd F	13/11/2015		7	0	0	0	7	100%	7	

Maximum passenger wait time									
Number waiting 11 mins or more									
Number of people waiting 6-10 mins									
Number of people waiting 1-5 mins									
Average Passenger Waiting Time, those waiting only									
Average Passenger Waiting Time in Hour									
Maximum Vehicle Waiting Time (for a fare)									
Average Vehicle Waiting Time (for a fare)									
Average Vehicle Waiting Time									
Total Vehicle Departures									
% of vehicles leaving empty									
Empty Vehicle Departures									
Average vehicle occupancy									
Loaded Vehicle Departures									
Total Passenger Departures									
No of Vehicle Arrivals									
Hour									
Date									
Location									
185	The Plain F	14/11/2015	3	0	0	0	0	0	0
	The Plain F	14/11/2015	4	0	0	0	0	0	0
	The Plain F	14/11/2015	5	0	0	0	0	0	0
	The Plain F	14/11/2015	6	0	0	0	0	0	0
	The Plain F	14/11/2015	7	0	0	0	0	0	0
	The Plain F	14/11/2015	8	0	0	0	0	0	0
	The Plain F	14/11/2015	9	0	0	0	0	0	0
	The Plain F	14/11/2015	10	0	0	0	0	0	0
	The Plain F	14/11/2015		0	0	0	0	0	0

186	Location	Date	Hour	Average Vehicle Waiting Time (for a fare)										Average Passenger Waiting Time, those waiting only		Number of people waiting 1-5 mins			Number of people waiting 6-10 mins		Number waiting 11 mins or more		Maximum passenger wait time
				Total Vehicle Departures	% of vehicles leaving empty	Empty Vehicle Departures	Average vehicle occupancy	Loaded Vehicle Departures	Total Passenger Departures	No of Vehicle Arrivals	Average Vehicle Waiting Time in Hour	Maximum Vehicle Waiting Time (for a fare)	Average Passenger Waiting Time, those waiting only	Number of people waiting 1-5 mins	Number of people waiting 6-10 mins	Number waiting 11 mins or more							
	The Plain Sa	14/11/2015	19	0	0%	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	The Plain Sa	14/11/2015	20	0	0%	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	The Plain Sa	14/11/2015	21	0	0%	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	The Plain Sa	14/11/2015	22	0	0%	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	The Plain Sa	14/11/2015	23	2	50%	4	1	4	1	2	00:00:30	00:01:00	00:01:00										
	The Plain Sa	15/11/2015	0	2	0%	3	2	1.5	0	2	00:01:00	00:01:00	00:02:00										
	The Plain Sa	15/11/2015	1	4	50%	6	2	3	2	4	00:00:15	00:00:30	00:01:00	00:00:10	00:01:00	1	0	0	0	0	0	00:01:00	
	The Plain Sa	15/11/2015	2	2	0%	6	2	3	0	2	00:00:30	00:00:30	00:01:00										
	The Plain Sa	15/11/2015	3	2	0%	4	2	2	0	2	00:01:00	00:01:00	00:01:00	00:03:00	00:12:00	0	0	1	0	0	0	00:12:00	
	The Plain Sa	15/11/2015	4	0	0%	0	0	0	0	0													
	The Plain Sa	14/11/2015		12	25%	23	9	2.6	3	12				00:00:34			1	0	1				

Maximum passenger wait time													
Number waiting 11 mins or more													
Number of people waiting 6-10 mins													
Number of people waiting 1-5 mins													
Average Passenger Waiting Time, those waiting only													
Average Passenger Waiting Time in Hour													
Maximum Vehicle Waiting Time (for a fare)													
Average Vehicle Waiting Time (for a fare)													
Average Vehicle Waiting Time													
Total Vehicle Departures													
% of vehicles leaving empty													
Empty Vehicle Departures													
Average vehicle occupancy													
Loaded Vehicle Departures													
Total Passenger Departures													
No of Vehicle Arrivals													
Hour													
Date													
Location													
187	High St F	13/11/2015	9	1	0	0	0	1	100%	1	00:02:00		
	High St F	13/11/2015	10	0	0	0	0	0	0%	0			
	High St F	13/11/2015	11	0	0	0	0	0	0%	0			
	High St F	13/11/2015	12	0	0	0	0	0	0%	0			
	High St F	13/11/2015	13	0	0	0	0	0	0%	0			
	High St F	13/11/2015	14	1	0	0	0	0	0%	0	00:19:00		
	High St F	13/11/2015	15	1	0	0	0	2	100%	2	00:06:00		
	High St F	13/11/2015	16	1	1	1	1	0	0%	1	00:00:00	00:00:00	00:00:00
	High St F	13/11/2015	17	2	0	0	0	2	100%	2	00:01:00		
	High St F	13/11/2015	18	1	0	0	0	1	100%	1	00:02:00		
	High St F	13/11/2015	19	0	0	0	0	0	0%	0			
	High St F	13/11/2015	20	0	0	0	0	0	0%	0			
		High St F	13/11/2015		7	1	1	1	6	86%	7		

Location	Date	Hour																	
			No of Vehicle Arrivals	Total Passenger Departures	Loaded Vehicle Departures	Average vehicle occupancy	Empty Vehicle Departures	% of vehicles leaving empty	Total Vehicle Departures	Average Vehicle Waiting Time	Average Vehicle Waiting Time (for a fare)	Maximum Vehicle Waiting Time (for a fare)	Average Passenger Waiting Time in Hour	Average Passenger Waiting Time, those waiting only	Number of people waiting 1-5 mins	Number of people waiting 6-10 mins	Number waiting 11 mins or more	Maximum passenger wait time	
188	Ox Station F	13/11/2015	9	88	68	57	1.2	22	28%	79	00:08:45	00:08:37	00:20:00						
	Ox Station F	13/11/2015	10	100	48	34	1.4	24	41%	58	00:27:15	00:26:30	00:41:00						
	Ox Station F	13/11/2015	11	57	56	35	1.6	40	53%	75	00:36:55	00:37:27	00:49:00						
	Ox Station F	13/11/2015	12	31	39	29	1.3	13	31%	42	00:51:38	00:53:27	01:08:00						
	Ox Station F	13/11/2015	13	30	34	19	1.8	14	42%	33	00:30:56	00:30:39	00:36:00						
	Ox Station F	13/11/2015	14	44	51	41	1.2	9	18%	50	00:16:35	00:16:34	00:21:00						
	Ox Station F	13/11/2015	15	53	52	33	1.6	7	18%	40	00:23:26	00:23:10	00:39:00						
	Ox Station F	13/11/2015	16	49	67	55	1.2	17	24%	72	00:05:35	00:04:56	00:18:00						
	Ox Station F	13/11/2015	17	63	69	57	1.2	7	11%	64	00:03:45	00:03:37	00:12:00	00:00:02	00:01:00	3	0	0	00:01:00
	Ox Station F	13/11/2015	18	78	91	71	1.3	9	11%	80	00:01:18	00:01:23	00:07:00	00:00:01	00:01:00	2	0	0	00:01:00
	Ox Station F	13/11/2015	19	47	18	15	1.2	26	63%	41	00:05:11	00:05:18	00:12:00	00:00:09	00:03:00	1	0	0	00:03:00
	Ox Station F	13/11/2015	20	28	24	19	1.3	6	24%	25	00:15:06	00:15:37	00:22:00						
	Ox Station F	13/11/2015	21	54	38	30	1.3	18	38%	48	00:13:44	00:14:36	00:26:00						
	Ox Station F	13/11/2015	22	26	37	26	1.4	6	19%	32	00:29:55	00:30:20	00:39:00						
	Ox Station F	13/11/2015	23	34	21	18	1.2	7	28%	25	00:25:00	00:24:55	00:32:00						
	Ox Station F	14/11/2015	0	36	44	34	1.3	1	3%	35	00:27:03	00:27:01	00:44:00						
	Ox Station F	14/11/2015	1	17	33	25	1.3	5	17%	30	00:38:14	00:37:24	00:57:00						
	Ox Station F	14/11/2015	2	2	5	3	1.7	5	62%	8	00:04:00								
	Ox Station F	13/11/2015		837	795	601	1.3	236	28%	837				00:00:01		6	0	0	

Location	Date	Hour											Maximum passenger wait time				
			No of Vehicle Arrivals	Total Passenger Departures	Loaded Vehicle Departures	Average vehicle occupancy	Empty Vehicle Departures	% of vehicles leaving empty	Total Vehicle Departures	Average Vehicle Waiting Time	Average Vehicle Waiting Time (for a fare)	Maximum Vehicle Waiting Time (for a fare)	Average Passenger Waiting Time in Hour	Average Passenger Waiting Time, those waiting only	Number of people waiting 1-5 mins	Number of people waiting 6-10 mins	Number waiting 11 mins or more
189 Ox Station Su	15/11/2015	7	3	0	0	0	0	0%	0	01:05:40	01:09:30	01:19:00					
	15/11/2015	8	4	1	1	1	3	75%	4	00:23:45	00:31:00	00:31:00					
	15/11/2015	9	19	16	14	1.1	3	18%	17	00:20:34	00:19:56	00:43:00					
	15/11/2015	10	19	15	12	1.2	3	20%	15	00:36:03	00:36:28	00:47:00					
	15/11/2015	11	23	26	18	1.4	1	5%	19	00:36:15	00:36:19	00:42:00					
	15/11/2015	12	19	37	26	1.4	1	4%	27	00:32:18	00:32:00	00:46:00					
	15/11/2015	13	20	25	20	1.2	0	0%	20	00:15:42	00:15:42	00:25:00					
	15/11/2015	14	31	25	22	1.1	1	4%	23	00:24:46	00:24:10	00:47:00					
	15/11/2015	15	11	27	23	1.2	1	4%	24	00:12:05	00:12:05	00:27:00					
	15/11/2015	16	47	48	36	1.3	8	18%	44	00:06:06	00:06:01	00:16:00					
	15/11/2015	17	33	35	27	1.3	5	16%	32	00:16:03	00:15:14	00:25:00					
	15/11/2015	18	52	53	44	1.2	3	6%	47	00:10:41	00:10:14	00:20:00	00:00:01	00:01:00	1	0	0
	15/11/2015	19	56	104	58	1.8	4	6%	62	00:08:30	00:08:25	00:14:00					
	15/11/2015	20	54	63	57	1.1	0	0%	57	00:03:36	00:03:36	00:12:00					
	Ox Station Su	15/11/2015		391	475	358	1.3	33	8%	391				00:00:00		1	0

Appendix 3 Public on street survey results

Q1: Have you used a taxi in the last 3 months in the Oxford area?	OXFORD	
Yes	79	39.50%
No	121	60.50%
Total	200	100.00%

Q2: How often do you use a taxi within this area?	OXFORD	
Almost daily	1	0.85%
Once a week	14	11.97%
A few times a month	23	19.66%
Once a month	16	13.68%
Less than once a month	63	53.85%
Total	117	100.00%

Almost daily	20
Once a week	4
A few times a month	2
Once a month	1
Less than once a month	0.5

Resulting estimate of trips per person per month	1.4
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Q3: How do you normally book a taxi within this area?	OXFORD	
At a Taxi rank	30	26.32%
Hail in the street	0	0.00%
Telephone a company	57	50.00%
Use a Freephone	5	4.39%
Use my mobile or smart phone	21	18.42%
Other - ONLINE	1	0.88%
Total	114	100.0%

Q4: If you book a taxi by phone, which 3 companies do you call most often?	OXFORD	
ROYAL CARS	49	43.0%
0 01	41	36.0%
CITY CARS	7	6.1%
ABC TAXIS	6	5.3%
A2B	5	4.4%
KIDLINGTON CARS	3	2.6%
AUTO TAXIS	1	0.9%
ALD	1	0.9%
ST GILES	1	0.9%
Total	114	100.0%

Q5: How often do you use a hackney carriage within the Oxford area?	OXFORD	
Almost daily	1	0.60%
Once a week	5	2.99%
A few times a month	3	1.80%
Once a month	4	2.40%
Less than once a month	30	17.96%
I can't remember when I last used a hackney carriage	124	74.25%
I can't remember seeing a hackney carriage in the area	0	0.00%
Total	167	100.00%

Almost daily	20
Once a week	4
A few times a month	2
Once a month	1
Less than once a month	0.5

Resulting estimate of trips per person per month	0.4
---	------------

Q6. Which ranks are you aware of within the Oxford City area?	OXFORD	
STATION	110	43.0%
GLOUCESTER GREEN	27	10.5%
MARKET PLACE	27	10.5%
ODEON CINEMA	20	7.8%
MARKET CINEMA	1	0.4%
ST GILES	19	7.4%
MAGDALEN STREET	4	1.6%
QUEEN STREET	17	6.6%
CARFAX	10	3.9%
OPPOSITE TOWN HALL	2	0.8%
ST ALDATES	5	2.0%
BUS STATION	9	3.5%
COACH STATION	2	0.8%
HIGH STREET	1	0.4%
PARK END STREET	1	0.4%
ST ANDREWS	1	0.4%
Total	256	18.8%

Q7. Where in the Oxford City area would you like to see a rank?	OXFORD	
COWLEY	2	22.2%
COWLEY CENTRE	3	33.3%
GLOUCESTER GREEN	1	11.1%
HEADINGTON	1	11.1%
PARK END STREET	1	11.1%
ST ALDATES	1	11.1%
Total	9	100.0%

Q8: Have you had any problems with the local Hackney carriage service?	OXFORD	
Design of vehicle	0	0.00%
Driver issues	11	15.94%
Position of ranks	0	0.00%
Delay in getting a taxi	4	5.80%
Cleanliness	1	1.45%
Cost	52	75.36%
Other - rude / talking on phone / using bad language	1	1.45%
Total	69	100.00%

Q9: What would encourage you to use taxis or use them more often?	OXFORD	
Better Vehicle	0	0.00%
More hackney carriages I could phone for	11	11.22%
Better Drivers	10	10.20%
More hackney carriages I could hail or get at a rank	0	0.00%
Better located ranks	0	0.00%
Other - Cheaper fares	75	76.53%
Other - better language skills	1	1.02%
Other - better located ranks	1	1.02%
Total	98	100.00%

Q10: Do you consider you or anyone you know to have a disability that means you need an adapted vehicle?	OXFORD	
No	145	92.36%
Yes – WAV	0	0.00%
someone I know WAV	10	6.37%
Yes, but not WAV	0	0.00%
Someone I know, but not WAV	2	1.27%
Other	0	0.00%
Total	157	100.00%

Q11. Have you ever given up waiting for a taxi in the Oxford area?	OXFORD	
Yes	157	98.13%
No	3	1.88%
Total	160	100.00%

Q12. Have you ever tried stopping a hackney carriage in the street anywhere in the Oxford area?	OXFORD	
No	19	67.86%
Yes	9	32.14%
Total	28	100.00%

Q13. Do you have regular access to a car?	OXFORD	
Yes	113	56.50%
No	87	43.50%
Total	200	100.00%

Q14. Do you think the people in Oxford City who have disabilities get a good service from hackney carriage vehicles and drivers?	OXFORD	
Yes	2	1.67%
No	13	10.83%
Other	105	87.50%
Total	120	100.00%

Q15. Do you live in the Oxford area?	OXFORD	
Yes	150	79.37%
No	39	20.63%
Total	189	100.00%

Q16: Gender	OXFORD	
1. Male 2015 census est = 49%	86	43.22%
2. Female 2015 census est = 51%	113	56.78%
Total	199	100.00%

Q17: Age	OXFORD	
1. Under 30 2015 census est = 40%	71	33.02%
2. 31 – 55 2015 census est = 37%	73	33.95%
3. Over 55 2015 census est = 23%	71	33.02%
Total	215	100.00%

Appendix 4 Stakeholder Feedback Diary

Chapter	Stakeholder Group / Person	Views returned?
5	Supermarkets	
	Sainsbury's Westgate Shopping Centre	N
	Aldi, Botley Road	R
	Waitrose, Botley Rd	N
	Sainsbury's Heyford Hill	Y
	Lidl Watlington Rd	N
5	Hotels	
	Cotswold Lodge Hotel	Y
	Old Parsonage Hotel	Y
	Vanbrugh House Hotel	Y
	Oxford Spires Four Pillars Hotel	Y
	Heather House	N
	Restaurants	
	Gee's Restaurant	Y
	Brown's Oxford	Y
	Pierre Victoire	R
	Bill's Oxford Restaurant	Y
	Cote Brasserie	Y
5	Night clubs / Entertainment / Pubs	
	Oxford Playhouse	Y
	O2 Academy	R
	Kassam Stadium	Y
	The Ultimate Picture Palace	Y
	The Plough	N
	The Perch Inn	N
	The Old Bookbinders	Y
	Kings Arms	Y
	The Jericho	Y
	Beerd	N
	The Lighthouse	N
	(Night Clubs)	
	The Bridge	Y
	Wahoo and the Glee Club	Y
	Lola Lo	Y
	Atik	Y

5	Hospitals	
	John Radcliffe	N
	Warneford	N
5	Disability, equality and other local group representatives	
	Deaf and Hard of Hearing Centre	N
	Age Concern UK Oxfordshire	N
	OXS RAD	N
	Oxfordshire Council for Voluntary Action	N
	Oxfordshire Council of Disabled People	(no longer known)
	Oxford Mencap	N
	Oxford Association of Hotels and Guest Houses	(no longer known)
	Oxford and District Chamber of Commerce	(no longer traceable)
	Oxford Brookes University	N
	Oxford Association for the Blind	N
	Oxford University Students Union	N
5	Police	
	Thames Valley Police	N
6	Hackney carriage and private hire trade	
	Via posted out questionnaire	Y
	COLTA	Y

ITEM 9 - EXTRACT OF THE MINUTES OF THE GENERAL PURPOSES LICENSING COMMITTEE

Wednesday 18 May 2016

www.oxford.gov.uk



COUNCILLORS PRESENT: Councillors Clarkson (Chair), Cook (Vice-Chair), Anwar, Azad, Brandt, Coulter, Humberstone, Lloyd-Shogbesan and Wade.

OFFICERS PRESENT: Julian Alison (Licensing Manager), Daniel Smith (Lawyer) and Catherine Phythian (Committee Services Officer)

7. POLICY ON HACKNEY CARRIAGE QUANTITY CONTROL – UNMET DEMAND SURVEY

The Head of Community Services has submitted a report which details the findings of the “Unmet Demand” survey 2015.

The Licensing Manager introduced the report. He explained that CTS Traffic and Transportation were appointed to undertake a Hackney Carriage Vehicles “Unmet Demand” Survey, which was carried out between 7 September 2015 and 20 December 2015, with further video and data intelligence research until February 2016.

He said that the survey concluded that:

“There is no evidence of any unmet demand for hackney carriages either patent or latent which is significant at this point in time in the Oxford area. The committee is therefore able to retain the current policy and limit at the present level and defend this if necessary.”

The consultant from CTS Traffic and Transportation gave a brief presentation and answered questions. He highlighted the following points:

- hackney carriage usage down since 2012
- Some impact of road works
- More impact from private hire vehicles from inside and outside of Oxford
- hackney carriage fleet appreciated and people know where to get them but people choose private hire vehicles
- Appears private hire vehicles promotion has increased their share of market
- No evidence of patent or latent unmet demand
- Retention of limit would help trade focus on developing current offer
- Need to take advantage of recent developments including computer apps and other ways to promote private hire vehicles

- Council and county can assist in promoting rank locations

The General Purposes Licensing Committee resolved to:

1. **agree** to accept the conclusions of the Hackney Carriage “Unmet Demand” survey report prepared by CTS Traffic and Transportation that there is currently no significant unmet demand for Hackney Carriage Vehicles;
2. **recommend to Council** that there is currently no unmet demand for the services of Hackney Carriage Vehicles and to therefore resolve to maintain the Council’s Policy of Hackney Carriage Quantity Control and the current quota of 107 Hackney Carriage Vehicle licences; and
3. **recommend to Council** that a further “Unmet Demand” survey be commissioned in 2018, subject to any future changes to relevant legislation.

To: Council

Date: 25 July 2016

Report of: Monitoring Officer

Title of Report: CONSTITUTION REVIEW 2016

Summary and Recommendations

Purpose of report: This report recommends changes to the Council's constitution.

Policy Framework: N/A

Recommendation(s): Council is RECOMMENDED to approve, with immediate effect, the amendments to the Constitution outlined in the report and in:-

Appendix 1 – Full Council Procedures;
Appendix 2 – Board Procedures;
Appendix 3 - Code of Practice for dealing with planning applications at Area Committees and Planning Review Committees;
Appendix 4 – Code on Councillor-Officer Relations;
Appendix 5 - Miscellaneous proposed changes.

Appendices

Appendix 1 – Full Council Procedures
Appendix 2 - Board Procedures
Appendix 3 - Code of Practice for dealing with planning applications at Area Committees and Planning Review Committees
Appendix 4 – Code on Councillor-Officer Relations
Appendix 5 - Miscellaneous proposed changes

Summary of report

1. The Constitution is monitored to ensure that it is fit for purpose and is subject to an annual review with input from officers.

2. The report proposes changes to the provisions contained in the Council Procedures, the City Executive Board Procedures, the Code on Member-Officer Relations and the Code of Practice for dealing with planning applications at Area Planning Committees and Planning Review Committee. Revised provisions, track changed, are attached as **Appendices 1, 2, 3 and 4**. Miscellaneous changes are also proposed. These changes are shown in **Appendix 5**.

Full Council Procedures (Appendix 1)

3. Extracts of Section 11 of the Constitution are reproduced, with tracked changes, as Appendix 1. The changes to the Full Council Procedures are proposed to:-
 - correct clerical errors;
 - provide consistency within the rules and to reflect convention; and
 - allow members to properly consider recommendations on petitions.

Board Procedures (Appendix 2)

4. Extracts of Section 12 of the Constitution are reproduced, with tracked changes, as Appendix 2. The changes to the Board Procedures are proposed to provide clarity around practice and meaning.

Code of Practice for dealing with planning applications at Area Planning Committees and Planning Review Committee (Appendix 3)

5. The Code of Practice for dealing with planning applications at Area Planning Committees and Planning Review Committee is reproduced, in its entirety as Appendix 3. The changes to the Code are proposed to:-
 - provide clarity;
 - allow for adequate briefing of the chair and members; and
 - allow the efficient administration of the meetings.

Code on Councillor-Officer Relations (Appendix 4)

6. Extracts of Section 23 of the Constitution are reproduced, with tracked changes, as Appendix 4. The changes to the Code are proposed to:-
 - provide clarity;
 - reflect best practice;
 - reflect that the Council's Communications Team is not simply a press office but primarily conducts campaign and marketing work on behalf of the Council; and

- amend the reasons for and the rates of deductions in Member's Allowances.

Miscellaneous Changes (Appendix 5)

7. It is recommended that the various timescales in the Constitution are standardised to provide clarity of meaning and definitions added. For example all public speaking deadlines will refer to a number of "clear working days".
8. Extracts of the Constitution are reproduced, track changed, in Appendix 5 to illustrate other proposals to change several parts of the Constitution.
9. There are proposals to amend the terms of reference of the City Executive Board and the Licensing Committees to clarify that the Board is not responsible for setting licensing fees as set out in Appendix 5.
10. There are some permitted development applications that can proceed unless the Council determines that prior approval is required and notifies the applicant that prior approval is required within a set number of days from the application being made. In some circumstances the Council must also refuse the prior approval details and give notice of that refusal within that set time period in order to prevent the development proceeding. The potential for these applications to be called in to an Area Committee, and possibly further called in to the Planning Review Committee, gives rise to the risk that time limits expire and developments can proceed before the Council is able to make a decision. It is proposed that the Head of Planning and Regulatory Services will in future determine all of these applications and they will not be subject to call in by members. The change will also reduce the administrative burden and expense of arranging a special meeting to consider each called in application of this sort. The changes are shown in the tracked changes to Part 5.3 of the Constitution.
11. Amendments are proposed to the delegated powers given to officers that are set out in Section 5 to properly reflect the responsibilities of the Heads of Service. The proposals are set out in Appendix 5.
12. Proposals to amend Section 10 of the Constitution which deals with the designation of Proper Officers are contained in Appendix 5. The changes are to provide clarity.
13. There are proposals to amend the meeting procedure rules contained in Section 14 of the Constitution to provide clarity around public speaking on agenda items. The proposed amendments are highlighted in Appendix 5.
14. Changes are proposed in relation to the rules on substitution to clarify that members may not sit or substitute on a planning or licensing

committee unless they have undertaken the training required by the Code of Councillor-Officer Relations. The changes are reflected in Appendix 5.

15. Amendments are proposed in Appendix 5 which will provide clarity around call-in of planning decisions.
16. Appendix 5 also sets out changes to the Contract Rules in Section 19 of the Constitution which are proposed to provide clarity in relation to the authorisation for the acquisition or disposal of land and reflect changes to the executive scheme of delegation.
17. Changes to the Planning Code of Practice are proposed to update the requirement for members to attend planning training every two years instead of at least once every year.
18. There are also amendments to reflect current practice and to provide clarity around when a site visit will be needed to determine a planning application. Those proposed changes are contained within Appendix 5.

Financial and Legal Implications

19. There are no financial or legal implications arising from the recommendations contained in the report.

Name and contact details of author:-

Emma Griffiths
Lawyer
Law & Governance
Tel: 01865 252208
e-mail: egriffiths@oxford.gov.uk

Background papers: none

11. FULL COUNCIL PROCEDURES

11.4 Special meetings of Full Council

Special meetings will only deal with the business they have been called for but they may receive addresses (see 11.10¹ (d))

11.14 Petitions to full Council

Under the Council's petitions scheme (annexed to this part of the Constitution), if a petition contains at least 1,500 signatures it will be debated at full Council. Any petition presented as part of an address (see 11.10) directly to full Council and that contains at least 1,500 signatures will not be debated at that meeting but at the next ordinary meeting. The petition organiser may address full Council upon the petition for up to five minutes before the debate upon the petition at that next ordinary meeting.

If a Member wishes to put a substantive motion/recommendation on a petition then they must let the Head of Law and Governance have that motion/recommendation by 10am on the working day before the full Council meeting. These would then be published in the Council briefing note. Any amendments to these would have to be with Committee and Members' Services by 11.00am on the day of the meeting.

A substantive motion is anything other than deferring, referring or noting the issues raised by the petition.

Following any address by the petition organiser full Council will debate the petition in any way that full Council chooses and decide one of the following:

- note the petition
- take the action the petition requests
- not take the action the petition requests
- commission further investigation into the matter
- where the matter is one which the executive is required to make the final decision, decide whether to make recommendations to inform that decision.

There is a limit of 15 minutes for dealing with each petition.

11.19 Rules of debate

(c) Contents and length of speeches

Speeches (except for points of order and personal explanations (see (l) and (m)) must be about the item being discussed. Speeches will last a maximum of three minutes unless otherwise agreed.

(f) Amendments to motions

Substantive amendments to motions must be submitted by 10am on the working day before the full Council meeting ~~no later than 1.00 pm at least one clear working day before the meeting~~ so that they may be circulated with the briefing note.

Minor technical or limited wording amendments may be submitted during the meeting but must be written down and circulated.

12. BOARD PROCEDURES

12.7 Order of business

The order of business will be:

- declarations of interest
- ~~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 the full text of any question must have been given to the Head of Law and Governance by 9.30 a.m. at least one clear working day before the meeting. Questions by the public on individual personal circumstances will not be permitted. No supplementary questions or questioning will be permitted. Questions by the public will be taken as read and, when the chair agrees, be circulated and answered (at the meeting) in writing.~~
- addresses and questions by members of the public, 10 minutes in total.

Members of the public can submit questions in writing about any item for decision at the meeting. Questions, stating the relevant agenda item, must be received by the Head of Law and Governance by 9.30am two clear working day before the meeting (eg for a Thursday meeting, the deadline would be 9.30am on the Tuesday). Questions can be submitted either by letter or by email (executiveboard@oxford.gov.uk).

Answers to the questions will be provided in writing at the meeting; supplementary questions will not be allowed. If it is not possible to provide an answer at the meeting it will be included in the minutes that are published on the Council's website within 2 working days of the meeting.

The Chair has discretion in exceptional circumstances to agree that a submitted question or related statement (dealing with matters that appear on the agenda) can be asked verbally at the meeting. In these cases, the question and/or address is limited to 3 minutes, and will be answered verbally by the Chair or another Board member or an officer of the Council. The text of any proposed address must be submitted within the same timescale as questions.

For this agenda item the Chair's decision is final.

- ~~reports from scrutiny committees~~
- councillor addresses on any item for decision on the board's agenda
- councillor addresses on neighbourhood issues (10 minutes)

- items for decision, including reports from Board members
- reports from scrutiny committees
- items raised by Board members. Such items must be submitted within the same timescales as questions and will be for discussion only and not for a Board decision. Any item which requires a decision of the Board will be the subject of a report to a future meeting of the Board.
- minutes of the last meeting.

This procedure can be suspended if at least half of all the voting members are present and there is a simple majority in favour. It can only be suspended until the end of the meeting.

12.10 Councillors speaking at meetings

Oxford City councillors may, ~~when~~if the chair agrees, address the Board on an item for decision on the agenda (other than on the minutes). The member seeking to make an address must notify the ~~h~~Head of ~~L~~Law and ~~G~~Governance by 9.30am at least one clear working day before the meeting, stating the relevant agenda items. ~~no later than 9.30am at least one clear working day before the meeting.~~ An address may last for no more than three minutes. If an address is made, 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.

12.11 Councillors speaking on neighbourhood issues

~~A 10 minute slot will be allowed on each City Executive Board agenda for any member to raise local issues on behalf of communities directly with the Board. Priority will be given to those who have not already attended within the year and in the order received. Issues can only be raised once unless otherwise agreed by the Board. The Board's responsibility will be to hear the address and respond at the meeting, if possible, or arrange a written response within 10 working days.~~

At each meeting 10 minutes is available for any City Councillor to raise local issues on behalf of communities directly with the Board. The member seeking to make an address must notify the Head of Law and Governance by 9.30am at least one clear working day before the meeting, giving outline details of the issue. Priority will be given to those members who have not already addressed the Board within the year and in the order received. Issues can only be raised once unless otherwise agreed by the Board. The Board's responsibility will be to hear the issue and respond at the meeting, if possible, or arrange a written response within 10 working days.

CODE OF PRACTICE FOR DEALING WITH PLANNING APPLICATIONS AT AREA PLANNING COMMITTEES AND PLANNING REVIEW COMMITTEE

Planning controls the development and use of land in the public interest. Applications must be determined in accordance with the Council's adopted policies, unless material planning considerations indicate otherwise. The Committee must be conducted in an orderly, fair and impartial manner. Advice on bias, predetermination and declarations of interest is available from the Monitoring Officer.

The following minimum standards of practice will be followed.

1. All Members will have pre-read the officers' report. Members are also encouraged to view any supporting material and to visit the site if they feel that would be helpful (in accordance with the rules contained in the Planning Code of Practice contained in the Council's Constitution).
2. At the meeting the Chair ~~will~~ may draw attention to this code of practice. The Chair will also explain who is entitled to vote.
3. The sequence for each application discussed at Committee shall be as follows:-
 - (a) the Planning Officer will introduce it with a short presentation;
 - (b) any objectors may speak for up to 5 minutes in total;
 - (c) any supporters may speak for up to 5 minutes in total;
 - (d) speaking times may be extended by the Chair, provided that equal time is given to both sides. Any non-voting City Councillors and/or Parish and County Councillors who may wish to speak for or against the application will have to do so as part of the two 5-minute slots mentioned above;
 - (e) voting members of the Committee may raise questions (which shall be directed via the Chair to the lead officer presenting the application, who may pass them to other relevant Officers and/or other speakers); and
 - (f) voting members will debate and determine the application.
4. Preparation of Planning Policy documents – Public Meetings

At public meetings Councillors should be careful to be neutral and to listen to all points of view. They should take care to express themselves with respect to all present including officers. They should never say anything that could be taken to mean they have already made up their mind before an application is determined.

5. Public requests to speak

Members of the public wishing to speak must notify the Democratic Services Officer before the meeting starts giving their name, the application/agenda item they wish to speak on and whether they are objecting to or supporting the application. Notifications can be made via e-mail or telephone, to the Democratic Services Officer (whose details are on the front of the Committee agenda) or given in person before the meeting starts.

6. Written statements from the public

Members of the public and councillors can send the Democratic Services Officer written statements and other material to circulate to committee members, and the planning officer prior to the meeting. Statements and other material are accepted and circulated by noon, two working days before the start of the meeting.

Material received from the public at the meeting will not be accepted or circulated, as Councillors are unable to ~~view~~ give proper consideration to the new information and officers may not be able to check for accuracy or provide considered advice on any material consideration arising. Any such material will not be displayed or shown at the meeting.

7. Exhibiting model and displays at the meeting

Applicants or members of the public can exhibit models or displays at the meeting as long as they notify the Democratic Services Officer of their intention at least 24 hours by noon, two working days before the start of the meeting so that members can be notified.

8. Recording meetings

Members of the public and press can record the proceedings of any public meeting of the Council. If you do wish to record the meeting, please notify the Committee clerk prior to the meeting so that they can inform the Chair and direct you to the best place to record. You are not allowed to disturb the meeting and the chair will stop the meeting if they feel a recording is disruptive.

The Council asks those recording the meeting:

- Not to edit the recording in a way that could lead to misinterpretation of the proceedings. This includes not editing an image or views expressed in a way that may ridicule, or show a lack of respect towards those being recorded.
- To avoid recording members of the public present unless they are addressing the meeting.

9. Meeting Etiquette

All representations should be heard in silence and without interruption. The Chair will not permit disruptive behaviour. Members of the public are reminded that if the meeting is not allowed to proceed in an orderly manner then the Chair will withdraw

the opportunity to address the Committee. The Committee is a meeting held in public, not a public meeting.

10. Members should not:

- (a) rely on considerations which are not material planning considerations in law;
- (b) question the personal integrity or professionalism of officers in public;
- (c) proceed to a vote if minded to determine an application against officer's recommendation until the reasons for that decision have been formulated; or
- (d) seek to re-design, or negotiate amendments to, an application. The Committee must determine applications as they stand and may impose appropriate conditions.

23 CODE ON COUNCILLOR-OFFICER RELATIONS

23.7 Deductions from Members' Allowances

There will be a 15% reduction from the payment of future allowances for those Members who attend less than two thirds of the scheduled meetings required within a Special Responsibility.

There will be a 15% reduction from the payment of future Basic Allowance for:

- Members who fail to attend more than four meetings of Full Council in any municipal year except when a serious medical condition is the reason for absence;
- Members who fail to attend the induction training for newly elected or ~~re-elected~~ Councillors. A newly elected Councillor is any Councillor who was not holding City Council office before the election in question.

There will be a 10% reduction from the payment of future Basic Allowance for:

- Members who fail to attend the ~~annual~~ planning and development control training and ~~code of conduct~~ training held every two years;
- Members who fail to attend the annual code of conduct training; or
- Members who are nominated to of a Licensing Committee who fail to attend the annual licensing training.

23.9 Information and advice

.....

(d) Ward Councillors

Senior officers should ensure that ward Councillors are given information relevant to their ward on a regular basis. As well as letting Ward Members know when there has been a significant incident in their ward, ward Members should be routinely notified about the following types of issue:

- Public consultation events affecting their wards;
- Proposed changes to services sited within their wards;
- Proposed anti-social dispersal orders.

Ward Councillors should be invited by Officers to public events, such as openings, festivals etc., in their wards regardless of political affiliation.

The ~~Media team~~ Communications Team will advise group leaders of any 'photo shoot' that it has organised in connection with a significant event taking place. The team will aim to give 48 hours' notice of any photo shoot it has organised to the group Leaders.

.....

23.14 Media releases and publicity

(g) Invitations to media events which are of key significance to the City of Oxford or the Council

Representatives of each political group will be invited to all media events involving Councillors which are of key significance to the City of Oxford or the Council. The Communications Team will liaise with the Leader, Board Member or Committee Chair when setting up such media events involving Councillors. This will not apply to marketing or campaign work.

(i) Scrutiny

The work of the Scrutiny Committee is an important and integral part of the political arrangements of the Council for the purposes of media liaison. In particular:

- Media statements and interviews on sScrutiny matters will be made by the convenor of the relevant sScrutiny panel or their substitute in consultation with the Chair of the Scrutiny Committee or, if appropriate, by the Chair of the Scrutiny Committee.
- ~~Interviews on Scrutiny matters will be given by the convenor of the appropriate Scrutiny Panel, their substitute or, if appropriate, by the Chair of the Scrutiny Committee.~~
- Members of sScrutiny panels and the Chair of the Scrutiny Committee will be offered relevant support and advice to enable them to play a proactive role in presenting issues to the media and explain their work.
- Where a minority report is released by a Member or Members of a sScrutiny Ppanel, media statements will be made in consultation with the Chair of the Scrutiny Committee and will be the responsibility of those issuing the report.
- Where the Communications Team is asked to draft press releases/letters on behalf of sScrutiny, such releases/letters will be of a factual nature and will contain nothing that could be construed as politically motivated or biased.
- All official sScrutiny press releases will be issued by the Communications Team in the standard format.

Miscellaneous changes

1. Licensing – Setting Fees and Charges

4.5 Decisions that must be agreed by the Board

.....

- setting fees and charges (to the extent that the budget has not set fees and charges) for executive functions

5.4 Licensing of alcohol, entertainment and late night refreshment

(b) Who carries out the responsibilities?

.....

The licensing and gambling acts committee:

- reviews and recommends policies on licensing to Council
- reviews and recommends to Council fees and charges as necessary in line with the relevant legislation

.....

5.5 Licensing of gambling

(b) Who carries out the responsibilities?

.....

The licensing and gambling acts committee:

- reviews and recommends policies on licensing to Council
- reviews and recommends to Council fees and charges as necessary in line with the relevant legislation

.....

5.6 Taxi and private hire and other vehicle licensing

(b) Who carries out the responsibilities?

.....

The general purposes licensing committee:

- reviews and recommends policies on taxi and private hire and other vehicle licensing to Council
- reviews and recommends to Council fees and charges as necessary in line with the relevant legislation

.....

5.7 Other licensing and registration

(b) Who carries out the responsibilities?

.....

The general purposes licensing committee:

- reviews and recommends policies on licensing and registration to Council
- reviews and recommends to Council fees and charges as necessary in line with the relevant legislation

.....

2. Delegated Powers - Planning

5.3 Planning

(b) Who carries out the responsibility?

.....

Whether or not any of the preceding applies, determining applications under development order conditions which provide that the relevant development may proceed in the absence of a determination are not carried out by area planning committees and are to be dealt with by the Head of Planning and Regulatory Services. ~~applications for the prior approval of details for the extension of a dwellinghouse where the development can go ahead unless the council gives notice of the refusal of prior approval within 42 days (under condition A4 of Part 1 Class A permitted development rights) are not carried out by area planning committees and are dealt with by the head of city development.~~

3. Delegated powers – Enforcement Action

5.7 Other licensing and registration

(a) Description of responsibility

All the responsibilities in Paragraph B of Schedule 1 to the Local Authorities (Functions and Responsibilities)(England) Regulations 2000 except taxi and private hire and other vehicle licensing.

Who carries out the responsibility?

Full Council sets policies on licensing and registration.

The general purposes licensing committee:

.....

The Head of Community Services does everything else except those responsibilities relating to street trading. The Head of Planning and Regulatory Services is responsible for all of those Council functions relating to street trading.

5.14 Ban on smoking in public places

(a) Description of responsibility

All the responsibilities in the Health Act 2006

(b) Who carries out the responsibility?

The Head of ~~Community Services~~ Planning and Regulatory Services.

4. Proper Officers

10.1 Appointment of proper officers

Proper officers are ~~appointed~~ designated by full Council for the functions listed below as required by various statutory provisions.

10.2 Responsibilities and proper officers

"Proper Officer" means the Officer designated below by the Council for the purpose of this Scheme or in the absence of such designation, the Chief Executive.

.....

Section 234	Authenticating documents <u>Signing notices, orders and other documents which the Council is required or authorised to issue by or under any enactment</u>	All Heads of Service
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5. Meeting Procedures - Public speaking

14.8 Speaking on agenda items

Specific rules on public speaking apply to meetings of the Council, the City Executive Board, the Scrutiny Committee and the Planning Committees.

For all other committees where the press and public are not excluded any member of the public and any city Councillor can speak on any agenda item for up to five minutes if the chair agrees. Individuals should register to speak by 4.00 pm on the day of the meeting. Any extra written material should be submitted at least two working days before the meeting.

6. Meeting Procedures – Quorum

14.3 Quorums and substitutes

Committee	Size	Quorum	Substitutes
Appointments committee	5 (including at least one member of the Board)	3 (including at least one member of the Board)	Permitted
Area planning committee	9	5	Permitted, <u>members should not sit or substitute unless they have undertaken the bi-annual or annual training as required by the Code on Councillor-Officer Relations</u>
Audit and governance committee	7	3	Permitted
Disciplinary committee for chief executive, directors and heads of service	4 (including at least one member of the Board)	3 (including at least one member of the Board)	Permitted
General purposes licensing committee	10	4	Not Permitted
Hackney carriages and private hire licensing sub-committee	3	2 (but the meeting can only proceed at quorum if the person appearing before it agrees)	Permitted from members of General Purposes Licensing Committee, <u>members should not sit or substitute unless they have undertaken the bi-annual or annual training as</u>

			<u>required by the Code on Councillor-Officer Relations</u>
Licensing and registration sub-committee	4	2 (but the meeting can only proceed at quorum if the person appearing before it agrees)	Permitted from members of General Purposes Licensing Committee, <u>members should not sit or substitute unless they have undertaken the bi-annual or annual training as required by the Code on Councillor-Officer Relations</u>
Licensing and gambling acts committee	15	5	Not permitted
Licensing and gambling acts case work sub-committees	3	3	Only from the licensing and gambling acts committee, <u>members should not sit or substitute unless they have undertaken the bi-annual or annual training as required by the Code on Councillor-Officer Relations</u>
Planning review committee	9	5	Permitted, <u>members should not sit or substitute unless they have undertaken the bi-annual or annual training as required by the Code on Councillor-Officer Relations</u>
Standards Committee	7 councillors 1 non-voting co-opted member representing the Oxford Parish Councils	3 councillors	Permitted

7. Call-in

17.3 Who can call in decisions and when do they have to be called in by?

Decision	Can be called in by	Deadline
Decisions on planning applications <u>(those seeking determinations within 5.3(a))</u> to be taken by the <u>Head of Planning and Regulatory Services</u>	Any four Councillors	Within the 5pm on the last day of the period of 21-days consultation period – this starts when the planning application notice is posted <u>starting with the day on which notice of the application is sent to Councillors</u>
Planning decisions <u>(those within 5.3(a))</u> taken by area planning committees	Any twelve Councillors or the <u>H</u> ead of Planning and Regulatory Services	Within two working days of 5pm on the last day of the period of two working days <u>starting the day after that on which the draft minute of the decision is being published</u>

.....

8. Contract Rules

19.1 When do these rules apply?

These rules apply when the Council expects to give or receive money or payments in kind. They apply to both capital and revenue and cover

- —Contracts for goods, works or services. Different rules apply to the Acquisitions and disposal of land or buildings (See 19.19).

19.19 Acquiring and disposing of land and buildings

(a) This rule applies to acquisitions and disposal of:

- freeholds or leaseholds with a consideration or premium over £500,000
- leases with a rental value over £125,000 per annum

- freeholds and leases for less than best consideration except when the acquisition or disposal is made:
 - under a legal duty
 - under a confirmed compulsory purchase order
 - under a scheme that has already been agreed by the Board for acquiring or disposing of more than one piece of land or more than one building.
- (b) Before any formal commitment is made to dispose of land a report must go to the Board covering:
- the Council's present or most recent use of the land or buildings,
 - other uses the Council could make of the land or buildings
 - other uses a buyer could make of the land or buildings
 - the estimated value of the land or buildings
 - how the land or buildings will be disposed of.
- (c) Tenders for acquisition or disposal of property are not required to be submitted through the Corporate System but must be held securely until after the tender deadline and opened after the deadline by two Officers nominated by the Head of Housing and Property.
- (d) After a provisional agreement has been reached on an acquisition or disposal, another report must go to the Board covering the terms of the disposal or acquisition and how the land or buildings will be used. If a disposal is for less than best consideration, the report must say why and whether consent is needed from the Secretary of State.
- (e) Where the acquisition or disposal of a freehold or leasehold has a consideration or premium up to £500,000 or a lease has a rental value up to £125,000 per annum authorisation must be given by the relevant Head of Service and the Head of Law and Governance.
- (f) The documentation in relation to the acquisition or disposal of land and buildings will be executed by (or on behalf of) the Head of Law and Governance.

19.22 Accepting quotes and tenders

- (a) Total contract value less than £150,000

- ~~¶~~the Service Head may accept the most economically advantageous quote or tender if the Council is the buyer, or the highest if the Council is the seller, as long as:
- ~~¶~~there is budget provision included in the Council's capital or revenue budget
- project approval has been obtained
- any key decisions have been included in the forward plan
- any organisation the Council is acting as agent for agrees.

(b) Total contract value is over £150,000 but less than £500,000

A Director may accept the most economically advantageous tender if the Council is the buyer, or the highest if the Council is the seller, as long as:

- ~~¶~~there is budget provision in the Council's capital or revenue budget
- project approval has been obtained
- any key decisions have been included in the forward plan
- any organisation the Council is acting as agent for agrees
- the Head of Financial Services and the Monitoring Officer ~~and the Chief Executive~~ have been consulted.

(c) Total contract value £500,000 or over where the Council is the seller

Tenders of £500,000 or over must be the subject of a written report to the Board.

(d) Total contract value is over £500,000 but less than £1,000,000 where the Council is the buyer

A Director may accept the most economically advantageous tender, as long as:

- ~~¶~~there is budget provision in the Council's capital or revenue budget
- project approval has been obtained
- any key decisions have been included in the forward plan
- any organisation the Council is acting as agent for agrees

- the Head of Financial Services the Monitoring Officer, the Chief Executive and the relevant Board Member have been consulted.

(e) Total contract value £1,000,000 ~~£500,000~~ or over where the Council is the buyer

Tenders of £1,000,000 ~~£500,000~~ or over must be the subject of a written report to the Board.

9. Planning – Training for Members

24.2 Training for Councillors

Councillors are required to attend training and updating sessions in on planning issues at least once a year every two years (election years) and will be told about any changes to the law or the Council's procedures.

10. Planning - Site Visits

24.15 Site visits

A site visit by a planning committee is only likely to be necessary if:

- the impact of the proposed development is difficult to visualise from the plans and any supporting material, including photographs taken by officers; or
- issues relevant to the determination of the application can only be properly understood by seeing the site.

In considering a planning application the planning officers will decide whether a site visit is necessary, based on the above criteria, and if so will arrange the site visit. An individual member of the relevant planning committee can make a request for a site visit but it is the officers who will make the decision. If members of the relevant planning committee ask for a site visit at a committee meeting then the committee will decide.

When a site visit is requested by a councillor member of the relevant planning committee justification for visiting the site should be judged on the criteria above. The reasons why the site visit is requested will be recorded and kept on the file.

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To: Council
Date: 25 July 2016
Report of: Head of Planning & Regulation
Title of Report: Update concerning affordable housing requirements and national planning policy

Summary and recommendations	
Purpose of report:	To explain the impact of the Secretary of State for Communities and Local Government's successful appeal concerning his national affordable housing policy.
Key decision:	No
Executive Board Member:	Councillor Alex Hollingsworth, Planning and Regulatory Services
Policy Framework:	Policies HP3 and HP4 of the Sites and Housing Plan (Feb 2013).
Recommendation: That Council:	
1. Notes the consequences of the decision of the Court of Appeal and national planning policy applicable to affordable housing contributions.	

Appendices	
Appendix 1	Judgment – Secretary of State for Communities and Local Government and (1) West Berkshire District Council (2) Reading Borough Council [2016]EWCA Civ 441
Appendix 2	Planning appeal decision – 20 Blenheim Drive

Introduction and background

- Members will recall that in July 2015 the High Court quashed the Planning Policy Guidance issued by the Secretary of State for Communities and Local Government concerning affordable housing contributions from small sites and the vacant building credit. The High Court also declared that the written ministerial statement to the same effect was not material to planning.
- In May 2016 the Court of Appeal allowed the Secretary of State's appeal. The effect of this is that the Planning Policy Guidance changes are in effect and the written ministerial statement is material to planning.

National Policy

3. The current national planning policy is that;
 - a. affordable housing contributions should not be sought from sites of 10 or fewer dwellings with a maximum combined gross floorspace of no more than 1000 sq m, and
 - b. on larger sites, any existing vacant building floorspace to be demolished or brought back into use should be deducted from proposed floorspace for the purpose of calculating affordable housing contributions. This is usually referred to as the vacant building credit
4. The Court of Appeal decision has made it clear that this does not alter either the development plan or the requirement that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The national policy is a material consideration to which the Secretary of State considers that very great weight should be attached. The Court of Appeal also made it clear that although the policy is expressed in absolute terms it must allow for exceptions.
5. On behalf of the Secretary of State it was said in Court that *“In the determination of planning applications the effect of the new national policy is that although it would normally be inappropriate to require any affordable housing or social infrastructure contributions on sites below the thresholds stated, local circumstances may justify lower (or no) thresholds as an exception to the national policy. It would then be a matter for the decision-maker to decide how much weight to give to lower thresholds justified by local circumstances as compared with the new national policy.”*
6. It was also said on behalf of the Secretary of State that, *“if in future an LPA submits for examination local plan policies with thresholds below those in the national policy, the Inspector will consider whether the LPA’s evidence base and local circumstances justify the LPA’s proposed thresholds. If he concludes that they do and the local plan policy is adopted, then more weight will be given to it than to the new national policy in subsequent decisions on planning applications.”* (paragraph 27)

Application of National Policy

7. Clearly the Council must have regard to national policy. It is also clear that although the Secretary of State cannot instruct councils as to how much weight should be given to national policy he has expressed his view and it would be unrealistic not to assume that “very significant weight” will be given to it both on appeal and in the examination of local plans.
8. As set out above, the Secretary of State has clarified that the policy is not a blanket policy to be applied in all circumstances and, to use the Secretary of State’s example, local circumstances may justify lower (or no) thresholds. Members will be aware of the extreme nature of the local affordable housing need and, adopting the often used average local income: average local house price ratio, the evidenced fact that Oxford is the most unaffordable area of the country. Members will also be aware of the importance of smaller sites in contributing to the provision of affordable housing the nature of the City meaning that a higher proportion of housing comes forward from smaller sites than is normal across the Country.

9. These are the reasons, together with viability evidence, that have resulted in Inspectors appointed by the Secretary of State (before the current national policy) reporting that the development plan affordable housing policies were sound.
10. Officers will therefore follow the Secretary of State's guidance and proceed to determine applications for planning permission and report them to committee on the basis that local circumstances justify the lower thresholds set out in the adopted development plan and will continue to apply Policies HP3 and HP4 in their entirety.
11. The Council has received one relevant appeal decision letter (20 Blenheim Drive). The appeals were dismissed but the Inspector considered the consequences of this national policy upon the Development Plan. He stated (paragraph 19) that *"Extensive evidence is also submitted by the Council concerning the affordability or otherwise of housing in the City. This details various reports and sources over the levels of affordability in Oxford, with average house prices being more than 16 times the annual average wage. This clearly presents a problem for the City, its residents and its businesses. Notwithstanding this however, national planning policy, which postdates the publication of the Core Strategy and the SHP, defines the specific circumstances where contributions for affordable housing should not be sought"*. The specific circumstances referred to are the floorspace and dwelling numbers criteria mentioned in paragraph 3(a) of this report. He went on to conclude that a contribution to affordable housing would not be required to make the scheme acceptable
12. This is not the approach as explained on behalf of the Secretary of State to the Court of Appeal. The Inspector has disregarded local circumstances and simply applied the national policy as a blanket policy which the High Court, the Court of Appeal and the Secretary of State have all acknowledged to be unlawful.
13. The Council cannot challenge this appeal decision as it "won" the appeals. Should a subsequent appeal be allowed on the basis of a similar blanket application of national policy the question of whether a challenge should be made to that allowed appeal would be considered at that time.
14. The Blenheim Drive planning appeal did not address the vacant building credit issue. Although the West Berkshire litigation concerned both the smaller sites threshold and the vacant building credit it focussed on the first. The core principles are equally applicable to both. That is: the development plan is unaltered and, the national policy is a material consideration to which the Secretary of State can be expected to apply very significant weight but not in a blanket way and subject to local circumstances justifying lower (or no) thresholds (or vacant building credit).
15. The Council will have full regard to the up-to-date evidence with regard to the local situation as well as both the government's National Planning Policy Framework and its Planning Practice Guidance in considering the inclusion of policies relating to the provision of, and contributions to, affording housing in formulating the local plan.

Financial implications

16. As this is a report for noting there are no direct financial implications arising from this report.

Legal issues

17. As this is a report for noting there are no legal implications arising from this report.

Level of risk

18. As this is a report for noting there are no particular risks resulting from it. Risks arising from decisions made in relation to the determination of particular applications will be considered in the context of those decisions.

Equalities impact

19. As this is a report for noting there are no equalities implications arising from this report.

Conclusion

20. Officers are of the view that being the most unaffordable area of the Country coupled with a higher than normal dependence upon smaller sites must be precisely the sort of local circumstances contemplated by the Secretary of State as justifying departure from his national policy.
21. The Council will continue to determine applications for planning permission in accordance with the development plan unless material considerations indicate otherwise. It will specifically take account of national policy as to affordable housing contributions from smaller sites and the vacant building credit and the scope for exceptions justified by local circumstances.
22. The decision as to the weight to be applied to the national policy has to be made in the determination of each individual application. On the basis of the evidence as to local circumstances currently available officers are of the view that those circumstances justify the continued application of HP3 and HP4 consistently with the Secretary of State's explanation of his policy's effect.
23. The Council will also have full regard to the up-to-date evidence with regard to the local situation as well as both the government's National Planning Policy Framework and its Planning Practice Guidance in considering the inclusion of policies relating to the provision of, and contributions to, affording housing in formulating the local plan.

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Background Papers: None

Case No: C1/2015/2559

Neutral Citation Number: [2016] EWCA Civ 441

IN THE COURT OF APPEAL (CIVIL DIVISION)
ON APPEAL FROM THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
ADMINISTRATIVE COURT
PLANNING COURT - CO/76/2015
MR JUSTICE HOLGATE

Royal Courts of Justice
Strand, London, WC2A 2LL

Date: 11/5/16

Before:

THE MASTER OF THE ROLLS
LORD JUSTICE LAWS
and
LORD JUSTICE TREACY

Between:

Secretary of State for Communities and Local Government	<u>Appellant</u>
- and -	
(1) West Berkshire District Council	<u>Respondents</u>
(2) Reading Borough Council	

Mr R Drabble QC and Mr D Blundell (instructed by the Treasury Solicitor) for the
Appellant
Mr D Forsdick QC and Mr A Mills (instructed by Legal Services at West Berkshire District
Council) for the Respondents

Hearing dates: 15 & 16 March 2016

Judgment

LAWS LJ and TREACY LJ:

INTRODUCTION

1. This is the Secretary of State’s appeal, with permission granted by Lewison LJ on 22 September 2015, against the decision of Holgate J given in the Administrative Court on 31 July 2015 ([2015] EWHC Admin 2222) following a rolled-up hearing of a claim for judicial review brought by two planning authorities, the West Berkshire District Council and the Reading Borough Council. They are of course now respondents to the appeal. Holgate J held that a planning policy promulgated by the Secretary of State in a Written Ministerial Statement (“the WMS”) made in Parliament on 28 November 2014 was unlawful, and granted a declaration accordingly.
2. The policy in question is described in the first witness statement of Ms Jane Everton, who is a senior official responsible for government policy on the use of planning obligations under s.106 of the Town and Country Planning Act 1990. Her account of it is described by the judge below as follows (judgment paragraph 2):

“(i) Developments of 10 units or 1000 sq m or less (including annexes and extensions) would be *excluded* from affordable housing levies and tariff based contributions;

(ii) A lower threshold would apply in designated rural areas, National Parks and Areas of Outstanding Natural Beauty (as defined in section 157 of the Housing Act 1985), with developments of 5 units or less to be *excluded* from affordable housing levies and tariff based contributions. Development of between 6 and 10 units would be subject to a commuted sum payable on or after completion;

(iii) Where a vacant building is brought back into use or demolished for redevelopment, local authorities will provide a ‘credit’, equivalent to the floorspace of the vacant building, to be set against affordable housing contributions.” (judge’s emphasis)

Given the nature of the major issue in the case the language of the WMS itself is important. We should cite the following paragraphs.

“We consulted in March this year on a series of measures intended to tackle the disproportionate burden of developer contributions on small scale developers, custom and self-builders. These included introducing into national policy a threshold beneath which affordable housing contributions should not be sought. The suggested threshold was for developments of ten units or less (and which have a maximum combined gross floor space of no more than 1,000 square metres.

...

We received over 300 consultation responses many of which contained detailed submissions local data. After careful consideration of these responses, the Government is making the following changes to national policy with regard to S.106 planning obligations:

Due to the disproportionate burden of developer contributions on small scale developers, for sites of 10 units or less, and which have a maximum combined gross floor space of 1,000 square metres, affordable housing and tariff style contributions should not be sought. This will also apply to all residential annexes and extensions.

For designated rural areas under Section 157 of the Housing Act 1985, which includes National Parks and Areas of Outstanding Natural Beauty, authorities may choose to implement a lower threshold of 5 units or less, beneath which affordable housing and tariff style contributions should not be sought. This will also apply to all residential annexes and extensions. Within these designated areas, if the 5 unit threshold is implemented then payment of affordable housing and tariff style contributions on developments of between 6 to 10 units should also be sought as a cash payment only and be commuted until after completion of units within the development.”

3. Holgate J’s judgment contains a very full account of the planning background, not least under the headings “The policy context for the challenge” (paragraphs 5 – 22), “Affordable housing policies in local plans” (39 – 46), and “The evolution of the Secretary of State’s policy” (47 – 79). This gives much valuable detail, but we will not replicate it here. What follows is the barest thumbnail sketch.
4. For many years planning policy had made provision for affordable housing. Affordable housing levies and tariff-based contributions were required of developers. But by 5 December 2013, when the Chancellor of the Exchequer announced the 2013 Autumn Statement, Ministers had reached the opinion that such charges were having an adverse impact on small scale housing development. The construction of new housing had fallen significantly below housing need at a national level. The small scale housing industry had not recovered from the recession and continued to decline. In consequence the government proposed to reduce the requirement for affordable housing contributions. On 23 March 2014 a consultation paper was published. Under the heading “What are we proposing?” this was stated:

“We are also proposing to introduce a 10-unit and 1000 square metre gross floor space threshold for affordable housing contributions through section 106 planning obligations. This will aid the delivery of small scale housing sites. Rural Exception Sites will be excluded from this threshold.”

It seems that the use of thresholds for affordable housing contributions goes back at least to 1993. As the WMS stated, over 300 responses to the consultation exercise were received by the Secretary of State.

5. At length on 28 November 2014 the Minister of State announced the new policy in the House of Commons by way of the WMS. The National Planning Practice Guidance (NPPG) was amended on the same day, and subsequently revised on 27 February and 26 March 2015.
6. The learned judge upheld the respondents' challenge to the WMS on four grounds.
 - (i) It was inconsistent with the statutory planning regime.
 - (ii) The Secretary of State had failed to take into account necessary material considerations.
 - (iii) The Secretary of State's consultation upon the proposals was legally inadequate.
 - (iv) The Secretary of State had failed properly to assess the impact of the proposal upon persons with protected characteristics: Equality Act 2010 s.149.

Holgate J found it unnecessary to enter into a fifth ground of challenge, namely that the policy was irrational.

7. The Secretary of State now seeks to overturn the judge's conclusions on all four grounds. Before addressing them we should give some account of the statutory provisions which principally bear on the case.

THE LEGISLATION

8. The place of development plans in the planning regime is central to the first ground (inconsistency with the statutory scheme). In the law of town and country planning a development plan is a set of documents containing a local planning authority's policies and proposals for the development and use of land in their area: see in particular ss.17(3) and 38 of the Planning and Compulsory Purchase Act 2004 (the 2004 Act). S.38(6) is especially important in light of counsel's submissions on the first ground:

“If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

We should refer also to s.13 of the 2004 Act which was summarised by the judge at paragraph 26 of his judgment thus: “s.13 requires each LPA to ‘keep under review the matters which may be expected to affect the development of their area or the planning of its development’, which include the principal physical, economic, social and environmental characteristics of the area, the principal purposes for which land is used, the size, composition and distribution of the population and the effect of changes on the planning of development in the area. These statutory surveys form an important part of the evidence base for the preparation of development plans.” S.19(2) provides in part:

“In preparing a local development document the local planning authority must have regard to—

(a) national policies and advice contained in guidance issued by the Secretary of State...”

9. The 2004 Act confers other powers on the Secretary of State which it is helpful to notice at this stage. We may adopt the judge’s summary:

“34. In addition, the Secretary of State has a broad power to intervene if he considers a local plan, or a policy in a local plan, to be ‘unsatisfactory’. He may direct the LPA to modify the plan and the authority must comply with any such direction unless they withdraw the plan (sections 21 and 22). Any such modification will then generally be considered in the examination process (section 21(5)).

35. By section 26(1) an LPA may prepare a revision of its local plan at any time. Section 26(2) empowers the Secretary of State to direct the authority to prepare a revision of its plan in accordance with a timetable set by him.

36. Section 27 gives the Secretary of State a very wide default power if he considers that an LPA is failing to do anything necessary in connection with the preparation or adoption of a local plan. Subject to holding an independent examination under section 20, the Secretary of State may prepare or revise a local plan and then finally adopt a local plan.”

10. S.70(2) of the Town and Country Planning Act 1990 (the 1990 Act) is important. It provides that, in dealing with an application for planning permission, the local planning authority

“... shall have regard to

(a) the provisions of the development plan, so far as material to the application,

(b) any local finance considerations, so far as material to the application, and

(c) any other material considerations.”

11. S.106 of the 1990 Act provides in part:

“(1) Any person interested in land in the area of a local planning authority may, by agreement or otherwise, enter into an obligation... enforceable to the extent mentioned in subsection (3)—

- (a) restricting the development or use of the land in any specified way;
- (b) requiring specified operations or activities to be carried out in, on, under or over the land;
- (c) requiring the land to be used in any specified way; or
- (d) requiring a sum or sums to be paid to the authority... on a specified date or dates or periodically.”

12. Lastly we should note that the Secretary of State’s power to formulate and adopt national planning policy is not given by statute. It is an exercise of the Crown’s common law powers conferred by the Royal Prerogative. As we shall show this circumstance has played its part in the argument.

GROUND 1: INCONSISTENCY WITH THE STATUTORY SCHEME

13. Holgate J dealt with this issue first, at paragraphs 108 – 143. It was in fact Ground 2 as the claim before him was pleaded. It constitutes the major focus of the case. The plainest exposition of the judge’s conclusion is to be found at paragraph 134(i) of the judgment:

“Section 38(6)... gives ‘priority’ to the policies in adopted development plans. These policies have been formulated by reference to a local evidence base (section 13 of PCPA 2004) and have satisfied the requirements of the statutory process leading to adoption. The legislation does not give a general priority to, or a presumption in favour of, national policy as against statutory local policy.... The new national policy is inconsistent with the statutory scheme because its aim, and the language chosen, purports to confer exemptions *in each and every case* where affordable housing requirements in an adopted local plan policy are inconsistent with the national thresholds. A policy formulated in that way is improper because, in effect, it purports to override relevant policies in the statutory development plan in so far as they are inconsistent with the national policy. To that extent the national policy ignores or circumvents the presumption in favour of the development plan policies in section 38(6)... and the need to carry out the weighing process envisaged by the decisions in *Alconbury* [2003] 2 AC 295] and in *City of Edinburgh* [1997] 1 WLR 1447]...”

14. The focus is on the language of the WMS (“the language chosen...”, “a policy formulated in that way...”), and the core of the case advanced by Mr Forsdick QC for the respondents is that the terms of the WMS constitute an instruction to planning decision-makers to depart from established local plan policies. He refers also to passages in the evidence of Ms Everton for the Secretary of State, but upon Mr Forsdick’s argument the language of the announced policy is what matters.

15. Mr Forsdick relies on a passage in the judgment of Sullivan LJ in *Cala Homes (South) Ltd v Secretary of State* [2011] EWCA Civ 639 (*Cala Homes 2*) at paragraph 26:

“If [the policy] had advised local planning authorities to ignore the policies in the regional strategies, or to treat them as no longer forming part of the development plan, or to determine planning applications otherwise than in accordance with them because the Government proposed to abolish them, or if it had told decision-makers what weight they should give to the Government's proposal, then such advice would have been unlawful.”

Two Principles

16. The submission is that the WMS is likewise to be condemned. We shall return to what Sullivan LJ said. It is important first to notice a distinction in this area of the law which is at the core of the debate in this appeal. It is between these two principles. (1) The exercise of public discretionary power requires the decision-maker to bring his mind to bear on every case; he cannot blindly follow a pre-existing policy without considering anything said to persuade him that the case in hand is an exception. See *British Oxygen* [1971] AC 610, in which Lord Reid and Viscount Dilhorne cited the classic authority of *R v Port of London Authority ex p. Kynoch Ltd* [1919] 1 KB 176 *per* Bankes LJ at 184.

17. But (2): a policy-maker (notably central government) is entitled to express his policy in unqualified terms. He is not required to spell out the legal fact that the application of the policy must allow for the possibility of exceptions. As is stated in *De Smith's Judicial Review* (7th edn.) paragraph 9-013,

“... a general rule or policy that does not on its face admit of exceptions will be permitted in most circumstances. There may be a number of circumstances where the authority will want to emphasise its policy... but the proof of the fettering will be in the willingness to entertain exceptions to the policy, rather than in the words of the policy itself.”

18. Both of these principles – the rule against fettering discretion, and the liberty (generally) to express policy without acknowledging exceptions – apply whether or not the policy-maker and the decision-maker are the same or different persons. If it were otherwise, neither would have any integrity as a principle. We have expressed them in general terms; their application in the planning field's statutory context requires further elaboration.

The Rule against Fettering Discretion - Flexibility

19. The rule against fettering discretion is a general principle of the common law. It is critical to lawful public decision-making, since without it decisions would be liable to be unfair (through failing to have regard to what affected persons had to say) or unreasonable (through failing to have regard to relevant factors) or both. In the law of planning it is reflected in the description of planning policy by Sedley LJ as “not a rule but a guide”: *First Secretary of State v Sainsbury's Supermarkets Ltd* [2005]

EWCA Civ 520 at paragraph 16. It is given life by s.38(6) of the 2004 Act and s.70(2) of the 1990 Act, which show that neither the development plan (itself, of course, a policy) nor any other policy relevant to the matter in hand is to be applied rigidly or exclusively by the decision-maker. Here we are primarily concerned with s.38(6). Guidance as to its operation in practice is to be found in the decision of the House of Lords in *City of Edinburgh Council v Secretary of State* [1977] 1 WLR 1477, which was concerned with the statutory predecessor of s.38(6) in Scotland (s.18A of the Town and Country Planning (Scotland) Act of 1972). Lord Clyde said this:

“By virtue of section 18A the development plan is no longer simply one of the material considerations. Its provisions, provided that they are relevant to the particular application, are to govern the decision unless there are material considerations which indicate that in the particular case the provisions of the plan should not be followed. If it is thought to be useful to talk of presumptions in this field, it can be said that there is now a presumption that the development plan is to govern the decision on an application for planning permission. It is distinct from what has been referred to in some of the planning guidance, such as for example in paragraph 15 of PPG1 of 1988, as a presumption but what is truly an indication of a policy to be taken into account in decision-making. By virtue of section 18A if the application accords with the development plan and there are no material considerations indicating that it should be refused, permission should be granted. If the application does not accord with the development plan it will be refused unless there are material considerations indicating that it should be granted. One example of such a case may be where a particular policy in the plan can be seen to be outdated and superseded by more recent guidance. Thus the priority given to the development plan is not a mere mechanical preference for it. There remains a valuable element of flexibility. If there are material considerations indicating that it should not be followed then a decision contrary to its provisions can properly be given.

... [The section]... still leaves the assessment of the facts and the weighing of the considerations in the hands of the decision-maker. It is for him to assess the relative weight to be given to all the material considerations. It is for him to decide what weight is to be given to the development plan, recognising the priority to be given to it. As Glidewell L.J. observed in *Loup v. Secretary of State for the Environment and Another* (1995) 71 P. & C.R. 175 at p. 186 ‘What section 54A does not do is to tell the decision-maker what weight to accord either to the development plan or to other material considerations.’ Those matters are left to the decision-maker to determine in the light of the whole material before him both in the factual

circumstances and in any guidance in policy which is relevant to the particular issues.”

20. We would draw two connected points from these observations. First, while the development plan is under s.38(6) the starting-point for the decision-maker (and in that sense there is a “presumption” that it is to be followed), it is not the law that greater weight is to be attached to it than to other considerations: see in particular Glidewell LJ’s *dictum* in *Loup* cited by Lord Clyde. Secondly, policy may overtake a development plan (“... outdated and superseded by more recent guidance”). Both considerations tend to show that no systematic primacy is to be accorded to the development plan.

The Unqualified Articulation of Policy

21. The second of our two principles is that a policy-maker is entitled to express his policy in unqualified terms. It would surely be idle, and most likely confusing, to require every policy statement to include a health warning in the shape of a reminder that the policy must be applied consistently with the rule against fettering discretion – or, in the planning context, consistently with s.38(6) or s.70(2). A policy may include exceptions; indeed the WMS did so, allowing a 5 unit threshold for certain designated areas in place of the 10 unit requirement. But the law by no means demands that a public policy should incorporate exceptions as part of itself. The rule against fettering and the provisions of ss.38(6) and 70(2) are not, of course, part of any administrative policy. They are requirements which the law imposes upon the *application* of policy. It follows that the articulation of planning policy in unqualified or absolute terms is by no means repugnant to the proper operation of those provisions.

Limits

22. That is not to say that the potential contents of a public policy are subject to no legal constraints. The basic tests of reason and good faith apply; and where, as here, the policy is elaborated in a statutory context, the policy-maker cannot promote an outcome which contradicts the aims of the statute. Mr Forsdick characterised this limitation as an instance of the rule in *Padfield v Minister of Agriculture* [1968] AC 997, that a statutory discretion must be deployed to promote the policy and objects of the Act. In fact the power to make policy exercised by the Secretary of State in this case was not statutory, but an instance of the Crown’s common law prerogative power. Still, the statutory context is plain; and it is plain (and uncontentious) that the Secretary of State was not entitled to seek by his policy to countermand or frustrate the effective operation of ss.38(6) and 70(2).

Cala Homes 2

23. We consider that this constraint upon the power to make policy constitutes the underlying rationale of the observations made by Sullivan LJ in *Cala Homes 2* at paragraph 26. The instances he gives of possible policy statements would all have urged or instructed local planning authorities to act outside the statute. There is a qualification as regards the reference to weight (“if it had told decision-makers what weight they should give...”). Mr Drabble submits, in our opinion correctly, that the Secretary of State is perfectly entitled to express his view as to the weight to be given to his policy. But he cannot, so to speak, lay down the law about it.

The Issue in this Case Addressed

24. Given all these considerations, the question for the court is whether the WMS on its face seeks to countermand or frustrate the effective operation of ss.38(6) and 70(2); or does it merely express the Secretary of State's substantive planning policy in unqualified, though trenchant, terms? Resolution of the issue is not advanced by a consideration of Ms Everton's description of the policy's evolution. That is no disrespect to her: it is the language of the policy that counts. It is to be noted also (as Mr Drabble submitted in reply in the context of the consultation issue) that some of her evidence – paragraphs 61 and 62 of her first witness statement – was specifically fashioned in response to the respondents' evidence in the litigation.
25. The language of the WMS is in mandatory terms: "... a threshold beneath which affordable housing contributions should not be sought". Once it is accepted that (as we have put it) the articulation of planning policy in unqualified or absolute terms is not in principle repugnant to the proper operation of s.38(6), this use of language is in our judgment unobjectionable. It must be obvious that, as Mr Drabble submitted in reply, the aim or goal of a policy's author is that his policy should be followed. Moreover we should bear in mind that the Secretary of State is concerned not only to make policy in the planning field, but to participate as decision-maker in concrete cases, on appeals from the local planning authority. In that role he may well prefer his own policy to that of the development plan in case of conflict. If all the procedural requirements imposed by statute and by the common law are complied with, he is entitled to do so. More generally it is important to have in mind that the Secretary of State is responsible for national planning guidance and is answerable to Parliament for his discharge of that responsibility: see the observations of Lord Clyde in *R v (Alconbury Developments Ltd) v Secretary of State for the Environment, Transport and the Regions* [2003] 2 AC 295 at paragraphs 139 – 142.
26. At this point it is illuminating to consider a statement made on the second day of the hearing before Holgate J by Mr Drabble on behalf of the Secretary of State. This was cited at paragraph 99 by the judge, who made observations about it at paragraphs 100 – 102. As set out by the judge Mr Drabble stated that
 - “(i) As a matter of law the new national policy is only one of the matters which has to be considered under section 70(2) of TCPA 1990 and section 38(6) of PCPA 2004 when determining planning applications or formulating local plan policies (section 19(2) of PCPA 2004), albeit it is a matter to which the Secretary of State considers ‘very considerable weight should be attached’;
 - (ii) Ministers did not pursue the option of using primary legislation to create the exemptions (See Ms. Everton Witness Statement 1, paragraph 33). Instead the changes were introduced as policy, not binding law;
 - (iii) In the determination of planning applications the effect of the new national policy is that although it would *normally* be inappropriate to require any affordable housing or social

infrastructure contributions on sites below the thresholds stated, local circumstances may justify lower (or no) thresholds as an exception to the national policy. It would then be a matter for the decision-maker to decide how much weight to give to lower thresholds justified by local circumstances as compared with the new national policy;

(iv) Likewise if in future an LPA submits for examination local plan policies with thresholds below those in the national policy, the Inspector will consider whether the LPA's evidence base and local circumstances justify the LPA's proposed thresholds. If he concludes that they do and the local plan policy is adopted, then more weight will be given to it than to the new national policy in subsequent decisions on planning applications."

27. The judge said (paragraph 99) that this was not "foreshadowed in any material previously emanating from the Department". That seems to be incorrect: Mr Drabble (skeleton paragraph 39) refers to paragraphs 47 – 56 of his skeleton argument at first instance and paragraphs 41 – 46 of the Summary Grounds of Defence. But the more substantial point is that the judge appears at paragraph 100 to contrast the language used by Mr Drabble with the language of the policy itself (and indeed that of earlier documents generated in the consultation exercise in 2014). He said:

"The policy simply refers to a blanket threshold of 10 units or 1,000 sq m gross floor area for the whole of the country, subject only to an explicit relaxation for rural areas falling within a certain definition. It is not expressed to be subject to adopted development plan policies. The policy does not contain any language to indicate that it operates in the manner suggested much later in the Secretary of State's statement through Leading Counsel in response to the legal challenge, indeed at the hearing itself."

28. This suggests that the judge considered, at least, that a lawful planning policy must express its openness to exceptions – notably to the application of development plans which are inconsistent with it. But for reasons we have given that is a legal mistake. The policy's unqualified terms do not demonstrate that it was intended to countermand or frustrate the effective operation of the statute. The Secretary of State was not obliged to assure the reader that that was not his intention, nor to state that his policy was subject to the development plan. Moreover, if at paragraph 100 the judge intended by the expression "subject to adopted development plan policies" to indicate that such policies in principle possessed greater force than other considerations including the WMS, that too would be a mistake.
29. Leaving aside the assertion at (ii) concerning the decision to issue policy rather than seek primary legislation (as to which there is some debate in the skeleton arguments: it is unnecessary to go into it), Mr Drabble's statement amounts to no more than a conventional description of the law's treatment of the Secretary of State's policy in the decision-making process. It does not (though this is not suggested) *save* the policy. It merely explains how the law requires it to be applied.

30. In our judgment, then, the policy stated in the WMS is not to be faulted on the ground that it does not use language which indicates that it is not to be applied in a blanket fashion, or that its place in the statutory scheme of things is as a material consideration for the purposes of s.38(6) of the 2004 Act and s.70(2) of the 1990 Act, and no more. It does not countermand or frustrate the effective operation of those provisions. The judge has, with respect, conflated what the policy says with how it may lawfully be deployed.

GROUND 2: FAILURE TO TAKE INTO ACCOUNT MATERIAL CONSIDERATIONS

31. We will deal next with the submission that the Secretary of State in adumbrating his policy failed to take into account necessary material considerations. This was Ground 1 as the case was pleaded at first instance. It has some affinity with Ground 2, which we have addressed: it concerns the legal standards which the contents of a policy must satisfy.
32. The judge considered (paragraph 167) that the Secretary of State had failed to take into account certain “obviously material” considerations. They are identified at paragraphs 88 – 90 and 158 – 160 of the judgement. Paragraphs 88 – 90 raise points on land supply. Paragraphs 158 – 160, which form part of the judge’s discussion of the consultation issue, variously concern a perception by the judge of a conflict between what was said in the government’s response to consultation and other evidence as to the policy’s impact upon local contributions to affordable housing (paragraph 158), a point about the benefits or supposed benefits of a 3 unit threshold (159), and issues concerning the Community Infrastructure Levy.
33. As we have said, in making planning policy the Secretary of State is exercising power given to the Crown not by statute but by the common law. In *R v (Sandiford) v Secretary of State for Foreign and Commonwealth Affairs* [2014] 1 WLR 2697 Lord Sumption said this at paragraph 83:

“A common law power is a mere power. It does not confer a discretion in the same sense that a statutory power confers a discretion. A statutory discretionary power carries with it a duty to exercise the discretion one way or the other and in doing so to take account of all relevant matters having regard to its scope. Ministers have common law powers to do many things, and if they choose to exercise such a power they must do so in accordance with ordinary public law principles, ie fairly, rationally and on a correct appreciation of the law. But there is no duty to exercise the power at all. There is no identifiable class of potential beneficiaries of the common law powers of the Crown in general, other than the public at large. There are no legal criteria analogous to those to be derived from an empowering Act, by which the decision whether to exercise a common law power or not can be assessed. It is up to ministers to decide whether to exercise them, and if so to what extent. It follows that the mere existence of a common law power to do something cannot give rise to any right to be considered, on the part of someone who might hypothetically benefit by it. Such a right must arise, if at all, in other ways, usually by virtue of a

legitimate expectation arising from the actual exercise of the power...”

34. Mr Drabble relies upon this reasoning for the proposition that in exercising his common law power to make planning policy the Secretary of State was not obliged to have regard to this or that consideration, as he would be if his power were derived from a statute which told him what to consider; if he chose to make new policy he was bound, of course, by the core values of reason, fairness and good faith, but beyond that his choice of policy content was very much for him to decide.
35. Mr Forsdick’s response is to insist that while the source of the Secretary of State’s power is the common law, the context in which it is being exercised is a carefully drawn statutory regime; so that, for proper planning purposes, the considerations which the judge held were left out of account were indeed “obviously material”.
36. We would certainly accept that the statutory planning context to some extent constrains the Secretary of State. It prohibits him from making policy which, as we have put it in dealing with the principal issue in the case, would countermand or frustrate the effective operation of s.38(6) or s.70(2). It would also prevent him from introducing into planning policy matters which were not proper planning considerations at all. Subject to that, his policy choices are for him. He may decide to cover a small, or a larger, part of the territory potentially in question. He may address few or many issues. The planning legislation establishes a framework for the making of planning decisions; it does not lay down merits criteria for planning policy, or establish what the policy-maker should or should not regard as relevant to the exercise of policy-making.
37. In those circumstances the Secretary of State was not in our judgment obliged to go further than he did into the specifics described by the learned judge, and in consequence is not to be faulted for a failure to have regard to relevant considerations in formulating the policy set out in the WMS.

GROUND 3: INADEQUATE CONSULTATION

38. The judge held that the consultation process failed to comply with the second and fourth requirements of the “Sedley criteria” endorsed by the Supreme Court in *R (Moseley) v Haringey LBC* [2014] 1 WLR 3947 (Lord Wilson JSC at paragraph 24). There was a failure to meet the second criterion in that the Secretary of State had failed to give sufficient reasons for his proposal so as to enable intelligent consideration and responses to be given. The result was that Local Planning Authorities (LPAs) did not have the opportunity to make representations on material which was known to the Secretary of State and central to the formulation and adoption of his new policy, in circumstances where that policy was going to have a substantial effect on the discharge of the LPAs’ planning functions. The judge held that the process followed was plainly unfair.
39. In relation to this aspect it had been acknowledged by the Secretary of State that the real driver for the change in policy was the view expressed at paragraph 23 of the Response that affordable housing requirements imposed a “disproportionate burden” on small sites. The judge held that there had been a failure in the consultation paper to explain the basis for the “disproportionate burden” concern so that the focus of

responses by many LPAs had been misdirected. They had concerned themselves with viability issues, whereas the Response and the evidence filed by the Secretary of State showed that the notion of a “disproportionate burden” related to something else, namely issues of stalled development and cash flow problems caused to small developers by reason of having to make up-front payments. These were matters of central importance and LPAs had unfairly been deprived of the opportunity of responding to them.

40. The judge also held that the fourth “Sedley criterion” was not satisfied. He held that the Secretary of State had failed to take the product of the consultation conscientiously into account. In this respect the judge identified two particular matters. Firstly, in the Response to consultation the Government had stated at paragraph 20 that the new policy would support self build, small scale, and brown field development “without adversely impacting on local contributions to affordable homes and infrastructure.” The judge held that that statement was contrary to the evidence that the policy would have a substantial impact on affordable housing provision, as had been stated in consultation responses and confirmed in advice from officials. The Secretary of State had failed to identify any other evidence upon which that part of the Response could have been based. The judge said that, in the alternative, even if the relevant part of paragraph 20 represented a badly drafted attempt to strike a balance between support for small scale and brown field development and the degree of impact upon local contributions to affordable housing and social infrastructure, there was no evidence of any consideration being given to the difference in support for the development industry which could be achieved in any event by adopting a general threshold of 3 units as compared with 10 units. The Secretary of State had failed to grapple with an issue which, in the context of the proposed policy and the consultation exercise was an obviously material consideration which he was legally obliged to take into account in accordance with *Re Findlay* [1985] AC 318 at 334.
41. Secondly, the Secretary of State had failed to grapple with other points made by consultees which were of importance and which related to Community Infrastructure Levy (CIL) charges.
42. Mr Drabble contended that the judge had over complicated the issue and that the consultation process had been neither misleading nor unfair. The thrust of the consultation paper was that costs for small scale developers were too large and were acting as a disincentive to the building of affordable homes. The consultation was clearly about the addressing of that problem through a new policy. The judge had treated the consultation paper as if it were a statute and demanded a level of detail of explanation which was wholly inappropriate. The phrase “disproportionate burden” would have been adequately understood by consultees as referring to an excessive demand on small scale developers in the context of all the burdens, financial and legal, that they had to fulfil in order to bring forward a development. The phrase meant what it said and did not need elucidation.
43. The relevant section of the consultation paper was in the following terms:

“Affordable housing contributions on small sites

23. A significant proportion of all planning obligations are [sic] affordable housing contributions. Previous research found that affordable housing accounted for approximately half of the value of all planning obligations. The Government considers that such capital contributions for small scale sites, including for those wishing to build their own home, can make a scheme undeliverable.

24. In its 2013 Autumn Statement, the Government made a commitment to reduce the planning costs to developers; including through a proposed new 10-unit threshold for section 106 affordable housing contributions. This is to help address the disproportionate burden being placed on small scale developers, including those wishing to build their own homes, and which prevents the delivery of much needed small scale housing sites.

25. This consultation proposes that before any request for affordable housing contributions can be considered as part of a section 106 planning obligations agreement, authorities will have to have regard to national policy that such charges create a disproportionate burden for development falling below a combined 10-unit and maximum of 1000m² gross floor space threshold. We also intend to make clear that, having regard to such disproportionate burdens, authorities should not seek affordable housing contributions for residential extensions or annexes added to existing homes.”

44. This was followed by a question in the following terms:

“Question 5: Is the Government’s objective of aiding the delivery of small scale housing sites and expanding the self build housing market supported by:

- the introduction of a 10-unit and 1000 m² gross floor space threshold for section 106 affordable housing contributions; and
- the exclusion of domestic extensions and annexes from section 106 affordable housing contributions?”

45. Mr Drabble submitted that this was a straightforward question which, read against the background of the paragraphs cited above, conveyed the message that contributions required of small scale developers could make affordable housing schemes undeliverable.

46. Mr Drabble noted that the Response paper recorded responses from a significant number of developers citing examples of substantial up-front contributions being requested and the consequent stalling of the development of sites as a result. The amount of affordable housing contributions being sought from smaller sites was raised as a significant factor making sites economically unviable. Some responses

highlighted cash flow restrictions. Local Authorities had raised issues of disproportionate impact in rural areas; the fact that other measures were already in place to help ensure that affordable housing contributions were viable; and referred to the differences between land values and development costs both nationally and from site to site. This latter point was put forward in support of a locally led approach to plan making. Those responses from LPAs and developers, which together represented about three quarters of all responses, illustrated that both sides of the argument about the new policy were capable of making intelligent contributions. The range of responses covered the field, demonstrating a fair and appropriate consultation. The judge had erred in holding to the contrary.

47. In relation to the fourth “Sedley criterion” Mr Drabble argued that the judge’s conclusion was also wrong. The assertions of LPA consultees that the policy would have a substantial negative impact on affordable housing provision was something which the Secretary of State was obliged to have regard to. However, he was not obliged to accept those representations; the assessment of consultation responses was a matter for the Secretary of State. The judge’s error was to treat the requirement to take account of consultation responses in a conscientious manner as if it were a requirement to decide the issue in accordance with those responses.
48. In relation to the absence of explanation as to why a threshold of 3 units was not adopted instead of one of 10 units, this demonstrated that the judge had descended into the arena improperly. A fair consultation did not require the Secretary of State to set out that level of detailed analysis or to apply it in formulating his policy.
49. Mr Drabble relied on the observations of Lord Woolf MR in *R v North and East Devon Health Authority ex parte Coughlan* [2001] QB 213 at paragraph 112:

“It has to be remembered that consultation is not litigation: the consulting authority is not required to publicise every submission it receives or (absent some statutory obligation) to disclose all its advice. Its obligation is to let those who have a potential interest in the subject matter know in clear terms what the proposal is and exactly why it is under positive consideration, telling them enough (which may be a good deal) to enable them to make an intelligent response. The obligation, although it may be quite onerous, goes no further than this.”
50. Overall Mr Drabble contended that, contrary to the judge’s findings, the consultation had been in terms which enabled intelligent responses to be made and that there had been a properly conscientious consideration of those responses.
51. Mr Forsdick submitted that, as the judge had found, the consultation document was defective. It did not identify anything other than viability considerations so that those opposed to the new policy were unaware of factors likely to be of substantial importance to the decision. Thus LPAs had been deprived of the opportunity to comment on important factors bearing on the formulation of the policy.
52. He argued that the consultation paper failed to refer to relevant factors other than viability such as stalling of development and cash flow problems. He placed reliance on the decision in *R (London Criminal Courts Solicitors’ Association) v Lord*

Chancellor [2014] EWHC 3020 (Admin) where a challenge was brought to a decision on revisions to contracts which would be made available under the criminal legal aid scheme. A complaint about the consultation process was upheld based on the failure of the Lord Chancellor to disclose two independent expert reports which had been used to provide assumptions for the financial modelling which had influenced the decision under challenge which was held to amount to procedural unfairness. Failure to disclose the reports had, in the circumstances, meant that there was insufficient information to enable consultees to respond meaningfully. It was submitted that, if anything, the present consultation paper was even more flawed.

53. Mr Forsdick also placed some reliance on paragraphs 61 and 62 of the first witness statement of Ms Everton on behalf of the Secretary of State. Ms Everton recorded that witness statements filed on behalf of Local Authorities had responded on viability issues and urged by reference to historical data that the new threshold levels would indicate a likely loss of affordable housing provided by developer contributions in the future. She continued at paragraph 62 as follows:

“We have no basis on which to challenge the factual accuracy of any of this data, but it does not take matters any further. The driver for the changes introduced to national planning policy...was not that all small scale development was insufficiently viable to provide any contribution to affordable housing rather, it was:

- a. that the small scale housing industry makes an important national contribution to the provision of new housing;
- b. that industry has steadily declined (from providing nearly two thirds of new homes registered in 1989 to just over one third in 2010);
- c. that disproportionate, and generally up-front, charges imposed on this sector have contributed significantly to this decline;
- d. that small scale sites with planning permission are stalled because of this...”

54. Particular reliance was placed upon the last two matters as demonstrating the consideration of factors which had not been raised in the consultation paper and upon which LPAs would have had much to say.
55. Mr Forsdick then moved to the other limb of this ground, namely the obligation to give serious consideration to the product of consultation. He supported the judge’s view that the Secretary of State had fallen into error in reaching a conclusion that there would be no adverse impact on local contributions to affordable homes and infrastructure when there had been no evidence to contradict the evidence raised by consultees. Whilst he accepted that the predicted effects of a policy are a matter primarily for the Minister he argued that a decision could not be made in the absence of any evidence to support it. Advice submitted to Ministers before the consultation

had acknowledged that there was evidence suggesting a significant impact on affordable housing numbers, particularly in rural areas.

56. Although the responses to consultation had led to a lower unit threshold being applied to designated rural areas, the Response had not addressed urban areas such as Reading which were highly dependent on small sites for meeting affordable housing targets. Mr Forsdick characterised the passage at paragraph 20 of the Response as being wholly inadequate and demonstrating a failure properly to take into account responses:

“The Government intends to strike an effective balance between providing the support and incentives which will drive up self build, small scale and brown field development without adversely impacting on local contributions to affordable homes and infrastructure.”

57. What had occurred was a failure to address points of central importance which, as the judge had held, clearly offended against the fourth “Sedley principle”. Accordingly, the judge had been correct.

Discussion

58. The essential legal principles applying to this ground were not in dispute before us. The consultation document must contain sufficient information to enable an intelligent response. Thus the consultees must know in sufficient detail not only what the proposal is, but also the factors likely to be of substantial importance to the decision, so as to enable a fair consultation process. After consultation responses have been received, the Minister must take the product of the consultation conscientiously into account. The issue, therefore, is whether the judge was in error in his application of those principles to this case.
59. We think that question 5 of the consultation paper is significant. It was couched in terms of breadth and generality following paragraphs 23 to 25 which themselves addressed the problem which was sought to be resolved in a broad way. We do not consider that on a fair reading those paragraphs confined the matters under consideration to strict viability issues. Nor do we agree that the phrase “disproportionate burden” would have been understood as relating solely to strict viability issues. That this is so is evident from the responses from developers who responded to the question posed by raising questions which go beyond strict viability. The fact that LPA respondents focused on viability issues is in our judgment a reflection of particular concerns which they wished to address.
60. A consideration of whether a non-statutory consultation process such as this contravened the requirements of procedural fairness will always be fact and context sensitive. As Burnett J (as he then was) identified in the *London Criminal Courts Solicitors’ Association* case, the test is whether the process has been so unfair as to be unlawful. The judge’s conclusion that the references to “disproportionate burden” in the consultation paper was insufficiently explained so as to misdirect the focus of responses by LPAs places much reliance on paragraphs 61 and 62 of Ms Everton’s witness statement. It seems to us that a significant factor which both the judgment and the submissions of Mr Forsdick have not taken into account is that, in those

paragraphs, Ms Everton is providing an analysis of and commentary upon the witness statements submitted to the court by witnesses on behalf of the respondents in support of their claim, as opposed to being a reference to the responses to consultation. This seems to us to be a significant point which detracts from the force of the argument.

61. Contrary to Mr Forsdick's submissions we do not regard this case as one which represents an even greater degree of unfairness than was found in the *London Criminal Courts Solicitors' Association* case. The reverse is true. That case involved a consultation on a specialist issue which was effectively rendered meaningless without the disclosure of the two expert reports which provided the necessary assumptions which underpinned the proposed measures which were the subject of consultation. In our judgment the present case is not one involving a failure to make plain and disclose fundamental detail of that order. On the contrary the relevant paragraphs of the consultation document, together with the broadly based question, did not focus narrowly on strict viability issues. The question was posed in the context of broader-based impacts of the existing section 106 contribution regime upon small scale building developments. Insofar as the judge held to the contrary, and thus that the process was unfair, we disagree.
62. Turning next to the question of whether appropriate consideration was given to the consultation responses, we do not accept that that obligation translates into an obligation on the Minister to adopt the submissions made to him by respondents. In our judgment the Minister was entitled to consider the whole range of responses made to him, (together with all relevant information), and to form his own conclusion independently of the views of any particular section of consultees or indeed the views of his own advisers. The Response at paragraph 20 appears to us to represent the balance struck by the Minister after weighing up the various submissions made to him. This conclusion reflects our analysis and decision on the issue of whether the Minister erroneously regarded the impact of the new policy as "minor" as discussed under ground 4 below.
63. Insofar as the judge was critical of a failure of the Response document to explain why a threshold of three units was not used instead of 10 units, as had been mooted at one stage, we do not consider that it was necessary for the Secretary of State to descend to that level of particularity. The requirements of a fair consultation do not require that sort of detailed analysis of options before the Minister. As Silber J observed in *R (Maureen Smith) v East Kent Hospital NHS Trust* [2002] EWHC 2640 (Admin) at paragraph 78 "There is no obligation for a party to consult on each and every item of detail when there is a series of different models available as options." Moreover, the observations of Lord Woolf in *Coughlan* cited above reinforce this point. Those observations, it seems to us, are equally applicable to the process of consideration of consultation responses.
64. We therefore accept the general thrust of Mr Drabble's submissions in criticism of the judge's findings on this ground, both in terms of the fairness of the consultation and the adequacy of consideration to the responses to it. We therefore sustain this ground of appeal.

GROUND 4: BREACH OF THE PUBLIC SECTOR EQUALITY DUTY (PSED)

65. The WMS was not accompanied by any Equality Impact Assessment. In early January 2015 Islington Borough Council, (not involved in these proceedings), intimated a judicial review challenge on the basis of a failure to comply with section 149 of the Equality Act 2010. In the light of that letter the Secretary of State indicated that the decision of 28 November 2014 was being reviewed in order to address PSED.
66. On 5 February 2015 a formal Equality Statement was produced. On 10 February the Secretary of State announced that, having considered section 149 and the findings of the Equality Impact Assessment, he was satisfied that the policy changes announced in the WMS were compatible with the requirements of the section and, accordingly, after reconsideration he had decided to maintain the policy changes.
67. As is well known, section 149 requires a public authority to have due regard to matters mentioned in subsection (1)(a)-(c) including a consideration of the interests of those sharing relevant protected characteristics such as age, gender, disability and race.
68. The judge upheld a challenge to the WMS based on the Secretary of State's failure to comply with section 149. It is common ground that those considerations had not been addressed prior to the making of the WMS. The judge held that the subsequent exercise resulting in the Equality Statement of 5 February 2015 failed to comply with section 149 because:
 - i) Ministers did not take adequate steps to obtain relevant information in order to comply with the PSED; and/or
 - ii) The duty was not fulfilled in substance and with rigour; and/or
 - iii) Ministers did not assess the extent and risk of certain adverse impacts upon persons with protected characteristics and falling within section 149(1); and/or
 - iv) The exercise was not carried out with a sufficiently open mind.
69. The judge expanded upon those findings by holding that:
 - (a) The effects of one element of the policy, namely vacant building credit (which officials had previously indicated had the potential to impact upon local affordable housing contributions), did not appear to have been further considered. The Equality Statement had simply dealt with vacant building credit as part of a package with the new threshold for affordable housing and did not address the impact of this particular measure.
 - (b) The Equality Statement had wrongly downplayed the effect of the policies as "minor" on the basis that only "a small amount" of affordable housing was delivered through section 106 obligations. Some months prior to the WMS, officials had advised that the "evidence suggests a *significant impact* on affordable housing numbers" if the 10 unit threshold were to be adopted. That advice was said to be inconsistent with the Equality Statement's assessment of the impact as "minor". The Equality Statement used the same information as had been available to officials earlier in the process. A figure of 35 per cent

was used as the proportion of affordable housing provided through section 106 contributions compared to overall affordable housing. The figure of 21 per cent represented the proportion of affordable housing contributions derived from sites of 10 units or below. The judge concluded that an inconsistency on a fundamental point was demonstrated, thus indicating that the Equality Impact Assessment was carried out in order to support the WMS and was not undertaken with a sufficiently open mind.

- (c) The preceding point was further developed by reference to the fact that the conclusion of “minor” impact had been based on information relating to those occupying social housing as opposed to affordable housing which was a broader category than social housing. Accordingly, it was said that the Statement had been based on an incomplete analysis.
 - (d) The Statement showed no evidence of the obtaining of information to fill gaps identified, and the timescale involved gave the impression that Ministers only relied upon information which was to hand.
 - (e) In dealing with the acknowledgment based on the survey of social housing that policy changes would impact on persons with protected characteristics to a greater extent than general market housing, the Equality Statement had relied on a very broad brush point, namely that £38 billion of public and private investment would be made in relation to affordable housing in the period 2015 to 2020. This was open to two objections. Firstly, a single overall figure of investment across the whole country did not take into account the challenges facing different Local Planning Authorities, particularly those in urban areas which, in distinction to rural areas, had not been more specifically catered for in the new policy. The second objection was that the Equality Statement in referring to funding available independently of the WMS was not properly discharging the duty under section 149 to address equality impacts arising from the new policy.
70. It was for the reasons summarised above that the judge concluded that there was a failure to comply with section 149 and held that the appropriate remedy was to quash the order.
71. Mr Drabble argued that the judge’s criticisms of the Equality Statement represented a highly forensic analysis of the detailed content of the statement which was inappropriate in the context of the duty imposed on decision makers under section 149 to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between persons sharing a relevant protected characteristic and those who do not. He drew attention to the observations of Underhill LJ in *R (Unison) v Lord Chancellor (No 3)* [2015] EWCA Civ 935, [2016] 1 CMLR 25 at paragraph 116 where he stated:

“I should, however, say by way of preliminary that some of Ms Monaghan’s criticisms seem to me to fall into the error identified by Davis LJ in *R (on the application of Bailey) v Brent London Borough Council* [2011] EWCA Civ 1586, [2012] LGR 530 of approaching an EIA as if it were a forensic document... An EIA is a working tool designed to ensure that

decision makers pay due regard to (as a shorthand) the equality impact of their decisions and to act as a record that they have done so or at least that those impacts have been drawn to their attention. It will not typically be drafted by lawyers, nor typically should it be. To the extent that views are expressed on matters requiring assessment or evaluation the court should go no further in its review than to identify whether the essential questions have been conscientiously considered and that any conclusions reached are not irrational. Inessential errors or misjudgements cannot constitute or evidence a breach of the duty.”

72. Mr Drabble additionally referred us to *Bracking v Secretary of State for Work and Pensions* [2013] EWCA Civ 1345 where McCombe LJ at paragraph 78 set out principles for determining compliance with the PSED:

“The concept of “due regard” requires the court to ensure that there has been a proper and conscientious focus on the statutory criteria, but if that is done, the court cannot interfere with the decision simply because it would have given greater weight to the equality implications of the decision than did the decision maker. In short, the decision maker must be clear precisely what the equality implications are when he puts them in the balance, and he must recognise the desirability of achieving them, but ultimately it is for him to decide what weight they should be given in the light of all relevant factors. If Ms Mountfield’s submissions on this point were correct, it would allow unelected judges to review on substantive merits grounds almost all aspects of public decision making.”

73. Mr Drabble submitted that the judge’s detailed analysis fell into the error identified in the last sentence of paragraph 78 of *Bracking* and that his assessment of the alleged failings in the Equality Statement was in fact a disagreement with its merits. He emphasised that the obligation upon a decision maker was to pay due regard to the equality impact in making a decision; there was no requirement to carry out a detailed mathematical exercise in relation to potentially impacted groups. The Secretary of State had sufficiently complied with his duty by considering the impact on protected groups. The Equality Statement had identified adverse impacts on them in its assessment that 21 per cent of affordable housing contributions were derived from sites of 10 units or below, and by acknowledging that the policy changes would impact on persons with protected characteristics occupying social housing to a greater extent than the general market. The approach and analysis of the Equality Statement represented compliance with the process required by section 149. The conclusions to be drawn were a matter for the Secretary of State, not for the judge. Overall, the judge’s approach had wrongly amounted to an impermissible trespass into the territory of the substantive merits.
74. Mr Forsdick sought to uphold the judge’s ruling. His argument had two main strands. The first strand involved a submission that the Equality Statement demonstrated a failure to comply with section 149. The second strand urged that the consideration of equality impacts should be an important part of the decision making process, so that a

post-decision Equality Assessment should not be permitted to remedy an initial failure to carry out such an exercise. To permit this would be to put the process the wrong way round and to permit ex post facto validation of incompletely formed decisions. Some analogy was drawn with the position where a court or tribunal gives reasons after a complaint has been raised that no or insufficient reasons for a decision have been given.

75. Mr Forsdick argued that the judge's approach, characterised by Mr Drabble as an improperly detailed forensic analysis, was justified and necessary since it revealed flaws in the fundamental logic of the Secretary of State's position and thus demonstrated that section 149 had been complied with. He sought to support the matters relied upon by the judge. As to the vacant building credit, this was relevant because it would have an impact on the provision of affordable housing in urban areas. Since protected groups were over-represented in those who required affordable housing the impact upon them in terms of access to affordable housing raised section 149 considerations. The Equality Statement had made no, or scant, reference to the impact of this aspect of the new policy, and thus the statutory duty had not been discharged.
76. Mr Forsdick's principal challenge, however, related to the view that the overall impact of the new policy on affordable housing supply would be "minor". Whilst the Minister's judgement was undoubtedly a matter for him, his conclusion could not be sustained because, although he had recognised impacts of his policy on protected groups, he had then gone on to judge that impact in the context of the total provision for affordable housing when he should have focused upon the impact of this particular policy. Other policies should be viewed as irrelevant for the purpose of the Impact Assessment. It was this approach that led to the conclusion of "minor" impact and which did not represent a true section 149 evaluation. This erroneous "high level" approach was inconsistent with the PSED and was compounded by a failure by the Minister properly to inform himself on the central issue of the impact of this policy on protected groups. Matters relied on demonstrated an insufficiently rigorous approach and an insufficiently open mind. Accordingly, the judge had been correct in his approach and analysis.
77. Mr Forsdick's second strand placed reliance upon the observations of Buxton LJ in *R (C (a minor)) v Secretary of State for Justice* [2008] EWCA Civ 882, [2009] QB 657. This case concerned the failure to carry out a Race Equality Impact Assessment (REIA) in the context of rules promulgated in relation to the treatment and discipline of secure training centre trainees without the benefit of such an Assessment. At paragraph 49 after observing that leading judges had stressed the importance of REIAs as an instrument in guarding against race discrimination, and the importance of compliance with the requirement to obtain them when required as opposed to a rear guard actions following a concluded decision, Buxton LJ continued:

"In the present case, absence of an REIA was the result not of inattention but of a mistake made by the Secretary of State...In my view it sent out quite the wrong message to public bodies with responsibilities under section 71 to allow that deficit to be cured by a review only undertaken 8 months after the Amendment Rules have been laid, and in the face of an adverse court decision [the Divisional Court]; and only completed a

year after the Amendment Rules were laid, and 4 days before the hearing in this court...I do not of course in any way doubt the good faith of the grade 7 civil servant who has produced a REIA that demonstrates that PCC is not applied in a discriminatory fashion. But as a matter of principle it cannot be right that a survey that should have been produced to inform the mind of Government before it took the decision to introduce the Amendment Rules was only produced in order to attempt to validate the decision that had already been taken.”

78. Buxton LJ then went on to consider whether the Amendment Rules should be quashed. At paragraph 54 he continued:

“It continues to be of the first importance to mark that failure by an appropriate order. That an REIA has now been produced more than a year after it should have been is by no means conclusive on this issue of principle, granted the unsatisfactory conditions under which that work was undertaken. Miss Lieven pointed out that despite this court’s strictures in the *BAPIO case* [2007] EWCA Civ 1139 it did not interfere with the refusal of the trial judge to quash the regulations. But that was a case where the mistake had been realised and corrected before the matter came to court and was the subject of a proper apology. Neither of those things is true in this case.”

79. Accordingly, argued Mr Forsdick, since a properly considered Equality Statement should inform the making of policy, one created retrospectively should not be acceptable.

Discussion

80. We begin by considering the Equality Statement itself. It begins at section 2 with a statement that, in order to ensure compliance with its obligations under the PSED, the Government is “reconsidering” a number of measures to reduce disproportionate costs placed on smaller developments. Section 3 refers to the fact that an earlier Equality Statement relating to measures introduced in 2013 recognised that policies on the provision of market and affordable housing have the potential to impacts on protected groups – either positively or negatively. Section 6 refers to data for groups in relation to age, disability and race which showed greater representation in social housing for those groups than in all housing types. Section 7 noted a high percentage of some groups sharing protected characteristics in social housing when compared to the percentage of overall housing in England. This was particularly the case for disabled people/long term sick, and the ethnic minorities. Any reduction in affordable housing “may therefore impact on such groups”. There was then some disclosure of data which showed, when taken with other data, that adverse impacts on protected groups by reason of the new policy would occur in cases which represented part of the 21 per cent of affordable housing contributions derived from sites of 10 units or less. That figure of 21 per cent is a percentage of the 35 per cent figure which represents the proportion of affordable housing provided through section 106 contributions compared to the total amount of affordable housing.

81. The Statement then continued:

“This policy may result in some local reduction in affordable housing in relation to the affordable housing threshold, including annexes and extensions, and the vacant building measure. Our assessment of the data shows that this is a minor element and as stated above the Government over the next Parliament, will be building more new affordable homes than during any equivalent period in the last 20 years.”

82. Section 10 stated:

“We do not consider that this policy will have a negative impact on discrimination, fostering good relations or advancing equality of opportunity. Delivery of the Government’s affordable housing targets is providing local areas access to more affordable homes, benefiting local communities and local economic growth. Data shows that 1-2 jobs are supported per dwelling built. Groups that share protected characteristics will also benefit as a result of this.

This policy may impact on the delivery of affordable homes. However statistics show that the Government is on track to deliver 170,000 new affordable homes between 2011-2015. A further £38 billion public and private investment will help ensure another 270,000 new affordable homes are provided between 2015-2020. This means over the next Parliament we will build more new affordable homes than during any equivalent period in the last 20 years. The majority of which is delivered through national funding, with section 106 contributions making up a small proportion of the overall target.”

83. It seems to us that this Statement demonstrated a consideration of the potential for adverse impacts on protected groups. The requirement to pay due regard to equality impact under section 149 is just that. It does not require a precise mathematical exercise to be carried out in relation to particular affected groups or, for example, urban areas as opposed to rural areas. The Assessment undoubtedly acknowledged the effect of the proposals upon protected groups but sought to place that in context by reference to other policies impacting on affordable housing.
84. A significant difference between the arguments presented to us related to the question of whether it was legitimate to have regard to other policies in the field of affordable housing. It seems to us that to assess the new policy without reference to other policies which are germane would be to adopt too narrow an approach. Viewed in this light, the prospect of an impact within the 21 per cent cohort was properly viewed as “minor” in the context of affordable housing overall. The judge’s finding that there was an inconsistency between the use of the word “minor” and the assessment of “significant impact” within the 21 per cent cohort was not justified. When the broader picture of overall affordable housing provision was considered, the use of the word “minor” was not inappropriate. It represented the Minister’s assessment of the weight

to be given to the equality considerations in the light of all relevant factors in accordance with *Bracking*.

85. Whilst it may fairly be said that the Equality Statement takes a relatively broad brush approach as compared to the exercise urged by the respondents and adopted by the judge, we consider that compliance with the terms of section 149 was achieved by what was done in this case. Insofar as the judge adopted a more stringent and searching approach to the Equality Statement we consider that he was in error.
86. That finding does not dispose of this issue, since it is necessary to address the second strand of Mr Forsdick's argument. We have to consider the effect of the failure to consider section 149 at the right time in the light of our conclusion that the eventual Equality Statement satisfies the statutory requirements. A reading of Buxton LJ's comments at paragraph 49 of *C* might appear to favour the quashing of the decision solely by reason of the fact that the Equality Statement was not prepared as part of the decision, and post-dated it. However, reference to paragraph 54 of *C* shows that late preparation of the Assessment is not necessarily conclusive on the question of whether quashing the decision should automatically follow. There seems to us to be some degree of tension between paragraphs 49 and 54, and there have been situations in which this court has not quashed a decision, notwithstanding a failure to address equality impacts at the correct point in time.
87. Nothing we say should be thought to diminish the importance of proper and timely compliance with the PSED. But we have strong reservations about the proposition that the court should necessarily exercise its discretion to quash a decision as a form of disciplinary measure. During the course of argument, Mr Forsdick accepted that if an Assessment, subsequently carried out, satisfied the court, there would be no point in quashing the decision if the effect of doing that and requiring a fresh consideration would not have led to a different decision. We think this was a correct concession. The court's approach should not ordinarily be that of a disciplinarian, punishing for the sake of it, in these circumstances. The focus should be on the adequacy and good faith of the later Assessment, although the court is entitled to look at the overall circumstances in which that Assessment was carried out. In the case of *C* a particularly dilatory state of affairs was identified which was of importance to the exercise of the court's discretion as to remedy. The decision in *BAPIO* appears to represent the other end of the spectrum. The present case falls somewhere between the two on that spectrum. We do not think that *C* necessarily demonstrates that an order quashing the decision must follow.
88. The judge came to his conclusion based on his assessment that section 149 was not satisfied. We have come to a different conclusion on that issue, and are thus free to consider afresh whether it is necessary to quash the decision as opposed to granting declaratory relief. In the circumstances, where bad faith is not suggested, and where we have concluded that the Equality Statement was not inadequate, it seems to us that considerations of a purely disciplinary nature are insufficient to warrant the quashing of the decision in this case. Accordingly, we uphold the appeal based on ground 4.

CONCLUSION

89. For the reasons that we have given, all four grounds of appeal succeed and the appeal must be allowed.

MASTER OF THE ROLLS:

90. I agree.

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Appeal Decisions

Hearing held on 12 April 2016

Site visit made on 12 April 2016

by Jonathan Hockley BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 23 June 2016

Appeal A: APP/G3110/W/15/3139468

20 Blenheim Drive, Oxford OX2 8DG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Bouvard Group against the decision of Oxford City Council.
- The application Ref 15/00991/FUL, dated 27 March 2015, was refused by notice dated 28 May 2015.
- The development proposed is the construction of 2 new detached houses at Blenheim Drive, Oxford.

Appeal B: APP/G3110/W/15/3139945

20 Blenheim Drive, Oxford OX2 8DG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Bouvard Group against the decision of Oxford City Council.
- The application Ref 15/01826/FUL, dated 21 May 2015, was refused by notice dated 11 August 2015.
- The development proposed is the demolition of existing house and construction of 3 new detached houses at Blenheim Drive, Oxford.

Decision

1. The appeals are dismissed.

Application for costs

2. At the Hearing an application for costs was made by Oxford City Council against the Bouvard Group. This application is the subject of a separate Decision.

Preliminary Matters

3. Appeals A & B relate to the same site. Appeal A proposes the construction of 2 new houses within the garden of No 20 Blenheim Drive, whilst Appeal B proposes the demolition of No 20 and the construction of 3 new properties. Except where otherwise indicated I have dealt with the appeals together.
4. A substantial amount of information was submitted by the appellant on 6 April 2016. At the Hearing it transpired that this contained additional information concerning bin storage, visibility splays, effect on daylight and sunlight for Appeal A and two draft unilateral undertakings. On Monday 11 April, the day before the Hearing, further information was submitted by the appellant in the form of viability appraisals.

5. Following discussions at the Hearing, I accepted the majority of the 6 April information, as I considered it to be helpful to discussions. The viability appraisals and unilateral undertakings containing figures deriving from these appraisals were dealt with in writing following the closure of the Hearing. Further consultation subsequently took place with the parties following the decision in the Court of Appeal concerning the case of Secretary of State for Communities and Local Government v West Berkshire District Council and Reading Borough Council¹, 13 May 2016.

Main Issues

6. Based on all that I have read, seen and the discussions at the Hearing, the main issues in these cases are as follows:
- The effect of the proposals on the character and appearance of the surrounding area including whether the proposals represent an efficient use of the site.
 - Whether provision for affordable housing would be necessary to make the developments acceptable in planning terms, and if so, the effect on viability.
 - Whether the proposals would provide acceptable living conditions for future residents, with particular regard to bin storage and, in relation to Appeal A only, with regard to outlook and daylight.

Reasons

Character and appearance

7. Blenheim Drive lies on the northern side of Oxford and is a cul-de-sac accessed off Woodstock Road. Wyndham Way also connects the street to this latter road. The majority of development along both Blenheim Drive and Wyndham Way is frontage residential development; that is it consists of houses facing onto the street. Front gardens and parking areas are defined fairly tightly, with the properties having longer back gardens. The southern section of Blenheim Drive, Woodstock Road and Wyndham Way together form a rectangular shape. Within the inner part of this rectangle lies a small number of houses set in larger plots, accessed by long drives from the surrounding streets. The appeal site is one such plot and consists of a single detached dwelling set within its large garden. Mature landscaping effectively surrounds the plot and helps to screen the land from the housing on all sides.
8. Whilst many of the houses have been extended, in some cases substantially, Blenheim Drive and Wyndham Way still retain the character of a residential area comprised of generously proportioned family detached dwellings. This is in direct contrast to Woodstock Way which is characterised by very large houses fronting this arterial route. The houses on Blenheim Drive and Wyndham Way are also characterised by plot boundaries reasonably close to the footprints of the houses.
9. It was confirmed at the hearing that Plots 1 & 3 – that is the proposed houses on either side of the existing house, or the new proposed central house, are exactly the same in both appeals in terms of their design, footprint and siting.

¹ Secretary of State for Communities and Local Government v West Berkshire District Council and Reading Borough Council C1/2015/2559; [2016] EWCA Civ 441.

- Plot 1 lies at the south east end of the site. This would be a large 6 bedroom property, with a very generous kitchen area/living space downstairs. Plot 3, at the opposite end of the site would be of similar proportions. Plot 2 in Appeal B would be an amply sized 5 bedroom dwelling. Site sections show that the heights of the proposed dwellings would be similar to adjoining development.
10. Despite the reduction in overall size from previous proposals, the plans indicate that to achieve such roof heights with such large footprints, the natural apex of the roofs of Plots 1 & 3 would be effectively lopped off, leaving a flat roof central area on both properties. Whilst the site is well screened from public areas, from views within the site, from the upper rear windows of adjoining properties, and from the retained house in Appeal A, this roof form would appear awkward and contrived. I note that the appellant states that the houses have been designed to Lifetime Home Standards (LHS) and that this in part has helped contribute to the size of the ground floor accommodation. However, the houses proposed are very spacious and more so than purely necessary simply to meet the LHS. The design of the proposed dwellings in Appeal A would also I consider jar with the design and form of the retained house. No 20 is set at an angle which would face towards the front access area of Plot 1 and the roof styles of the proposed new properties would not sit comfortably with the hipped roof form of the retained house
 11. A calculations document shows that the plot ratio of the proposed units in both appeals would be similar to selected comparators. However, this does not include comparisons with other properties within Blenheim Drive and Wyndham Way (other than those in the inner rectangle). Whilst I note that it is reasonable to compare the proposals with existing houses in the rectangle, the other areas selected for comparison have different characters. The plots in the inner rectangle at present are anomalies in the street scene but appear roughly similar; large properties within very large plots. The proposals, by constructing 2 or 3 houses within one such plot would not be compatible with the surrounding grain of development of either the inner rectangle, or the immediate surrounding streets. An Area Study Plan shows that some of the properties on these streets have similar plot ratios but these have primarily arisen from substantial extensions to such properties, and the houses maintain their frontage style with long back gardens. The proposals would not follow such character and would appear overly large and out of place within the character and appearance of the surrounding area.
 12. Policy HP10 of the Sites and Housing Plan, 2013 (the SHP)² states that permission will be granted for new dwellings on residential gardens provided that the proposal responds to the character and appearance of the area, taking into account the views from streets, footpaths and the wider residential and public environment, the size of the plot is of an appropriate size and shape to accommodate the proposal and any loss of biodiversity is mitigated. This is supported by policy CS18 of the Core Strategy³ and Local Plan⁴ policies CP1 and CP8 which, together, encourage high quality urban design which responds appropriately to the site and its surroundings. The proposal would not respond to the character and appearance of the local area and would thus be contrary to such Policy HP10. In failing to respond appropriately to the site and its

² Oxford City Council Sites and Housing Plan 2011-2026, February 2013

³ Oxford Core Strategy 2026, Adopted March 2011

⁴ Adopted Oxford Local Plan 2001-2016, November 2005

surroundings, it would also conflict with Core Strategy policy CS18 and Local Plan policies CP1 and CP8.

13. The Council contend that the proposals do not represent an efficient use of land. In the Hearing they considered that the overall site *could* accommodate 7 units if desirable. The appellant considers that the site constraints, including access, prevent a scheme of more than 3 dwellings being built. Site constraints clearly have to be taken into account in any consideration of the most efficient use of land; in this case the fairly narrow access and the mature trees and their root protection zones on the site, as well as issues of the living conditions of neighbouring residents, and the retained dwelling in Appeal A are all relevant and point to the site not being suitable for its nominal maximum capacity. However, there is no indication that the access could not serve a greater number of dwellings. The size of the plot and the footprint of the proposed houses all point to there being a potential for the site to accommodate a greater number of units than proposed in these schemes.
14. Policy HP9 of the SHP states that the form, layout and density of residential development should make efficient use of land whilst respecting the site context. Local Plan Policy CP6 has similar aims. These policies accord with paragraph 58 of the National Planning Policy Framework (the Framework), which states that developments should optimise the potential of a site and respond to local character, reflecting the identity of local surroundings. I consider that it has not been demonstrated that either of these schemes make efficient use of land, so that the proposals also fail to satisfy SHP policies HP9 and CP6.
15. For the reasons given above I therefore conclude that the proposals would have an adverse effect on the character and appearance of the surrounding area and would not represent an efficient use of the site.

Affordable Housing

16. Policies HP3 of the SHP and CS24 of the Core Strategy concern affordable housing. Policy HP3 notes that developers may not circumvent this policy by artificially subdividing sites. At the time of the Hearing, there was significant dispute between the parties over whether Appeal A would fall to be considered under policy HP3, as well as a further dispute as to viability.
17. However, further to the Court of Appeal judgement, Planning Practice Guidance (PPG) has been revised. It now states that there are specific circumstances where contributions for affordable housing should not be sought from small scale development, including from developments of 10 units or less, and which have a maximum combined gross floor space of no more than 1000m². The appellant has demonstrated that both proposals lie underneath the stated thresholds.
18. The Council considers that Policy HP3 relates to large housing sites to provide on-site affordable housing contributions; only with the working through of the cascade system can an off site payment be made if robustly justified. They note that the PPG refers to affordable housing *contributions* in this respect. I am not convinced by this line of argument; it seems to me that affordable housing contributions could refer to financial payments or to the provision of bricks and mortar. In any event, the PPG is clear that contributions should not

be sought from proposals such as these. Whether such sites may be termed as small or large depending on differing definitions is immaterial in this respect.

19. Extensive evidence is also submitted by the Council concerning the affordability or otherwise of housing in the City. This details various reports and sources over the levels of affordability in Oxford, with average house prices being more than 16 times the annual average wage. This clearly presents a problem for the City, its residents and its businesses. Notwithstanding this however, national planning policy, which postdates the publication of the Core Strategy and the SHP, defines the specific circumstances where contributions for affordable housing should not be sought.
20. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that the determination of planning applications must be made in accordance with the development plan unless material considerations indicate otherwise. The changed advice in PPG is a material consideration and I accord it significant weight; such that in this specific case I find that it outweighs the requirements of policies HP3 and CS24.
21. I therefore conclude that a contribution towards the provision of affordable housing would not be necessary to make the developments acceptable in planning terms. Due to this conclusion there is no need to consider whether any such contribution would affect viability.

Living Conditions

22. Policy HP13 of the SHP states that planning permission will not be granted for residential dwellings unless adequate provision is made for the safe, discrete and conveniently accessible storage of refuse and recycling. The Technical Advice Note⁵, states that residents should not be required to carry waste more than 30m to the storage point, and that refuse vehicles should be able to get to within 25m of the storage point. Plans considered at the application stage showed a bin collection and storage point in excess of the 30m guideline and concerns were also raised over fire engine access to the proposed houses when the bins were out.
23. The information submitted prior to the Hearing indicated a new storage point located close to the site entrance, and included confirmation from the Fire Service that bins at such a location, provided that they are in place for a short period of time (i.e. on the bin collection day) could be moved out of the way fairly quickly to allow fire engine access should the need arise. Whilst the bin storage area would require a longer walk for future residents than the recommended advice of 30m, I do not consider that this would cause significant difficulties for the number of additional residents that the proposals would create. The confirmation of bin storage and design requirements could reasonably be refined by the use of a condition.
24. Due to the angles of the footprints involved, the distances between the closest edge of No 20 in Appeal A and Plot 1 is in the order of 3.5m. The plans show a 1.8m close boarded fence to be constructed between the properties to delineate boundaries. There are existing ground floor windows in the façade of No 20 in the closest corner to Plot 1 which plans show is used as a utility room. The room is thus not a 'habitable' room; however, the Council are of the view

⁵ The Oxford City Council Planning Technical Advice Note: Waste bin storage and access requirements for new and change of use developments, 2014

that earlier plans showed the room being used as a study. I have some sympathy with this view as the room appears large to be considered as a utility room. Nevertheless, on the evidence provided to me and my viewing on site it appears that the room was being used for such purposes.

25. Such a room would only be inhabited for short periods of time, and whilst I note that the distances from these windows to Plot 1, and particularly the fence line between the two properties would not be ideal, I do not consider that given the use of the room that the proposal would cause undue harm to the outlook from this property.
26. The dining room of No 20 also has 2 windows. Plans indicate that when applying standards for sunlight and daylight contained in Appendix 7 of the SHP, the '45 degree' line would be breached by the construction of Plot 1, when also considering the '25 degree' upwards line from the eastern most window sill level. However, the second window would not breach such a standard. Given that both windows supply light to the room I do not consider that this would significantly affect light to this room and that unacceptable harm would not be caused to living conditions in this respect.
27. I therefore conclude that the proposals would provide acceptable living conditions for future residents, with particular regard to bin storage and, in relation to Appeal A only, with regard to outlook and daylight. The bin storage would be safe, discrete and relatively conveniently accessible and as such would comply with Policy HP13 of the SHP. The proposal for Appeal A would comply with Policy CP10 of the Local Plan and with Policy HP14 of the SHP which together state that windows in existing development will be regarded when considering new development. The proposal in this respect would also comply with the Framework which states that planning should always seek a good standard of amenity for all existing occupants of buildings.

Conclusion

28. I have concluded that the proposals would have an adverse effect on the character and appearance of the surrounding area and would not constitute the most efficient use of land. My views on the matters of affordable housing and living conditions do not outweigh my conclusions on this matter.
29. For the reasons given above, and having regard to all other matters raised, I conclude that the appeals should fail.

Jon Hockley

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Glen D'Ungar	Appellant
Neil Cameron QC	Landmark Chambers
Corin Rae RIBA	Riach Architects

FOR THE LOCAL PLANNING AUTHORITY

Andrew Murdoch BA(Hons) DipTp MRTPI	Oxford City Council
Matt Bates	Oxford City Council
Michael Morgan	Oxford City Council
Chris Wilmshurst	Kemp and Kemp LLP

INTERESTED PARTIES:

Bernard White	Local resident
Mrs Margaret Jagger	Local resident

DOCUMENTS SUBMITTED AT THE HEARING

1. Opening Statement on behalf of the Appellants

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MINUTES OF THE CITY EXECUTIVE BOARD

Thursday 14 April 2016



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

OTHER MEMBERS PRESENT:

OFFICERS PRESENT: Ian Brooke (Head of Community Services), Andrew Brown (Scrutiny Officer), Lindsay Cane (Legal Services Manager), David Edwards (Executive Director City Regeneration and Housing), Nigel Kennedy (Head of Financial Services), Caroline Green (Assistant Chief Executive), Tom Porter (Allocations Manager), Tim Sadler (Executive Director Community Services), Paul Wilding (Programme Manager Revenue & Benefits) and Jackie Yates (Executive Director Organisational Development and Corporate Services)

215. APOLOGIES FOR ABSENCE

None.

Councillor Turner arrived during Minute 220 and left at the end of Minute 223.

216. DECLARATIONS OF INTEREST

There were no declarations of interest.

217. PUBLIC QUESTIONS

There were no public questions.

218. COUNCILLOR ADDRESSES ON NEIGHBOURHOOD ISSUES

There were no addresses.

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

Councillor Fooks addressed the Board on the items at Minutes 221 and 222. Her comments are included in the relevant minutes.

220. SCRUTINY COMMITTEE REPORTS

The Scrutiny Committee submitted reports and recommendations to the Board following the committee's meeting on 5 April and the meetings of the Finance Panel and the Housing Panel on 7 April and 11 April respectively:

- Tackling elderly isolation
- Security in tower blocks
- Tenant Involvement
- Council Tax exemptions and discounts
- Oxford Credit Unions
- Low Carbon Hub funding model

The Chair of the Scrutiny Committee and the Chair of the Housing Panel introduced their reports. They noted the Board's responses to the recommendations and were pleased to note that overall 25 recommendations were accepted in full and 4 recommendations in part by the Board with only 1 rejected.

The Chair of Scrutiny had asked for a full response to the report on credit unions to be presented to the Finance Panel for their discussion of this issue in June. The Board Member, Councillor Brown, said she would attend this meeting.

The Chair of the Housing Panel congratulated the tenant involvement team on their performance and positive impact.

The following Scrutiny Committee reports and recommendations were considered as part of the substantive discussion of these items:

- Discretionary Housing Payment Policy – 2016 Revision

221. REVIEW OF THE EXECUTIVE SCHEME OF DELEGATION - FINANCIAL THRESHOLDS FOR CONTRACT AWARD AND TENDERING

The Head of Law & Governance submitted a report which considered whether the Executive Scheme of Delegation should be amended to increase the thresholds beyond which City Executive Board approval is needed for contract awards and for tenders to be submitted by the Council.

The Leader of the Council presented the report.

Councillor Fooks said it would be better to take these decisions in public and asked what would be reported?

Board Members responded that decisions were formally advertised as key decisions in the forward plan and advertised as officer decisions, and the relevant board members would be informed before the decision.

The City Executive Board resolved to:

1. **Approve** an increase to the threshold at which the decision to accept a tender must be made by the City Executive Board from £500,000 to £1,000,000;
2. **Delegate to the relevant Executive Director**, in consultation with the statutory officers and the relevant Board member, the decision to accept a tender of a value between £500,000 and up to £1,000,000;
3. **Delegate to the relevant Executive Director**, in consultation with the statutory officers, the decision to submit a tender with a value of up to £500,000; and
4. **Delegate to the relevant Executive Director**, on confirmation that a tender submitted by the Council, with a value up to £500,000, is successful, the decision to enter into an agreement to deliver the services.

222. REVIEW OF DISCRETIONARY HOUSING PAYMENT POLICY

The Executive Director, Organisational Development & Corporate Services submitted a report seeking approval of the revised Discretionary Housing Payment (DHP) policy for 2016.

The Executive Board member for Customer and Corporate Services presented the report.

Councillor Fooks said she hoped that the council could help as much as possible and while it could not offer unlimited support should offer ongoing support in genuinely exceptional circumstances where there is no other option.

The Chair of the Scrutiny Committee presented the committee's recommendations. The Board noted the Scrutiny Committee report and their published responses to the recommendations.

The City Executive Board resolved to:

Approve the revised Discretionary Housing Payment policy as set out in the report and appendices.

223. LOCAL LETTINGS PLAN FOR ONE-BEDROOM COUNCIL OWNED FLATS AT SALTER CLOSE AND WHITEHOUSE ROAD

The Head of Housing & Property submitted a report detailing a proposal to put in place a Local Lettings Plan at Salter Close and Whitehouse Road to reduce the

impact of any new lettings on existing residents following the de-designation of these flats for exclusive occupation by elderly persons.

The Executive Board Member for Housing presented the report. He asked for approval for a change to the policy to delete the words below:

Local Lettings Plan Approach

-
- *No housing applicants with a current ~~or historic~~ dependency on drugs and/or alcohol will be considered for an offer.*
-

The City Executive Board resolved to:

1. **Approve** the Local Lettings Plan at Salter Close and Whitehouse Road for a period of 12 months following the de-designation of the one-bedroom flats for occupation by elderly persons **with the change as above**.
2. **Delegate authority** to the Head of Housing and Property to extend the Local Lettings Plan after a period of 12 months if, after a review submitted to the Scrutiny Housing Panel, this is still considered to be required.

224. OXPENS: SALE OF OXPENS LAND AND LOAN TO OXFORD WEST END DEVELOPMENT LTD

The Executive Director, Regeneration and Housing submitted a report seeking budgetary approval for the sale of Oxpens land and a loan to Oxford West End Development Ltd.

The Leader of the Council presented the report.

The City Executive Board resolved to **recommend full Council to approve**:

1. A loan of £4.16 million to Oxford West End Development Ltd to provide funds to the company to purchase land owned by Oxford City Council on terms set out in this report.
2. A capital budget of £4.16 million in the Council's General Fund Capital Programme in 2017/18 funded from the Capital Receipt received from the sale of the land.

225. NEW LEASE FOR WEST OXFORD COMMUNITY ASSOCIATION

The Head of Community Services submitted a report seeking approval of terms for a new lease for West Oxford Community Centre.

The Executive Board Member for Culture and Communities presented the report.

The City Executive Board resolved to:

Approve the terms of a new lease for West Oxford Community Association and delegate authority to the Director of Community Services in consultation with the Monitoring Officer to complete a lease.

226. ITEMS RAISED BY BOARD MEMBERS

No items were raised by Board members.

227. MINUTES

The Board resolved to **approve** the minutes of the meetings held on 17 March 2016 and 24 March 2016 as a true and accurate record.

228. MATTERS EXEMPT FROM PUBLICATION

The City Executive Board resolved to exclude the press and the public from the meeting during consideration of the items on the exempt from publication part of the agenda 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 and that in all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

229. NEW LEASE FOR WEST OXFORD COMMUNITY ASSOCIATION - CONFIDENTIAL APPENDIX

The Board received and noted the contents of the not for publication appendix to the report considered at Minute 225.

The meeting started at 5.00 pm and ended at 6.30 pm

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MINUTES OF THE CITY EXECUTIVE BOARD

Thursday 19 May 2016



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

OTHER MEMBERS PRESENT: Cllr Gant and Cllr Tidball

OFFICERS PRESENT: Peter Sloman (Chief Executive), Tim Sadler (Executive Director Community Services), Caroline Green (Assistant Chief Executive), Nigel Kennedy (Head of Financial Services), Lindsay Cane (Legal Services Manager), Patsy Dell (Head of Planning & Regulatory Services), Lorraine Freeman (Development Funding Officer), Mark Jaggard (Spatial & Economic Development Manager), Ian Marshall (Team Leader Design, Heritage and Specialist Services), Paul Wilding (Programme Manager Revenue & Benefits) and Catherine Phythian (Committee Services Officer)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Turner and Tanner.

Cllr Brown arrived during Minute 7.

The Leader welcomed Cllr Smith, Board Member for Leisure, Parks and Sport to the City Executive Board.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. PUBLIC QUESTIONS

There were no public questions.

4. SCRUTINY COMMITTEE REPORTS

No scrutiny committee reports were submitted to the meeting.

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

There were no Councillor addresses.

6. COUNCILLOR ADDRESSES ON NEIGHBOURHOOD ISSUES

Cllr Tidball addressed the Board on Grandpont Children's Centre and the proposal for it to be funded as part of a Hub and Spoke Model.

A copy of her address is attached to these minutes.

On behalf of the Board, the Leader thanked Cllr Tidball for her comments and observed that this was a serious issue with significant implications for families in Oxford. The Board commended the proposed financial model and considered that this was an opportunity for resources to be used to best effect and that it could be replicated for other childrens centres in the city. They expressed concern about the lack of clarity over the County Council's plans for the childrens centres.

The Board requested the Director of Community Services to raise this proposal as a matter of priority in his on-going discussions with the County Council regarding the future of children's centres and other related service cuts.

7. EVALUATION OF OXFORD CITY COUNCIL'S WELFARE REFORM TEAM EUROPEAN SOCIAL FUND PROJECT

The Executive Director Organisational Development & Corporate Services submitted a report detailing the outcomes and learning achieved from the Welfare Reform Team's European Social Fund project.

The Revenues & Benefits Programme Manager presented the report and highlighted the following key points:

- A researcher from the Social Policy Unit at Oxford University carried out analysis of the data collected during the project. Her most statistically significant findings were that people who had been out of work for 6 to 12 months were more likely to enter work than any other cohort, and that the more income a person lost from changes to their benefit, the less likely they were to move into work. This last finding contradicts existing government thinking in relation to reductions in benefit payments.
- The project highlighted that lack of available childcare is the main barrier to work for customers. As a consequence the OCC Welfare Reform Team have formed stronger relationships with local children's centres as they are likely to engage with people who will be affected by the lower Benefit Cap.
- Partnership work was one of the most successful elements of the project, and has had the most significant legacy.
- The project evaluation had been distributed locally to all partners and interested parties, and also to the Universal Credit Programme at DWP, the Local Government Association, and the Joseph Rowntree Foundation.

- Since the project ended the Council has led two partnership bids with 20 third sector partners for funding from the Local Enterprise Partnership (LEP).

In discussion the Board commented on the value of the academic appraisal of the project; the importance of the provision of affordable “after school” childcare by the County Council; the benefits of early intervention and expenditure in reducing longer term costs; and the implications for mental health support services.

In conclusion the Board noted that the groups most impacted by the welfare cuts needed support from a wide range of resources and that the loss of some of those key service components locally combined with the national changes to the benefit system presented a very serious problem.

The City Executive Board resolved to:

1. **Note** the outcomes and learning detailed in this report;
2. **Refer** the project findings and the Board’s conclusions to the County Council and local Health Authority;
3. **Share** the project findings with Government and the Shadow front bench.

8. OLD MARSTON CONSERVATION AREA APPRAISAL

The Head of Planning & Regulatory Service submitted a report presenting the conservation area appraisal for Old Marston for approval.

The Board Member, Planning and Regulatory Services introduced the report. He said that the appraisal process had been lengthy and had included extensive consultation with stakeholders. He was pleased to say that the appraisal had met with an enthusiastic response from the Parish Council and local community.

The Board queried the status of the appraisal document in terms of planning policy and determining planning applications. The planning officers explained that the appraisal would be part of a broader range of design and style guidance such as the Design SPD and the updated Local Plan which would include a city wide design policy.

The City Executive Board resolved to:

1. **Approve** the Old Marston Conservation Area appraisal and endorse it for use in informing development management decisions; and
2. **Endorse** the conservation principles it promotes and its key conclusions.

9. COMMUNITY INFRASTRUCTURE LEVY (NEIGHBOURHOOD PORTION) – AGREEING THE PROCESS FOR CONSULTING AND SPENDING

The Head of Planning and Regulatory Services submitted a report detailing proposals for the process for consulting and spending the Community Infrastructure Levy (CIL) - (Neighbourhood Portion).

The Board Member, Planning and Regulatory Services introduced the report. He outlined the proposed arrangements for spending the neighbourhood portion of the CIL and explained the rationale for the proposals. He said the £2500 allocation was in addition to the existing ward member budget. A further allocation would be made in the next Council year.

The Board requested that officers provide Ward Members with further clarification and guidance on the types of projects and work that they could fund.

The Board noted that this element of the CIL had been allocated on an equitable basis across all wards but that other elements of CIL were reserved for the areas in which the development took place.

The City Executive Board resolved to:

1. Note the requirements for expending the neighbourhood portion of CIL in parished areas
2. Approve the process for spending the Neighbourhood Portion of CIL in the non parished part of the City.

10. ITEMS RAISED BY BOARD MEMBERS

No items were raised by Board Members.

11. MINUTES

The Board resolved to **approve** the minutes of the meeting held on 14 April 2016 as a true and accurate record.

The meeting started at 5.00 pm and ended at 6.00 pm

MINUTES OF THE CITY EXECUTIVE BOARD

Thursday 16 June 2016

www.oxford.gov.uk



COUNCILLORS PRESENT: Councillors Price (Leader), Brown, Kennedy, Smith, Sinclair and Tanner.

OTHER MEMBERS PRESENT: Cllr Gant

OFFICERS PRESENT: Nigel Kennedy (Head of Financial Services), Lindsay Cane (Legal Services Manager), Catherine Phythian (Committee Services Officer), Pat Jones (Committee and Member Services Manager) and Jennifer Kotilaine

12. APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Turner and Cllr Hollingsworth.

13. DECLARATIONS OF INTEREST

There were no declarations of interest.

14. PUBLIC QUESTIONS

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

Agenda item 7: Integrated Performance Report Q4 2015/16

- Ms Judith Harley

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

Cllr Gant addressed the Board in relation to agenda item 9: Appointment to Outside Bodies 2016/17. His comments are included in the minute (20) for that item.

16. COUNCILLOR ADDRESSES ON NEIGHBOURHOOD ISSUES

Cllr Henwood addressed the Board on the possibility of adjusting the Council's direct debit arrangements to facilitate payment for Council services in advance or over a shorter timescale.

The Chief Executive explained that it was important to ensure that the direct debit arrangements were aligned to the benefit payment cycle, but undertook to commission officers to explore the options for a more flexible direct debit payment structure.

17. SCRUTINY COMMITTEE REPORTS

The Scrutiny Committee submitted reports and recommendations to the Board following the committee's meeting on 7 June 2016:

- Oxford City Council Safeguarding Report 2015-2016
- Apprentices (short report)

Cllr Gant, Chair of the Scrutiny Committee, introduced the reports and noted the Board's positive responses to the recommendations.

Oxford City Council Safeguarding Report 2015-2016: the discussion of this scrutiny report is included in the main minute item (19).

Apprentices: The Board noted that a more detailed report on Apprentices would be submitted in July but were pleased to confirm that the apprenticeship recruitment campaign will be extended to cover applicants who live in Abingdon, Witney, Bicester, Didcot and Kidlington areas so that the apprentices will be a better reflection of the Oxfordshire labour market, although preference will be given to applicants who live in OX1- OX4.

18. INTEGRATED PERFORMANCE REPORT Q4 2015/16

The Head of Financial Services and Head of Business Improvement submitted a report which provided an update on Finance, Risk and Performance as at the end of the financial year.

The Board Member, Corporate Strategy and Economic Development introduced the report, highlighting the General Fund underspend and the fact that the majority of Corporate performance targets had been delivered as planned.

In discussion the Board reflected on the continuing problems of staff recruitment and retention which impacted the Council's own services and other employers in the city. The Board was pleased to note the achievement of the following performance targets:

- 64.9% Council spend with local businesses against a 50% target

- an actual achievement of 637 Tonnes against a target of 454 Tonnes for the implementation of measures to reduce the City Council's carbon footprint by 5% each year

The Head of Financial Services undertook to provide the Board with a written explanation for the reported overspend on the new Council website (C3053).

The City Executive Board resolved to:

1. **Note** the financial outturn and performance of the Council for the year 2015/16 and also the position on risks outstanding as at 31 March 2016;
2. **Agree** the carry forward requests outlined at paragraphs 7 and detailed in Appendix 4 and **recommend to Council** the establishment of budgetary provision in respect of the new bids show in paragraphs 7 and Appendix 4;
3. **Agree** the transfers to General Fund earmarked reserves detailed paragraph 7;
4. **Agree** the transfers to Housing Revenue Account (HRA) earmarked reserves as detailed in paragraph 9;
5. **Agree** the capital carry forwards as detailed in paragraph 13 Appendix 2.

19. OXFORD CITY COUNCIL SAFEGUARDING REPORT 2015-2016

The Executive Director, Community Services and Assistant Chief Executive submitted a report which detailed the progress made on the Council's Safeguarding Action Plan and recommends the Action Plan for approval for 2016-2017.

The Chair of Scrutiny Committee introduced the Committee's report and recommendations on safeguarding, highlighting in particular the concerns identified regarding the lack of regulation for Language Schools operating in the city, and nationally. He said that the Committee considered this to be a significant issue and it had been added to the work programme for a full review.

The Board Member, Community Safety presented the report and explained that the focus now needed to become more outward looking and centred on partnership working and community engagement. She welcomed the Scrutiny Committee report and thanked the Safeguarding Officer for her contribution. She said that she had written to Government regarding her concerns over the lack of safeguarding control for Language Schools but that she had received a less than satisfactory response.

The Board agreed that it was incumbent upon the Council to raise this issue as a priority with the Safeguarding Board and partner agencies as a matter of local and national concern.

The Board instructed the Chief Executive to task officers to work with the Scrutiny Committee to undertake a full review of this issue and to report back to the Board later in the year.

In discussion the Board considered the following issues:

- the need to focus on safeguarding for vulnerable adults, particularly as this has a close correlation with the Council's services and the commissioning of a training programme to support this
- that awareness of safeguarding issues and responsibilities has been embedded across a range of Council services through on-going training
- positive feedback from Thames Valley Police on the practical success of the hotel and guest house safeguarding awareness scheme
- the level of City Council resources available, and required, to support this important area of work
- the need to respect the clear boundaries between the County Council's statutory responsibilities and the City Council's supporting role as a member of the Safeguarding Board
- concern about the Government's proposals for the future of Safeguarding Boards and local authority responsibilities

The City Executive Board **resolved** to:

1. To **note** the progress and development of the Council's safeguarding work 2015-2016;
2. To **agree** the Action Plan as set out in Appendix 1;
3. To **agree** that the Board Member, Community Safety should raise the concern about Language School regulation as a priority with the Safeguarding Board and partner agencies; and
4. To **endorse** the Scrutiny Committee decision to undertake a review of the regulation of Language Schools with regard to safeguarding issues.

20. APPOINTMENT OF OUTSIDE BODIES 2016/17

The Head of Law & Governance submitted a report which detailed the proposed nominations to outside and other bodies for the 2016/17 Council Year.

Cllr Gant addressed the Board and asked that they follow their own guidelines and review the proposed appointments to the North Oxford Association in favour of local or ward councillors. The Board agreed to review the appointments to that organisation.

The Board noted some factual errors in the report which officers undertook to correct (reference to the Leys not Blackbird Leys; only one appointee to the Non-Ecclesiastical Charities of St Mary's Magdalen). The Board also agreed to change the guidance on appointments to community associations from "Ward councillors in preference" to "Usually Ward councillors."

The City Executive Board **resolved** to:

1. **Approve** appointments to outside bodies as shown in Appendix 1 (attached to this minute) subject to the following amendments: *appointments to the North Oxford Association to be reviewed and change wording from “Ward councillors in preference” to “Usually Ward councillors”*;
2. **Note** the revised guidance for appointees as detailed in Appendix 2;
3. **Agree** not to re-appoint to 150 (City of Oxford) Squadron Air Cadets, South East Reserve Forces & Cadets and Oxford Airport Consultative Committee;
4. **Agree** the principles for appointment to community centre associations and other outside bodies as set out at paragraph 16; and
5. **Agree** to re-appoint representatives to Mortimer Hall Management Committee.

21. ITEMS RAISED BY BOARD MEMBERS

No items were raised by Board Members.

22. MINUTES

The Board resolved to **approve** the minutes of the meeting held on 19 May 2016 as a true and accurate record.

The meeting started at 5.00 pm and ended at 6.30 pm

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Report of: Councillor Dee Sinclair, Board Member for Community Safety

To: Full Council

Date: 25 July 2016

Title of Report: THE OXFORD SAFER COMMUNITIES PARTNERSHIP

Summary and Recommendations

Purpose of report: To inform members of the work of the Oxford Safer Communities Partnership.

Report approved by:

Finance: Paul Swaffield

Legal: Jeremy Franklin

Executive lead member: Councillor Dee Sinclair

Policy Framework: The Corporate Plan

Recommendation:

1. Council is asked to note the contents of the report.

Introduction

1. The Oxford Safer Communities Partnership (OSCP) is a statutory partnership of Responsible Authorities charged with identifying local community safety priorities in Oxford. OSCP was established in 1998, in accordance to the Crime and Disorder Act 1998 and further amended by subsequent acts.
2. The Responsible Authorities are Thames Valley Police, Oxford City Council, Oxfordshire County Council, the National Probation Service, Thames Valley Community Rehabilitation Company, the Clinical Commissioning Group and Oxfordshire Fire and Rescue Service.
3. The partnership is chaired by Oxford City Council's Director for Community Services and meets four times per year. Meetings are split between business planning matters and issues.
4. The partnership set out their response to community safety challenges in an annually refreshed Rolling Plan. The partnership is allocated a grant from the Police and Crime Commissioner to support in the delivery of its Rolling Plan. These funds help to support officers within Oxford City Council's Community Safety Team and the projects that they deliver. These posts are:
 - Human Exploitation Coordinator: coordinating and delivering OSCP's approach to child sexual exploitation, human trafficking, sex working and other forms of exploitation.
 - Violent Crime Reduction Coordinator: coordinating and delivering OSCP's approach to CCTV, serious youth violence, the management of high risk offenders and the Prevent agenda that targets all forms of extremism.
 - Anti-social Behaviour Prevention Project Coordinator: coordinates and delivers problem-solving projects to tackle anti-social behaviour, including the student house champion scheme, situational crime reduction programmes, Public Spaces Protection Orders and the Language School Forum.
5. Further information on the partnership can be found in the link below.
 - <http://www.saferoxford.org.uk/index.html>

Crime and antisocial behaviour in Oxford

6. The number of crimes recorded by Thames Valley Police increased by 2.6 per cent from 13,718 crimes in 2014-15 to 14,081 crimes in 2015-16. The majority of crimes continue to be lower than in 2013-14.
7. Violence against the person increased by 35.7 per cent from 1,879 crimes in 2014-15 to 2,550 in 2015-16. The number of sexual crimes reported increased by 30.5 per cent compared to the previous year from 380 offences to 496 offences. Many of these crimes were historic cases but there has been an increased confidence in reporting to the police. Hate crime incidents reported to the police average 100 per year.
8. Personal robbery reduced in 2015-16 compared to the previous year with 84 recorded crimes compared to 90 recorded crimes in 2014-15. Bicycle theft also reduced by 16 per cent from 1,810 in 2014-15 to 1,520 in 2015-16.

9. Burglary of people's homes increased by 26.7 per cent from 401 crimes in 2014-15 to 508 crimes in 2015-16. This remains low compared to the mid-1990s when there were over 2,500 burglaries per year. Vehicle crime also increased by 13.8 per cent from 780 crimes in 2014-15 to 888 crimes in 2015-16.
10. There was a reduction of anti-social behaviour crimes recorded by the police of 11 per cent to 1,938; however Oxford City Council has seen an increase in the number of contacts to the saferoxford@oxford.gov.uk address reached 5,800 compared to 3,500 in the 2013-14.
11. Oxford City Council provides an Out of Hours service for noise complaints. The service operates seven days a week from 11 p.m. to 4 a.m. Friday to Saturday, 11 p.m. to 2 a.m. Sunday and Thursday and 11 p.m. to 1 a.m. Monday to Wednesday. During the period November 2015 to May 2016, the Duty Officer received 94 requests to visit or contact the complainant. 50 cases were to deal with noisy parties and 23 requests to deal with loud music.

Oxford Safer Communities Rolling Plan Priorities

12. The priorities identified in the strategy have been informed by Oxfordshire's Strategic Intelligence Assessment. The assessment uses partnership data, community feedback through surveys, and information from frontline practitioners. This last element is particularly important as some offences are under-reported and will not appear in datasets or community consultation processes. The priorities for 2016-17 are:
 - Violent crime
 - Anti-social behaviour
 - Organised crime
 - Preventing extremism
 - Abuse and exploitation
13. These priorities will be tackled through six strategic work areas:
 - Problem-solving community safety concerns at a neighbourhood level.
 - Local implementation of the Government's Violence against Women and Girls Strategy.
 - Developing our safeguarding approach to all forms of extremism including the delivery of the Prevent action plan.
 - Local action to tackle organised criminal gangs.
 - Understand roles and responsibilities to improve our response to exploitation and safeguard vulnerable people in a community safety context.
 - Understanding and engaging with our communities to reduce community safety risks and reduce demand.

Delivery of the Rolling Plan 2015-16

14. In 2015-16 there were a number of activities that support our community. These were:
 - The introduction of Community Protection Notices and Community Protection Warnings to tackle low level anti-social behaviour and environmental crime. In 2015-16 Oxford City Council's Anti-Social

Behaviour Service issued 154 Community Protection Warning Notices were issued to residents in Oxford. Those that failed to adhere to the warning notices received Community Protection Notices. 39 residents received these notices during 2015-16. Failure to comply with the notices could result in a fine being issued or being prosecuted at Magistrates Court. One fine has been issued and Oxford City Council had one successful Court prosecution.

- Accreditation to level 2 of Restorative Justice training for thirteen officers from Oxford City Council's Anti-Social Behaviour Service. This accreditation will help to support a positive resolution when tackling anti-social behaviour.
- Working with our community, OSCP delivered four Appreciative Inquiries on key anti-social behaviour topics affecting our community. Topics included graffiti, busking and youth disengagement.
- Oxford City Council's Licensing Service introduced safeguarding and awareness training for all new taxi licences and alcohol licensed holders. This training supports the national programme, "Say Something if you See Something". This scheme is now being rolled out across Oxfordshire as best practice.
- Increasing the coverage of CCTV in Oxford City Centre with the installation of three cameras in St Aldates and Speedwell Street, bringing the total of 41 cameras in the City Centre.

15. In 2015-16 OSCP delivered on a number of initiatives that helped and supported victims of crime. These were:

- Responding to complaints under the Community Trigger programme. The aim is to review any case where the complainant was not satisfied with the outcome or the failure to investigate properly. Since September 2014 eight applications were received to activate the Trigger. Of these, four applications passed the required threshold and led to an anti-social behaviour case review.
- Oxford City Council's Licensing Team investigated 234 complaints made by our residents and visitors to Oxford in relation to taxi drivers, taxi vehicles or taxi operators. As a result, six applications to renew or apply for taxi licenses were refused and four licenses were revoked.
- OSCP supported a community based service that works with young people who are in abusive relationships. SAFE provides one to one support for young people that have been victims of crime. This includes providing additional work with victims of domestic abuse and sexual violence under the 16. OSCP also supported the development of the Building Respectful Families 12 week programme where there has been child on parent abuse. Three programmes have been delivered in the past year, providing support to 23 families.
- OSCP supported Oxford City Council's Homelessness Project that aims to keep victims of domestic abuse in their homes. In 2015-16 the project provided improved security measures to 160 victims (including repeat

victims). No domestic abuse victim presented themselves homeless during the year.

- Delivered a number of events including Restorative Justice Conference for over 100 practitioners that work in the domestic abuse and sexual abuse field, provided domestic and sexual abuse awareness training to 236 students from Oxford Brookes University and delivered to over 100 officers, child sexual exploitation awareness training to Oxford City Council staff, private care homes and hostels.
- Supported the Independent Trauma Advice (ITA) Service who works with victims of exploitation and slavery. Twenty-three victims of exploitation received support in 2015-16 with one person being the victim of domestic servitude. The ITA service also referred eight victims to the National Referral Mechanism (NRM) to provide victims supported housing and personal support.
- Launched Oxford's Hotel Watch that aims to raise awareness of child sexual exploitation and human trafficking. Eighty-four hotels, guesthouses, short let accommodation and bed & breakfast establishments have signed up to receive Thames Valley Police's Hotel Alert.
- Working with other agencies, Oxford City Council's Anti-Social Behaviour Service interrogates the Council's IT systems when there is a concern on a vulnerable child on behalf of Oxfordshire's Multi-Agency Safeguarding Hub (MASH).

16. In 2015-16 OSCP delivered on a number of initiatives aim to tackle offending in Oxford. These were:

- Joint operations conducted by Oxford City Council's Anti-Social Behaviour Service and Thames Valley Police that supported the introduction of Public Spaces Protection Orders introduced during 2015.
- Ensuring parts of Oxford City are now compliant for mobile CCTV cameras.
- Oxford City Council's Licensing Team, in partnership with Thames Valley Police conducted five test purchase operations, visiting 21 licenced premises for underage sales. Three premises failed and were issued with fines and warning notices were issued against the licensed premise holder.
- Provided support to Making Changes that work with male perpetrators of domestic abuse. Last year there were 64 referrals. The community based perpetrator programme lasts 27 weeks and challenges the underlying beliefs and intentions of males which gives them a sense of entitlement leading to violence and abuse their views
- Oxford City Council provided a weekend Out of Hours Operation from 11 p.m. to 4 a.m. with two officers patrolling the City Centre and East Oxford dealing with noise complaints, anti-social behaviour issues,

street trading, distribution of free printed matter and taxi and licensed premises concerns.

- Supported the delivery of the Oxford City Council's Youth Ambition programme with the development of a programme for young people in Rose Hill that had caused a nuisance for residents.

Challenges for OSCP

17. The continued funding of Police and Crime Commissioner funded posts. The Commissioner has committed to maintaining the funding levels for 2016-17; however with significant budget reductions required these posts may be at risk in future years.
18. Ensuring CCTV coverage continues in the most effective way in light of the reduction of funding from Thames Valley Police. Funding of salaries will reduce by 30 per cent per annum until 2018-19.
19. Improve multi-agency working in response to mental health problems that impact on community safety.

Name and contact details of author:-

Name: Richard Adams

Job title: Community Safety Service Manager

Service Area: Community Services

Tel: 01865 252283 **e-mail:** rjadams@oxford.gov.uk

To:	Council
Date:	25 July 2016
Report of:	Chair of the Scrutiny Committee
Title of Report:	Scrutiny Briefing
Purpose of report:	To update Council on the activities of the scrutiny function

Appendices

Appendix 1 - Scrutiny work plan 2016-17 – July 2016

Appendix 2 - Scrutiny Recommendation Tracker 2016-17 – July 2016

Introduction

1. I'd like to start by thanking members of the Scrutiny Committee for putting their faith in me by electing me to the important position of Chair of Scrutiny for the year ahead. I'd also like to pay tribute to the previous Chair, Councillor Craig Simmons, who has done an excellent job in leading and developing the Council's scrutiny function over the last two years.
2. The new Committee has already held two very productive meetings and has agreed a work plan for the year. There have been some changes to the membership of the Scrutiny Committee so I'd like to take this opportunity to welcome Councillors Jamila Azad, Nigel Chapman, Marie Tidball and Ruth Wilkinson, all of whom are already making a valuable contribution to the work of the Committee. I'd also like to thank the members they replaced for all their contributions over recent years; Councillors Ben Lloyd-Shogbesan and Linda Smith, who chaired the Housing Panel with distinction, and former Councillors Roy Darke and Sam Hollick.
3. The Committee has agreed to continue with the Housing and Finance Standing Panels. These Panels have held their first meetings and will be chaired by Councillor David Henwood and Councillor Craig Simmons respectively.

Work plan

4. The Committee has agreed a work plan for the year (see appendix 1). The work plan sets out selected topics and issues suggested by elected members and senior officers that will be considered at meetings of the Scrutiny Committee, two standing panels and review groups over the coming months. I would like to thank all members who contributed ideas to the work plan, many of which are being taken forwards. The work plan as it currently stands is not necessarily exhaustive because Scrutiny will have some flexibility to react to emerging issues during the year, and to scrutinise selected decisions before they are taken by the City Executive Board. The priorities for review work have been identified by the Committee as being devolution proposals for Oxfordshire and the impacts of language schools in the City, as well as the annual budget review. This provides Scrutiny with a busy but achievable programme of work.
5. The Scrutiny Work Plan has a slightly different look this year. It now lists whether or not each item is a CEB decision, and the executive portfolio(s) that the item relates to. The work plan is now managed online and will be published (at least) monthly, like the Forward Plan, with all members included in the circulation. I would encourage Board Members in particular to check the work plan for future items that fall within your executive remits, although you will of course continue to be notified of these separately.

Current Activity

The Scrutiny Committee

6. At meetings in June and July the Scrutiny Committee considered reports on the following topics prioritised by Scrutiny. The numbers of recommendations made to the Board and those agreed (either in full or in part) are in brackets:
 - Report of the Equality and Diversity Review Group (21 / 14)
 - Planning & Regulatory Service Plan (0)
 - Planning enforcement (0)
 - Westhill Farm (0)
 - Apprentices (9 / 7)
 - Corporate performance report 2015/16 quarter 4 (0)
 - Fusion Lifestyle performance report 2015/16 (0)
7. In addition, the Committee pre-scrutinised three City Executive Board decisions:
 - Oxford City Council Safeguarding Report 2015/16 (6 / 6)
 - Fusion Lifestyle's 2016/17 Annual Service Plan (7 / 6)
 - Grant Allocations – Monitoring Report (2 / 2)
8. The Committee also approved the report of the Equality and Diversity Review Group subject to a few amendments and constituted a new review group to look at devolution plans for Oxfordshire (see below).

Housing Panel

9. The Housing Panel met on 7 July and elected Councillor David Henwood as chair for the year. Councillors Jennifer Pegg, Angie Goff and David Thomas have

joined the Panel in place of Councillor Linda Smith and former Councillors Elise Benjamin and Mike Gotch. The Panel also re-appointed Geno Humphrey as the tenant representative for the year and I would like to thank Geno for giving up his time to make an important and useful contribution to the work of the Panel. The following items were considered by the Panel in July:

- Housing Performance Q4 2015/16 (0 / 0)
- Tenant satisfaction (0 / 0)
- Private Sector Housing Policy (post-consultation) (1 / 1)
- Review of the Lord Mayor's Deposit Guarantee Scheme (1 / 1)

Finance Panel

10. The Finance Panel met on 30 June and Councillor Craig Simmons was re-elected as Chair. Councillor Sian Taylor has replaced Councillor Tom Hayes on the Panel for this year. The Panel agreed its work plan which includes items on the financial impacts of Brexit, divestment, the Council Tax support scheme, and of course the annual budget review, which will include a focus on gross budgeting and on the outcomes of comprehensive reviews of a number of Council services. The Panel considered the following items in June:
 - Integrated Performance Report Q4 2015/16 (0 / 0)
 - Credit union services (recommendations to follow)
11. The Panel has submitted some observations to Council on the performance report and a report on credit union services will be submitted to the City Executive Board in September.

Equality and Diversity Review Group

12. The Equality and Diversity Review Group, chaired by Councillor Tom Hayes, has now concluded its work. This review focused on equality and diversity in the Council workforce and specifically on overcoming barriers in career progression faced by under-represented groups and preventing and addressing discrimination, in particular against lesbian, gay, bisexual and transgender employees. A report with 21 recommendations was endorsed by the Scrutiny Committee before being presented to CEB in July. Key recommendations related to recruitment, talent management, internal communications, training, equalities monitoring and the use of gender-inclusive titles on Council forms.

Devolution Review Group

13. The Devolution Review Group is comprised of Councillors Marie Tidball (Chair), Van Coulter, Andrew Gant, Tom Hayes and Craig Simmons. An outline scope has been presented to the Committee and the Review Group has been tasked with tightening up its focus once two reports on unitary options for Oxfordshire have been published. This work could involve looking at how the combined authority would operate in practice, what democratic controls would be retained by its constituent councils and what the lines of accountability and scrutiny should look like. It is envisaged that evidence gathering will begin in September and will include discussions with representatives of various partner organisations.

Language Schools

14. The Committee has agreed that its second major piece of review work this year will be to look at the impacts of English language schools operating in the City. A

report will be coming to Scrutiny later this year setting out how the Council is working with partners to tackle some of the safeguarding aspects around certain types of language schools operating in the City, including 'pop-up' schools and those registered offshore. In particular the Committee has expressed concerns around students under the age of 18 being accommodated in the private sector with few checks on their welfare. These concerns have also been discussed at the City Executive Board and I'm grateful for their support and endorsement of this review. The membership of the review group will be agreed at a future Committee meeting and its work will commence when the devolution review is drawing to a close.

Looking Ahead

15. The next Committee and Panel meetings take place in September, when a number of CEB decisions such as the Planning Annual Monitoring Report and the revised Tree Management Plan are expected to come forward for Scrutiny, as well as a report on the financial impacts of Brexit. In the meantime, Scrutiny will be organising its work plan for the year, planning the devolution review and preparing an annual report for 2015/16 which will be presented to Council in September.

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SCRUTINY WORK PLAN

June 2016 - May 2017

Published on: 14/07/16

The Scrutiny Committee agrees a work plan every year detailing selected issues that affect Oxford or its inhabitants. Time is allowed within this plan to consider topical issues as they arise throughout the year as well as decisions to be taken by the City Executive Board. This document represents the work of scrutiny for the remainder of the 2016-17 council year and will be reviewed monthly by the Scrutiny Committee.

The work plan is based on suggestions received from all elected members and senior council officers. Members of the public can also contribute topics for inclusion in the scrutiny work plan by completing and submitting our [suggestion form](#). See our [get involved webpage](#) for further details of how you can participate in the work of scrutiny.

The following criteria will be used by the Scrutiny Committee to evaluate and prioritise suggested topics:

- *Is the issue controversial / of significant public interest?*
- *Is it an area of high expenditure?*
- *Is it an essential service / corporate priority?*
- *Can Scrutiny influence and add value?*

Some topics will be considered at Scrutiny Committee meetings and others will be delegated to two standing panels. Items for more detailed review will be considered by time-limited review groups.

The Committee will review the Council's [Forward Plan](#) at each meeting and decide which executive decisions it wishes to comment on before the decision is made. The Council also has a "call in" process which allows decisions made by the City Executive Board to be reviewed by the Scrutiny Committee before they are implemented.










Scrutiny Committee and Standing Panel responsibility and membership




Committee / Panel	Remit	Nominated councillors
Scrutiny Committee	Overall management of the Council's scrutiny function.	Cllrs Azad, Chapman, Coulter, Fry, Gant (Chair), Hayes, Henwood, Pegg, Simmons, Taylor, Tidball & Wilkinson
Finance Panel	Finance and budgetary issues and decisions.	Cllrs Fooks, Fry, Simmons (Chair) & Taylor
Housing Panel	Strategic housing and landlord issues and decisions.	Cllrs Goff, Henwood (Chair), Pegg, Sanders, Thomas & Wade

Current and planned review groups

Topic	Scope	Nominated councillors
Budget review 2017/18	To review the Council's 2017/18 draft budget and medium term financial strategy.	Cllrs Fooks, Fry, Simmons & Taylor
Devolution plans for Oxfordshire	To scrutinise devolution proposals for Oxfordshire.	Cllrs Coulter, Gant, Hayes, Simmons & Tidball (Chair)
Language schools	TBC	TBC

Indicative timings of 2016/17 review panels

Scrutiny Review	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May
Devolution plans for Oxfordshire										
Budget review 2017/18										
Language schools										

	Scoping
	Evidence gathering
	Reporting

SCRUTINY COMMITTEE

7 JUNE 2016 - REPORTS TAKEN

Agenda item	Decision	Description	CEB Portfolio	Report Contact
Planning and Regulatory Service Plan	Yes	To consider a combined service plan for the Planning and Regulatory service. This is expected to bring together various action plans into a single updated document.	Planning, Transport and Regulatory Services	Patsy Dell, Head of Planning & Regulatory Services
Planning enforcement	Yes	To consider how planning compliance is monitored, what enforcement action is taken and whether this is relayed to the appropriate Planning Committee.	Planning, Transport and Regulatory Services	Patsy Dell, Head of Planning & Regulatory Services
Westhill Farm	Yes	To consider the proposed demolition of a Council-owned building at Westhill Farm in Shotover Woods.	Leisure, Parks and Sport	David Edwards, Executive Director City Regeneration & Housing
Employment of interns, apprentices and work experience students	Yes	To receive a briefing on how many interns, apprentices and work experience students have been taken on by the Council and in which departments. Consider career progression and tasks undertaken.	Young People, Schools and Skills	Jarlath Brine, OD & Learning Advisor
Oxford City Council Safeguarding report 2015-2016	Yes	To note the progress made on Oxford City Council's Section 11 Self-assessment Action Plan 2015-2016 and to approve the Action Plan for 2016-2017.	Community Safety	Val Johnson, Policy Team Leader
Performance monitoring - 2015/16 quarter 4	Yes	Quarterly reports on Council performance against a set of corporate service measures chosen by the Committee.	Corporate Strategy and Economic Development	Andrew Brown, Scrutiny Officer

4 JULY 2016 – REPORTS TAKEN

Agenda item	Decision	Description	CEB Portfolio	Report Contact
Devolution plans for Oxfordshire	Yes	For Scrutiny to monitor the progress of devolution proposals for Oxfordshire	Corporate Strategy and Economic Development	Caroline Green, Assistant Chief Executive

Fusion Lifestyle – Performance Report 2015/16	Yes	To monitor an annual Fusion Lifestyle contract performance dashboard.	Leisure, Parks and Sport	Lucy Cherry, Leisure and Performance Manager
Fusion Lifestyle's 2016/ 2017 Annual Service Plan	Yes	This report presents Fusion Lifestyle's 2016/ 2017 Annual Service Plan for the management of the council's leisure facilities. The report will recommend that the City Executive Board endorse Fusion Lifestyle's Annual Service Plan for the management of the Council's leisure facilities for 2016/17.	Leisure, Parks and Sport	Lucy Cherry, Leisure and Performance Manager
Grant Allocations to Community and Voluntary Organisations 2015/16	Yes	A monitoring report on the reported achievements resulting from grants allocations will be submitted to the City Executive Board in June 2016.	Culture and Communities	Julia Tomkins, Grants & External Funding Officer

5 SEPTEMBER 2016 - PROVISIONAL REPORTS

Agenda item	Decision	Description	CEB Portfolio	Report Contact
OxLEP Strategic Economic Plan Refresh	Yes	To update members on the consultation draft of the Strategic Economic Plan, and to request feedback and endorsement.	Corporate Strategy and Economic Development	Matthew Peachey, Economic Development Manager
Annual Monitoring Report (AMR) 2015/16	Yes	This is the City Council's 12th AMR to assess the effectiveness of planning policies contained within Oxford's Local Development Plan.	Planning and Regulatory Services	Rebekah Knight, Planner
Sustainable Energy Action Plan (SEAP) for Oxford	Yes	This report will request approval of our aims, objectives and emission reduction target for the City and adoption of the action plan attached to the Sustainable Energy Strategy.	Climate Change and Cleaner Greener Oxford	Mairi Brookes, OxFutures Programme Manager
Performance Monitoring - quarter 1	Yes	Quarterly reports on Council performance against a set of corporate service measures chosen by the Committee.	Corporate Strategy and Economic Development	Andrew Brown, Scrutiny Officer

6 OCTOBER 2016 - PROVISIONAL REPORTS

Agenda item	Decision	Description	CEB Portfolio	Report Contact
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Educational attainment	Yes	To consider an independent report on the Council's educational attainment investments produced by Oxford Brookes University.	Young People, Schools and Skills	Tim Sadler, Executive Director Community Services
Waterways Public Space Protection Order	Yes	The report will contain a proposal to the CEB to introduce a Public Spaces Protection Order for certain behaviours on the waterways within Oxford City's local authority boundary.	Community Safety	Richard J Adams, Community Safety & Resilience Manager
Review of Tree Management Policy	Yes	The Tree Management Policy was adopted in 2008 and last reviewed in 2011. The current Tree Management Policy will be the subject of discussions at the Parish Council Forum and the Scrutiny Committee in the spring of 2016. If as a result of those discussions the Tree Management Policy needs to be revised then a report will be submitted to CEB.	Leisure, Parks and Sport	Stuart Fitzsimmons, Parks and Open Spaces Manager
Recommendation monitoring - Inequality Panel	Yes	To monitor progress and implementation following the recommendations of the Inequality Panel, which reported to the City Executive Board in July 2015.	Corporate Strategy and Economic Development	Val Johnson, Policy Team Leader

7 NOVEMBER 2016 - PROVISIONAL REPORTS

Agenda item	Decision	Description	CEB Portfolio	Report Contact
Language schools	Yes	To receive an update on work to address safeguarding concerns relating to students under the age of 18 living in private accommodation and consider a review of the wider impacts of language schools in Oxford.	Community Safety	Tim Sadler, Executive Director Community Services
Discretionary Housing Payments spend	Yes	To monitor Discretionary Housing Payments spend mid-way through the year.	Customer and Corporate Services	Paul Wilding, Programme Manager Revenue & Benefits
Graffiti prevention	Yes	To consider the appreciative inquiry and focus group around graffiti and other initiatives to solve the issues long term.	Climate Change and Cleaner Greener Oxford	Liz Jones, Interim ASBIT Team Leader

6 DECEMBER 2016 - PROVISIONAL REPORTS

Agenda item	Decision	Description	CEB Portfolio	Report Contact
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Corporate Plan 2017/2018	Yes	A new Corporate Plan for the period 2017/2018.	Corporate Strategy and Economic Development	Caroline Green, Assistant Chief Executive
Performance monitoring - quarter 2	Yes	Quarterly reports on Council performance against a set of corporate service measures chosen by the Committee.	Corporate Strategy and Economic Development	Andrew Brown, Scrutiny Officer

30 JANUARY 2017 - PROVISIONAL REPORTS

Agenda item	Decision	Description	CEB Portfolio	Report Contact
Grant Allocations to Community and Voluntary Organisations 2017/2018	Yes	This report is for the City Executive Board to make decisions on the allocation of grants to the community and voluntary organisations for 2017/2018.	Culture and Communities	Julia Tomkins, Grants & External Funding Officer

28 FEBRUARY 2017 - PROVISIONAL REPORTS

Agenda item	Decision	Description	CEB Portfolio	Report Contact
Performance Monitoring - quarter 3	Yes	Quarterly reports on Council performance against a set of corporate service measures chosen by the Committee.	Corporate Strategy and Economic Development	Andrew Brown, Scrutiny Officer

27 MARCH 2017 - PROVISIONAL REPORTS

Agenda item	Decision	Description	CEB Portfolio	Report Contact
Safeguarding Report 2017/18	Yes	An annual report to monitor the progress made on Oxford City Council's Section 11 Self-assessment Action Plan 2016-2017 and to approve the Action Plan for 2017-2018.	Finance, Asset Management and Public Health	Val Johnson, Policy Team Leader

2 MAY 2017 - PROVISIONAL REPORTS

Agenda item	Decision	Description	CEB Portfolio	Report Contact
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Fusion Lifestyle's 2017/18 Annual Service Plan	Yes	The report will recommend that the City Executive Board endorse Fusion Lifestyle's Annual Service Plan for the management of the Council's leisure facilities for 2017/18.	Leisure, Parks and Sport	Lucy Cherry, Leisure and Performance Manager
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SCRUTINY COMMITTEE - TO BE SCHEDULED

Agenda item	Decision	Description	CEB Portfolio	Report Contact
Recommendation Monitoring - Cycling	Yes	To monitor progress and implementation following the recommendations of the Cycling Review Group, which reported to the City Executive Board in September 2015.	Climate Change and Cleaner Greener Oxford	Mai Jarvis, Environmental Quality Team Manager
Recommendation monitoring - Guest houses	Yes	To monitor progress and implementation following the recommendations of the Guest Houses Review Group, which reported to the City Executive Board in December 2015.	Corporate Strategy and Economic Development	Richard J Adams, Community Safety & Resilience Manager
Recommendation monitoring - Local economy	Yes	To monitor progress following the local economy review group, which considered Council support for city centre retailers.	Corporate Strategy and Economic Development	David Edwards, Executive Director City Regeneration and Housing
Recommendation monitoring - Recycling rates	Yes	To monitoring recycling rates and the impacts of the blue bin recycling league initiative, which stemmed from a scrutiny recommendation.	A Clean and Green Oxford	Geoff Corps, Cleaner Greener Services Manager
Public Spaces Protection Orders	Yes	To monitor the impacts of PSPOs the city, including the numbers and types of early interventions and enforcement actions.	Community Safety	Richard J Adams, Community Safety & Resilience Manager
Local Plan Review	Yes	To receive an update on the progress of the Local Plan review.	Planning and Regulatory Services	Patsy Dell, Head of Planning & Regulatory Services
Assessing disabled impacts in planning	Yes	To consider how the Council fulfils its duty to assess the impacts on disabled people of new developments and changes of use, including for businesses and private and social sector housing.	Planning and Regulatory Services	Patsy Dell, Head of Planning & Regulatory Services
Air Quality	Yes	To consider data on air quality in the City and ways of improving air quality in the worst areas (e.g. the city centre).	Climate Change and Cleaner Greener Oxford	Mai Jarvis, Environmental Quality Team Manager

Design Review Panel	Yes	To consider the work and effectiveness of the Oxford Design Review Panel.	Planning and Regulatory Services	Patsy Dell, Head of Planning & Regulatory Services
Disabled Students' Allowance	Yes	To consider the impacts of cuts to Disabled Students' Allowance on disabled students in the City.	Corporate Strategy and Economic Development	Andrew Brown, Scrutiny Officer
Workplace parking levies	Yes	To consider the pros and cons of the proposed introduction of workplace parking charges in Oxford.	Corporate Strategy and Economic Development	Andrew Brown, Scrutiny Officer
Health and Wellbeing Board update	Yes	To receive an update on the work of Oxfordshire Health and Wellbeing Board by the Council's representative on the Board.	Finance, Asset Management and Public Health	Val Johnson, Policy Team Leader
Police and Crime Panel update	Yes	To receive an update on police and crime scrutiny activities by the Council's representative on Thames Valley Police and Crime Panel (PCP).	Community Safety	Andrew Brown, Scrutiny Officer

FINANCE PANEL

30 JUNE 2016 – REPORTS TAKEN

Agenda item	Decision	Description	CEB Portfolio	Report Contact
Budget monitoring - 2015/16 quarter 4	Yes	To monitor the Council's finances at the end of each quarter.	Finance, Asset Management and Public Health	Nigel Kennedy, Head of Financial Services
Credit union services	Yes	To consider the Council's response to the Evaluation of Credit Union services in Oxford report.	Finance, Corporate Asset Management and Public Health	Paul Wilding, Programme Manager Revenue & Benefits

8 SEPTEMBER 2016 - PROVISIONAL REPORTS

Agenda item	Decision	Description	CEB Portfolio	Report Contact
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Budget monitoring - quarter 1	Yes	To monitor the Council's finances at the end of quarter 1 (June 2016).	Finance, Corporate Asset Management and Public Health	Nigel Kennedy, Head of Financial Services
Financial Impacts of Brexit	Yes	To receive a briefing on the expected financial impacts on the Council of Brexit (British exit from the European Union).	Finance, Asset Management and Public Health	Nigel Kennedy, Head of Financial Services
Treasury Management Strategy: Annual Report and Performance 2015/16	Yes	This performance monitoring report on the Treasury Management Strategy: Annual Report and Performance 2015/16 is submitted twice a year.	Finance, Corporate Asset Management and Public Health	Bill Lewis, Financial Accounting Manager
Transfer Station for Recycled Material	Yes	Proposal to create and operate a Council managed Transfer Station for City collected co-mingled recycle, green waste, street arisings and engineering works spoil.	Climate Change and Cleaner Greener Oxford	Geoff Corps, Cleaner Greener Services Manager

8 DECEMBER 2016 - PROVISIONAL REPORTS

Agenda item	Decision	Description	CEB Portfolio	Report Contact
Budget monitoring - quarter 2	Yes	To monitor the Council's finances at the end of quarter 2 2016-17 (September).	Finance, Corporate Asset Management and Public Health	Nigel Kennedy, Head of Financial Services
Council Tax Support Scheme	Yes	To consider spend and impacts of the Council's discretionary Council Tax support scheme.	Customer and Corporate Services	Tanya Bandekar, Service Manager Revenue & Benefits
Treasury Management Performance: Annual Report and Performance 2016/17	Yes	This performance monitoring report on the Treasury Management Strategy: Annual Report and Performance 2016/17 is submitted twice a year	Finance, Asset Management and Public Health	Nigel Kennedy, Head of Financial Services

16 JANUARY 2017 - PROVISIONAL REPORTS

Agenda item	Decision	Description	CEB Portfolio	Report Contact
Scrutiny Budget Review 2017/18 - recommendations	Yes	To agree recommendations following the annual scrutiny budget review.	Finance, Asset Management and Public Health	Nigel Kennedy, Head of Financial Services

Funding mechanisms for affordable housing	Yes	To consider alternative and innovative models for financing new affordable housing.	Finance, Asset Management and Public Health	Nigel Kennedy, Head of Financial Services
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1 FEBRUARY 2017 - PROVISIONAL REPORTS

Agenda item	Decision	Description	CEB Portfolio	Report Contact
Scrutiny Budget Review 2017/18	Yes	Review of the Councils draft budget for 2017/18 and medium term financial strategy.	Finance, Asset Management and Public Health	Nigel Kennedy, Head of Financial Services
Capital Strategy 2017/18	Yes	To consider the Council's Capital Strategy for 2017/18.	Finance, Asset Management and Public Health	Nigel Kennedy, Head of Financial Services
Treasury Management Strategy 2017/18	Yes	Treasury Management Strategy for 2017/2018, including prudential indicators.	Finance, Asset Management and Public Health	Anna Winship, Management Accountancy Manager
Divestment	Yes	To consider an ethical policy on divestment.	Finance, Asset Management and Public Health	Nigel Kennedy, Head of Financial Services

29 MARCH 2017 – NO REPORTS CURRENTLY SCHEDULED

HOUSING PANEL

7 JULY 2016 – REPORTS TAKEN

Agenda item	Decision	Description	CEB Portfolio	Report Contact
Housing performance - 2015/16 quarter 4	Yes	To consider year-end Council performance against a set of housing service measures chosen by the Panel.	Housing	Stephen Clarke, Head of Housing and Property
Tenant satisfaction	Yes	To monitor tenant satisfaction survey results.	Housing	Bill Graves, Landlord Services Manager

Private Sector Housing Policy	Yes	The policy will set out the future priorities and areas of intervention in the private rented and owner occupied residential sectors in Oxford and will clarify the regulatory approach to be taken by the Council.	Planning and Regulatory Services	Ian Wright, Service Manager Environmental Health
Review of Lord Mayors Deposit Guarantee Scheme	Yes	To agree changes to the Lord Mayors Deposit Guarantee Scheme in order to update the scheme approach in light of expected changes to legislation and to boost positive outcomes for vulnerable persons.	Housing	David Rundle, Private Rented Team Leader

5 OCTOBER 2016 - PROVISIONAL REPORTS

Agenda item	Decision	Description	CEB Portfolio	Report Contact
Housing performance - quarter 1	Yes	To consider Council performance against a set of housing service measures chosen by the Panel.	Housing	Stephen Clarke, Head of Housing and Property
Choice Based Lettings refusal reasons	Yes	To receive a briefing on reasons given by Choice Based Lettings applicants for refusing Council properties, including requests for minor adaptations.	Housing	Tom Porter, Allocations Manager
Energy Strategy - Housing & Property	Yes	To consider past, current and future work around energy in Housing, and Housing & Property's approach to Energy and fuel poverty in its own domestic housing stock.	Housing	Deborah Haynes, Energy Efficiency Projects Officer

9 NOVEMBER 2016 - PROVISIONAL REPORTS

Agenda item	Decision	Description	CEB Portfolio	Report Contact
Housing performance - quarter 2	Yes	To consider mid-year Council performance against a set of housing service measures chosen by the Panel.	Housing	Stephen Clarke, Head of Housing and Property
Rent performance	Yes	To monitor the Council's rents performance including current and former tenant arrears.	Housing	Tanya Bandekar, Service Manager Revenue & Benefits

1 MARCH 2017 - PROVISIONAL REPORTS

Agenda item	Decision	Description	CEB Portfolio	Report Contact
Housing performance - quarter 3	Yes	To consider a report on Council performance against a set of housing service measures chosen by the Panel.	Housing	Stephen Clarke, Head of Housing and Property
Update on homelessness prevention funds	Yes	To receive an update on homelessness prevention funding from April 2017, including the expected impacts of County Council funding cuts and plans to mitigate these.	Housing	Ossi Mosley, Rough Sleeping & Single Homelessness Officer

3 MAY 2017 - PROVISIONAL REPORTS

Agenda item	Decision	Description	CEB Portfolio	Report Contact
Housing Company for Oxford	Yes	To monitor progress of the Housing Company for Oxford in its first year of operation.	Housing	David Edwards, Executive Director City Regeneration and Housing
Great Estates update	Yes	To receive an update on progress made in developing masterplans for estates and working up and delivering a rolling programme of priority improvement schemes.	Housing	Stephen Clarke, Head of Housing and Property

HOUSING PANEL - TO BE SCHEDULED

Agenda item	Decision	Description	CEB Portfolio	Report Contact
Rough sleeping	Yes	To consider how the Council deals with people sleeping rough including those with no recourse to public funds.	Community Safety, Housing	Richard J Adams, Community Safety & Resilience Manager; Stephen Clarke, Head of Housing and Property
Houses in multiple occupations (HMOs)	Yes	To consider the licensing of HMOs in the City including member oversight of HMO planning decisions (currently delegated) and rules around the numbers of rooms and the number of HMOs in the street etc.	Corporate Strategy and Economic Development	Ian Wright, Service Manager Environmental Health
National policy changes	Yes	To receive a briefing on the expected impacts of national housing and welfare policy changes in the City.	Housing	David Edwards, Executive Director City Regeneration and

				Housing
Empty Property Strategy	Yes	To consider a refresh of the Council's Empty Property Strategy 2013-18.	Housing	Melanie Mutch, Empty Property Officer (Private Sector)
Tower block refurbishment	Yes	To receive a progress update on the tower block refurbishment project and consider lessons learnt following the increase in budget.	Housing	Stephen Clarke, Head of Housing and Property
Under-occupation in the Council's housing stock	Yes	To receive an update on the levels of under-occupation in the Council's housing stock and efforts to reduce under-occupation, including support and incentives for downsizing.	Housing	Bill Graves, Landlord Services Manager
Leaseholder relationships	Yes	To consider Council relationships with leaseholders including the views of individual leaseholders.	Housing	Stephen Clarke, Head of Housing and Property
Service charges	Yes	To consider the scope for raising service charges on Council housing to mitigate reduced rental income.	Finance, Asset Management and Public Health	Stephen Clarke, Head of Housing and Property
Empty garages and former garage sites	Yes	To receive an update on how the Council is dealing with empty garages and former garage sites.	Housing	Martin Shaw, Property Services Manager
Access to the private rented sector	Yes	To identify and consider ways of overcoming difficulties accessing the private rented sector faced by people in receipt of Housing Benefit.	Planning and Regulatory Services	Dave Scholes, Housing Strategy & Needs Manager
Universities land management	Yes	To invite representatives of universities to discuss their approach to land management in the City.	Corporate Strategy and Economic Development	Andrew Brown, Scrutiny Officer

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Scrutiny recommendation tracker 2016/17 - July 2016

Total recommendations:	47	
Agreed	32	68%
Agreed in part	5	11%
Not agreed	10	21%

Report of the Equality and Diversity Review Group:

Recommendation	Agreed?	Comment
1. That the Council undertakes comprehensive accessibility audits of its employment practices, premises, public-facing information (for instance, on the website) and externally available application forms, at appropriate intervals. Consideration should be given to how frequently these audits should take place at each workplace premises and to the setting of maximum intervals between audits.	N	Accessibility audits were previously undertaken periodically on the Council's employment premises when we had a dedicated Equalities Officer. More typically now, officers in various service areas provide expertise (e.g. Building Control) when changes are being introduced. We also get external advice as accessibility issues arise e.g. what type of devices are needed for people with hearing difficulties to participate more effectively in meetings, use the phone, etc. There is also a dedicated budget to fund specific equipment designed to assist with accessibility. Oversight is provided by colleagues in Human Resources to ensure we keep abreast of accessibility developments. Given this approach a regular audit would require additional resourcing and cost and is unlikely to add further value
2. That the Council reviews recruitment branding to better target any vacancies at under-represented groups and young people, including utilising settings or channels that are less traditional to local government but more inclusive.	In part	All jobs are advertised using a range of media sources, including Job Centre Plus, Social Media and Job Boards. Increasingly we run recruitment events which prove to be a successful way of reaching out to the wider community. Dependant on the role traditional print media and community magazines have also been used, but use of these is dependent on publication dates and cost. We are doing more work with the Communication Team to look at how we can improve employer branding and our use of social media. Focus groups in the local community were used to help identify how we could become more attractive as an employer to under-represented groups.
3. That the Council continues to promote itself as an inclusive employer through outreach activities including continuing to hold open recruitment sessions in community	Y	This work is already in place and continuing. We have just held a second recruitment roadshow this year and for the first time this was held in one of our Community Centres. We aim to continue to run

Item 16 Appendix 2

settings, reaching out in schools through the Business in the Community partnership, and attending job fairs and community meetings.		these events, however there is a significant cost in time and money to organise, promote and run these events and there is no budget in place to support this. The organisation will also continue to attend local job fairs as appropriate. The successful mentoring programme with Cherwell School continues and we are currently exploring whether to open this out to more educational establishments.
4. That the Council investigates opportunities to advertise multiple vacancies in community settings at low cost, which could include making use of community newspaper social media platforms, as well as community newspapers and, as long as those running them are willing, community centres.	Y	As stated above we advertise in community magazines but doing so depends on publication dates and costs. The infrequency of publication can be an issue. The HR Team will familiarise themselves with publications/dates/costs and work proactively with recruiting managers to make better use of this media. The HR Manager will also explore whether Community Centres would be willing to advertise our job vacancies on notice boards, etc.
5. That the Council makes use of its assets to promote itself as an inclusive employer, including Streetscene vehicles.	N	This is a good way of advertising but it is very expensive (e.g. advertising on a refuse lorry runs to several thousand pounds per campaign). With no budget for this unfortunately the approach is cost prohibitive.
6. That the Council reviews its Talent Management Framework and researches whether the inclusion of a more targeted talent management programme would appeal to under-represented groups, as well as what such a programme would include.	Y	This is a project that the OD team will be commencing in July 2016.
7. That the Council emphasises the value it attaches to the ability to speak a second language by including this skill in the desirable criteria for selected customer-facing job vacancies, such as Tenancy Management Officers and Customer Service Officers.	Y	The HR Manager will work with recruiting managers to recommend inclusion of a second language as a desirable criterion where appropriate.
8. That the Council undertakes a workforce skills audit with the purpose of identifying priority competencies and hidden talents that aren't currently being utilised but would benefit to the organisation, including the ability to speak a second language.	N	The Council has a good understanding of the skills of its workforce locally within services. However undertaking a large skills audit would be a significant piece of work; to determine what data needs collecting, actually collecting it and not least maintaining it. The benefits of doing such a large piece of work are unlikely to outweigh the cost when (for example) we already know who to call on for the ability to speak a second language when required.
9. That the Council considers the feasibility of having staff	N	It is better to have an independent translator in these situations. The

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who are known to speak a second language 'on call' to communicate with customers who speak little or no English, and whether these staff could be rewarded with a small pay supplement.		language line is how we currently provide this service, however there may be more technical solutions which we could explore. We would not recommend using employees whose fluency/competency in speaking another language would be unknown.
10. That all Council employees are reminded of the Council's Fair Employment Statement and employment policies at least annually. These documents should also be prominent and easily accessible on the Council's Intranet.	Y	The HR and OD Team will be reviewing the intranet content that they hold this year to make policies more accessible. HR Matters (a monthly brief to all managers) is also be used to promote policies.
11. That all Council employees are at least annually made aware of their responsibility to challenge discriminatory language and behaviour in the workplace, wherever that may be, as matter of course.	Y	Every year each employee undertakes a self-assessment on how they position themselves against the Council's values and behaviours – one of which is about valuing diversity. This self-assessment forms the basis of a discussion with the manager and 3 development areas are agreed for the year based on the values. This gives an opportunity to discuss discriminatory language and behaviours.
12. That unconscious bias training is provided to the Council's most frequent recruiting managers and HR Business Partners. Ideally this would be followed up with annual refresher courses in order to maintain awareness and compliance with good practice.	Y	The OD Team will be designing a workshop around this in 16/17 and this can be offered to recruiting managers. The HR Team already provide recruitment training to managers and this includes information on unconscious bias.
13. That the Council identifies one or more Diversity Champions at senior levels who would help to embed equality in the workplace. These Diversity Champions could lead on communicating the importance of diversity and monitoring within the organisation and co-ordinate a calendar of activities in support of celebrations such as Black History Month, Pride, etc.	N	The OD Team have been trying to make diversity part of business as usual. Having Champions would also require additional resource to manage and coordinate. The OD Team could however work more closely with the culture team to promote events and activities.
14. That the Council identifies an elected member to oversee and externally represent the Council's equality and diversity work.	Y	This could be the responsibility of the portfolio holder that covers Equalities and Diversity, or other chosen elected member.
15. That the Council seeks to obtain better value from its status as a Stonewall Diversity Champion and, failing that, considers whether the small membership fee would be better invested in other means of tackling discrimination.	Y	Funding would be better directed on more practical activity such as the unconscious bias training. As such the proposal is not to renew the Stonewall Diversity Champion accreditation
16. That the Council continues to ask employees to review and complete their personal details, including sensitive	In part	This is regularly promoted by the HR Team and employees are encouraged to review and update their details. In May 2016

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information such as their sexual orientation, on at least an annual basis, as well as continuing to target identified data gaps. Explanation should be provided as to why sensitive personal information is held by the organisation and the wider benefits of doing so.		managers were asked to remind staff about this matter. We will continue to promote this and will do more this year to focus on missing information. Some employees actively choose not to record this information.
17. That the Council sets targets for increasing disclosure rates to reduce data gaps for sexual orientation, disability and ethnicity over a fixed period of time (e.g. eighteen months).	N	Targets would not assist with reducing data gaps. Whilst the HR Team can continue to encourage and promote disclosure of this information, some people actively choose not to provide this information, which is their right to do so.
18. That the Council maintains a watching brief on good practice in workforce equalities monitoring and continues to keep its own monitoring arrangements under review, including how questions are asked and the language used as well as the continued inclusion of a 'prefer not to say' option.	Y	The Organisational Development & Learning Manager ensures the OD team keep up to date with this.
19. That consideration is given to whether the sensitive personal data of applicants and employees requested and held by the Council should be more inclusive of transgender people. For example, the Council should consider consulting with appropriate individuals and Trade Unions on adding an appropriately worded gender identity field to its monitoring forms, with the clear purpose of building equality and identifying discrimination.	In part	We will discuss with trade union colleagues and clarify best practice in this area.
20. That the Council adopts gender-neutral terms on forms as part of its ongoing work to be as inclusive as possible, for instance, giving consideration to adding the title Mx in addition to the more established gendered titles such as Mr, Mrs, Miss and Ms.	Y	Subject to the HR software being able to include the addition of the title Mx without significant costs then this option could be added. The requirement to record a title could also be made optional rather than mandatory, again depending on the ability to change the software.
21. That consideration is given to whether there is merit in phasing out the use of titles on Council forms and databases over the medium term.	N	We do not consider that we should take away the ability for people to use a title on a job application, although it could be made optional.

Apprentices:

Recommendation	Agreed?	Comment
1. That consideration is given to extending the eligibility criteria for apprenticeships beyond the OX1 to OX4	Y	The eligibility criteria is important as it gives opportunities to candidates living in the city and needing support - this will still be a

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postcode areas but with a preference for appointing applicants with these postcodes.		priority. However given the significant increase in the number of apprenticeships being recruited and to ensure a rich pool of candidates the extension of postcodes was trialled this year with success and this will form part of future campaigns.
2. That consideration is given to making apprenticeship opportunities available to applicants aged 20-24.	Y	This will allow the Council to better target NEETs and facilitate a route into work for early career changers and women entering work for the first time (where having and managing families might have interrupted school/ college studies and reduced career opportunities).
3. That a more co-ordinated approach is taken in schools to raise awareness of apprenticeship and work experience opportunities and promote them to pupils and their parents.	Y	The Business in the Community partnership work over the past two years has enabled the Council to work with schools to deliver apprenticeship workshops, talks for specific school year groups, career workshops and a city wide apprenticeship "Earn while you Learn" awareness raising event (attended by over 100 students who had declared an interest in apprenticeships). The next stage of a more co-ordinated approach will feature a series of parents evening workshops with a presentation on local labour market information put together by our economic development team. These colleagues will also be presenting at an "Educating the Educators" BiTC event on July 13 th geared at informing careers advisors and teachers with work experience/ careers responsibilities. The Council will further develop its work experience offering in consultation with schools during the summer and early Autumn
4. That a particular focus is put on encouraging Black and Minority Ethnic pupils to take up work experience placements and apprenticeships.	Y	<p>Some of our BME former apprentices have successfully acted as ambassadors to promote their experience back in schools and various events. It's encouraging that 20% of our recent apprenticeship cohort applicants are from BME backgrounds. We will continue this ambassador approach and work with schools to look for other ways to engage with young BME and other pupils as potential future apprentices.</p> <p>Work experience placements work well in tackling barriers to work, e.g. qualifications, job interviews, breaking down employer stereotypes, english as a second language or wider access to support including careers advice. We will do more with schools to ensure an</p>

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		appealing work experience programme is in place attracting a diverse range of candidates.
5. That the Council links in with social housing providers and higher education colleges in order to engage with hard to reach groups.	N	The Council has an agreement in place with Activate Learning; they promote and place our apprenticeship vacancies on the National Apprenticeship website and we signpost unsuccessful applicants to them for advice and guidance on alternative options.
6. That the Council considers what can be learnt from the Change 100 internship programme, including their advertising and social media campaigns.	Y	Whilst the Council took the decision not to engage with the Change 100 programme on the basis it felt it didn't represent value for money, we will explore what we can learn from their advertising and media campaigns to better engage with disabled students. For this group and the wider cohort we can use social media more effectively to raise interest in work experience and apprenticeships.
7. That further consideration is given to defining and promoting the Council's brand and offer to prospective apprentices, including in terms of pay rates and career progression opportunities.	In part	<p>Wage rates are informed by the national apprenticeship picture, the local economy, the cost of living in Oxford and what is affordable in order to recruit the maximum number of apprenticeships. Our recent campaign was the most successful yet with over 170 applicants so the financial offer seems reasonable. Part of the strategy is to do more workforce planning so that the apprenticeship leads to a permanent job wherever possible. Our track record is good in achieving this but in hiring more apprentices we need to manage the succession planning more effectively.</p> <p>We have developed the apprentice webpages and uploaded a series of films where apprentices tell their stories (led by direct local market research into what applicants wanted) and believe that this has improved the profile of Council apprenticeships. However effective communication needs to 'speak' to potential applicants in the language they understand and through the right method so we will work with our internal communications and Youth Ambition teams to ensure we are making best use of tools such as social media and video to connect with the widest audience.</p>
8. That the Council seeks to influence Oxfordshire Skills Board to do more to promote apprenticeship opportunities.	N	This is already being done through the input of leading Councillors, BiTC and other local business forums and we would anticipate that

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		this leadership role would continue.
9. That the Council keeps the details of the Enterprise Bill under review and makes appropriate plans to mitigate its impacts, including the Apprenticeship Levy and the apprenticeship start targets.	Y	We are planning how to manage the Apprenticeship Levy spend in order to maximise its impact including how we can provide accredited training internally as well as work with other providers. More details are emerging regarding apprenticeship start targets which at this stage is thought to mean 28 new apprenticeship starts each year. This would need some careful workforce planning giving the length of the apprenticeships e.g. 2 – 4 years and new cohorts potentially starting each year. We will report back to Members in the Autumn as more details emerge.

Fusion Lifestyle's 2016/17 Service Plan:

Recommendation	Agreed?	Comment
1. That the Council encourages and seeks to facilitate stronger user representation on the Leisure Partnership Board, including by varying meeting times if required.	Y	<p>Current stakeholder groups represented at Leisure Partnership Board include Younger and Older People, Public Health, Early Intervention and Customers. Fusion have been tasked to increase attendance by users.</p> <p>The meeting times have been set following a doodle poll with attendees, although we are very happy to check again and set the meeting at the time that will ensure the best attendance.</p>
2. That the Council encourages the formation of user groups at the remaining Leisure Centres and considers how these user groups could link in with the Leisure Partnership Board, perhaps with each user group having a representative on the Board.	Y	Ferry Leisure Centre and Hinksey Outdoor Pool both have regular or seasonal user group meetings and we have from Fusion a 2016/17 timetable of dates and times for all facilities. Fusion are looking to encourage representation by customers.
3. That the Council takes further steps to understand why the numbers of swimming visits have declined amongst some target groups and challenges Fusion Lifestyle to set a more ambitious target for increasing swimming visits by people over the age of 60 in 2016/17.	Y	<p>Nationally there is a picture of general decline in participation of swimming. Officers continue to work with the Amateur Swimming Society to understand the reason for this and some target groups in Oxford are bucking the trend being used a good practice examples. Swimming visits have increased by the following amounts since 2013/14:</p> <p>Fusion Swim School 156%</p>

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		<p>Schools Swimming 92%</p> <p>Casual Swims 69%</p> <p>We will continue to work to increase participation, with an increased focus on the over 60s.</p>
4. That further consideration is given to the case for and expected impacts of a proposal to introduce reduced non-concessionary membership fees at less well used leisure centres.	Y	<p>Customer feedback and our experience tells us that we need to avoid overly complicating our price structures.</p> <p>Fusion are though currently reviewing the membership offer within Oxford facilities, with 2017/18 fees and charges an agenda item at the July 2016 Leisure Partnership Board. This time line supports inclusion of any proposals in the Councils wider 2017/18 budget consultation process.</p> <p>It is important to bear in mind that all the centres are well used at peak times, and the greatest benefit to increase participation is to encourage more off peak usage which is detailed in the city's Leisure & Wellbeing Strategy 2016-2020</p> <p>Will be pleased to give this further consideration within the review of fees and charges to ensure we are continually looking to remain competitive.</p> <p>We do continually monitor prices to ensure they are competitive, inclusive and provide value for money.</p>
5. That benchmarking on performance, participation and price is undertaken with the wider market, including the private sector, not just with neighbouring local authorities.	Y	<p>Fees and charges and membership offer benchmarking is compared across other:</p> <ul style="list-style-type: none"> • Local districts • Fusion Lifestyle contracts • National comparators where they have similar centres (i.e. Exeter, Preston, Rushmoor, Runnymede) <p>Further benchmarking on performance, participation and price is undertaken as part of the UK quality award scheme for sport and leisure QUEST. As part of this process facilities engage with the partnership approach of an industry National Bench Marking Service, which provides critical data on the performance our leisure facilities</p>

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		such as access, finance, utilisation and satisfaction. This includes facilities run by council's, trusts and private operators.
6. That further consideration is given to the idea of introducing gym-only membership options, perhaps on a limited trial basis.	Y	Please see our response to recommendation 4.
7. That consideration is given to the priority order of the five key strategic objectives for 2016/17.	N	As there are only five strategic objectives we do not feel they need to be ranked.

Grant Allocations – Monitoring report

Recommendation	Agreed?	Comment
1. That consideration is given to how to quantify the social value achieved from the different grant programmes for community and voluntary organisations and to the inclusion of a measure of social value in future grant monitoring reports.	Y	<p>This is an aspiration we are working towards, and I am also aware that there are many people working and volunteering in the community sector, and in particular in our community centres, who are keen for us to be able to quantify their work in their neighbourhoods.</p> <p>We do though need to be very mindful around how much time and resources is expended by our staff which could be spent actually working with and supporting community and voluntary groups.</p>
2. That consideration is given to whether and how the Council could better integrate its grant programmes for community and voluntary organisations with related aspects of service delivery, with a view to focusing resources as effectively as possible.	Y	We will explore how we can best to do this.

Private Sector Housing Policy:

Recommendation	Agreed?	Comment
1. That careful thought is given to future public consultations on private sector housing interventions and that members are specifically invited to comment on the range and style of any consultations.	Y	I welcome the useful discussion of alternative approaches to consultation that took place at the Scrutiny Panel, and which led to this recommendation. The next steps towards the introduction of a PRS licensing scheme will necessarily involve very widespread consultation with the landlord community and with tenants, as well as the general public. I will ensure, with the appropriate Board members, that a very thorough plan is drawn up in advance of the next stage in the process.

Lord Mayor's Deposit Guarantee Scheme:

Recommendation	Agreed?	Comment
That after the pilot year a review of the enhanced offer including expenditure, the number of clients assisted and refusal reasons is reported to the City Executive Board.	Y	Agreed – this was the intention.

Oxford City Council Safeguarding Report 2015-16:

Recommendation	Agreed?	Comment
1. That anonymised case study examples of safeguarding referrals made by the Council are provided to elected members.	Y	This is part of the safeguarding training that is provided for Members.
2. That the Council continues to work positively and proactively through partnerships to raise awareness of potential safeguarding issues in the City and push for action to investigate and address these issues, including, for example, high levels of pupil absence at particular schools.	Y	The City Council is represented on the Oxfordshire Safeguarding Children's Board and the Oxfordshire Children's Trust where these issues are discussed. It also leads on the Community Safety Partnership which is another forum for these issues.
3. That the Council continues to request feedback from partner agencies following safeguarding referrals.	Y	The Council relies on data from the Multi Agency Safeguarding Hub and will continue to seek feedback from partner agencies on how referrals are progressing. However, the Council's role is not to investigate
4. That the Council makes representations to government through appropriate channels about the need for more rigorous safeguarding arrangements for language school students aged under 18 living in private sector accommodation.	In part	This can only happen once multi agency work has been done on language schools in Oxford. (see recommendation 5, below) If this work raises concerns that should be raised at a national level, representations to government should be made.
5. That potential safeguarding issues around language school students aged under 18 living in private sector accommodation should be considered and discussed with language schools, the police and other relevant partner agencies.	Y	This work is already underway.
6. That Safeguarding training provided to the Council's HMO and Private Sector Enforcement Teams should cover how to recognise and report potential safeguarding issues around language school students aged under 18 living in the private sector.	Y	The Council's HMO and Private Sector Enforcement Teams are trained in safeguarding both children and adults. The issues relating specifically to language school students including a case study can be added to the training that is in place.