

# Agenda

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## Council

Date: **Monday 1 October 2018**

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Time: **5.00 pm**

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Place: **Council Chamber, Town Hall**

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For any further information please contact:

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This meeting will also be available via a webcast. The webcast will be available to view on the City Council's website after the meeting.

# Council

## Membership

**Lord Mayor**      **Councillor Colin Cook**

**Deputy Lord Mayor**      **Councillor Sajjad Malik**

**Sheriff**      **Councillor Craig Simmons**

<b>Members</b>	<b>Councillor Jamila Begum Azad</b>	<b>Councillor Richard Howlett</b>
	<b>Councillor Shaista Aziz</b>	<b>Councillor Rae Humberstone</b>
	<b>Councillor Nadine Bely-Summers</b>	<b>Councillor Dan Iley-Williamson</b>
	<b>Councillor Susan Brown</b>	<b>Councillor Martyn Rush</b>
	<b>Councillor Nigel Chapman</b>	<b>Councillor Pat Kennedy</b>
	<b>Councillor Lubna Arshad</b>	<b>Councillor Tom Landell Mills</b>
	<b>Councillor Mohammed Altaf-Khan</b>	<b>Councillor Ben Lloyd-Shogbesan</b>
	<b>Councillor Mary Clarkson</b>	<b>Councillor Mark Lygo</b>
	<b>Councillor Tiago Corais</b>	<b>Councillor Dr Joe McManners</b>
	<b>Councillor Steven Curran</b>	<b>Councillor Chewe Munkonge</b>
	<b>Councillor Hosnieh Djafari-Marbini</b>	<b>Councillor Susanna Pressel</b>
	<b>Councillor Alex Donnelly</b>	<b>Councillor Mike Rowley</b>
	<b>Councillor James Fry</b>	<b>Councillor Christine Simm</b>
	<b>Councillor Andrew Gant</b>	<b>Councillor Linda Smith</b>
	<b>Councillor Stef Garden</b>	<b>Councillor Roz Smith</b>
	<b>Councillor Stephen Goddard</b>	<b>Councillor John Tanner</b>
	<b>Councillor Michael Gotch</b>	<b>Councillor Richard Tarver</b>
	<b>Councillor Angie Goff</b>	<b>Councillor Sian Taylor</b>
	<b>Councillor Mick Haines</b>	<b>Councillor Marie Tidball</b>
	<b>Councillor Paul Harris</b>	<b>Councillor Ed Turner</b>
	<b>Councillor Tom Hayes</b>	<b>Councillor Louise Upton</b>
	<b>Councillor David Henwood</b>	<b>Councillor Dick Wolff</b>
	<b>Councillor Alex Hollingsworth</b>	

The quorum for this meeting is 12 members

### **Copies of this agenda**

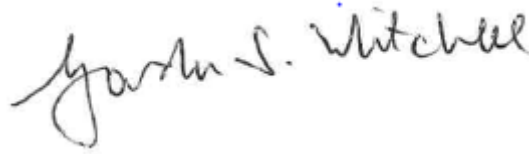
Reference copies are available to consult in the Town Hall Reception. Agendas are published 6 working days before the meeting and the draft minutes a few days after.

All agendas, reports and minutes are available online and can be:

- viewed on our website – [mycouncil.oxford.gov.uk](http://mycouncil.oxford.gov.uk)
- downloaded from our website
- viewed using the computers in the Customer Services, St Aldate's, or
- subscribed to electronically by registering online at [mycouncil.oxford.gov.uk](http://mycouncil.oxford.gov.uk)

## Summons

A meeting of the City Council will be held in the Council Chamber, Town Hall, on Monday 1 October 2018 at 5.00 pm to transact the business set out below.



Proper Officer

## AGENDA

	Pages
<b>PART 1 - PUBLIC BUSINESS</b>	
<b>1 Apologies for absence</b>	
<b>2 Declarations of interest</b>	
<b>3 Minutes</b>	17 - 32
Minutes of the ordinary meeting of Council held on 23 July 2018. Council is asked to approve the minutes as a correct record.	
<i>Note: Questions on Notice, public addresses and the responses to these are included in the full minutes pack of the previous meeting, from page 17 onwards, and <a href="#">available from the links here</a></i>	
<b>4 Appointment to Committees</b>	
The Head of Law and Governance has not been notified of any proposed changes of membership to Committees. Any proposed changes will be circulated with the briefing note.	
<b>Appointment of Parish Council co-optee to the Standards Committee</b>	
The Standards Committee recommends that Council appoints Dorian Hancock, Littlemore Parish Councillor, as the co-opted non-voting member of the Standards Committee representing the four Parish Councils in Oxford until May 2020.	
<b>5 Announcements</b>	
Announcements by:	
1. The Lord Mayor	
2. The Sheriff	

3. The Leader of the Council (who may with the permission of the Lord Mayor invite other councillors to make announcements)
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 Rules relating to matters for decision in Part 1 of 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 25 September 2018.**

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 and up to three minutes for each question.

## **CITY EXECUTIVE BOARD RECOMMENDATIONS**

### 7 **Quarterly Integrated Report, Finance & Performance Q1**

33 - 42

The Head of Financial Services and the Head of Business Improvement submitted a report to the [City Executive Board on 18 September 2018](#) to update Members on Finance, Risk and Performance as at 30th June 2018.

The report and relevant appendices are attached. The appendices are available as part of the [agenda](#) for the City Executive Board meeting.

The City Executive Board agreed all recommendations in the report and resolved to **recommend** to Council that it establish budgetary provision as below (and set out in paras 10 -12 of the report)

Councillor Turner, Board Member for Finance & Asset Management, will present the report.

**Recommendation:** the City Executive Board recommends that Council resolves to:

1. **approve** the increase of the HRA capital budget for Social Rented Housing Acquisitions by £0.444 million to a total of £1.479 million. This will be fully funded by Retained Right to Buy capital receipts;
2. **approve** the additional capital budget for the Replacement of the Housing Computer System of £0.450 million.

## COMMITTEE RECOMMENDATIONS

### 8 **Dispensations - Localism Act 2011**

43 - 46

The Head of Law and Governance submitted a report to the [Standards Committee meeting on 11 September](#) recommending that Full Council approve a number of general dispensations under the Localism Act 2011; such dispensations to remain in force for a period of four years; in the interest of good governance and the effective conduct of public affairs.

The Standards Committee agreed the recommendations in the report and extended the general dispensation for members in receipt of housing benefit to include Universal Credit.

Councillor Aziz, Chair of the Standards Committee, or the Monitoring Officer will present the report.

**Recommendation:** the Standards Committee recommends Full Council to:

1. approve, under Section 33 of the Localism Act 2011, the general dispensations, listed at paragraph 4 of this report **and including a dispensation for recipients of Universal Credit**, for all elected and co-opted Members of Oxford City Council;
2. agree that those general dispensations should remain in force for a period of four years; and
3. agree that the granting of individual dispensations under Section 33 of the Localism Act 2011 be delegated to the Monitoring Officer.

### 9 **Statement of Gambling Licensing Policy effective from 31 Jan 2019**

47 - 96

The Head of Community Services submitted a report and accompanying appendices to the [Licensing and Gambling Acts Committee on 19 September 2018](#) setting out the revised Statement of Gambling Licensing Policy to take effect from 31 January 2019.

The report and relevant appendices and the draft minutes of the meeting are attached.

The Licensing and Gambling Acts Committee agreed all recommendations in the report and resolved to **recommend** to Council adopt the final draft of the policy presented here.

Councillor Cook, the Chair of the Licensing and Gambling Acts Committee, will present the report and the policy.

**Recommendation:** the Licensing and Gambling Acts Committee recommends that Council resolves to:

adopt the Statement of Gambling Licensing Policy attached to the report on this agenda with effect from 31 January 2019.

## OFFICER REPORTS

### 10 Barton Park planning permission 13/01383/OUT

97 - 100

The Head of Planning, Sustainable Development and Regulatory Services has submitted a report recommending that Council makes a modification order to amend the time period to submit reserved matters applications on planning permission 13/01383/OUT.

Councillor Hollingsworth, Board Member for Planning and Transport, will present the report.

**Recommendation:** That Council resolves to:

1. make a modification order under section 97 of the Town and Country Planning Act 1990 in respect of planning permission 13/01383/OUT to enable further applications for reserved matters to be submitted for approval in respect of the development at Barton Park;
2. delegate to the Development Management Services Manager (soon to be the Acting Head of Planning Services), the taking of any associated action following the making of the modification order.

## QUESTIONS

### 11 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:

#### 11a Minutes of meeting Tuesday 14 August 2018 of City Executive Board

101 - 106

#### 11b Minutes of meeting Tuesday 18 September 2018 of City Executive Board

107 - 114

## 12 Questions on Notice from Members of Council

Questions on notice from councillors received in accordance with Council Procedure Rules.

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 24 September 2018.

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

## PART 2 - PUBLIC INVOLVEMENT AND SCRUTINY

### 13 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 Rules and not related to matters for decision in Part 1 of 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 25 September 2018.**

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 and up to three minutes for each question.

### 14 Outside organisation/Committee Chair reports and questions

1. On behalf of Councillor Brown the Economic Development Manager has submitted a report on the work of the Oxfordshire Local Enterprise Partnership.

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

2. 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.

115 - 120

The programme of reporting at future meetings will be:

26 November	Oxford Strategic Partnership Oxfordshire Health Improvement Board
28 January	Oxfordshire Growth Board Annual Report on Oxfordshire Partnerships
29 April	Oxfordshire Children's Trust Board

3. As set out in procedure rule 11.15, Members who are Council representatives on external bodies or Chairs of Council Committees who consider that a significant decision or event has taken place, may give notice to the Head of Law and Governance by 1.00 pm on Thursday 27 September that they will present a written or oral report on the event or the significant decision and how it may influence future events. Written reports will be circulated with the briefing note.

## **15 Scrutiny Committee update report**

121 - 130

The Chair of the Scrutiny Committee has submitted a report which updates Council on the activities of scrutiny and other non-executive 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**

### **16 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 Rules by the deadline of 1.00pm on Wednesday 19 September 2018 is below.

Motions will be taken in turn from the Green, Labour, and Liberal Democrat groups and an independent member in that order.

Substantive amendments to these motions must be sent by councillors to the Head of Law and Governance by no later than 10.00am on Friday 28 September 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.



**Council is asked to consider the following motions:**

- a. Freedom of the City for Benny Wenda (proposed by Councillor Simmons, seconded by Councillor Howlett)
- b. Opposition to Investment in Fracking (proposed by Councillor Tanner)
- c. Improve Legal Aid (proposed by Councillor Harris, seconded by Councillor Roz Smith)
- d. Call for resignation (proposed by Councillor Haines)
- e. Brexit and the Sustainable Communities Act (proposed by Councillor Simmons)
- f. Oxford Weighting (proposed by Councillor Bely-Summers)
- g. Building a statutory youth service (proposed by Councillor Simm)

**16a Freedom of the City for Benny Wenda**

Proposed by Councillor Simmons, seconded by Councillor Howlett

Green and Labour Member motion

**Council resolves:**

**That the Honorary Freedom of the City be conferred on Benny Wenda at a special meeting to be held at a later date, in accordance with Section 249 of the Local Government Act 1972.**

**16b Opposition to Investment in Fracking**

Proposed by Councillor Tanner

Labour member motion

Oxford City Council reaffirms its opposition to investment in fossil fuels. We deeply regret the investment by the Oxfordshire County Council pension fund in companies which are promoting and engaging in fracking in the United Kingdom and overseas.

Campaigners calculate that out of a total pension fund of £2 billion (£2,174,177,881), £84 million (£83,645,909) or 3.85% is invested in companies which practice fracking. The pension fund has indirect fracking investments in Shell of £24,560,465 and direct investments in BHP Billiton — £4,936,494, EOG Resources — £3,908,397, Marathon Oil — £2,819,711 and Pioneer Natural Resources — £2,650,534.

Oxford City Council is part of the Oxfordshire Council pension fund through which it provides pensions for our staff.

Oxford City Council believes that:

- Investment in fracking is damaging to the environment
- Investment in fracking is not a sound investment for the future
- Fracking goes against the City Council's commitment to help combat climate change.

**Oxford City Council resolves to call on the Oxfordshire County Council pension fund to disinvest in fracking in particular and fossil fuels in general and to invest instead in renewable energy, and asks the Chief Executive to inform the pension fund managers of this resolution.**

### **16c Improve Legal Aid**

Proposed by Councillor Harris, seconded by Councillor Roz Smith

#### Liberal Democrat member motion

Council notes that:

1. Legal Aid was created as part of the post-war welfare state of which Liberals such as Keynes and Beveridge were key architects;
2. Legal Aid, providing legal advice and legal representation, is a vital ingredient of a democratic society without which access to justice would depend on wealth;
3. Legal Aid, already grossly under-funded, is being subjected by the Government to unprecedented further cuts, which will result in a £600 million reduction by 2019/2020, a 40% real terms cut since 1997;
4. As a result many of the poor and vulnerable are being denied access to justice; and
5. The faith of the public in the legal system is being undermined by under-staffing and chaos in our courts.

Council therefore calls on the Government to:

1. Recognize the concerns of the legal profession at all levels about this issue;
2. Consider how the reduction in legal aid provision is affecting the Government's ability to comply with its international human rights obligations, and to ensure that effective remedies are provided under British legislation.
3. Undertake an urgent independent review of the cumulative effect of legal aid reductions on the provision of access to legal advice and assistance,

taking evidence from professionals, from agencies which assist litigants such as Citizens Advice Bureaux and Law Centres, and from people who are themselves affected by the lack of legal aid support, to include recommendations to ensure adequate legal aid provision;

4. Abandon the cuts planned for 2019/2020.

**Council accordingly resolves to ask the Leader of the Council:**

1. **to ask the Oxford MPs Layla Moran and Anneliese Dodds to write to the Prime Minister to communicate the resolution of the Council as expressed above;**
2. **to ask Oxfordshire County Council to join us in this request to the Prime Minister.**

**16d Call for resignation**

Proposed by Councillor Haines

Independent Member motion

Council calls for Councillor Ben Lloyd-Shogbesan to resign and step down immediately as an Oxford City Councillor following his reposting of articles on Facebook, especially the claim that Cancer is not a disease but a business.

**16e Brexit and the Sustainable Communities Act**

Proposed by Councillor Simmons

Green member motion

This Council notes the recent use of Section 5A(b) of the Sustainable Communities Act 2007 by Plymouth City Council to demand that the Government releases “all government departmental information and analysis pertaining to the impacts upon Plymouth’s communities and businesses of the UK’s withdrawal from the European Union, including any information deemed by the government to be confidential”. Like Oxford, where a report commissioned by Finance Panel has identified the risks to our City posed by Brexit, Plymouth City Council had also identified a number of risks to the economic and social wellbeing of its communities as a result of the European Union (Withdrawal) Act 2018.

**Council agrees to similarly invoke the Sustainable Communities Act by writing to the Secretary of State for Housing, Communities and Local Government, so that it can obtain the accurate and up-to-date information it**

**needs to best engage with businesses, institutions and communities and inform its own actions with respect to protecting Oxford, the Council and Council services from the effects of the Government's approach to Brexit.**

*Background Information: Letter from Plymouth City Council to the Secretary of State for Housing, Communities and Local Government*

<http://democracy.plymouth.gov.uk/documents/s90646/2018%2008%2028%20Correspondence%20re%20Sustainable%20Communities%20Act%202007%202.pdf>

## **16f Oxford Weighting**

Proposed by Councillor Bely-Summers

Labour member motion

Oxford is the most expensive city to live in the UK. A band 2 porter working for the NHS Hospital trusts and renting a single bedroom flat in Oxford can expect to pay 85% of their wages on rent.

For staff in higher bands the situation is little better. As a result the NHS in Oxfordshire has twice the national vacancy rate. Patient care is undermined; vital cancer operations are being delayed. Staff are having to work extra shifts due to high living costs and high number of vacancies.

With a much higher proportion of BAME staff among the lower bandings these issues are disproportionately affecting them.

Local MPs support the Oxford Weighting for NHS staff to help address the recruitment and retention crisis. NHS employers would like to see additional funds to help them recruit the workforce needed to provide care for the local population.

### **Oxford City Council resolves**

1. to Campaign publicly for Oxford Weighting for NHS staff and against in work poverty with officer resources allowing data collection around this vital issue to contribute to the development of a comprehensive workforce strategy and tackle inequalities;
2. to use its influence via Oxfordshire Joint Health Overview & Scrutiny Committee and the Oxfordshire Health & Wellbeing Board to call for higher wages for all;
3. to give a clear message to our NHS partners that the health of our Oxford residents is vitally important at a time when health inequalities are increasing especially in the most deprived areas of Oxford.

## 16g Building a statutory youth service

Proposed by Councillor Simm

### Labour member motion

Oxford City Council notes:

- That excellent work being carried out, on a limited budget, by the City Council's Youth Ambition service in Oxford, especially in areas of high deprivation.
- That the Conservative Government has failed young people by overseeing unprecedented and cruel cuts to youth services across Oxford City. Overall spending on youth services in England has fallen by £737m (62%) since 2010.
- Youth work as a profession has been eroded and undermined through funding cuts and market reforms. This has resulted in a reduction in the number of JNC programmes, the number of providers employing JNC qualified workers and the number of students enrolling in undergraduate programmes.
- Between 2012 and 2016, 600 youth centres closed down and 3,500 youth workers lost their jobs.
- Cuts to youth services have devastated the lives of young people by damaging community cohesion, making it harder to stay in formal education, and having a negative impact on their health and wellbeing.
- 83% of youth workers say the cuts have had an effect on crime and anti-social behaviour.
- Youth work is a distinct educational process offering young people safe spaces to explore their identity, experience decision-making, increase their confidence, develop inter-personal skills and think through the consequences of their actions. This leads to better informed choices, changes in activity and improved outcomes for young people.

Oxford City Council believes:

- Youth services should be made statutory, recognising the important role universal youth work plays in supporting young people to realise their potential.
- Oxfordshire County Council should set up a local youth services partnership with young people, parents, professionals and councillors, to ensure that provision is tailored to the needs of each community.
- It should be the responsibility of the Secretary of State to promote and secure youth services in each local authority across the country.

- There should be a mandated national body with dedicated ring fenced funding to oversee youth service provision across England.

**Oxford City Council resolves to ask Oxford's MPs to support and campaign for statutory youth services.**

## **17 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.

## **Councillors 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; licenses for land in the Council’s area; corporate tenancies; and securities. These declarations must be recorded in each councillor’s Register of Interests which is publicly available on the Council’s website.

### **Declaring an interest**

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

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

### **Members’ Code of Conduct and public perception**

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

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

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## Minutes of a meeting of the COUNCIL on Monday 23 July 2018

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### Committee members:

Councillor Cook (Lord Mayor)	Councillor Malik (Deputy Lord Mayor)
Councillor Simmons (Sheriff)	Councillor Arshad
Councillor Altaf-Khan	Councillor Azad
Councillor Bely-Summers	Councillor Brown
Councillor Chapman	Councillor Clarkson
Councillor Corais	Councillor Curran
Councillor Djafari-Marbini	Councillor Donnelly
Councillor Fry	Councillor Gant
Councillor Goddard	Councillor Gotch
Councillor Goff	Councillor Haines
Councillor Hayes	Councillor Henwood
Councillor Hollingsworth	Councillor Howlett
Councillor Iley-Williamson	Councillor Rush
Councillor Kennedy	Councillor Landell Mills
Councillor Lloyd-Shogbesan	Councillor Lygo
Councillor McManners	Councillor Munkonge
Councillor Pressel	Councillor Rowley
Councillor Simm	Councillor Linda Smith
Councillor Roz Smith	Councillor Tanner
Councillor Tarver	Councillor Taylor
Councillor Tidball	Councillor Turner
Councillor Upton	Councillor Wolff

### Apologies:

Councillors Aziz, Harris and Humberstone sent apologies.  
Cllrs Goff and Tidball left before the meeting ended.  
Cllrs Arshad and Iley Williamson arrived after the start of the meeting.

## **12. Declarations of interest**

Councillor Turner declared an interests: he had accepted a secondment to the Foreign Office and so would not take part in Council debates or decisions on matters of government foreign policy for the duration of this. He remained employed by Aston University.

## **13. Minutes**

Council agreed to approve the minutes of

- the ordinary meeting of Council held on 23 April 2018 and
- the annual meeting of Council held on 15 May 2018

as a true and correct record.

## **14. Appointment to Committees**

Councillor Brown, Leader of the Labour Group, announced and Council approved the following appointments to committees to fill vacant seats:

- East Area Planning Committee
  - Councillor Lygo
- General Purposes Licensing Committee
  - Councillor Corais
- Scrutiny Committee
  - Councillor Lygo
  
- Oxfordshire Growth Board Scrutiny Panel
  - Councillors Gant, Henwood, and Simmons

Councillor Gant, Leader of the Liberal Democrat Group announced and Council approved the following appointments to committees to fill vacant seats:

- East Area Planning Committee
  - Councillor Garden

## **15. Announcements**

The Lord Mayor drew attention to the list of engagement in the Briefing Note and that the annual Abingdon – Oxford Bowls match was on 5 August. He welcomed volunteers for the team.

The Sheriff announced he had attended the AGM of Oxford Samaritans and had met with the Wolvercote Commoners.

The Leader announced:

- Councillor Tidball would be taking maternity leave from her Executive role from 1 August. Councillor Simm would temporarily take over the Supporting Local Communities portfolio and join the City Executive Board.

- She had appointed Champions (non-Executive lead members) :

Cllr Shaista Aziz – Representation in the Workforce Champion

Cllr Pat Kennedy – Old Peoples' Champion

Cllr Mark Lygo – Champion for Sports in Schools

Cllr Martyn Rush – Living Wage Champion

## **16. Public addresses and questions that relate to matters for decision at this meeting**

There were no addresses or questions

## **17. Tenancy Strategy and Tenancy Policy 2018-2023**

Councillor Iley-Williamson arrived during this item.

Council considered a report of the Head of Housing Services, submitted to the City Executive Board on 13 June 2018, recommending approval of the amended Draft Tenancy Strategy and Tenancy Policy 2018-23 and associated appendices.

Councillor Rowley, Board Member for Housing, presented the report, answered questions and moved the recommendations which were adopted on being seconded and put to the vote.

### **Council resolved to**

approve the amended Draft Tenancy Strategy and Tenancy Policy 2018-23 and associated appendices.

## **18. Q4 2017/18 Integrated Report**

Council considered a report of the Head of Financial Services, submitted to the City Executive Board on 13 June 2018, updating Council on finance risk and performance at the end of the 2017/18 financial year and seeking agreement for new and carried forward financial requests for 2018/19.

Councillor Turner, Board Member for Finance and Asset Management, presented the report and moved the recommendations which were adopted on being seconded and put to the vote.

The Chair of the Scrutiny Finance Panel confirmed the Panel had considered the report and financial requests

### **Council resolved to:**

1. Establish budgetary provision of £364k in the General Fund in respect of the new bids shown in paragraph 6 and Appendix D of the report;
2. Establish budgetary provision of £70k in respect of the new HRA bids as detailed in paragraphs 16 to 19 and Appendix D of the report.

## 19. Scheme of Delegation and Amendment to Proper Officer Designations

Councillor Arshad arrived before the start of this item.

Council considered a report of the Head of Law and Governance recommending approval of the Council's scheme of delegation with a change to the Proper Officer designations (Parts 5 and 10 of the Council's Constitution).

Councillor Brown, Leader of the Council, presented the report and moved the recommendations. She proposed an amendment to the proper officer for Highways Act 1980 functions to ensure this was assigned to an employee only of the Council: changing *Highways Client Manager* to *Client Manager* (ie the person with responsibility as client manager for Oxford Direct Services).

The recommendations as amended, on being seconded and put to the vote, were adopted.

### Council resolved to:

approve the Council's scheme of delegation as set out in Part 5 of the Council's Constitution with the addition to the proper officer designations set out in the report, **and as amended at the meeting**

Local Government Act 1972 Section 234	Signing notices, orders and other documents which the Council is required or authorised to issue by or under any enactment	All Heads of Service.  The Head of Housing will be the Proper Officer for all Council functions transferred to Oxford Direct Services in performance of the role Council Representative (Oxford Direct Services)
Highways Act 1980	Signing notices, orders and other documents which the Council is required or authorised to issue	<b><u>The person with responsibility as client manager for Oxford Direct Services</u></b>

## **20. City Executive Board Minutes**

### **a) Minutes of meeting Tuesday 15 May 2018 of City Executive Board**

There were no questions.

### **b) Minutes of meeting Tuesday 22 May 2018 of City Executive Board**

#### **Minute 11 Scrutiny Committee Reports – Oxford Town Hall**

Councillor Goff asked whether there was any progress on implementing the recommendations in the audit on the Town Hall's accessibility and whether councillors and officers were involved in this.

Councillor Tidball replied that and a project plan would be drawn up to implement what could be major programme of work but this would take time. The audit was undertaken by professional specialists.

#### **Minute 14 Review of Discretionary Housing Payment policy**

Councillor Simmons asked whether the sentences .....*This was patently not the case and, for the avoidance of doubt, the record should be corrected. To that end, the Scrutiny Committee should be asked to make this clear in its next minutes.* ....could be better phrased as this wording gave the impression that the Board were attempting to change the record of the Scrutiny Committee's meeting.

Councillor Brown confirmed that the Board was not asking for changes to the minutes of the Scrutiny Committee meeting but that the matter be clarified for the committee and appropriately recorded. She asked for this to be noted as signed minutes cannot be subsequently altered.

The Chair of the Scrutiny Committee confirmed the Committee had received the information and was content with the wording in their minutes.

### **c) Minutes of meeting Wednesday 13 June 2018 of City Executive Board**

#### **Minute 24 Fusion Lifestyle's 2018/19 Annual Service Plan**

Councillor Gant asked if the information in and presentation of performance reports from Fusion could be improved.

Councillor Smith replied that she would seek improvements.

#### **Minute 32 Appointments to Outside Bodies 2018/19**

Councillor Roz Smith asked who would be appointed as representatives on the Headington Parish Charity and Risinghurst Community Centre

Councillor Brown replied that appointees would be decided at the next meeting of the City Executive Board.

### **d) Minutes of meeting Wednesday 11 July 2018 of City Executive Board**

There were no questions.

## **21. Questions on Notice from Members of Council**

34 written questions on notice were submitted. These, written responses, and summaries of the 14 supplementary questions and responses are set out [in the supplement to these minutes](#).

## **22. Outside organisation/Committee Chair reports and questions**

This item was taken before the public addresses.

Council had before it a report on the Oxfordshire Health and Wellbeing Board.

The Board Member, Councillor Upton spoke to this report

**Council noted the report and comments.**

## **23. Scrutiny Committee update report**

This item was taken before the public addresses.

Council had before it the annual report of the Council's Scrutiny Committee for 2017/18.

Councillor Gant, the Chair of the Scrutiny Committee presented the report and outlined key themes for the coming year which included quarterly monitoring of leisure performance and the work of the Companies Panel. Review Groups had been established to consider issues related to homelessness and tourism management.

Councillor Turner thanked the committee and panels for their good work.

**Council noted the report and comments.**

## **24. Public addresses and questions that do not relate to matters for decision at this Council meeting**

There were seven addresses to Council and one question to Board Members.

1. Jenny Stanton and Nikki Marriott of the Oxford Ramallah Friendship Association (ORFA) gave an address in support of the motion on twinning.
2. Judith Harley gave an address outlining problems with car and bike parking at Temple Cowley Library caused by the ongoing construction work and asking that the spaces are provided as shown in the planning permission.
3. Judith Harley gave an address asking for change to planning call in arrangements in the Council's Constitution.
4. Artwell gave an address about Oxford Direct Services Ltd.
5. Artwell gave an address about Barton Community Association.

6. Nigel Gibson gave an address about the pricing structure and price increases at the Council's leisure centres as in his view these were still not correct and still resulted in Oxford City Council discriminating against disabled people.
7. Sharone Parnes gave an address asking the Council to adopt the IHRA definition of anti-Semitism, emphasising he asked for its adoption in its entirety with all the examples.

Councillor Brown made a statement after this address:

*I thank Councillor Parnes for his petition. Following receipt of his petition I checked that we had not responded to the letter of January 2017. He is correct that we had not. Believing that all parties in the council would want Oxford City Council to be signed up to the IHRA definition of antisemitism, to make clear our abhorrence for racism in any form, I have written to the current Secretary of State for Local Government and Housing, James Brokenshire MP on behalf of the City Council. I will ask Committee Services to send a copy of the letter to all councillors and for the letter to form part of the formal record of this meeting.*

*It is important to note that neither the definition nor the examples cited in the declaration document preclude anyone from criticising Israeli government policy, but quite rightly demand that the language used to do so is appropriate.*

*Last week saw Israel pass a new law, the Nation State Law, that anyone committed to equality and minority rights must rightly condemn. I therefore am also intending to write this week to our two city MPs to ask them to take every opportunity to raise in parliament and with ministers the horror with which we view this new policy and to ask our government to make representations to the Israeli government. I will also circulate these letters which should also form part of the record of this council meeting.*

8. Artwell asked a question about the future of the Royal British Legion Building, Barton

The full text of these speeches and question where these were read as submitted; responses from the Board Members in writing before the meeting; and summaries of verbal responses given at the meeting are [in the supplement to these minutes](#).

## **25. Motions on notice**

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

**Council resolved to adopt the following motions as set out in these minutes:**

- a. Eco standards in new buildings
- b. Opposition to the Oxford Cambridge Expressway road plans and the expansion of Oxford airport
- c. Stop Roll out of Universal Credit, Fix its Impact on Vulnerable People
- d. Homelessness
- e. Supporting a People's Vote on the final Brexit deal
- f. Extending twinning links

At the conclusion of debate on the third motion, Councillor Tanner proposed and the Lord Mayor seconded suspension of the relevant standing orders to extend the time limit for the debate on motions by 30 minutes to allow all motions to be considered.

On being put to the vote, **Council resolved to suspend the relevant standing orders and extend the time limit for the debate on motions by 30 minutes to allow all motions to be considered.**

**a) Eco standards in new buildings**

The Lord Mayor proposed and Council agreed to take this as the second motion after the break and public speaking.

Councillor Gotch, seconded by Councillor Landell Mills, proposed his submitted motion, as amended by him as proposer after publication of the agenda and as set out in the briefing note.

The Monitoring Officer tabled advice (attached as a supplement to the minutes) setting out reasons why the motion before Council should not be accepted. In response to a challenge by Councillor Gotch she explained she presented her advice following his confirmation that the amended motion should be presented for debate.

Cllr Hollingsworth proposed an amendment at the meeting, and tabled for all members, and seconded by Councillor Turner.

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

After debate and on being put to the vote, the amended motion was agreed.

**Original motion – as proposed and amended by Councillor Gotch**

*Council wishing to live up to its green aspirations requests that CEB members consider the following measures to apply to all housing schemes for 20 or more dwellings, private or public, with officers encouraging developers to incorporate:*

1. *District heating schemes to be included, lowering the carbon footprint substantially compared to all dwellings [ and other buildings ] having separate boilers.*



2. *Electricity generating solar panels to all dwellings [ or block of dwellings ] and extensive external electricity charging points , to be provided .*
  3. *Whole house ventilation wherever noise or air pollution levels are high.*
  4. *Higher standard factory-built structures – delivered to site faster and cheaper than by conventional building methods.*
  5. *Site planning and extensive landscaping – particularly with trees – to minimise the impact of noise and air pollution sources and maximise solar gain.*
- Points 2 – 5 should apply also to projects with 3 – 19 dwellings.*  
*Council requests offices to monitor the effectiveness of encouraging developers to adopt the measures outlined above, and report annually to Council - in a simple format.*

### **Amendment – as proposed and tabled by Councillor Hollingsworth**

Replace first paragraph with:

*This Council in reflecting its long-standing commitment to high environmental standards in its planning policies, and noting that many such measures were outlined in the Preferred Options consultation in 2017, requests that the CEB in preparing the final draft of the Oxford Local Plan 2036, subject to the proposals being compliant with the requirements in the revised National Planning Policy Framework (NPPF 2018) and where they are not more properly part of the requirements of the Building Regulations, considers whether the following might be appropriate as the basis for inclusion as policies either in the Local Plan or in the Corporate Strategy or other similar document:*

Leave points 1 to 5

Delete the line beginning “Points 2-5 should apply...”

Replace final paragraph with:

*Council further requests that where any such policies are adopted, whether it be in the Local Plan or in the Council’s Corporate Strategy, or in any other similar document, that data is collated and reported annually in a simple format.*

### **Motion as adopted**

**Council resolved to adopt the following motion, as amended:**

This Council in reflecting its long-standing commitment to high environmental standards in its planning policies, and noting that many such measures were outlined in the Preferred Options consultation in 2017, requests that the CEB in preparing the final draft of the Oxford Local Plan 2036, subject to the proposals being compliant with the requirements in the revised National Planning Policy Framework (NPPF 2018) and where they are not more properly part of the requirements of the Building Regulations, considers whether the following might be appropriate as the basis for inclusion as policies either in the Local Plan or in the Corporate Strategy or other similar document:

1. District heating schemes to be included, lowering the carbon footprint substantially compared to all dwellings [ and other buildings ] having separate boilers.

2. Electricity generating solar panels to all dwellings [ or block of dwellings ] and extensive external electricity charging points , to be provided .
3. Whole house ventilation wherever noise or air pollution levels are high.
4. Higher standard factory-built structures – delivered to site faster and cheaper than by conventional building methods.
5. Site planning and extensive landscaping – particularly with trees – to minimise the impact of noise and air pollution sources and maximise solar gain.

Council further requests that where any such policies are adopted, whether it be in the Local Plan or in the Council's Corporate Strategy, or in any other similar document, that data is collated and reported annually in a simple format.

Councillor Goff left the meeting after this item.

**b) Opposition to the Oxford Cambridge Expressway road plans and the expansion of Oxford airport**

*The Lord Mayor proposed and Council agreed to take this as the first motion and debate this before the break and public speaking.*

Councillor Wolff, seconded by Councillor Simmons, proposed the submitted motion as set out in the agenda and briefing note.

Councillor Brown, seconded by Councillor Hollingsworth proposed the submitted amendment as set out in the briefing note.

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

After debate and on being put to the vote, the amended motion was agreed.

**Council resolved to adopt the following motion, as amended:**

Council notes the well-attended meeting on climate change held on 12th January 2018 at the Wesley Memorial Church organised by local campaigning groups and addressed by, amongst others, Oxford's two MPs.

Council notes the concern expressed by one of the expert speakers, and in public questions, over the planned Oxford-Cambridge Expressway road, as well as the proposed expansion of the Oxford Airport, both incompatible with achieving climate change goals.

Since the January meeting opposition to the Expressway road has, in particular, grown significantly.

With respect to the airport, the capacity increases that the proposed lengthened runway will deliver, including the encouraging of disproportionately damaging short trips by air, will only lead to a net increase in transport emissions.

This Council has stated its commitment to climate change reduction on several occasions and recognises that all levels of Government must play their part in tackling climate change.

This Council therefore wishes to restate its support of integrated public transport systems, and prioritisation of clean travel such as pedestrian, cycling and clean public transport and asks the Secretary of State for Transport to consider these principles when making their decision on their proposals for an Oxford-Cambridge Expressway. The Council's commitment to improved Air Quality is well known. Council also notes the deficiencies in the democratic process of making this decision. We request that the Leader of the Council writes to the relevant ministers and Oxford's MPs informing them of these views.

**c) Stop Roll Out of Universal Credit, Fix its Impact on Vulnerable People**

Councillor Tidball, seconded by Councillor Bely-Summers proposed the submitted motion as set out in the agenda and briefing note.

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

**Council resolved to adopt the following motion:**

Last month, the National Audit Office report "Rolling out Universal Credit" highlighted a number of urgent problems about the way Universal Credit works in practice and acknowledges that the Department for Work and Pensions has actually dismissed evidence of difficulties and hardship on claimants 'instead of working with these bodies to establish an evidence base for what is actually happening'. Indeed the National Audit Office (NAO) doubts 'it will ever be possible to measure whether the economic goal of increasing employment has been achieved'. This, the extended timescales, and the cost of running Universal Credit compared to the benefits it replaces has caused the NAO to conclude that 'the project is not value for money now, and that its future value for money is unproven'.

On 18 May 2018, the Council and Oxford & District Action on Child Poverty, held a conference with local stakeholders to share experiences and learning from supporting Oxford residents on receiving Universal Credit. The meeting included advice organisations, housing associations and specialist support providers from the third sector. This reflected the findings of the NAO and showed the desperate impact Universal Credit is having on vulnerable individuals in our City. It also reflected the Council's own experience in supporting the DWP to deliver Universal Credit. The following are just some of the dire problems with the operation of and hardship caused by Universal Credit:

- some young people in education have had difficulty in claiming Universal Credit, despite being eligible, particularly those in care and with specialist educational needs and disabilities (SEND);
- the inability to claim Universal Credit when in hospital is delaying discharges for many vulnerable groups, including those with mental health problems;
- prisoners are unable to access computers, so cannot learn how to apply for Universal Credit before they are released. Some types of offender may be barred from accessing digital services even when they are not in custody;
- it is difficult for people with disabilities to arrange home visits when they need them in order to be able to make a claim;
- there is insufficient support for claimants with mental health needs;

- those without ICT and literacy skills need a lot more support than DWP say they do;

The explicit consent rule means that it takes advice organisation four times longer to deal with an issue compared to legacy benefits. Oxford City Council is also experiencing significant additional workloads as a result of Universal Credit. Oxford City Council currently has six full time members of staff dealing with these Universal Credit notifications provided by DWP, but the funding provided by DWP for this work doesn't even cover the costs of one member of staff.

Oxford City Council calls on the government to stop the roll out of universal credit and urgently work to fix its impact on vulnerable people by ensuring the DWP:

- 1) Immediately reviews the way support is provided for the vulnerable groups highlighted above;
- 2) Pauses the migration of these customer types while that review is conducted;
- 3) Urgently reduces the burden of work for local authorities created by the provision of unnecessary notices;
- 4) Provide funding to local authority software suppliers to automate the administration of the Universal Credit notices;
- 5) Reviewing the funding arrangements for the work that local authorities are required to do, to support the delivery of Universal Credit. Including, increasing funding for staffing for local authorities supporting migration to UC to a level sufficient to enable local authorities to deliver the effective support for residents migrating to Universal Credit that is needed.

and asks that the Leader makes representations to that effect.

#### **d) Homelessness**

Councillor Gant, seconded by Councillor Landell Mills, proposed the submitted motion as set out in the agenda and briefing note.

Councillor Smith, seconded by Councillor Henwood proposed the submitted amendment as set out in the briefing note.

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

After debate and on being put to the vote, the amended motion was agreed.

#### **Council resolved to adopt the following motion, as amended:**

Council notes:

- 61 people are sleeping rough in Oxford, a figure that is thought to be just the lowest estimate, with real numbers likely to be closer to three figures. This is an 85% increase from 2016-17, compared to a 15% rise nationally and 24% rise in the South East of England.
- *The City Council punches above its weight when it comes to homelessness services, we work with Oxford's homeless charities to fund a wide range of support services and accommodation, this year our budget increased to £1.8million. we also committed £1.5million to keep Simon House hostel open in*

*the face of closure and build a brand new facility for rough sleepers with complex needs in Cowley.*

- *The extra £790k funding made available to Oxford through the Government's Trailblazer initiative which is helping prevent homelessness through targeted outreach work provided by Connection and Aspire including housing advice workers embedded in local hospitals, and working with social services and probation service.*
- *The successful bid by the council to MHCLG for £503k to alleviate rough sleeping this winter which will be used to provide an additional 64 beds, expand the Street Population Outreach team and create a multi-agency service hub for rough sleepers in the city centre.*

Council believes:

- *Those who are sleeping rough should be identified as quickly as possible, so as to be helped until they are no longer homeless. The St Mungo's Outreach team funded by the council and set to expand do this crucial work well.*
- *Emergency accommodation can never be the long-term answer, which is why this council prioritises the building of genuinely affordable homes available for social rent.*
- *Stable, long-term homeless accommodation is necessary if we're to fix Oxford's homeless issues. That is why this council allocated £15million to buy homes for otherwise homeless Oxford families, and added a further £5million to the 'Real Lettings' fund in this year's budget.*
- *More can be done to tackle Oxford's homelessness crisis on a local level, despite setbacks relating to national government funding cuts.*
- *The absence of stable, long-term accommodation can have hugely adverse impacts on both mental and physical health, pushing many people toward substance addiction and crime.*
- *Tackling homelessness is best done by preventing it from happening in the first place. That is why this council operates the 'Home Choice' Rent Guarantee scheme. This tops up private sector rents above LHA rates and our pilot scheme now works with tenants to increase their household income. We also administer Discretionary Housing Payments. Alongside our partners the council prevented 1107 households becoming homeless in 2016/17.*

Council resolves:

- *To continue to explore flexible options to accommodate and/or support homeless rough sleepers, including those who have no local connection with city or anywhere else and no recourse to public funds. We will do this in conjunction with our partners in the charitable, voluntary and social enterprise sectors, including through our work with the City Conversation Partnership which we resource.*
- *To continue our investment in the 'Real lettings' property fund, which purchases properties for use as temporary accommodation for local families who would otherwise be homeless, with support for tenants provided by St Mungos. This ensures there is a clear link between stable housing for homeless people and relevant support services, so they can have access to long-term, high quality support for as long as they need.*
- *Where possible, use the existing local charities and social enterprises to provide relevant services.*

- *To work with local charities to ensure mental and physical health and substance misuse support, pre-tenancy training and employment assistance is accessible to all those who fall into homelessness.*
- *To explore further options that will prevent homelessness in the first place, building on our Home Choice scheme which makes the private sector more accessible for many Oxford residents.*

**e) Supporting a People's Vote on the final Brexit deal**

Councillor Tidball left the meeting before this debate.

Councillor Turner left the meeting for this motion as this related to national government policy

Councillor Simmons, seconded by Councillor Wolff, proposed the submitted motion as set out in the agenda and briefing note.

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

**Council resolved to adopt the following motion:**

This Council notes that:

- More than 70% of Oxford residents voted to remain in the EU
- There are a large number of non-UK EU nationals living in Oxford who remained concerned at the impact of Brexit
- Full Council has passed several motions supporting the various benefits of EU membership
- A report commissioned by Scrutiny's Finance Panel shows a range of negative impacts that a 'bad' Brexit deal could have on Oxford's economy and the City Council's finances
- The recent warning by BMW (who are already building Minis in the Netherlands) that its manufacturing set-up would not be able to cope were Brexit to disrupt cross-border trade; concerns echoed by many other businesses
- Many residents and politicians from the City attended the march in London on 23 June 2018, the second anniversary of the EU referendum, in support of a People's Vote on the final Brexit deal.

This Council also notes that the recent 'Chequers Statement', issued on 6th July 2018 (and the closest indication yet of what a final deal might look like), has managed to alienate both Remainers and Brexiteers alike.

This Council therefore:

- 1) Wishes to formally add its voice to those calling for a public 'People's Vote' on the final Brexit deal
- 2) Agrees to liaise with the official 'People's Vote' campaign on ways in which it can help promote its petition
- 3) Agrees to write to its MPs expressing its views and asking them to support a People's Vote

and asks the Leader to make representations and write to this effect.

**f) Extending twinning links**

Councillor Tanner, seconded by Councillor Rush, proposed the submitted motion as set out in the agenda and briefing note.

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

**Council resolved to adopt the following motion:**

Oxford City Council reaffirms its commitment to do all it can to ensure that Oxford remains an international and European city open to all. Whatever the results of Britain's negotiations with the rest of the European Union we are determined to strengthen and deepen Oxford's links with other cities inside and outside Europe.

To this end we call on the City Executive Board to:

- a) continue support for Oxford's existing twinning links with Leiden (Netherlands), Bonn (Germany), Grenoble (France), Perm (Russia) and Leon (Nicaragua);
- b) continue to support the Oxford European Association and promote the interests of non-British European citizens living in Oxford;
- c) initiate new twinning links with both Wroclaw (Poland) and Padua (Italy);
- d) initiate a twinning link based on the long-standing friendship between Oxford and Ramallah (Palestine).

**The meeting started at 5.00 pm and ended at 9.00 pm**

**Chair .....**

**Date: Monday 1 October 2018**

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**To:** City Executive Board  
Council

**Date:** 18 Sept 2018  
1 October 2018

**Report of:** Head of Financial Services  
Head of Business Improvement

**Title of Report:** Integrated Performance Report for Quarter 1 2018/19

<b>Summary and recommendations</b>	
<b>Purpose of report:</b>	To update Members on Finance, Risk and Performance as at 30 <sup>th</sup> June 2018.
<b>Key decision:</b>	No
<b>Executive Board Member:</b>	Deputy Leader - Finance & Asset Management (Councillor Ed Turner)
<b>Corporate Priority:</b>	Efficient and Effective Council.
<b>Policy Framework:</b>	Corporate Plan
<b>Recommendations: That the City Executive Board resolves to:</b>	
1.	<b>Note</b> the projected financial outturn, the current position on risk and performance as at the 30 <sup>th</sup> June 2018;
2.	<b>Recommend</b> to council to approve the increase of the HRA capital budget for Social Rented Housing Acquisitions by £0.444 million to a total of £1.479 million. This will be fully funded by Retained Right to Buy capital receipts. More details are included in paragraph 10; and
3.	<b>Recommend</b> to Council to approve the additional capital budget for the Replacement of the Housing Computer System of £0.450 million as per the details in paragraphs 11-12.

## Appendices

Appendix A	Corporate Integrated Dials
Appendix B	General Fund - June 2018 Forecast Outturn
Appendix C	Capital Programme - June 2018 Forecast Outturn
Appendix D	HRA - June 2018 Forecast Outturn

### Introduction and background

1. This report updates the Board on the financial, corporate performance and corporate risk positions of the Council as at 30th June 2018. A brief summary is as follows:
2. **Financial Position**
  - a. **General Fund** – the outturn position is forecast to be an adverse variance of £0.094 million against the latest net budget of £22.098 million;
  - b. **Housing Revenue Account** – the outturn position is forecasting a nil variance against the budgeted deficit of £1.440 million;
  - c. **Capital Programme** – the outturn position is forecasting a favourable variance of £2.350 million against the latest budget of £114.373 million;
3. **Performance** – 41% (5) of the Council’s corporate performance targets are being delivered as planned, 25% (3) are below target but within acceptable tolerance limits, 17% (2) are currently at risk and 17% (2) are showing as no data available, as described in paragraphs 13 to 15;
4. **Corporate Risk Management** – There are no red corporate risk at the end of quarter one. More details of risks can be found in paragraph 12.

### Financial Position

#### General Fund Revenue

5. The overall Net Budget Requirement agreed at Council in February 2018 was £22.098 million. Since setting the budget, service area expenditure has increased by a total of £1.254 million which mainly represents unspent budget approved for carry forward from 2017/18 being added to 2018/19 budgets. These carry forwards have been funded by a corresponding release from Earmarked Reserves to ensure that the Net Budget Requirement remains unchanged. There has also been a release from contingencies for Business Rates uplifts in the sum of £0.198 million across the service areas arising from the revised Business Rates Revaluation.
6. Virements between service areas, authorised under delegated powers by the Council’s Head of Financial Services totalling £0.643 million have also taken place, the most notable of which (£0.350 million) relates to the release from Transformation funds for ongoing projects and £0.105 million being the allocation of

the training budget across service areas. There is no change to the Council's Net Budget Requirement.

7. At 30<sup>th</sup> June 2018 the General Fund Service area expenditure is projecting an adverse variance of £0.494 million against the latest budget of £28.411, this is in part offset by a favourable variance on the Councils funding with an overall adverse variance of £0.094 million against the latest net budget requirement of £22.098 million. The key variances are:
  - **Direct Services** – £0.494 million adverse variance arising from a decline in car parking income. It was originally envisaged that visitor numbers travelling into the city by car would significantly increase with the opening of Westgate, but this has not been the case most of the time. Worcester Street and Oxpens car park are both seeing a decline in usage which is having a significant impact on income.
  - **Funding** – £0.400 million favourable variance which is due to Business Rates income from the properties in the Westgate centre being rated higher than expected, and therefore providing additional income above that originally budgeted for.

### **Housing Revenue Account**

8. The budgeted deficit agreed at Council in February 2018 was £1.440 million, and the Housing Revenue Account is currently forecasting a nil variance against this deficit. However some budget variations have been made across the HRA and the most notable are:
  - Management and Services (stock related) – projected favourable variance of £0.595 million. This is an accounting adjustment to reflect the full cost of work undertaken by Oxford Direct Services Ltd which was previously restricted. This is offset by a corresponding transfer to capital financing reserves to ensure no overall variance in the HRA.
9. In its housing Green Paper, the government indicates it will no longer pursue plans for a levy on proceeds from the 'forced sale' of high value council properties. We have significant contingencies set aside to mitigate such a policy, and the avoidance of a need to draw upon these will ease pressure on the HRA capital programme.

### **Capital**

10. The projected outturn on the Capital Programme is currently a favourable variance of £2.350 million against the latest budget of £114.373 million. The main variances are:
  - **Phase 1 Affordable Housing at Barton Park** – slippage of £3.253 million due to the slippage of the first completions to August 2018.
  - **Housing System Replacement**– projected overspend of £0.450 million due to re scoping of the system, which is being funded from reserves. See para 11 below.
  - **Social Rented Housing Acquisitions** has a current in year approved budget of £1.035 million; this is used to purchase additional HRA properties and is fully funded by the associated receipts received from

a non RTB disposal of a high value HRA dwelling. Due to the urgent need to re-cycle these resources into replacement homes for residents of the city an opportunity to raise the available budget yet further was identified and it is recommended to approve an additional £0.444 million to this project being an extra 30% of the original sum funded from retained RTB capital receipts the Council is holding on to for precisely the funding of replacement affordable homes. This will allow additional larger properties to be considered for purchase to really help those families in desperate need of assistance in the city.

### **Housing System Replacement**

11. The current approved budget for the Housing System Replacement is £1.150 million, however a number of opportunities and enhancements have been identified since the original procurement exercise that has increased the proposed budget requirement to £1.600 million. These changes can be summarised as follows :

- During the original procurement exercise it became apparent that the functionality of the system was wider than anticipated. Therefore it was decided to extend the overall procurement timetable by four months allowing the project scope to be reassessed and re-evaluated. This has meant the benefits of the project have been extended to additional areas of the Council, and allowed the project team to plan more effectively. This resulted in additional salary and consultancy costs of £156k relating to the in-house seconded Project Team and external Project Manager.
- Further additional salary costs have been budgeted for to allow for an additional two months of intensive application support post Go Live being procured. The costs of this are estimated to be £60k.
- The additional functionality and reimplementation / upgrade of some existing software such as repairs scheduling and document management , as well as broadening the initial remit of the project has increased the requirement for additional consultancy services , interfaces and servers - £87k
- Procurement -£41k being the reapportionment of salary costs into the project budget envelope incurred as part of the extensive procurement exercise exploring the additional scope and opportunities associated with the widening remit of the project to enhance yet more Council services over the long term via improved efficiency performance and greater capabilities, ultimately for the benefit of Council customers.
- Accommodation recharge for project team -£28k This is an internal charge and reflects the costs of housing the project team at Horspath Road offices during the whole period of the project.
- Data specialist -£69k This is only an estimate but it is recognition that the project team lost a key member of staff whose role was to lead on data cleansing and data migration. There is a requirement to recruit a consultant on a short term contract to fill this important and critical role.
- Additional software - £9k as part of the project scope reassessment exercise the decision was made to procure and implement software

designed to enable staff and customers to diagnosis repairs with a greater degree of accuracy.

12. The additional spend on the project of £0.450 million requires approval to spend, however funding of £0.360 million is available from the HRA reserves with the balance of £90k being funded from General Fund (£26k and HRA £64k) reserves and balances.

### **Performance Management**

13. There are twelve corporate performance measures that are monitored during the year. Five (41%) are being delivered as planned, three (25%) are below target but within acceptable tolerance limits, and two (17%) are at risk of not meeting their target.
14. Two (17%) of the measures are currently showing no data available, the first of these is relating to the number of people using leisure centres and this profiled target is currently being finalised. The second of these is relating to the % of adults who are physically active, this data is provided by the Sport England Active lives Survey and the first set of data will be available in October 2018.
15. Of the five that are being delivered as planned, one relates to Vibrant and Sustainable Economy, one relates to Meeting Housing Need, one to Cleaner Greener Oxford and two to an Efficient and Effective Council.
16. The two measures that are not meeting their targets are as follows:
  - **Number of new homes granted permission in the city** – Target of 100 and an actual of 56 for the first quarter. Permission was granted for 15 new homes in June, which would be above the profiled monthly requirement.
  - **Amount of employment floor space for development (m2)** – Target of 3,750 m2 and an actual of 278 m2. There has been a loss of 35 m2 at King Edward St due to a change from B1 to class A retail. As noted in previous monitoring reports, there is a significant development including employment land proposed at the Northern Gateway.

### **Corporate Risk**

17. There are no Red risks at the end of the first quarter, however the Corporate Management Team are currently reviewing all corporate risks and revising the register ready for 2018/19, the full details of which will be available in the quarter 2 report.

### **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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Capital Budget and Spend as at 30th June 2018										
Cost Centre	Capital Scheme	2018/19 Budget Book	Latest Budget	Profiled Budget	Spend to 30th June 2018	Variance to Profile Budget	Forecast Outturn	Forecast Variance	Variance due to Slippage	Variance due to Over/ Under spend
		£	£	£	£			£	£	£
C3039	ICT Infrastructure	155,000	171,800	17,180	7,080	(10,100)	171,800	-	-	-
C3044	ICT Software and Licences	150,000	150,000	37,500	201,171	163,671	150,000	-	-	-
C3055	Waste Management Project	-	101,860	101,860	67,380	(34,480)	101,860	-	-	-
C3056	Agresso Upgrade	-	9,627	9,627	25,200	15,573	9,627	-	-	-
C3057	Housing System Replacement	665,000	759,555	60,764	71,181	10,417	1,209,555	450,000		450,000
C3058	CRM Application	200,000	200,000	9,901	-	(9,901)	200,000	-	-	-
C3060	End-Point Devices	300,000	290,546	2,905	-	(2,905)	290,546	-	-	-
C3062	Datacentre Upgrade	-	46,172	3,694	-	(3,694)	46,172	-	-	-
C3063	LAN/WiFi Refresh PS & Install	-	108,000	54,000	55,353	1,353	108,000	-	-	-
C3065	BTOP Phase 2	83,000	83,000	5,810	-	(5,810)	83,000	-	-	-
C3066	Telephony Device refresh	10,000	10,000	900	-	(900)	10,000	-	-	-
G6013	Superconnected Cities	40,000	38,963	24,157	16,467	(7,690)	38,963	-	-	-
	<b>S03 Business Improvement</b>	<b>1,603,000</b>	<b>1,969,523</b>	<b>328,299</b>	<b>443,833</b>	<b>115,534</b>	<b>2,419,523</b>	<b>450,000</b>	<b>-</b>	<b>450,000</b>
M5023	Oxpens Regeneration	-	4,160,000	1,040,000	-	(1,040,000)	4,160,000	-	-	-
	<b>S10 Regeneration and Economy</b>	<b>-</b>	<b>4,160,000</b>	<b>1,040,000</b>	<b>-</b>	<b>(1,040,000)</b>	<b>4,160,000</b>	<b>-</b>	<b>-</b>	<b>-</b>
	<b>CIL and S106 Funded Schemes</b>									
F7007	Woodfarm / Headington Community Centre	-	20,000	5,000	-	(5,000)	20,000	-	-	-
F7011	Headington Environmental Improvements	59,004	59,004	14,751	-	(14,751)	59,004	-	-	-
F7020	Work of Art Shotover View	14,635	14,635	3,659	-	(3,659)	14,635	-	-	-
F7024	St Clements Environmental Improvements	40,000	50,000	12,500	-	(12,500)	50,000	-	-	-
F0025	Westgate area public realm improvements	-	1,134,000	-	-	-	1,134,000	-	-	-
F0026	Pedestrianisation of Queen Street	500,000	500,000	-	-	-	500,000	-	-	-
			-	-						
	<b>Grants</b>									
E3511	Renovation Grants	25,773	25,773	5,000	8,304	3,304	25,773	-	-	-
E3521	Disabled Facilities Grants	1,810,959	1,718,381	257,757	194,475	(63,282)	1,718,381	-	-	-
E3560	Go Ultra Low Oxford - Taxis	478,000	478,000	-	3,750	3,750	478,000	-	-	-
E3561	Additional DFG Funding 2017/18	-	8,857	-	1,339	1,339	8,857	-	-	-
	<b>Environmental Sustainability</b>									
E3555	Flood Alleviation at Northway & Marston	-	-	-	13,769	13,769	0	-	-	-
E3557	Oxford and Abingdon Flood Alleviation Scheme	380,000	380,000	-	-	-	380,000	-	-	-
E3558	Go Ultra Low	471,607	590,728	1,435	4,878	3,443	590,728	-	-	-
	<b>S11 Planning, Sustainable Development &amp; Regulatory</b>	<b>3,779,978</b>	<b>4,979,378</b>	<b>300,102</b>	<b>226,516</b>	<b>(73,586)</b>	<b>4,979,378</b>	<b>-</b>	<b>-</b>	<b>-</b>
	<b>Covered Market</b>									
B0027	Covered Market - Improvements & Upgrade to Roof	-	-	-	-	-	0	-	-	-
B0101	Major Capital works at Oxford Covered Market	400,000	400,000	-	-	-	400,000	-	-	-
			-	-						
	<b>Investment Properties</b>									
B0046	Investment - Ship Street	-	12,520	12,520	4,822	(7,698)	12,520	-	-	-

Cost Centre	Capital Scheme	2018/19 Budget Book	Latest Budget	Profiled Budget	Spend to 30th June 2018	Variance to Profile Budget	Forecast Outturn	Forecast Variance	Variance due to Slippage	Variance due to Over/ Under spend
		£	£	£	£			£	£	£
B0092	Acquisition of Investment Properties	2,050,000	2,172,497	65,175	-	(65,175)	2,172,497	-	-	-
B0098	1-5 George Street	3,500,000	3,628,404	-	156,380	156,380	3,628,404	-	-	-
B0099	Ship Street & New Road	-	277,514	113,781	119,845	6,064	277,514	-	-	-
B0103	6 Queen Street works	375,000	375,000	93,750	7,672	(86,078)	375,000	-	-	-
B0108	Floyds Row Refurbishment	125,000	125,000	31,250	-	(31,250)	125,000	-	-	-
		-	-	-						
	<b>Miscellaneous Council Properties</b>	-	-	-						
B0100	Gloucester Green Car Park (H&S)	195,000	195,000	25,350	53,539	28,189	195,000	-	-	-
B0102	Repace or refurbish lifts	154,000	154,000	38,500	-	(38,500)	154,000	-	-	-
B0104	Old Gas Works Bridges	-	20,000	5,000	-	(5,000)	20,000	-	-	-
B0105	Westhill Barns (Shotover)	-	1,000	1,000	880	(120)	1,000	-	-	-
B0106	Capitalised Planned Maintenance	325,000	325,000	81,250	-	(81,250)	325,000	-	-	-
B0107	Discretionary Funding for Hsg Improves re Disabled	15,000	15,000	3,750	-	(3,750)	15,000	-	-	-
		-	-	-						
	<b>General Fund Housing Projects</b>	-	-	-						
M5019	Purchase of Homeless Properties	3,886,000	3,625,910	942,737	635,450	(307,286)	3,625,910	-	-	-
M5020	Empty Homes CPO Revolving Fund	-	-	-	-	-	0	-	-	-
M5021	Equity Loan Scheme for Teachers	100,000	270,600	67,650	-	(67,650)	270,600	-	-	-
M5024	National Homelessness Property Fund	2,500,000	2,500,000	-	-	-	2,500,000	-	-	-
M5025	Phase 1 Affordable Housing at Barton Park	8,440,000	8,440,000	2,110,000	-	(2,110,000)	5,186,691	(3,253,309)	(3,253,309)	-
M5026	Housing Company Loans	29,000,000	31,695,000	-	-	-	31,695,000	-	-	-
M5027	Purchase of Leasehold Lucy Faithful House	-	456,130	-	97,214	97,214	456,130	-	-	-
M5030	Loan to Housing Company - Lucy Faithful House	13,000,000	13,000,000	3,250,000	-	(3,250,000)	13,000,000	-	-	-
40										
	<b>S13 Housing Services</b>	<b>64,065,000</b>	<b>67,688,575</b>	<b>6,841,712</b>	<b>1,075,801</b>	<b>(5,765,911)</b>	<b>64,435,266</b>	<b>(3,253,309)</b>	<b>(3,253,309)</b>	<b>-</b>
B0075	Stage 2 Museum of Oxford Development	390,254	311,640	8,875	15,792	6,917	311,640	0	0	
B0083	East Oxford Community Centre	4,000,000	4,000,000	1,000,000	-	(1,000,000)	4,000,000	-	-	
B0084	Jericho Community Centre	200,000	200,000	50,000	-	(50,000)	200,000	-	-	
B0095	Barton Community Centre	-	888,317	310,911	43,143	(267,768)	888,317	-	-	
B0096	Bullingdon Community Centre	450,000	468,048	-	32,685	32,685	468,048	-	-	
A3129	Donnington Recreation Ground Improvements	-	37,850	9,463	-	(9,463)	37,850	-	-	
A4808	Blackbird Leys Leisure Centre Improvements	-	-	-	(880)	(880)	0	-	-	
A4820	Upgrade Existing Tennis Courts	-	35,000	8,750	-	(8,750)	35,000	-	-	-
A4833	Horspath Sports Park	720,082	1,977,962	494,491	644,823	150,332	1,977,962	-	-	
A4841	Skate Parks	70,000	70,000	70,000	-	(70,000)	70,000	-	-	-
A4842	Florence Park Tennis Courts	-	57,226	14,307	-	(14,307)	57,226	-	-	-
A4845	CCTV Suite Upgrade	80,000	80,000	20,000	-	(20,000)	80,000	-	-	-
A4847	Rose Hill Community Centre - Parking Management	10,000	10,000	2,500	-	(2,500)	10,000	-	-	-
A4848	Barton Fit Trail	-	7,085	1,771	-	(1,771)	7,085	-	-	-
A4851	Florence Parks Bowls Pavilion Demolition	-	100,000	25,000	-	(25,000)	100,000	-	-	-
	<b>S22 Community Services Total</b>	<b>5,920,336</b>	<b>8,243,128</b>	<b>2,016,066</b>	<b>735,564</b>	<b>(1,280,503)</b>	<b>8,243,128</b>	<b>0</b>	<b>0</b>	<b>-</b>
R0005	MT Vehicles/Plant Replacement Programme.	1,076,000	1,084,041	271,010	249,028	(21,983)	1,093,041	9,000	-	9,000
T2289	Vehicle Brush Wash	-	-	-	93	93			-	
T2277	Food waste collection from flats	-	-	-	5,754	5,754			-	-
B0081	Car Parking Oxpens	243,000	243,000	-	-	-	243,000	-	-	
B0086	Extension to Seacourt Park & Ride	3,483,901	3,716,786	929,196	66,802	(862,394)	3,716,786	-	-	



Cost Centre	Capital Scheme	2018/19 Budget Book	Latest Budget	Profiled Budget	Spend to 30th June 2018	Variance to Profile Budget	Forecast Outturn	Forecast Variance	Variance due to Slippage	Variance due to Over/ Under spend
		£	£	£	£			£	£	£
T2273	Car Parks Resurfacing	300,000	422,416	316,812	197,600	(119,212)	422,416	-	-	
T2290	Marsh Road Recreation Ground Car Park Extension	-	315,465	-	173,874	173,874	315,465	-	-	
T2293	Marsh Road Depot Extension	-	-	-	-	-				
T2294	Pest Control Equipment	35,000	35,000	8,750	-	(8,750)	35,000	-	-	
T2296	Infrastructure Improvements Florence Park	81,000	81,000	-	-	-	81,000	-	-	
T2297	Infrastructure Improvements Meadow Lane Car Park	92,000	92,000	-	-	-	92,000	-	-	
T2298	Parks & Open Spaces - Tree Team additional resources	26,000	26,000	-	-	-	26,000	-	-	
T2299	Controlled Parking Zones	200,000	200,000	-	-	-	200,000	-	-	
T2287	Recycling Transfer Station	2,193,000	376,500	21,500	11,500	(10,000)	376,500	-	-	-
M5028	Property Rationalisation (Depot Project)	250,000	250,000	62,500	-	(62,500)	250,000	-	-	
	<b>S23 Direct Services Total</b>	<b>7,979,901</b>	<b>6,842,208</b>	<b>1,609,769</b>	<b>704,651</b>	<b>(905,118)</b>	<b>6,851,208</b>	<b>9,000</b>	<b>-</b>	<b>9,000</b>
B0074	B0074 R & D Feasibility Fund	150,000	467,749	5,379	5,802	423	467,749	-	-	
	<b>S32 Finance Total</b>	<b>150,000</b>	<b>467,749</b>	<b>5,379</b>	<b>5,802</b>	<b>423</b>	<b>467,749</b>	<b>-</b>	<b>-</b>	<b>-</b>
	<b>General Fund Total</b>	<b>83,498,215</b>	<b>94,350,561</b>	<b>12,141,327</b>	<b>3,192,166</b>	<b>(8,949,161)</b>	<b>91,556,252</b>	<b>(2,794,309)</b>	<b>(3,253,309)</b>	<b>459,000</b>
	<b>Housing Revenue Account Capital Programme</b>						<b>(2,794,309)</b>			
41	<b>External Contracts</b>									
N6384	Tower Blocks	1,611,970	2,032,974	1,789,017	1,223,087	(565,931)	2,032,974	-	-	
N6386	Structural	145,000	185,000	46,250	75,088	28,838	185,000	-	-	
N6389	Damp-proof works (K&B)	104,000	104,000	26,000	27,849	1,849	104,000	-	-	
N6392	Roofing	174,000	174,000	48,720	35,485	(13,235)	174,000	-	-	
N6434	Doors and Windows	250,000	250,000	-	48,827	48,827	250,000	-	-	-
N7020	Extensions & Major Adaptions	300,000	650,000	234,000	95,007	(138,993)	650,000	-	-	-
N7026	Communal Areas	174,000	374,000	43,982	91,654	47,671	374,000	-	-	-
N7031	Homes at Barton	-	-	-	-	-				
N7038	Insulation Works	400,000	400,000	68,100	44,986	(23,114)	400,000	-	-	
N7041	Electric Heating Conversion to Gas	-	-	-	(16,731)	(16,731)	0	-	-	-
N7044	Lift Replacement Programme	150,000	150,000	-	1,750	1,750	150,000	-	-	-
N7048	Fire doors	250,000	250,000	62,500	-	(62,500)	250,000	-	-	-
N7049	Compulsory purchase of property	1,000,000	1,000,000	350,000	-	(350,000)	1,000,000	-	-	-
N7050	East Oxford Development	5,300,000	-	-	-	-	0	-	-	-
	<b>New Build</b>									
N7029	HCA New Build	-	-	-	-	-				
N7032	Great Estates: Estate Enhancements and Regeneration	1,300,000	1,542,594	265,685	427,523	161,837	1,542,594	-	-	
N7040	Blackbird Leys Regeneration	1,600,000	1,600,000	-	-	-	1,600,000	-	-	
N7042	Barton Regeneration	1,286,000	1,989,795	159,184	180,923	21,740	1,989,795	-	-	
N7045	Development at Bracegirdle	567,750	-	-	-	-	0	-	-	
N7046	Development at Mortimer Drive	517,750	1,643,508	115,046	15,715	(99,331)	1,643,508	-	-	
N7047	Social Rented Housing Acquisitions	1,035,000	1,035,000	-	-	-	1,479,000	444,000		444,000
	<b>Internal Contracts</b>									
N6385	Adaptations for disabled	617,000	678,700	213,112	182,072	(31,040)	678,700	-	-	
N6390	Kitchens & Bathrooms	2,733,000	2,966,300	745,728	605,821	(139,906)	2,966,300	-	-	-

Cost Centre	Capital Scheme	2018/19 Budget Book	Latest Budget	Profiled Budget	Spend to 30th June 2018	Variance to Profile Budget	Forecast Outturn	Forecast Variance	Variance due to Slippage	Variance due to Over/ Under spend
		£	£	£	£			£	£	£
N6391	Heating	2,062,000	2,308,200	540,844	473,727	(67,116)	2,308,200	-	-	-
N6388	Major Voids	192,000	211,200	-	-	-	211,200	-	-	-
N6395	Electrics	434,000	477,400	181,985	134,356	(47,629)	477,400	-	-	-
	<b>Housing Revenue Account</b>	<b>22,203,470</b>	<b>20,022,671</b>	<b>4,890,152</b>	<b>3,647,138</b>	<b>(1,243,014)</b>	<b>20,466,671</b>	<b>444,000</b>	<b>-</b>	<b>444,000</b>
	<b>Grand Total</b>	<b>105,701,685</b>	<b>114,373,232</b>	<b>17,031,479</b>	<b>6,839,304</b>	<b>(10,192,175)</b>	<b>112,022,923</b>	<b>(2,350,309)</b>	<b>(3,253,309)</b>	<b>903,000</b>

**To:** Standards Committee  
**Date:** 11 September 2018  
**Report of:** Monitoring Officer / Head of Law and Governance  
**Title of Report:** Dispensations - Localism Act 2011, Section 33

<b>Summary and recommendations</b>	
<b>Purpose of report:</b>	This report proposes that the Committee recommends Full Council to approve a number of general dispensations under the Localism Act 2011; such dispensations to remain in force for a period of four years; in the interest of good governance and the effective conduct of public affairs.
<b>Key decision:</b>	No
<b>Recommendation:</b>	
<b>That the Standards Committee recommends Full Council to:</b>	
<p><b>a) approve</b>, under Section 33 of the Localism Act 2011, the general dispensations, listed at paragraph 4 of this report, for all elected and co-opted Members of Oxford City Council;</p> <p><b>b) agree</b> that those general dispensations should remain in force for a period of four years; and</p> <p><b>c) agree</b> that the granting of individual dispensations under Section 33 of the Localism Act 2011 be delegated to the Monitoring Officer.</p>	

## Introduction and background

1. The Localism Act 2011 ('the Act') made significant changes to the Standards regime. Under the Act the Council has a statutory duty to promote and maintain high standards of conduct by both its Elected Members and co-opted Members. The Council must also adopt a Code of Conduct setting out the conduct expected of elected and co-opted Members whenever they act in their official capacity as a Member.
2. On 23 May 2012 the Council introduced new arrangements for a non-statutory Standards Committee and adopted a Member Code of Conduct ('the Code of Conduct') which was compliant with the Act. The terms of reference of the Standards Committee are detailed at section 7.8 of the Council's Constitution and include the following provision:

*(d) Considering requests from councillors for dispensation from being precluded from participation in a meeting*

3. The Act prevents Members from participating in any business of the Council where they have a Disclosable Pecuniary Interest (DPI) unless they have sought a dispensation under Section 33 of the Act. Applications must be made in writing and dispensations may be sought for a period of up to four years. Dispensations may be sought on the following grounds:
  - a) That so many Members of the decision making body have a disclosable pecuniary interest in a matter that the business of the meeting would be impeded
  - b) Without a dispensation the representation of different political groups on the body would be so upset as to alter the outcome of any vote
  - c) The dispensation is in the interests of persons living in the area
  - d) No Member of the Cabinet would be able to participate on the matter without a dispensation
  - e) It is otherwise appropriate to grant a dispensation

### **General dispensations**

4. It is proposed that general dispensations to speak and vote on the following items are granted to all Oxford City Council Members and co-opted Members and that those dispensations will remain in force until the next Council elections:
  - Determining an allowance (including special responsibility allowances), travelling expense, payment or indemnity given to Members
  - Housing: where the Member (or spouse or partner) holds a tenancy or lease with the Council as long as the matter does not relate to the particular tenancy or lease of the Member (their spouse or partner);
  - Housing Benefit: where the Councillor (or spouse or partner) receives housing benefit;
  - Any Ceremonial Honours given to Members;
  - Setting the Council Tax or a precept under the Local Government and Finance Act 1992 (or any subsequent legislation); and
  - Setting a Local Council Tax Reduction Scheme or Local scheme for the payment of business rates (including eligibility for rebates and reductions) for the purposes of the Local Government Finance Act 2012 (or any subsequent legislation)

### **Council Tax**

5. Guidance issued by the Department for Communities and Local Government (DCLG) in 2012 (updated September 2013): Openness and transparency on personal interests states that:

*"Any payment of, or liability to pay, council tax does not create a disclosable pecuniary interest as defined in the national rules; hence being a council tax payer does not mean that you need a dispensation to take part in the business of setting the council tax or precept or local arrangements for council tax support.*

*If you are a homeowner or tenant in the area of your council you will have registered, in accordance with the national rules, that beneficial interest in land. However, this disclosable pecuniary interest is not a disclosable pecuniary interest in the matter of setting the council tax or precept since decisions on the council tax or precept do not materially affect your interest in the land. For example, it does not materially affect the value of your home, your prospects of selling that home, or how you might use or enjoy that land.*

*Accordingly, you will not need a dispensation to take part in the business of setting the council tax or precept or local arrangements for council tax support, which is in any event a decision affecting the generality of the public in the area of your council, rather than you as an individual."*

6. In summary the DCLG view was that Members did not need a dispensation to take part in the business of setting the council tax or precept or local arrangements for council tax support because this is a decision affecting the generality of the public in the area rather than Members as individuals.
7. The dispensation for council tax relates to a Member's DPI and does not affect a Member's obligation under Section 106 of the Local Government Finance Act 1992 to declare and not vote if they are 2 months or more in arrears with their council tax when voting on setting the Council's budget.
8. Historically the Council has relied on this DCLG guidance and has not sought dispensations for Members to take speak and vote on matters relating to council tax. However, as the DCLG guidance is not statutory and has not been tested in court the Monitoring Officer considers it prudent and transparent to include council tax in the general dispensation.

### **Delegation to the Monitoring Officer**

9. The Standards Committee has not considered any applications for dispensation by individual Members since the introduction of these new arrangements in 2012. In all likelihood this is because there have been no instances when a dispensation was required. However, it is possible that no formal applications have been submitted due to the length of time required to convene a meeting of the Standards Committee to consider and determine any such application and that some applications for a dispensation have stalled or been withdrawn due to lack of time. This is frustrating for Members and for officers trying to implement the rules and convening an urgent meeting of the Standards Committee to consider any such application is not a good use of Council resources or in the public interest.
10. To address this specific concern about the timely consideration of an application for dispensation it is recommended that the granting of dispensations to an individual member under Section 33 of the Act be delegated to the Monitoring Officer.
11. Such delegation would operate on the following basis:
  - The Monitoring Officer would be the sole decision taker but would act in consultation with one independent member and
  - The delegation would apply to applications from an individual Member whereas groups of Members seeking the same dispensation for the same

meeting (for example from several members of City Executive Board) would still be required to seek dispensation from the Standards Committee.

### **Legal implications**

12. Any legal implications arising from the legislation (The Localism Act 2011, Section 33) are set out in the body of this report.

### **Financial implications**

13. None.

### **Risk management**

14. Not putting in place the recommended general dispensations would mean that every Member would need to apply for a personal dispensation when the relevant matters arose. Not putting in place the recommended delegation would mean that it might not be possible for applications for a personal dispensation to be considered and acted upon in a timely manner. This would not be an efficient use of the Council's resources or in the public interest.

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**To:** Licensing and Gambling Acts Committee  
**Date:** 19 September 2018  
**Report of:** Head of Community Services  
**Title of Report:** Statement of Gambling Licensing Policy

### Summary and recommendations

**Purpose of report:** To agree the Statement of Gambling Licensing Policy

**Corporate Priority** Strong and Active Communities

**Policy Framework** **Statement of Gambling Licensing Policy**

**Recommendations:** That the Licensing and Gambling Acts Committee resolves to:

- a) **Consider** any relevant responses to the consultation submitted to the Licensing Authority;
- b) **Consider** retention of a 'No Casino' Resolution;
- c) **Agree** the final draft Statement of Gambling Licensing Policy; and
- d) **Recommend** the final draft of Gambling Licensing Policy to the Council

### Appendices

**Appendix One** Final Draft Statement of Gambling Licensing Policy  
**Appendix Two:** Provisions 10.1.1 & 10.1.2: Assessing Local Risk  
**Appendix Three:** Oxford City Council Local Area Profile  
**Appendix Four:** Consultation responses

## Introduction

1. At its meeting on 2<sup>nd</sup> July 2018 Committee resolved to agree a draft revised Statement of Licensing Policy and that a consultation process take place on the draft with any relevant consultation responses to be reported to this meeting.
2. The Committee is reminded that all Licensing Authorities have adopted a Statement of Gambling Licensing Policy. This Statement must promote the three licensing objectives of the Gambling Act 2005 (the 2005 Act), which are:
  - *Preventing gambling from being a source of crime and disorder*
  - *Ensuring that gambling is conducted in a fair and open way*
  - *Protecting children and vulnerable persons from being harmed or exploited by gambling*
3. The Council is obliged to determine and publish the "Statement of Gambling Licensing Policy" and to keep it under review, and to renew the Policy at least every three years. In preparing the Statement, Licensing Authorities must follow the procedure set out in the 2005 Act, including who should be consulted. The Policy sets out how the Licensing Authority intends to exercise its functions under the 2005 Act.
4. The first Policy was implemented on 31<sup>st</sup> January 2007, and with it being renewed every 3 years, the current policy is due to expire in 2019, and the 2005 Act requires the Council to implement a new Policy by 31<sup>st</sup> January 2019.
5. The Gambling Commission issuing new Guidance September 2016 to Licensing Authorities that includes revisions to statutory guidance that clarify the extent of discretion available to Licensing Authorities in exercising their powers and the benefits of partnership working.
6. The new Guidance also provides clarity on the importance of the Statement of Gambling Licensing Policy as a regulatory tool and includes guidance on the development of "Local Area Profiles".
7. A renewed policy has been drafted taking into account the new guidance. A copy of the recommended final draft Statement of Gambling Licensing Policy is attached at **Appendix One**.

## Gambling Commission: Guidance issued to Licensing Authorities

8. In carrying out its functions the Licensing Authority must also have regard to the "Guidance issued to Licensing Authorities" by the Gambling Commission (being the unified regulator for gambling in Great Britain). Revised guidance last came into force in September 2016 which is fully covered within our current Policy.
9. The Guidance prescribes what must be included in an Authority's Policy content in the interest of national consistency. The Council therefore has limited scope to make significant changes to the Statement of Gambling Licensing Policy. However where there are good reasons, the Policy can depart from the Guidance in order to reflect local circumstances.



9. From 6<sup>th</sup> April 2016 a mandatory requirement of the 2005 Act is placed on all applicants seeking a new licence or varying a current licence to “Assess Local Risk” in accordance with the requirements of the Gambling Commissions Social Responsibility Code Provision 10.1.1 and Ordinary Code Provision 10.1.2. A copy of the Provisions is attached at **Appendix Two**.
10. These Provisions, and in turn the information provided within the revised Guidance, provide greater clarity and a wider understanding of what is deemed relevant and appropriate for the Authority to consider when carrying out its own Local Area Profiling, and allow it to better reflect local circumstances to address concerns frequently raised by Members as to the perceived proliferation of gambling premises and the impact these venues may have locally.
11. As such, a review of the Policy has been carried out in, and includes reference to the Oxford City Council Local Area Profile **Appendix Three**, which has been compiled through partnership work with appropriate agencies that can provide relevant “profiling” data.

### **Functions of the Licensing Authority**

12. The 2005 Act gives Licensing Authorities a number of important regulatory functions in relation to gambling. Their main functions are to:
  - licence premises for gambling activities
  - consider notices given for the temporary use of premises for gambling
  - grant permits for gaming and gaming machines in clubs and miners’ welfare institutes
  - regulate gaming and gaming machines in alcohol-licensed premises
  - grant permits to family entertainment centres (FECs) for the use of certain lower stake gaming machines
  - grant permits for prize gaming
  - consider occasional use notices for betting at tracks
  - register small societies’ lotteries.
13. Licensing Authorities also have an obligation to provide information to the Gambling Commission, including details of licences, permits and registrations issued by way of the submission to the Gambling Commission of an “annual return”.
14. Licensing Authorities also carry out inspections of licensed premises in order to ensure they are run in accordance with the three licensing objectives and the conditions applied to the licences. During the period since the last Statement of Gambling Licensing Policy 30 licensed premises were visited and no issues of non-compliance were found, and no complaints about these premises were received.
15. These figures highlight that the previous and current Policy provided a transparent platform from which Operators of licensed premises could manage

their businesses, and clear guidance as to how these Operators would meet with the licensing objectives, and how the work of the Officers contributes to the effective control of such establishments.

### **Consultation on the Revised Draft Statement of Gambling Licensing Policy**

16. Before determining the Statement of Gambling Licensing Policy, legislation requires the Licensing Authority to consult with persons as listed below:
- *the chief officer of police for the authority's area,*
  - *one or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area, and*
  - *one or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Act*

Previous versions of the Policy have satisfied this requirement by consultation with:

- Thames Valley Police
  - The Oxfordshire Safeguarding Children Board
  - The management of all premises in Oxford with Gambling Premises Licences
  - Gaming & Betting Organisations
17. The draft Statement of Gambling Licensing Policy was approved prior to consultation by the Licensing and Gambling Committee on 2<sup>nd</sup> July 2018. The consultation took place between 9<sup>th</sup> July 2018 and 24<sup>th</sup> August 2018. The relevant responses to the consultation submitted to the Licensing Authority are attached at **Appendix Four**.

The revised recommended final draft Policy contains changes on Page 8 to include guidance on the Licensing Process and the requirement for applicants to provide a Local Risk Assessment, and changes on page 11 to include guidance on location and the Local Area Profile

### **No Casino Resolution**

18. On 20<sup>th</sup> November 2006 following a recommendation by the Licensing and Gambling Acts Committee, Full Council passed a 'No Casino' resolution (in accordance with S.166 of the 2005 Act). This has the effect that the Licensing Authority will not consider any application for a casino premises licence. Any application received will be returned with a notification that a 'no-casino' resolution is in place.
19. As Oxford was not one of the chosen 17 locations for a casino to be sited (17 being the maximum number of locations permitted), unless the 2005 Act changes Oxford is not able to entertain applications for casinos.
20. On each occasion that the Statement of Gambling Licensing Policy is renewed, and approved by Council, the 'No Casino' Resolution remains in force, unless

Council resolves otherwise. Members of this Committee are asked as a matter of good process (even though Oxford is not able to entertain such applications for casinos) to consider whether such a Resolution should be retained, and if so, to recommend such to Council.

21. To assist this Committee, when the Policy was last reviewed in 2016, the Committee resolved to maintain the “No Casino” Resolution in order to ‘future-proof’ any potential changes to the 2005 Act.

### **Financial Implications**

22. Any financial implications regarding this matter are covered within existing budgets.

### **Legal Implications**

20. Section 349 of the Gambling Act 2005 requires the Licensing Authority to prepare and publish a Statement of Gambling Licensing Policy every 3 years. The next Statement must be published by 31<sup>st</sup> January 2019.
21. Section 25 of the Gambling Act 2005 requires the Authority to have regard to the Gambling Commission’s Guidance when preparing its Policy.
22. The form and procedure for formulating the policy are provided by the Gambling Act 2005 (Licensing Authority Policy Statement)(England and Wales) Regulations 2006/636
23. Any other legal implications relating to the Statement of Gambling Licensing Policy are detailed within the 2005 Act and its regulations.

### **Recommendations**

24. The Committee is recommended to:
  - a) Consider any relevant responses to the consultation reported to the Committee
  - b) Consider retention of a ‘No Casino’ Resolution
  - c) Agree the final draft Statement of Gambling Licensing Policy
  - d) Recommend the final draft of Gambling Licensing Policy to the Council

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# Statement of Gambling Licensing Policy

Gambling Act 2005



This statement will apply from 31<sup>st</sup> January 2019  
until 30<sup>th</sup> January 2021

Contact details for licensing under the Gambling Act 2005 ...  
(in the Oxford City Council area)

Write to: The Licensing Authority  
Oxford City Council  
St. Aldates Chambers  
109 St. Aldates  
OXFORD  
OX1 1DS

Email: [licensing@oxford.gov.uk](mailto:licensing@oxford.gov.uk)

Telephone: 01865 252565

You can also find much information and links to other sources of information on Oxford City Council's website: <http://www.oxford.gov.uk>

This document remains valid for three years, during which the Council is likely to amend its website. So, rather than providing a direct link to "gambling", we suggest either looking for links for "licensing" then "gambling", or using the website's "A-Z" search function.

	<b>Date</b>	<b>Areas of revision</b>
First published:	02 Jan 2007	-----
Corrections:	26 Mar 2007	p.14 Textual amendments p. 27 Update to Gaming machine table p. 30 Update HMCE contact details
Revised:	17 Nov 2009	Update on legislation
Revised:	01 Feb 2013	Update on legislation Amendment of Licensing Authority and Responsible Authority addresses
Republished:	31 Jan 2016	p.29 Update on Gaming Machines: Maximum Stakes and Prizes
Revised:	31 Jan 2019	p.8 The Licensing Process - Local risk assessments p.11 Location - Local Area profile
Revised:		

### **IMPORTANT NOTE**

In producing this statement, the Licensing Authority is aware that the Government may amend the gambling Act 2005, subordinate legislation and statutory guidance. Any such amendments made in the future will only be incorporated into subsequent policy statements and not this document. Readers are advised to check on the Gambling Commission website to ensure they have the latest information.

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## **PART A: GENERAL MATTERS**

### **1. The licensing objectives**

The licensing objectives of the Gambling Act 2005 are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

The Licensing Authority must have regard to these licensing objectives in exercising most of its functions under the 2005 Act.

### **2. The Licensing Authority**

The Gambling Act 2005 has made Oxford City Council the Licensing Authority for its district. From 31 January 2007 the Council has been responsible for granting premises licences for:

- Betting premises, including tracks;
- Adult Gaming Centres;
- Family Entertainment Centres;
- Bingo premises; and
- Casino premises.

### **3. The Oxford City Council area**

Oxford City Council is one of the five district councils of Oxfordshire. The City of Oxford has a population of 155,300 (2016 mid-year estimate) in an area of 4,566 ha (17.6 square miles). A significant proportion of the land area within the city boundary is rural, with the population concentrated in the urban parts. The district is shown on the map in Appendix 1.

Oxford is one of the principal entertainment centres for Oxfordshire, however local road, bus and rail links foster a wider catchment area than this and also enable Oxford residents to use centres outside the county boundary, such as Aylesbury, Reading, Swindon and Newbury. Oxford residents also have reasonable access to the facilities offered by Bristol, London, Birmingham or Southampton.

Although Oxford is generally affluent, some of its wards are ranked amongst those of highest multiple-deprivation in the country. 10 out of its 83 neighbourhoods are amongst the 20% most deprived in England.

### **4. Glossary of terms**

Within this Statement of Gambling Licensing Policy, the following words and terms are defined as stated:

<b>Council</b>	Oxford City Council
<b>GC Guidance</b>	The Gambling Commission's "Guidance to Licensing Authorities" under section 252(2)

<b>Licensing Authority</b>	Oxford City Council
<b>The 2005 Act</b>	The Gambling Act 2005
<b>The 2003 Act</b>	The Licensing Act 2003
<b>LACORS</b>	Local Authorities Co-ordinators of Regulatory Services

## 5. This Statement of Gambling Licensing Policy

The 2005 Act requires the Council to prepare and publish a statement of the principles that the Licensing Authority proposes to apply in exercising their functions under the 2005 Act before each successive period of three years.

In preparing this Statement of Gambling Licensing Policy, the Council has had regard to the licensing objectives and the Guidance issued by the Gambling Commission.

In determining the Statement of Gambling Licensing Policy, the Council had regard to the licensing objectives and the Guidance issued by the Gambling Commission, and had due regard to comments received as a result of the consultation process.

This statement must be reviewed from “time to time” and any revisions must be published before they take effect. The 2005 Act requires each Licensing Authority to consult the following parties when preparing a new statement or revision...

- The Chief Officer of Police.
- One or more persons who appear to the Licensing Authority to represent the interests of persons carrying on gambling businesses in the Licensing Authority’s area.
- One or more persons who appear to the Licensing Authority to represent the interests of persons who are likely to be affected by the exercise of the Licensing Authority’s functions under the 2005 Act.

Before finalising and publishing this policy statement, the Council consulted the following ...

- Thames Valley Police
- The Oxfordshire Safeguarding Children Board
- The management of all premises in Oxford with Gambling Premises Licences
- Gaming & Betting Organisations

The list of comments made and the consideration by the Council of those comments is available from the Licensing Authority or from the Council’s website (see inside front cover for contact details).

Consultation took place from 9<sup>th</sup> July 2018 for 6 weeks.

The Licensing Authority followed the best practice for consultation set out by the Department for Business Innovation and Skills. Revised Code of Practice(which came into effect in April 2015) and the Cabinet Office Guidance on consultations by the public sector.

If you have any comments about this Statement of Gambling Licensing Policy, please write to the Licensing Authority (details inside front cover).

## **6. Effective period**

This Statement of Gambling Licensing Policy becomes effective on 31<sup>st</sup> January 2019.

It will remain effective for three years (or any longer period in accordance with the 2005 Act) although the Council may adopt revisions within that period.

At the date of publication, this licensing policy is expected to last until 30<sup>th</sup> January 2021.

## **7. Functions of the Licensing Authority**

### **7.1 Functions**

The 2005 Act gives Licensing Authorities the following functions...

- Licensing premises where gambling activities are to take place by issuing Premises Licences
- Issuing Provisional Statements
- Regulating members' clubs and miners' welfare institutes who wish to undertake certain gaming activities, by issuing Club Gaming Permits and/or Club Machine Permits
- Issuing Club Machine Permits to Commercial Clubs
- Granting permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres
- Receiving notifications of the use of two or fewer gaming machines, from premises licensed (under the 2003 Act) to sell/supply of alcohol (for consumption on the premises other than with a meal).
- Issuing Licensed Premises Gaming Machine Permits where more than two machines are required for premises licensed (under the 2003 Act) to sell/supply alcohol (for consumption on the premises other than with a meal).
- Issuing Prize Gaming Permits
- Receiving and endorsing Temporary Use Notices
- Receiving Occasional Use Notices
- Providing information to the Gambling Commission on details of licences issued (see section above on 'information exchange')
- Maintaining registers of permits and licences issued under these functions.

### **7.2 Delegation of functions**

The 2005 Act (s154) delegates most licensing functions to the licensing committee, which can then further delegate to its sub-committees or to officers. Appendix 2 lists the lowest level to which decisions can be delegated.

From time-to-time the Licensing Authority may change the levels to which its decisions are actually delegated.

## 8. Functions of others

Under the 2005 Act, the role of the Gambling Commission includes the following matters, which are therefore not the responsibility of the Licensing Authority...

- Issuing and enforcing Operating Licences.  
Operating Licences are required by organisations providing casinos, remote gambling, bingo, lotteries, facilities for betting and providing gaming machines etc. (There are exceptions within some of these categories.)
- Issuing and enforcing Personal Licences.  
For each Operating Licence there must be at least one person who both occupies a specified management office in connection with that licence and holds a Personal Licence. Conditions may require more than one such person to hold a Personal Licence.  
  
Conditions may also require persons performing specified operational functions to each hold a Personal Licence.
- Ensuring compliance by manufacturers, suppliers and repairers of gaming machines.

The Financial Services Authority regulates spread betting and the National Lottery Commission regulates the National Lottery under separate legislation.

## 9. General principles

This Statement of Gambling Licensing Policy will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each matter will be considered on its own merits and according to the statutory requirements of the 2005 Act.

## 10. Responsible Authorities

Appendix 5 provides details for all the Responsible Authorities under the 2005 Act that have a role in the Licensing Authority's area.

The latest version of those details can be found on the Council's website, and the Licensing Authority will also provide this information in printed form on request (see details inside front cover).

The Licensing Authority designates the Oxfordshire Safeguarding Children Board as the body that is competent to advise the authority about the protection of children from harm.

The principles on which it based this decision are the need for the body to:

- have broad experience of children's issues;
- be responsible for an area covering the whole of the Licensing Authority's area; and
- be answerable to democratically elected persons, rather than to any particular vested interest group. (The Licensing Authority notes that that body reserves the right to hold those persons to account on children's issues.)

## 11. Interested parties

Interested parties can make representations about licence applications, or apply for a review of an existing licence. However, the Licensing Authority has powers under the 2005 Act to determine whether a person is an interested party.

In doing so, the Licensing Authority will decide each case on its merits, based upon the following principles:

*“a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the applications is made, the person-*

*(a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,*

*(b) has business interests that might be affected by the authorised activities, or*

*(c) represents persons who satisfy paragraph (a) or (b)” (2005 Act s.158)*

### 11.1 Proximity to premises

In accordance with GC Guidance, when determining what “sufficiently close to the premises” means the Licensing Authority may include consideration of:

- *“the size of the premises;*
- *the nature of the premises;*
- *the distance of the premises from the location of the person making the representation;*
- *the potential impact of the premises (number of customers, routes likely to be taken by those visiting the establishment); and*
- *the circumstances of the complainant. This is not the personal characteristics of the complainant, but the interests of the complainant which may be relevant to the distance from the premises. For example, it could be reasonable for an authority to conclude that “sufficiently close to be likely to be affected” could have a different meaning for (a) a private resident (b) a residential school for children with truanting problems and (c) a residential hostel for vulnerable adults.” {GCG 8.14}*

The Licensing Authority will not generally view trade associations and trade unions, and residents’ and tenants’ associations as interested parties unless they have a member who lives sufficiently close to the premises to be classed as one.

### 11.2 ‘Business interests’

The Licensing Authority will also consider the GC Guidance that “has business interests” should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.

However, the Licensing Authority considers that “has business interests” should not entitle an operator to make representations on an application for premises anywhere. The *“factors that are likely to be relevant include:*

- *the size of the premises;*
- *the ‘catchment’ area of the premises (i.e. how far people travel to visit); and whether the person making the representation has business interests in that catchment area, that might be affected.”*

### **11.3 Representatives of interested parties**

Interested parties can be persons who are democratically elected such as councillors and MPs. No specific evidence of being asked to represent an interested person will be required as long as the councillor / MP represent the ward likely to be affected. Likewise, any parish councils that are likely to be affected will also be considered to be interested parties. Other than these however, the Licensing Authority will generally require written evidence that the representative has been appointed by the person likely to be affected. A letter from one of these persons, requesting the representation is sufficient.

The Licensing Authority does not permit councillors who either are, or represent, an interested party in a case to participate as a member of the Licensing Committee (or sub-committee) that considers that case.

If individuals wish to approach councillors to ask them to represent their views then care should be taken that the Councillors are not part of the licensing sub-committee dealing with that application. Licensing authority staff will help with this (contact details inside front cover).

## **12. Exchange of Information**

The principle that the licensing authority will apply in respect of the exchange of information between it and the Gambling Commission and those bodies listed in Schedule 6 of the Act is that it will act in accordance with the provisions of the Gambling Act 2005 which includes the provision that the General Data Protection Regulations will not be contravened.

The licensing authority will also have regard to any guidance issued by the Gambling commission to Local Authorities on this matter when it is published, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005

## **13. Enforcement**

The Licensing Authority will apply the following principles in accordance with GC Guidance in exercising its functions about the inspection of premises (2005 Act, Part 15) and powers to institute criminal proceedings in respect of the offences specified (2005 Act, s.346).

The Licensing Authority will endeavour to be...

- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
- Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
- Consistent: rules and standards must be joined up and implemented fairly;
- Transparent: regulators should be open, and keep regulations simple and user friendly; and
- Targeted: regulation should be focused on the problem, and minimise side effects.

The Licensing Authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

The main enforcement and compliance role for the Licensing Authority under the 2005 Act will be to ensure compliance with the premises licences and other permissions that it authorises. The Gambling Commission is the enforcement body for other matters under the 2005 Act, as noted above.

The Licensing Authority will also keep aware of advice from the Better Regulation Executive on the regulatory functions of local authorities.

### **13.1 Risk methodology**

The Licensing Authority will adopt a risk-based inspection programme and in order to comply with the principle of transparency, the Licensing Authority will make available, on request, details of its risk methodology, and its protocols or written agreements for enforcement and compliance. (For contact details, see inside front cover).

The general approach of risk-based inspection is to avoid routine inspections of all premises. Instead, high-risk premises are inspected more frequently than low risk ones.

Amongst other things, this approach considers risks related to the size of the premises, the range of activities that take place there, and the time that those activities take place. Larger, more active premises are likely to be classed as higher risk and are therefore likely to be inspected more frequently.

At the time of writing LACORS is working with the Gambling Commission to produce a risk model for premises licences. The Licensing Authority will consider that model once it is made available.

## **PART B: PREMISES LICENCES**

### **14. General Principles**

Premises Licences will be subject to the requirements set-out in the 2005 Act and regulations, and specific mandatory and default conditions detailed in regulations.

Where the Licensing Authority considers it appropriate, it may exclude default conditions; attach other conditions, or both.

In making decisions about premises licences, the 2005 Act (s.153) requires the Licensing Authority to aim to permit the use of premises for gambling in so far as it thinks it:

- in accordance with any relevant code of practice issued by the Gambling Commission
- in accordance with any relevant guidance issued by the Gambling Commission
- reasonably consistent with the licensing objectives and
- in accordance with the authority's Statement of Gambling Licensing Policy.

The Licensing Authority is also aware that that unmet demand (for gambling facilities) is not a criterion for a licensing authority and that GC Guidance states "moral objections to gambling are not a valid reason to reject applications for premises licences". However, such reasons may be taken into account in considering any 'no casino resolution' (see the section on casinos below).

### **15. The Licensing Process**

The powers of the Council as a licensing authority under the Act may be carried out by the Licensing and Gambling Act Committee and then put before Full Council. Applications under the Act will be dealt with in accordance with the Council's scheme of delegation. The attached table sets out how the Council will determine applications and other matters under the Act. (the table can be found as Appendix 2).

Application forms will be in the format prescribed by regulations. The form will need to contain information that describes the gambling activities to be provided, the operational procedures, hours, nature of the location, needs of the local community, etc. Most importantly, the applicant will have to detail the steps that will be taken to promote the three licensing objectives. Applicants must also carry out a local risk assessment before they apply for a licence in accordance with the Social Responsibility provisions of the Gambling Commission's Licence Conditions and Codes of Practice (code 10.1.1)

The Council will expect the local risk assessment to consider as a minimum:

- any Local Area Profile published by the licensing authority.
- the location of services for children such as schools, playgrounds, leisure/community centres and other areas where children will gather;
- the demographics of the area in relation to vulnerable groups. Information in this regard is available on the Council's website <https://www.oxford.gov.uk/info/20131/populations>;



- whether the premises is in an area subject to high levels of crime and/or disorder.

Local risk assessments should be shared with the licensing authority and demonstrate how any vulnerable people, including people with gambling dependencies, at risk from the proposed premises, will be protected.

Applicants are encouraged to fully consult the Police and other responsible authorities well in advance of submitting their applications. Application forms will be available on our website [www.oxford.gov.uk](http://www.oxford.gov.uk) this includes contact names for each of the responsible authorities that will be receiving applications. Most applications will require additional documentation and a fee to be included with the form. Incomplete applications will not be considered and will be returned to the applicant.

## 16. Definition of “premises”

**Definition of “premises”** – In the Act, "premises" is defined as including "any place". Section 152 therefore prevents more than one premises licence applying to any place. A single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place.

The Gambling Commission states in its Guidance to Licensing Authorities that: “In most cases the expectation is that a single building / plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. The Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises.”

The licensing authority will take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:

- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.

- Customers should be able to participate in the activity named on the premises licence.

**The Gambling Commission’s relevant access provisions for each premises type are reproduced below:**

**Adult Gaming Centre**

- Customers must not be able to access the premises directly from any other licensed gambling premises

**Betting Shops**

- Access must be from a street or from another premises with a betting premises licence
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind and you could not have a betting shop at the back of a café – the whole area would have to be licensed.

**Tracks**

- Customers must not be able to access the premises directly from:
  - a casino
  - an adult gaming centre

**Bingo Premises**

- Customers must not be able to access the premise directly from:
  - a casino
  - an adult gaming centre
  - a betting premises, other than a track

**Family Entertainment Centre**

- Customers must not be able to access the premises directly from:
  - a casino
  - an adult gaming centre
  - a betting premises, other than a track

Part 7 of the Gambling Commission’s Guidance contains further guidance on this issue, which this authority will also take into account in its decision-making.

**(iii) Premises “ready for gambling”**

The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.

In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process:-

- First, whether the premises ought to be permitted to be used for gambling
- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

## **17. Location**

The Licensing Authority cannot consider the issue of demand for gambling facilities in any location, but will address considerations in terms of the licensing objectives that relate to the location of premises. The Licensing Authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as to issues of crime and disorder that may relate to location.

Any existing Local Area Profile published by the licensing authority will be available from the authority directly or on its website. A Local Area Profile will assist applicants and operators by providing information on the local area and risks, including any sensitive locations within close proximity of proposed gambling premises.

Applicants will have to show that they have considered any potential impact of their proposed operation on the licensing objectives and provide information on how they plan to reduce or remove any likely adverse impact on them

The Licensing Authority will pay particular attention, having regard to the gambling licensing objectives, to any proposals for new gambling premises that are in close proximity to accommodation or centres catering for vulnerable people, including those with mental health or learning difficulties, and those with gambling problems or with alcohol or drug abuse problems

Such policies do not prevent submission of any application and each application will be decided on its merits. However, the Licensing Authority expects applicants to show how potential concerns would be overcome where location is an issue.

## **18. Duplication with other regulatory regimes**

The Licensing Authority will seek to avoid any duplication with other statutory / regulatory systems where possible.

In considering a premises licence application the Licensing Authority will take no account of whether the premises is likely to be awarded planning consent or building regulations approval. However, the Licensing Authority will consider carefully any concerns about conditions that licensees would be unable to meet due to planning restrictions.

## **19. Licensing objectives**

Premises licences granted must be reasonably consistent with the licensing objectives. The Licensing Authority has considered the GC Guidance on these objectives, and comments as follows...

### **Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime:**

The Licensing Authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime. The GC

Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, if an area has known high levels of organised crime this authority will consider carefully whether gambling premises should be located there and whether conditions, such as the provision of door supervisors, may be necessary.

The Licensing Authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required at incidents and how threatening the behaviour was to those who could see it, so as to make that distinction.

### **Ensuring that gambling is conducted in a fair and open way:**

The Licensing Authority notes that the Gambling Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences.

However, tracks are different from other premises, as track operators will not necessarily have an operating licence, and the Premises Licence may then need to contain conditions to ensure that the environment in which betting takes place is suitable.”

### **Protecting children and other vulnerable persons from being harmed or exploited by gambling**

The Licensing Authority notes the GC Guidance that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to them.

The Licensing Authority will consider, as suggested in the GC Guidance and in any Gambling Commission Code of Practice, whether specific measures are required at particular premises to further to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.

The Licensing Authority notes that the Gambling Commission is not seeking to offer a definition for the term “vulnerable persons” but states that ...  
*“it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.”*

The Licensing Authority will consider this licensing objective as it applies to each case on its merits. If a “vulnerable person” is adequately defined in future then the Licensing Authority will revise this Statement of Gambling Licensing Policy accordingly.

## **20. Representations**

The Licensing Authority may determine an application for a Premises Licence without a hearing, if the parties agree or if it considers that the representations made are:

- vexatious
- frivolous, or
- will certainly not influence the authority's determination of the application.

If the Licensing Authority proposes to determine an application in this way, it will notify anyone who made a representation. (2005 Act s.162)

The Licensing Authority notes that the GC Guidance states that...

*“Local authorities should be aware that moral objections to gambling are not a valid reason to reject applications for premises licences. This is because such objections do not relate to the licensing objectives. An authority’s decision cannot be based on dislike of gambling, or a general notion that it is undesirable to allow gambling premises in an area (with the exception of the casino resolution powers). In deciding to reject an application, a licensing authority should rely on reasons that demonstrate that the licensing objectives are not being, or are unlikely to be, met.”*

The Licensing Authority also notes that the GC Guidance states that...

*“unlike the Licensing Act, the Gambling Act does not include as a specific licensing objective the prevention of public nuisance. There is however other relevant legislation which deals with public nuisance. It would be helpful if licensing authorities could explain that objections to new premises or requests for a review should be based on the licensing objectives of the Gambling Act.”*

## 21. Conditions

There are three classes of conditions that attach to premises licences:

- **Mandatory conditions under s167 of the Act**, which must be attached to premises licences.
- **Default conditions under s168 of the Act**, which will apply unless the Licensing Authority decides to exclude them or substitute conditions with others that are more or less restrictive.
  - The Licensing Authority is aware that the Gambling Commission considers that these mandatory and default conditions will normally be sufficient to regulate gambling premises.
- **Individual conditions under s169 of the Act**: In exceptional cases, the Licensing Authority may consider attaching individual conditions related to the licensing objectives in order to deal with specific risks or problems associated with a particular locality, specific premises or class of premises.

Any conditions attached to licences will be proportionate and will be...

- Relevant to the need to make the proposed building suitable as a gambling facility;
- Directly related to the premises and the type of licence applied for;
- Fairly and reasonably related to the scale and type of premises; and
- Reasonable in all other respects.

The Licensing Authority will decide each application on its merits. Where appropriate it will consider using a number of control measures, such as the use of door supervisors or appropriate signage for ‘adult only’ areas etc.

The Licensing Authority expects the premises licence applicant to offer his/her own proposals to effectively meet the licensing objectives.

This policy includes specific comments on such issues under some of the licence types covered further below.

The Licensing Authority will also consider specific measures that may be required for buildings that are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with GC Guidance.

This authority will also ensure that where machines of category C or above offer in any premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

This licensing authority is aware that tracks may be subject to more than one premises licence, provided each licence relates to a specified area of the track. In such cases, the licensing authority will consider the impact upon the third licensing objective in accordance with GC Guidance and the need to ensure that entrances to each type of premises are distinct and that children are excluded from those gambling areas that they are not permitted to enter.

The Licensing Authority cannot attach certain conditions to premises licences. Those conditions are...

- Any condition on the premises licence that makes it impossible to comply with a condition on an operating licence;
- Conditions relating to gaming machine categories, numbers, or method of operation;
- Conditions that require membership of a particular club or body (the 2005 Act specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and
- Conditions about stakes, fees, winning or prizes.

## **22. Door Supervisors**

The GC Guidance advises that licensing authorities may consider whether door supervisors are needed in order to further the licensing objectives of *“protection of children and vulnerable persons from being harmed or exploited by gambling”* and *“preventing premises becoming a source of crime”*.

Where supervision of entrances / machines is required for premises, the Licensing Authority will decide with operators whether door supervisors need to be licensed by the Security Industry Authority.

At premises such as betting offices, the Licensing Authority will make a door supervision requirement only if there is clear evidence from the history of trading at the premises that the premises cannot be adequately supervised

from the counter, and that door supervision is both necessary and proportionate.

## **23. Specific types of premises**

### **23.1 Adult Gaming Centres**

For these premises, the Licensing Authority will have specific regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and expects the applicant to satisfy the Licensing Authority of the adequacy of measures to ensure, for example, that no-one under 18 years old has access to the premises.

The Licensing Authority may consider measures to meet the licensing objectives, such as ...

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

### **23.2 Licensed Family Entertainment Centres**

For these premises, the Licensing Authority will have specific regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and expects the applicant to satisfy the Licensing Authority of the adequacy of measures to ensure, for example, that no-one under 18 years old has access to adult-only gaming machine areas.

The Licensing Authority may consider measures to meet the licensing objectives, such as ...

- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.
- Measures / training for staff on how to deal with suspected truant school children on the premises

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

In accordance with GC Guidance, the Licensing Authority will check the Gambling Commission's website for any potential conditions on operating licences that cover delineation of areas containing category C machines.

### 23.3 Casinos

#### a) **Casino proposals**

The Licensing Authority did not submit any proposal for a casino to the Independent Casinos Advisory Panel in early 2006, so Oxford will not be chosen as a location for one of the first 17 new casinos permitted under the 2005 Act.

#### b) **'No casino' resolution**

The Council passed a 'no casino' resolution (2005 Act, s.166) at its meeting on 20 November 2006 on the basis of a recommendation of the Licensing and Gambling Acts Committee, and this resolution has been maintained each time that this Policy has been renewed.

Potential licence applicants should note that, because the Council has passed a 'no-casino' resolution, the Licensing Authority will not consider any application for a casino premises licence. Any application received will be returned with a notification that a 'no-casino' resolution is in place.

The following paragraphs c), d) and e) appear in this Statement of Gambling Licensing Policy for consistency with other licensing authorities. They have no role while a 'no casino' resolution remains in effect.

#### c) **Casinos and competitive bidding**

If circumstances arise where a number of operators want to run a casino in the area, the Council will run a 'competition' as required under the 2005 Act, Schedule 9 in line with any regulations issued under the 2005 Act.

#### d) **Betting machines in casinos**

The Licensing Authority notes that the section 181 of the 2005 Act contains an express power for licensing authorities to restrict the number of betting machines in casinos. {GCG 16.33} If the Licensing Authority receives an application for a casino premises licence it will take account of GC Guidance on this matter.

#### e) **Credit**

The Licensing Authority notes that section 177 of the 2005 Act does not prevent a casino licensee from permitting the installation of cash dispensers (ATMs) on the premises. If the Licensing Authority receives an application for a casino premises licence it will take account of GC Guidance on this matter.

### 23.4 Bingo premises

The Licensing Authority notes that the GC Guidance states that...

*It is important that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted licensing authorities should ensure that:*

- *all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;*
- *only adults are admitted to the area where the machines are located;*



- *access to the area where the machines are located is supervised;*
- *the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and*
- *at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.*

The Licensing Authority will similarly note any further GC Guidance on the issues of suitability and layout of bingo premises.

### **23.5 Betting premises**

#### **a) Betting machines**

When considering the number/nature/circumstances of betting machines an operator wants to offer, the Licensing Authority will follow the GC Guidance and take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by vulnerable people or by children or young persons.

This authority will consider limiting the number of machines only where there is evidence that such machines have been or are likely to be used in breach of the licensing objectives.

### **23.6 Tracks**

The Licensing Authority notes that tracks are different from other premises in that:

- there may be more than one premises licence in effect provided each licence relates to a specified area of the track, and
- track operator may not be required to hold an operating licence as there may be several premises licence holders at the track which will need to hold their own operating licences.

The Licensing Authority will especially consider measures to ensure that children do not have access to 'adult only' gaming facilities.

The Licensing Authority notes that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, although not permitted to enter areas where gaming machines (other than category D machines) are provided. It will especially consider the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter, in furtherance of the licensing objective to ensure the protection of children and vulnerable persons from being harmed or exploited by gambling.

The Licensing Authority will consider measures to meet the licensing objectives, such as ...

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours

- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

**a) Gaming machines at tracks**

The Licensing Authority notes the GC Guidance that licensing authorities need to consider the location of gaming machines at tracks. An applicant for a track premises licence who plans to use any entitlement to four gaming machines (due to holding a pool betting operating licence) will need to demonstrate that machines (other than category D gaming machines) are located in areas from which children are excluded.

The Licensing Authority will similarly note any further GC Guidance on the location and supervision of gaming machines at tracks.

**b) Betting machines at tracks**

Licensing authorities have a power under the 2005 Act, to restrict the number of betting machines, their nature and the circumstances in which they are made available, by attaching a licence condition to a betting premises licence. The Licensing Authority notes that the GC Guidance states that...

*“In relation to betting premises away from tracks, the Commission is proposing that licensing authorities should take into account the size of the premises and the ability of staff to monitor the use of the machines by vulnerable people when determining the number of machines permitted. Similar considerations apply in relation to tracks, where the potential space for such machines may be considerable, bringing with it significant problems in relation to the proliferation of such machines, the ability of track staff to supervise them if they are scattered around the track and the ability of the track operator to comply with the law and prevent children betting on the machine. Licensing authorities will want to consider restricting the number and location of betting machines, in the light of the circumstances of each application for a track betting premises licence.”*

**c) Condition on rules being displayed**

The Licensing Authority notes GC Guidance, which states that...

*“...licensing authorities should attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office.”*

**d) Applications and plans –**

The Licensing Authority notes the Gambling Commission's suggestion "... that licensing authorities gain a proper understanding of what they are being asked to license..."

Subject to regulations, which will set-out any specific requirements for applications for premises licences the Licensing Authority

requires an application for a track betting premises licence to include detailed plans of:

- the racetrack itself;
- the area that will be used for temporary “on-course” betting facilities (often known as the “betting ring”);
- any area that will be used for fixed and mobile pool betting facilities operated by the Tote or track operator in the case of dog tracks and horse racecourses);
- areas proposed for any other gambling facilities.

Those plans should make clear what is being sought for authorisation under the track betting premises licence and what, if any, other areas are to be subject to a separate application for a different type of premises licence.

The Licensing Authority notes that,

*“In the Commission’s view, it would be preferable for all self-contained premises operated by off-course betting operators on track to be the subject of separate premises licences. This would ensure that there was clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises”*

### **23.7 Travelling Fairs**

The 2005 Act allows travelling fairs to make available category D gaming machines and / or equal chance prize gaming without a permit, provided that they comply with the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair. The Licensing Authority has the power to decide whether travelling fairs comply.

The Licensing Authority may also consider whether the applicant falls within the statutory definition of a travelling fair.

Regardless of which travelling fairs occupy a site, if a site is used by fairs for more than the 27-day statutory maximum in a calendar year a permit is required for use of gaming machines and / or equal chance prize gaming. The Licensing Authority will liaise with adjoining authorities to ensure that statutory limits are not exceeded for land that straddles its area boundaries.

## **24. Provisional Statements**

Developers may wish to apply to the authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

S204 of the Gambling Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:

- expects to be constructed;
- expects to be altered; or
- expects to acquire a right to occupy.

The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.

The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:

- they concern matters which could not have been addressed at the provisional statement stage, or
- they reflect a change in the applicant's circumstances.

In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional statement stage;
- which in the authority's opinion reflect a change in the operator's circumstances; or

where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

## 25. Reviews

Interested parties or responsible authorities can request a review of a Premises Licence. However, it is for the Licensing Authority to decide whether to review the licence. The Licensing Authority will consider whether the request is...

- Frivolous;
- Vexatious;
- Certain not to cause the Licensing Authority to wish to alter, revoke or suspend the licence; or
- Substantially the same as previous representations or requests for review.

The Licensing Authority will also consider whether the request is relevant to the following matters...

- In accordance with any relevant Code of Practice issued by the Gambling Commission;
- In accordance with any relevant guidance issued by the Gambling Commission;
- Reasonably consistent with the licensing objectives; and
- In accordance with this Statement of Gambling Licensing Policy.

The Licensing Authority can also initiate a review of a licence on the basis of any reason that it considers appropriate that is relevant to the same four matters.

## **PART C: PERMITS, TEMPORARY & OCCASIONAL USE NOTICES**

### **26. Unlicensed Family Entertainment Centre gaming machine permits (Statement of Principles on Permits (2005 Act, Schedule 10, para.7))**

Where a premises has no Premises Licence but the user wishes to provide gaming machines, it may apply to the Licensing Authority for this permit. The applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (2005 Act, s238).

The 2005 Act states that a licensing authority may prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit; and that it shall have regard to the GC Guidance and may (but need not) have regard to the licensing objectives in preparing this statement or considering applications, or both.

The Licensing Authority notes that the GC Guidance states that...  
*“In their three year licensing policy statement, licensing authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits ... licensing authorities will want to give weight to child protection issues.”*

The GC Guidance also states:

*“An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application. Licensing authorities might wish to consider asking applicants to demonstrate:*

- *a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;*
- *that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act; and*
- *that staff are trained to have a full understanding of the maximum stakes and prizes.”*

The Licensing Authority cannot attach conditions to this type of permit.

#### **Statement of Principles**

The Licensing Authority expects each applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.

The Licensing Authority will consider on their individual merits the efficiency of such policies and procedures, which may include appropriate measures / training for staff as regards suspected truant school children on the premises, measures / training covering how staff would deal with any unsupervised very young children on the premises, or children causing perceived problems on or around the premises.

In accordance with GC Guidance, the Licensing Authority will also expect applicants to demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed Family Entertainment Centres; that the applicant has no relevant convictions (as set out in Schedule 7

of the Act); and that staff are trained to have a full understanding of the maximum stakes and prizes.

## **27. Alcohol-licensed premises gaming machine permits (2005 Act, Schedule 13 para 4(1))**

### **27.1 Notification for up to two gaming machines**

The 2005 Act provides for premises licensed to sell alcohol for consumption on the premises (other than as part of a meal), to have up to 2 gaming machines of either category C or D or one of each. Authorisation is automatic if the person responsible for the premises notifies the Licensing Authority.

The Licensing Authority can remove the automatic authorisation for any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of s. 282 of the 2005 Act. (This requires a fee and written notice to be provided to the Licensing Authority, and compliance with any relevant code of practice issued by the Gambling Commission about the location and operation of the machine);
- the premises are mainly used for gaming; or
- an offence under the 2005 Act has been committed on the premises.

### **27.2 Permit for more than two gaming machines**

A premises manager wanting more than 2 machines on the premises must apply for a permit and the Licensing Authority must base its consideration of that application based upon the licensing objectives, any GC Guidance, and “such matters as they think relevant.”

The Licensing Authority considers that “such matters” will be decided on the merits of each case. However, it will have general regard to the need to protect children and vulnerable persons from harm or being exploited by gambling. It will expect the applicant to demonstrate use of adequate measures to ensure that persons under 18 years old do not have access to ‘adult only’ gaming machines.

For this purpose, the Licensing Authority may be satisfied of the adequacy of measures that may include...

- Siting all ‘adult’ machines in sight of bar staff, or of other staff who will prevent use of those machines by those under 18.
- Appropriate notices and signage

The Licensing Authority expects applicants to consider providing information leaflets or helpline numbers for organisations such as GamCare for the benefit of vulnerable persons.

A Licensing Authority can decide to grant a permit with fewer machines or a different category of machines than stated in the application. It can attach no conditions other than these.

The holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machines.

The Licensing Authority will distinguish between those parts of premises that are licensed for the consumption of alcohol on the premises (other than as part of a meal) and other parts. Gaming machines may not be provided in those other parts of the premises without a premises licence for an Adult Gaming Centre.

## **28. Prize Gaming Permits**

### **(Statement of Principles on Permits - Schedule 14 para 8 (3))**

The 2005 Act states that a licensing authority may:

*“prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority propose to consider in determining the suitability of the applicant for a permit”. {2005 Act Schedule 14 8 (1)}*

The Licensing Authority has prepared a Statement of Principles, which is that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations;
- and that the gaming offered is within the law.

In making its decision on an application for this permit the Licensing Authority does not need to have regard to the licensing objectives but must have regard to any GC Guidance.

It should be noted that there are conditions in the 2005 Act by which the permit holder must comply, but that the Licensing Authority cannot attach further conditions.

The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

## **29. Club Gaming and Club Machines Permits**

Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for either...

- a Club Gaming Permit, which will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in regulations; or
- a Club Gaming Machine Permit, which will enable the premises to provide gaming machines (3 machines of categories B, C or D) without other gaming.



The Licensing Authority notes GC Guidance that ...

*“Members clubs must have at least 25 members and be established and conducted “wholly or mainly” for purposes other than gaming, unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A members’ club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men’s clubs, branches of Royal British Legion and clubs with political affiliations.”*

And that ...

*“Before granting the permit the authority will need to satisfy itself that the premises meet the requirements of a members’ club and may grant the permit if the majority of members are over 18.”*

The Licensing Authority notes that:

*“Licensing authorities may only refuse an application on the grounds that:*

- *the applicant does not fulfil the requirements for a members’ or commercial club or miners’ welfare institute and therefore is not entitled to receive the type of permit for which it has applied;*
- *the applicant’s premises are used wholly or mainly by children and/or young persons;*
- *an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;*
- *a permit held by the applicant has been cancelled in the previous ten years; or*
- *an objection has been lodged by the Commission or the police*

There is a ‘fast-track’ procedure available, under the 2005 Act, for premises that hold a Club Premises Certificate under the 2003 Act. The GC Guidance states...

*“Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced”*

and

*“The grounds on which an application under the process may be refused are:*

- *that the club is established primarily for gaming, other than gaming prescribed under schedule 12;*
- *that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or*
- *that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.”*

There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

### **30. Temporary Use Notices**

Temporary Use Notices are subject to a number of statutory limits.

The Licensing Authority is responsible for deciding what constitutes the extent of a 'set of premises' to which a Temporary Use Notice applies, where separate notices are received for different parts of the same building or site.

The Licensing Authority notes GC Guidance that...

*"... the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", licensing authorities will need to look at, amongst other things, the ownership/occupation and control of the premises. A large exhibition centre, for example, would be likely to come within the definition as it is properly one premises, and should not be granted a temporary use notice for 21 days in respect of each of its exhibition halls. But in relation to other covered areas, such as shopping centres, the licensing authority will need to consider whether different units are in fact different "sets of premises", given that they may be occupied and controlled by different people. This is a new permission and licensing authorities should be ready to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises."*

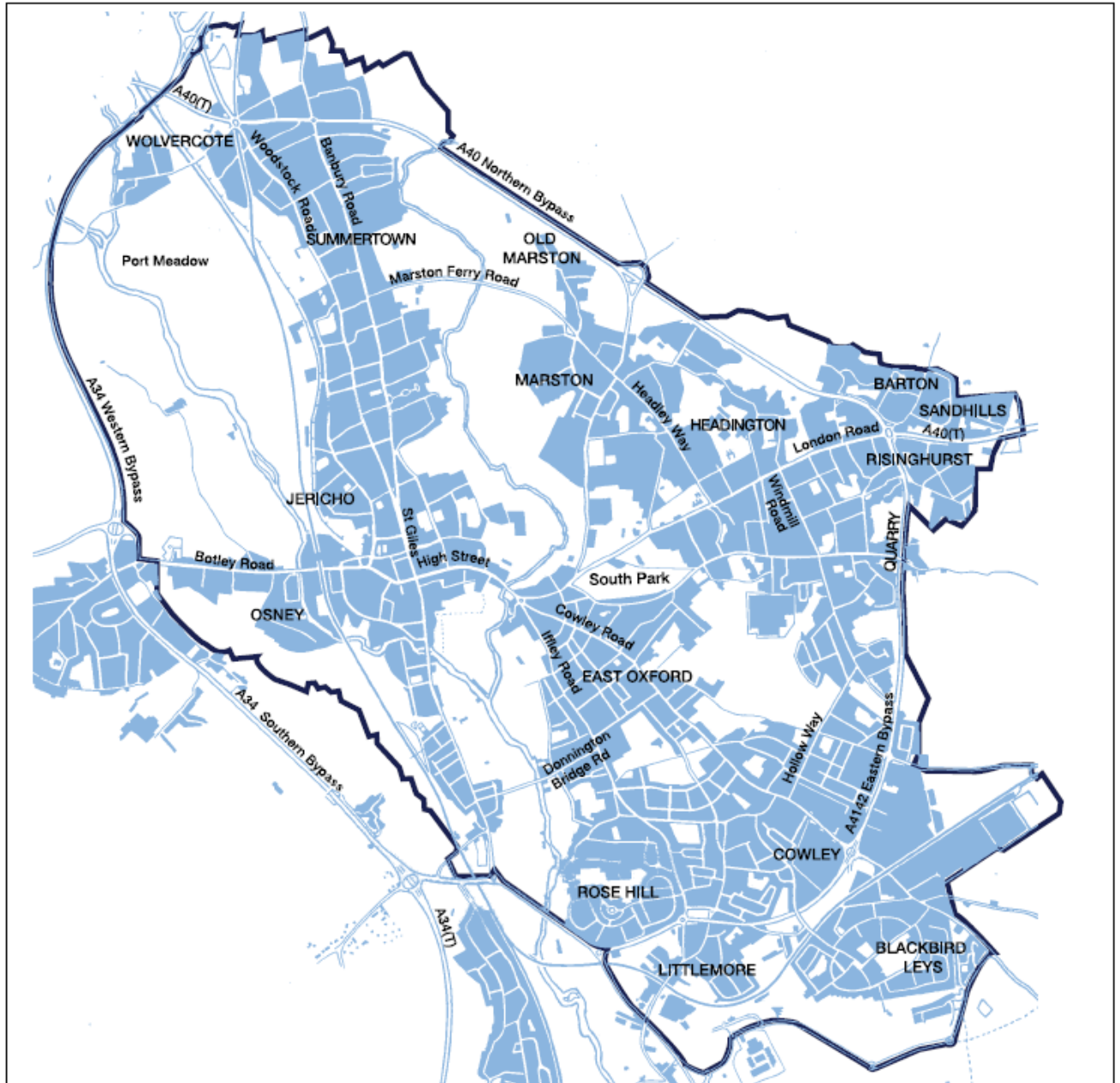
### **31. Occasional Use Notices:**

The Licensing Authority has very little discretion in determining Occasional Use Notices, other than ensuring that the statutory limit of 8 days in a calendar year is not exceeded.

However, the Licensing Authority will need to consider the definition of a 'track' and whether the applicant is permitted to use such a notice.

## Appendix 1 – Map of Oxford

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## Appendix 2 – Licensing Authority delegations

The 2005 Act (s154) delegates most licensing functions to the licensing committee, which can then further delegate to its sub-committees or to officers. The table lists the lowest level to which decisions can be delegated.

The Licensing Authority will determine the levels to which its decisions are delegated and may change that delegation from time to time.

Matter to be dealt with	Full Council	Sub-committee of licensing committee	Officers
Final approval of three year licensing policy	X		
Policy not to permit casinos	X		
Fee setting (when appropriate)			X
Application for premises licence		Where representations have been received and not withdrawn	Where no representations received or all have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received or all have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received or all have been withdrawn
Review of a premises licence		X	
Application for club gaming/ club machine permits		Where objections have been made (and not withdrawn)	Where no representations received or all have been withdrawn
Cancellation of club gaming/ club machine permits		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

## Appendix 3 – Gaming machines

### 3.1 Gaming machine categories

This table is included for general guidance. However, the details may become outdated as a result of Government Regulations; the stakes are subject to change.

Category of Machine	Maximum Stake	Maximum Prize
A	Unlimited – no Category A gaming machines are currently permitted	
B1	£5	£10,000
B2	£100	£500
B3A	£2	£500
B3	£2	£500
B4	£2	£400
C	£1	£100
D- non money prize (other than a crane grab machine)	30p	£8
D- non money prize (crane grab machine)	£1	£50
D (money prize)	10p	£5
D – combined money and non-money prize (other than a coin pusher or penny falls machine)	10p	£8 (of which no more than £5 may be a money prize)
D – combined money and non-money prize (coin pusher or penny falls machine)	20p	£20 (of which no more than £10 may be a money prize)

The next page lists the numbers of machines in each category permitted in particular types of premises

### 3.2 Gaming machines – permitted numbers

The information in this table is subject to confirmation, and may become outdated as a result of Government Regulations.

Premises type	Machine category						
	A	B1	B2	B3	B4	C	D
Betting premises and tracks occupied by pool betting			Maximum of 4 machines categories B2 to D (except B3A machines)				
Bingo premises				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4**		No limit on category C or D machines	
Adult gaming centre				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4**		No limit on category C or D machines	
Family entertainment centre (with premises licence)						No limit on category C or D machines	
Family entertainment centre (with permit)							No limit on category D machines
Clubs or miners' welfare institute (with permits)				Maximum of 3 machines in categories B3A or B4 to D*			
Qualifying alcohol-licensed premises						1 or 2 machines of category C or D automatic upon notification	
Qualifying alcohol-licensed premises (with gaming machine permit)						Number of category C-D machines as specified on permit	
Travelling fair							No limit on category D machines

\* On a day when no other facilities for gaming are provided

## Appendix 4 – Summary of Gaming Entitlements for Clubs and Alcohol-Licensed Premises

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This table is included for general guidance. However, the details may become outdated as a result of Government Regulations.

	Members' club or MW institute with club gaming permit	Bridge or whist club	Members' club or commercial club with club machine permit	Members' club, commercial club or MW institute without a club gaming permit or club machine permit	Pubs and other alcohol-licensed premises
Equal chance gaming	Yes	Bridge and/or Whist only	Yes	Yes	Yes
Limits on stakes	No limit	No limit	Poker £1000 per week £250 per day £10 per person per game	Poker £1000 per week £250 per day £10 per person per game	Poker £100 per premises per day Other gaming £5 per person
			Other gaming No limit	Other gaming No limit	per game Cribbage & dominoes No limit
Limits on prizes	No limit	No limit	Poker £250 per game Other gaming No limit	Poker £250 per game Other gaming No limit	Poker £100 per game Other gaming No limit
Maximum participation fees – per person per day	Bridge and/or whist* £20 Other gaming £3	£18 (without club gaming permit) £20 (with club gaming permit)	Bridge and/or whist* £18 Other gaming £3 (commercial club) £1 (members' club)	Bridge and/or whist* £18 Other gaming £1	None permitted
Bankers or unequal chance gaming	Pontoon <i>Chemin de Fer</i>	None permitted	None permitted	None permitted	None permitted
Limits on bingo	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	No bingo permitted	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.

\* On a day when no other facilities for gaming are provided

## Appendix 5 – Responsible Authorities

The Responsible Authorities for the Oxford City Council area under the 2005 Act, and their contact details are as follows.

Contact details may change, and other responsible authorities may be designated by regulations by the Secretary of State. For latest information, please check with the Licensing Authority (contact details below).

<b>Responsible Authority</b>	<b>Address</b>	<b>Contact details for preliminary discussions or follow-up enquiries Phone, email and website</b>
The Licensing Authority	The Licensing Authority Oxford City Council 109 St Aldate's Chambers St Aldate's OXFORD OX1 1DS	Tel: 01865 252565 licensing@oxford.gov.uk <a href="http://www.oxford.gov.uk/licensing">http://www.oxford.gov.uk/licensing</a>
The Planning Authority	The Planning Authority Oxford City Council 109 St Aldate's Chambers St Aldate's OXFORD OX1 1DS	Tel: 01865 249811 planning@oxford.gov.uk <a href="http://www.oxford.gov.uk">www.oxford.gov.uk</a>
Environmental Health	Environmental Protection Oxford City Council 109 St Aldate's Chambers St Aldate's OXFORD OX1 1DS	Tel: 01865 252296 <a href="http://www.oxford.gov.uk">www.oxford.gov.uk</a>
Gambling Commission	Gambling Commission Victoria Square House Victoria Square BIRMINGHAM B2 4BP	Tel: 0121 230 6500 Fax: 0121 237 2236 <a href="mailto:info@gamblingcommission.gov.uk">info@gamblingcommission.gov.uk</a> <a href="http://www.gamblingcommission.gov.uk">www.gamblingcommission.gov.uk</a>
Thames Valley Police	Thames Valley Police Licensing Office Headquarters (South), Kidlington, OX5 2NX	Tel: 01865 266109 <a href="mailto:licensing@thamesvalley.pnn.police.uk">licensing@thamesvalley.pnn.police.uk</a>
Fire and Rescue Service	Fire and Rescue Service Oxfordshire County Council Sterling Road, Kidlington OXFORD OX5 2DU	Tel: 01865 842999 <a href="mailto:fire.service@oxfordshire.gov.uk">fire.service@oxfordshire.gov.uk</a>
Oxfordshire Safeguarding Children Board	Oxfordshire Safeguarding Children Board (OSCB) 3rd Floor, County Hall New Road OXFORD OX1 1ND	



<b>Responsible Authority</b>	<b>Address</b>	<b>Phone, email and website</b>
Her Majesty's Commissioners of Customs and Excise	HM Revenues and Customs Excise Processing Teams BX9 1GL United Kingdom	Contact details for preliminary discussions or follow-up enquiries Tel: 0300 322 7072 Option 7. <a href="mailto:nru.betting&amp;gaming@hmrc.gsi.gov.uk">nru.betting&amp;gaming@hmrc.gsi.gov.uk</a> <a href="http://www.hmrc.gov.uk">www.hmrc.gov.uk</a>
Navigation Authority  (Only applicable to vessels on the canal or a river)	Check with the Licensing Authority	
Any other person prescribed for the purpose by regulations made by the Secretary of State.	Check with the Licensing Authority	

#### **Adjacent Licensing Authorities**

Where premises straddle an area boundary, a licensing authority for the area in which the premises are partly situated is also a Responsible Authority.		
<b>Responsible Authority</b>	<b>Address</b>	<b>Phone, email and website</b>
The Licensing Authority	The Licensing Authority Cherwell District Council Bodicote House Bodicote BANBURY OX15 4AA	Contact details for preliminary discussions or follow-up enquiries Tel: 01295 252535 <a href="http://www.cherwell-dc.gov.uk">www.cherwell-dc.gov.uk</a>
The Licensing Authority	The Licensing Authority South Oxfordshire and Vale of White Horse District Councils 135 Eastern Avenue Milton Park, Milton Abingdon OX14 4SB	Tel: 01235 422422 <a href="http://www.whitehorsedc.gov.uk">www.whitehorsedc.gov.uk</a> <a href="http://www.southoxon.gov.uk">www.southoxon.gov.uk</a> <a href="mailto:licensing@southoxon.gov.uk">licensing@southoxon.gov.uk</a> <a href="mailto:licensing.unit@whitehorsedc.gov.uk">licensing.unit@whitehorsedc.gov.uk</a>
The Licensing Authority	The Licensing Authority West Oxfordshire District Council Elmfield, New Yatt Road Witney OX28 1PB	Tel: 01993 861000 <a href="mailto:enquiries@westoxon.gov.uk">enquiries@westoxon.gov.uk</a>





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**Licensing Authority**

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# Statement of Gambling Licensing Policy

Gambling Act 2005

The Licensing Authority,  
Oxford City Council,  
109 St Aldate's Chambers,  
St Aldate's,  
Oxford,  
OX1 1DS  
Email: [licensing@oxford.gov.uk](mailto:licensing@oxford.gov.uk)  
Telephone: 01865 252565  
Fax: 01865 252344



# Minutes of a meeting of the LICENSING AND GAMBLING ACTS COMMITTEE on Wednesday 19 September 2018

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## Committee members:

Councillor Cook (Chair)

Councillor Lygo (Vice-Chair)

Councillor Chapman

Councillor Howlett

Councillor Landell Mills

## Officers:

Daniel Smith, Lawyer

Emma Day, Licensing Compliance Officer

Richard Masters, Licensing Compliance Officer

John Mitchell, Committee and Member Services Officer

## Apologies:

Councillors Fry, Goff and McManners sent apologies.

## 13. Declarations of interest

None.

## 14. Minutes

The Committee resolved to APPROVE the minutes of the meeting held on 02 July 2018 as a true and accurate record.

## 15. Statement of Gambling Licensing Policy

The Head of Community Services had submitted a report seeking the Committee's agreement to the Statement of Gambling Licensing Policy.

The Licensing and Compliance Officer introduced the report. She reminded the Committee that all Licensing Authorities must have adopted and published a Statement of Gambling Licensing Policy, and must review it every three years. The Policy before the Committee was a revised draft following a period of consultation. The responses to the consultation were given in Appendix 4 of the report. It was explained that the low level of response was not unusual. None of the responses made material suggestions or observations. As well as seeking the Committee's approval of the revised policy the Committee was asked to consider retention of a 'No Casino' resolution.

The previous meeting of the Committee had identified the desirability of consulting organisations with an interest in the welfare of vulnerable adults. The Licensing and Compliance Officer confirmed that Citizen's Advice Bureau, Gamblers Anonymous and the Oxfordshire Adult Safeguarding Board had all been consulted.

It was explained that the “No Casino” resolution had been introduced when the government relaxed the rules about casinos and permitted the opening of so called ‘super casinos.’ Since then, the permissive legislation has been withdrawn and it would no longer be possible to open a casino in Oxford. However, failure to retain the resolution might be interpreted as an implicit willingness that the Council would consider opening a casino if the opportunity presented itself.

In response to questions about what was in place to protect the interests of vulnerable adults it was noted that applicants will now be required to provide Local Risk Assessments which will, in turn, be informed by the new Local Area Profile. The Council’s opportunity to mitigate the risks to vulnerable adults was broadly confined to ensuring application of and compliance with the policy.

It was noted that the Local Area Profile is, deliberately, distinct from the policy. This will enable officers to keep the profile up to date without recourse to the formality of Committee agreement. It was agreed that the title of the Local Area Profile as given with the papers should be amended to make this distinction clear.

Establishments could install up to two gaming machines without a licence but must inform the Council. Three or more machines require a licence. Officers conducted checks of establishments from time to time.

It was confirmed that relevant establishments should have literature available to signpost customers to help and support when appropriate.

The Licensing and Gambling Acts Committee resolved to:

- a) **Note** responses to the consultation submitted to the Licensing Authority;
- b) **Agree** that the ‘No Casino’ Resolution should be maintained;
- c) **Agree** the final draft Statement of Gambling Licensing Policy ; and
- d) **Recommend** the final draft of Gambling Licensing Policy to the Council

## **16. Update (Activity) Report**

The Head of Community Services had submitted a report to inform the Committee of the progress made by the Licensing Authority under the Licensing Act 2003 and Gambling Act 2005 during the period from April 2018 to July 2018.

The Licensing and Compliance Officer introduced the report which set out activity for the period from April 2018 to July 2018.

In response to a question from the Chair she said no significant trends were emerging. Significantly less premises licences had been issued compared with the same period in the previous year but this was largely accounted for by the opening of the Westgate centre at that time.

The Chair thanked the licensing team for the reports considered at this meeting and for their work in this important area.

The Licensing and Gambling Acts Committee resolved to:

**Note** the contents of the report.

**17. Dates of future meetings**

The next meeting of the Committee is scheduled to take place on 23 January 2019, to start at 6.00 pm.

**The meeting started at 6.00 pm and ended at 6.40 pm**

**Chair .....**

**Date: 23 January 2019**

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**To:** Council  
**Date:** 1 October 2018  
**Report of:** Head of Planning, Sustainable Development and Regulatory Services  
**Title of Report:** Barton Park planning permission 13/01383/OUT

<b>Summary and recommendations</b>	
<b>Purpose of report:</b>	To recommend to Council that a modification order be made to amend the time period to submit reserved matters applications on planning permission 13/01383/OUT
<b>Key decision:</b>	No
<b>Executive Board Member:</b>	Councillor Hollingsworth, Board Member for Planning and Transport
<b>Corporate Priority:</b>	None
<b>Policy Framework:</b>	None
<b>Recommendation: That Council resolves to:</b>	
<ol style="list-style-type: none"> <li><b>1. Make a modification order under section 97 of the Town and Country Planning Act 1990 in respect of planning permission 13/01383/OUT to enable further applications for reserved matters to be submitted for approval in respect of the development at Barton Park.</b></li> <li><b>2. Delegate to the Development Management Services Manager (soon to be the Acting Head of Planning Services), the taking of any associated action following the making of the modification order.</b></li> </ol>	

<b>Appendices</b>
None

## **Introduction and background**

1. Outline planning permission (13/01383/OUT) for the Barton Park development was granted by the Council on 18 October 2013. A specific condition setting out the time period for the submission of reserved matters applications for the development was not included in the planning permission that was issued in 2013.
2. Where such a condition is omitted the default position is that under section 92(3) of the Town and Country Planning Act 1990 (“the Act”), a period of 3 years is imposed

by the statute. It is clear from the scale of the development and as evidenced by the approval of the Phasing and Implementation Plan required by condition 5 of the planning permission that the development was expected to be built out over a period of around 8 years and the default period of 3 years does not reflect that expectation.

3. To resolve this issue, the Council needs to amend condition 3 (the condition setting out what the reserved matters are) by including a realistic period for the reserved matters applications to be submitted for approval to enable the development to be completed. This can be achieved by making a modification order under section 97 of the Act and extending the period by which reserved matters applications for the remaining phases (2, 3a, 4a, 4b and the community hub/school) can be submitted to 2023.
4. There is no other method of changing this condition and the only other alternative would be for a further planning application to be submitted. The latter option would be a costly and time consuming exercise for what is effectively a minor administrative technicality and which would delay the build out of the development to the detriment of the delivery of much needed new housing supply in Oxford. A modification of condition 3 would enable the delivery of this important housing development to continue.
5. This modification would not alter the scheme in any way in terms of either the quantum of development or the impact it would have, which have already been considered when the permission was granted.

#### **Other implications**

6. The regulations relating to Environmental Impact Assessments will change on 1 October 2018 and after this date a planning permission will not be able to be modified without first being screened to determine whether an Environmental Statement is required. The original planning application was accompanied by an Environmental Statement that was taken into account when the outline permission was granted in 2013. The original planning permission has been implemented including a number of the mitigation measures recommended within the Environmental Statement. It would therefore be necessary to screen whether this order would require the Environmental Statement to be updated to reflect the alteration to the delivery date. The applicant is currently preparing a statement of conformity to confirm the extent to which mitigation measures have been implemented during the course of carrying out the development and whether any changes are necessary to reflect the change to the date of delivery set out within the order. The local planning authority will need to determine that screening application in parallel with this process. An oral update will be given on this aspect at the meeting.
7. If the recommendation is approved, the order can be made as soon as the statement of conformity has been received and provided it is satisfactory and provided also that the unilateral undertaking referred to in paragraph 11 below has been completed. The 28 day notice period can be given soon afterwards with a view to submitting the order to the Secretary of State for confirmation during November.
8. The procedure to be followed once an order has been made is for notice of the making of the order to be served on all owners and occupiers of the land affected together with any others who the Council consider would be affected by the order. The making of the order should also be advertised in the local press and a period of not less than 28 days given for representations to be made to the Secretary of State.

9. If any representations are made, the Secretary of State can decide to hold a hearing or Inquiry. In any event, the order has to be submitted to the Secretary of State for confirmation.

**Financial implications**

10. If representations are made and a hearing or Inquiry held, the cost of the Council’s involvement in the proceedings will need to be met.
11. Although compensation can be claimed if loss or damage is sustained in consequence of a modification order, as this modification would be for the benefit of the Developer, a claim is unlikely to arise, however a unilateral undertaking could be sought from the Developer and all owners of the site (as opposed to individual house owners) to protect the Council’s position in this respect and to seek an indemnity in respect of any claims that might be made.
12. The cost of making the order and the administrative procedures involved can be subsumed within existing budgets but provision (estimated at £30,000) will need to be made for the cost of any hearing or Inquiry that may be necessary.

**Legal issues**

13. Although the Council would be required to take the decision to modify the order under section 97 of the Act, the decision of whether or not to confirm the order rests with the Secretary of State.

**Level of risk**

14. There are several risks associated with undertaking this procedure. These are as follows:-
  - The timescales for the process could extend if representations are made.
  - The Secretary of State may decide not to confirm the order meaning the only other option of a new planning application would need to be pursued.

**Equalities impact**

15. Consideration has been given to the public sector equality duty imposed by s149 of the Equality Act 2010. Having paid due regard to the need to meet the objectives of that duty the view is taken that the duty will be met by the requirement to serve notice of the making of the order on all those likely to be affected and by the general requirement to advertise the making of the order

<b>Report author</b>	Sally Fleming
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Service area or department	Law and Governance
Telephone	01865 252902
e-mail	<a href="mailto:sfleming@oxford.gov.uk">sfleming@oxford.gov.uk</a>

<b>Background Papers:</b>
1. Planning permission 13/01383/OUT



## Minutes of a meeting of the CITY EXECUTIVE BOARD on Tuesday 14 August 2018

www.oxford.gov.uk



### Committee members:

Councillor Brown (Chair)	Councillor Hayes
Councillor Hollingsworth	Councillor Rowley
Councillor Simm	Councillor Upton

### Officers:

Gordon Mitchell, Chief Executive  
Anita Bradley, Monitoring Officer  
Anna Winship, Management Accountancy Manager  
Martin Shaw, Property Services Manager  
Jason Munro, Parking & Shopmobility Manager  
John Mitchell, Committee and Member Services Officer

### Apologies:

Councillors Smith, Turner, Chapman and Clarkson sent apologies.

### 44. Declarations of Interest

None.

### 45. Addresses and Questions by Members of the Public

None.

### 46. Councillor Addresses on any item for decision on the Board's agenda

Councillor Henwood addressed the Board in relation to item 8 on the agenda (City Ward Boundary Review). Having met many local residents and community groups he was of the view that the proposed boundary changes would have a negative impact on residents to the east of Rymers Lane.

Over 1,500 local residents had recently fought for (and supported financially) the new nursery and community cafe located in Florence park. Many of these residents live in the area affected by the boundary proposal.

The proposed changes would result in about one third of the Florence Park area moving out of Cowley Ward and into Temple Cowley Ward.

He believed that the loss of these streets from the Cowley Ward would be divisive and adversely affect community cohesion that had taken decades to achieve.

He acknowledged the difficulty of identifying an alternative solution but proposed, on behalf of residents and local councillors, that Littlehay Road, Maidcroft Road, Clive Road, Lawrence Road, Havelock Road, Cleveland Road, Gerard Place and St Omer Road are retained within Cowley Ward and that Garsington, Napier, Phipps and St Luke's road should be assigned to the new Temple Cowley Ward. On behalf of the residents of Cowley, he respectfully requested the Board to consider this proposal.

The Chair thanked Councillor Henwood for his contribution which would be taken into account when the item 8 was discussed.

#### **47. Councillor Addresses on Neighbourhood Issues**

None.

#### **48. Items raised by Board Members**

None.

#### **49. Scrutiny Committee Reports**

No Scrutiny reports were submitted to this meeting.

#### **50. City Ward Boundary Review - Boundary Commission's initial proposals for comment**

The Electoral Registration Officer had submitted a report to brief the City Executive Board on the ward boundary review and ask it to comment on the draft ward scheme as published by the Local Government Boundary Commission for England.

The Chair briefly introduced the report. The proposal to re-name the new St Clement's Ward as Bannister was an appropriate way for the City to recognise the achievement of Sir Roger Bannister. She was minded to support the proposal put forward by Councillor Henwood in his submission to the Board.

In discussion agreed that St Luke's Road and Coleridge Close should be in the new Temple Cowley Ward and that Barton and Sandhills Ward should retain that name rather than be known by the proposed abbreviated version of Barton.

The City Executive Board resolved to:

**Propose** amendments to the new scheme of wards published by the Local Government Boundary Commission for England as follows:

1. in East Oxford, the boundaries move from north of St Mary's Road to south of it, and from the east of Bullingdon Road to the west;
2. in Headington, the boundary reverts to the City Council's original proposal so the boundary runs up the middle of Old Road. Holyoake Road simply reverts to Quarry and Risinghurst as it would not need to move to enable electoral equality reasons;
3. to amend the proposed name of St. Clement's to Bannister;

4. to retain Littlehay Road, Maidcroft Road, Clive Road, Lawrence Road, Havelock Road, Cleveland Road, Gerard Place and St Omer Road in Cowley Ward and assign Garsington, Napier, Phipps, St Luke's Road and Coleridge Close to the new Temple Cowley Ward; and
5. to retain the original name of the Barton and Sandhills Ward.

## **51. Approval to place contract Covered Market Roof works**

The Head of Housing Services had submitted a report to seek approval to place a contract in the sum of £1.3m for a rolling four year programme to replace the covered market roof coverings which have reached the end of their life. This work includes redecoration at high level and ensuring safe access for future maintenance.

The Property Services Manager spoke briefly to the report. He acknowledged the considerable cost of the contract but noted that this was a complex project which needed to be managed sensitively in a building of great importance to the City. The focus had been on value for money and not, simply, economy.

It was noted that this investment in high quality improvement and repair would give a positive message to current and future traders about the Council's recognition of the Market's importance.

The Chair drew attention to an additional recommendation which it was desirable to add to the one given in the report, that the Board should resolve to delegate to the Head of Housing Services the approval of and to have sealed the finalised contract to be entered into by the Council.

The City Executive Board resolved to:

1. **Approve** the placing of the contract to Croft Building and Conservation Ltd following the procurement of repair and refurbishment works to the Covered Market roofs in the sum of £1.3m over a four year period; and
2. **Delegate** to the Head of Housing Services the approval of and to have sealed the finalised contract to be entered into by the Council.

## **52. Court Place Farm Car Park**

The Executive Director of Sustainable City had submitted a report to implement a coherent parking policy at the Court Place Farm car park.

Councillor Hollingsworth introduced the report which was the culmination of extensive and sometimes difficult discussions with interested parties. The principal objective of

this long overdue scheme was to address the free use of the site by commuters seeking to avoid payment at other sites. The introduction of a tariff may, as the report noted, encourage commuters to consider more sustainable methods of transport.

The Chair drew attention to an additional recommendation which it was desirable to add to the ones given in the report, that the Board should resolve to delegate to the Executive Director of Sustainable City the consideration of any consultation responses in consultation with the Portfolio holder for Planning and Transport and to take any steps necessary to confirm the parking order.

The City Executive Board resolved to:

1. **Introduce** a pay & display parking scheme at Court Place Farm car park;
2. **Add** Court Place Farm car park to the existing Parks Traffic Order;
3. **Agree** that the level of penalty charges is kept in accordance with all other City Council operated car parks;
4. **Agree** the tariff level at the car park; and
5. **Delegate** to the Executive Director of Sustainable City the consideration of any consultation responses in consultation with the Portfolio holder for Planning and Transport and to take any steps necessary to confirm the parking order.

### **53. Appointment of an Oxford City Council representative to the Oxfordshire Association of Local Councils**

The Head of Law and Governance had submitted a report to include the Oxfordshire Association of Local Councils on the list of Oxford City Council Outside Bodies and to appoint a representative for the 2018/19 Council Year; and to note changes in representation to three other organisations.

The City Executive Board resolved to:

1. **Agree** to include the Oxfordshire Association of Local Councils on the list of Oxford City Council Outside Bodies;
2. **Appoint** Councillor Tanner as the Oxford City Council representative to the Oxfordshire Association of Local Councils for the 2018/19 Council Year;
3. **Note** the appointment of Councillor Howlett as the Oxford City Council representative on the City of Oxford Charity;
4. **Note** the appointment of Councillor Curran as the Oxford City Council representative on the Donnington Community Centre Association; and
5. **Note** the appointment of Councillor Garden as the Oxford City Council representative on the Headington Parish Charity.

### **54. Minutes**

The City Executive Board resolved to **approve** the minutes of the meeting held on 11 July 2018 as a true and accurate record.



## **55. Dates of Future Meetings**

Meetings are scheduled for the following dates:

18 September 2018  
16 October 2018  
14 November 2018  
18 December 2018

All meetings start at 5pm.

## **56. Matters Exempt from Publication**

No matters were considered in confidential session.

**The meeting started at 5.00 pm and ended at 5.30 pm**

**Chair .....**

**Date: Tuesday 18 September 2018**

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## Minutes of a meeting of the CITY EXECUTIVE BOARD on Tuesday 18 September 2018

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### Committee members:

Councillor Brown (Chair)	Councillor Linda Smith (Deputy Leader)
Councillor Turner	Councillor Chapman
Councillor Clarkson	Councillor Hayes
Councillor Hollingsworth	Councillor Rowley
Councillor Simm	Councillor Upton

### Officers:

Gordon Mitchell, Chief Executive  
Anita Bradley, Monitoring Officer  
Nigel Kennedy, Head of Financial Services  
Sarah Grubb, Senior Regeneration Officer  
Tina Mould, Capital Programme Project Manager  
Sarah Harrison, Senior Planner  
Dave Scholes, Housing Strategy & Needs Manager  
Jan Heath, Business Improvement & Performance Manager  
John Mitchell, Committee and Member Services Officer

### Also present:

Councillor Andrew Gant, Chair of Scrutiny Committee

### Apologies:

No apologies were received

### 56. Declarations of Interest

None.

### 57. Addresses and Questions by Members of the Public

None.

### 58. Councillor Addresses on any item for decision on the Board's agenda

None.

### 59. Councillor Addresses on Neighbourhood Issues

None.

## **60. Items raised by Board Members**

None.

## **61. Scrutiny Committee Reports**

Cllr Gant spoke to the recommendation from Scrutiny Committee in relation to Fusion Lifestyle. The Committee took a close interest in Fusion Lifestyle and was very aware of the challenges it faced from local competition. The Committee did, however, remain concerned at Fusion Lifestyle's performance and the measures in place to address it. In particular there was concern at the quality and availability of relevant data and the absence of officers to speak to what data there was. He was grateful for the response from the Board Member but disappointed that there was no specific reference in it to agreement to the audit requested by the Committee.

Cllr Linda Smith gave an assurance that there would be an audit to cover the matters identified by the Scrutiny Committee. She also said that she would see what could be done to provide the data sought by the Committee, while noting that some of it might be commercially sensitive.

## **62. Council Tax Reduction Scheme for 2019/20**

The Head of Financial Services had submitted a report to seek approval for proposals for consultation on changes to the Council's Council Tax Reduction Scheme for 2019/20.

Cllr Simm introduced the report, drawing particular attention to the proposed consultation's focus on the impact of the income band scheme for residents on Universal Credit and the minimum income floor for self-employed people. She noted that the City Council was one of the few authorities to commit so wholeheartedly to a Council Tax Reduction Scheme.

The Chair welcomed the consultation and remind the Board that its cost to the Council was over £1.5m per annum, and represented a major contribution to the Council's commitment to inclusion.

The City Executive Board resolved to:

1. **Agree** that the proposals for the 2019/20 Council Tax Reduction Scheme outlined in the report be subject to public consultation for an 8 week period from 24 September 2018; and
2. **Instruct** the Head of Finance to bring a further report to the City Executive Board in January 2019 to outline the outcome of the consultation process and make proposals for the 2019/20 Council Tax Reduction Scheme.

## **63. Consultation on the Wolvercote Neighbourhood Plan**

The Head of Planning, Sustainable Development and Regulatory Services had submitted a report to endorse the consultation on the Draft Wolvercote Neighbourhood Plan as required by Regulations.

Cllr Hollingsworth introduced the report which was an early part of a process which would, ultimately, lead to the production of Wolvercote's Neighbourhood plan. All that was sought at this stage however was confirmation that all necessary steps had been taken to allow the process to proceed to the next stage. That assurance could be given. The Council's opportunity to comment on the plan would come once the consultation was underway.

The City Executive Board resolved to:

1. **Agree** that the legal tests have been met and to proceed with the consultation stage;
2. **Endorse** for public consultation the Draft Wolvercote Neighbourhood Plan; and
3. **Proceed** with the neighbourhood plan process by submitting the consultation responses and the draft plan for independent examination.

#### **64. Joint Statutory Spatial Plan**

The Head of Planning, Sustainable Development and Regulatory Services had submitted a report to seek approval of draft project and programme documents for the Oxfordshire Joint Statutory Spatial Plan (JSSP) the preparation of which is a requirement of the Oxfordshire Housing and Growth Deal. These documents comprise:

- a, Draft Statement of Community Involvement 2018;
- b, Local Development Scheme; and
- c, JSSP Scoping Document

Cllr Hollingsworth explained that the suite of documents before the Board were a necessary condition of the Oxfordshire Housing and Growth Deal. They set out, in broad overarching terms, a plan for the whole county and would be agreed by Oxfordshire's other District Councils and the County Council.

The City Executive Board resolved to:

1. **Approve** the Local Development Scheme (LDS) for the JSSP presented at Appendix 1;
2. **Approve** the draft Statement of Community Involvement 2018 (Appendix 2) for the JSSP for a six week period of formal public consultation;
3. **Approve** the JSSP Scoping Document presented at Appendix 3;
4. **Authorise** the Head of Planning, Sustainable Development and Regulatory, after consultation with the Portfolio Holder for Planning and Transport, to make any necessary minor and presentational changes to the draft Statement of Community Involvement 2018 before formal consultation commences; and
5. **Authorise** the Head of Planning, Sustainable Development and Regulatory, after consultation with the Portfolio Holder for Planning and Transport, to make any necessary minor and presentational changes to the Local Development Scheme 2018 and JSSP Scoping Document before publication.

## **65. Oxford Flood Alleviation Scheme (Amended Land Disposal)**

The Executive Director – Sustainable City had submitted a report to present for approval the updated proposed land disposals and discounts in relation to the Council's commitment of up to £1,000,000 in-kind contributions from land disposal and compensation foregone to facilitate the Oxford Flood Alleviation Scheme.

Cllr Hollingsworth reminded the Board that it had received a number of reports in relation to this project to reduce the extent and likelihood of flooding in the City; this was the next necessary step in the process. The Chair remarked on the importance of this project for the City.

The City Executive Board resolved to:

1. **Approve** the amended disposal of land (as identified in Appendix 1) to the Environment Agency for the purposes of the Oxford Flood Alleviation Scheme. Such disposal to be below market value but subject to receipt of appropriate consents and the inclusion of appropriate restrictive covenants; with the Council also foregoing any land compensation in relation to the severance to the retained land. The values of the land identified in Appendix 1, being set out in Appendix 2;
2. **Approve** the increase in net in-kind contribution to be made by the Council to the EA from £450,500 to £663,500 (and up to £696,675, if required);
3. **Approve** the use of the Council's powers under the Local Government Act 1972: General Disposal Consent 2003 - disposal of land for less than the best consideration that can reasonably be obtained - to dispose of the land identified in Appendix 1 below market value; and
4. **Grant** delegated authority to the Executive Director - Sustainable City, in consultation with the Heads of Finance and Law and Governance, to enter into appropriate legal agreements with the Environment Agency to give effect to the above matters.

## **66. Blackbird Leys Development**

The Regeneration and Economy Programme Director had submitted a report to approve the selection of a preferred development partner.

Cllr Rowley introduced the report, and was pleased to note that, through the use of an appropriate methodology, a developer had been identified which would be responsive to the needs and aspirations of both the community in Blackbird Leys and the Council.

It was agreed that thorough and meaningful consultation with the local community would be critical to the success of the project. The recommended developer recognised the importance of this. It would also be important to be clear about what would be done with the information collected as a result of consultation as would the importance of being explicit about the constraints which would inevitably surround the project. Communication with other landowners was also critical and should start sooner rather than later. While not so easy to achieve, thought might also be given to

engaging with those residents not currently living in Blackbird Leys who might live there in the future.

Overall it was agreed that this was an exciting and transformative project.

Following a discussion in confidential session the City Executive Board resolved to:

1. **Approve** the selection of the preferred Development Partner;
2. **Delegate** authority to the Regeneration and Economy Programme Director and the Head of Law and Governance, to finalise and enter into a Development Agreement with the preferred Development Partner; and
3. **Delegate** authority to the Regeneration and Economy Programme Director and the Head of Law and Governance, to agree external grant funding arrangements to support this project; including the current Housing and Infrastructure Fund opportunity with Homes England.

## **67. Re-commissioning of Housing Advisory Contract**

The Head of Housing had submitted a report to seek the City Executive Board's agreement to the re-commissioning of an independent housing advisory service.

The Housing Strategy and Needs Manager introduced the report . The contract was with Shelter at the moment but up for renewal. The specification was being refined to reflect, among other things, the introduction of the Homelessness Introduction Act. It was envisaged that the contract provider would deal with more complex cases on a referral basis from an advice agency. Significantly it is proposed that advice should in future be available not just from the City Council Offices but also from advice agencies elsewhere in the City; these should be capable of offering more comprehensive housing and homelessness advice. The next step would be to tender the contract via the usual procurement process.

The City Executive Board resolved to:

1. **Re-commission** the contract to provide an independent housing advisory contract; and
2. **Delegate** authority to the Head of Housing to award the contract in the best interests of the Council.

## **68. Quarterly Integrated Report, Finance & Performance Q1**

The Head of Financial Services and the Head of Business Improvement had submitted a report to update Members on Finance, Risk and Performance as at 30th June 2018.

The Head of Financial Services introduced the report. He drew attention to the outturn forecast of an adverse variance in the General Fund of £0.094 million (against net

budget of £22.098 million). The key variances contributing to that were an adverse variance of £0.494 million from a decline in car parking income and a favourable variance of £0.400 million from higher levels of business rates from the Westgate Centre than anticipated. There was a favourable variance in relation to the Capital Programme of £2.35m, this was partly attributable to some slippage in completions at Barton Park. It was noted that this slippage was due to a shortage of skilled labour rather than poor project management and was affecting the delivery of all tenures.

Cllr Turner was pleased to note that the overall picture for General Fund was positive and was hopeful that it would be on target by the year end.

In relation to performance, 40% of indicators were on target and 25% below but within acceptable tolerance limits.

The Business Improvement and Performance Manager explained that the potential benefits of the replacement Housing Computer System (for which funding was sought) had not all been quantified but it was clear that they (not all of which could be measured in financial terms) were likely to be considerable.

The indicators relating to the number of new homes granted permission in the City and the amount of employment floor space for development were not without merit but might, in future, more usefully, be reported over a longer period than quarterly and on a rolling basis.

The City Executive Board resolved to:

1. **Note** the projected financial outturn, the current position on risk and performance as at the 30th June 2018;
2. **Recommend** to council to approve the increase of the HRA capital budget for Social Rented Housing Acquisitions by £0.444 million to a total of £1.479 million. This will be fully funded by Retained Right to Buy capital receipts. More details are included in paragraph 10; and
3. **Recommend** to Council to approve the additional capital budget for the Replacement of the Housing Computer System of £0.450 million as per the details in paragraphs 11-12.

Councillor Turner joined the meeting during discussion of this item.

## **69. Treasury Management Performance: Annual Report and Performance 2017/18**

The Head of Financial Services had submitted report which set out the Council's Treasury Management activity and performance for the financial year 2017/2018.

The Head of Financial Service introduced the report. Despite low interest rates the Council's investments had succeeded in generating more than had been targeted. The £0.17 million outstanding with failed Icelandic banks would probably have to be written off (but without prejudice to subsequent efforts to get the funds returned). If the Council's investments had all been risk free its financial position would be worse than it



was now. The focus of the Council's non-specified investments was on property , with a bias towards retail; this emphasis was currently being reviewed. Most direct investments were, deliberately, in Oxford. The two property funds the Council invested in were performing well. All Council investments were subject to an ethical code, it was agreed, for the sake of clarity, that this should be referred to in subsequent reports.

The City Executive Board resolved to:

**Note** the report.

## **70. Minutes**

**The City Executive Board resolved to:**

**Approve** the minutes of the meeting held on 14 August 2018 as a true and accurate record.

## **71. Dates of Future Meetings**

Meetings are scheduled for the following dates:

16 October 2018  
14 November 2018  
18 December 2018

All meetings start at 5pm.

## **72. Matters Exempt from Publication**

Under the terms of Paragraph 4(2)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012, the Board moved into confidential session.

## **73. Oxford Flood Alleviation Scheme - Confidential Appendices**

There was no discussion of this item in confidential session

## **74. Blackbird Leys Development - Confidential Appendix**

There was discussion of this appendix in confidential session.

**The meeting started at 5.00 pm and ended at 6.40 pm**

**Chair .....**

**Date: Tuesday 16 October 2018**

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**To:** Council  
**Date:** 1 October 2018  
**Report of:** Economic Development Manager  
**Title of Report:** Partnership Update Report – Oxfordshire Local Enterprise Partnership

<b>Summary and recommendations</b>	
<b>Purpose of report:</b>	To provide members with an update on the progress and impact of the Oxfordshire Local Enterprise Partnership.
<b>Key decision:</b>	No
<b>Executive Board Member with responsibility:</b>	Cllr Susan Brown
<b>Corporate Priority:</b>	Vibrant and Sustainable Economy
<b>Policy Framework:</b>	Oxford Economic Growth Strategy
<b>Recommendation(s): That the Committee resolves to:</b>	
1. The Council is invited to comment and note the report.	

<b>Appendices</b>
None

## Introduction and background

1. Established in March 2011, the Oxfordshire Local Enterprise Partnership Ltd (OxLEP) is responsible for facilitating the strategic development of the Oxfordshire economy and is now well established as the primary partnership promoting economic growth. CEO, Nigel Tipple leads a team of staff who work closely with a network of business, further and higher education representatives, and Economic Development officers.
2. Jeremy Long was appointed as Board Chair in March 2016. He is currently CEO for Europe of the Hong-Kong headquartered international railway and property group MTR Corporation, and has played a role in positioning the importance of Oxford Station thus far. Cllr Susan Brown is the City Council's LEP Board member, alongside the other council leaders across the county. Peter Nolan of Oxford BioMedica recently joined the LEP Board and also chairs the Oxford Economic Growth Board (OSP sub-group), providing a direct link between the

city's interests and the wider LEP area. Peter replaced Richard Venables of VSL&P in late 2017. Phil Southall, Managing Director of the Oxford Bus Company, and Penny Rinta-Suksi, Partner at Blake Morgan also Oxford based members of the Board covering transport issues and programmes.

3. City Council Officers are involved in a range of OXLEP partnerships and OxLEP colleagues are involved in many city/district partnerships. There is ongoing officer involvement and engagement with the LEP through various officers and teams including CMT, Regeneration and Economy, Planning, Environmental Sustainability, and Welfare Reform. LEP related partnerships that have involved city council officers over the last twelve months include;
  - a) The Local Industrial Strategy Steering Group (see below)
  - b) Oxfordshire Skills Board on delivery of the Oxfordshire Skills Strategy
  - c) Oxfordshire European Structural Investment Funds Committee (see below)
  - d) Joint Oxfordshire Business Support Group - Collaborating on the provision and resourcing of local business support that meets local business needs.
4. The LEP is also involved in supporting the following partnership groups;
  - a) The Oxford-Cambridge Corridor
  - b) The Oxfordshire Growth Board
  - c) The Oxford Strategic Partnership
  - d) The Oxford Economic Growth Board
  - e) Smart Oxford Board.
5. The LEP's various sub-groups involving a range of board members and stakeholders include Skills, Innovation, Business support, Programme delivery, Transport, Visitor Economy, Environment and sustainability, and Enterprise Zones.

## **Achievements**

6. OxLEP has worked to ensure Oxfordshire is recognised by government and local stakeholders, as having of the most innovative and resilient economies in the UK. With a GVA of £23billion per annum, they state the county is one of only three net contributors to the Exchequer.
7. Together with partners including the Oxfordshire Growth Board, OxLEP has helped to secure around £600 million-worth of central government and European funds for the Oxfordshire economy. Around £142.5m was secured for Oxfordshire through the Local Growth Fund 1, 2 and 3 funded projects include; the OFAS, Oxpens, Oxford Station, Northern Gateway and Osney Mead, with around £12m awarded to the city in the third round in 2017.
8. SWM also ranked OXLEP first for climate change/low carbon commitment against ESIF allocations and fifth for its commitment to climate change adaptation, mitigation and the low carbon economy. The LEP is currently in the process of developing the Oxfordshire Energy Strategy, to be aligned to both the UK Industrial Strategy and the Clean Growth Strategy.

9. In the Oxfordshire LEP area there were 93 successful FDI projects in 2017-18. Through these investments 1,315 new jobs were created and 403 jobs safeguarded. In addition, the LEP attracted 5 'multi-region' FDI projects. The figures are a 122% increase from the previous year. Whilst the numbers are inflated by growth at Westgate and Bicester Village, there was still a significant increase without them. 53% of new projects located within Oxford City.
10. Local Industrial Strategy (LIS): Arising from the Housing and Growth Deal, which OxLEP played a role in securing, Oxfordshire is one of three alongside Manchester and Birmingham invited to create government backed local industrial strategies in conjunction with central government and local partners. City Council Officers have been closely working with the LIS steering group. The Oxfordshire LIS will set out an ambitious plan improve productivity, tackle the UK's 'Grand Challenges' identified in the National strategy, and develop future industries. The stated vision is to 'become a top three global innovation ecosystem by 2040'. The LIS will identify priority interventions alongside an investment prospectus aimed at a broad audience of stakeholders and investors, to help them understand how they can contribute to the delivery of the overarching vision for Oxfordshire's industrial development over the next twenty years. The completed strategy, agreed with Government, is expected by December 2018.
11. European Structural and Investment Funds: OxLEP is locally administering this €19.3m programme from 2014-2020, led by MHCLG. Launched in 2018, Innovation Support for Business is a £5.2m programme run in Oxfordshire by OxLEP Business to support eligible start-ups as well as small and medium enterprises (SMEs). Finance for the programme has been provided by the European Regional Development Fund (ERDF) with match funding from our local partners. It will enable improved access to experts and collaborate with research institutes to commercialise new ideas and introduce new innovations to businesses. OxLEP is delivering the ISfB programme with partners from the University of Oxford, Cherwell District Council, Oxford City Council, and Oxford University Hospitals NHS Foundation Trust.
12. Existing programmes involving Oxford City Council include the £3.2m 'OxFutures' Low Carbon Economy Programme, £586K community grant European Social Funds to boost employability skills and Building Better Opportunities (£734K) in conjunction with Lottery Funds focussing on supporting those not in training education or employment (NEETs). The LEP played a role in securing these through its ESIF strategy and administering the ESIF process at a local level alongside central government.
13. A range of other areas of joint working that have achieved traction with government and local partners include;
  - a) Coordination with local councils on the Housing and Growth Deal
  - b) Influencing Government on a range of strategic issues in conjunction with the councils, such as the National Infrastructure Commission's work on the Oxford to Cambridge Growth Corridor.

- c) Collaborating on foreign, direct and inward investment attraction, and trade promotion activity with OxLEP. A China Investment and Trade Prospectus is due to be developed to direct and manage demand from this key growth market
  - d) Working on a shared approach to business engagement with council officers, to retain and create jobs, including a programme of employer meetings and a range of business forum events
  - e) Skills Strategy development and partnership working to deliver Community Employment Plans related to major local investments
  - f) Conducting research where required, including an impending review of the feasibility of further developing the business visitor economy and enhanced conference venue provision, by developing new or enhancing use of existing assets.
14. **Funding:** As indicated above, a key role of the LEP is securing and distributing resources for delivery of the Strategic Economic Plan through a variety of means as highlighted above. In this role, OxLEP is widely acknowledged to have been successful since its launch. A brief summary of its track record is below;
- a. £55.5m through the City Deal in 2014.
  - b. a €19.3m ESIF funds being successfully allocated locally
  - c. Contribution to the negotiation of a £215 million Oxfordshire Growth Deal
  - d. Key capital schemes in receipt of a range of funding since 2014 include
    - i. Northern Gateway -£6M
    - ii. Oxpens - £3.5M
    - iii. Osney Mead - £6.2m
    - iv. Oxford Station - £5.1m
    - v. £15.2m go towards two innovation centres based at Oxford University: the Begbroke Innovation Accelerator at Begbroke Science Park (Cherwell) and the Oxford BioEscalator at the University's Old Road Campus.
    - vi. £26M towards the Western Flood Relief Channel and £0.6m Flood containment at Northway.
    - vii. Access to Headington - £8.2m.
    - viii. Centre for Applied Superconductivity - £4.5m
    - ix. Oxfordshire Centre for Technology and Innovation - £4.5m
    - x. Science Transit (Oxon wide) £35m.
15. **Overall Impact:** OxLEP monitors and reports its impact to the OxLEP Board through a quarterly Operating Plan and [Annual Report](#), formally launched 25<sup>th</sup> September 2018. Members are also encouraged to view the report for more detail. In general terms, the LEP's work is now characterised by strategy, influence, coordination and delivery of programmes that directly or indirectly enable productivity growth, job creation/safeguarding/attraction, and an improved environment for business. Overall there has been an increase of around 43,000 jobs from 2012-2016, close to half of the 85,000 projected to 2031. The LEP's report highlights the influence they have had across skills and careers, business support, capital and revenue funded programmes and in guiding the strategic direction for Oxfordshire's economy.
16. **Partnership Function:** The LEP, alongside officers generally makes a consistent collective effort to work in partnership with business, local authorities,

education and other stakeholders, in what is relatively a complex environment. City council officers are working to help ensure this partnership continues to function well in the city's interests.

### **Financial Implications**

17. The City Council has not been required to make a direct annual budget contribution to the LEP, but there is a significant amount of resource in kind through member and staff time for attending meetings, coordination and communication of decisions, and matching existing staff costs of European Funded programmes related to business support. There are no additional financial implications as a direct result of this report

### **Legal Implications**

18. There are no legal implications at present.

### **Level of risk**

N/A.

### **Equalities impact**

N/A.

<b>Report author</b>	Matt Peachey
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Service area or department	Regeneration and Economy
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**Background reading:** OxLEP Annual Report - <https://www.oxfordshirelep.com/sites/default/files/uploads/44360%20Annual%20Report%202017-2018%20WEB.pdf>

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**To:** Council  
**Date:** 1 October 2018  
**Report of:** Chair of the Scrutiny Committee  
**Title of Report:** Scrutiny briefing

<b>Summary and recommendations</b>	
<b>Purpose of report:</b>	To update Council on the activities of the scrutiny function
<b>Key decision:</b>	No
<b>Corporate Priority:</b>	Strong and Active Communities; An Efficient and effective Council
<b>Policy Framework:</b>	Not applicable
<b>Recommendation(s): That the Committee resolves to:</b>	
1. The Council notes the update report.	

**Appendices:** Appendix 1: Scrutiny work plan – September 2018

## **Introduction**

1. Since my last update, I can report that the Scrutiny function has made good progress in implementing its Work Plan over the summer. Whilst some items have slipped to later in the year, the Committee continues to have full agendas with important issues and decisions to review.
2. I am pleased to note that Councillor Martyn Rush was earlier this year appointed by the Leader as the Oxford Living Wage Champion. This was a key recommendation from the Committee in last year's review of the Oxford Living Wage.
3. It is also worthwhile highlighting that the Committee is keen to ensure that the monitoring of Fusion Lifestyle's performance remains a cornerstone of its function, and it is positive to see an upturn in visitor numbers in the first quarter of 2018.

## **Work Plan 2018-19**

4. Since agreeing the Work Plan in June, many of the items agreed have already been allocated a meeting date. It is important to highlight that whilst the Committee agrees an annual work plan, it remains flexible and reactive to new suggestions. If councillors or members of the public have any suggestions, then please send these to the Scrutiny Officer for consideration at the next available meeting.

## **Scrutiny Committee**

5. Since my last regular Council update, the Scrutiny Committee has held four meetings on 17 May, 5 June, 3 July and 6 September. The following items were considered at these meetings:
    - Scrutiny Operating Principles and Panel Arrangements
    - Review of Discretionary Housing Payment Policy
    - Oxford Town Hall
    - Annual Work Plan Review
    - Fusion Lifestyle's Annual Service Plan
    - Safeguarding Annual Report
    - Modern Slavery and Transparency Statement
    - Establishing Scrutiny Review Groups
    - The Joint Statutory Spatial Plan
    - The Air Quality Annual Status Report
    - Quarter 4 2017/18 and Quarter 1 2018/19 Council Performance Reports
  6. The Committee made a number of recommendations relating to these issues concerning:
    - The effective monitoring of Fusion Lifestyle's performance in additional areas, as well as the marketing of its leisure centres.
    - Better understanding the reach of the Council's safeguarding work.
    - Considering topping up the Discretionary Housing Payment Grant to enable a broadening of the application criteria.
    - Reviewing the Town Hall charging schedule, with a specific focus on removing any charges that may disadvantage disabled users.
  7. The next Committee meeting will be held on 8 October where the Committee will undertake an important review of the Draft Local Plan, following public consultation on the preferred options. The Committee will also consider Staff Sickness Absence, following a rise in absence identified in a quarterly performance report. This is a good example of how the Committee has remained reactive and agile in its work planning.
  8. Looking further ahead, another highlight of the Committee's work will be its consideration of the Westgate Shopping Centre, and its impact on the local area since opening. A selection of external guests have been invited to contribute to this discussion, which will take place on 6 November. That same meeting will also consider the draft report of the No Local Connection Review Group.
- ### **No Local Connection Review Group**
9. The No Local Connection Review Group has met four times since it was established in July. This cross-party group has been set up to review the Council's Local Connection Policy in relation to homelessness services, and the affect it has on those without a local connection. Amongst other research activities, the Group has held two expert panel sessions to gather key insights from 10 external speakers, including a national policy expert from Crisis. The Group has also received evidence from 14 other local authorities on how they support people without a local connection, and evidence from academic experts in the field.
  10. The Review Group aims to present its draft report to the Scrutiny Committee meeting on 6 November, with any recommendations being made to the City Executive Board on 14 November.

### **Housing Panel**

11. The Housing Panel, which now has eight members (including one tenant co-optee), met for its first meeting this year on 5 July to consider the following items:
  - Quarter 4 Housing performance
  - The Management of Vacant Garage Units
  - Annual Work Plan Review

The Housing Panel reviewed its Work Plan for 2018/19 and decided to review preparations for the Severe Weather Emergency Protocol (SWEP), having identified areas for improvement from last year. The Panel will receive a report in November 2018 on what plans have been made and a report in March 2019 to evaluate how successful SWEP has been. The Panel has also agreed to commission a report from the Head of Housing Services on options for a Council Owned Letting Agency, with reference to a 2016 Council motion which requested that this be considered. This item is expected to come forwards for consideration in March 2019.

12. The Panel's next meeting is on 11 October where it will consider the Quarterly Housing Performance Report, the Draft Local Plan and the Oxford Rent Guarantee Scheme Pilot Review.

### **Finance Panel**

13. The Finance Panel, which now has six members, met on 4 July to consider the Q4 finance report which was also presented to CEB. The Panel also received an update from the Head of Financial Services on the Brexit process, and its relationship with the local economy.
14. The Finance Panel also considered its annual Work Plan for the year. In addition to recurring and outstanding items from 2017/18, the Panel agreed to add Council Tax Exemption Monitoring to its Work Plan. The Finance Panel's next meeting is on 10 September where it will be considering income generation by Legal Services, Treasury Management performance and the Council Tax Reduction Scheme for 2019/20.

### **Companies Panel**

15. The Companies Panel also has six members, and it met on 7 June to consider a presentation on progress with the Housing Development Programme, and specifically in regards to eight development sites. At the time of the meeting, the projected completion dates of the development sites were as follows:
  - Harts Close – May 2019
  - Cumberledge Close – Oct 2019
  - Rose Hill sites – March 2020
  - Warren Crescent – January 2020
  - Elsfield Hall – April 2020
  - Between Towns Road – July 2020
  - Underhill Circus – late 2020
  - Lucy Faithfull House – not yet programmed
16. The Panel expressed dissatisfaction with the reduction in the number of deliverable units across these sites, but recognised that this was largely due to planning restrictions since the architect's first designs/projections were completed. The Panel relayed its comments to the Housing Group Shareholder meeting on 11 June 2018.

17. The Companies Panel also met on 31 July to consider matters relating to the Oxford Direct Services (ODS) Shareholder meeting on 2 September 2018. The Panel considered the ODS quarterly performance report which presented key performance indicators for the first time since the Company was formally established in April 2018.
18. The Panel were pleased to see the positive work being done in relation to health and safety, and noted that year 1 financial targets were on track. The Panel also passed recommendations to the Shareholder concerning championing ODS to undertake works relating to councillor Community Infrastructure Levy applications, and the need for a more comprehensive scorecard of financial indicators to monitor.

Councillor Andrew Gant – Chair of the Scrutiny Committee  
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# SCRUTINY WORK PLAN

## September 2018 - December 2018

Published on: 21/09/18

The Scrutiny Committee agrees a work plan every year detailing selected issues that affect Oxford or its people. 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 2018-19 council year and will be reviewed at each meeting of the Scrutiny Committee.

The work plan is based on suggestions received from all elected members and senior 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 consideration of the issue timely?
- Is it a corporate priority?
- Is the issue of significant public interest?
- Can Scrutiny influence and add value?
- Is it an area of high expenditure, income or savings?

Some topics will be considered at Scrutiny Committee meetings and others will be delegated to 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	Membership
Scrutiny Committee	Overall management of the Council's scrutiny function.	Councillors; Andrew Gant (Chair), David Henwood (Vice-Chair), Mohammed Altaf-Khan, Lubna Arshad, Nadine Bely-Summers, Hosnieh Djafari-Marbini, Alex Donnelly, James Fry, Pat Kennedy, Craig Simmons, Christine Simm, Mark Lygo.
Finance Panel	Finance and budgetary issues and decisions	Councillors; James Fry (Chair), Mohammed Altaf-Khan, David Henwood, Chewe Munkonge, Craig Simmons, Roz Smith.
Housing Panel	Strategic housing and landlord issues and decisions	Councillors; David Henwood (Chair), Lubna Arshad, Nadine Bely-Summers, Richard Howlett, Angie Goff, Mike Gotch, Dick Wolff and Geno Humphrey (tenant co-optee).
Companies Panel	To scrutinise shareholder decisions relating to wholly Council-owned companies.	Councillors; James Fry (Chair), Tiago Corais, David Henwood, Tom Landell-Mills, Chewe Munkonge, Craig Simmons.

## Current and planned review groups

Topic	Remit	Membership
No Local Connection Review Group	To review the Council's Local Connection Policy in relation to homelessness, and how services could be improved for those without a local connection.	Councillors; Nadine Bely-Summers (Chair), Shaista Aziz, Paul Harris, Richard Howlett, Tom Landell-Mills, Craig Simmons
Budget Review 2019/20	To review the 2019/20 budget proposals.	Finance Panel Membership
Tourism Management	To review how increasing tourism is being managed in the City, and new ways of improving the Oxford experience for both tourists and residents.	Councillors; Andrew Gant (Chair), James Fry, Pat Kennedy, Alex Donnelly, Paul Harris and Dick Wolff.

## Indicative timings of review groups

	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April
<b>No Local Connection</b>	Evidence Gathering			Reporting					
<b>Budget review</b>					Scoping	Evidence Gathering	Reporting		
<b>Tourism Management</b>							Evidence Gathering		

## SCRUTINY COMMITTEE

### 8 OCTOBER 2018 - PROVISIONAL REPORTS

Agenda item	Decision	Description	CEB Portfolio	Report Contact
Draft Local Plan	Yes	To present the draft Local Plan following public consultation on the preferred option.	Planning and Transport	Sarah Harrison, Senior Planner
Staff Absence and Wellbeing	No	To consider an update on staff absence and wellbeing.	Customer Focussed Services	Paul Adams, HR Manager
Planning and Regulatory Services Improvement Plan	No	To consider progress made against the Planning and Regulatory Services Improvement Plan.	Planning and Transport	Patsy Dell, Head of Planning and Regulatory

### 6 NOVEMBER 2018 - PROVISIONAL REPORTS

Agenda item	Decision	Description	CEB Portfolio	Report Contact
Workplace Equalities	No	To consider the diversity of the council's workforce, and strategies in place to promote workplace equalities.	Customer Focussed Services	Helen Bishop, Head of Business Improvement
Impact of the Westgate Shopping Centre	No	To consider the impact the re-opening of the Westgate has had on the local economy and the visitor experience.	Economic Dev and Partnerships / Culture and City	Tim Sadler, Director for Sustainable City
Report of the 'No Local Connection' Review Group	No	To endorse the draft report and recommendations of the Review Group for submission to the City Executive Board.	Housing and Leisure	Stefan Robinson, Scrutiny Officer

### 4 DECEMBER 2018 - PROVISIONAL REPORTS

Agenda item	Decision	Description	CEB Portfolio	Report Contact
Monitoring grants to Community/Voluntary Organisations 2017/18	Yes	To monitor the reported achievements resulting from Community and Voluntary Grant allocations for 2017/18.	Supporting Local Communities	Julia Tomkins, Grants & External Funding Officer
Customer Services, Digital and ICT Strategy	Yes	To consider the draft Customer Services, Digital and ICT Strategy.	Customer Focused Services	Rocco Labellarte, Chief Technology and Information Officer

Planning Annual Monitoring Report 2017-2018	Yes	The AMR monitors the implementation of policies in the Core Strategy 2026 and the Sites and Housing Plan 2011-2026.	Planning and Transport	Amanda Ford, Principal Planner
Accessibility Audit (TBC)	No	To consider a report on the Accessibility Audit of the Town Hall, as requested on 17 May 2018.	Customer Focussed Services / Culture and City Centre	David Hunt, Commercial Manager
Quarter 2 Council Performance Report 2018/19	No	To consider the Council's performance for Quarter 2 of 2018/19.	Various	Liz Godin, Corporate Governance Manager

## FINANCE PANEL

### 6 DECEMBER 2018 - PROVISIONAL REPORTS

Agenda item	Decision	Description	CEB Portfolio	Report Contact
Quarterly Integrated Report, Finance & Performance Q2	Yes	Quarterly Integrated Report for Finance, Performance and Risk	Deputy Leader / Finance / Asset Management	Anna Winship, Management Accountancy Manager
Monitoring social value	No	To consider the case and opportunities for monitoring social value through integrated financial, social and environmental accounting.	Finance, Asset Management	Nigel Kennedy, Head of Financial Services

### 8 AND 9 JANUARY 2019 – (BUDGET REVIEW GROUP)

### 16 JANUARY 2019 - PROVISIONAL REPORTS

Agenda item	Decision	Description	CEB Portfolio	Report Contact
Council Tax Reduction Scheme for 2019/20 (post consultation)	Yes	To review the Council Tax Reduction Scheme	Leader, Economic Development and Partnership	Paul Wilding, Programme Manager Revenue & Benefits



## HOUSING PANEL

### 11 OCTOBER 2018 - PROVISIONAL REPORTS

Agenda item	Decision	Description	CEB Portfolio	Report Contact
Oxford Rent Guarantee Scheme Pilot Review	Yes	Review of the two year pilot to know if this pilot is to continue	Housing	David Rundle, Private Rented Team Leader
Draft Local Plan (Housing Policies)	Yes	To review the policies contained within the draft Local Plan.	Housing	Sarah Harrison, Senior Planner
Quarterly Housing Performance Report	No	To review the quarterly performance report for Housing Services.	Housing / Leisure and Housing	Stephen Clarke, Head of Housing

### 12 NOVEMBER 2018 - PROVISIONAL REPORTS

Agenda item	Decision	Description	CEB Portfolio	Report Contact
Severe Weather Emergency Protocol (SWEP) preparation	No	To consider what provision is in place for Rough Sleepers in severe winter weather. A further update report will be considered on 4 March 2019 concerning how well SWEP has worked for rough sleepers, and any lessons learnt and areas for improvement.	Leisure and Housing	Stephen Clarke, Head of Housing

### 4 MARCH 2019 - PROVISIONAL REPORTS

Agenda item	Decision	Description	CEB Portfolio	Report Contact
Options for a Council Owned Letting Agency	No	To consider options for the establishment of a council owned letting agency.	Housing / Leisure and Housing	Stephen Clarke, Head of Housing
Severe Weather Emergency Protocol (SWEP) review	No	To consider how well SWEP has worked for rough sleepers, and any lessons learnt and areas for improvement.	Leisure and Housing	Stephen Clarke, Head of Housing

## COMPANIES PANEL

The Companies Panel will meet prior to meetings of the Shareholder Groups. Provisional dates for the Companies Panel are outlined below.

**13 NOVEMBER 2018 (RESCHEDULED FROM 25 OCTOBER 2018)**

**12 DECEMBER 2018**

**3 JANUARY 2019**

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