

Agenda

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Cabinet

Date: **Wednesday 29 May 2019**

Time: **6.00 pm**

Place: **The Old Library - Oxford Town Hall**

For any further information please contact:

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Details of how City Councillors and members of the public may engage with this meeting may be found on page 11 of this agenda.

As a matter of courtesy, if you intend to record the meeting please let the Committee Services Officer know how you wish to do this before the start of the meeting.

Cabinet

Membership

Chair/ Leader	Councillor Susan Brown	Leader of the Council, Board Member for Economic Development and Partnership
Vice Chair/ Deputy Leader	Councillor Linda Smith	Deputy Leader (Statutory), Board Member for Leisure and Housing
	Councillor Ed Turner	Deputy Leader, Board Member for Finance and Asset Management
	Councillor Nigel Chapman	Board Member for Customer Focused Services
	Councillor Mary Clarkson	Board Member for Culture and City Centre
	Councillor Tom Hayes	Board Member for Safer, Greener, Environment
	Councillor Alex Hollingsworth	Board Member for Planning and Transport
	Councillor Mike Rowley	Board Member for Housing
	Councillor Marie Tidball	Board Member for Supporting Local Communities
	Councillor Louise Upton	Board Member for Healthy Oxford

The quorum for this meeting is three, substitutes are not allowed.

Future items to be discussed by the Cabinet can be found on the Forward Plan which is available on the Council's [website](#)

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AGENDA

PART ONE PUBLIC BUSINESS

Pages

- | | | |
|---|--|--|
| 1 | APOLOGIES FOR ABSENCE | |
| 2 | DECLARATIONS OF INTEREST | |
| 3 | ADDRESSES AND QUESTIONS BY MEMBERS OF THE PUBLIC | |
| 4 | COUNCILLOR ADDRESSES ON ANY ITEM FOR DECISION ON THE BOARD'S AGENDA | |
| 5 | COUNCILLOR ADDRESSES ON NEIGHBOURHOOD ISSUES | |
| 6 | ITEMS RAISED BY BOARD MEMBERS | |
| 7 | SCRUTINY COMMITTEE REPORTS | |

The following reports (and Cabinet Member responses to them) will be published as a supplement to this agenda:

- 1) The report of the Tourism Management Review Group, commissioned by Scrutiny Committee;
- 2) Scrutiny Committee recommendations in relation to the Cabinet report on the Future Strategic Direction of the Council's group of Housing Companies (item 8 of this agenda); and
- 3) Scrutiny Committee recommendations in relation to the Cabinet report on the Community Infrastructure Levy (CIL) Draft Charging Schedule (item 9 of this agenda).

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| 8 | THE FUTURE STRATEGIC DIRECTION FOR THE COUNCIL'S GROUP OF HOUSING COMPANIES | 13 - 28 |
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Lead Member: Deputy Leader - Finance and Asset Management (Councillor Ed Turner), Housing (Councillor Mike Rowley)

The Head of Housing Services has submitted a report to consider and approve changes to the arrangements between the Council's group of Housing companies and the Council's Housing Revenue Account for the delivery of affordable housing in response to recent government policy changes and to agree to a review of future Oxford City Housing Limited (OCHL) development with a view to expanding activity and accelerating affordable housing delivery.

Recommendations: That Cabinet resolves to:

1. **Agree** that the Oxford City Housing Limited group of companies (OCHL) continues with the current development and acquisition programmes as detailed in paragraphs 9,12 and 14 of this report;
2. **Agree** that the Council's Housing Revenue Account from this date onwards purchases and manages the social rented and shared ownership units (with the exception of the Barton Park units);
3. **Recommend** to Council to increase the HRA capital programme by £45.303m so that adequate additional budgetary provision is made available for the acquisitions to take place (see Appendix 1);
4. **Recommend** to Council to approve a revised HRA budget and Business Plan that incorporates the new acquired dwellings that impacts on rental income, maintenance spend, interest payments, debt redemption activity and other matters as set out in Appendix 2;
5. **Recommend** to Council to approve the re-phasing of the loans from the General Fund Capital Programme in relation to the borrowing activity of OCHL over the MTFP period 2019/20 to 2022/23(see appendix 1)
6. **Agree** that delegated authority is given to the Assistant Chief Executive in consultation with the Head of Finance and the Head of Law and Governance to approve and facilitate the agreed purchase by the HRA of all affordable housing units at the OHCL development sites.
7. **Authorise** Phase 2 of the review of the role and future activity of OCHL and the detail of the review as set out in paragraph 17 of the report; and
8. **Grant** delegated authority to the Assistant Chief Executive in consultation with the Head of Finance and Head of Law and Governance to approve the sale of sites as set out in the OCHL business plan to OCHL providing that such sales comply with the mechanism set out in paragraph 31 of this report and s123 of the Local Government Act 1972, and are made on the basis that following development all affordable housing units at the sites would be purchased back by the Council through the Housing Revenue Account.

9 COMMUNITY INFRASTRUCTURE LEVY CHARGING SCHEDULE REVIEW

29 - 90

Lead Member: Planning and Transport (Councillor Alex Hollingsworth)

The Head of Planning Services has submitted a report to seek approval for the Draft CIL Charging Schedule and revised CIL 123 list to be submitted to the Secretary of State for examination, approve the

statement of modification and approve the policy for Exceptional Circumstances.

Recommendations: That Cabinet resolves to:

1. **Approve** the Statement of Modification (Appendix 5) the Community Infrastructure Levy (CIL) Draft Charging Schedule (Appendix 4) and the revised CIL Regulation 123 list (Appendix 7) and Authorise the Head of Planning (or any officer acting in that capacity), to make any typographical changes to the document deemed necessary and then to formally submit to the Secretary of State for examination;
2. **Approve** the discretionary Exceptional Circumstances Relief Policy (as per Regulation 56 of the Community Infrastructure Levy Regulations 2010 (as amended) (Appendix 6); and
3. **Authorise** that future decisions under the discretionary Exceptional Circumstances Relief Policy will be delegated to the Head of Planning after consultation with the Planning and Transport portfolio holder.

10 CLEAN BUS TECHNOLOGY FUND

91 - 98

Lead Member: Safer, Greener, Environment (Councillor Tom Hayes)

The Transition Director has submitted a report following an award to the Council of £671,550 from the Joint Air Quality Unit, DEFRA to retrofit buses in Oxford with emissions reduction equipment, in the interest of improving air quality. This report seeks project approval.

Recommendations: That Cabinet resolves to:

1. **Grant project approval** for the bus retrofit programme outlined in this report; and
2. **Delegate to the Transition Director**, in consultation with the Monitoring Officer and Section 151 officer, the authority within the funding envelope of £671,550 provided within the Council's capital programme and funded from external grant to enter into:
 - a) appropriate agreements with the Council's bid partners; and
 - b) third parties required to deliver the project subject to their being selected under an appropriate procurement process.

11 REVOLVING CONSTRUCTION LOAN TO LOW CARBON HUB IPS

99 - 106

Lead Member: Deputy Leader - Finance and Asset Management (Councillor Ed Turner)

The Head of Financial Services has submitted a report to request Cabinet to approve a revolving loan facility to Low Carbon Hub.

Recommendations: That Cabinet resolves to:

1. **Approve** a revolving loan facility to the Low Carbon Hub of £2.3 million at an annual interest rate of 5%, secured on the assets of the Low Carbon Hub whilst noting the success of previous loan facilities;
2. **Recommend** that full Council agrees to make budget provision of £2.3 million to enable this loan facility to be created; and
3. **Instruct** the Head of Law and Governance in consultation with the Head of Financial Services to draw up and enter into a new loan agreement with the Low Carbon Hub setting out the terms of the loan.

12 EXTENSION TO CENTRAL (CITY & UNIVERSITY) CONSERVATION AREA

107 - 124

Lead Member: Planning and Transport (Councillor Alex Hollingsworth)

The Acting Head of Planning Services has submitted a report seeking Cabinet approval for a new conservation area boundary.

Recommendations: That Cabinet resolves to:

Approve the proposed new conservation area boundary to include all areas proposed on the map at Appendix 2 of the report.

13 COMMUNITY LEASES

125 - 130

Lead Member: Supporting Local Communities (Councillor Marie Tidball)

The Head of Community Services has submitted a report to agree three community leases and delegate the authority to agree further community leases with a market value below £50,000 per annum to the Regeneration and Major Projects Service Manager.

Recommendations: That Cabinet resolves to:

1. **Approve** terms for new leases for the Trustees of the Oxfordshire Chinese Community and Advice Centre at Princes Street, the Leys Community Development Initiative at Blackbird Leys Community Centre and The Trustees of The Parasol Project at Plowmans Tower; and
2. **Delegate** authority to the Regeneration and Major Projects Service Manager in consultation with the Head of Community Services to make such amendments as are required in order to complete the above three leases.

Lead Member: Healthy Oxford (Councillor Louise Upton)

The Head of Community Services has submitted a report in response to the fact that by circa 2021 all Oxford City Council Cemeteries will be full and closed to new burials leaving Oxford City without any new space to bury Oxford residents. This report is to approve reclaiming grave plots potentially providing burial space for an additional two years.

Recommendations: That Cabinet resolves to:

1. **Grant** project approval to the grave plot reclamation proposal as set out in this report;
 2. **Agree** that Wolvercote & Botley will be the first cemeteries where reclaimed graves will be made available (Botley is still open to new burials and Wolvercote has only recently closed to new burials.);
 3. **Agree** that graves available through grave reclamation would only be made available to Oxford City residents (residents would be classed as people paying Council tax to Oxford City Council);
 4. **Agree** that graves where the deeds have never been purchased and have interments (commonly known as unpurchased graves) may be sold at a lower cost; and
- Agree** to delegate to the Head of Community Services the ability to deal with the design and detail of the Scheme

Lead Member: Planning and Transport (Councillor Alex Hollingsworth)

The Transition Director has submitted a report concerning Park & Ride Management.

Recommendations: That Cabinet resolves to:

1. **Authorise** the Council's entry into an Agency Agreement with Oxfordshire County Council under which the City Council would be appointed to provide management services for Oxfordshire County Council's two Oxford Park & Ride sites – Thornhill and Oxford Parkway (Water Eaton);
2. **Authorise** the Council's entry into an agreement with Oxford Direct Services Limited ("ODSL") under which the management responsibilities taken on by the Council under the Agency Agreement with the County Council referred to in Recommendation 1 above would be carried out by ODSL; and
3. **Delegate authority** to the Chief Executive in consultation with the Council's Monitoring Officer and s151 Officer to agree the terms of the Council's entry into the two agreements referred to in Recommendations 1 and 2 above.

16	<p>OVO ENERGY WOMEN'S CYCLE TOUR</p> <p>Lead Member: Healthy Oxford (Councillor Louise Upton)</p> <p>The Head of Community Services has submitted a report to highlight the requirements of delivering the OVO Energy Women's Cycle Tour in Oxfordshire over the next three years (2019, 2020 and 2021).</p> <p>Recommendations: That Cabinet resolves to:</p> <ol style="list-style-type: none"> 1. Support Oxfordshire being a host venue for the OVO Energy Women's cycle tour in 2019, 2020 and 2021; 2. Agree the principle of an equal share of costs between the County Council, the four districts and the City Council for the three years of the Event; 3. Recommend that Council allocates a budget of £30,000 funded from reserves to pay the City Council's share of the costs for 2019; and 4. Agree that sponsorship, regardless of which partner attracts it, will be used to reduce the hosting costs on an equal basis. 	147 - 152
17	<p>AWARD OF ASBESTOS SURVEYING CONTRACT</p> <p>Lead Member: Deputy Leader - Finance and Asset Management (Councillor Ed Turner)</p> <p>The Head of Housing has submitted a report to seek delegated authority to award an asbestos surveying contract.</p> <p>Recommendations: That Cabinet resolves to:</p> <p>Delegate authority to the Assistant Chief Executive, after consultation with the Monitoring Officer, following completion of the EU-compliant tender process described in this report, to award an asbestos surveying contract to the successful contractor.</p>	153 - 158
18	<p>MINUTES</p> <p>Recommendation: That Cabinet resolves to APPROVE the minutes of the meeting of the City Executive Board held on 10 April 2019 as a true and accurate record.</p>	159 - 164

19 DATES OF FUTURE MEETINGS

Meetings are scheduled for the following dates for the rest of 2019:

- 12 June
- 10 July
- 07 August
- 11 September
- 09 October
- 13 November
- 11 December

All meetings start at 6pm.

20 MATTERS EXEMPT FROM PUBLICATION

If the Board wishes to exclude the press and the public from the meeting during consideration of any of the items on the exempt from publication part of the agenda, it will be necessary for the Board to pass a resolution in accordance with the provisions of Paragraph 4(2)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012 on the grounds that their presence could involve the likely disclosure of exempt information as described in specific paragraphs of Schedule 12A of the Local Government Act 1972.

The Board may maintain the exemption 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.

PART TWO **MATTERS EXEMPT FROM PUBLICATION**

21 THE FUTURE STRATEGIC DIRECTION FOR THE COUNCIL'S GROUP OF HOUSING COMPANIES - APPENDIX 3

165 - 166

DECLARING INTERESTS

General duty

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

What is a disclosable pecuniary interest?

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

Declaring an interest

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

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

Member’s 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 of the member’s spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

HOW OXFORD CITY COUNCILLORS AND MEMBERS OF THE PUBLIC CAN ENGAGE AT THE CABINET

Addresses and questions by members of the public, (15 minutes in total)

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

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

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

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

Councillors speaking at meetings

Oxford City councillors may, when the chair agrees, address the Cabinet on an item for decision on the agenda (other than on the minutes). The member seeking to make an address must notify the Head of Law and Governance by 9.30am at least one clear working day before the meeting, stating the relevant agenda items. An address may last for no more than three minutes. If an address is made, the Cabinet member who has political responsibility for the item for decision may respond or the Cabinet will have regard to the points raised in reaching its decision.

Councillors speaking on Neighbourhood issues (10 minutes in total)

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

Items raised by Cabinet members

Such items must be submitted within the same timescale as questions and will be for discussion only and not for a Cabinet decision. Any item which requires a decision of the Cabinet will be the subject of a report to a future meeting of the Cabinet

To: Cabinet and Council

Date: 29 May 2019 Cabinet
22 July 2019 Council

Report of: Head of Housing services

Title of Report: The future strategic direction for the Council's group of housing companies

Summary and recommendations	
Purpose of report:	To consider and approve changes to the arrangements between the Council's group of Housing companies and the Council's Housing Revenue Account for the delivery of affordable housing in response to recent government policy changes and to agree to a review of future Oxford City Housing Limited (OCHL) development with a view to expanding activity and accelerating affordable housing delivery.
Key decision:	Yes
Cabinet Members:	Housing (Building Better Homes) and Executive Member for Finance and Asset Management
Corporate Priority:	Meeting Housing Needs
Policy Framework:	Housing and Homelessness Strategy.
Recommendations: That Cabinet resolves to:	
<ol style="list-style-type: none"> 1. Agree that the Oxford City Housing Limited group of companies (OCHL) continues with the current development and acquisition programmes as detailed in paragraphs 9,12 and 14 of this report; 2. Agree that the Council's Housing Revenue Account from this date onwards purchases and manages the social rented and shared ownership units (with the exception of the Barton Park units); 	
<ol style="list-style-type: none"> 3. Recommend to Council to increase the HRA capital programme by £45.303m so that adequate additional budgetary provision is made available for the acquisitions to take place (see Appendix 1); 4. Recommend to Council to approve a revised HRA budget and Business Plan that incorporates the new acquired dwellings that 	

<p>impacts on rental income, maintenance spend, interest payments, debt redemption activity and other matters as set out in Appendix 2;</p> <p>5. Recommend to Council to approve the re-phasing of the loans from the General Fund Capital Programme in relation to the borrowing activity of OCHL over the MTFP period 2019/20 to 2022/23(see appendix 1)</p> <p>6. Agree that delegated authority is given to the Assistant Chief Executive in consultation with the Head of Finance and the Head of Law and Governance to approve and facilitate the agreed purchase by the HRA of all affordable housing units at the OHCL development sites.</p> <p>7. Authorise Phase 2 of the review of the role and future activity of OCHL and the detail of the review as set out in paragraph 17 of the report; and</p> <p>8. Grant delegated authority to the Assistant Chief Executive in consultation with the Head of Finance and Head of Law and Governance to approve the sale of sites as set out in the OCHL business plan to OCHL providing that such sales comply with the mechanism set out in paragraph 31 of this report and s123 of the Local Government Act 1972, and are made on the basis that following development all affordable housing units at the sites would be purchased back by the Council through the Housing Revenue Account.</p>

Appendices	
Appendix 1	Revised HRA and General Fund Capital Programme
Appendix 2	Revised Housing Revenue Account
Appendix 3	Trowers Legal Advice - Exempt

Introduction and background

1. The Council's City Executive Board on the 17th March 2016 agreed to set up a housing company to be wholly owned by the Council with a primary aim of building and owning social housing. This was in response to changes in Government policy namely the introduction of four years of rent reductions and a high value asset levy, which taken together severely restricted the Council's ability to continue with its ambitious council house building programme. This followed on from a successful programme of new build delivering 113 units

funded mainly from the Council's Housing Revenue Account (HRA), together with grant from the Homes and Communities Agency's (now Homes England) Affordable Housing Programme. The housing company group set up by the Council comprises three companies, a holding company, an investment company and a development company.

2. The City Executive Board and the OCHL Shareholder have approved a development and acquisition programme and business plan to deliver 572 new homes over the period 2018 to 2026. This includes the purchase from the Council by OCHL of the social rented homes being developed at Barton Park by Barton Oxford LLP (BOLLP).
3. The table below summarises progress with the development sites and so far 22 of the 95 social rented units in the first phase of Barton Park have been handed over.

Scheme	Number of homes	Status	Estimated Completion
Rose Hill	43 (all affordable)	Planning permission obtained – build contract signed with Feltham	Nov 2020
Warren Crescent	10 (all affordable)	Planning permission obtained – build contract signed with Leighfield	July 2020
Elsfield Hall and Cumberlege Close	35 (18 affordable)	Planning permission obtained – procurement of contractor underway	Dec 2020
Between Towns Road	38 (19 affordable)	Planning permission granted at committee – called in for review. Procurement of contractor underway.	Dec 2020
Harts Close	2 (both affordable)	Planning permission	April 2020

		obtained – price being negotiated with contractor	
Lucy Faithfull House	36 (18 affordable)	Pre planning application underway	April 2021
Underhill Circus	36 (18 affordable)	Pre planning application underway	Sep 2021
Edgecombe Drive	7 (all affordable)	Pre planning application underway	Aug 2020
Bracegirdle, Mortimer, Broad Oak	8 (7 affordable)	Planning permission obtained, tenders received and being assessed	July 2020

4. Recent government policy changes have removed restrictions on the ability to borrow within the HRA. This necessitates a review of the approach previously adopted by the Council and the future role for OCHL (of which the Council is the shareholder) with respect to affordable housing delivery.

Review phase 1

5. The objectives of the review have been to
 - Maintain the existing social housing new build programme.
 - Maximise the potential to expand and accelerate the programme through using new borrowing flexibilities
 - Protect the assumed position in the Medium Term Financial Plan (MTFP) and explore the potential for an increased contribution from OCHL, if financially prudent and affordable for the company.
 - Provide a more efficient and coherent model for the management of the Council's social housing stock
6. OCHL's business plan continues to reflect the position agreed by the Council namely
 - A development programme of Council owned sites that would be sold to OCHL and would deliver an estimated 207 mixed tenure properties including external sales with the remainder of the dwellings being owned by OCHL long term and managed by Oxford City Council on behalf of OCHL via a Service Level Agreement (SLA).
 - A programme of acquisition from the Council of 354 social rented units at Barton Park developed by BOLLP

- A funded trickle transfer of 5 HRA voids each year for the first 5 years of the business plan with an aspiration that this would continue thereafter to effectively create larger units and/or new units, where land footprint allowed.
7. The Council's current MTFP and Treasury Management Strategy agreed at Council in February 2019 reflect this base position
 8. The lifting of the HRA debt cap raises the question of whether continuing to deliver affordable housing through OCHL is necessary or advantageous, since expanded borrowing capacity means it could now be done directly from within the HRA. However there are a number of advantages to a continued role for OCHL, and the potential disadvantages in undertaking all activity through the HRA are as follows:
 - **Protection from future government policy changes.**
The delivery of developments of significant value and the associated long term borrowing plans require certainty. It is clear that even since the introduction of self-financing, the Government has continued to interfere with the financial elements of Local Authorities' HRAs. The now retracted high value void levy and the imposition of rent reductions being examples of this. This lack of certainty with regard to future funding places future supply delivery at risk from potential future Government policy changes.
 - **Greater opportunity for diversifying housing mix.**
Whilst Local Authorities do have the ability to undertake mixed development activity, the current arrangement allows greater opportunity for OCHL to diversify into the development of other tenures such as sub market rent in order to meet the housing need of a wider group.
 - **Recovery of funds already invested**
Approximately £1m of set up costs incurred to March 2019 by OCHL are planned to be covered by future sales receipts and this has always been part of OCHL strategy and business plan.
 - **Contribution to the MTFP**
There would be a significant negative impact on the Council's current and on-going MTFP.
 - **Balancing risk**
It completely de-risks the development activity out of the HRA and therefore does not impact on the investment in and the management and maintenance of the Council's existing stock.
 9. It is therefore proposed that OCHL continues with the current development and Barton acquisition programme

Management of housing stock

10. The additional HRA borrowing headroom provides an opportunity for a more efficient and coherent model for the management of the Council's social housing stock and for OCHL to concentrate almost exclusively on development. The

Council through its HRA would buy the social rented and shared ownership units from OCHL. This is a tidier position in that tenants would be clearer with regard to rights and responsibilities. The Council would need to build capability to manage shared ownership which it would in any event need to do on behalf of OCHL and work is underway in preparation for this. The exception to this however is that the acquisition and ownership of the Barton units would remain with OCHL as this purchase is integral to meeting existing MTFP assumptions and the timing of handovers on the first phase. Another considerable advantage of this option is that it would avoid the need for OCHL to establish a Registered Provider subsidiary. This is because grant provided from the Growth Deal required for a number of sites to deliver a minimum of 50% affordable housing could now be drawn down through the HRA being an automatically registered entity.

11. It is therefore proposed that OCHL will continue with the current development programme with the HRA purchasing the social rented and shared ownership units. Barton Park social rented units would continue to be acquired by OCHL.

Transfer of voids

12. The HRA 'trickle' transfer of 5 voids per year to OCHL was initially agreed for two main reasons. Firstly the HRA had developed an initiative to identify void properties with the potential for extension and /or development. The previous government policy changes that negatively impacted the HRA threatened to affect the continuation of this initiative so the activity was transferred to OCHL. The second reason was to provide income back to the HRA (through purchase by OCHL) to help fund the high value asset levy; this initiative has now been abandoned by Government. It is therefore proposed that the transfer of voids that are not suitable for development is ceased after the 2018/2019 financial year as there is now no perceived benefit and it adds complexity in housing management terms. It is proposed the initiative to extend or redevelop voids should continue with OCHL in order to deliver larger units. Experience shows that there are only a small number (3-4) suitable each year. It should be noted that this activity could be constrained as the Council has a Government imposed limit of 5 units or pieces of land that can be transferred each year under a general consent. If the limit of 5 units transferred from the HRA to OCHL was reached in any one year then as a fall back option the development could alternatively take place within the HRA

Potential future OCHL development sites

13. The Council is continuing to bring forward additional potential sites and has appointed professional teams to assess the feasibility of the sites listed below with further site feasibilities currently being tendered.

Hill View Farm	c80 units
Goose Green	c60 units
Bertie Place	c30 units
Redbridge Paddock	c175 units
Westlands Drive	c15 units

These can either be developed using funding directly from the HRA or by OCHL and subsequently sold to the HRA. Cabinet will receive a future report for consideration of the most appropriate route following the completion of phase 2 of the review and this will be aligned to the 2020/21 budget setting timetable.

Changes to OCHL programme

14. In addition there are three sites that were originally in the OCHL programme, namely Bracegirdle, Mortimer and Broad Oak (8 units of bungalows), that were transferred back to the HRA as they were potentially to be in receipt of Homes England grant which OCHL could not draw down. The grant eventually was not forthcoming. However, due to the removal of the HRA debt cap, it is proposed that these be added to the current OCHL development programme with the completed affordable units to be purchased by the HRA. This enables grant to be accessed from the Growth Deal.
15. The proposed changes at paragraphs 11, 12 and 14 of this report will require the agreement and approval of changes to several MTFP related elements (see table in financial implications section) an updated HRA Business Plan and HRA capital programme (see Appendices 1 and 2) and for the Shareholder to agree a revised OCHL Business Plan. Current estimates suggest that even after undertaking the above changes in OCHL strategy and with the remaining MTFP assumptions unchanged, the return of resources back to the Council potentially via loan interest and service level agreements (SLAs) income OCHL can continue to meet its MTFP obligations. In summary the Council's General Fund capital budget will increase with regards to the re-phased OCHL borrowing and it will continue to receive in the current MTFP period 2019/20 to 2022/23 all the expected OCHL returns, albeit potentially profiled slightly differently. The HRA will similarly experience increases to its capital programme for the purchases of dwellings and the HRA itself will be impacted with associated changes in rental income, revenue expenditure and interest and loan payments.
16. Given the increased HRA borrowing potential, officers have also been examining the opportunity of delivering additional affordable units for the Council by the HRA purchasing some of the market sale units on sites within the current development programme. The HRA has the financial strength to acquire additional units and is much better placed to do so than OCHL which is already highly geared given its debt position and limited assets. An additional advantage is the HRA being a regulated entity has the ability to draw down Growth Deal grant and give a greater confidence to delivery of the year 2 Growth Deal commitments. It is estimated that 37 market sales could be converted to 37 shared ownership properties in the HRA in this way and would require the HRA to increase its capital programme by a further £18.090m.

Review of future role and activity of OCHL

17. The Council is continuing to review how it can accelerate the delivery of affordable housing units, the development of alternative tenures to meet housing need and support economic growth as well as meeting its MTFP commitment.

OCHL has recently recruited an interim managing director to lead a 6 month review feeding into the 2020/21 budget setting, with the following objectives:

- Examine the resources and expertise currently available to the Housing Company and how it is organised and make recommendations on what is needed to improve the pace of programme delivery.
- Develop a delivery programme for the next batch of Council sites that have been identified as having potential to be delivered by OHCL.
- Develop a viable proposition for alternative tenure offer in addition to social rent, including an affordable Private Rented Sector (PRS) offer.
- Given the finite number of Council owned development sites appraise opportunities for an expansion of OHCL's activity, including potential purchase of land for development, commission the required work to identify potential sites and develop costed proposals for these sites.
- Explore delivery vehicle options and make recommendations for appropriate partnership arrangements and subject to agreement, take forward the development of the partnership(s).
- Develop proposals and make recommendations for appropriate governance of the Housing Company, including additional Board Directors and clarity about the relationship with stakeholders.

Financial implications

Medium Term Financial Plan

18. The 2019/20 approved budget and MTFP elements relating to the housing company are predicated on the previous OCHL strategy, namely the company would develop and then retain, manage and maintain the non-private sales properties on all the development sites as well as purchasing and managing the Barton acquisitions. The associated long term company borrowing that would consequently be required and represented in the then phasing of estimated activity, produced a total expectation of resources to be returned to the Council from OCHL and this is reflected in the current MTFP 4 year period (2019/20 to 2022/23) approved at Council in February 2019.
19. The revised OCHL strategy to now sell the dwellings it was previously going to manage to the Council's HRA has meant that along with updated phasing of the development activity since the approved budget; the housing company returns to the Council's MTFP have inevitably changed. The table below confirms that OCHL is still able to meet its current MTFP obligations as originally planned with a modest additional £615k forecast over the four year period. In practice given the size of the increased capital programme and the intricacies of additional borrowing it would be prudent not to account for this additional income in the MTFP at this stage. Members should also note that it is only the OCHL elements of the MTFP that have been re-run. The rest of the MTFP assumptions

not related to this report will be updated during the 2020/21 budget exercise that will start in late summer 2019.

20. Members should note that at the end of the MTFP period the 2022/23 annual expected return from OCHL is gross c. £2.3m. In order to meet this level of return each year to support the MTFP it is essential a continuous on-going year-on-year programme of development is identified, undertaken and delivered by OCHL. Thus the work of securing future sites both inside and outside of Oxford, the identification of more commercially orientated opportunities and the exploration of joint venture partnerships must be considered as is the potential of extending tenures to satisfy the housing needs of other groups in Oxford e.g. key workers etc.

A summary of the revised MTFP movement position for 19/20- 22/23 is given in the following table:

<u>Proposed Strategy to Meet MTFP Obligations</u>	£	£	£	£
Request from MTFP	(603,681)	(930,648)	(1,612,844)	(2,271,753)
Funded by:				
GF SLA's	(256,781)	(264,484)	(272,419)	(280,592)
Loan Interest Payments	(994,000)	(2,215,000)	(1,263,000)	(1,168,000)
	(1,250,781)	(2,479,484)	(1,535,419)	(1,448,592)
Movement in MTFP Cost of Borrowing	745,761	357,364	(218,196)	(343,898)
Bal b/fwd	138,506	237,167	(954,305)	(1,095,076)
(Over)/Underpayment In-Year	98,661	(1,191,472)	(140,771)	479,263
Bal c/fwd	237,167	(954,305)	(1,095,076)	(615,813)

Housing Revenue Account

21. The current financial position of the HRA, despite the continuation of the 4 year 1% rent reduction and additional spending commitments e.g. increasing Tower Blocks etc. the account has nonetheless built up some healthy reserves for future spend and is yet to undertake any headroom borrowing. With the debt cap now removed the opportunities to acquire more social housing to be managed within the HRA now transpires and it is this strategy that the Council is now pursuing.
22. The HRA will acquire newly built properties effectively de-risking the development activity out of the HRA. It is estimated that the increase in the HRA capital budget will be £3.460m in 2019/20 and £41.843m in 2020/21.
23. Given the availability of other sources of capital funding to the HRA the additional borrowing element needed by the HRA to fund the proposed acquisitions is £1.795m in 2019/20 and £11.385m in 2020/21. A comparison of

the revised HRA revenue and capital positions with that recently approved for 2019/20 is exemplified at Appendix 1 and 2.

24. The above activity includes the additional HRA acquisitions arising at the Between Towns Road site, where the HRA is also buying those properties originally earmarked for private sale. This is also to continue to support the Oxfordshire Housing and Growth Deal. Similarly the opportunity for the HRA to acquire the private sales provision on other sites was explored but these did not deliver on an individual scheme by scheme basis what one would consider suitable Value For Money returns for the HRA and its tenants.
25. The HRA (see appendix 2) does indicate that future balances do diminish from 2021/22 by the presumed decision that debt redemption activity of the newly acquired debt will start from this year.
26. The extent with which the Council could continue with this approach going forwards will be dependent on an overarching strategic review of the other competing demands for HRA investment in existing assets such as regeneration projects. This will be incorporated into future HRA business planning
27. OCHL's delivery programme requires the development of 10 sites that are currently in Council ownership. In order to facilitate this development programme and to reduce the financial risk to OCHL, it will be necessary for the land to be transferred into OCHL at the start of the development process for each site. The land associated with the affordable housing would be transferred back to the HRA when the development is completed along with the freehold of blocks containing both affordable and private homes. Any market sales that were capable of a freehold disposal would be disposed of completely.
28. The development programme has been structured to ensure that at least 50% affordable housing is provided on all qualifying sites and homes are constructed to high levels of insulation to reduce carbon footprints and address fuel poverty for tenants. It is therefore important that the value of land transferring into OCHL fully reflects the costs of meeting Council aspirations for these schemes and the current build costs being experienced in the market. Hence these sites will be valued once the quantum of development and tenure mix is fixed and the build costs are understood, to maximise the chance of success for OCHL and to maximise the returns to the Council from this process.
29. The re-run of the OCHL business plan reflecting the above change in strategy will be presented to the Shareholder in a detailed report at the next Shareholder meeting. That said the Directors of the company have indicated that they are content with the revisions in accordance with this revised strategy and the housing company group continues as a profitable long term going concern.

Legal issues

30. The Council has the power to dispose of land at best consideration pursuant to Section 123 of the Local Government Act 1972, and has the power to acquire completed affordable housing units pursuant to Section 17 of the Housing Act 1985.
31. The approach set out here is legally compliant. External legal advice, from Trowers and Hamlin solicitors, was obtained, and their confidential and

privileged advice is attached as an exempt appendix to this report. The Council and OCH(D)L will of course need to ensure that the value of the property transactions made between them creates no opportunity for challenge as representing unlawful State Aid to OCHL.

32. While Housing and Growth Deal funding would not be accessible to the Council's housing companies (as no company within the OCHL group holds Registered Provider status), this funding should be available under the scheme proposed, as the funding will be drawn down by the Council not to form part of the property development costs but to assist in the property purchase costs.

Level of risk

33. The changes to both the OCHL and HRA Business plans will be reflected in the associated risk registers of each entity and continued to be managed by the relevant Board for the companies and the Head of Housing and Head of Finance with respect to the HRA.

Equalities impact

34. The increase in affordable housing will have direct benefit for those in greatest housing need.

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Background Papers:
None

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HRA Comparison of 2019/20 Original Approved HRA Budget with Revised Position

Appendix 2

	2019/20 £'000	2020/21 £'000	2021/22 £'000	2022/23 £'000			2019/20 £'000	2020/21 £'000	2021/22 £'000	2022/23 £'000
Income					Income					
Dwelling Rents	(40,702)	(42,059)	(42,559)	(43,654)	Dwelling Rents		(41,342)	(42,177)	(43,882)	(45,065)
Bad Debt Provision	738	758	748	748	Bad Debt Provision		646	651	668	686
Service Charges	(1,446)	(1,760)	(1,627)	(1,627)	Service Charges		(1,467)	(1,477)	(1,508)	(1,538)
Garage Income	(215)	(221)	(226)	(232)	Garage Income		(215)	(218)	(221)	(225)
Miscellaneous Income	(783)	(783)	(783)	(783)	Miscellaneous Income		(783)	(783)	(783)	(783)
Right to Buy (Retained Admin Fee)	(59)	(59)	(59)	(59)	Right to Buy (Retained Admin Fee)					
Total Income	(42,466)	(44,123)	(44,505)	(45,606)	Total Income		(43,161)	(44,004)	(45,726)	(46,925)
	0	0	0	0						
Expenditure	0	0	0	0	Expenditure					
Management and Services (Stock Related)	9,510	9,526	9,509	9,661	Management and Services (Stock Related)		9,510	9,723	9,629	9,707
Other Revenue Spend (Stock Related)	1,761	1,656	1,646	1,646	Other Revenue Spend (Stock Related)		1,764	1,809	1,854	1,900
Miscellaneous Expenditure (Not Stock Related)	579	583	587	591	Miscellaneous Expenditure (Not Stock Related)		579	338	349	355
Responsive & Cyclical Repairs	12,728	12,984	13,245	13,565	Responsive & Cyclical Repairs		12,728	13,023	13,320	13,652
Interest Paid	7,920	7,925	8,578	8,578	Interest Paid		7,957	8,000	9,057	8,948
Depreciation	8,675	8,835	8,996	9,160	Depreciation		8,721	8,898	9,168	9,394
Total Expenditure	41,175	41,509	42,561	43,202	Total Expenditure		41,259	41,791	43,377	43,956
	0	0	0	0						
Net Operating Expenditure	(1,292)	(2,614)	(1,944)	(2,404)	Net Operating Expenditure		(1,902)	(2,213)	(2,349)	(2,969)
	0	0	0	0						
Revenue Contributions towards Capital	850	2,200	(0)	(0)	Revenue Contributions towards Capital		850	3,918		
Investment Income	(50)	(38)	(64)	(91)	Repayment of Short Term Debt				2,429	3,006
	0	0	0	0	Investment Income		(153)	(76)	(24)	(24)
	0	0	0	0						
(Surplus)/Deficit for the Year	(492)	(452)	(2,008)	(2,496)	(Surplus)/Deficit for the Year		(1,205)	1,629	56	13
Retained Balance	(4,000)	(4,492)	(4,944)	(6,952)	Retained Balance		(4,000)	(5,205)	(3,576)	(3,520)
Cumulative Balance	(4,492)	(4,944)	(6,952)	(9,447)	Cumulative Balance		(5,205)	(3,576)	(3,520)	(3,507)

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HRA Comparison of 2019/20 Original Approved Capital Budget with Revised Position

	HRA Capital Budget 2019-20	HRA Capital Budget 2020-21	HRA Capital Budget 2021-22	HRA Capital Budget 2022-23
	£'000	£'000	£'000	£'000
Total Housing Revenue Account Schemes	20,269	19,853	8,613	9,071
Financed by:				
Major Repairs Reserve	7,985	9,617	5,754	6,145
RTB Capital Receipts (inclusive of 1-4-1 Retained)	-	-	-	-
Other Capital Receipts	2,730	2,794	2,859	2,926
Reserves	9,554	5,749	-	-
Government Grants	-	500	-	-
Revenue Contributions	-	1,193	-	-
Headroom Borrowing	-	-	-	-
Total Funding of Housing Revenue Account Schemes	20,269	19,853	8,613	9,071

Proposed Increase in GF Capital Programme re Additional Loans to OCHL

	£	£	£	£
Original Programme	35,350	21,518	6,574	15,488
			Total	78,930

Appendix 1

	HRA Capital Budget 2019-20	HRA Capital Budget 2020-21	HRA Capital Budget 2021-22	HRA Capital Budget 2022-23
	£'000	£'000	£'000	£'000
Total Housing Revenue Account Schemes	23,729	61,696	8,613	9,071
Financed by:				
Major Repairs Reserve	8,721	8,898	4,898	6,728
Other RTB Capital Receipts	1,518	1,738	1,855	2,343
Other Capital Receipts	-	1,335	-	-
Reserves	10,765	29,000	-	-
Government Grants	80	5,422	1,860	-
Revenue Contributions	850	3,916	-	-
Short Term Borrowing	1,795	11,385	-	-
Total Funding of Housing Revenue Account Schemes	23,729	61,696	8,613	9,071

Increase **45,303**

	£	£	£	£
Original Programme	32,879	21,841	3,225	6,678
			Total	64,623

Decrease **(14,307)**

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To: Cabinet
Date: 29 May 2019
Report of: Head of Planning Services
Title of Report: Community Infrastructure Levy (CIL) – Draft Charging Schedule for Submission

Summary and recommendations	
Purpose of report:	To seek approval for the Draft CIL Charging Schedule and revised CIL 123 list to be submitted to the Secretary of State for examination, approve the statement of modification and approve the policy for Exceptional Circumstances.
Key decision:	Yes
Cabinet Member:	Planning & Transport
Corporate Priority:	A Vibrant and Sustainable Economy; Meeting Housing Needs; Strong and Active Communities; A Clean and Green Oxford.
Policy Framework:	The CIL Charging Schedule sets out a tariff in the form of a standard charge on new development to help the funding of infrastructure in Oxford. It is to supplement or top up other sources of infrastructure funding.
Recommendations: That Cabinet resolves to:	
<ol style="list-style-type: none"> Approve the Statement of Modification (Appendix 5) the Community Infrastructure Levy (CIL) Draft Charging Schedule (Appendix 4) and the revised CIL Regulation 123 list (Appendix 7) and Authorise the Head of Planning (or any officer acting in that capacity), to make any typographical changes to the document deemed necessary and then to formally submit to the Secretary of State for examination; Approve the discretionary Exceptional Circumstances Relief Policy (as per Regulation 56 of the Community Infrastructure Levy Regulations 2010 (as amended) (Appendix 6); and Authorise that future decisions under the discretionary Exceptional Circumstances Relief Policy will be delegated to the Head of Planning after consultation with the Planning and Transport portfolio holder. 	

Appendices	
Appendix 1	Previous CEB Report – January 2018
Appendix 2	Summary of responses to consultation
Appendix 3	Further Viability Report (addendum to previous report September 2018)
Appendix 4	Draft Charging Schedule – November 2018
Appendix 5	Statement of Modification
Appendix 6	Proposed Exceptional Circumstances Relief Policy
Appendix 7	Revised Regulation 123 list

Introduction

1. This report follows on from the previous report to the City Executive Board (CEB) on 23rd January 2018 (included as Appendix 1) in which approval was given to consult on a new Community Infrastructure Levy (CIL).
2. The purpose of this report is to request approval for the Draft Charging Schedule and revised CIL Regulation 123 list (infrastructure projects or types of infrastructure that the City Council intends to wholly or partly fund through CIL), consulted upon in November 2018, to be submitted to the Secretary of State for examination with some modifications. Following the consultation and subsequent further viability testing, some amendments to the Charging Schedule are proposed, and Cabinet is asked for approval of these changes being incorporated into the CIL Charging Schedule ahead of submission to the Secretary of State. The proposed modifications relate to B2 and B8 (industrial) uses.
3. If Cabinet approves the changes to the Draft Charging Schedule a 'statement of modification', will be submitted alongside the draft CIL Charging Schedule as per regulation 15 of the CIL Regulations 2010 (as amended) (the Regulations). The Council will notify all of the CIL consultation bodies of the proposed modifications on submission of the Charging Schedule.
4. The report also asks for the approval for the introduction of a discretionary Exceptional Circumstances Policy.

Responding to issues raised in previous Draft Charging Schedule consultation

5. The Council carried out a consultation on the Draft Charging Schedule between 1st November and 13th December 2018. A summary of the 14 responses received to this consultation can be found in Appendix 2.

B1, B2/B8 Industrial

6. The main issues raised in the responses related to the CIL rates for B1 (office) and B2/B8 (Industrial) being unviable not only at the new rate of £50 per sqm, but also at the Council's adopted charging schedule rate of £20 per sqm (currently £28.83 per sqm with indexation).
7. As a result of the consultation responses received the Council instructed its consultants to carry out further viability testing for B1 and B2/B8 (see report at Appendix 3). The outcome of these further tests shows that B1 is viable at the new rate of £50 per sqm; however, B2 and B8 are unviable even at a rate of zero. The clear evidence from the further, rigorous viability testing as well as the strong opposition to the approach suggests that it would be unlikely that the Council could argue for applying a CIL charge to B2 and B8 uses. The Council intends to submit a 'statement of modification' to amend the rate for B2/B8 to zero (Appendix 5) alongside the draft CIL Charging Schedule (Appendix 4) to the Secretary of State for examination.

Strategic Sites

8. The Council received representations to the CIL Charging Schedule consultation requesting that strategic sites should be "zero rated" within the CIL charging schedule as allowed for by the regulations. These representations were received specifically in relation to the Osney Mead and Oxford North sites. The reasons given were there was a likelihood that the costs of providing the onsite infrastructure or mitigation necessary were such that an additional levy may threaten the economic viability of the development.
9. Officers acknowledge that there are a few complex mixed use brownfield strategic sites in the plan that could have abnormal circumstances not picked up by the plan wide viability assessment upon which the CIL rate is based. Therefore, officers requested that further viability testing be carried out on these strategic sites by the viability consultants. The sites investigated were:
 - Osney Mead;
 - Blackbird Leys Central Area regeneration; and
 - Oxpens.
10. Oxford North was also considered but it was decided that given this is an existing allocation with a live planning application, which is at an advanced stage, it would not be considered for zero rating as part of this process. This is particularly relevant as the new CIL schedule will need to be examined after the emerging Local Plan so by the time the new schedule is adopted this site would already have been determined.
11. Following a review of the information available from the promoters of the sites being considered, it was found that there was not enough information available at this point in time for robust testing on a specific site basis to be carried out. This was for several reasons that were site specific. However, one of the main reasons was that the sites did not yet have schemes worked up to be able to confirm unit numbers or employment floorspace for testing. Also, linked to this, they did not have certainty over abnormal costs that may be above those factored into the viability work.

Updated CIL Rates

12. The amended CIL rates will be as follows

The CIL rates	
Development type	CIL Rate/m²
A1 Shops	£200
A2 Financial and professional services	£200
A3 Restaurants and cafés	£200
A4 Drinking establishments	£200
A5 Hot food takeaways	£200
B1 Business	£50
B2 General industrial	£50 £0
B8 Storage or distribution	£50 £0
C1 Hotels	£50
C2 and C2A Residential institutions and Secure Residential Institution	£50
C3 Dwellinghouses*	£200
C4 Houses in multiple occupation	£200
Student accommodation	£200
D1 Non-residential institutions	£50
D2 Assembly and leisure	£50
All development types unless stated otherwise in this table	£50 standard charge
C3 includes self contained sheltered accommodation and self-contained graduate accommodation	

Exceptional Circumstances Relief

13. The regulations allow for charging authorities to have an Exceptional Circumstances Relief Policy so that they may offer relief from the levy in exceptional circumstances where a specific scheme cannot afford to pay the levy. A charging authority can then consider claims for relief on chargeable developments from landowners on a case by case basis, provided the conditions set out in regulation 55 (as amended) are met:

- a section 106 agreement must exist on the planning permission permitting the chargeable development and
- the charging authority must consider that paying the full levy would have an unacceptable impact on the development's economic viability and
- the relief must not constitute a notifiable state aid

14. It is proposed to introduce this policy now so that it can apply under the current and future charging schedules.
15. Therefore, if in the future the exceptional circumstances set out above are met by a site the council could use this discretionary policy. The current charging schedule includes use classes that have been identified by the emerging schedule not to be viable to have a CIL charge and therefore it is appropriate to introduce the discretionary exceptional circumstances relief immediately.
16. It is important to note that the Council's viability evidence for the new CIL Charging Schedule indicates that the majority of sites will be viable and therefore the Council does not expect many, if any, sites to be able to demonstrate the requirements of the policy. However, on the complex brownfield strategic sites in the city, there may be exceptional mitigation measures or infrastructure costs which may result in the sites not being viable. These sites would be dealt with on a case by case basis.
17. The draft policy is set out at Appendix 6 of this report. Decisions under this policy will be delegated to the Head of Planning after consultation with the Planning and Transport portfolio holder. It is important to note that, as set out in the constitution, while Cabinet may delegate some of its responsibilities to committees, single members and officers Cabinet can at any time take back any responsibilities it has delegated and officers do not have to use their delegated powers: they can ask the body that delegated to them to take the decision. Therefore, if there was a situation where after the consultation with the portfolio holder it was felt that it should be decided by Cabinet it could be referred to Cabinet for decision.
18. In order to introduce this policy the Council will be required to publish a statement on its website and make it available for inspection at its principal office and such other places within its area it considers appropriate (as per regulations 56 of the Regulations).

Financial implications

19. The rate at which the CIL tariff is ultimately set will determine the amount of income received by the Council from new development to be spent on infrastructure, which could include capital projects.
20. Over the previous years the Council has not had applications for B2/B8 units; therefore, the zero rates suggested for these developments will not have a detrimental effect on CIL funds.
21. The financial implications of the exceptional circumstances relief will be considered as part of the implementation of the policy on a case by case basis as part of the viability considerations.

Legal issues

22. The government has recently carried out a consultation relating to amendments to the CIL regulations. At the time of finalising this report it is unknown what changes will be made in the approach to contributions and CIL. The outcome of the consultation should be published shortly and officers will update Cabinet when the results are known.

Equalities impact

23. There are no equalities impacts arising from this report.

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Background Papers:	
1	CIL Charging Schedule
2	Viability Report dated September 2018

To: City Executive Board

Date: 23rd January 2017

Report of: Head of Planning, Sustainable Development & Regulatory Services

Title of Report: Community Infrastructure Levy – Preliminary Draft Charging Schedule for Consultation

Summary and recommendations	
Purpose of report:	To seek approval to consult on a new Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule
Key decision:	Yes
Executive Board Member:	Councillor Alex Hollingsworth, Board Member for Planning and Regulatory Services
Corporate Priority:	A Vibrant and Sustainable Economy; Meeting Housing Needs; Strong and Active Communities; A Clean and Green Oxford.
Policy Framework:	The CIL Charging Schedule sets out a tariff in the form of a standard charge on new development to help the funding of infrastructure in Oxford. It is to supplement or top up other sources of infrastructure funding.
Recommendation(s): That the City Executive Board resolves to:	
<ol style="list-style-type: none"> Approve the Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule (PDCS) for consultation; and Authorise the Head of Planning, Sustainable Development and Regulatory Services, in consultation with the Executive Board Member, to make any necessary editorial corrections not materially affecting the document prior to publication. 	

Appendices	
Appendix 1	Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule
Appendix 2	Draft Infrastructure Funding Gap document
Appendix 3	Risk Assessment

Introduction

1. The Community Infrastructure Levy (CIL) is a tool for local authorities to help deliver infrastructure to support new development. CIL is a mandatory charge levied on new developments that involve an increase of 100m² or more of additional floorspace, or that involves the creation of a new residential unit.
2. The City Council adopted its Charging Schedule in October 2013. The charge was £100/m² (retail uses, housing, Houses in Multiple Occupation and student accommodation) and £20/m² (employment, hotels, institutions, assembly and leisure and other uses). These have been updated annually in line with the BCIS indexation and currently stand at £120.97 and £24.19 respectively.
3. The purpose of this report is to seek approval to consult on the Preliminary Draft Charging Schedule. The final version will ultimately replace the 2013 Charging Schedule.

Why review the Charging Schedule?

4. The City Council was a front runner in adopting a CIL Charging Schedule in 2013 but more recent Charging Schedules of other Local Authorities are charging a variety of different rates. In addition, under the legislation, the City Council has to grant charity relief exemption for certain developments which has been reducing potential CIL income. It is therefore prudent to review our charges to determine whether the Council is maximising funding towards infrastructure through CIL.
5. The City Council is in the process of producing the Local Plan 2036. The Charging Schedule and associated Regulation 123 list will demonstrate how the Local Plan can be delivered and so it is helpful to ensure the Charging Schedule is Examined by the Planning Inspector at the same time as the Local Plan 2036.

Background evidence to support the Preliminary Draft Charging Schedule (PDCS)

6. The following documents are being produced and will be available for the consultation stage of the PDCS:
 - A *draft Infrastructure Delivery Plan* which sets out infrastructure requirements to support the delivery of the Local Plan 2036. The draft will be informed by the Oxfordshire Infrastructure Strategy (OxIS).
 - An *Economic Viability Study* is being undertaken by consultants and is an important piece of evidence to assist in determining the most appropriate level for the CIL tariff. It considers burdens placed upon new development through the Local Plan 2036, such as affordable housing requirements and renewable energy.
7. An *Infrastructure Funding Gap* (Appendix 2) compares the likely CIL income from anticipated new developments with the cost of infrastructure that has been initially identified in the draft Infrastructure Delivery Plan. It confirms that CIL will not generate sufficient funds to pay for all the infrastructure identified. The City Council's intention is therefore to consider increasing the CIL rates to ensure that CIL can make a meaningful and needed contribution to the infrastructure needs of Oxford.
8. Initial indications from the *Economic Viability Study* show that a charge of £200/m² (retail uses, housing, Houses in Multiple Occupation and student accommodation)

and £50/m² (employment, hotels, institutions, assembly and leisure and other uses) is, generally, viable for development. This will undergo further sensitivity testing and Members will be updated verbally at CEB.

The CIL rates proposed in the Preliminary Draft Charging Schedule

9. The CIL regulations and the National Planning Practice Guidance (NPPG) specify that in setting their levies charging authorities should strike a balance between the need to fund infrastructure and the potential effects of the imposition of CIL on the economic viability of development across their areas. The overarching aim of CIL is to enable the delivery of growth, therefore, CIL should not be set too high.
10. In determining the appropriate CIL rates, consideration must be had for the financial burden this places on developers in combination with other requirements notably Affordable Housing provision. Affordable Housing is a key priority for the City Council and therefore, through the development of Local Plan 2036 policy approach, affordable housing will be maximised and CIL rates will be set at a level that ensures the full affordable housing requirement can generally be achieved.
11. The proposed approach, as set out in Table 1 of the PDCS (Appendix 1), is as follows:

Development type	*CIL Rate/m ²
Retail (A1-A5)	£200
Employment (B1 Business, B2 General industrial, B8 Storage or distribution)	£50
Hotels and Residential Institutions (C1, C2 and C2a)	£50
Housing and HMOs (C3 and C4)	£200
Student accommodation	£200
Non-residential institutions and Assembly and leisure (D1-D2)	£50
All development types unless stated otherwise in this table	£50

**CIL rates to undergo further sensitivity testing through the Economic Viability Study and Members will be updated verbally at CEB.*

Consultation on the Preliminary Draft Charging Schedule

12. Consultation will take place for 6 weeks and is likely to be in February/March 2018.
13. The Council will consult groups including developers, planning agents, stakeholders, Parish Councils, Residents Groups, Neighbourhood Forums, Oxfordshire County Council, adjoining Councils, infrastructure providers and other likely interested parties. The consultation will be undertaken in line with our adopted Statement of Community Involvement.
14. Likely stages of the process:

Preliminary Draft Charging Schedule (PDCS) Consultation	Feb/Mar 2018
Draft Charging Schedule (DCS) Consultation	Sept 2018
Submit Charging Schedule (CS) to Secretary of State alongside the Local Plan 2036	Late 2018/early 2019
Examination by an independent Inspector alongside the Local Plan 2036	Spring 2019
Adopt CIL Charging Schedule	July 2019
Update the Affordable Housing and Planning Obligations Supplementary	Post-July 2019

CIL and Section 106 and the Regulation 123 List

15. CIL is the Government's preferred method for collecting pooled contributions to fund infrastructure. There remains a need for S106 obligations, but they must be restricted to the regulation of development and in particular site specific mitigation as their use relates to acceptability of a proposal in planning terms. S106 obligations continue to be the primary mechanism for securing affordable housing through the planning system.
16. The Regulation 123 list of the Community Infrastructure Levy (CIL) Regulations is a list of infrastructure that will be, or may be, wholly or partly funded by CIL. The effect of the list is to restrict the use of S106 Planning Obligations for infrastructure that will be funded in whole or in part by the CIL. This is to ensure no duplication or double charging towards the same infrastructure project.
17. The [current Regulation 123 list](#) (Oct 2014) is very wide ranging and covers strategic and neighbourhood level infrastructure and relates to transport, public realm, community safety, education, community services, sports and leisure and environmental.
18. The content of the Reg 123 list will vary between authorities according to their circumstances and their requirements. For some authorities, where there are specific large scale pieces of infrastructure necessary to unlock development across the area, the Reg 123 list could be very limited and focussed. In other areas where infrastructure requirements result from incremental increases in demand across the board, their list is likely to be more general in nature, enabling them to respond flexibly.
19. The Regulations require Authorities to publish a draft of their Regulation 123 list in advance of a CIL examination. Through the consultation on the PDCS, the City Council will be asking for opinions on the scope of the Regulation 123 list.

CIL and Section 106 on strategic sites (including Northern Gateway)

20. The PDCS proposes that on strategic sites, such as Northern Gateway, S106 will be used rather than CIL. Such sites are likely to have major and expensive infrastructure demands which need to be delivered early to enable development to proceed. Where this is the case (and the statutory tests can be met) it is more likely that S106 obligations will be the appropriate delivery mechanism.
21. S106 would be used to fund specific transport works or other infrastructure such as educational and leisure needs arising as a result of the particular development. These contributions could be pooled with a maximum of four other S106 contributions to the same infrastructure project so careful application of S106 would be required. Contributions could not be combined with CIL spend or on other city-wide infrastructure projects.
22. The case for excluding strategic sites from the CIL regime and using Section 106 procedures in its place is very strong and this approach will form part of the wider consultation on the PDCS. The City Council is exploring ways to allow the Northern Gateway site to be considered under the S106 regime for collecting planning obligations rather than Community Infrastructure Levy. This reflects the nature of the development, the piecemeal way that large science park developments are

developed over a number of years, and the need for the delivery of up front infrastructure. This precise mechanism for this will be brought back to CEB at a future meeting.

23. The Reg. 123 list would therefore be reduced in scope to exclude specific strategic infrastructure associated with strategic sites and wider housing and economic growth. The emerging Local Plan will have a policy setting out that sites above a threshold (to be determined) would make contributions through S106 not CIL. The Affordable Housing and Planning Obligations SPD would also be reviewed to tie in with these changes.

Financial implications

24. The rate at which the CIL tariff is ultimately set will determine the amount of income received by the City Council from new development to be spent on infrastructure which could include capital projects.
25. The rates set out in the PDCS could generate CIL income in the region of £47 million from developments delivered by the Local Plan generated over a 20 year period. It is a 'best-case' scenario estimate as not all development sites will come forward for development or for the scale and type of development estimated.

Legal issues

26. The government has said that it "*will examine the options for reforming the system of developer contributions including ensuring direct benefit for communities*" and will respond to the review and make an announcement at the Autumn Budget 2017 (22nd November 2017). At the time of finalising this CEB report indications are that CIL will remain.

Level of risk

27. A risk assessment has been undertaken and the risk register is attached (Appendix 3). All risks have been mitigated to an acceptable level.

Equalities impact

28. There are no equalities impacts arising from this report.

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Community Infrastructure Levy (CIL)

Improving access to services and facilities for all

Draft Charging Schedule

Summary of Comments

December 2018

Building a world-class city for everyone



Summary of responses to the Draft CIL Charging Schedule consultation

14 respondents commented on the Draft CIL Charging Schedule. The table below summarises the main issues raised.

The Draft Charging Schedule is the same as the Preliminary Draft, with the exception that strategic sites, e.g. Northern Gateway, have been removed from nil charge. Alongside the consultation on the draft Charging Schedule was a consultation on the Regulation 123 list.

Ref.	Topic	Respondent	Summary of comments
1	CIL rates for college owned and student accommodation	St Hilda's	Believe the CIL rates are unjustifiably high. The increase to £200/m2 would add to the capital costs of a student room, and would act as a deterrent for the Universities to provide further student accommodation in line with policy. The proposed increase would therefore act contrary to the Council's policy of encouraging the building of further student accommodation on college-owned sites. The Economic Viability Study that is used to justify the proposed increase cites 29 developments, none of which relates to a college developing student accommodation for its own use. This is an omission. The Economic Viability Study excludes any consideration of the additional levy of £147/m2 proposed in lieu of affordable housing when student accommodation is built on a college-owned site, which has hitherto been exempted from affordable housing obligations. Rationale not stated for levying CIL for student accommodation.
2	CIL rates for large and small developments	Chris Bonfiglioli	The per metre amount charged should be higher for larger developments aimed at making a profit. There should be exemptions for small developments, say under 100 square meters.
3 42	Viability and Reg 123 List	Christ Church, Magdalen College and St Johns College 'The Consortium'	It is the Consortium's opinion the proposed CIL rates are set too high, at a level which is not evidenced by the viability assessment undertaken by GVA. The typologies assessed do not reflect the development proposed in the draft Local Plan, further there is no assessment for commercial B1 uses. The proposed rates for B1 uses and D1 uses are currently in contravention of Section 211 (7a) of the Planning Act (as amended) as they are not based on any appropriate evidence. Residential sales values are overstated – sales values for Zone 4 are not substantiated by evidence. The Consortium also have fundamental concerns that certain development costs are understated and / or not included appropriately within the residual appraisals. This particularly relates to build costs, abnormal costs and Section 106 costs. It is fundamental that a minimum viability cushion of 30% should be adopted within the proposed Oxford City rates to minimise risk to the housing supply, particularly when the housing delivery is historically not meeting the required need. Large infrastructure projects such as Cowley Branch line should be added to Regulation 123 list.
4 and 5	Maximizing CIL rates	Vale of White Horse and SODC	Continue to welcome the positive steps taken to ensure contributions are maximised, particularly in light of the Oxford City Local Plan 2036, which is yet to be subject to Examination. The Council considers it necessary that the CIL Draft Charging Schedule is examined in parallel with, or shortly after, the Examination of the Local Plan 2036, which is currently scheduled for Summer 2019, to ensure viability is considered in a consistent manner.
6	Viability	TWO	Worried due to the quick turnaround between this consultation and the previous, that the comments were not taken into account. Doubling CIL rate for residential and shop uses, this is a significant increase. Do not support the proposed rates. This is because the viability study does not test office (B1) developments, large developments, and those developments that also require S106. Due to this, there is no evidence that the rates are appropriate or viable. No consideration of development pipeline and emerging policy requirements in new Local Plan. A bespoke arrangement for Northern Gateway should be considered.
7	Viability and Reg 123 List	Oxford Science Park	No assessment of Class B1 uses. Employment sites not properly assessed- increase realistic? Cowley Branch Line should be added to the Regulation 123 list so that CIL receipts from development across the City can be pooled to fund this exciting project. It is highly unlikely that justifiable and proportionate Section 106 contributions could reasonably be secured by the City Council from employment development along the route of the Branch Line that would come anywhere close to bridging the existing funding gap.
8	IDP	Thames Valley	TVP would like to secure contributions towards the delivery of infrastructure: Staff set up costs, new vehicles and bikes, premises, mobile IT, radio capacity, ANPR cameras, control room and PND capacity. TVP welcome the acknowledgement in the draft IDP of developer

		Police	contributions towards policing under 'community services' but ask for it to be categorised separately as 'Police infrastructure' to highlight the importance of creating safe communities as identified in NPPF. The Police infrastructure listed falls within the definition of infrastructure as defined in 2008 Act and is not limited to buildings. Therefore equipment could be funded as described.
9	Viability	Oxford Bus Company	The removal of the proposed exclusion of strategic sites from CIL regime is welcomed and will deliver new development more quickly. It will also provide more clarity to developers. Must prioritise the delivery of key infrastructure by ensuring that CIL income is maximised, that the spend process is transparent and that the responsibility for delivering strategic infrastructure is not left to other authorities to deliver. The level at which CIL rates should be set to support infrastructure delivery in comparison to delivering affordable housing does not appear to have been transparently considered with a clear balancing exercise not undertaken. There would be scope for CIL to be set at an even higher level but it has been limited by the level of affordable housing provision without consideration of the impact on infrastructure delivery. The Economic Viability Study does not test a range of options to assist in determining what the CIL rate could be set at. The table on page 40 of the Study shows that only a rate of £200 was tested for residential, student accommodation and retail (and £50 for other uses). No other rate levels have been tested. That table also shows that the majority of site typologies would be viable but, due to the lack of CIL rate options or sensitivity testing, it is completely unknown as to whether the CIL rate could actually be set higher bringing in additional infrastructure funding and still maintaining the viability of the majority of sites.
10	Regulation 123 list and Exceptional circumstances	Historic England	Disappointed not to see any heritage-related infrastructure identified in the Revised Regulation 123 List. HE note that noted that paragraph 26 of the Preliminary Draft Revised Charging Schedule stated " <i>In Oxford City discretionary charity relief or exceptional circumstances relief is not available (CIL regulations 44, 45 and 55)</i> ". We presumed this related to a decision of the Council rather than to any bar in the Regulations themselves. This position is maintained in the Draft Revised Charging Schedule, albeit now in paragraph 25. They maintain that the City Council consider exceptional circumstances relief in accordance with Regulation 55 where the requirement for CIL would threaten the viability of a redevelopment scheme bringing new life to heritage assets.
11	CIL rates for D1 Uses	Department of Education	The consultation took place too soon to consider all representations. Believe this consultation was legally non-compliant and undermines the meaning and value of public consultation. Nothing in EVA to justify CIL charge for state funded schools which are a type of infrastructure and do not make a profit. Only assessed care home D1 use. D1 uses or state funded schools specifically should be removed. In the meantime, we request that the Council adopts a policy allowing 'in kind' infrastructure payments, as a matter of urgency in view of the delivery timescale for The Swan School, a new secondary free school which is being fully funded by the DfE. Permissible under Regulation 73(A) of the Community Infrastructure Levy Regulations, an 'in kind' infrastructure payment would allow the levy to form part of the DfE's agreed costs in delivering the school. The DfE is not prepared to double fund education through direct delivery of a new school and also a CIL payment which may be used for education according to the R123 list. In the absence of an infrastructure agreement allowing 'in kind' payment as described in Planning Practice Guidance, the DfE will seek the reimbursement of any CIL payment made
12	Regulation 123 List and Viability	University of Oxford	Disappointed the consultation on this schedule remains unchanged from previous. Increase to CIL rates too high. Do not support the following infrastructure on 123 list: Queen Street Pedestrianisation, Redbridge Park and Ridge Capacity Improvements, Seacourt Park and Ride expansion/improvements. Suggest 4 more transport schemes for the list: traffic free cycle routes on key radial road routes, mass rapid transit infrastructure on key radials, new pedestrian and cycle crossing of River Thames at Oxpens, demand management measures, ZEZ. Employer Linked Affordable Housing cannot support CIL at the proposed residential rate. Asking OCC to introduce a new CIL rate of £0 psm for accommodation that meets the definition set out in Draft Policy H3. Where it is not possible to offset the payment of CIL against the purchase price of land it would potentially become another significant capital outlay before development which would potentially make that development unrealistic.
13	CIL rates for student accommodation	Oxford Brookes University	Disappointed to note that no substantive changes have been made to the documentation in response and no statement setting out detailed reasoning in response to the points raised have been made. Concerned with the increase on new education floor space by nearly 100% and student accommodation by nearly 60%. This will have adverse impacts on investment plans for the institution. The increase in CIL would have the following impacts: 1. Adverse impacts on the University's Estates Investment Plan; 2. Constraining the supply of purpose-built student accommodation, contrary to the objectives of the City's planning policy; 3. Eliminating the delivery of affordable

			student accommodation within Oxford that allows students from less affluent backgrounds to access education at Oxford Brookes University. OBU propose that the Council introduces a variable rate for Headington and east Oxford, recognising that many of the schemes that will emerge here in the future will be to meet the needs of Oxford Brookes University's students.
14	CIL rates for B2/B8 uses	BMW	The response to the PDCS consultation is equally relevant to this consultation. The main comments for the Draft Charging Schedule consultation are as follows: Insufficient time has been allowed to enable the Council to undertake a proper analysis of the comments received on the PDCS consultation; The rationale for proceeding with an "unviable" CIL on B2/B8 uses is unclear as the impact of the levy on a B2-B8 development larger than 3,500m ² has not been tested; No reasoning is given as to why the Council continues to uniquely seek CIL on new industrial floor space when neighbouring and other charging authorities with automotive plants do not; No justification is provided for removing the proposed nil CIL on strategic sites; No new viability evidence has been undertaken for larger employment developments of the scale and complexity which might be required by MINI Plant Oxford; and No opportunity has been provided for detailed review by stakeholders of all the comments submitted to the PDCS consultation in October 2018. BMW believe that a "do minimum" approach has been adopted in order to meet the requirements of the CIL Regulations with undue haste.

Oxford City Council

Addendum to Economic Viability Assessment 2018

May 2019

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Prepared By: Matthew Hayes

Status: Final

Date: May 2019

For and on behalf of GVA Grimley Limited t/a Avison Young

1. Introduction

- 1.1 Avison Young produced viability evidence on behalf of Oxford City Council (the 'Council') in support of the draft Oxford Local Plan 2036 ('Local Plan') and the review of the CIL Charging Schedule in September 2018. Since that time, consultation has taken place and the Council has received a number of comments from stakeholders. Partly in response to consultation responses, and due to further information becoming available on strategic sites, Avison Young ('AY') has been instructed by the Council to undertake further viability testing.
- 1.2 Specifically, AY has been asked to undertake further testing in relation to B1 offices and B2/B8 industrial uses, to reconsider residential values, to run sensitivity on greenfield land values, and to provide greater detail in the results including expressing viability in terms of maximum benchmark land values.
- 1.3 This addendum provides a market update in relation to B1 and B2/B8 uses, provides updated residential evidence, presents the method and results of the additional testing, and concludes with recommendations as to the Local Plan and CIL Charging Schedule as a result of the analysis.
- 1.4 This addendum should be read in conjunction with the original viability report 'Economic Viability Assessment to inform the Oxford Local Plan 2036 and the Review of the Community Infrastructure Charging Schedule, September 2018' (the 'Original Report').

2. Market Update

Office Market

- 2.1 Office take up in Oxfordshire has continued to improve, with Tokamak Energy taking 46,000 sq ft of office and lab space at Milton Park on a 15 year lease in Q3 2018. However, the take up level remains more subdued than that of the previous year. The Oxfordshire market has remained relatively consistent, with a high share of demand from high tech firms and out of town space. The area's office stock was estimated at around 6.7 million sq ft at the end of 2018. An additional 49,000 sq ft of office space is expected to reach completion in 2019, totalling 5.5 million sq ft of space in the development pipeline.
- 2.2 Over half of the schemes currently granted planning permission provide for more than 100,000 sq ft each. However 99% of the permissions are located out of town, and outside of the Oxford City administrative boundary. The exceptions are Oxford Business Park and Oxford Science Park, both in the Cowley/Littlemore area at the south-eastern end of the authority boundary. Plots here have been developed in stages for office and industrial uses. Most recently Goodman developed a 53,900sqft pre-let to A C Nielsen which completed in early 2018.
- 2.3 Due to a diminished supply of prime office space, Oxfordshire has continued to see sharp uplifts in prime rental values. The following lettings in Q3 2018 are indicative of current rent levels with the city administrative boundary: Sensyne Health rented 7,700 sq ft at Schrodinger Building in Oxford Science Park for £32 psf; and Exscientia has entered into a 10 year lease for 7,800 sq ft at Schrodinger Building in Oxford Science Park for

£30 psf. These represent the top of the market, with typical rents for good quality out of town space more typically in the £20-£30psf range.

- 2.4 Within the city centre, transactions are limited due to the limited central stock. Prime rents are c £20-£25psf, most recently represented by Bloomsbury Publishing taking 9,400sqft in Q4 2018. However, due to constrained city centre supply, rents are often unpredictable, with small floorplates in secondary buildings often exceeding the prime rental level. Over the last two years, lettings in the town centre have ranged from 420 – 4,100sqft at headline rents of £17-£30psf. The highest of these was 2,227sqft taken at King Charles House by Gsmatt.
- 2.5 2018 represented a relatively subdued year in terms of investment activity. The most noteworthy transaction across 2018 saw UK fund manager Mayfair Capital acquire 2600 John Smith Drive in Oxford Business Park for £35.4 million. The particularly low yield of 4.9% can in part be accounted for by the long unexpired lease term and strong covenant; the building is let in its entirety to British Gas until 2029. Overall prime yields are c 5.25%, potentially 5.0% out of town with the right terms.

Industrial Market

- 2.6 There have been no pre-let deals over the 12 months to Q4 2018 and there is currently very little space under construction, although there is 5 million sq ft of space in planning and preliminary stages within Oxford and the surrounding sub-market area. Supply is constrained with vacancy at c 2.9% and completions averaging just 11,000sqft pa over the last 5 years. Take up is predominantly at the lower size bands within the city administrative area, with 43% comprised of units of under 10,000 sq ft in the year to Q4 2018.
- 2.7 Constrained supply, coupled with structural shifts in online retailing leading to unprecedented demand for storage and distribution uses, has supported rental growth in recent years. Rents for good quality space are generally around £9psf, but prime rents of c £11-12 psf have been achieved in the wider Oxford area. The highest rent recently secured within the city administrative boundary was a headline of £14.95psf at Oxford Trade Centre in Cowley. This was an assignment of 3,000sqft for 15 years to UK Plumbing Supplies.
- 2.8 Some of the largest deals over Q3 and Q4 2018 included the 15 year letting of 85,200 sq ft at Oxbox in Cowley to Oxford Biomedica and the 10 year letting of 17,600 sq ft at Nuffield Industrial Estate to The Bss Group at £9psf. In two separate transactions, 6,700 and 3,700sqft let at £11.25 - £12psf at Trade City at Littlemore.
- 2.9 In terms of investment, there is little evidence of transactions in the city area. One available transaction since Q3 is the sale of 17,800sqft of multiple units at Sandy Lane West in Littlemore. The yield was unreported. These are modern units constructed in c 2008. Within the wider south east, increasing demand for storage and distribution uses is reported to have been sharpening yields, with prime units now commanding as low as c 3.75%.
- 2.10 Within the wider Oxfordshire area, the largest investment transaction since the publication of the Original Report is the sale of Unit 3 at Central M40. This comprised c 237,000sqft of distribution space let to HelloFresh, which sold for £27.5m representing a yield of 4.99%.

3. Additional Viability Testing

- 3.1 Using similar methodology as the Original Report, we have reviewed extant planning permissions for B1-B8 uses in order to determine typologies representative of development in the authority.

B1 Offices

- 3.2 In relation to B1 offices, we have identified the following permissions:

Location	Planning	Ref.	Size	Site Area	Ward	CIL Zone ¹
Plot 3100 Oxford Business Park, Cowley	Full Permission	04/00360/RES	144,000 sq ft	2.45ha	Lye Valley/Cowley	1
Plot 8200, Oxford Business Park, Cowley	Full Permission	02/00100/RES	91,000 sq ft	1.88ha	Lye Valley/Cowley	1
Remainder Oxford Business Park, Cowley	Outline Permission	12/01424/EXT	167,000 sq ft	35.6ha	Lye Valley/Cowley	1
Plot 11, Oxford Science Park, Cowley	Full Permission	05/01722/RES	30,000 sq ft	0.64ha	Littlemore	1
Plot 26, Oxford Science Park, Cowley	Full Permission	07/02830/RES	24,000 sq ft	0.57ha	Littlemore	1
Plot 12, Oxford Science Park, Cowley	Full Permission	16/01945/FUL	77,000 sq ft	1.20ha	Littlemore	1
Magdalen Centre, Oxford Science Park, Cowley	Full Permission	17/03419/FUL	32,000 sq ft	0.57ha	Littlemore	1

- 3.3 No extant permissions were available for any areas other than CIL Zone 1 as defined in the Original Report. However, we are aware of proposals which include an element of B1 space, for which planning permission has not yet been sought but development is allocated in the Local Plan.
- 3.4 These include the development of the Oxpens Site, the Supplementary Planning Document for which includes an illustrative masterplan that estimates capacity of B1 Office and B1 R&D space of 133,000 sq ft. There is also a Supplementary Planning Document for the redevelopment of the Oxford Station Area. The illustrative masterplan in this case envisages 49,000 sq ft of commercial development.
- 3.5 The Oxpens SPD area is within both the Carfax and Hinksey Park wards, though the illustrative masterplan suggests the office component is best located predominantly in the former. The office space is distributed across plots totalling c 0.81ha (though this includes plots where B1 space occupies the ground floor only of mixed buildings) Carfax is within CIL Zone 5.
- 3.6 The Station Area masterplan covers areas within both the Carfax and Jericho and Osney wards, though the office component is envisaged to be south of Botley Road, within Carfax, on a plot of c 0.33ha. This is in CIL Zone 5.
- 3.7 Considering the above, the following typologies have been determined representative of B1 office development being delivered or with the potential to be delivered within the City administrative area during the plan period:

¹ See Original Report for definition of CIL zones.

Site Ref.	B1 Floorspace	Site Area	CIL Zone ²
30	50,000 sq ft	0.75ha	1
31	150,000 sq ft	2.5ha	1
32	100,000 sq ft	0.6ha	5

B2-B8 Industrial

The following significant extant permissions have been identified for B2-B8 uses:

Location	Planning	Ref.	Size	Type	Site Area	Ward	CIL Zone
Former Royal Mail Sorting Office, Oxford Business Park, Cowley	Full Permission	16/00177/FUL	135,000 sq ft	B1(c)/B2/B8 (ancillary B1(a)) (change of use)	2.70ha	Lye Valley	1
1-2 Nuffield Industrial Estate	Full Permission	16/01360/FUL	18,000 sq ft	B1/B2/B8 (change of use)	0.26ha	Lye Valley	1
12 Nuffield Industrial Estate	Full Permission	17/00792/FUL	8,000 sq ft	B1/B2/B8 (change of use)	0.08ha	Lye Valley	1
13 Nuffield Industrial Estate	Full Permission	17/00621/FUL	9,000 sq ft	B1(b and c)/ B2/B8 (change of use)	0.08ha	Lye Valley	1

- 3.8 All the available permissions were for development in CIL Zone 1 only. It is noted that all the permissions are also for change of use rather than for new build development. However, they are considered indicative of the scale of B2/B8 typologies being brought forwards in Oxford and would apply in the case of new build as well as change of use.
- 3.9 It should be noted that the site areas above are taken from planning application forms and in many cases appear to be drawn tightly to existing units within a wider estate rather than a more typical 'gross' plot for new build units.
- 3.10 The Original Report included an industrial typology of 38,000 sq ft, in Zone 1 and assuming a site area of 0.85ha.
- 3.11 Given the further assessment of applications above, we consider the addition of additional typologies would increase the representativeness of the assessment of development with the potential to come forwards in the City administrative area over the plan period.
- 3.12 We consider the following additional typologies to be appropriate:

Site Ref.	B2/B8 Floorspace	Site Area	CIL Zone ³
33	10,000 sq ft	0.25ha	1
34	100,000 sq ft	2.5ha	1

² See Original Report for definition of CIL zones.

³ See Original Report for definition of CIL zones.

- 3.13 We would raise that in the Original Report on a number of occasions the floor area range stated to be tested for industrial uses is 200 to 5,000 sq ft. This is an error given the actual quantum tested was 38,000sqft and this is corrected in the remaining references in this report.

Residential

- 3.14 We have reassessed the residential values used in the Original Report.
- 3.15 In deriving residential sales values for the Original Report, analysis was undertaken of all sold prices registered at Land Registry during mid-2017, analysed by bed and property type and by ward. Averages were calculated and then a premium applied to reflect new build values. These were then applied as the residential values for the modelling.
- 3.16 However, the average unit values, when applied to the unit sizes used in the modelling, produced some high sales rates on a £psf basis. We have undertaken further analysis of sold prices to investigate this further.
- 3.17 We have taken data originally compiled by HDH Planning & Development in assessing the potential for a Strategic Infrastructure Tariff across all the Oxfordshire authorities. This comprised Land Registry sold data for new build properties, to which unit areas have been added using EPC records. We updated this data to take account of more recent transactions and analysed with reference to CIL Zone.
- 3.18 We have also reviewed asking prices for all new build properties on the market in the Oxford City area, and just outside, in early April 2019. We have analysed this data with reference to each property type and CIL zone. The analysis is summarised below:

CIL Zone	Property Type	Av. Asking Price	Av. Size (sq ft)	Av. £psf	#
1	1 Bed Flat	£230,000	486	£473.25	1
2	1 Bed Flat	£270,000	541	£499.08	1
	1 Bed House	£337,500	546	£618.83	2
	3 Bed House	£425,000	848	£501.18	1
	4 Bed House	£690,000	1,804	£382.74	3
3	1 Bed Flat	£297,475	592	£503.00	2
	2 Bed Flat	£386,250	922	£421.29	6
	2 Bed House	£350,000	-	-	1
	3 Bed House	£540,000	1,172	£461.74	5
	4 Bed House	£798,333	1,758	£458.25	3
	5 Bed House	£970,000	2,495	£388.78	1
4	1 Bed Flat	£264,869	545	£487.98	16
	2 Bed Flat	£354,500	728	£498.89	11
	4 Bed House	£1,079,375	2,307	£467.86	8
	5 Bed House	£2,335,000	3,563	£655.91	5

- 3.19 From this analysis it appears the unit sizes assumed in the Original Report are generally smaller than the average in the market, particularly for the larger units in the higher value areas. Applying average values to these smaller areas has therefore resulted in £psf rates that are too high, and the unit values should be adjusted to more closely reflect the adopted unit areas.

4. Appraisal Assumptions

B1 Offices

- 4.1 In light of the market assessment summarised in section 2 above, we consider the following assumptions are representative and appropriate to adopt in viability testing for office use:

CIL Zone	Rent £psf	Yield
1	£30.00	5.25%
5	£25.00	5.25%

B2-B8 Industrial

- 4.2 On further consideration of available evidence for industrial uses, we consider the assumption in the Original Report of a rent of £12psf to still be appropriate. However, in our view the evidence suggests the yield could be sharpened. The Original Report assumed 6%; however in our view the following would be appropriate and representative:

Site Ref.	B2/B8 Floorspace	CIL Zone ⁴	Yield
23	38,000 sq ft	1	5.5%
33	10,000 sq ft	1	5.5%
34	100,000 sq ft	1	5.25%

- 4.3 This includes amending the assumptions adopted for the industrial typology previously tested in the Original Report, typology 23.

Residential

- 4.4 Considering the updated and further analysis of residential data above, we have revised the adopted residential values as follows:

Adopted Residential Unit Values

Zone	1 bed flat	2 bed flat	3 bed flat	2 bed house	3 bed house	4 bed house
1	£230,000	£280,000	£330,000	£330,000	£400,000	£530,000
2	£280,000	£370,000	£430,000	£490,000	£580,000	£630,000
3	£280,000	£370,000	£430,000	£460,000	£530,000	£630,000
4	£300,000	£400,000	£460,000	£570,000	£700,000	£850,000
5	£400,000	£500,000	£600,000	£600,000	£700,000	£850,000

Adopted Residential Values £ per square foot

Zone	1 bed flat	2 bed flat	3 bed flat	2 bed house	3 bed house	4 bed house
1	£427.34	£371.60	£356.48	£388.06	£375.35	£406.92
2	£520.24	£491.04	£464.50	£576.22	£544.26	£483.69
3	£520.24	£491.04	£464.50	£540.94	£497.34	£483.69
4	£557.40	£530.86	£496.91	£670.29	£656.87	£652.60

⁴ See Original Report for definition of CIL zones.

Zone	1 bed flat	2 bed flat	3 bed flat	2 bed house	3 bed house	4 bed house
5	£743.20	£663.57	£648.14	£705.57	£656.87	£652.60

- 4.5 As a result of these amended values we have also updated values of shared ownership units as follows:

Zone	1 bed flat	2 bed flat	3 bed flat	2 bed house	3 bed house	4 bed house
1	£131,000	£160,000	£189,000	£189,000	£229,000	£303,000
2	£160,000	£211,400	£245,700	£280,000	£331,400	£360,000
3	£160,000	£211,400	£245,700	£280,000	£331,400	£360,000
4	£171,400	£211,400	£245,700	£262,900	£302,900	£360,000
5	£228,600	£285,700	£342,900	£342,900	£400,000	£485,700

- 4.6 Assumptions with respect to affordable tenure mix have been kept consistent with the Original Report and emerging Local Plan policy.

Other Assumptions

- 4.7 The Original Report stated that allowances for S278 costs were made at a rate of £500,000 per hectare. However, a rate of £500,000 per hectare has been applied to all modelling as a rate for site preparation and demolition costs. S278 costs are also separately allowed for. For residential typologies, S278 costs are applied at a rate of £500 per residential unit. For non-residential typologies, S278 costs are estimated at a rate of 1% of build costs. This is not a change of modelling assumption but rather a clarification of assumptions adopted.
- 4.8 As stated in the Original Report, a 5% uplift has been applied to build costs for non-residential uses to reflect environmental policies in the draft Local Plan, including BREEAM and energy efficiency requirements. However, this uplift was not originally applied to the Standard Care Home typology. This has now been applied and this typology, reference number 27, has been updated.

5. Viability Results

- 5.1 The tables below summarise the viability results for all typologies, including those tested previously and which have not been amended, in order to provide comprehensive results in one location. The results are also now provided to a greater level of detail, illustrating in each case the extent of development land value surplus or deficit for each typology.
- 5.2 The results tabled are coloured as follows:

Development Land Value in Excess of Benchmark Land Value (Existing Use Value +30%)
Development Land Value Between of Benchmark Land Value (Existing Use Value +30%) and Existing Use Value
Development Land Value less than Existing Use Value

- 5.3 The Benchmark Land Value is assumed to be the Existing Use Value of land in each zone, plus a premium of 30%, as assumed in the Original Report.
- 5.4 The figures in the table show the surplus or deficit of development land value above the existing use value.

Residential Results

Site Ref	Gross Site Area (Ha)	Zone	EUV per ha	EUV	Benchmark	Net Residual Land Value	Surplus/Deficit
1	0.03	Zone 1	£2,100,000	£63,000	£81,900	£30,989	-£32,011
2	0.10	Zone 2	£2,100,000	£210,000	£273,000	£930,551	£720,551
3	0.09	Zone 3	£3,100,000	£279,000	£362,700	£385,440	£106,440
4	0.08	Zone 3	£3,100,000	£248,000	£322,400	£885,319	£637,319
5	0.14	Zone 2	£2,100,000	£294,000	£382,200	£640,184	£346,184
6	0.57	Zone 2	£2,100,000	£1,197,000	£1,556,100	£3,116,332	£1,919,332
7	6.12	Zone 2	£2,100,000	£12,852,000	£16,707,600	£16,734,168	£3,882,168
8	0.48	Zone 4	£3,500,000	£1,680,000	£2,184,000	£8,627,625	£6,947,625
9	0.03	Zone 5	£7,300,000	£191,260	£248,638	£978,336	£787,076
10	0.05	Zone 2	£2,100,000	£111,720	£145,236	£119,002	£7,282
11	1.02	Zone 1	£2,100,000	£2,142,000	£2,784,600	-£320,238	-£2,462,238
12	0.03	Zone 2	£2,100,000	£70,980	£92,274	£450,043	£379,063
13	0.07	Zone 2	£2,100,000	£149,520	£194,376	£418,183	£268,663
14	0.05	Zone 4	£3,500,000	£165,200	£214,760	£254,287	£89,087
15	0.11	Zone 3	£3,100,000	£325,500	£423,150	£427,278	£101,778
16	0.05	Zone 4	£3,500,000	£161,000	£209,300	£1,679,919	£1,518,919
17	0.40	Zone 4	£3,500,000	£1,400,000	£1,820,000	£2,389,633	£989,633
18	0.09	Zone 2	£2,100,000	£189,000	£245,700	£465,980	£276,980
19	0.02	Zone 4	£3,500,000	£70,000	£91,000	£130,255	£60,255
20	0.76	Zone 2	£14,085	£10,704	£13,916	£967,642	£956,937
21	3.95	Zone 4	£73,203	£289,153	£375,899	£20,045,487	£19,756,334

- 5.5 We have also tested site typologies 20 and 21, representing greenfield housing development, with alternative benchmark land values. Whilst the approach to benchmark land value adopted in the Original Report is robust and in accordance with guidance, it is acknowledged that particularly in the case of greenfield a strict Existing Use Value-based approach can result in values significantly lower than those traded in the market. Though this may be evidence of land trading without taking full account of policy requirements, for the avoidance of doubt we have nevertheless tested higher benchmark values to determine viability in that event. The results are summarised below:

Site Ref	Gross Site Area (Ha)	EUV per ac	EUV	Benchmark	Net Residual Land Value	Surplus/Deficit
20	0.76	£7,500	£10,704	£13,916	£967,642	£956,937
20	0.76	£50,000	£71,362	£92,771	£967,642	£896,279
20	0.76	£100,000	£142,725	£185,542	£967,642	£824,917
20	0.76	£150,000	£214,087	£278,314	£967,642	£753,554
20	0.76	£200,000	£285,450	£371,085	£967,642	£682,192
20	0.76	£250,000	£356,812	£463,856	£967,642	£610,829
20	0.76	£300,000	£428,175	£556,627	£967,642	£539,467

Site Ref	Gross Site Area (Ha)	EUV per ac	EUV	Benchmark	Net Residual Land Value	Surplus/Deficit
21	3.95	£7,500	£289,153	£375,899	£20,045,487	£19,756,334
21	3.95	£50,000	£1,927,689	£2,505,996	£20,045,487	£18,117,798
21	3.95	£100,000	£3,855,378	£5,011,991	£20,045,487	£16,190,109
21	3.95	£150,000	£5,783,067	£7,517,987	£20,045,487	£14,262,420
21	3.95	£200,000	£7,710,756	£10,023,982	£20,045,487	£12,334,732
21	3.95	£250,000	£9,638,444	£12,529,978	£20,045,487	£10,407,043
21	3.95	£300,000	£11,566,133	£15,035,973	£20,045,487	£8,479,354

Non-residential Results

Site Ref	Land Use	Gross Site Area (HA)	Zone	CIL Rate £psm	EUV per ha	EUV	Benchmark	Net Residual Land Value	Surplus/Deficit
22	Retail Park	0.11	1	£200	£2,100,000	£231,000	£300,300	£400,205	£169,205
23	B2/B8 Industrial	0.85	1	£50	£2,100,000	£1,785,000	£2,320,500	£833,055	£-951,945
24	Student Housing	0.08	2	£200	£2,100,000	£168,000	£218,400	£1,299,562	£1,131,562
25	Student Housing	0.38	5	£200	£7,300,000	£2,774,000	£3,606,200	£3,844,753	£1,070,753
26	Student Housing	0.96	2	£200	£2,100,000	£2,016,000	£2,620,800	£3,237,273	£1,221,273
27	Standard Care Home	0.33	1	£50	£2,100,000	£693,000	£900,900	£658,723	£-34,277
28	Extra Care Home	0.61	3	£50	£3,100,000	£1,891,000	£2,458,300	£1,180,013	£-710,987
29	Hotel	0.21	3	£50	£3,100,000	£651,000	£846,300	£1,175,842	£524,842
30	B1 Office	0.75	1	£50	£2,100,000	£1,575,000	£2,047,500	£5,220,473	£3,645,473
31	B1 Office	2.50	1	£50	£2,100,000	£5,250,000	£6,825,000	£15,652,432	£10,402,432
32	B1 Office	0.60	5	£50	£7,300,000	£4,380,000	£5,694,000	£5,096,749	£716,749
33	B2/B8 Industrial	0.25	1	£50	£2,100,000	£525,000	£682,500	£221,247	£-303,753
34	B2/B8 Industrial	2.50	1	£50	£2,100,000	£5,250,000	£6,825,000	£2,880,581	£-2,369,419

5.6 We would highlight that the Standard Care Home typology, site ref. 27, is now shown as not viable having previously been listed as viable in the Original Report.

5.7 We have also tested the B2/B8 Industrial sites at lower CIL rates with the following results:

Site Ref	23	33	34
Land Use	B2/B8 Industrial	B2/B8 Industrial	B2/B8 Industrial
Surplus/Deficit £0 CIL	-£749,700	-£249,355	-£1,832,585
Surplus/Deficit £5 CIL	-£769,924	-£254,723	-£1,886,268
Surplus/Deficit £10 CIL	-£790,149	-£260,092	-£1,939,952
Surplus/Deficit £15 CIL	-£810,374	-£265,460	-£1,993,635
Surplus/Deficit £20 CIL	-£830,598	-£270,828	-£2,047,319
Surplus/Deficit £25 CIL	-£850,823	-£276,197	-£2,101,002
Surplus/Deficit £30 CIL	-£871,047	-£281,591	-£2,154,686
Surplus/Deficit £35 CIL	-£891,272	-£287,132	-£2,208,369
Surplus/Deficit £40 CIL	-£911,496	-£292,672	-£2,262,053
Surplus/Deficit £45 CIL	-£931,721	-£298,213	-£2,315,736
Surplus/Deficit £50 CIL	-£951,945	-£303,753	-£2,369,419

Alternative Outputs – Benchmark Land Value Analysis

- 5.8 An alternative approach to displaying the results in terms of scheme surplus above EUV is to instead display what the maximum benchmark land value each of the schemes could pay and still be viable. These alternative results use the same underlying modelling; they merely display the outputs differently. These alternative results are shown below:

Site Ref	Use	Gross Site Area (Ha)	Zone	EUV per ha	Net Residual Land Value	Max Benchmark per ha	% Over EUV
1	Residential	0.03	Zone 1	£2,100,000	£30,989	£1,032,955	-51%
2	Residential	0.10	Zone 2	£2,100,000	£930,551	£9,305,512	343%
3	Residential	0.09	Zone 3	£3,100,000	£385,440	£4,282,669	38%
4	Residential	0.08	Zone 3	£3,100,000	£885,319	£11,066,489	257%
5	Residential	0.14	Zone 2	£2,100,000	£640,184	£4,572,741	118%
6	Residential	0.57	Zone 2	£2,100,000	£3,116,332	£5,467,249	160%
7	Residential	6.12	Zone 2	£2,100,000	£16,734,168	£2,734,341	30%
8	Residential	0.48	Zone 4	£3,500,000	£8,627,625	£17,974,219	414%
9	Residential	0.03	Zone 5	£7,300,000	£978,336	£37,341,060	412%
10	Residential	0.05	Zone 2	£2,100,000	£119,002	£2,236,876	7%
11	Residential	1.02	Zone 1	£2,100,000	-£320,238	-£313,959	-115%
12	Residential	0.03	Zone 2	£2,100,000	£450,043	£13,314,894	534%
13	Residential	0.07	Zone 2	£2,100,000	£418,183	£5,873,357	180%
14	Residential	0.05	Zone 4	£3,500,000	£254,287	£5,387,436	54%
15	Residential	0.11	Zone 3	£3,100,000	£427,278	£4,069,310	31%
16	Residential	0.05	Zone 4	£3,500,000	£1,679,919	£36,519,987	943%
17	Residential	0.40	Zone 4	£3,500,000	£2,389,633	£5,974,083	71%
18	Residential	0.09	Zone 2	£2,100,000	£465,980	£5,177,553	147%
19	Residential	0.02	Zone 4	£3,500,000	£130,255	£6,512,765	86%
20	Residential	0.76	Zone 2	£563,388	£967,642	£1,273,213	126%
21	Residential	3.95	Zone 4	£2,928,135	£20,045,487	£5,074,807	73%
22	Retail Park	0.11	Zone 1	£2,100,000	£400,205	£3,638,223	73%
23	B2/B8 Industrial	0.85	Zone 1	£2,100,000	£833,055	£980,064	-53%
24	Student Housing	0.08	Zone 2	£2,100,000	£1,299,562	£16,244,526	674%
25	Student Housing	0.38	Zone 5	£7,300,000	£3,844,753	£10,117,772	39%
26	Student Housing	0.96	Zone 2	£2,100,000	£3,237,273	£3,372,160	61%
27	Standard Care Home	0.33	Zone 1	£2,100,000	£658,723	£1,996,129	-5%
28	Extra Care Home	0.61	Zone 3	£3,100,000	£1,180,013	£1,934,448	-38%
29	Hotel	0.21	Zone 3	£3,100,000	£1,175,842	£5,599,245	81%
30	B1 Office	0.75	Zone 1	£2,100,000	£5,220,473	£6,960,630	231%
31	B1 Office	2.50	Zone 1	£2,100,000	£15,652,432	£6,260,973	198%
32	B1 Office	0.60	Zone 5	£7,300,000	£5,096,749	£8,494,582	16%
33	B2/B8 Industrial	0.25	Zone 1	£2,100,000	£221,247	£884,986	-58%
34	B2/B8 Industrial	2.50	Zone 1	£2,100,000	£2,880,581	£1,152,232	-45%

5.9 These results are averaged per zone below:

Average Maximum Benchmarks per Zone – Residential

Zone	Av. Max Benchmark per ha	Av. % Over EUV
Zone 1	£359,498	-83%
Zone 2	£5,550,637	183%
Zone 3	£6,472,823	109%
Zone 4	£12,907,216	273%
Zone 5	£37,341,060	412%

Average Maximum Benchmarks per Zone – Non-residential

Zone	Av. Max Benchmark per ha	Av. % Over EUV
Zone 1	£3,124,748	49%
Zone 2	£9,808,343	367%
Zone 3	£3,766,847	22%
Zone 4	-	-
Zone 5	£9,306,177	27%

- 5.10 To provide context to these average values we have reviewed available Land Registry sales data for all the real-world sites used in the viability analysis. This includes where tested site typologies have been based on actual sites and schemes submitted for planning, and sites used in the estimation of existing use values per zone. The table below summarises the average sold land prices per hectare and per zone:

	Price Paid per ha	#
Zone 1	£3,536,795	9
Zone 2	£4,777,068	4
Zone 3	£3,961,987	4
Zone 4	£1,684,211	1
Zone 5	£11,071,977	4

- 5.11 It should be noted that sold prices are not available for all sites involved in the viability testing; hence the sample size is relatively small, particularly in the case of Zone 4. The figures shown above are for all sites where data are available, without consideration of whether the sites delivered policy-compliant schemes.
- 5.12 The table below further analyses these data, limiting the results only to those where, in the case of residential development, a policy-compliant level of affordable housing (or financial contribution in the case of small schemes) was delivered:

	Price Paid per ha	#
Zone 1	£3,919,804	5
Zone 2	£1,068,774	1
Zone 3	£1,369,515	1
Zone 4	-	0
Zone 5	£10,616,358	2

- 5.13 This reduces the sample size further but demonstrates the general trend that land will trade at lower values where policy-compliant development is promoted.
- 5.14 Generally these average prices compare favourably with the maximum land values that the tested schemes can viably afford. Where the schemes can afford a land payment greater than the average prices paid in the market, this suggests the schemes are viably capable of bearing the costs of the policies in the local plan, including affordable housing and CIL.

6. Commentary on Results

B1 Offices

- 6.1 The testing of the office typologies suggests this use can viably support a CIL payment. Office assumed to be delivered in Zone 1 is viable, however that tested in Zone 5 is at the margins of viability. This is due to the much higher land values in the city centre.
- 6.2 Overall the results are positive and the more viable typologies are those where there is greater likelihood of office development being promoted over the next plan period.

B2-B8 Industrial

- 6.3 The testing continues to suggest that industrial development is not viable. This is the case regardless of the CIL rate assumed, i.e. the modelling suggests that industrial development does not generate greater value than existing uses. As stated previously, arguably a marginal CIL may still be charged in such circumstance given CIL is not the deciding factor in viability, and in the event an industrial scheme is viable a small charge is unlikely to make it unviable. Industrial uses in the City authority area are also often built for owner-occupation or with pre-let or forward-purchase arrangements which may change the development economics from the typical residual development appraisal approach taken in the testing.
- 6.4 However, the Council may wish to consider lowering the charge proposed in the draft charging schedule in light of these results.

Residential

- 6.5 Though some assumptions have been amended the results of the residential analysis are almost entirely the same as those in the Original Report. The only difference is site 10 has been reduced to only marginal viability, generating a land value in excess of EUV but lower than the benchmark of EUV +30%.
- 6.6 This typology is for the development of 2 residential units. The analysis assumes that all residential schemes of 9 units or fewer are required to pay a financial affordable housing contribution of 15% of GDV. However, policy in the emerging Local Plan only applies this contribution to schemes of 4-9 residential units, not schemes of 3 units or fewer. If this contribution is removed from the calculation, then this site does produce a viable result. As in the Original Report, this is also the case for site 1, a single residential unit typology. The following are the results for these sites if the 15% GDV contribution is removed:

Site Ref	Gross Site Area (Ha)	Zone	EUV per ha	EUV	Benchmark	Net Residual Land Value	Surplus/Deficit
1	0.03	Zone 1	£2,100,000	£63,000	£81,900	£104,804	£41,804
10	0.05	Zone 2	£2,100,000	£111,720	£145,236	£240,538	£128,818

- 6.7 This demonstrates that the results of the residential testing are the same as in the Original Report.
- 6.8 The additional testing of alternative benchmark land values for sites 20 and 21 also shows that these sites are viable even where high land values, indicative of development hope value rather than EUV, are applied.

Other Uses

- 6.9 The results for all the other non-residential uses are the same as in the Original Report, with the one exception of site 27, the care home typology. The modelling suggests that the care home sites, both standard and extra care, cannot viably support the CIL rate tested.
- 6.10 We would highlight however that the testing assumes CIL is payable on the full floor area of new development, with no allowances for any exiting floorspace. We understand care home development is most likely to come forwards, if at all, on previously developed land likely to have existing structures which will reduce the CIL charge.
- 6.11 We would also comment that the CIL charge is a relatively small part of overall scheme costs and that development may still be viable if funding and development approaches are different to the standard residual approach adopted in the testing, for example self-delivery to be held as an investment by care home operators. As CIL is a relatively small charge in the context of overall scheme costs, should a development be viable on this basis it is unlikely to be rendered unviable by the CIL charge.

Benchmark Land Value Analysis

- 6.12 National Planning Practice Guidance ("PPG") on Viability is clear that the starting point for Benchmark should be existing use value, with a premium added to "reflect the minimum price at which it is considered a rational landowner would be willing to sell their land." In the Original Report we have sought to reflect this by estimating EUV of land in each zone, and applying an additional 30% premium to cover this additional requirement. This is considered a relatively generous allowance given in financial terms it would be prudent, all other things being equal, for a landowner to pursue development that generates even a slightly higher value than the existing use.
- 6.13 However the PPG also states that the Benchmark Land Value should be "informed by comparable market evidence of current values". This may suggest a permissible alternative approach to determining Benchmark Land Value would be to observe market transactions. We have therefore sought to compare the land values generated by the tested sites with average values traded in the market per zone.
- 6.14 In general terms the results compare favourably, with the land values generated by the schemes in excess of close to the market average transactions for all the samples sites where sold prices were available. The main exception is residential schemes in Zone 1, where it is acknowledged that residential prices are low. However, for this very reason relatively less residential development is proposed in this Zone, with new build tending to focus on non-residential uses, for which the tested values are close to market prices.
- 6.15 The PPG goes on to state that "there should be evidence that these transactions were based on policy compliant development. This is so that previous prices based on non-policy compliant developments are not used to inflate values over time." We have therefore also analysed traded market prices where policy-compliant affordable housing was delivered only. Average tested values in this case are lower and therefore compare still more favourably to the market prices in this case.
- 6.16 It is acknowledged that the values for non-residential uses in Zone 5 are a little below average market prices. However in this Zone significant non-residential development is unlikely to come forwards unless in conjunction with residential use in mixed schemes, and residential values compare much more favourably.

Where small-scale non-residential development is proposed it is more likely to be on sites with non-residential or vacant existing uses, which will have lower values than the general market average.

- 6.17 Finally we would emphasise that the PPG states that Benchmark Land Value should be informed by market evidence only of “current uses”. Even where a site is sold pursuant to a policy-compliant scheme this may therefore still not be a valid value if based on development rather than existing asset value. On this basis the approach to Benchmark Land Value adopted in the Original Report is considered robust and in accordance with policy. We have nevertheless reviewed market prices in general and on the basis of policy compliance, regardless of the use on which those prices have been based, and the values generated by the tested sites are still generally above or close to those higher market prices. If those values were tempered with reference to existing use only, the tested sites would be more viable still as compared to market prices.

7. Conclusions and Recommendations

- 7.1 This report is an addendum to the ‘Economic Viability Assessment to inform the Oxford Local Plan 2036 and the Review of the Community Infrastructure Charging Schedule, September 2018’ and should be read in conjunction with that Original Report.
- 7.2 Additional testing has been undertaken to run figures for office use, to expand on industrial testing, and to update and correct other assumptions.
- 7.3 Overall the results continue to suggest the CIL rates proposed in the draft charging schedule can be viably afforded by development likely to come forwards in the City authority area over the plan period. For residential, this includes the proposed policies in relation to affordable housing tenure mix, and requirements for financial contributions to affordable housing for schemes of 4-9 residential units.
- 7.4 The potential exceptions are care home and industrial development. For both of these development may still be viable where undertaken directly by or for known occupiers or operators, where the development economics of the scheme will be different from the standard residual development appraisal approach adopted in the testing.
- 7.5 We note that there is generally very little care home development in the City authority area and on this basis, in general terms imposition of a consistent non-residential CIL rate will not compromise the promotion of development in the area.
- 7.6 The Council may however wish to review the proposed CIL charge in relation to industrial development given this is a more common typology which the testing does suggest struggles for viability, though this is the case in general rather than due to CIL per se.

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Community Infrastructure Levy (CIL)

Improving access to services and facilities for all

Draft Charging Schedule

Consultation document

November 2018

Building a world-class city for everyone



Introduction

- 1 In 2010 the Government introduced the Community Infrastructure Levy (CIL) as the preferred mechanism for securing developer contributions towards infrastructure to support growth in an area. The regulations which introduced CIL also require planning obligations to be scaled back to cover only site-specific obligations.
- 2 The City Council was a front runner in adopting its current CIL Charging Schedule in October 2013 but it is important that the CIL charges are reviewed to ensure that the Council is maximising funding towards infrastructure. The City Council's intention is to consider increasing the CIL rates to ensure that CIL can make a meaningful and needed contribution to the infrastructure needs of Oxford.
- 3 The City Council is also in the process of producing the Local Plan 2036. It is therefore prudent to review the Charging Schedule at the current time so that it can be demonstrated how the Charging Schedule and associated Regulation 123 list will support delivery of the Local Plan 2036.
- 4 The City Council is a charging authority under CIL legislation and is undertaking consultation on this Draft Charging Schedule with a view to adopting the new schedule in 2019. The purpose of this consultation is to seek views on the proposed rates of CIL as set out in the Draft Charging Schedule.
- 5 The consultation period runs from 1st November 2018 to 13th December 2018.
- 6 The Draft Charging Schedule is supported by the following evidence documents:
 - A *Infrastructure Delivery Plan (IDP)* which sets out infrastructure requirements to support the delivery of the Local Plan 2036. This will be finalised for the publication of the Proposed Submission stage of the Local Plan in Summer 2018. It has been informed by the Oxfordshire Infrastructure Strategy (OxIS).
 - An *Economic Viability Study* has being undertaken by consultants and is a critical piece of evidence to assist in determining the most appropriate level for the CIL tariff. It considers burdens placed upon new development through the Local Plan 2036, such as affordable housing requirements.
 - An *Infrastructure Funding Gap* statement compares the likely CIL income from anticipated new developments with the cost of infrastructure identified in the draft Infrastructure Delivery Plan. It confirms that CIL will not generate sufficient funds to pay for all of the major infrastructure needs identified in the Infrastructure Delivery Plan.
- 7 The Council will consider the responses to this consultation before submitting the Draft Charging Schedule for public examination.

The Community Infrastructure Levy

- 8 Oxford City Council is the charging authority for the purpose of Part 11 of the Planning Act 2008 and the CIL Regulations 2010 as amended.
- 9 The Community Infrastructure Levy is a tariff in the form of a standard charge on new development, which in Oxford is set by the City Council to help the funding of infrastructure. It is intended to supplement, or top up, other sources of funding to widen infrastructure delivery.
- 10 Most development has some impact on infrastructure and should contribute to the cost of providing or improving infrastructure. The principle behind CIL is for those who benefit financially from a planning permission to pay towards the cost of funding the infrastructure needed to support development.
- 11 CIL will improve Oxford City Council's ability to mitigate the cumulative impacts on infrastructure from most developments; unlike the former system of planning obligations which tended to affect mainly larger developments. Being charged on a per square metre basis, CIL charges are proportional to the scale of the development.
- 12 In investing in the infrastructure of the area, CIL is expected to have a positive economic effect on development in the medium to long term.
- 13 The City Council must set CIL rates in a Charging Schedule and can implement these, having undertaken two stages of consultation and an Examination in Public followed by adoption. The 2014 amendments to CIL Regulations Part 3, Regulation 14 mean that when setting CIL rates, the Council must strike an appropriate balance between the desirability to fund infrastructure through CIL and the potential effect (taken as a whole) of the levy on the economic viability of development in the area where CIL charges apply. When considering infrastructure costs, the Council needs to estimate the cost of infrastructure to support development and take into account other sources of funding.

CIL Regulations 2010 (as amended), Part 3, Regulation 14:

*'14.—(1) In setting rates (including differential rates) in a charging schedule, a charging authority must strike an appropriate balance between—
(a) the desirability of funding from CIL (in whole or in part) the actual and expected estimated total cost of infrastructure required to support the development of its area, taking into account other actual and expected sources of funding; and
(b) the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area.
(2) In setting rates in a charging schedule, a charging authority may also have regard to actual and expected administrative expenses in connection with CIL to the extent that those expenses can be funded from CIL in accordance with regulation 61...'*

- 14 Regulation 13 of the CIL Regulations 2010 (as amended) makes provision for the setting of differential rates for different geographical areas, different development types/uses,

and development size or a combination of them. Any differential rate should be justified by economic viability evidence.

- 15 The term 'taken as a whole' indicates that economic viability evidence is used to show that CIL rates can be borne by most development across Oxford. It does not mean that CIL rates can be borne by each and every development. The City Council has used evidence in the Economic Viability Study to inform appropriate CIL rates.
- 16 Infrastructure and economic viability evidence supporting the Draft Charging Schedule illustrates that an appropriate balance between funding infrastructure and economic viability has been sought.

Proposed CIL Charges

- 17 The Economic Viability Study assesses the viability of development in Oxford. The Study shows that the ability of development to support a CIL charge varies by type of development.
- 18 The proposed CIL rates are shown in Table 1.
- 19 CIL will be charged in pounds sterling (£) at differential rates according to the type of development set out in the schedule below:

Table 1

The CIL rates	
Development type	CIL Rate/m²
A1 Shops	£200
A2 Financial and professional services	£200
A3 Restaurants and cafés	£200
A4 Drinking establishments	£200
A5 Hot food takeaways	£200
B1 Business	£50
B2 General industrial	£50
B8 Storage or distribution	£50
C1 Hotels	£50
C2 and C2A Residential institutions and Secure Residential Institution	£50
C3 Dwellinghouses*	£200
C4 Houses in multiple occupation	£200
Student accommodation	£200
D1 Non-residential institutions	£50
D2 Assembly and leisure	£50
All development types unless stated otherwise in this table	£50 standard charge
C3 includes self contained sheltered accommodation and self-contained graduate accommodation See Annex 1 for reference to Use Classes guide	

CIL liability

20 Development liable for CIL payment comprises:

- Development that creates 100m² or more of new build floor space measured as Gross Internal Floor Area (GIA).
- Development of less than 100m² new build GIA that results in the creation of one or more dwellings.
- The conversion of a building that is no longer in lawful use.

21 Liability to pay CIL on qualifying developments applies whether development requires planning permission or is enabled through permitted development orders (General Permitted Development Order, Local Development Orders, Neighbourhood Development Orders, Enterprise Zones)¹

CIL exemptions

22 CIL charges will not be levied on:

- Development that creates less than 100m² of new build floor space measured as GIA and does not result in the creation of one or more dwellings;
- Buildings into which people do not normally go, or a building into which people go only intermittently for the purpose of inspecting or maintaining fixed plant or machinery²;
- Buildings for which planning permission was granted for a limited period.
- Affordable housing, subject to an application by a landowner for CIL relief (CIL regulation 49);
- Development by charities for charitable purposes subject to an application by a charity landowner for CIL relief (CIL regulation 43) (mandatory charitable relief);
- Self build (CIL regulation 42A and 54A³).

23 A charging authority can choose to offer discretionary relief to a charity landowner where the greater part of the chargeable development will be held as an investment, from which the profits are applied for charitable purposes (CIL regulation 44).

24 It can also choose to offer exceptional circumstances relief (CIL regulation 55) on the basis of an unacceptable impact on the economic viability of a development, and where the exemption of a charitable institution from liability to pay CIL would constitute State aid (CIL regulation 45) and would otherwise be exempt from liability under regulation 43.

25 In Oxford City discretionary charity relief or exceptional circumstances relief is not available (CIL regulations 44, 45 and 55).

Calculating the chargeable amount

26 The City Council will calculate the amount of CIL chargeable in accordance with regulation 40 of the Community Infrastructure Levy (Amendment) Regulations 2014. Refer to Annex 2 for an extract of this regulation.

¹ Regulations 5 and 9 of the Community Infrastructure Levy Regulations 2010 as amended

² Regulation 6 (2) of the Community Infrastructure Levy Regulations 2010 as amended

- 27 The relevant rate (R) for each development type is shown in the Charging Schedule above and the Gross Internal Area (GIA) is measured and calculated in accordance with the Royal Institute of Chartered Surveyors (RICS) Code of Measuring Practice. Annex 3 sets out an extract of RICS code.
- 28 The chargeable amount will reflect inflation by being index linked to RICS' Building Cost Information Service 'All-in Tender Price Index'.
- 29 Amended CIL Regulations mean that for Section 73 applications to vary an existing planning condition, CIL will only be payable upon any increase in chargeable floorspace from the section 73 application/permission³.

Netting off existing floor space

- 30 In certain circumstances, where a development includes the demolition of an existing building, the existing Gross Internal Area (GIA) can be deducted from the proposed floorspace. These deductions in respect of demolition or change of use will only apply where the existing building has been in continuous lawful use⁴ for at least six months in the 3 years prior to the development being permitted and is still in situ on the day planning permission is granted.
- 31 Oxford City Council may deem the Gross Internal Area (GIA) of a building to be zero where there is not sufficient information, or no information of sufficient quality, regarding the GIA of an existing building or whether it is in lawful use.

Liability for CIL

- 32 Once planning permission is granted, CIL regulations encourage any party, (such as a developer submitting a planning application, or a landowner), to take liability to pay the CIL charge. CIL liability runs with the land. If no party assumes liability to pay before development commences, land owners will be liable to pay the levy.

Payment of CIL

- 33 The default position is that CIL payment is due within 60 days of the commencement of development; however in some cases CIL is due immediately.⁵ For some developments, instalments may be permitted in accordance with the City Council's Instalments policy. Annex 4 of this document sets out an Instalments Policy.

³ Regulation 42A and 54A of the Community Infrastructure Levy (Amendment) Regulations 2014

⁴ 'in-use building' means a building which (i) is a relevant building and (ii) contains a part that has been in use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development' (Regulation 40(11) of the Community Infrastructure Levy Regulations 2010 (as amended))

⁵ Payments are due immediately where no party assumes liability and/or no commencement notice is submitted before commencement. Where this occurs the developer does not get the benefit of payment by instalments.

Payments in kind

34 In circumstances where the liable party and Oxford City Council agree, payment of the levy may be made by transferring land. The agreement cannot form part of a planning obligation, must be entered into before the chargeable development is commenced⁶ and is subject to fulfilling the following:

- the acquired land is used to provide or facilitate the provision of infrastructure within Oxford;
- the land is acquired by Oxford City Council or a person nominated by Oxford City Council;
- the transfer of the land must be from a person who has assumed liability to pay CIL;
- the land has to be valued by an independent person agreed by Oxford City Council and the person liable to pay CIL;
- 'Land' includes existing buildings and other structures, land covered with water, and any estate, interest, easement, servitude or right in or over the land.

Collection of CIL

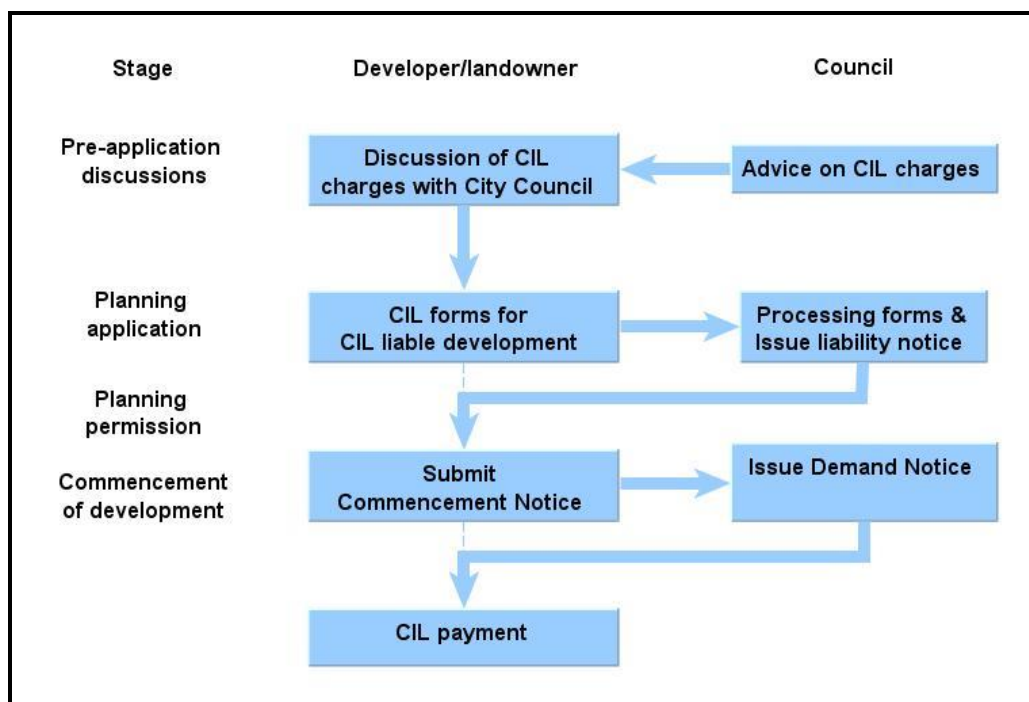
35 Oxford City Council is the collecting authority for the purpose of Part 11 of the Planning Act 2008 and CIL Regulations 2010 (as amended).

36 When planning permission is granted, Oxford City Council will issue a liability notice setting out the amount payable, and the payment procedure.

37 In the case of development enabled through permitted development orders, the person(s) liable to pay will need to consider whether their proposed development is chargeable, and to issue Oxford City Council a notice of chargeable development.

38 The diagram below illustrates a summarised version of the collection process.

⁶ Regulation 73 (6)(d) of the Community Infrastructure Levy Regulations 2010 as amended.



Appeals

39 A liable person can request a review of the chargeable amount by the charging authority within 28 days from the issue of the liability notice. CIL Regulations allow for appeals on:

- the calculation of the chargeable amount following a review of the calculation by the City Council.
- disagreement with the City Council's apportioned liability to pay the charge.
- any surcharges incurred on the basis that they were calculated incorrectly, that a liability notice was not served or the breach did not occur.
- a deemed commencement date if considered that the date has been determined incorrectly.
- against a stop notice if a warning notice was not issued or the development has not yet commenced.

40 A person aggrieved by the levy (or attempt to levy) of a distress can appeal to the Magistrates Court.

Spending CIL revenue

41 CIL revenue will be spent on the infrastructure needed to support development in Oxford. Oxford City Council will publish on its website a list of infrastructure projects or types of infrastructure that may be wholly or partially funded by CIL. This list is known as the Regulation 123 list.

42 Oxford City Council will publish annual reports showing, for each financial year:

- How much has been collected in CIL;
- How much has been spent;
- The infrastructure on which it has been spent;
- Any amount used to repay borrowed money;

- Amount of CIL retained at the end of the reported year.

43 It is the Government's intention to allow for a proportion of CIL to be passed to Parish Councils and Neighbourhoods⁷. 15% of CIL receipts in parished areas are to be passed to the relevant Parish Council. In unparished areas, this 15% would be held by the City Council and spent in accordance with the wishes of the community. The proportion would rise to 25% in areas with adopted Neighbourhood Plans.

Administration fee

44 Oxford City Council will use 5% of the CIL revenue to fund the administration costs of the Levy.

CIL and Section 106 agreements

45 Unlike Section 106 (S106), the levy is to provide infrastructure to support the development of an area, not to make individual planning applications acceptable in planning terms. It breaks the link between a specific development site and the provision of infrastructure and thus provides greater flexibility for delivery of infrastructure when and where it is needed.

46 Section 106 agreements and Section 278 Highways Agreements will continue to be used to secure site-specific mitigation and affordable housing. In some instances, S106 agreements may be used in strategic development sites needing the provision of their own specific infrastructure for which delivery may be more suitably dealt with through S106s. These are set out in Table 1.

47 The City Council will not be able to secure Section 106 contributions for infrastructure that they propose to fund through CIL (those projects set out in the Regulation 123 list). This is to avoid double charging and provide confidence on infrastructure funding to the community, developers, investors and infrastructure providers.

48 The Affordable Housing and Planning Obligations SPD will be reviewed upon adoption of this new Charging Schedule. The SPD will make it clear what infrastructure is to be covered by CIL (in line with the Regulation 123 list) and what will still be required through planning obligations.

⁷ Set out in Regulation 59A of the Community Infrastructure Levy (Amendment) Regulations 2013

Annex 1 - Guide to Use class Order definitions

The following list is based on the Government's guide to Use Classes as shown in their planning and building regulations online resource 'The Planning Portal'. It is not a definitive source of legal information.

- **A1 Shops** - Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices (but not sorting offices), pet shops, sandwich bars, showrooms, domestic hire shops, dry cleaners, funeral directors and internet cafes.
- **A2 Financial and professional services** - Financial services such as banks and building societies, professional services (other than health and medical services) and including estate and employment agencies.
- **A3 Restaurants and cafés** - For the sale of food and drink for consumption on the premises - restaurants, snack bars and cafes.
- **A4 Drinking establishments** - Public houses, wine bars or other drinking establishments (but not night clubs) including drinking establishments with expanded food provision.
- **A5 Hot food takeaways** - For the sale of hot food for consumption off the premises.
- **B1 Business** - Offices (other than those that fall within A2), research and development of products and processes, light industry appropriate in a residential area.
- **B2 General industrial** - Use for industrial process other than one falling within class B1 (excluding incineration purposes, chemical treatment or landfill or hazardous waste).
- **B8 Storage or distribution** - This class includes open air storage.
- **C1 Hotels** - Hotels, boarding and guest houses where no significant element of care is provided (excludes hostels).
- **C2 Residential institutions** - Residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres.
- **C2A Secure Residential Institution** - Use for a provision of secure residential accommodation, including use as a prison, young offenders institution, detention centre, secure training centre, custody centre, short term holding centre, secure hospital, secure local authority accommodation or use as a military barracks.
- **C3 Dwellinghouses** - this class is formed of 3 parts:
 - C3(a) covers use by a single person or a family (a couple whether married or not, a person related to one another with members of the family of one of the couple to be treated as members of the family of the other), an employer and certain domestic employees (such as an au pair, nanny, nurse, governess, servant, chauffeur, gardener, secretary and personal assistant), a carer and the person receiving the care and a foster parent and foster child.
 - C3(b): up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems.
 - C3(c) allows for groups of people, (up to six), living together as a single household. This allows for those groupings that do not fall within the C4 HMO definition, but which fell within the previous C3 use class, to be provided for i.e. a small religious community may fall into this section as could a homeowner who is living with a lodger.
- **C4 Houses in multiple occupation** - small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic

amenities such as a kitchen or bathroom.

- **D1 Non-residential institutions** - Clinics, health centres, crèches, day nurseries, day centres, schools, art galleries (other than for sale or hire), museums, libraries, halls, places of worship, church halls, law court. Non residential education and training centres.
- **D2 Assembly and leisure** - Cinemas, music and concert halls, bingo and dance halls (but not night clubs), swimming baths, skating rinks, gymnasiums or area for indoor or outdoor sports and recreations (except for motor sports, or where firearms are used).
- **Sui Generis** - Certain uses do not fall within any use class and are considered 'sui generis'. Such uses include: betting offices/shops, pay day loan shops, theatres, larger houses in multiple occupation, hostels providing no significant element of care, scrap yards. Petrol filling stations and shops selling and/or displaying motor vehicles. Retail warehouse clubs, nightclubs, launderettes, taxi businesses, amusement centres and casinos.

Source: Planning Portal <http://www.planningportal.gov.uk>

**PART 5
CHARGEABLE AMOUNT**

Calculation of chargeable amount

40.—(1) The collecting authority must calculate the amount of CIL payable (“chargeable amount”) in respect of a chargeable development in accordance with this regulation.

(2) The chargeable amount is an amount equal to the aggregate of the amounts of CIL chargeable at each of the relevant rates.

(3) But where that amount is less than £50 the chargeable amount is deemed to be zero.

(4) The relevant rates are the rates, taken from the relevant charging schedules, at which CIL is chargeable in respect of the chargeable development.

(5) The amount of CIL chargeable at a given relevant rate (R) must be calculated by applying the following formula—

$$\frac{R \times A \times I_p}{I_c}$$

where—

A = the deemed net area chargeable at rate R, calculated in accordance with paragraph (7);

I_p = the index figure for the year in which planning permission was granted; and

I_c = the index figure for the year in which the charging schedule containing rate R took effect.

(6) In this regulation the index figure for a given year is -

(a) the figure for 1st November for the preceding year in the national All-in Tender Price Index published from time to time by the Building Cost Information Service of the Royal Institution of Chartered Surveyors(1); or

(b) if the All-in Tender Price Index ceases to be published, the figure for 1st November for the preceding year in the retail prices index.

(7) The value of A must be calculated by applying the following formula—

$$G_R \cdot K_R \cdot \left(\frac{G_R \times E}{G} \right)$$

where—

G = the gross internal area of the chargeable development;

G_R = the gross internal area of the part of the chargeable development chargeable at rate R;

K_R = the aggregate of the gross internal areas of the following—

- (i) retained parts of in-use buildings, and
- (ii) for other relevant buildings, retained parts where the intended use following completion of the chargeable development is a use that is able to be carried on lawfully and permanently without further planning permission in that part on the day before planning permission first permits the chargeable development;

E = the aggregate of the following—

- (i) the gross internal areas of parts of in-use buildings that are to be demolished before completion of the chargeable development, and
- (ii) for the second and subsequent phases of a phased planning permission, the value E_x (as determined under paragraph (8)), unless E_x is negative, provided that no part of any building may be taken into account under both of paragraphs (i) and (ii) above.

(8) The value E_x must be calculated by applying the following formula—

$$E_P - (G_P - K_{PR})$$

where—

E_P = the value of E for the previously commenced phase of the planning permission;

G_P = the value of G for the previously commenced phase of the planning permission; and

K_{PR} = the total of the values of K_R for the previously commenced phase of the planning permission.

(9) Where a collecting authority does not have sufficient information, or information of sufficient quality, to enable it to establish that a relevant building is an in-use building, it may deem it not to be an in-use building.

(10) Where a collecting authority does not have sufficient information, or information of sufficient quality, to enable it to establish—

(a) whether part of a building falls within a description in the definitions of K_R and E in paragraph (7); or

(b) the gross internal area of any part of a building falling within such a description, it may deem the gross internal area of the part in question to be zero.

(11) In this regulation—

“building” does not include—

- (i) a building into which people do not normally go,
- (ii) a building into which people go only intermittently for the purpose of maintaining or inspecting machinery, or
- (iii) a building for which planning permission was granted for a limited period;

“in-use building” means a building which—

- (i) is a relevant building, and
- (ii) contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development;

“new build” means that part of the chargeable development which will comprise new buildings and enlargements to existing buildings;

“relevant building” means a building which is situated on the relevant land on the day planning permission first permits the chargeable development;

“relevant charging schedules” means the charging schedules which are in effect—

- (i) at the time planning permission first permits the chargeable development, and
- (ii) in the area in which the chargeable development will be situated;

“retained part” means part of a building which will be—

- (i) on the relevant land on completion of the chargeable development (excluding new build),
- (ii) part of the chargeable development on completion, and
- (iii) chargeable at rate R.”

(1) Registered in England and Wales RC00487.

Annex 3 – How to measure Gross Internal Area

Oxford City Council will use the Royal Institution of Chartered Surveyors (RICS)'s Code of Measuring Practice to measure or check the Gross Internal Area (GIA) of a development and calculate or confirm its relevant CIL rate. The guide below is based on RICS' Code of Measuring Practice (6th edition, with amendments), the full Code of Measuring Practice is available in RICS website at <http://www.rics.org>

GIA is the area of a building measured to the internal face of the perimeter walls at each floor level.

Including:

- Areas occupied by internal walls and partitions
- Columns, piers, chimney breasts, stairwells, lift-wells, other internal projections, vertical ducts, and the like
- Atria and entrance halls, with clear height above, measured at base level only
- Internal open-sided balconies, walkways, and the like
- Structural, raked or stepped floors are property to be treated as a level floor measured horizontally
- Horizontal floors, with permanent access, below structural, raked or stepped floors
- Corridors of a permanent essential nature (e.g. fire corridors, smoke lobbies)
- Mezzanine floor areas with permanent access
- Lift rooms, plant rooms, fuel stores, tank rooms which are housed in a covered structure of a permanent nature, whether or not above the main roof level
- Service accommodation such as toilets, toilet lobbies, bathrooms, showers, changing rooms, cleaners' rooms, and the like
- Projection rooms
- Voids over stairwells and lift shafts on upper floors
- Loading bays
- Areas with a headroom of less than 1.5m*
- Pavement vaults
- Garages
- Conservatories

Excluding:

- Perimeter wall thicknesses and external projections
- External open-sided balconies, covered ways and fire escapes
- Canopies
- Voids over or under structural, raked or stepped floors
- Greenhouses, garden stores, fuel stores, and the like in residential

* GIA is the basis of measurement in England and Wales for the rating of industrial buildings, warehouses, retail warehouses, department stores, variety stores, food superstores and many specialist classes valued by reference to building cost (areas with a headroom of less than 1.5m being excluded except under stairs)

Community Infrastructure Levy Instalments policy

www.oxford.gov.uk



This policy is made in line with regulation 69B of the Community Infrastructure Levy (Amendment) Regulations 2011. Oxford City Council will allow the payment of CIL as outlined in points 1 and 2 below:

1. Where the chargeable amount is less than £200,000 the chargeable amount will be required within 60 days of commencement.
2. Where the chargeable amount is between £200,000 and £2 million, the chargeable amount will be required as per the following four instalments:

1 st instalment	2 nd instalment	3 rd instalment	4 th instalment
25%	25%	25%	25%
within 60 days	within 160 days	within 260 days	within 360 days

3. Where the chargeable amount is over £2 million, the chargeable amount will be required as per the following four instalments:

1 st instalment	2 nd instalment	3 rd instalment	4 th instalment
25%	25%	25%	25%
within 60 days	By end of year 1	By end of year 2	By end of year 3

Commencement will be taken to be the date advised by the developer in the commencement notice under CIL regulation 67.

Notes:

N1: When the City Council grants an outline planning permission which permits development to be implemented in phases, each phase of development is a separate chargeable development and the instalment policy will apply to each separate phase.

N2: This policy will not apply if:

- a) A commencement notice is not submitted prior to commencement of the chargeable development
- b) Nobody has assumed liability to pay CIL in respect of the chargeable development prior to the intended day of commencement
- c) Failure to notify the City Council of a disqualifying event before the end of 14 days beginning with the day the disqualifying event occurs
- d) An instalment payment has not been made in full after the end of the period of 30 days beginning with the day on which the instalment payment was due.

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Community Infrastructure Levy (CIL)

Improving access to services and facilities for all

Statement of Modifications 2019



Statement of Modifications to the Oxford City Council Community Infrastructure Levy Draft Charging Schedule

Regulation 19 (1)(d)

Introduction

1. This Statement of Modifications sets out the modifications which have been made to the Council's Community Infrastructure Levy (CIL) Draft Charging Schedule since they were published for consultation between the 1st November and 13th December 2018. It has been made in accordance with Regulation 19(1)(d).

Publication

2. As required under Regulation 19 of the Regulations, a copy of this Statement of Modifications has been sent to each of the persons that were invited to make representations on the Draft Charging Schedule under Regulation 15 and has been published on the Council's website.
3. The Statement of Modifications is also available for inspection at the reception of the St Aldate's Chambers Customer Service Centre during normal office opening hours from Monday – Thursday 9.00am – 5pm and Friday 9.00am – 4.30pm (excluding Bank Holidays).

Requests to be heard

4. Any person may request to be heard by the Examiner in relation to the modifications as set out in this Statement of Modifications. Requests to be heard must include details of the modifications on which you wish to be heard (by reference to the Statement of Modifications) together with whether you support or oppose the modification and the reason. The Council will submit a copy of each request it receives to the examiner.
5. Requests to be heard by the examiner must be made in writing before the end of the period of four weeks beginning with the day on which the Statement of Modifications is published for consultation. – by 5pm onadd date? And be sent to either:

Email: idxkemp@icloud.com

Post: Ian Kemp, 16 Cross Furlong, Wychbold, Droitwich Spa, Worcestershire WR9 7TA

Proposed Modifications

6. The table below sets out the Council's proposed modifications to the CIL Draft Charging Schedule. Minor editorial changes, including section/paragraph/page renumbering, and minor errors and omissions such as typos, have not been set out in this statement of modifications.

Table of modifications

7. Changes are highlighted in bold with strike through indicating deletions .

Modification Number	Document Reference	Modification	Reason for modification
1	Page 4 Table 1	B2 General Industrial change rate to £0	Additional viability testing carried out on B2 - evidence justifies zero rate.
2	Page 4 Table 1	B8 Storage or distribution change rate to £0	Additional viability testing carried out on B8 - evidence justifies zero rate.

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DRAFT Discretionary Exceptional Circumstances Relief Policy

Oxford City Council has determined to make relief for exceptional circumstances available, in accordance with Regulations 55 and 56 of the Community Infrastructure Levy Regulations 2010 (as amended).

This Relief is discretionary and will be introduced from 1st June 2019 until further notice.

Oxford City Council will consider each application received individually and will at its own discretion decide whether to grant relief or not. Regulation 56 allows for the withdrawal of this relief at any time.

Discretionary relief for exceptional circumstances must be claimed for and approved prior to the commencement of the chargeable development. This note is not intended to be a definitive interpretation of the legislation or CIL Regulations and applicants are advised to seek professional advice as appropriate.

Process for exceptional circumstances relief

Exceptional circumstances relief can be applied for after planning permission has been granted but before development commences.

Anyone wishing to claim exceptional circumstances relief must do so by following the procedures set out in Regulation 57 of the CIL Regulations 2010 (as amended)

<https://www.legislation.gov.uk/ukdsi/2010/9780111492390/regulation/57> .

In order to qualify for the relief, all of the following criteria must apply:

- a Section 106 agreement has been entered into in respect of the planning permission which permits the chargeable development; and

Oxford City Council considers that:

- requiring payment of the Community Infrastructure Levy charged by the Council would have an unacceptable impact on the economic viability of the chargeable development; and
- granting relief would not constitute state aid.

The application must be accompanied by:

- an assessment carried out by an independent person of the cost of complying with the planning obligation mentioned in Regulation 55(3)(b);
- an assessment carried out by an independent person of the economic viability of the chargeable development;
- an explanation of why in the opinion of the claimant, payment of the chargeable amount would have an unacceptable impact on the economic viability of that development;
- an apportionment assessment where there is more than material interest in the land; and
- a declaration that the claimant has complied with paragraph 6 of Regulation 57.

As set out in the regulations an independent person is a person who is appointed by the claimant with the agreement of the charging authority; and has appropriate qualifications and experience.

Subject to the requirements of the Community Infrastructure Levy Regulations 2010 (as amended), Oxford City Council will decide the amount of any relief to be granted in individual cases. The development must also commence within 12 months of any relief being granted.

For further information about making a claim for discretionary relief for exceptional circumstances please see Regulations 55 and 57 of the Community Infrastructure Levy 2010 (as amended).

The onus is on the applicant to demonstrate they qualify for this relief and appropriate evidence must be submitted with any application. It should be noted that Oxford City Council has undertaken viability assessments on various types of development to verify the level at which the CIL charges have been set, therefore, any applications received under this regulation are expected to be genuinely exceptional.

Timescales

Decisions under this policy will be delegated to the Head of Planning after consultation with the Planning portfolio holder.

The Council will notify the applicant as soon as practicable after receiving the claim for relief in writing of its decision on the claim.

A claim for relief will lapse if the development commences prior to the Council notifying the applicant of its decision.

Disqualifying events

The Council must be notified in writing within 14 days of a disqualifying event and the full chargeable amount will become payable. Failure to do so will amount in a surcharge equal to 20% of the chargeable amount or £2,500, whichever is the lesser being applied to the payable amount.

Disqualifying events (within a 7 year period from commencement) include:

- change of purpose: the owner of the interest in the land in which relief was given ceases to be eligible for charitable relief (i.e. the owner ceases to be a charitable institution or uses the building for an ineligible use),
- change of ownership: the whole of the interest in the land in which relief was given is transferred to a person who is not eligible for charitable relief, or
- change of leasehold: the lease under which the interest in the land is held is terminated, and the owner of the reversion is not eligible for charitable relief
- development does not commence within 12 months of the relief being granted

Community Infrastructure Levy: Regulation 123 List (November 2018)



Regulation 123 of the Community Infrastructure Levy (CIL) Regulations provides for a CIL charging authority (which in Oxford is the City Council) to publish a list of infrastructure that will be, or may be, wholly or partly funded by CIL.

CIL can be used to fund the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of the charging authority's area.

CIL Regulation 123 restricts the use of Section 106 Planning Obligations for infrastructure that will be funded in whole or in part by the CIL. This is to ensure no duplication or double charging towards the same infrastructure project.

The City Council's first CIL Regulation 123 list was published in October 2013. The list will be reviewed twice a year to ensure it remains up-to-date. This first review makes a small number of changes from the first Regulation 123 list, based on requests received since October 2013 or on known changes in circumstances.

The inclusion of a specific project or type of infrastructure project on the Regulation 123 list does not constitute a commitment on behalf of the City Council to fund the project (either in whole or in part). There will follow a project prioritisation process whereby the projects on the Regulation 123 list will be reviewed and selected for funding in the light of CIL receipts.

The projects on the Regulation 123 List are divided into two categories:

- **Strategic Infrastructure.** This serves a city-wide purpose, benefits and is required by generally more than one development and is likely to require pooled contributions for delivery. Larger developments (more than 120 dwellings or 12,500m²) may be required to provide some of this infrastructure, or some part of it, as a direct site-specific impact mitigation funded through a planning obligation, where necessary in order to directly mitigate the impacts of development such that planning permission can be granted.
- **Neighbourhood level infrastructure.** This is simply a list of infrastructure that could potentially be funded through the neighbourhood portion of CIL.

The purpose of dividing the projects in this way is to signal that it may be appropriate to focus the main bulk of CIL expenditure in the initial years on strategic projects only. Projects in the table headed neighbourhood level infrastructure could be candidates for funding from the 'neighbourhood proportion' of CIL receipts, currently set at 15% of CIL receipts within the relevant area, although there is no restriction on the types of infrastructure that this proportion of CIL can be spent on.

For ease of reference, the projects have been grouped into categories of infrastructure, but this does not signify any particular order of preference given that spending priorities are not yet identified.

Type of Strategic Infrastructure	Project title
Transport	Oxford station redevelopment
Transport	Queen Street Pedestrianisation
Transport	Improvement of Northern city centre radials Improvement for St Giles/ Magdalen St/ Broad St/George Street including improved environment for cyclists and pedestrians and junction improvements. Improvements to city centre bus and passenger waiting facilities.
Transport	Relocation of coach parking from Oxpens
Transport	Redbridge Park and Ride capacity improvements
Transport	Seacourt Park and Ride expansion/improvements
Transport	Gloucester Green Bus Terminal Phase I & II
Transport	Parking information system
Transport	Jackdaw Lane pedestrian and cycle bridge
Transport	B4495 Corridor Improvements (Hollow Way/ Between Towns Road/ Donnington Bridge)
Transport	District Centre Improvements (Cowley Centre/ Blackbird Leys/ Headington/ St Clements/ Summertown
Transport	Public transport improvements for access to Headington, as part of the Eastern Arc strategy–
Transport	City Centre Corridor Improvements (West – Hythe Bridge St/ Oxpens Rd/ George St/ New Road/Park End Street
Transport	Gloucester Green improvements to public space and landscaping
Transport	Freight consolidation centre
Transport	Cycle Hire Stations
Education	Early years provision for the city
Education	Extensions to existing primary schools up to 0.5FE
Education	Extensions to existing secondary schools
Education	Extensions to special needs provision
Community services	Increase capacity at libraries and Museum Resource Centre
Community services	Other Health and wellbeing facilities
Community services	Improvements to existing community facilities including youth support and adult learning
Community services	Provision of additional burial space

Environmental	Recycling facilities and capacity improvements to existing Household Waste Recycling Centres
Environmental	Oxford Flood Defence Measures (Western Conveyance Scheme)

Neighbourhood level infrastructure	
Type of infrastructure	Project title
Transport	Creation of new links for pedestrians and cyclists in West End
Transport	Car club to serve residents of West End
Transport	Littlemore roundabout replacement or rephrasing of traffic signals
Community services	Improved facilities for adult learning at Headington and Cowley
Community services	Improved capacity and accessibility of existing library facilities
Community services	Remodeling of existing library at Headington
Community services	Improvements to create Donnington/Florence Park community hub
Community services	Improvements/replacement of Blackbird Leys/Greater Leys community centre
Community services	New Jericho community centre
Community services	Improvements to Headington community centre
Community services	Improvements to East Oxford community centre
Community services	Redevelopment of the Deaf and Hard of Hearing Centre, St Ebbes
Community services	Redevelopment of the Modern Art Oxford building
Community services	Improved capacity and accessibility of early intervention centres
Sports and leisure	New and improved public open spaces (Leys area)
Sports and leisure	Multi-use games areas sites (street sport) in locations to be determined
Sports and leisure	Outdoor gym, trails and other features in parks to be determined
Sports and leisure	Improvements to playing pitches and artificial grass pitches in line with recommendations of Playing Pitch Strategy
Sports and leisure	New and improved tennis courts in locations to be determined
Sports and leisure	Improvements to car parks and kiosks within existing parks
Sports and leisure	Provision of open space, play and amenity spaces in West End

Environmental	Improvements to and better access to green spaces in River Thames/Castle Mill corridor
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To: Cabinet
Date: 22 May 2019
Report of: Transition Director
Title of Report: Clean Bus Technology Retrofit Scheme

Summary and recommendations	
Purpose of report:	The Council has been awarded £671,550 of funding from the Joint Air Quality Unit, DEFRA to retrofit buses in Oxford with emissions reduction equipment, in the interest of improving air quality. This report seeks project approval.
Key decision:	Yes
Cabinet Member:	Safer, Greener, Environment
Corporate Priority:	Vibrant, Sustainable Economy & Cleaner, Greener Oxford
Policy Framework:	Air Quality Action Plan
Recommendations: That Cabinet resolves to:	
<ol style="list-style-type: none"> 1. Grant project approval for the bus retrofit programme outlined in this report; and 2. Delegate to the Transition Director, in consultation with the Monitoring Officer and Section 151 officer, the authority within the funding envelope of £671,550 provided within the Council's capital programme and funded from external grant to enter into: <ol style="list-style-type: none"> a) appropriate agreements with the Council's bid partners; and b) third parties required to deliver the project subject to their being selected under an appropriate procurement process. 	

Appendices	
Appendix 1	Project risk register

Introduction and background

1. As part of Oxford City Council's journey to zero emission the Council has been awarded £671,550 of funding from the Joint Air Quality Unit, DEFRA to retrofit buses in Oxford with emissions reduction equipment, in the interest of improving air quality.
2. There is no safe level of air pollution. A 2016 report from the Royal College of Physicians and the Royal College of Paediatrics and Child Health found that outside air pollution – of which about 75% comes from road transportation – cuts short 40,000 lives a year in the UK.
3. Oxford has seen a large reduction in air pollution levels, however there is further action to take on air pollution. Following 15 months of extensive consultation Oxford City Council and Oxfordshire County Council have set out a vision for zero transport emissions in Oxford by publishing updated proposals for a Zero Emission Zone (ZEZ).
4. The City Council has so far secured £5,094,000 in funding to enable practical implementation of the ZEZ, including a grant of £1.7m to upgrade buses to be ultra-low emission or fully electric; £800,000 to install electric vehicle charging points for residents with on-street parking; £500,000 to install charging points for taxi owners and operators; £474,000 to introduce the world's first pop-up electric vehicle charging points; and £1.62m as part of a multi-million pound prototype project called the Energy Superhub Oxford (ESO) for improvements such as electric fleet replacement and associated chargers, a 'Trial before you Buy' programme to support the local hackney carriage fleet to move from diesel to electric, and the first Electric Vehicle 'Superhub' in Oxford providing 20+ ultra-rapid EV chargers for the public with low affordable tariffs for local residents, visitors, businesses and passers-by, among others.
5. The Council has committed itself to a vibrant, sustainable economy and a clean, green Oxford in its corporate plan. It is also required to take action to address air pollution as set out in the Part IV of the Environment Act 1995. The Clean Bus Technology Retrofit Scheme will contribute to both of these priorities by accelerating the move to a low emission and low carbon economy through increased uptake of sustainable, low emission transport technology and, in doing so, improving air quality and reducing carbon emissions in the city.
6. The Joint Air Quality Unit (JAQU) is a cross-Government unit comprising representatives from the Department of Transport (DfT) and Department for Environment, Food and Rural Affairs (DEFRA) specifically set up to deliver recent national plans to improve air quality and meet EU limits for air pollution.
7. The Council is required by Part IV of the Environment Act 1995 to measure air quality in the city, designate Air Quality Management Areas (AQMA) where pollution limits are exceeded and prepare Air Quality Action Plans (AQAP) to tackle exceedances of the limit.
8. In Oxford the main pollutant of concern is nitrogen dioxide (NO₂) and the whole of the city is designated as an AQMA. In 2013 the Council published its most recent AQAP which aims to reduce pollution across the city.
9. In the last decade, levels of NO₂ at the roadside across Oxford have dropped by an average of 36.9 per cent. However Oxford continues to experience exceedances of the legal limit in some parts of the city.

10. Transport is by far the most significant source of emissions of oxides of nitrogen (NOx) in the city, accounting for 75% of emissions. Of this part it is estimated that buses make up 56% of these emission in the city centre.
11. In August 2017 Government announced it would make £40 million available to local authorities to retrofit older buses with emissions reduction technology under the Clean Bus Technology Fund. In March 2018, in a bid led by the Council with support from local bus operators the Council was successful in securing a total of £1,662,930 for the purpose of retrofitting a total of 78 busses to Euro 6 standard and 5 busses to fully electric standard.
12. In February JAQU made further funding available under the same grant scheme and we were successful in securing an additional £671,550 for the purpose of retrofitting a total of 37 buses to Euro 6 standard. The retrofitting programme will reduce NO₂ emissions from retrofitted buses with a total of 99.5% for the Euro 6 standard buses.
13. City Council Officers will work with local bus operators to deliver this project, which will be subject to a legal agreement to secure delivery of the outlined benefits. The project delivery period is the 2019/20 financial year.

Financial implications

14. Oxford City Council will be appointed as the Accountable Body and as such will receive, and will be accountable for, the whole of the funding payable.
15. Oxford City Council will receive a total of £671,550. Bus companies will contribute a total of £119,325 in servicing and maintenance costs over the life of the project (5 years), taking the full cost of the project to £790,875. No on-going costs fall to the City Council.
16. The funding will be held by the Council and provided to bus operators at the point of delivery of agreed milestones. Only when the project has been delivered to the Council's satisfaction will the full amount be paid to operators. A total of 50% of the funding will be provided to operators on award of contract. The remaining 50% will be paid on completion of the project and supply of suitable test documentation.
17. The project will be project managed by the Council within existing resources. The grant does not provide the cost of project management.
18. In case of non-delivery of the project or if project approval is not received the Council will be required to return funding to JAQU. If the project is only delivered in part, i.e. fewer buses are retrofitted than those set out in the grant agreement, the Council will be required to return the funding for the non-delivered part of the scheme. This will be based on the retrofit cost per bus as submitted at the grant application stage.
19. The project, including payment of funding to bus operators, has to be delivered before 30 September 2019.
20. In accordance with the Council's Constitution the Head of Finance may raise an additional budget head for a capital project that is externally funded to facilitate timely project commencement (para 18.13). Project approval for projects must be obtained from Cabinet for all projects over £500k (para 18.12)

Environmental implications

21. In the last decade, levels of NO₂ at the roadside across Oxford have dropped by an average of 37%. Between 2011 and 2013, average NO₂ levels across the city centre fell by 18.9 per cent; but between 2014 and 2016 they fell by just 3.9 per cent, which proves a significant slowdown in emission reductions. This project is expected to result in a significant reduction in NO₂ emissions.
22. The retrofitting programme will reduce NO₂ emissions from retrofitted buses with a total of 99.5% reduction for the Euro 6 standard buses.

Legal issues

23. All District Authorities have a statutory duty to review and assess local air quality, within the programme of Local Air Quality Management established under requirements within Part IV of the Environment Act 1995. The Council is also required to prepare an action plan to reduce air pollution. This scheme contributes to the Council's commitments under the Environment Act 1995.
24. In respect of considering whether this grant funding could comprise unlawful state aid the grant funding was offered to all eligible bus operators and all operators have decided to take advantage of the offer. There can be no suggestion, therefore, that any eligible operator was either favoured or disadvantaged by the offer of funding.
25. In addition it is considered this particular funding would fall within the general block exemption regulation (GBER) relating to aid for environmental protection.
26. While the individual grants are adequate to enable the operators to purchase the required equipment, the operators have to meet significant additional operating and maintenance costs. Under the terms of the grant funding, the operators are required to procure the specified equipment through a transparent and competitive procurement process.

Level of risk

27. See attached Risk Register in Appendix 1..

Equalities impact

28. An Equalities Impact Assessment is not necessary for this work. The social benefits of implementing this scheme include health benefits that can be enjoyed by all. Effective delivery of the strategy would have equality benefits. No significant adverse equality impacts have been identified.

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Background Papers: None

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Appendix 1: Risk Register

Clean Bus Technology Retrofit Scheme

Title	Risk description	Opp/ threat	Cause	Consequence	Date Raised	Owner	Gross		Current		Residual		Comments	Controls				
							I	P	I	P	I	P		Control description	Due date	Status	Progress %	Action Owner
Commitment of bus operators to retrofit buses	Failure to identify suitable buses for retrofit	T	Lack of engagement and planning	Non-delivery of project	28/03/2019	MJ	3	3	2	2	1	1	We have already worked closely with operators in our local authority area to identify buses which they have committed for retrofit if successful in our grant application	Accept the residual risk				
Lack of suitable Accredited Technology	Inability to identify suitable Accredited Technology available to complete the project	T	Lack of planning	Non-delivery of project	28/03/2019	MJ	3	3	2	2	1	1	We have spoken to a range of technology providers of whom only one is fully accredited at this stage. However, we are assured by the remaining providers that they are either in the process of accreditation already or will shortly apply to become accredited.	Accept the residual risk				
97 Inability of technology provider to deliver within the required project timeline	Dependant on the final number of accredited providers there is a risk that technology providers will have a significant amount of orders which they might be unable to fulfil within the required project timeline.	T	Market failure	Non-delivery of project	28/03/19	MJ	3	3	2	2	2	2	We will require evidence of ability to deliver within project timeline as a requirement of our procurement process.	Accept the residual risk				

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To: Cabinet
Council

Date: 29 May 2019 Cabinet
22 July 2019 Council

Report of: Head of Financial Services

Title of Report: Revolving Construction Loan to Low Carbon Hub

Summary and recommendations	
Purpose of report:	To request Cabinet to approve a revolving loan facility to Low Carbon Hub.
Key decision:	Yes
Cabinet Member:	Deputy Leader, Finance and Asset Management
Corporate Priority:	Cleaner, Greener.
Policy Framework:	Council's Corporate plan.
Recommendations: That Cabinet resolves to:	
<ol style="list-style-type: none"> 1. Approve a revolving loan facility to the Low Carbon Hub of £2.3 million at an annual interest rate of 5%, secured on the assets of the Low Carbon Hub whilst noting the success of previous loan facilities; 2. Recommend that full Council agrees to make budget provision of £2.3 million to enable this loan facility to be created; and 3. Instruct the Head of Law and Governance in consultation with the Head of Financial Services to draw up and enter into a new loan agreement with the Low Carbon Hub setting out the terms of the loan. 	

Appendices	
Appendix 1	Risk Register

Introduction and background

1. In June 2014, the City Executive Board approved a £2.3m loan facility to the Low Carbon Hub (the Hub) to fund the development stages of renewable energy projects with repayment being facilitated by the Hub raising equity shares in the project.
2. Authority was delegated to the Council's Section 151 Officer to enter into a loan agreement with the Hub in consultation with the Monitoring Officer and Chief Executive.
3. A loan agreement was subsequently entered into on 11th June 2014, the key aspects of which were:
 - A loan facility of £2.3m
 - 36-month availability period
 - Drawdowns secured against solar panel equipment as it is purchased
 - Drawdowns to be repaid within an expected cycle of 6-9 months although the money would be available within the 36 month availability period
 - Annual interest rate of 5%
4. In October 2015, the Council entered into a supplemental agreement with the Hub in which it was agreed that an additional 364 days may be added to the availability period up to June 2018:
5. The Hub utilised the full facility of £2.3m, receiving funds from the Council across 11 tranches between July 2014 and October 2016.
6. A further loan facility of £1.3m was agreed by CEB on 22nd May 2018 to be repaid by 28th March 2019. Of this, £628,715 was repaid on 21st November 2018 with the remaining balance of £671,285 repayable / repaid as at 28th March 2019. Under the agreement, the Low Carbon Hub was to open a new Share Offer called the Community Energy Fund in the summer of 2018 with a follow-up opening in January 2019. These two offers generate sufficient funds to repay the £1.3m. All interest due on the loan was also repaid.
7. The Council still has one loan of £100,000 outstanding with the Hub for a fish pass at Sandford lock, which was taken out in April 2017 and which is repayable in April 2020 with interest at an annual rate of 1%.

Current Position

8. The Low Carbon Hub IPS has now reached a position of long-term stability and sustainability:
 - Around £6m equity has been raised from 1,000 shareholders
 - £4.2m of solar installations on 42 sites with returns in line with original plans
 - Fixed assets as at 31st March 2018 of £7.2m
 - A £3.9m hydro project at Sandford lock part funded by £2m long term finance from Charity Bank
 - During 2018/19, £1,508,985 was raised over three issues as follows:
 - CEF Issue 1 £658,786
 - CEF Issue 2 £123,549
 - CEF Issue 3 £726,650

9. The Hub has an established income stream that is generated by its current projects. For the financial year of 2017/18, the Hub made a net surplus of £55k before depreciation with capital assets to the value of £7.2m. Many of the assets currently held by the Hub have been financed by drawdowns accessed through the loan facility provided by the Council.
10. The Hub has met its financial obligations under its current agreement with the Council, having repaid all principal due as well as paying all interest charges incurred to date.

Future Projects

11. If the Low Carbon Hub is to continue to invest in green energy schemes, it is crucial that they maintain cashflow. This loan is part of the contribution to the cashflow of the Hub.
12. Starting at 1st April 2019, the Low Carbon Hub began a 3-year project working with 9 other partners including the City Council worth a total of £40m. £13.5m of this £40m is funded through grant from Innovate UK. As part of this project, the Low Carbon Hub will develop around £15m of new projects, including working with the City Council to
 - Fund solar PV on new housing producing electricity that can be sold directly to tenants;
 - Develop a renewable heat and power scheme for Hinksey Pool;
 - Develop one of the park and ride sites into an energy hub.
13. The new loan facility of £2.3m is being requested to operate for a period of 3 years on the terms outlined in the Financial Implications section.

An Ethical Investment

14. The Council has had a long-standing commitment towards engendering a “greener” Oxford which is further emphasised by its coordination of the Oxford Strategic Partnership (OSP) and the Low Carbon Oxford network; the Low Carbon Hub is a not-for-profit social enterprise that seeks to scale up community-owned energy projects across Oxfordshire, including the district of Oxford itself and is a fellow member of the Low Carbon Oxford network. Therefore, by agreeing to extend the terms of the loan facility, the Council would be using its resources to support its vision of a “greener” Oxford.
15. The Council’s Treasury Management strategy includes a clear commitment not to knowingly invest directly, amongst other things, in environmentally harmful activities; this investment, whilst not being undertaken as part of treasury management activities, would achieve the opposite and in fact place significant investment in an environmentally positive project.

Contribution to Corporate Priorities

16. By continuing to help secure the Hub’s cashflow, the Council will also ensure the Hub continues its work in support of the Council’s corporate goals:
 - **Vibrant and Sustainable Economy:** as a social enterprise that is innovating new investment and operational models for low carbon, distributed energy projects, the Low Carbon Hub embodies the Council’s vision for a vibrant and sustainable economy.

- **Meeting Housing Needs:** although not directly contributing to the delivery of housing development, amongst the Low Carbon Hub's business development activities is establishing a local framework for high-quality, project managed domestic retrofitting services – following the model of “Retrofit Works” which already operates in London. The Hub leads a consortium, funded by the European Regional Development Fund and including the Council, that will break down the barriers for “able to pay” households that wish to improve the energy performance (and hence environmental and economic performance) of their home. Such a market offer is critical to Oxford's ability to ensure all buildings become net zero carbon.
- **Strong Active Communities:** The Hub actively supports community energy projects (i.e. led by communities throughout the city and county) to create their own social enterprises.
- **A clean, green Oxford:** The Hub's projects to date save 1,561 tonnes of carbon dioxide per annum and generate enough zero carbon electricity to power 1,351 typical homes.

Financial implications

17. The proposed loan facility of £2.3m will be available for a three year period at an interest rate of 5%. Each drawdown from the facility will be made for a period of 364 days and so therefore the terms of the loans are for revenue purposes rather than capital which would be for a year or longer. Loans of this nature, to organisations which are not wholly owned companies of the Council, have to be approved by Cabinet and, due to the size of the loan facility and the potential impact on the Council's revenue account, by Council.
18. The loan will be financed by normal revenue cash balances with interest continuing to be received by the Council on a monthly basis at a rate of 5% per annum, calculated against the balance of the loan on a daily basis, until the loan is repaid in full.
19. Low Carbon Hub will offer security of the loan against the new installations where these have well understood risk profiles and against existing solar panel site installations and associated revenue streams where the risk profiles are more uncertain. The security used for each drawdown will be determined by the Head of Financial Services in consultation with the Head of Law and Governance.
20. The Council has undertaken due diligence on the financial standing of Low Carbon Hub and can confirm that it has sufficient asset cover in the event of default.

Legal issues

21. The Localism Act 2011 provided the Council with the authorisation for the loan facility as the Act grants Councils the general power of competence to “*do anything that individuals generally may do*”.
22. The key provisions of the extension to the loan agreement are those which seek to provide the Council with adequate security to protect its funds. The £2.3m will be secured against the Hub's existing and new installations.
23. Consideration has been given to the loan arrangements with the Low Carbon Hub to ensure that they do not constitute unlawful State Aid. The market rate of interest

charged, and the loan security required should both ensure compliance with the State Aid rules.

Level of risk

24. The Risk Register is attached at Appendix 1.

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Background Papers: None

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Low Carbon Hub Loan Facility

Risk Register

Appendix 1 of 1

Risk ID	Risk						Gross Risk		Current Risk		Residual Risk		Risk Mitigation
	Risk Title	Opportunity/Threat	Risk Description	Risk Cause	Consequence	Date raised	I	P	I	P	I	P	
105	1 Investment return	T	Failure of the existing portfolio of projects to produce expected income	Actual investment returns being lower than projected through adverse impacts such as loss of rental income	Insufficient income to support the 5% interest payment to the Council	27-Mar-18	2	4	2	2	2	2	2 The Hub monitors all of its installations on a daily basis in order to pick up and resolve any technical failures as quickly as possible. The Hub insurance policy includes loss of income in case of large and long-term technical failures that cannot be resolved quickly. Review of the Hub's financial forward projections shows that the costs of servicing the loan are built in to the plans The Hub has a track record of making payments of the interest to the Council and repaying the principal of loans within the timescales agreed
	2 Equity Share Scheme		The equity share scheme fails to raise sufficient funds	Lower equity share take up than anticipated	Funding would not be available to repay the remaining principal element of the loan facility	27-Mar-18	5	4	3	2	3	2	2 The loan extension agreement will state that the principal balance is secured against existing PV. Additionally, in the event of a payment default, the following actions may be taken: - The creation of a Floating charge over any of the Hub's assets - Assignment rights over the assets and contracts - Step-in rights to intervene in the business to ensure that the appropriate steps are taken to secure the project as a going concern and thus maximise the value of security, although it is recognised that this is something of a last resort and is not something that the Council would prefer to do.

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To: Cabinet
Date: 29 May 2019
Report of: Acting Head of Planning Services
Title of Report: Extension to Central (City & University) Conservation Area

Summary and recommendations	
Purpose of report:	To approve the extension of the Central (City & University) Conservation Area
Key decision:	Yes
Cabinet Member:	Planning and Transport
Corporate Priority:	A Vibrant and Sustainable Economy; An Efficient and Effective Council
Policy Framework:	Local Plan 2036
Recommendation: That Cabinet resolves to:	
1. Approve the proposed new conservation area boundary to include all areas proposed on the map at Appendix 2.	

Appendices	
Appendix 1	Maps of proposed inclusion areas
Appendix 2	Map of new conservation area boundary
Appendix 3	Consultation responses (precis)

Introduction and background

1. The conservation area was designated in April 1971 and reviewed on four subsequent occasions, the last being in 1998. Although there is a short overview document, an appraisal was not carried out until the Spring/Summer 2018. This draft appraisal went to public consultation from 3 September – 26 October 2018. Comments received indicated that there were other areas which would be considered worthy of designation if they were appraised as well.
2. The Planning Service originally aimed to appraise these other areas and if necessary amend the boundary in time for the Local Plan submission on 22 March 2019. Following public consultation in February 2019, it became clear that

further consideration of these proposals was required. A precis of the consultation responses can be found at appendix 3. The City Executive Board approved this time for further consideration on 13 March 2019.

3. Conservation Areas must comply with the definition given in s.69 of the Planning (Listed Buildings and Conservation Areas) Act 1990: '*an area of architectural or historic interest, the character and appearance of which is it desirable to preserve or enhance*'. Each area recommended below is considered to fulfil that requirement. The designation is not a means of preventing development, but as a means of identifying areas where change should be managed to prevent harm to the existing character. Not every building or structure within a conservation area can be considered to contribute positively to the character, but the inter-relationships between the buildings and their spaces often provide a template for the process of managed change.

Areas proposed for inclusion

4. **St Thomas'**: one of the earliest suburbs outside the city walls (extramural), this area developed along a direct route between Osney Abbey and Oxford Castle. The road was moved in 1769, and St Thomas' Street became a quieter, more residential area with Victorian tenements and terraces. To the north, Park End Street and Hythe Bridge Road attracted light industrial and commercial businesses, including interwar show rooms for the motor industry. The late-Victorian terrace fronting Frideswide Square is well-preserved, and complements the 1902 Cooper's Marmalade Factory to the east.
5. The distinct 'town' character of the area, together with its medieval route and surviving buildings of architectural quality, makes it comparable with the already-included extramural suburb of Holywell. The light industrial and commercial elements of the area make it comparable with the areas identified as the Western Fringe along the Castle Mill Stream, river, and canal. The ambience within the area is that of a distinct and separate place away from the city centre, but incorporating elements of it which connect it back to the buildings on the other side of the river.
6. There are two areas proposed for inclusion: 39-42a Hythe Bridge Street; and two blocks south of Park End Street and Frideswide Square, fronting Park End Street, Frideswide Square, the northern half of Becket Street, Hollybush Row, and nos. 1-5 Osney Lane. The area does not propose to include Rowland Hill Court.
7. Justification: 39-42a Hythe Bridge Street relate mainly to the crossing of the Castle Mill and Wareham Streams, being part of an historic route into the city. Nos 39-42 date from the period of slum clearance in the 1930s, and combine the large openings of Georgian windows with the simple pilasters and capitals of 1930s restrained classicism. They were designed to complement the growing motoring trade which was thriving on the south side of the road. No 42a is from c.1868, with gothic feature and a steeply pitched roof. With the dual purpose of chapel and school, it was built to replace a floating chapel at Fisher Row, and served the boating community on the canal. The buildings have a collective character that illustrates Oxford's built development and close relationship to the nearby waterways, as well as the social connection to renewing and replacing buildings with those which are sympathetic to their surroundings.

8. **University Science Quarter:** buildings connected to the furthering of scientific research were erected around and to the east of the University Museum after its construction in 1860. Formalisation of the study of science at the university was established in the early 20th century, during which time there was greater growth in the construction of purpose-built science buildings. Development has continued with large buildings such as Physical Chemistry (1939-40) and Inorganic Chemistry (1954-60) buildings, the Zoology and Psychology building (1970), and into the present day with Biochemistry (2009) and Physics (2018). The greater majority of Victorian houses on the south side of South Parks Road were removed to facilitate this.
9. Continuous development and reinvention is a key part of the character of the area, with all the buildings being 'of their time' and relevant to their specific science use. This has created an area which is somewhat eclectic in architectural style, but with a homogenous purpose. It reflects the development of the city as a site for world-renowned scientific research, and contains buildings of good architectural quality.

Justification: The area is a physical demonstration of the commitment to scientific research within the city; rather than go outside the city centre, the University chose in the mid-19th century to base its science development around the existing museum, and has continued to grow in that location. Each building is of its time, reflecting its original use, and most have been adapted to reflect the changes in research since that time. New buildings such as the Chemistry Research Laboratory and the Beecroft Building continue this established trend.

Architecturally and historically, the area fulfils the designation criteria. It has a clear science-based character, which has changed to suit the needs of the time: the linear buildings of the early/mid-20th century are giving way to larger floor plates to support different machinery required for research. Due to these continuous changes, the area has retained its original science character and appearance, and it is the desire of the Council to see this continue.

10. Management of this area would seek to sustain and reinforce its education and research character by promoting the established high standards of architecture that the university is known for; constraining this by requiring the retention of non-architecturally significant buildings which were no longer fit for scientific research purposes would be contrary to the purpose of designation. For this reason, the management section of the appraisal will contain clear information to distinguish the architecturally significant buildings from those which continue to contribute to the character, but have less to offer to the area's appearance.

Areas considered for inclusion but rejected

11. **Keble Road triangle:** originally the site of several 19th century dwellings with open countryside to the north, the site gained its first university building in the early 20th century. The most striking buildings now on the site were constructed in the 1960s, and are notable in policy terms for being the catalyst for creating height guidelines for future development within the city. Later buildings have continued in university engineering use, and have been designed to be 'of their time' in the same manner as the earlier Jenkin and Denys Wilkinson buildings.
12. The structures here have some architectural merit and historical interest to both the North Oxford Conservation Area to the north, and the Central Conservation

Area to the south. It is a transitional area, containing both town and gown functions and appearances.

13. Justification: While the area does have some buildings of architectural merit, and it is a part of the university's historic development, it lacks a cohesive appearance or character. Without this defined character, the designation requirement of 'preserve and enhance' is not present. Some of the mid-20th century buildings are nearing the end of their lifespan, and it may be that when the area is next reviewed, it has a more clearly visible character that is of comparable value to the remainder of the conservation area. However, until such a character is established, it does not fulfil the designation criteria.
14. **Radcliffe Infirmary Buildings:** Constructed in 1759-67, the handsome Palladian infirmary buildings and associated Chapel of St Luke are listed at Grade II* and Grade II, together with the central courtyard fountain. The buildings are of high historic and architectural interest, which is reflected by their listed status, and they are of comparable quality of appearance as the majority of the existing Central Conservation Area. The remainder of the site is either already protected by being within the North Oxford Conservation Area, or not of comparable worthiness for inclusion.
15. Justification: As the first hospital in Oxford, the infirmary was deliberately sited within fields outside the built-up area of the city centre. This was a common practice with early hospitals, as this was thought to reduce the spread of disease. Historically, therefore, it has little physical relationship to the city, and instead is more closely related to the observatory and North Oxford. The buildings and their courtyard layout fulfil the criteria to be considered worthy of designation, but are more suited to the North Oxford Victorian Suburbs Conservation Area. When the review of that area is undertaken, it is recommended that the buildings are included at that time. Until then, they are protected in planning terms by virtue of their statutory listing.
16. **The Island Site:** part of the St Thomas' area, the Island Site is the roughly triangular area of land between Hythe Bridge Street and Park End Street, containing the former light industrial and commercial buildings of King's Motors and Hartwell's.
17. Justification for recommendation: The quality of the buildings is not considered to be commensurate with the existing conservation area, and this has deteriorated since their construction. The exception is the Royal Oxford Hotel (1935) which has been altered, but still maintains a strong presence over Frideswide Square. Forming the east side of the square, this building is already on the Oxford Heritage Asset Register (OHAR). Historically, the area shows the development of Oxford as a centre for the car industry. As this commercial and light industrial use has since relocated outside the city centre, the physical connections to this past have deteriorated. While there are small elements of it remaining, collectively the area does not have the level of distinctive character or appearance that the Council would strive to preserve. It therefore does not fulfil the designation criteria.

Other implications

18. Consultation and communications: the first part of the Conservation Area appraisal was made available to the public for comment during September and October 2018, during which time suggestions for possible boundary extensions were made. Based on those suggestions, officers have carefully considered both the proposals, and the subsequent responses to the consultation on those proposals. The recommended boundary alterations are therefore the direct result of public consultation triggering further assessment of the area.

Financial implications

19. There are no direct financial implications other than the costs associated with the statutorily required advertising of the designation in the London Gazette and local newspapers, and the wider publicising of the designation in the locality.

Legal issues

20. The Council would be failing in its duty under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 if it declined to review the existing conservation area and to designate areas where it had determined the area to have special architectural or historic interest.

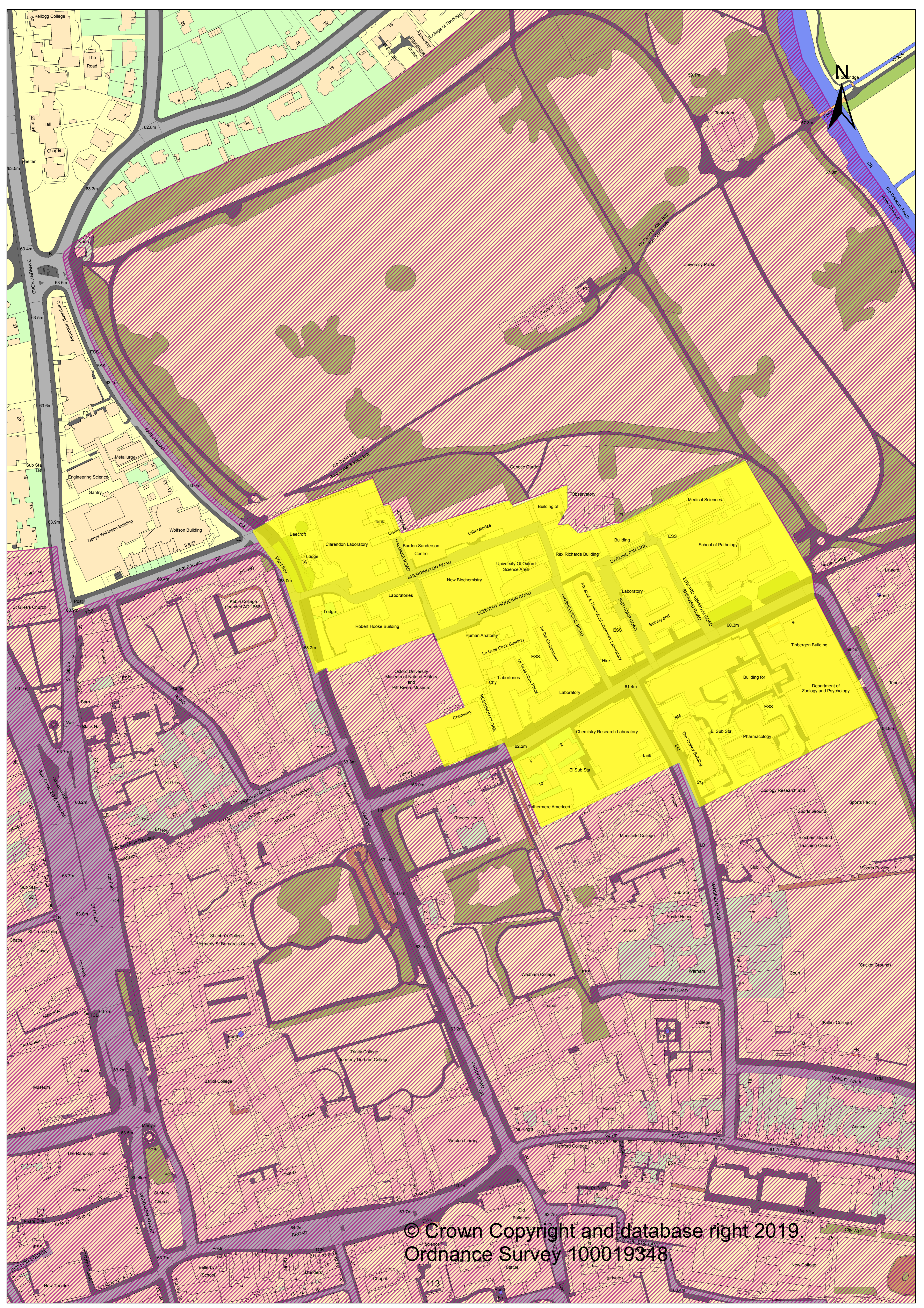
Equalities impact

21. The inclusion of the proposed areas within the Central (City and University) Conservation Area is not considered to be detrimental or have an impact upon the protected characteristics. An Equalities Impact Assessment is therefore unnecessary for this recommendation.

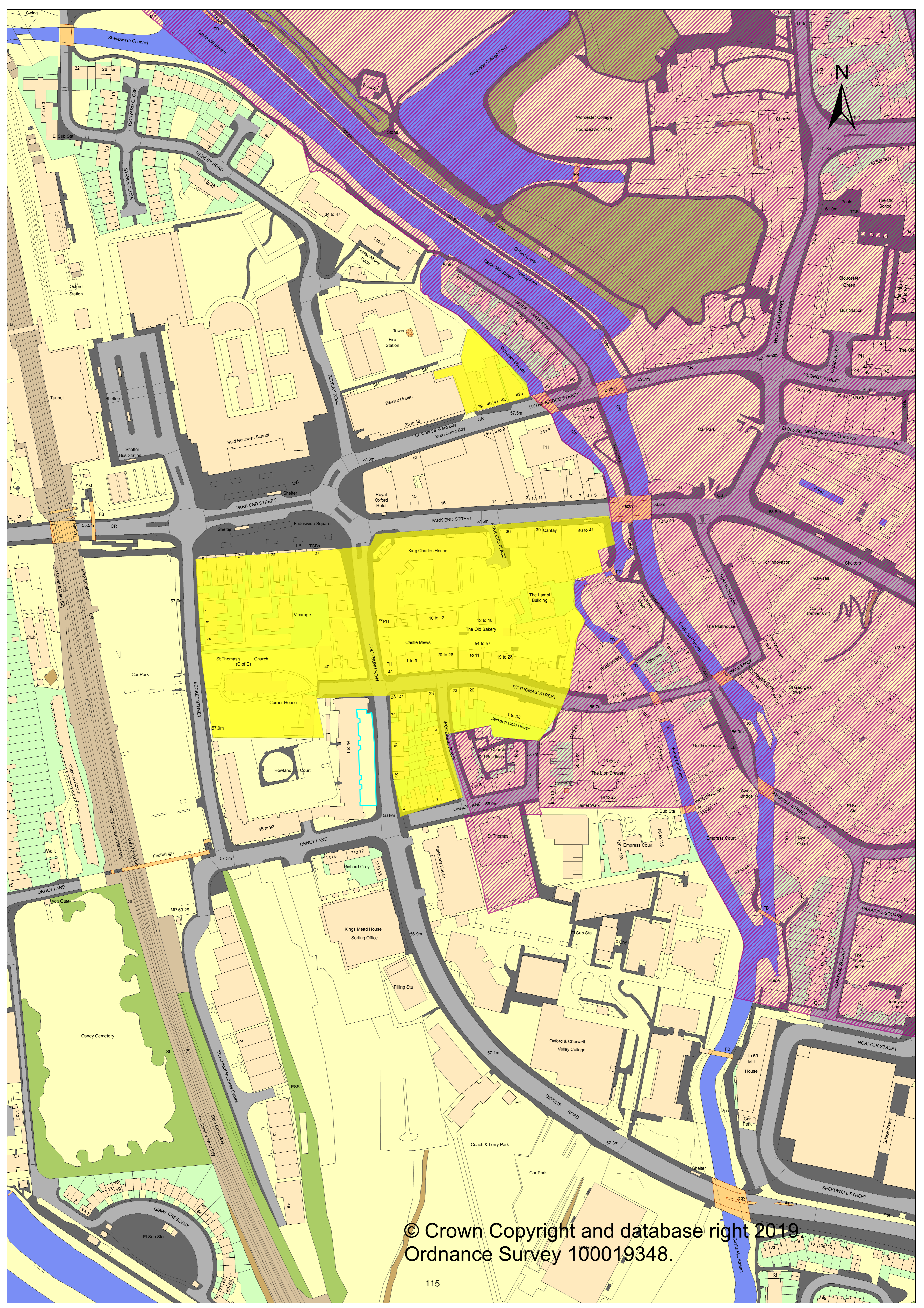
Report author	Claire Sutton
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Background Papers: None	
1	Oxford Central (City and University) Conservation Area Boundary Review Consultation Report

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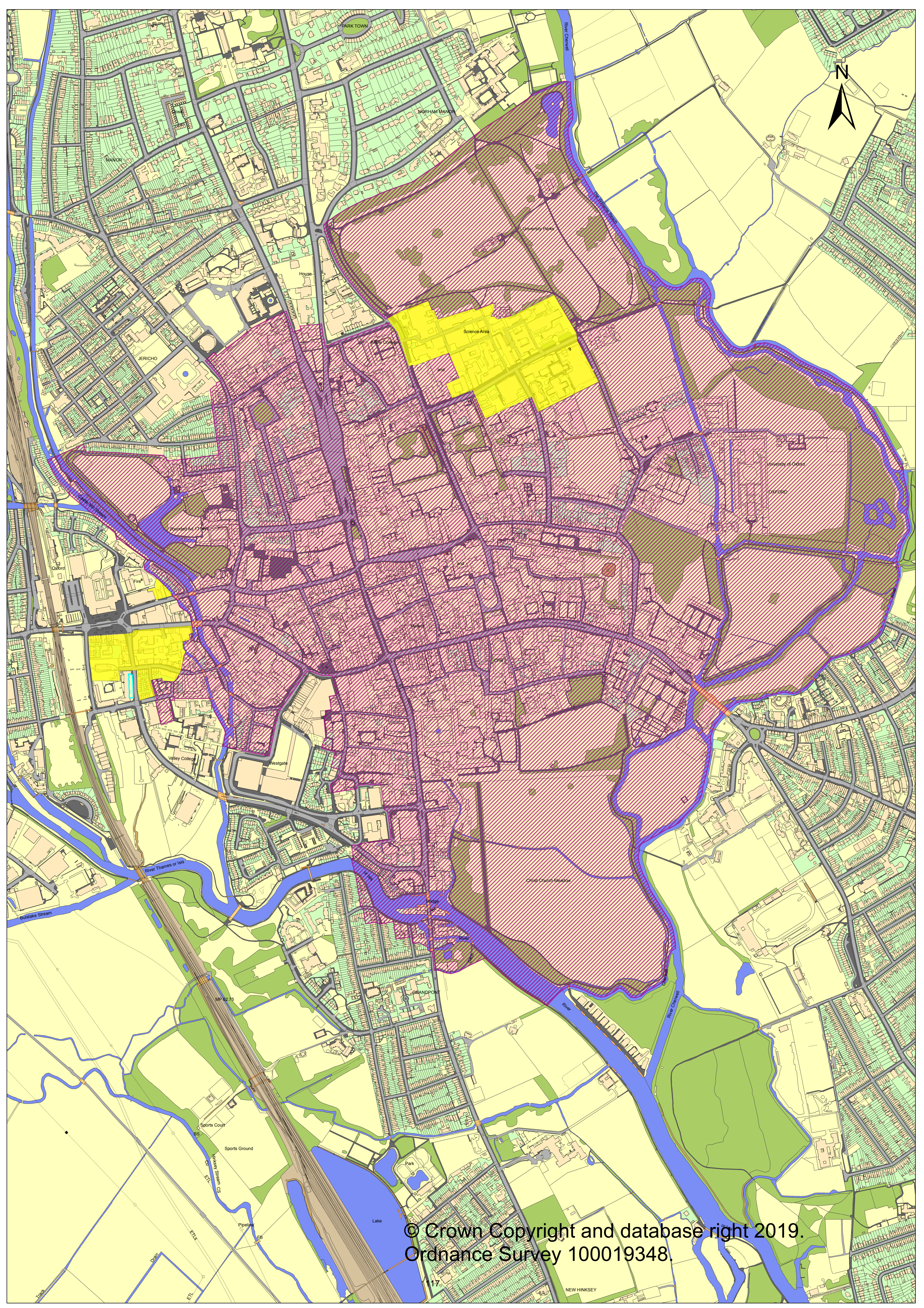


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Appendix 3 – Precis of Consultation Responses in order received								
No.	Name	Support?	Folly Bridge	Keble Triangle	Science Quarter	St Thomas'	Radcliffe	General comments
1	RM – resident	✓	n/c	Between the exceptional assets of the Keble, Parks & St Giles' church. Heavily used by staff, students & others; variety of buildings of different ages. Need to be able to look after what is good & improve a cluttered setting.	Distinguished history; some very good buildings including exceptional museum (world class attraction). Conspicuous from the parks, needs extra protection.	Historic area with several important buildings, significant parts with a village-like feel. Much has been lost nearby with loss of community. Essential this is preserved & enhanced.	n/c	
2	Oxford resident	✓	Character worthy of designation	History & character worthy of designation	Architecture & history worthy of designation	History & character worthy of designation	Support inclusion due to history, aesthetics, cohesion	
3	JC – other	✓	n/c	n/c	n/c	Last bit of C19 workers' housing, important social history. Should keep remaining old city to balance with new.	n/c	
4	ED – employee	✓	n/c	n/c	n/c	n/c	n/c	Thoroughly support the boundary changes

No.	Name	Support?	Folly Bridge	Keble Triangle	Science Quarter	St Thomas'	Radcliffe	General comments
5	Oxford resident	✓	History worthy of designation	Appearance worthy of designation	Character & appearance worthy of designation	n/c	n/c	
6	Oxford resident	✓	n/c	n/c	Character worthy of inclusion	n/c	n/c	
7	Oxford resident	✓	n/c	n/c	n/c	n/c	Whole site worthy of designation re existing buildings & future development	Great pity not in include whole Infirmary site. CA designation should influence new development in area.
8	OAHS	✓	n/c	Anomalous gap with no justification. Age & quality of buildings qualifies. Sufficient buildings of merit. Relationship to North Oxford.	Anomalous gap with no justification. Age & quality of buildings qualifies. Area of great historic importance; embodies growth of science teaching.	Strength integrity of CA, signal new buildings need to be of high standard, reduce likelihood of inappropriate buildings.	n/c	Additional information given on specific buildings in St Thomas' and further history
9	SJSARA	✓	n/c	Anomaly it was left out. Fits best into Central CA.	Anomaly it was left out.	n/c	Disappointed whole site not proposed for designation.	Minor boundary changes seem sensible.

No.	Name	Support?	Folly Bridge	Keble Triangle	Science Quarter	St Thomas'	Radcliffe	General comments
10	JB – resident	✓	Bridge worth conserving. Appearance north of Thames Street needs rebuilding.	Worthy of designation – fulfils all criteria	Modern buildings may be of interest in future. Architecture & character worthy of designation.	Character worthy of designation	Worthy of designation – fulfils all criteria	Area north of Thames Street & south of Speedwell Street should not be included
11	Oxford Sciences Innovation	X	n/c	n/c	n/c	Island site inclusion is unwarranted. Retention of existing buildings will be required & be too expensive to refurbish.	n/c	Take into full consideration implications of declaring Island Site as an extension to the CA & the impact this would have on the ability of OSI to assist in the renaissance of the West End of Oxford.
12	Oxford Civic Society	✓	n/c	Buildings associated with Central, not North Oxford	Designation would ensure high quality design & appearance of replacement buildings	Designation needs urgent implementation	Disappointed whole site not proposed for designation.	CA should form a coherent spatial whole so policies can apply to whole area & not just setting. Recommendations thorough & well-judged.

No.	Name	Support?	Folly Bridge	Keble Triangle	Science Quarter	St Thomas'	Radcliffe	General comments
13	Liberal Democrat Councillors	✓	Grandpont CA is overdue; area would be best in that.	Common traits with existing Central CA. Designation would provide additional consideration at redevelopment stage.	Charts the uneven history of science growth; remnants of South Parks Road in heyday will be interesting for future.	Redevelopment may remove characterful streets & buildings. Island site has impressive buildings reflecting 19th century entrepreneurship. St Thomas's area shows local workers' cottages, lost throughout much of the city. Comfortably splits into 2 areas which need different approaches.	Would like Freud's and Blavatnik included, prefer the whole site.	Difficult to know what to conserve as what seems preserving changes with time. View cones & sight lines not included - omissions which need to be rectified.
14	University of Oxford Estates Services	X	n/c	Case for designation is weak & confused. Buildings are so different to Central CA – would be an inappropriate addition.	Contains a range of buildings which are becoming obsolete due to requirements for science & research changing. Continuously evolving estate of buildings reflecting use & science of their day. Tighter science regulations require more flexible planning approach. Area as a whole does not stand up to assessment criteria.	n/c	Justification is inconsistent and contrary to reasons given for excluding other parts of the site. No additional heritage protection to listed buildings.	Proposals would place further constraints which would limit flexibility of future development opportunities. Technical report included to accompany comments.

No.	Name	Support?	Folly Bridge	Keble Triangle	Science Quarter	St Thomas'	Radcliffe	General comments
15	Christ Church College	X	n/c	n/c	n/c	Does not have special character required for designation. Would devalue existing CA. Already/can be protected under existing policies. Could inhibit proposals for imaginative regeneration. Would not be a more logical boundary.	n/c	The extension to the boundary would materially undermine any comprehensive plans being brought forward, particularly when considering the desire to support the proposals for redevelopment of Oxford Station.
16	Green Templeton College	X	n/c	n/c	n/c	Does not have special character required for designation. Would devalue existing CA. Already/can be protected under existing policies. Could inhibit proposals for imaginative regeneration. Would not be a more logical boundary.	n/c	St Thomas' area is mixed and fragmented. There is considerable scope for enhancement through new buildings and urban improvements.

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To: Cabinet
Date: 29 May 2019
Report of: Head of Community Services
Title of Report: Community Lease Agreements

Summary and recommendations	
Purpose of report:	To agree three community leases and delegate the authority to agree further community leases with a market value below £50,000 per annum to the Regeneration and Major Projects Service Manager.
Key decision:	Yes
Cabinet Member:	Supporting Local Communities
Corporate Priority:	Strong, Active Communities
Policy Framework:	Corporate Plan
Recommendations: That Cabinet resolves to:	
<ol style="list-style-type: none"> 1. Approve terms for new leases for the Trustees of the Oxfordshire Chinese Community and Advice Centre at Princes Street, the Leys Community Development Initiative at Blackbird Leys Community Centre and The Trustees of The Parasol Project at Plowmans Tower; and 2. Delegate authority to the Regeneration and Major Projects Service Manager in consultation with the Head of Community Services to make such amendments as are required in order to complete the above three leases. 	
Appendix 1	Risk register
Appendix 2	Community lease criteria

Introduction and background

1. A community lease is provided at less than the market rent in exchange for the social value that the community groups occupying the Council owned building are able to deliver.
2. In 2017 the City Executive Board agreed new criteria for community leases; the key points are that the leases are for 25 years, at a reduced rent, outside of the security of tenure provisions in the Landlord and Tenant Act 1954 and that they have regular break clauses.
3. The Cabinet must give its authority for leases to be granted at less than best consideration. This report requests that the Cabinet agrees three community leases and to delegate authority to agree future community leases to the Regeneration and Major Projects Service Manager.

Leases to be agreed

4. The Cabinet is requested to give authority for the Council to enter into leases with the following community groups:

i) The Trustees of the Oxfordshire Chinese Community and Advice Centre

5. The Chinese Community and Advice Centre is based in the building at Princes Street adjoining East Oxford Community Centre. The building the Trustees occupy is part of the proposed redevelopment of the community centre, it is in poor condition and part of the ground floor is condemned.
6. Due to a combination of the poor building condition, the need for flexibility with the planned development of the community centre and the financial challenges the Advice Centre have had the Council have given the Advice Centre a peppercorn rent on a short-term basis. It is proposed that this is extended until the Council has an agreed plan in place to improve the space they occupy.
7. The key terms proposed for the lease are as follows:
 - Peppercorn rent
 - Rolling break for either tenant or landlord to be terminated on 2 months' notice at any time
 - Contractual term expiring 31 July 2021
 - The Council will continue to meet the cost of external and structural repairs and the cost of building insurance.

ii) Leys Community Development Initiative (CDI)

8. The Leys CDI is based at Blackbird Leys Community Centre where they lease the main hall. The Leys CDI deliver a range of activities for children and young

people. The Community Centre is part of the proposed district centre development which is why this is a short-term lease.

9. The key terms proposed for the lease are:

- Peppercorn rent
- Rolling break for either tenant or landlord to be terminated on 3 months' notice (by the tenant) or 6 months' notice (by the landlord) at any time
- Contractual term expiring 10 September 2020
- The Council will continue to meet the cost of external and structural repairs and the cost of building insurance.

iii) The Parasol Project

10. The Parasol Project is a charity based at Plowmans Tower that deliver services to less advantaged young people.

11. The key terms proposed for the lease are:

- Peppercorn rent
- Rolling break for either tenant or landlord to be terminated on 6 months' notice any time
- 25 year term
- The Council will continue to meet the cost of external and structural repairs and the cost of building insurance

Delegation of authority

12. It is recommended that the Cabinet delegates authority to the Regeneration and Major Projects Service Manager in consultation with the Head of Community Services to agree the final changes to complete the above leases.

Financial implications

13. Where the Council awards a subsidised community lease, it is making a decision to forego a potential higher rental income in exchange for increased social value. It is important that the level of subsidy should be transparent and that the social benefits are demonstrable so the Council can assess how well this investment meets its corporate objectives.

14. The report is not requesting any adjustments to the current budget.

Legal issues

15. All new community leases will be outside of the security of tenure provisions in the Landlord and Tenant Act 1954. The Council has the power to enter the leases under Section 123 of the Local Government Act 1972.

Level of risk

16. The risks are included in the risk assessment (Appendix 1)

Equalities impact

17. The terms of all leases reflect the Council's policy commitment to ensuring that all its community facilities are open to all and operate on a fully inclusive basis

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Appendix 1: Risk Register

Title	Risk description	Opp/ threat	Cause	Consequence	Date Raised	Owner	Gross		Current		Residu		Comments	Controls				
							I	P	I	P	I	P		Control description	Due date	Status	Progress %	Action Owner
Reputational risk - resources	The tenants do not achieve the required social value	Threat	The community group does not effectively manage the services they provide	The Council does not attain good value from its community assets	22.2.19	Ian Brooke	2	2	1	2	1	1		An annual review	8.3.19	G	50%	Ian Brooke
Reputational risk - political changes	The Council is unable to afford to provide premises below market rents	Threat	Further reductions in the Council's budget	The community group will have to source alternative source of funding if they are to operate at the same level, or cease providing services	22.2.19	Ian Brooke	2	3	2	3	2	3		Continued efficient management of the budget	8.3.19	G	30%	Ian Brooke
Reputational risk - political changes	Decisions to award community leases are not done on a transparent and equitable basis	Threat	Leases are awarded on an individual basis	Lack of fairness and not maximising the value from the Council's subsidy	22.2.19	Ian Brooke	2	2	1	1	2	1		Publish executive officer decisions on the website	8.3.19	G	10%	Ian Brooke
Reputational risk - resources	The Council is responsible for the repairs and maintenance of the buildings occupied	Threat	The repairs are excessive resulting in building failures	Building closures	04.04.19	Ian Brooke	2	2	2	2	2	2		Full structural surveys & remedial works as appropriate or demolition as required	8.3.19	G	20%	Ian Brooke
Reputational risk - resources	Health & Safety issues are found in the property	Threat	The H&S issues are excessive resulting in building failures	Building closures	04.04.20	Ian Brooke	2	2	2	2	2	2		H&S files for each community centre & inspection regimes	8.3.19	G	40%	Ian Brooke

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To: Cabinet
Date: 29 May 2019
Report of: Head of Community Services
Title of Report: Grave Reclamation within Oxford City Council Cemeteries

Summary and recommendations	
Purpose of report:	By circa 2021 all Oxford City Council Cemeteries will be full and closed to new burials leaving Oxford City without any new space to bury Oxford residents. This report is to approve reclaiming grave plots. Potentially providing burial space for an additional two years.
Key decision:	Yes
Cabinet Member:	Healthy Oxford.
Corporate Priority:	Oxford City Council Corporate Plan, 2016–2020 – Active Communities
Policy Framework:	Green Spaces Strategy 2013-2027
Recommendations: That Cabinet resolves to:	
<ol style="list-style-type: none"> 1. Grant project approval to the grave plot reclamation proposal as set out in this report; 2. Agree that Wolvercote & Botley will be the first cemeteries where reclaimed graves will be made available. (Botley is still open to new burials and Wolvercote has only recently closed to new burials.); 3. Agree that graves available through grave reclamation would only be made available to Oxford City residents (residents would be classed as people paying Council tax to Oxford City Council); 4. Agree that graves where the deeds have never been purchased and have interments (commonly known as unpurchased graves) may be sold at a lower cost; and 5. Agree to delegate to the Head of Community Services the ability to deal with the design and detail of the Scheme 	

Appendices	
Appendix 1	Cemetery Project Summary
Appendix 2	Grave Reclamation

Introduction and background

1. The Council's current estimate of when all cemeteries will be closed to new graves is 2021. Botley is the only one of our four cemeteries available to new graves.
2. With this in mind, the Oxford Direct Services Limited (ODSL) Cemeteries Service has been looking at ways in which a burial option could be provided taking into consideration the sensitivities of the issue, without altering the current aesthetics of the four cemeteries. Over the past few months the Council has looked into the process of grave reclamation. This scheme could potentially provide burial space for an additional two years until 2023.
3. Grave Reclamation is the process of using the free space within graves. There are two types of grave which fall in to this category:
 - i. Graves where burial rights have been purchased but no burial has taken place so the grave stands empty. These graves can be reclaimed if they were purchased pre 1974 and have not been used after 75 years since the purchase date.
 - ii. Graves where interments have taken place but the burial rights have never been purchased (unpurchased graves) so the Council has the right to re-bury in the grave. It is important to note that this does not disturb human remains – as would be the case with grave re-use. The grave is re-opened to the deepest available depth leaving the legal requirement of 6" of soil between the last interment and the new interment.
4. These practices have been legally allowed since 1977 and are outlined in the 1977 Local Authorities Cemeteries Order (LACO). Appendix (2) illustrates the process of identifying graves available to be reclaimed.
5. There is an urgency to start this process so the public can be informed and the concept has an opportunity to embed before the cemeteries run out of space. By starting the scheme as soon as possible the Council is still able to offer new graves to residents that would never opt for a reclaimed grave. The Reclamation scheme is expected to extend the operation of the current cemeteries by around two years, by maximising their use. In parallel, work will continue on identifying new burial sites for Oxford, which will still be required in the medium to longer term.

Other implications

Consultation and communications

6. A number of local authorities have been consulted that already carry out the process. Bournemouth Borough Council has been carrying out grave reclamation for over 50 years. Two councils that have recently started grave reclamation (within the last 5 years) are Wandsworth and Croydon. They both found the key part of the success of introducing grave reclamation was communication.
7. The Council would undertake the grave reclamation scheme in two phases. As it is simpler to communicate and less likely to lead to confusion, the initial focus will

be on reclaimed graves where burial rights have expired, and no burial has taken place. The process is outlined in Appendix 2.

8. The second phase of selling unpurchased graves (where burials have already taken place) would follow on.
9. At both stages comprehensive proactive communications would be needed. In doing this the Council has an opportunity to assess the level of public acceptance of the scheme.
10. A key stakeholder is funeral directors as the main contact with families; the success of both parts of the project would depend on their approach. A thorough briefing of all the city's funeral directors will be undertaken.

Financial implications

11. There will be a loss of revenue to the Cemeteries Service over the next two years as the number of new graves declines. At the moment a new grave on average costs £1,579. New graves contribute on average 36% to the overall Cemeteries Service income per year. As the number of burials declines, this percentage will decrease and the income gap will need to be filled.
12. In the Medium Term Financial Plan (MTFP) cemeteries income over financial years 2021/22 & 2022/23 is set to decline by £205,000. This will result in an increased cost to the Council to subsidise the service.

Legal Implications

13. There is no statutory duty on a local authority to provide burial facilities, but if it does so, the management is governed by the Local Authorities' Cemeteries Order 1977 which gives burial authorities wide ranging powers. Oxford City Council as a district council is defined as a burial authority and given the power to provide cemeteries by virtue of Section 214 (1) of the Local Government Act 1972 (the Act) and Schedule 26 of the Act. Under Section 214(2) of the Act a burial authority may provide and maintain cemeteries whether in or outside its area.

Level of risk

14. The only other option available is to not carry out this process. This would result in an increasing pressure to find suitable land for a new cemetery. Even if suitable land was found it would take 4-5 years for it to be developed. There would be a gap of at least 2 years where there would be no burial provision for Oxford residents within the area of the City's boundaries.

Equalities impact

15. Within Wolvercote cemetery the Jewish community has burial space provided due to a covenant signed in 1896. Botley cemetery is where all Muslim burials take place and there is burial space for the community. However the burial space for these two communities is finite and it is a religious requirement for the deceased practising these religions to be buried. The Muslim and Jewish communities do not support the cremation of human remains. The Catholic faith over the past two years has relaxed this ruling but traditionally will still opt for burial.

16. Although religion is an important factor, religious alignment has been declining for a number of years. It is important to highlight being buried is also a personal preference that the Council has accommodated for a number of years.
17. Funeral poverty is now a widely publicised issue. Under the Reclamation scheme, there will be an option to purchase previously excavated graves at a lower cost (the actual cost to be charged per plot being subject to approval by full Council through the budget process).

Conclusion

18. With current cemeteries closing, new grave space declining rapidly and no land being developed for a new cemetery, The Council is entering a challenging period for burial provision. Without this immediate action, in two years' time Oxford could potentially be the first authority to have no place for their residents to be buried within its administrative boundaries. The Council will continue to work towards a long term solution for burial and will provide an update to the Cabinet in the next six months.

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Background Papers: None	
1	1977 Local Authorities Cemeteries Order
2	London Borough of Croydon – Reclaimed Graves 18/19

Cemetery Project Summary

In 2009 the Oxford City Council began the process of looking for a new cemetery site. At that time, out of the four cemeteries in Oxford, Rose Hill and Headington were already closed to new burials. Botley had 1,050 graves available and Wolvercote Cemetery had 1,031 available.

Nearly 9 years on the Council is still looking for a suitable site. Meanwhile Wolvercote Cemetery is nearing its closure (early 2018), leaving Botley as the only operational cemetery within Oxford. Taking in to consideration our current burial rate and available space in Botley, we estimate the cemetery will be full by 2021. This will leave the Council without a space to bury the deceased of Oxford.

In 2009 there were 9 potential sites for a cemetery within the Oxford city boundary on land owned by the Council. Desktop surveys found 6 sites were unsuitable due to their location in floodplain zones. This left:

1. Five mile recreational ground,
2. land at the foot hills of Shotover (adjacent to old Court House site, suggested by OPT) and
3. land adjacent to Horspath sports ground (The site currently under discussion)

The Council enlisted the services of Cemetery Development Services (CDS) to carry out physical testing at these sites to confirm their viability. Before any decision can be taken with regards to future cemetery space a number of serious considerations have to be made. These considerations can be summed up under the headings below:

- Environmental concerns. Soil type and other geological factors.
- Existing infrastructure such as roadways, paths, availability of water and other utilities.
- Existence of nearby groundwater such as water courses, rivers and streams. The Environment Agency requires water table readings from a wet and dry season. Landscape factors such as hills, slopes, wooded areas etc.
- Public access from main routes. Public transport routes.
- Biodiversity and Wildlife habitats.
- Conservation areas.

Borehole tests at the three sites ruled out the use of Five Mile recreational ground and the land at the foot hills of Shotover, water was found at 3 feet and above. This left the Council's only viable option as the land adjacent to Horspath sports ground. However this land was ruled out because of a covenant administered by the Oxford Preservation Trust.

As we had exhausted the search for Council owned sites, we extended our search to include land we would need to purchase and land further away from the city. This search returned two potential sites to the North and North East of Oxford. Both pieces of land are privately owned and would require the Council to spend a considerable sum of money. Also there is reluctance from a landowner to sell to the Council which would mean we would have to use compulsory purchase powers.

Currently we are facing a situation where even if land was purchased in 2018 the cemetery would not be fit for purpose until 2023 leaving a gap of 2 years where no burials could take place. Land would need to be designed and developed in to a cemetery which would include installing: roads, paths, landscaping and buildings.

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Grave Reclamation

As we are all aware we are still looking for a new burial ground and we are nearing the 2021 prediction of the current cemeteries being full. With this in mind we have been looking at ways in which we could still provide a burial option without altering the current aesthetics of the four cemeteries.

Over the past few months we have looked into the process of grave reclamation, further details on the process are provided below. There is an urgency to start this process so the public can be informed and the concept has an opportunity to embed before the cemeteries run out of space. If we wait too long and only have reclaimed graves it precludes those that will only have new graves. This would reduce the viability of the scheme. This has to happen in parallel for the remaining years of the current cemeteries to ensure maximising their use.

Numerous Councils are practising this process as a way to preserve existing burial space, two examples being Wandsworth and Croydon borough councils. The two councils have been carrying out the process for the past 4 and 10 years respectively. As the scheme is still in its infancy, Wandsworth has used a total of 20 reclaimed graves however Croydon use between 3-4 reclaimed graves a week.

Both council's notified the public following legal requirements and had little response on the proposed scheme. Wandsworth mentioned there were a couple of enquiries from people wishing to check if burial rights had expired (this is to be expected). Croydon had a similar experience but mentioned that when funeral director's offer reclaimed graves families initially were put off by the idea. However mentioning that existing burials in a grave are just as close to burials in neighbouring graves seemed to allay any concerns.

Both Councils placed great importance on educating funeral directors on the option of a reclaimed grave and making sure they promote them. They said without this uptake will be slow which doesn't help to preserve dwindling grave space.

What is Grave Reclamation?

Grave Reclamation is the process of using the free space within graves, where burials rights have not been exercised for over 75 years.

There are two types of grave which fall in to this category:

- 1) Graves where burial rights have been purchased but no burial has taken place so the grave stands empty. These graves can be reclaimed after 75 years.
- 2) Graves where interments have taken place but the burial rights have never been purchased (commonly known as unpurchased graves) so the Council has the right to re-bury in the grave.

This practice has been legally allowed since 1977 and is outlined in the 1977 Local Authorities Cemeteries Order (LACO).

Grave Reclamation vs Grave Re-use

The main difference between grave reclamation and re-use is that reclamation does not disturb human remains whereas grave reuse permits the disturbance of human remains. In the case of grave reclamation the grave is re-opened to the deepest available depth leaving the legal requirement of 6" of soil between the last interment and the new interment.

Grave reuse is currently only allowed within London Boroughs due to the 2007 London Local Authorities Act or on consecrated sections within cemeteries (sections belonging to Church of England). The national government is yet to permit grave reuse in the rest of England and Wales.

The process of grave reclamation

Please note this process applies to all graves where the deeds have elapsed whether or not the graves have been previously buried in.

Local Authority discovers a grave where the deed has elapsed. The authority notifies the deed holder in writing of their intention to reclaim the grave within 6 months. The deed holder needs to notify the authority in writing in the 6 month period to retain the rights to the grave.

If the deed holder is uncontactable the authority is bound by LACO (1977) to carry out two processes:

1. Place a notice on the grave stating the intention to reclaim the grave,
2. Publish a notice in the local newspaper for two successive weeks.

If there are no claims to the grave within 6 months and after these two processes have been carried out the authority then has the right to reclaim the grave.

It is worth noting Reclaimed graves (graves with existing interments) would be cheaper to purchase to encourage people to choose them as an option. Graves would be priced at £1,000 which includes the burial rights and interment fees. The current price of a new grave is £1,520 so people could potentially save £520.

Current position

In terms of the legalities and support for the project the following work has been done over the past 6 months:

- A desktop survey for graves in the four cemeteries that could be used for graves reclamation. On average there is a potential of 100 graves within each cemetery that could be reclaimed. If grave reclamation is received positively by the public, these types of grave could help to extend burial space for a further three years.
- The legalities surrounding grave reclamation have been checked with Lindsay Cane & Amanda Ball and they are satisfied with the process and that it complies with the Local Authorities Cemeteries Order (1977). In addition to this Laura has carried out meetings with the City of London Cemeteries (who have been carrying out grave reclamation for the past

10 years), to gain an understanding of how the process works and any potential issues that could prevent the proposal being approved.

- The issue has been discussed with portfolio holders for Leisure and Parks. The proposal has got their support.

We are now at a point of discussing the proposal with the Council and if they approve move forward with a press release to gather public feedback.

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To: Cabinet
Date: 29 May 2019
Report of: Transition Director
Title of Report: City & County Park & Ride Agency Agreement

Summary and recommendations	
Purpose of report:	Park & Ride Management
Key decision:	No
Cabinet Member:	Planning and Transport
Corporate Priority:	A Vibrant and Sustainable Economy.
Policy Framework:	None
Recommendations: That Cabinet resolves to:	
<ol style="list-style-type: none"> 1. Authorise the Council's entry into an Agency Agreement with Oxfordshire County Council under which the City Council would be appointed to provide management services for Oxfordshire County Council's two Oxford Park & Ride sites – Thornhill and Oxford Parkway (Water Eaton). 2. Authorise the Council's entry into an agreement with Oxford Direct Services Limited ("ODSL") under which the management responsibilities taken on by the Council under the Agency Agreement with the County Council referred to in Recommendation 1 above would be carried out by ODSL; and 3. Delegate authority to the Chief Executive in consultation with the Council's Monitoring Officer and s151 Officer to agree the terms of the Council's entry into the two agreements referred to in Recommendations 1 and 2 above. 	

Appendices
None

Introduction and background

1. Oxfordshire County Council and Oxford City Council have committed to explore what benefits could be achieved if their parking policies and services were closer aligned.
2. One element of the project was to explore whether the Park & Ride (P&R) operation could be delivered differently. This included the management of the sites, permits and the tariffs charged.
3. It was quickly identified that the different level of charges adopted across the City and County sites created a degree of confusion for customers and did not promote a cohesive scheme. It was therefore recommended that the City Council align their charges and conditions with Oxfordshire County Council.
4. The tariffs and conditions were then aligned on April 2018.
5. As part of this exercise, the P&R operation of each authority was examined. The officer group concluded that efficiencies and service improvements could be made if Oxfordshire County Council adopted the City Council's model of operation.

Current operation

6. The Park and Ride sites are an important part of both Councils' sustainable transport strategy, reducing the need to drive into the city centre and allowing city centre car parking to be utilised mainly for shorter, non-commuting trips.
7. Oxfordshire County Council operates two Park & Ride sites, Thornhill and Water Eaton. The combined capacity of these two sites is 2093 parking bays.
8. Oxford City Council operates three Park & Ride car parks, Redbridge, Seacourt and Peartree, providing 3241 car parking bays. However, the City Council also currently provides a parking facility for coaches and lorries at Redbridge Park & Ride, which has reduced capacity there by approximately 260 spaces.
9. Oxfordshire County Council currently has 7 staff located across its two Park & Ride sites. Working between 07:00-19:30 Monday to Saturday at Oxford Parkway (Water Eaton), and between 05:30 –23:30 Monday to Saturday and 08:30-19:30 on Sundays at Thornhill.
10. The officers are responsible for maintaining security, parking enforcement, and customer care, in addition to managing the buildings facilities. Staff enforcement is aided by static Automatic Number Plate Recognition (ANPR) cameras

11. Oxford City Council removed staff from its Park & Ride sites in 2011 and has not encountered any operational difficulties as a result of this.
12. Oxford City Council undertakes parking enforcement with a mobile ANPR vehicle. Oxfordshire County Council utilises a static system, although as the Deregulation Act currently prevents local authorities from servicing penalty notices by post this device is not able to be used to its full potential.

Proposal

13. The most efficient option would be to utilise technology where possible. However, it is recognised that current legislation restricts the use of certain equipment, as mentioned in paragraph 12.
14. As Local Authorities are currently not permitted to send penalty notices retrospectively through the post for parking offences, a mobile ANPR system is recognised as a suitable alternative.
15. These ANPR devices are used for detection purposes only and will alert the Enforcement Officer to any parking contravention. The officer is then required to check the vehicle and if payment cannot be established or a contravention has occurred, a penalty notice is issued.
16. Oxford City Council has operated this model since 2013. This has proven to be an effective tool for parking enforcement. This device has significantly improved efficiency as officers are able to patrol more car parks within their shift.
17. Oxfordshire County Council would like to replicate this model, although it would not be cost effective for the County Council to procure a separate system for its P&R operation.
18. It is therefore recommended that the County Council's out-sourced P&R contract is transferred to the City Council on an agency basis, and then immediately sub-contracted by the City Council to ODSL to perform the required car park management services.
19. Oxford City Council would therefore enter into an Agency agreement with Oxfordshire County Council to provide management services for the County's Park & Ride sites at Oxford Parkway (Water Eaton) and Thornhill. These duties would then be subcontracted to ODSL.
20. The agreement will include parking enforcement, the processing of parking appeals, ticket machine maintenance and the general day-to-day management of the sites.
21. This proposal will build on the success of other agency agreements that have been entered into by Oxford City Council and Oxfordshire County Council and

underline the commitment of both authorities to work closely to benefit the residents and visitors of Oxfordshire.

22. This proposal ensures that all P&R sites are managed by a single entity, which facilitates rationalisation of the parking services and promotes a closer working relationship with between Oxford City Council and Oxfordshire County Council.
23. It is envisaged that this agreement will facilitate future working agreements between the parking services, which ensures that a cohesive approach is adopted when dealing with the transport & parking challenges Oxford encounters.

Financial implications

24. The payments received by the Council for undertaking the management of the Park & Ride sites will be passed on to ODSL. Staff costs will remain neutral and officers do not expect this to adversely impact the parking operation. On the contrary, the proposal ensures that the entire Park & Ride portfolio in Oxfordshire operates as a cohesive scheme.
25. TUPE conditions may apply to the 7 staff currently engaged by the County's contractor at the two County P&R Sites and as a result there may be some additional costs associated with the process of transferring management of the sites to ODSL.
26. It is expected that Oxfordshire County Council will be able to make some efficiency savings as a result of this proposal and will see an enhanced level of service provided.
27. This Agreement is proposed to operate on and from 1st September 2019 and expire on 30th August 2024 subject to a right to extend a further two years (in one year instalments) by mutual agreement to [30th August 2026].
28. Oxford City Council through its wholly owned Local Authority Trading Company, Oxford Direct Services (ODS) will receive £299,800 per annum for the initial contract term 1 September 2019 to 30 August 2024.
29. As ODS intends to assimilate the two County car parks into their current service and will utilise existing technology and personnel, it is not envisaged that there will be any additional costs of note to ODS as a result of this proposal.
30. The P&R proposal is one facet of a number of parking projects that the City/ODS and County Council are collaborating on. Within the ODS business plan parking services provide the foundation to extend and grow managed services for strategic partners. Specifically the growth of Park & Ride as part of managed services form part of the other growth target within the MTFP. If ODS

overachieves the MTFP growth target, there will be the potential of an increased dividend payment in accordance with the dividend policy.

Legal

31. Section 101 of the Local Government Act 1972 and Section 9EA of the Local Government Act 2000 permits the County Council to delegate powers to the City Council to discharge certain functions, and this will be the authority relied upon in the agreement between the two Councils. The two P&R Sites involved in the delegation will be subject to the Oxfordshire County Council (Park and Ride Parking Places – Thornhill and Water Eaton) Order 2012 as amended. The City Council may make a direct award of this work to its “Teckal” subsidiary ODSL without undertaking a competitive selection process.
32. The City Council is currently considering the most appropriate and effective way to ensure that the County Council’s enforcement powers are properly delegated to enable Excess Charge Notices to be issued to defaulting car park users.
33. There is a possibility that during the course of any staff transfer to which the TUPE provisions apply, the City Council/ODSL will seek to apply measures, to ensure the efficiency of the P&R operation.

Level of risk

34. The City Council has a significant and successful track record in providing Park & Ride car parks in Oxford. This experience has helped formulate a successful policy which encourages visitors whilst reducing congestion.
35. ODSL will look to enhance the County’s service and will introduce pay by phone provided by RingGo once the contract commences.
36. Failure to implement a cohesive parking policy across all Park & Ride sites could result in customer confusion and dissatisfaction.

Conclusion

37. This proposal will ensure that the Park & Ride service is managed as a single entity that should further enhance the service offered to customers.

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Background Papers: None

To: Cabinet
Date: 29 May 2019
Report of: Head of Community Services
Title of Report: OVO Energy Women's Cycle Tour

Summary and recommendations	
Purpose of report:	To highlight the requirements of delivering the OVO Energy Women's Cycle Tour in Oxfordshire over the next three years (2019, 2020 and 2021).
Key decision:	Yes
Cabinet Member:	Healthy Oxford and the City's Cycling Champion
Corporate Priority:	A Vibrant and Sustainable Economy, Strong and Active Communities
Policy Framework:	The Corporate Plan & The Leisure & Wellbeing Strategy
Recommendations: That Cabinet resolves to:	
1.	Support Oxfordshire being a host venue for the OVO Energy Women's cycle tour in 2019, 2020 and 2021;
2.	Agree the principle of an equal share of costs between the County Council, the four districts and the City Council for the three years of the Event;
3.	Recommend that Council allocates a budget of £30,000 funded from reserves to pay the City Council's share of the costs for 2019; and
4.	Agree that sponsorship, regardless of which partner attracts it, will be used to reduce the hosting costs on an equal basis.

Appendices	
Appendix 1	Risk Register

Introduction and background

1. The 2019 OVO Energy Women's Tour takes place from the 10th to the 15th of June. It is a five day (stage) event and is regarded as one of the leading professional women's stage cycling races.
2. The race began as a supporting event for the men's tour series which is Britain's leading televised cycle race series. It has grown into a prestigious event in its own right. It is now the premier women's cycling race on the international circuit, being the only women's race that has 5 stages. This year for the first time they will be awarding the same prize money for the Women's Tour as for the Men's Tour.
3. All councils across Oxfordshire have agreed, in principle, at an Oxfordshire Leaders meeting on the 4th March for Oxfordshire to be a host venue over the next three years. This will include hosting the overall start and finish in 2020 and 2021 and hosting stage three of the event on the 12th June 2019.
4. The first year will see day three of the tour taking place in Oxfordshire with the route going through South Oxfordshire and the Vale of White Horse and the end of the stage taking place at Blenheim Palace. The routes for year two and year three are yet to be determined.
5. The OVO Energy Women's Tour is organised by SweetSpot Group Limited (SweetSpot) a sports events and marketing company who are also the company behind the men's OVO Energy Tour of Britain.
6. The delivery of the tour over the three years will be in partnership between the county council, the district councils in Oxfordshire, the City Council and SweetSpot.
7. This report asks for the Cabinet to work with the other council's in Oxfordshire and to support Tour OVO Energy Women's Cycle Tour for the three year period of the contract.

Benefits

8. The OVO Energy Women's Tour offers an excellent way to support the council's strategic objectives of creating Strong and Active Communities and a Vibrant and Sustainable Economy.
9. The signs welcoming people to Oxford inform people that Oxford is a cycling city; Oxford is also a world leader in trying to improve air quality. Evidence from previous events shows an average of 60% of those who attended the event were 'inspired to use their bikes more'.
10. The Youth Sports Trust says there is a direct correlation between girls' future life chances and the amount of physical activity they do in their younger years. A 2018 report from the Office of National Statistics showed that boys aged between eight and 15 years old spend almost twice as much time doing sports activities as girls of the same age. The Council will be working with public health, schools and youth groups to maximise the legacy of this three-year deal with a focus on young women and girls.

11. The tour coincides with national cycling week which runs from 8th to the 16th of June. Oxford has a large cycling community and there are events planned that will be enhanced by the OVO Energy Women's Tour.
12. In addition, there are volunteering opportunities around supporting the races and contributing to any 'mini festivals' along the route that communities may organise. The event can be used to promote opportunities for children and young people to increase the time spent on exercise and social activity that will help to foster community cohesion and supports ongoing partnership working.
13. This three year contract could act as a catalyst to promote a programme of healthy living initiatives involving schools and communities. This would include activities such as pro cyclist to visits schools to give motivational talks.
14. The tour achieves good media coverage; in 2018 there were 1,240,000 viewers. There is extensive media coverage including national newspapers and cycling magazines. The teams have their own social media channels further increasing the reach of the tour.
15. Tourism is an important element of employment and economic prosperity for Oxfordshire. The media coverage and the attendance of people on the day of the event will have short, medium and long-term benefits for tourism in Oxfordshire. This will support businesses and employment.
16. The economic benefits of hosting the women's tour are analysed by SweetSpot for each stage. SweetSpot estimate the economic benefits of the 2018 OVO Energy Women's Cycle Tour to be £1.2 million for each stage. The financial benefits are delivered through overnight stays, spending in the local area and attraction of visitors from outside of the area.

Other Options Considered

17. The alternative option would be to decline the opportunity to be involved. This option is not recommended because it would fail to bring the benefits outlined in this report to the residents and businesses.

Financial implications

18. The cost of hosting the stage in 2019 is £175,000. This includes some additional costs for the start and finish locations as well as traffic management costs for the whole stage. The annual cost will be shared equally between the six local authorities.
19. Oxford City Council's share of the event for 2019 will be £30,000. For the 2019 event the Council's share will be funded from an appropriate reserve subject to Cabinet and Council approval. For the subsequent years funding requirements will be considered within the overall budget setting process. However, sponsorship will be sought for the event, which, if secured, would offset the costs.
20. All sponsorship achieved will be used to reduce the hosting costs evenly across the county, city and district partners.

21. There are likely to be additional costs in 2020 and 2021 when the tour starts and finishes in Oxfordshire. These costs will be worked through once the year two and year three routes are finalised and a budget bid will be made in line with the council's budget setting process.

Legal issues

22. The event is being led by Oxfordshire County Council who will contract with SweetSpot. The contract between Oxfordshire County Council and SweetSpot is in the process of being finalised. Oxford City Council will need to enter into a funding agreement with the County Council.
23. To contribute resources to hosting a stage of the OVO Energy Women's Tour in 2019, 2020 and 2021 Oxford City Council intends to use the general power of competence. The general power of competence was provided for in section 1 of the Localism Act 2011 Act. It gives councils confidence in their legal capacity to act for communities and is designed to allow local authorities to innovate. The general power of competence was provided on the basis that local authorities are able to do anything that an individual with full capacity might do, other than that which is specifically prohibited, with some limitations.

Risk

24. An event specific Safety Advisory Group will be established to consider the detailed planning and risk mitigation measures. There are currently no identified high risks for this event. A risk register is included as appendix one.

Equalities impact

25. An equalities impact assessment will be completed during the planning stages to consider potential implications for people with protected characteristics. This would include consideration regarding accessibility during any road or pavement closures and engaging with a range of community groups who may benefit from being involved with the event and any ancillary activities.

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Background Papers: None

Appendix 1: Risk Register

Title	Risk description	Opp/ threat	Cause	Consequence	Date Raised	Owner	Gross		Current		Residu		Comments	Controls				
							I	P	I	P	I	P		Control description	Due date	Status	Progress %	Action Owner
Reputational risk - resources	There is a safety issue	Threat	Ineffective safety planning	Event does not run effectively	1.4.19	Ian Brooke	2	1	1	1	1	1		SweetSpot will provide a “technical manual” and a Safety Advisory Group will be established	1.4.19	G	50%	Ian Brooke
Reputational risk - operations	The event does not run smoothly	Threat	Ineffective logistical arrangements	Poor event	1.4.19	Ian Brooke	2	1	2	1	2	1		SweetSpot are an experienced sports event company with a very good safety record	1.4.19	G	30%	Ian Brooke
Reputational risk - weather	Weather disrupting event	Threat	Ineffective logistical arrangements	Less visitors	1.4.19	Ian Brooke	1	2	1	2	1	2		Event running in June but limited control	1.4.19	G	30%	Ian Brooke

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To: Cabinet
Date: 29 May 2019
Report of: Head of Housing
Title of Report: Award of Asbestos Surveying Contract

Summary and recommendations	
Purpose of report:	To seek delegated authority to award an asbestos surveying contract.
Key decision:	Yes
Cabinet Member:	Housing (Building New Homes)
Corporate Priority:	Meeting Housing Needs
Policy Framework:	Housing Strategy
Recommendations: That Cabinet resolves to:	
1. Delegate authority to the Assistant Chief Executive, after consultation with the Monitoring Officer, following completion of the EU-compliant tender process described in this report, to award an asbestos surveying contract to the successful contractor.	

Appendices	
Appendix 1	Risk Register

Introduction and background

1. Currently the Council has a one year contract with an Asbestos surveying company which finishes in May 2019. This contract covered surveying of domestic communal spaces, void surveys and pre-construction surveys.
2. The new contract will enable the Council to undertake the required asbestos surveys to both domestic and commercial properties. The contract includes the surveying of all Council managed commercial properties within a year, the re-inspections of asbestos containing material in domestic communal areas and any required air monitoring. This contract will provide consistent and up to date information with which to populate the asbestos register and ensure the council has surveys for all of its buildings. The surveying is conducted in a way that presents no safety risk to building occupants. This helps to ensure the Council complies with its duties under the Control of Asbestos Regulations 2012.

3. Any required asbestos removal work would be an additional cost. A budget has been allocated for this, but until the council has carried out the surveys it will not know the full extent of removal work required. As asbestos can be managed safely in place the council will do this whenever possible in order to manage the budget effectively. The priority will be to remove any high risk asbestos identified or to isolate areas.
4. At the time of writing this report the OJEU procurement process has completed and the Council is evaluating tender submissions. As the contract sum is estimated to be above £1.3million officers are seeking the delegation from the Cabinet to award this contract.

5. Tender Process

An EU open tender process has been conducted using the South East Business portal in line with the council's procurement procedures.

6. Evaluation Criteria

The evaluation criteria for both opportunities has been set at 60% quality and 40% price, with the quality section questions seeking to examine how the tenderer will meet the service needs of the contract. Each question is weighted to reflect the importance of the criterion and the Council's standard 0-5 scoring mechanism is being used.

7. Contract Rules Compliance and Financial Assessment

A financial assessment will be carried out on the successful tenderers and the contract rules have been complied with.

8. Financial implications

This project will run for five years with a total estimated cost of £260k per annum. The work will be funded from a number of different budget lines depending on the property being surveyed. This involves both general fund and Housing Revenue Account (HRA) assets.

It should be noted that this funding has already been included in council budgets under the appropriate budget headings.

9. Legal Issues

Under the Control of Asbestos Regulations 2012 (CAR 2012) the duty to manage asbestos is directed at those who manage non-domestic premises whatever type of business is carried out in them. This also covers the common areas of residential rented properties, including halls, stairwells, lift shafts, and roof spaces.

The duty under the CAR 2012 also extends to the responsibility for protecting others who work in such premises, or use them in other ways, from the risks to ill health that exposure to asbestos causes.

Where the Council is the Duty holder it would be required under Regulation 4 of the CAR 2012 to carry out an asbestos survey to confirm if and where the materials are present in communal areas of its premises. A proper record of the location and type of asbestos must be kept on an “asbestos register” and a plan put into place to manage the risks and monitor any changes in the condition of the materials. The information contained on the asbestos register should be passed to building or maintenance contractors when any repairs or renovations are to be carried out in the common areas of the property.

The Council also has a responsibility under Section 3 of the Health and Safety at Work Etc. Act 1974, under which it is responsible for the health, safety and welfare of persons not in its employment in connection with the manner in which it conducts its business. There are also extensive Codes of Practice and guidance information published by the Health and Safety Commission and subsequently the Health and Safety Executive which should be complied with.

In order for the Council to comply with the legislation surrounding Asbestos management, the legislative requirements have clearly been stated in the specification. The tender process is following the EU open tender process and has been competitively advertised in the Official Journal of the European Union, the South East Business Portal and Contracts Finder.

10. Level of Risk

Please refer to the risk register

11. Equalities Impact

A full impact assessment is not relevant to this report; however, the tender documentation has safeguarding requirements that suppliers will have to comply with.

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Background Papers: None

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Appendix 1: Risk Register

Title	Risk description	Opp/ threat	Cause	Consequence	Date Raised	Owner	Gross		Current		Residual		Comments	Controls				
							I	P	I	P	I	P		Control description	Due date	Status	Progress %	Action Owner
Breaching Legislation	Supplier fails to adhere to the required regulations and approved code of practices, for example The Control of Asbestos Regulations 2012	T	Inadequate employee training or negligence	Very serious health and safety related risk	04/03/19	Stephen Clarke	9	2	9	2	9	2		There are pass / fail compliance and accreditation questions contained in the tender documentation. Rigorous contract management and monitoring are essential.	04/03/19		100%	Stephen Clarke, Head of Housing and Property
Safeguarding	Supplier may need to enter a Council property that has vulnerable people.	T	Property asbestos surveys need to be conducted within the premise before construction work.	Vulnerable persons may be at risk	04/03/19	Stephen Clarke	8	5	8	5	8	5		Specification requires supplier to be DBS checked.	04/03/19		100%	Contract Monitoring Officers (Claire Bateman)
Tender Award	Failure to award or delay to award the contract	T	Panel cannot agree on scores or Director or the monitoring officer do not agree award recommendation	Council will not comply with legislative requirements and its commitment to site safety.	04/03/19	Stephen Clarke	8	2	8	2	8	2		Procurement will facilitate moderation and complete a robust tender evaluation award report.	04/03/19		75%	Nicky Atkin, Contracts & Procurement Officer
Contract rates are higher than the allotted budget	Contract rates are higher than the allotted budget	T	There is a need for more surveys than originally envisaged	The Council would have to increase the budget to meet requirement.	04/03/19	Stephen Clarke	2	7	2	7	2	7		Previous costs has been reviewed and this has fed into the budget setting process.	04/03/19		100%	Stephen Clarke, Head of Housing and Property

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Minutes of a meeting of the CITY EXECUTIVE BOARD on Wednesday 10 April 2019

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Committee members:

Councillor Brown (Chair)

Councillor Chapman

Councillor Hollingsworth

Councillor Tidball

Councillor Linda Smith (Deputy Leader)

Councillor Hayes

Councillor Rowley

Councillor Upton

Officers:

Gordon Mitchell, Chief Executive

Tim Sadler, Transition Director

Caroline Green, Assistant Chief Executive

Anita Bradley, Monitoring Officer

Nigel Kennedy, Head of Financial Services

Tina Mould, Capital Programme Project Manager

Polly McKinlay, Senior Commissioning Officer

Dave Scholes, Housing Strategy & Needs Manager (Affordable Housing Supply Lead)

Tom Morris, Principal Planner

John Mitchell, Committee and Member Services Officer

Also present:

Councillor Andrew Gant,

Councillor Nadine Bely-Summers

Apologies:

Councillors Turner and Clarkson sent apologies.

175. Declarations of Interest

None.

176. Addresses and Questions by Members of the Public

None.

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

None.

178. Councillor Addresses on Neighbourhood Issues

None.

179.Items raised by Board Members

Full Council resolved on 2 November 2018, to ask officers to report to CEB in January and again in April on the operation of Severe Weather Emergency Protocol (SWEP) in the winter of 2018/19. Further to the Board Member's update to CEB on 22 January, the Board Member for Leisure and Housing (Councillor Linda Smith) had attached a report which presented an overview, for information, of the operation of SWEP in the winter of 2018/19. She drew attention to some highlights from the report, including the fact that the provision had opened for 18 nights during the previous winter, 7 of which had been on the basis of officer discretion where the normal criteria for opening had not been met. The report included the outcome of an anonymous exit survey. It was hoped that the next survey would include some demographic data also, such as gender.

The Chair thanked all those who had contributed to a useful report on an important provision.

180.Scrutiny Committee Reports

At its meeting on 02 April the Scrutiny Committee had considered reports on the Oxford Living Wage and the recent audit of Fusion Lifestyle and subsequently made recommendations to the City Executive Board.

Councillor Gant, in his capacity as Chair of the Scrutiny Committee, spoke to both reports. In relation to the Fusion Lifestyle report, the Committee had been reassured by the audit report and what had been heard at the meeting. It seemed likely that the Committee's initial concerns about performance could be accounted for by a 'rogue' year that was partly attributable to seasonal factors and that performance was now settling down to a more acceptable level, with reassurances from Fusion Lifestyle representatives and officers that measures were in place to ensure that it was maintained and improved. He was grateful for the Board's response to the Committee's recommendation.

The Board Member for Leisure and Housing (Councillor Linda Smith), said she had been pleased to support the recommendation for an appropriately timed ladies only swimming session and confirmed that Fusion Lifestyle were making the necessary arrangements to introduce one.

In relation to the Oxford Living Wage (OLW), Councillor Gant said the Committee had been keen that the Council should explore a range of measures to increase the take up by employers of the OLW and was grateful for the Board's acceptance of the Committee's three recommendations.

The Chair said she had been pleased to accept the recommendations, adding that she took every opportunity in her role as Leader of the Council to promote the OLW.

Cllr Gant concluded saying that he had been asked by the Committee to convey the following points relating to street art and graffiti removal following the Board's previous response to the Committee's recommendations:

- for smaller businesses, the charging scheme should clearly state if free-of-charge removal was available on more than one occasion, and if so on what basis, for 'graffiti up to 4m²'.
- street art projects could be contentious so there should be consultation with ward councillors, residents, and people whose routes regularly pass the project, and with clear options including rejecting the proposal.

The Board noted the points but expressed reservations about aspects of the second one.

At its meeting on 08 April, the Housing Panel of the Scrutiny Committee had met to consider a report on building control enforcement and the development of a homeless shelter and assessment hub at Floyds Row (item 9 of the agenda). Cllr Bely Summers, in her capacity as Chair of the Housing Panel, spoke to the reports which had subsequently been submitted to the Board.

In relation to building control enforcement, Councillor Bely-Summers was grateful to the Board Member for Transport & Planning and the Building Control Team Leader for their contribution to a very useful meeting. The Panel had become aware that the provision of building control was a competitive market and that it was important to ensure high standards and best value for building projects in which the Council had an interest such as social housing projects. To that end, the employment of a Clerk of Works for significant developments was an important means of providing quality assurance to the Council, above and beyond the minimum standards that building control check for. She was grateful for the Board's agreement to the Panel's recommendations about this and the continued prioritisation of the employment of apprentices in the Building Control team.

The Board Member for Transport & Planning (Councillor Alex Hollingsworth) had been pleased to support the recommendation in relation to the employment of apprentices. In a competitive market it made good sense for the Council to 'grow its own', a practice which had already been shown to be successful in the planning department. The Board Member for Housing (Building Better Homes), Councillor Mike Rowley, was grateful for the report and, in particular, the recognition of the importance of ensuring good quality building.

In relation to Floyd's Row, the Panel had welcomed the report and its proposal for a significant enhancement of provision. It had, however, expressed concerns about the possible capital funding shortfall and was keen that the Council should build on the successful service user engagement that had already taken place. Councillor Bely – Summers was grateful for the Board's agreement to the Panel's recommendations.

The Chair repeated the assurance that the Council would continue to do all it could to secure the necessary funding for this important piece of work.

181. Summertown and St. Margaret's Neighbourhood Plan

The Acting Head of Planning Services had submitted a report ask the City Executive Board to recommend to Council that the Summertown and St. Margaret's Neighbourhood Plan be "made".

Mr Bob Colenutt addressed the Board briefly in his capacity a member of the Neighbourhood Forum Steering Group. The Plan was the product of cross-party and community effort. Support for the plan had been robustly demonstrated by the outcome of the recent referendum. He thanked officers for their work and assistance in getting the plan to this point and for facilitating the referendum.

The Board Member for Planning and Transport (Councillor Alex Hollingsworth) thanked all those who had supported development of this Plan over a long period of time, the work involved had been considerable. On the officer side, he paid particular tribute to the role played by Tom Morris. He reminded the Board that all neighbourhood plans would have to be compliant with the council's new Local Plan once it was finalised and care would be taken to see that any necessary fine-tuning to the Summertown and St Margaret's Plan was completed as smoothly as possible.

The Chair concluded by thanking the many volunteers who had contributed to its development over time.

The City Executive Board resolved to:

Recommend to Council that the Summertown and St. Margaret's Neighbourhood Plan be "made".

182. Project Approval and Delegated Authority for Spend for the development of a Homeless Shelter and Assessment Hub

The Head of Housing had submitted a report to seek Project Approval for the development of a new homeless shelter and assessment hub at Floyds Row to further develop services focusing on the prevention and relief of rough sleeping, including winter shelter provision. To request further capital funding from Council; and to delegate authority to enter into construction contracts accordingly.

The Board Member for Leisure and Housing (Councillor Linda Smith), introduced the report, drawing particular attention to the report's request that the Council increase the capital immediately available for the project so that good progress can be made and the new provision be available next winter.

The Senior Commissioning Officer, Polly McKinlay, said a bid for government funding had been made and great efforts were being made to ensure that the views of service users were properly taken into account, not least by the architects who were working up proposals for the reconfiguration of the building. Among other things the new provision was taking account of last year's 'no local connection' review and the night shelter would be blind to users' local connection. The report's recommendation was for funding for option C in the report, which would provide a three phase approach to provision, seeking to cater for a wide range of need.

The Housing Strategy and Needs Manager, Dave Scholes, emphasised that this was a significant project being delivered against a very tight timetable. It was anticipated that work on site would start in May.

That the City Executive Board resolved to:

1. **Give Project Approval** to the proposal to convert this building to deliver the initiatives as set out in this report, and within the allocated capital budget for this purpose;
2. **Request Council** that, subject to the outcome of the forthcoming architectural feasibility work being affordable and within the proposed budget envelope, that a revised capital scheme now totalling £458k (an additional £274k up from an original £184k) relating to Option C is included in the Council's 2019/20 capital programme (the funding of which is achievable albeit potentially from a variety of sources the ranking of which is still as yet to be finalised);
3. **Delegate** authority to the Regeneration and Major Projects Service Manager, in consultation with the Head of Finance, to enter into contracts for the conversion of this building to this purpose, on the basis that in the opinion of the Head of Finance this continues to represent best value; and
4. **Note** that the timely delivery of a new winter shelter service for the 2019/20 winter period is a priority in this project.

183.Implementation of an Electric Vehicle Strategy with Associated Infrastructure to support Targeted Improvement of Air Quality.

The Transition Director had submitted a report to propose entering into a collaboration agreement, in respect of an Innovate UK funded project that supports the City Council's plans for Electric Vehicle charging and associated infrastructure.

The Board Member for Safer, Greener, Environment (Councillor Tom Hayes), introduced the report which would, in parallel with other Council initiatives, make a significant contribution to the City's commitment to reducing air pollution and its "journey to zero transport emissions". It would, among many other things, lead to the establishment of rapid charging points for the public with low affordable tariffs and enable an acceleration of the electrification of the Council's vehicle fleet. He placed on record his thanks for the contribution of the Capital Programme Project Manager, Tina Mould to the project so far and for the excellent work of the wider Sustainability team.

In general discussion it was highlighted that the battery would be able to store locally and more widely produced green energy. An aspiration of the Council would be to use more green energy (preferably locally sourced) and minimise the proportion originating from coal fired power stations (noted that this element cannot be controlled).

It was confirmed that Pivot Power, the Council's partner and consortium project lead, was in discussions with South Oxfordshire District Council, through the planning application process, for siting of the battery next to the National Grid substation in Cowley.

The City Executive Board resolved to:

1. **Grant** project approval for the Energy Superhub Oxford project and authorise officers to take appropriate steps to deliver the scheme;
2. **Delegate** authority to the Transition Director, in consultation with the Heads of Finance and Law and Governance, to enter into a collaboration agreement with the Council's bid partners to secure the grant funding for the scheme from Innovate UK, to appoint the Council as the Accountable Body for the Scheme, and under which the Council would itself receive grant funding for the scheme; and
3. **Delegate** authority to the Transition Director, in consultation with the Heads of Finance and Law and Governance, to negotiate and award any further contracts that are necessary for the successful delivery of the project

184.Dates of Future Meetings

Meetings are scheduled for the following dates:

- 22 May
- 12 June
- 10 July
- 07 August
- 11 September
- 09 October
- 13 November
- 11 December

All meetings start at 6pm

185.Minutes

The Board resolved to APPROVE the amended minutes of the meeting held on 13 March 2019 as a true and accurate record.

186.Matters Exempt from Publication

No exempt matters were considered.

The meeting started at 6.00 pm and ended at 7.05 pm

Chair

Date: Wednesday 29 May 2019

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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