

Minutes of a meeting of the Cabinet on Wednesday 10 November 2021

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Committee members present:

Councillor Brown (Chair)	Councillor Turner
Councillor Arshad	Councillor Aziz
Councillor Hollingsworth	Councillor Rowley
Councillor Upton	

Officers present for all or part of the meeting:

Caroline Green, Chief Executive
Tom Bridgman, Executive Director (Development)
Stephen Gabriel, Executive Director for Communities and People
James Pickering, Welfare Reform Manager
Douglas Kerrigan, Interim Development Manager
Richard Adams, Community Safety Service Manager
Matthew Peachey, Economic Development Manager
Andrew Humpherson, Regeneration Manager
Emma Gubbins, Senior Estates Surveyor
Susan Sale, Monitoring Officer and Head of Law & Governance
Nigel Kennedy, Head of Financial Services
Tom Hudson, Scrutiny Officer
John Mitchell, Committee and Member Services Officer

Apologies:

Councillors Hayes, Blackings and Clarkson sent apologies.

56. Declarations of Interest

None.

57. Addresses and Questions by Members of the Public

None.

58. Councillor Addresses on any item for decision on the Cabinet agenda

None.

59. Councillor Addresses on Neighbourhood Issues

None.

60. Items raised by Cabinet Members

None.

61. Scrutiny reports

The Scrutiny Officer gave apologies on behalf of Cllr Wade (as Chair of Scrutiny Committee) and Cllr Linda Smith (as Chair of the Housing & Homelessness Panel). Speaking on their behalf he made the following observations.

The Scrutiny Committee was getting into its stride and growing accustomed to its role. The most recent meetings had provided rigorous but supportive scrutiny of the matters before it.

Anti-Social Behaviour

The Committee recognised that the proposed policy and procedure played a significant, positive and humane role for all residents who had involvement with ASB whether as victims or perpetrators. Its recommendations sought to make a number of detailed amendments to the policy and procedure including suggestions to address possible areas of difficulty or challenge such as invasive evidence gathering; the negative consequences of eviction; and the particular challenges faced by those with complex mental health issues.

Councillor Louise Upton, Cabinet Member for a Safer, Healthier Oxford, said the Scrutiny Committee's involvement had been very helpful as had its recognition of the balance which the Policy and Procedure sought to achieve between dealing with the issue and the needs of all those involved. She had been pleased to support all of the Committee's recommendations.

East Oxford Community Centre

Sustainability was a central theme of the scheme and the Committee was keen that the effectiveness of the methods and initiatives used to secure it should be measured and so inform future projects. The Committee was also keen that all reasonable efforts should be made to recycle materials resulting from demolition on the site, with particular reference to wood and steel. The Committee recognised that a little time would be needed before governance arrangements for the new centre could be confirmed but it was also important that this should not drift and had recommended that the new arrangements should be in place no later than three years after the opening.

Cllr Shaista Aziz, Cabinet Member for Inclusive Communities was pleased to accept the majority of recommendations in full while maintaining some reservations in relation to the one on recycling which might be financially disadvantageous.

Discretionary Housing Payment Policy

The Housing & Homelessness Panel was unequivocal in its support for the DHPP, even if it requires additional funding from the Council and of the mitigations to minimise the consequences for the Council's budget. The one recommendation related to the desirability of a line within the HRA section of the budget for DHP expenditure beyond the level of the government grant and it had since been confirmed that there was such a line.

EV Strategy

The Committee's recommendations in relation to the EV Strategy and the Cabinet response to it was now before Cabinet for the final time.

In relation to the final recommendation, it was noted that on questions of ethics in procurement, the moment to consider those questions will be when the Council reviews its procurement strategy, which was due to happen before too long, and upon which work will commence soon.

62. East Oxford Community Centre and Housing Development

The Executive Director Communities and People had submitted a report seeking project approval and delegation to award the construction contract for the refurbishment of the East Oxford Community Centre building and extension of it with a new and highly efficient building. The project will include the provision of 26 housing units situated across two sites.

Cllr Shaista Aziz, Cabinet Member for Inclusive Communities, was pleased to introduce the report which brought forward proposals for this exciting development at the centre of multicultural Oxford and which aligned with the Council's environmental strategy. It was hoped that the new centre would become home, not just to those community groups which have used it before but to new ones too. Central to the scheme was the welcome provision of 12 social rented homes and 14 shared ownership homes.

Douglas Kerrigan, Development Team Leader PMO, said an important element of the scheme had been the work invested in seeking to secure a sustainable building.

The hoped for engagement of Oxford Direct Services Limited (ODSL) in elements of the scheme would have the added benefits of a return to the Council as well as giving ODSL a useful opportunity to develop its expertise in this area.

While the scheme had taken several years to reach this point the Chair said this had not been for want of trying and was in no small part due to the welcome and extensive engagement local communities and groups.

Cabinet resolved to:

1. **Grant Project Approval in line with the planning approvals of December 2020**, to refurbish the existing East Oxford Community Centre building and extend it with a new and highly efficient building and 26 housing units that will be situated across Princes Street and Collins Street and to demolish the four existing buildings that are no longer fit for purpose to enable this;
2. **Grant approval** to dispose of the land at Catherine Street for the purpose of an external housing development which will contribute to the business case for the community centre;
3. **Delegate** agreement to the sale of the Catherine Street site to the Executive Director for Development in consultation with the Cabinet Member for Finance and Asset Management as long as the sale price (reflecting any conditions) fulfils the requirements of s123 of the Local Government Act 1972;
4. **Recommend to Council** the appropriation of the land being developed for housing at Princes Street and at Collins Street from the General Fund into the Housing Revenue Account at the equivalent loan debt value of £1.491m;

5. **Delegate** to the Executive Director Development in consultation with Executive Director Communities and People, the S151 officer, Head of Law and Governance, Cabinet Members for Finance and Asset Management and Inclusive Communities the authority to award and enter into the construction contract for the Community Centre refurbishment and new build to Oxford Direct Services Ltd subject to the full tender submission being within the agreed budget and an independent quantity surveyor demonstrating that this is value for money and ensuring unlawful subsidy is avoided;
6. **Delegate** to the Executive Director Development in consultation with the Executive Director Communities and People, the S151 officer, Head of Law and Governance, Cabinet Members for Finance and Asset Management, Affordable Housing, Housing Security and Homelessness the authority to award and enter into the construction contract for the new build Housing scheme subject to the full tender submission being within the agreed budget and a legally compliant procurement process being followed;
7. **Delegate** to the Executive Director Development in consultation with the S151 officer, Head of Law and Governance, Head of Corporate Property, Cabinet Members for Finance and Asset Management and Inclusive Communities, the authority to agree new terms for the community group leases which may include a letting at below market value in exchange for social value; and
8. **Note** the intention to work with community groups within the locality to explore the feasibility and viability of future management arrangements for the Community centre. With the intention that any potential change of operation be implemented a minimum of a full year after the completion and re-opening of the centre.

63. Redevelopment of Standingford House Enterprise Centre and site at Cave Street to provide managed workspace

The Executive Director (Development) had submitted a report to seek approval to fund and enter into a construction contract for the redevelopment of Standingford House and site at Cave Street, to provide affordable managed workspace.

The Chair was pleased to introduce the report which set out proposals for an exciting development at an important site. The building was in poor condition generally, in urgent need of repair and maintenance and, in its present state, did not comply with certain minimum standards for commercial premises. The proposals before Cabinet, which benefited from OxLEP funding, would see the provision of flexible and affordable workspaces, well suited to small start up enterprises for which there was a recognised need in the City. There had been (and would continue to be) close engagement with existing tenants with regard to future and interim arrangements.

Andrew Humpherson, Regeneration Manager, said 4 shortlisted options had been subject to close examination of which the proposal before Cabinet (demolition and commercial site development with two separate buildings to encourage flexible working opportunities) was clearly preferred.

Cabinet members emphasised the importance of workspace for small and medium sized start up businesses generally, and within in the City in particular (to facilitate easy and sustainable access). It was noted that other Councils might simply have chosen to sell such a building and benefit from a short term capital receipt. This proposal however demonstrated the Council's wish to invest in the future and opportunities for small businesses to flourish in the City.

It was agreed that the name of Standingford House should be retained or acknowledged in some way in the new building in recognition of its association with Betty Standingford, a previous Lord Mayor and her husband Bert, also a Councillor, who had championed the cause of small businesses.

Cabinet resolved to:

1. **Approve** the demolition and redevelopment of Standingford House Cave Street with a commercial development providing the best option for the Council in terms of financial viability, policy objectives, increased workspace and rental area and improved sustainability;
2. **Delegate authority** to the Executive Director Development, in consultation with the Head of Financial Services; the Head of Law and Governance; the Leader and Cabinet Member for Inclusive Growth, Economic Recovery and Partnerships; and the Cabinet Member for Finance and Asset Management, to agree and enter into a building contract and associated professional services for the redevelopment following the conclusion of a procurement exercise;
3. **Delegate authority** to the Executive Director Development, in consultation with the Head of Financial Services; the Head of Law and Governance; the Leader and Cabinet Member for Inclusive Growth, Economic Recovery and Partnerships; and the Cabinet Member for Finance and Asset Management, to enter into agreement with an operator to manage the building and provide business support services, following a lawfully compliant procurement process;
4. **Instruct the Executive Director Development**, in consultation with the Council's Section 151 Officer and the Head of Law and Governance to serve notice on extant tenancies; and
5. **Recommend to Council** to approve a capital budget of £9.70m to deliver the project and including the use of £1.13m of funds awarded to the Council from OxLEP's Local Growth Fund. This is an increase to the proposed capital allocation in 21/22 consultation budget and the rationale for this increased investment is set out in the confidential Appendix 1 – Not for Publication.

64. Anti-social Behaviour Policy

The Head of Regulatory Services and Community Safety had submitted a report to seek approval of the reviewed Anti-social Behaviour Policy 2022-25.

Councillor Louise Upton, Cabinet Member for a Safer, Healthier Oxford, introduced the report, observing that anti-social behaviour (ASB) could blight people's lives and the City Council had a responsibility to deal with it. While this responsibility was shared with partners, the policy and procedure before Cabinet were the Council's own. The policy and procedure set out what the Council could do in response to concerns about ASB and, as importantly, what it could not. Central to the Council's approach was recognition of the need to look at the source of ASB as well as addressing its consequences. This often meant identifying and if possible addressing the needs of those demonstrating ASB.

Richard Adams, Community Safety Service Manager, said the key changes to this most recent review were to emphasise the primacy of safeguarding and to incorporate lessons learnt in relation to vexatious complaints.

The Chair noted how much this policy and procedure were valued by Councillors in their day to day constituency work and paid tribute to the work of the Community Safety Service Manager and his team.

Cabinet resolved to:

1. **Approve** the Anti-social Behaviour Policy.

65. Use of Retained Right to Buy Receipts to increase the provision of more affordable housing

The Head of Housing Services had submitted a report which sought project approval and delegations to enable the spending of Retained Right to Buy Receipts for the purpose of delivering more affordable housing, through new build or acquisition activity.

In the absence of Cllr Blackings, Cabinet Member for Affordable Housing, Housing Security and Housing the Homeless, the report was introduced by Cllr Alex Hollingsworth, Cabinet Member for Planning and Housing Delivery. The report sought to ensure that Retained Right to Buy Receipts are spent for the purposes of delivering more affordable housing and before the deadline for doing so imposed by central Government. The proposals included the prospective purchase of Roken House in Lake Street to provide supported temporary accommodation for complex/high need single clients.

Dave Scholes, Affordable Housing Supply Corporate Lead, was pleased to report that good progress was being made with ensuring that all Retained Right to Buy Receipts were being spent within the time limits for them.

Cabinet resolved to:

1. **Give project approval** to the proposals to purchase and develop accommodation, as set out in this report, and within the allocated capital budgets, for the purpose of delivering more affordable housing in Oxford;
2. **Note** that the proposals set out in this report, in relation to Retained Right to Buy Receipts have informed the budget setting process and that the implications for budgets are to be included within the 2022/23 consultation budget;
3. **Recommend** to Council that a capital budget in the General Fund for £1,650,000 of expenditure, subsidised using £660,000 of Retained Right to Buy Receipts, is approved in 2021/22, to enable the acquisition and refurbishment of Roken House;
4. **Recommend** to Council that a capital budget in the Housing Revenue Account for £2m expenditure, subsidised using £800,000 of Retained Right to Buy Receipts, is approved in 2021/22, to enable further property acquisition activity in the last two quarters of 2021/22;
5. **Delegate authority** to the Executive Director for Communities and People, in consultation with the Cabinet Member for Affordable Housing, Housing Security and Housing the Homeless; the Head of Financial Services; and the Head of Law and Governance, to enter into agreement for the award of grant, contractual arrangement and/or spend, for the provision of additional affordable housing, using Retained Right to Buy Receipts, within this project approval; and
6. **Delegate authority** to the Chief Executive, in consultation with the Cabinet Member for Finance and Asset Management; the Cabinet Member for Affordable Housing, Housing Security and Housing the Homeless; the Head of Financial Services; and the Head of Law and Governance, to approve any property purchase or

development delivery over £500,000 for affordable housing, within this project approval.

66. Discretionary Housing Payment Policy

The Head of Housing Services had submitted a report seeking approval to amend the current Discretionary Housing Payment Policy and noting the trends in expenditure detailed in the report.

Cllr Shaista Aziz, Cabinet Member for Inclusive Communities, introduced the report which made relatively minor changes to the policy. She noted that the Council's approach of working closely with those in receipt of Discretionary Housing Payments to help them find sustainable means of improving their situation was both unique and welcome. Expenditure on the scheme exceeded the Government grant in 2020/21 for the second year in succession and mitigations were in place to address current and anticipated overspends.

James Pickering, Welfare Reform Manager, noted the importance of not relying on the Government grant given its great volatility in recent years.

The Council had written to the Secretary of State in April 2021 to express its concern about the consequences of the last reduction in grant. No reply had been received and it was agreed that this should be followed up.

Cabinet resolved to:

1. **Approve** the revised Discretionary Housing Payment Policy;
2. **Note** the trends in expenditure detailed in the report; and
3. **Approve** the use of the £223,729 described in paragraph 28 of the report as the first call against any forecast DHP overspend

67. Council Telephony Contracts Replacement

The Head of Business Improvement had submitted a report seeking approval to proceed with the procurement and subsequent contract award(s) for a five year replacement to the existing BT OnePhone telephony contracts (fixed line and mobile) at a cost of less than and no more than the existing contract value.

Cllr Mike Rowley, Cabinet Member for Customer Focused Services, introduced the report which sought to procure a new telephony contract via the Crown Commercial Services framework at value of no more than the current annual value of the same services. While there was no guarantee, the new contract might save up to £100k per annum.

Cabinet resolved to:

1. **Delegate** authority to the Executive Director for Communities, in consultation with the Cabinet Member for Citizen Focused Services, the Head of Financial Services and Head of Law & Governance, to conduct the procurement and award of new Telephony contracts for five years (3+2) using the [Crown Commercial Services Network Services 2 framework (RM3808 Lot 10)] (fixed line and mobile), and all other necessary or ancillary agreements with the successful bidder(s) in accordance with the strategy set out in the report; and

2. **Recommend** to Council the addition of £50k into the capital programme as per paragraph 2.

68. Restructure of OXWed JV

The Head of Financial Services had submitted a report which sought agreement to restructure OxWED Ltd (currently a Joint Venture between the Council and Nuffield College) as a Limited Liability Partnership.

Cllr Ed Turner, Cabinet Member for Finance & Asset Management, introduced the report. There were good commercial reasons for the proposed establishment of Limited Liability Company by the Council and Nuffield College as well as being a more tax efficient vehicle than the current Joint Venture between the two. It was noted that the proposed option had not been available when OxWED was first established.

Cabinet resolved to:

1. **Agree** the structure of the transaction in relation to the restructure of the Joint Venture between Oxford City Council and Nuffield College in the University of Oxford;
2. **Delegate authority** to the Head of Financial Services, in consultation with the Head of Law and Governance and the Cabinet Member for Finance and Asset Management, to agree the final documentation, including whether the tax charge payment is made by way of capital payment or loan, and enter into the transaction to create the Limited Liability Partnership;
3. **Delegate authority** to the Head of Financial Services, in consultation with the Head of Law and Governance and the Cabinet Member for Finance and Asset Management, to agree the Members agreement with the same core principals as the current OxWED shareholders agreement;
4. **Recommend to Council**, for the sale of shares in OxWED for up to £360,000 along with the purchase of shares in the Limited Liability Partnership and allocate a budget of up to £360,000;
5. **Recommend to Council** the novation of the existing loan agreements in the sum of £15.850 million from OxWED to the Limited Liability Partnership on the same terms; and
6. **Recommend to Council** that capital budget of up to £700,000 is established for the tax charge resulting from this transaction.

69. Loan to Low Carbon Hub in relation to Ray Valley Solar Farm

The Head of Financial Services had submitted a report seeking a Cabinet recommendation to full Council for the approval of the loan to Low Carbon Hub to support investment in the Ray Valley Solar Project.

Cllr Ed Turner, Cabinet Member for Finance & Asset Management, introduced the report. The proposed loan to the Low Carbon Hub to support investment in the Ray Valley Solar Project reflected the Council's continuing support for the work of the Low Carbon Hub and would, ultimately, contribute decarbonisation in the City as well as the Council's financial goals.

Cabinet resolved to:

1. **Recommend** to Council the approval of a loan facility agreement with Low Carbon Hub of £2,000,000 together with the associated capital budget for a loan in respect of the Ray Valley Solar (RVS) local renewable energy project, whilst noting the reduction in the separate and already approved Salix grant-backed loan awarded under the Public Sector Decarbonisation Scheme. The investment will be funded from Council capital resources;
2. **Delegate authority** to the Head of Financial Services/Section 151 Officer in consultation with the Head of Law & Governance and the Cabinet Member for Finance and Asset Management to enter into a loan agreement with Low Carbon Hub to undertake the necessary due diligence and approve the terms of the loan facility agreement and, thereafter, enter into any associated legal agreements that are necessary to give effect to the recommendations within this report; and
3. **Delegate authority** to the Head of Financial Services/Section 151 Officer in consultation with the Head of Law & Governance and the Cabinet Member for Finance and Asset Management, to manage the loan facility. The authority under this recommendation shall include the power to negotiate and agree subsequent variations to the terms of the loan facility.

70. Minutes

Cabinet resolved to approve the minutes of the meeting held on 13 October as a true and accurate record.

71. Dates of Future Meetings

Meetings are scheduled for the following dates:

15 December
26 January 2022
9 February 2022
16 March 2022
13 April 2022
26 May 2022

All meetings start at 6.00

The meeting started at 6.00 pm and ended at 7.15 pm

ChairDate: Wednesday 15 December 2021