

# Agenda

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## Scrutiny Committee

This meeting will be held on:

Date: **Tuesday 2 November 2021**

Time: **6.00 pm**

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

**For further information** please contact:

John Mitchell, Committee Services Officer, Committee Services Officer

📞 01865 252217

✉ DemocraticServices@oxford.gov.uk

**Members of the public can attend to observe this meeting and.**

- may register in advance to speak to the committee in accordance with the [committee's rules](#)
- may record all or part of the meeting in accordance with the Council's [protocol](#)

Information about speaking and recording is set out in the agenda and on the [website](#)

Please contact the Committee Services Officer to register to speak; to discuss recording the meeting; or with any other queries.

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*All public papers are available from the calendar link to this meeting once published*

## Committee Membership

Councillor Elizabeth Wade (Chair)

Councillor Nigel Chapman (Vice-Chair)

Councillor Tiago Corais

Councillor Dr Hosnieh Djafari-Marbini

Councillor Paula Dunne

Councillor James Fry

Councillor Linda Smith

Councillor Dr Christopher Smowton

Councillor Imogen Thomas

Councillor Marie Tidball

Councillor Naomi Waite

Councillor Dick Wolff

Apologies and notification of substitutes received before the publication are shown under *Apologies for absence* in the agenda. Those sent after publication will be reported at the meeting. Substitutes for the Chair and Vice-chair do not take on these roles.

# Agenda

	<b>Pages</b>
<b>1 Apologies for absence</b>	
<b>2 Declarations of interest</b>	
<b>3 Chair's Announcements</b>	
<b>4 Minutes</b>	9 - 14
<b>Recommendation:</b> That the minutes of the meeting held on 05 October be APPROVED as a true and accurate record.	
<b>5 Work Plan and Forward Plan</b>	15 - 30
The work plan is driven to a very large extent by the Cabinet Forward Plan a summary of which is attached. The Scrutiny Committee agrees its priorities for items coming onto the Forward Plan, which then form part of its work plan.	
The Committee is recommended to:	
1. <b>Confirm</b> its agreement to the current priorities and the work plan both of which are attached.	
<b>6 Anti-social Behaviour Policy</b>	31 - 60
Cabinet, at its meeting on 10 November, will consider a report on the Anti-Social Behaviour Policy. The Committee is asked to consider the report and agree any recommendations thereon.	
Cllr Louise Upton, Cabinet Member for a Safer Healthy Oxford and Richard Adams, Community Safety Manager, have been invited to attend for this item.	
<b>7 East Oxford Community Centre - Improvement Scheme</b>	61 - 84
Cabinet, at its meeting on 10 November, will consider a report on the East Oxford Community Centre. The Committee is asked to consider the report and agree any recommendations thereon.	
Cllr Shaista Aziz, Cabinet Member for Inclusive Communities has been invited to attend for this item.	

## **8 Reports for approval**

The Committee is asked to approve reports and recommendations on the following for subsequent submission to Cabinet:

1. Housing & Homelessness Panel report on Housing & Carbon Reduction
2. Report on Air Quality further to discussion at the previous meeting.

**These reports will be published as a supplement**

## **9 Report back on recommendations and from Scrutiny Panel Meetings**

85 - 88

Cabinet, at its meeting on 13 October, considered the Committee's recommendations in relation to the South Oxford Science Park and Housing Performance in Q1. Cabinet responses to those recommendations are attached.

Cllr James Fry will feedback on the most recent meetings of the Companies Scrutiny Panel and Shareholder & Joint Venture Group.

## **10 Dates of future meetings**

### **Scrutiny Committee**

- 06 December 2021
- 18 January
- 01 February
- 07 March
- 05 April

### **Standing Panels**

Housing & Homelessness: 04 November, 02 February, 04 April

Finance & Performance: 08 December, 24 January, 09 March

Companies: 24 November, 13 December, 24 March

All meetings start at 6.00 pm.

## Part 2 Matters exempt from publication

If the Committee wishes to exclude the press and the public from the meeting during consideration of any of the items on the exempt part of the agenda, it will be necessary for the Committee 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 Committee 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.

### 11 Confidential Minutes

89 - 90

**Recommendation:** That the confidential minutes of the meeting held on 05 October be APPROVED as a true and accurate record.

## **Information for those attending**

### **Recording and reporting on meetings held in public**

Members of public and press can record, or report in other ways, the parts of the meeting open to the public. You are not required to indicate in advance but it helps if you notify the Committee Services Officer prior to the meeting so that they can inform the Chair and direct you to the best place to record.

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- To follow the protocol which can be found on the Council's [website](#)
- Not to disturb or disrupt the meeting
- Not to edit the recording in a way that could lead to misinterpretation of the proceedings. This includes not editing an image or views expressed in a way that may ridicule or show a lack of respect towards those being recorded.
- To avoid recording members of the public present, even inadvertently, unless they are addressing the meeting.

Please be aware that you may be recorded during your speech and any follow-up. If you are attending please be aware that recording may take place and that you may be inadvertently included in these.

The Chair of the meeting has absolute discretion to suspend or terminate any activities that in his or her opinion are disruptive.

### **Councillors declaring interests**

#### **General duty**

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

#### **What is a disclosable pecuniary interest?**

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

#### **Declaring an interest**

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest. If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

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

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

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

## Minutes of a meeting of the Scrutiny Committee on Tuesday 5 October 2021



### Committee members present:

Councillor Wade (Chair)

Councillor Chapman (Vice-Chair)

Councillor Diggins (for Councillor Tidball)

Councillor Mundy (for Councillor Djafari-Marbini)

Councillor Linda Smith

Councillor Thomas

Councillor Abrishami (for Councillor Dunne)

Councillor Corais

Councillor Fry

Councillor Nala-Hartley (for Councillor Waite)

Councillor Smowton

Councillor Wolff

### Also present:

Councillor Alex Hollingsworth, Cabinet Member for Planning and Housing Delivery

### Officers present for all or part of the meeting:

Pedro Rocha Abreu, Air Quality Officer

Jenny Barker, Regeneration Manager

Tom Hudson, Scrutiny Officer

John Mitchell, Committee and Member Services Officer

### Apologies:

Councillors Djafari-Marbini, Dunne, Tidball and Waite sent apologies.

Substitutes are shown above.

### 49. Declarations of interest

None.

### 50. Chair's Announcements

The Chair reminded the Committee of the valuable role it had to play as a critical friend, working collaboratively and, where relevant, concluding with constructive recommendations on the basis of consensus.

## **51. Minutes**

The Committee resolved to APPROVE the minutes of the meeting held on 08 September as a true and accurate record.

## **52. Work Plan and Forward Plan**

The Scrutiny Officer reminded the Committee of the interrelationship between the Cabinet Forward Plan, the Committee's workplan and its priorities. The timetabling of Cabinet reports meant that the Committee would not always be in a position to consider all of those reports in which it might have an interest. Final decisions about the Committee's workplan would always rest with the Committee.

Agreed that the substantive items proposed for the November meeting of the Committee should now be: Workplace Equalities & Action Plan; East Oxford Community Centre and Housing Development; and Anti-Social Behaviour Policy (subject to any changes which may be made to the Cabinet Forward Plan in the meantime).

## **53. Annual Air Quality Status Report**

Pedro Abreu, Air Quality Officer, introduced the annual report which fulfilled a statutory duty and provided an overview of all monitoring data for the year and an update in relation to the air quality actions set out in the Council's Air Quality Action Plan 2021-2025.

The previous year had been atypical given the consequences of Covid and significantly reduced traffic volumes. As a result of this, for the first time since air quality monitoring started in Oxford, there were significant reductions in air pollution levels and the city had been compliant with all short and long term UK air quality objectives. The highest annual mean however continued to be in St Clements.

The Committee noted the importance of being able to monitor the consequences of the introduction of LTNs on air pollution, particularly where traffic had been displaced as a result. The Air Quality Officer said that working in partnership with the County Council, air quality was being measured at an additional 16 sites to capture the consequences of LTNs. In discussion it was noted that while measuring values within an LTN was likely to be directly attributable to the LTN, measuring those outside it might well be the consequence of other unrelated traffic flow considerations. A detailed briefing on air quality for all Councillors would take place the following day.

Live, accessible, reporting of air quality was agreed to be of potentially great benefit to the city's residents and might usefully extend to the provision of real time alerts. It was a source of regret that there were only three live monitoring points in the city. The Air Quality Officer confirmed the intention to make live data available in due course as part of the development of a new air quality website for Oxfordshire, a joint project being delivered by Oxford City Council together with the other District Councils. He noted however that the number of live reporting instruments was constrained by their considerable expense and other costs associated with their use. While a considerable number of air monitoring devices was commercially available, not all were reliable. Monitoring for the purposes of the statutory return necessitated the consistent use of devices of a recognised quality to ensure valid and comparable data over time. Data from the city's 71 diffusion tubes provide monthly means, which are then aggregated into an annual mean for comparison against the NO<sub>2</sub> air quality mean limit value.



Concerns about the use of wood burning stoves would be addressed by information programmes to draw attention to the impact of their use and advice about best practice in relation to their use.

Given the role of the County Council as highways authority, the importance of a close working relationship with it was recognised and the Air Quality Officer confirmed that there was close co-operation in relation to analysing the consequences of LTNs. He noted that at least 9 months of continuous monitoring would be needed before any firm conclusions could be drawn. The Committee noted that meaningful conclusions would need to be informed by traffic monitoring by the County and clarity, for example, of whether journeys were directly attributable to the introduction of an LTN or something else.

Given the significance of both universities as major employers in the City (and as the 'home' of thousands of students), the council might offer advice to inform their strategic plans in relation to matters of air quality.

It would be helpful if any educational graphics prepared about matters to do with air quality could be distributed as a matter of course to all Councillors and community groups.

The Committee agreed to recommend to Cabinet that Council:

- Reviews the location of its air quality monitoring equipment to support the monitoring of roads where there is the possibility of displacement traffic generated by LTNs (particularly around Hollow Way and the junction with Crescent Road); that the Council makes publicly available the findings as soon as possible when the Cowley, Headington and East Oxford LTNs are concluded; and that the information is also passed on to County Council colleagues;
- Builds a function into the new community Air Quality website to enable members of the public to subscribe to real time air quality alerts;
- Makes available to all Councillors all educational graphics developed by the Air Quality Team for further sharing with community organisations;
- Seeks to work with the County Council to ensure that sufficient concurrent data is collected and shared to enable contextualised analysis of the impacts of LTNs, with particular regard to identifying whether a displacement effect is evident; and
- Works with the Oxfordshire Strategic Partnership to engage major local employers in conversations with the Council about how they can incorporate air-quality positive measures into their strategic plans.

## **54. Reports for approval**

Councillor Linda Smith, as Chair of the Housing & Homelessness Panel, spoke briefly to the Panel's report on Housing Performance in Q1. The presence of tenant ambassadors at the meeting had been of great value and, indeed, the one recommendation to Cabinet (increasing the breadth and depth of engagement with the Lived Experience Advisory Forum) had come from them. She was pleased to report that tenant ambassadors were to be invited, as a matter of course, to subsequent meetings of the Panel in the current Council year.

The Committee agreed that the report should now go forward to Cabinet.

## **55. Report back on recommendations and from Scrutiny Panel meetings**

### Domestic Abuse Review Group

The Chair said that this significant report had been well received by Cabinet and an update on progress with implementation of recommendations was expected in March.

Members of the Committee were reminded that if they had any concerns about a safeguarding matter and were unsure of how to respond they should contact Liz Jones (07485325798)

### Urban Forest Strategy

The Chair said the three recommendations recorded had, for the most part, been positively received and agreed by Cabinet. It was noted that the report had omitted reference to the importance of permitting on street parking outside homes as a means of deterring the conversion of gardens into driveways.

### QL Implementation

Cllr Fry, as Chair of the Finance & Performance Panel, was pleased with the positive response from Cabinet and its agreement to the Panel's two recommendations. He was pleased, also, to note that an audit of QL's implementation was to be held at some point.

### Social Value in Procurement

Cllr Fry said that while a formal response had yet to be received, all indications were that Cabinet was well disposed towards the two recommendations.

### EV Strategy

The Chair said that a formal response to the Committee's recommendations was still awaited. It was noted that there was a requirement for a response to be provided within two months and it was anticipated that one would be given in time for Cabinet in December.

## **56. Review Group Scope**

The Scrutiny Officer introduced the report which set out the proposed scope of the review group on Child Poverty. He drew particular attention to the option of commissioning this review group in partnership with the County Council given its access to many of the key levers in relation to child welfare and related matters. The principle of involving the County was agreed to be worthwhile. It was not therefore possible, yet, to confirm who should Chair the review group. If, however, it fell to the City Council to appoint as seemed likely, it was agreed that the Chair should be Cllr Djafari-Marbini, who should otherwise serve as Lead Member. The other members of the review group, nominated by the Labour Group, would be Cllr Rehman and Dunne with the latter standing aside in the event that only four City Council members were to participate.

The Committee agreed that ways should be found of ensuring that the voice of children and young people is heard as part of the review.

The Committee resolved to:

1. **Agree** the draft scope, subject to points made above;
2. **Agree** that the County Council should be invited to join the Review Group;
3. **Agree** the membership level as set out in the report and accept the nominations for membership given at the meeting and those which will subsequently be given to the Scrutiny Officer by the Liberal Democrat and Green groups;
4. **Agree** that Cllr Djafari-Marbini should Chair or be the lead member of the Review Group; and
5. **Note** that further amendments may be required in the event of the County Council accepting the opportunity to contribute to the review, and agree that such changes be delegated to the Chair in discussion with the Scrutiny Officer.

## **57. Development of land at South Oxford Science Village (Land South of Grenoble Road)**

Councillor Alex Hollingsworth, Cabinet Member for Planning & Housing Delivery, introduced the report which provided an update on proposals for the development of land in partnership with Magdalen College and Thames Water. The report set out options for delivery of the scheme and the rationale for the preferred option.

The Committee then passed a resolution in accordance with the provisions of Paragraph 4(2)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012 to exclude the press and the public from the meeting during consideration of the rest of the item on the grounds that their presence could involve the likely disclosure of exempt information as described in the relevant paragraphs of Schedule 12A of the Local Government Act 1972.

## **58. Dates of future meetings**

### **Scrutiny Committee**

- 02 November 2021
- 06 December 2021

### **Standing Panels**

Housing & Homelessness: 06 October; 04 November

Finance & Performance: 08 December

Companies: 18 October; 24 November

All meetings start at 6.00 pm

**The meeting started at 6.00 pm and ended at 8.45 pm**

**Chair .....**

**Date: Tuesday 2 November 2021**

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## Forward Plan

### November 2021 to April 2022

### Summary as at 20/10/21

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#### Cabinet 10 November 2021

<b>ITEM 13:</b> <b>ID: I025001</b>	<b>Local Growth Funded Workspace Projects</b>
To seek approval to fund and enter into contract for the redevelopment of Standingford House and site at Cave Street, to provide affordable managed workspace.	
<b>ITEM 14:</b> <b>ID: I028118</b>	<b>East Oxford Community Centre and Housing Development</b> Report status: Confirmed for this meeting
The Council has been working closely with the community in the East Oxford area and as a result of this intends to refurbish the existing East Oxford Community Centre building and also extending it with a new and highly efficient building. There will also be the provision of up to 26 housing units that will be situated across two sites. With an additional 2-4 units possible at Catherine street should the Council look to dispose of the site. To enable the developments there will be demolition of four of the existing buildings that are no longer fit for purpose.	
<b>ITEM 15:</b> <b>ID: I027034</b>	<b>Discretionary Housing Payment Policy</b>
To review the operation of the Discretionary Housing Payment policy, and to amend the policy, if required.	
<b>ITEM 16:</b> <b>ID: I027797</b>	<b>Anti-social Behaviour Policy</b>
Renewal of the Council's Anti-Social Behaviour Policy.	
<b>ITEM 17:</b> <b>ID: I028300</b>	<b>Strategic Grants Review</b>
The report seeks Cabinet agreement to changes to the grants and commissioning programme. The review is part of the council's transformation programme.	

<b>ITEM 18: ID: I028252</b>	<b>Restructure of OXWed JV</b>
The current OxWed Joint Venture is to be restructured to create a new LLP. The new LLP will be more tax efficient than the current structure.	

<b>ITEM 19: ID: I028264</b>	<b>Council Telephony Contracts Replacement</b>
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 of £1.8m.	

<b>ITEM 20: ID: I028301</b>	<b>Loan to Low Carbon Hub in relation to Ray Valley Solar Farm</b>
To approve delegated authority to enter into a loan agreement with Low Carbon Hub in respect of Ray Valley Solar Farm and to approve a capital budget to enable payment of the loan.	

<b>ITEM 21: ID: I028322</b>	<b>Use of Retained Right to Buy Receipts to increase the provision of more affordable housing</b>
The report seeks 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	

## Cabinet 15 December 2021

<b>ITEM 25: ID: I027035</b>	<b>Workplace Equalities and Action Plan</b>
A report to seek approval for the publication of the annual Workforce Equality Report and report on progress on the Equalities Action Plan 2018 to 2021.	

<b>ITEM 26: ID: I027110</b>	<b>Determination of Shared Ownership Rent Levels</b>
To determine future Shared Ownership rent levels.	

<b>ITEM 27: ID: I027809</b>	<b>Small Sites Development Proposal</b>
To seek approval for the process for the evaluation of the small sites in OCC	

ownership and recommendations for development for affordable housing, retention or disposal.

<b>ITEM 28: ID: I026292</b>	<b>Asset Management Strategy</b>
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The Asset Management Plan - strategy for the property portfolio for OCC

<b>ITEM 29: ID: I027113</b>	<b>Budget 2022/23</b>
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To propose a Medium Term Financial Strategy and the 2022/23 Budget for consultation.

<b>ITEM 30: ID: I027725</b>	<b>Annual Monitoring Report and Infrastructure Funding Statement</b>
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To approve the Annual Monitoring Report and Infrastructure Funding Statement for publication.

<b>ITEM 31: ID: I027013</b>	<b>Integrated Performance Report for Q2</b>
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A report to Members on Finance, Risk & Performance as at 30 September 2021.

<b>ITEM 32: ID: I027038</b>	<b>Treasury Management Mid-Year Report</b>
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A report to report on the performance of the Treasury Management function for the 6 months to 30 September 2021

<b>ITEM 33: ID: I028314</b>	<b>Oxford City Council's net zero targets and green gas purchasing</b>
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Cabinet is asked to agree a revision to the Council's net zero targets and a diversion of funds from green gas purchase and offsetting to a Net Zero Transition Fund following advice received from the Council's Scientific Adviser, Professor Nick Eyre.

## **Cabinet 26 January 2022**

<b>ITEM 34: ID: I028143</b>	<b>Proposal to remove and sell car parking decking from Oxpens car park</b>
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Cabinet is asked to agree that the Oxpens car park decking should be removed and sold.

<b>ITEM 35: ID: I027032</b>	<b>Council Tax Reduction Scheme for 2022/23</b>
A report to seek approval for the Council's Council Tax Reduction Scheme 2022/23 following consultation.	

<b>ITEM 36: ID: I027568</b>	<b>Development of land at South Oxford Science Village (Land South of Grenoble Road)</b>
Following the report to Cabinet on 13 October 2021 concerning delivery of land that is part of the South Oxford Science Village and options for the delivery of development at the site, a further report to agree the delivery vehicle for the project.	

## Cabinet 09 February 2022

<b>ITEM 39: ID: I027114</b>	<b>Budget 2022/23</b>
To propose a Medium Term Financial Strategy and the 2022/23 Budget following consultation.	

<b>ITEM 40: ID: I027039</b>	<b>Treasury Management Strategy 2022/23</b>
A report to present the Council's Treasury Management Strategy for 2022/23.	

<b>ITEM 41: ID: I027040</b>	<b>Capital Strategy 2022/23</b>
A report to present the Capital Strategy for 2022/23 approval.	

<b>ITEM 42: ID: I027041</b>	<b>Grant Allocations to Community &amp; Voluntary Organisations 2022/23</b>
A report to make decisions on the allocation of grants to the community and voluntary organisations for 2022/2023.	

<b>ITEM 43: ID: I027042</b>	<b>Allocation of Homelessness Prevention Funds 2022/23</b>
A report to approve the allocation of homelessness prevention funds for 2022/23.	



## Cabinet 16 March 2022

<b>ITEM 46: ID: I027055</b>	<b>Annual Update of the Council Business Plan</b>
A report to present the annual update of the Council's Business Plan.	

<b>ITEM 47: ID: I027100</b>	<b>Food Strategy</b>
<p>Development of a Countywide Food strategy, working with key partners such as Good Food Oxford, Oxfordshire County Council, Oxfordshire District Council and the Community Food system within the City.</p> <p>That addresses the causes of food poverty as part of our wider anti-poverty work.</p> <p>This should include the following:</p> <p>Taking into account:</p> <ul style="list-style-type: none"><li>o The National Food Strategy;</li><li>o The considerable work undertaken by this Council to address inequality and to tackle food poverty during the pandemic;</li><li>o Being a signatory to the Oxford Good Food Charter;</li><li>o The excellent work of Oxford's voluntary sector to tackle food poverty;</li><li>o Recommendations on achieving a self-sustaining community food system and Council's role in supporting this.</li></ul> <ul style="list-style-type: none"><li>• Bringing together the views and knowledge of our food network partners to better understand the current root causes of food poverty, and a shared action plan to implement meaningful solutions.</li><li>• Tackling child food poverty by campaigning to address holiday hunger, increasing take up of free school meals and access to food larders for families with children.</li><li>• Continuing to use relationships with supermarkets to divert surplus food to those in need and minimise waste to help eliminate Oxford's contribution to climate change by 2040 or sooner, in line with the Zero Carbon Oxford Charter and recommendations of the Citizens' Assembly on Climate Change.</li></ul>	

<b>ITEM 48: ID: I027056</b>	<b>Oxford City Council Safeguarding Report 2020/21</b>
To report on the progress made on the Oxford City Council's Safeguarding Action Plan 2020/21.	

<b>ITEM 49: ID: I027014</b>	<b>Integrated Performance Report for Q3</b>
A report to Members on Finance, Risk & Performance as at 31 December 2021.	

## Cabinet 13 April 2022



# Scrutiny Priorities

November 2021 to January 2022

Published on 25/10/21

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## Key:

Reports in **black** text are Cabinet reports

Reports in **green** text are Scrutiny-commissioned reports

Reports which are **greyed out** do not meet the threshold for Scrutiny consideration

## November 2021

<b>Anti-social behaviour Policy</b>	Priority level: Very High Preferred Forum: Scrutiny
Renewal of the Council's Anti-Social Behaviour Policy.	

<b>East Oxford Community Centre and Housing Development</b>	Priority level: Very High Preferred Forum: Scrutiny
The Council has been working closely with the community in the East Oxford area and as a result of this intends to refurbish the existing East Oxford Community Centre building and also extending it with a new and highly efficient building. There will also be the provision of up to 26 housing units that will be situated across two sites. With an additional 2-4 units possible at Catherine Street should the Council look to dispose of the site. To enable the developments there will be demolition of four of the existing buildings that are no longer fit for purpose.	

<b>Responses to the Tenant Satisfaction Survey</b>	Priority level: Very High Preferred Forum: Housing and Homelessness Panel
A report to update the Panel on the issues arising from the recently-completed tenant satisfaction survey of the Council's housing tenants.	

<b>Empty Homes</b>	Priority level: High
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	Preferred Forum: Housing and Homelessness Panel
An Introduction to the work of the Empty Homes Officer, the empty homes situation in Oxford and the options available to the Council to bring such homes back into use	

<b>Discretionary Housing Payment Policy</b>	Priority level: High Preferred Forum: Housing and Homelessness Panel
To review the operation of the Discretionary Housing Payment policy, and to amend the policy, if required.	

<b>Local Growth Funded Workspaces</b>	Priority level: High Preferred Forum: Scrutiny
To seek approval to fund and enter into contract for the redevelopment of Standingford House and site at Cave Street, to provide affordable managed workspace.	

<b>Loan to Low Carbon Hub in relation to Ray Valley Solar Farm</b>	Priority level: High Preferred Forum: Scrutiny
To approve delegated authority to enter into a loan agreement with Low Carbon Hub in respect of Ray Valley Solar Farm and to approve a capital budget to enable payment of the loan.	

<b>Council Telephony Contracts Replacement</b>	Priority level: Medium Preferred Forum: Scrutiny
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 of £1.8m.	

<b>Restructure of OxWED JV</b>	Priority level: Low (already considered) Preferred Forum: Scrutiny
The current OxWed Joint Venture is to be restructured to create a new LLP. The new LLP will be more tax efficient than the current structure.	

<b>Use of Retained Right to Buy Receipts to increase the provision of more affordable housing</b>	Priority level: Low Preferred Forum: Housing and Homelessness Panel
The report seeks 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.	

## December 2021

<b>Budget 2022/23</b>	Priority level: Very High Preferred Forum: Scrutiny Budget Review Group (to be considered in January 2022)
Consultation Budget for 2022/23 and proposed Medium Term Financial Plan	

<b>Workplace Equalities and Action Plan</b>	Priority level: Very High Preferred Forum: Scrutiny
A report to seek approval for the publication of the annual Workforce Equality Report and report on progress on the Equalities Action Plan 2018 to 2021.	

<b>Annual Monitoring Report and Infrastructure Funding Statement</b>	Priority level: Very High Preferred Forum: Scrutiny
Approval of the Annual Monitoring Report and Infrastructure Funding Statement for publication.	

<b>Oxford City Council's Net Zero Targets and Green Gas Purchasing (in combination with Climate Emergency Review Group update)</b>	Priority level: Very High Preferred Forum: Scrutiny
Consideration of a report in which Cabinet is asked to agree a revision to the Council's net zero targets and a diversion of funds from green gas purchase and offsetting to a Net Zero Transition Fund following advice received from the Council's Scientific Adviser, Professor Nick Eyre. Also, to hear an update on the Council's activities in relation to the recommendations of the Climate Emergency Review Group	

<b>Small Sites Development Proposal</b>	Priority level: High Preferred Forum: Scrutiny
To seek approval for the process for the evaluation of the small sites in OCC ownership and recommendations for development for affordable housing, retention or disposal.	

<b>Determination of Shared Ownership Rent Levels</b>	Priority level: High Preferred Forum: Scrutiny
To determine future Shared Ownership rent levels.	

<b>Asset Management Strategy (possibly in combination with the requested report by the Finance and Performance Panel on the same topic)</b>	Priority level: High Preferred Forum: Finance and Performance Panel
The Asset Management Plan - strategy for the property portfolio for OCC.	

<b>Treasury Management Mid-Year Report</b>	Priority level: High Preferred Forum: Finance and Performance
To hear an update on the Council's activities in relation to carbon reduction, focusing on the progress of retrofitting its own housing stock, learning from recent net zero building pilots, and the specifications of the Council's stock as being developed by OCHL.	

<b>Integrated Performance Report Q2</b>	Priority level: High Preferred Forum: Finance and Performance Panel
A report to Members on Finance, Risk & Performance as at 30 September 2021.	

<b>ODS Tree Management Capacity</b>	Priority level: Medium
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	Preferred Forum: Companies Panel
Consideration of the capacity of ODS to manage the growth in Council-owned tree numbers arising from the Urban Forest Strategy.	

## January 2022

<b>Approaches to Procurement</b>	Priority level: High Preferred Forum: Scrutiny
A report to introduce the Council's procurement processes for consideration by the Committee.	

<b>Proposal to Remove and Sell Car Parking Decking from Oxpens Car Park</b>	Priority level: Medium Preferred Forum: Scrutiny
Proposal to Remove and Sell Car Parking Decking from Oxpens Car Park.	

<b>Development of Land at South Oxford Science Village</b>	Priority level: Low Preferred Forum: Scrutiny
Following the report to Cabinet on 13 October 2021 concerning delivery of land that is part of the South Oxford Science Village and options for the delivery of development at the site, a further report to agree the delivery vehicle for the project.	

<b>Council Tax Reduction Scheme 2022/23</b>	Priority level: Low Preferred Forum: Scrutiny
A report to seek approval for the Council's Council Tax Reduction Scheme 2022/23 following consultation.	

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# Proposed Scrutiny Work Schedule

November 2021 to January 2022 and Scrutiny-Commissioned Reports to April 2022

## November 2021

Committee/Panel	Meeting date	Reports
Scrutiny Committee	02 November	East Oxford Community Centre Anti-social Behaviour Policy
Finance and Performance	None	
Housing and Homelessness	04 November	Discretionary Housing Payment Policy  Response to the Tenant Satisfaction Survey Empty Homes

## December 2021

Committee/Panel	Meeting date	Reports
Scrutiny Committee	06 December	Annual Monitoring Report and Infrastructure Funding Statement Workplace Equalities Climate Emergency Review Group update
Finance and Performance	08 December	Commercial Property Strategy Update (may be linked to the Cabinet Asset Management Strategy Report) Treasury Management Mid-Year Report Integrated Performance Report
Housing and Homelessness	None	
Companies Scrutiny Panel	13 December	ODS Tree Management Capacity

## January 2022

Committee/Panel	Meeting date	Reports
Scrutiny Committee	18 January	Approaches to Procurement
Finance and Performance	24 January	
Housing and Homelessness	None	

Below are listed the proposed dates for the remainder of Scrutiny's commissioned reports for the year (ie not Cabinet reports). Those reports which were requested and are not on this list are expected to arise at some point as Cabinet reports instead and will be treated as such, hence their omission.

## February 2022

Committee/Panel	Meeting date	Reports
Scrutiny Committee	01 February	Waterways update
Finance and Performance	None	
Housing and Homelessness	02 February	Tenant Empowerment report (4)

## March 2022

Committee/Panel	Meeting date	Reports
Scrutiny Committee	07 March	Domestic Abuse Review Group update
Finance and Performance	09 March	Alternative Funding Models for Funding Social Outcomes
Housing and Homelessness	None	

\*\* The following meetings are liable to be small owing to purdah.

## April 2022

Committee/Panel	Meeting date	Reports
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Scrutiny Committee	05 April	
Finance and Performance		
Housing and Homelessness	04 April	DSS Discrimination Motion Follow-Up

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**To:** Cabinet  
**Date:** 10 November 2021  
**Report of:** Ian Wright, Head of Regulatory Services and Community Safety  
**Title of Report:** Anti-social Behaviour Policy 2022-25

<b>Summary and recommendations</b>	
<b>Purpose of report:</b>	Approve the reviewed Anti-social Behaviour Policy 2022-25.
<b>Key decision:</b>	Yes
<b>Cabinet Member:</b>	Councillor Louise Upton, Cabinet Member for a Safer, Healthier Oxford
<b>Corporate Priority:</b>	Support Thriving Communities
<b>Policy Framework:</b>	Corporate Enforcement Policy
<b>Recommendation:</b> That Cabinet resolves to:	
1. <b>Approve</b> the Anti-social Behaviour Policy	

<b>Appendices</b>	
Appendix 1	Oxford City Council ASB Policy 2022-25
Appendix 2	Oxford City Council ASB Procedures 2022-25
Appendix 3	ASB Policy Risk Register

## **Introduction and background**

1. Oxford City Council is committed to tackling all forms of anti-social behaviour. Its responsibilities are integral to its role as a housing provider, environmental champion and a Responsible Authority for the Oxford Community Safety Partnership. The Crime and Disorder Act 1998 places a legal duty on the council to work in partnership to tackle the city's crime and disorder priorities.
2. Oxford City Council's existing Anti-social Behaviour Policy is reviewed every three years. The current policy expires in December 2021.

## **Policy summary**

3. The policy sets out the council's responsibilities as a landlord, environmental protection champion and lead member of the community safety partnership.

Members of the partnership include Oxfordshire County Council, Oxford Local Police Area, Brookes University, University of Oxford, Thames Valley Probation Service, Turning Point, Office of the Police and Crime Commissioner, Oxfordshire Fire and Rescue Service and Oxfordshire Clinical Commissioning Group.

4. The policy defines what is, and what is not, considered to be anti-social behaviour and sets category service standards depending upon the nature of the case. Anonymous cases that have no complainant details will not be investigated.
5. The policy describes the five core principles that underpin the council's commitment to tackling anti-social behaviour, and activities that support these principles. These are:
  - Principle One: No one should have to suffer from anti-social behaviour.
  - Principle Two: Reports of anti-social behaviour will be treated seriously and dealt with professionally.
  - Principle Three: Anti-social behaviour will be addressed firmly, fairly and proportionately.
  - Principle Four: We will work with partners in order to deliver an effective ASB service for our communities.
  - Principle Five: We will deliver high quality customer service.
6. The policy describes the relationship with the Council's Safeguarding Policy, an element in many anti-social behaviour cases, and sets out how Council officers will address vexatious complaints.
7. The policy includes reference to Oxford City Council's Compliments, Complaints and Comments process for customers who wish to provide feedback on the service they have received.

### **Policy review**

8. The policy will be reviewed on a three-year cycle.

### **Financial Implications**

9. All financial implications are covered within existing budgets.

### **Legal Implications**

10. The policy assists in fulfilling our duties under Section 17, Crime and Disorder Act 1998 which "without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area."
11. The policy fulfils the council's duty under Section 218A, Housing Act 1996, as amended by the Anti-social Behaviour Act 2003, requiring local authority housing providers to formulate and publish anti-social behaviour policies and procedures.
12. The Council has a range of legal powers to deal with environmental anti-social behaviour such as noise, graffiti, litter, fly-tipping and abandoned vehicles. These responsibilities come from a number of legal instruments and local byelaws, but in particular from the Environmental Protection Act 1990, Clean Neighbourhoods and Environment Act 2005 and Anti-social behaviour, Crime and Policing Act 2014.

### **Environmental Implications**

13. The policy makes a clear statement on the council's approach to tackling environmental crimes through the use of available powers. The implementation of this policy does not have any negative impact upon the environment.

### **Equalities Impact**

14. The policy focuses on support and protection of victims of anti-social behaviour and has a positive impact on people with protected characteristics. For those suspected of causing anti-social behaviour, mental health being by far the most common protected characteristic, the policy requires officers to identify where possible any support needs and seek to address them in partnership with third sector and statutory partners.

<b>Report author</b>	Richard Adams
Job title	Community Safety Service Manager
Service area or department	Community Safety Service
Telephone	01865 252283
e-mail	<a href="mailto:rjadams@oxford.gov.uk">rjadams@oxford.gov.uk</a>

**Background Papers:** None

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## **Anti-Social Behaviour Policy 2022-25**

# Appendix 1

## Contents

- 1) Scope and purpose of this document
- 2) The Council's Anti-Social Behaviour responsibilities
- 3) What is Anti-Social Behaviour
- 4) Our principles

**Principle One:** No one should have to suffer from anti-social behaviour

**Principle Two:** Reports of anti-social behaviour will be treated seriously and dealt with professionally

**Principle Three:** Anti-social behaviour will be addressed firmly, fairly and proportionately

**Principle Four:** We will work with partners in order to deliver an effective ASB service for our communities

**Principle Five:** We will deliver high quality customer service

- 5) Concerns for children, young people or vulnerable adults
- 6) Anti-Social Behaviour, Crime and Policing Act 2014
- 7) Section 218A, Housing Act 1996 requirements
- 8) Compliments, comments and complaints

# Appendix 1

## 1. Scope and purpose of this policy document

This is the **policy** document. It tells you what the Council means by ‘anti-social behaviour’ (ASB) and sets out the principles the council applies when responding to a report of anti-social behaviour. It explains how the Council responds when people experiencing ASB contact it for help, and details the service quality the Council will provide.

## 2. The Council’s responsibilities

Oxford City Council believes that no-one should tolerate anti-social behaviour. The Council works in partnership with other agencies and will use appropriate tools and powers available to local authorities to address anti-social behaviour. The policy sets out our approach to fulfilling our duties as:

**A Responsible Authority** of the Oxford Safer Communities Partnership (OSCP) as defined by the Crime and Disorder Act 1998. The Act requires the Council to work with the police and other agencies to reduce crime and disorder in Oxford. The Council makes a significant contribution to dealing with anti-social behaviour of all kinds and undertakes both investigations and prevention activities.

**A landlord** because the Council has a [duty to respond to ASB](#) affecting the properties we manage. Our landlord duties and powers complement the duties and powers we have to deal with anti-social behaviour by non-council tenants.

**An environmental protection champion;** the Council has a range of legal powers to deal with environmental anti-social behaviour such as noise, graffiti, litter, fly-tipping and abandoned vehicles. These responsibilities come from a number of legal instruments and local byelaws, but in particular from the Environmental Protection Act 1990, Clean Neighbourhoods and Environment Act 2005 and Anti-social behaviour, Crime and Policing Act 2014.

The Council will not normally undertake case investigation for ASB cases within other social landlords and private landlord’s properties. We may offer support and assistance in exceptional circumstances.

## 3. Concerns for children, young people and vulnerable adults

Oxford City Council’s Safeguarding Policy sets out how the officers respond to a report of abuse or neglect to a child, young person, or adult with unmet care and support needs.

It is not uncommon for safeguarding concerns to arise at the initial report stage or during an anti-social behaviour investigation.

The requirements of the Safeguarding Policy take primacy over this policy.

## 4. Reporting Anti-social behaviour

- The Council is not an emergency response service. Incidents where there is an immediate risk of harm to person or property must be reported to the police or other appropriate emergency service.

# Appendix 1

- Incidents of a criminal nature must be reported to the police, for example, drug dealing. The police are the lead response and investigatory service for criminal offences. The Council work closely with the police and will consider criminal behaviours when investigating an anti-social behaviour case.
- The Council will not investigate anonymous complaints. It is important for us to be able to speak to a complainant about the behaviour they are concerned about.
- We will not disclose a complainant's personal details to the alleged perpetrator of the behaviour. Where it is necessary to speak to the alleged perpetrator, the complainant will be advised prior to a contact.
- In order to investigate reports of anti-social behaviour we rely on evidence supplied by complainants and witnesses. We will not investigate cases where no evidence or details of the case is provided.
- Many incidents of anti-social behaviour can be resolved by the parties involved with no involvement by the Council or other agency. The Council will encourage this course of action, whenever appropriate. In some circumstances mediation between both parties will be suggested.

## 5. What is anti-social behaviour?

Oxford City Council considers anti-social behaviour to be:

- Conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises; or
- Any act that causes, or is likely to cause, harassment, alarm or distress to one or more persons not of the same household; or
- Using or threatening to use Council property for unlawful purposes.

The Council **will not** investigate the following behaviours under this policy:

- Children playing in a public place or a garden
- Neighbour complaints regarding boundary disputes and other property matters, for example, location of waste receptacles, cooking smells, smoking and untidy gardens.
- Noise from vehicles on the highway carrying out their routine activities, noise from emergency service vehicles, aircraft, helicopters or other motorised airborne vehicles and noise from demonstrations.
- Reasonable living noise in domestic settings such as lawn mowing, household DIY, crying, loud talking, toilets flushing, sexualised noises, banging doors and noise from household appliances.
- Cycling, skateboarding, or riding e-scooters on the pavement and reports of inconveniently or illegally parked vehicles. Obstruction of the highway and pavements should be reported to the Highways Authority or to the police if there is an obstruction of the highway.
- Alcohol consumption in a public space that is not causing anti-social behaviour and noise from late night revellers.
- Flying drones. This should be reported to the Civil Aviation Authority or the police.
- People because they are homeless or rough sleeping.

# Appendix 1

Anti-social behaviour cases are categorised to determine the Council's response time as described below.

<b>Category 1</b>	<b>Target time for first contact with victim or referrer: three working days</b>
<p><b>Definition</b></p> <ol style="list-style-type: none"> <li>Behaviour that presents a risk of serious harm to individuals or the peace of the neighbourhood and which may include violence, serious threats of violence or other criminal activity.</li> <li>Any complaint where there have been previous incidents and it appears to the case officer that a greater risk has developed or may be developing.</li> </ol> <p><b>Category 1</b> includes the following types of anti-social behaviour :-</p> <ul style="list-style-type: none"> <li>■ Hate related incidents (hostility towards a person's race, sex or ethnicity, sexual orientation, disability, religion or belief, or transgender identity)</li> <li>■ Physical violence and threats of harm</li> <li>■ Child or adult safeguarding including cuckooing</li> <li>■ Domestic abuse</li> <li>■ Kerb crawling and aggressive, predatory and intrusive sexual behaviour</li> <li>■ Serious harassment, intimidation and threatening behaviour</li> <li>■ Racist or offensive graffiti following a report</li> <li>■ Threats to Oxford City Council or Oxford Direct Services staff</li> </ul>	
<b>Category 2</b>	<b>Target time for first contact with victim or referrer: within five working days</b>
<p><b>Definition:</b></p> <ol style="list-style-type: none"> <li>Behaviour that presents a risk to public health or nuisance.</li> </ol> <p><b>Category two</b> includes:</p> <ul style="list-style-type: none"> <li>■ Noise disturbances due to unreasonable behaviour not excluded in section 5.</li> <li>■ Verbal abuse, written intimidation and harassment</li> <li>■ Allegations of sex working and sexual acts</li> <li>■ Other forms of serious anti-social behaviour, which in the Council's opinion, need priority but do not warrant an urgent or immediate response</li> <li>■ Minor noise nuisance</li> <li>■ Untidy gardens that may harbour vermin or present a public health risk.</li> <li>■ Litter, incorrect refuse disposal from domestic and commercial properties, fly tipping and dog fouling</li> <li>■ Running a business without permission that impacts on the neighbourhood</li> <li>■ Nuisance from vehicles such as untaxed vehicles and car repairs</li> </ul>	

## 6. Policy principles

# Appendix 1

The policy principles set out the Council's approach to tackling anti-social behaviour, how cases are managed and how we work with our customers.

## **6.1 No one should have to suffer from ASB**

We will:

- make people aware of what anti-social behaviour is.
- publicise and promote our various services to tackle ASB.
- encourage people to report ASB and make it possible for them to do this using a range of reporting methods.
- respond to each reported case of ASB within our target times.
- set out an initial plan of action, risk assessment and victims charter when appropriate, that sets out how we will keep the complainant informed of progress and possible enforcement powers.

## **6.2 Reports of ASB will be treated seriously and dealt with professionally.**

We will:

- assess the ASB reported to us, and take action in accordance with our service standards.
- treat all reports as personal information under the General Data Protection Regulations 2018 and we will not disclose personal information unless required to for such purposes as a prosecution, a safeguarding concern, where it is in the public interest or with the persons consent.
- share information with other organisations for the prevention or detection of crime or disorder, in accordance with data protection laws and information sharing agreements.
- ensure that criminal activities reported to the Council are referred on to the police.
- register each case, give it a unique reference number and named case officer.
- fully investigate the complaint, which will usually involve interviewing alleged perpetrators and may involve interviewing third party witnesses.
- refer cases between the different departments of the Council and to other agencies, as necessary.
- ensure cases are not open longer than is deemed necessary and inform the complainant, using their preferred method of correspondence.
- respond promptly to complaints about the service.
- explain our reasons should we choose to take no action, and suggest self-help or other alternative courses of action, including private legal proceedings.

## **6.3 ASB will be addressed firmly, fairly and proportionately.**

We will:

# Appendix 1

- prioritise responses to the most serious cases, based on the details of the case, taking any necessary early action to protect people and property.
- investigate the circumstances and seek to understand all the facts of any matter reported to us.
- seek always to resolve cases at the lowest level of intervention, taking formal action when the ASB is serious or persistent or when it threatens people's safety or health.
- use the legal tools and powers available to us according to our professional judgment.
- consider and adjust our approach as necessary, when a victim or a perpetrator is a vulnerable person.
- with the consent of the people involved, refer suitable cases to mediation.

## **6.4 We will work with partners in order to deliver an effective ASB service for our communities.**

We will:

- play a full part as a lead member of the Oxford Safer Communities Partnership.
- participate in relevant strategic or preventative initiatives.
- participate in multi-agency workgroups dealing with ASB trends.
- work with social housing providers, private landlords, letting agents, universities and businesses, providing professional advice and support as required so that these organisations can act confidently to prevent or tackle ASB making use of their own resources.

## **6.5 We will deliver high quality customer service.**

We will:

- ensure that staff dealing with ASB are trained in all relevant legislation including equality, diversity, mental health including capacity and safeguarding.
- ensure that staff dealing with ASB follow agreed policies and procedures.
- obtain customer feedback through surveys of users of the ASB service provided by Oxford City Council to rate their satisfaction with the service.
- act on any negative feedback to improve our service when appropriate.
- explain to the complainants how their evidence will be used and their role in possible court proceedings.

## **7. Anti-social Behaviour, Crime and Policing Act 2014**

The Anti-social Behaviour, Crime and Policing Act 2014 provides local authorities, social housing providers and partners with a new range of powers to tackle anti-social behaviour. The Act introduced the Anti-Social Behaviour Case Review, commonly referred to as the Community Trigger, a mechanism for victims of anti-social behaviour to request a review of their case where there has been no effective action. More details can be found on the [Oxford City Council website](#).

# Appendix 1

## **8. Section 218A, Housing Act 1996 requirements**

This document fulfils the requirements of section 218A of the Housing Act 1996 (as amended by the Anti-Social Behaviour Act 2003) with regard to the publication of the ASB procedures of a local authority landlord.

This policy underpins Oxford City Council's statutory duty under the Crime and Disorder Act 1998, which places a legal duty to work in partnership to tackle the city's crime and disorder priorities. Section 17 of that Act states: *"each authority needs to do all it reasonably can to prevent crime and disorder and to ensure services give due regard to crime and disorder."*

## **9. Vexatious complaints**

Where the Council has reason to believe that a complaint is false, malicious or unreasonable, we will consider taking appropriate action against the complainant. Vexatious complaints cause distress to the alleged party and places unnecessary burdens on Council and partner resources. Where we believe a complaint, or series of complaints, constitutes a criminal offence, we will report the matter to the police.

## **10. Comments, compliments and complaints**

As a service provider, Oxford City Council strives to excel in customer satisfaction. We welcome feedback where our staff, services, policies and procedures have exceeded customer expectations

Oxford City Council's objective is to build a world class city for everyone and excel in our service provision, but we recognise that things sometimes can go wrong. When they do, we want to put them right as soon as possible and learn from what happened to develop and improve services and procedures.

To ensure we receive customer feedback, either positive or negative, please use our on-line form that can be found here: [www.oxford.gov.uk/complaints](http://www.oxford.gov.uk/complaints) or call us on our mainline number: 01865 249811 or email [saferoxford@oxford.gov.uk](mailto:saferoxford@oxford.gov.uk)



# Appendix 1



Community Safety Service  
Regulatory Services and Community Safety  
Oxford City Council  
**St Aldate's Chambers**  
109 St Aldate's  
Oxford, OX1 1DS

December 2021

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## **Anti-Social Behaviour Procedure 2022-25**

# Appendix 2

## Contents

1. Scope and purpose of the procedure document
2. The council's responsibilities
3. Behaviour that is not anti-social
4. Categories of anti-social behaviour
5. Stages of an investigation
6. Housing-related remedies
7. Anti-social behaviour enforcement remedies
8. Evidence gathering
9. CCTV
10. Supporting victims and witnesses
11. Logging concerns for children, young people or vulnerable adults
12. Monitoring the service
13. Professional discretion
14. Comments, compliments and complaints

# Appendix 2

## 1. Scope and purpose of the procedure document

- 1.1. This document is one of two documents that tells you about Oxford City Council's anti-social behaviour (ASB) responsibilities and what we do to prevent and investigate ASB. This is the **Procedure** document. It explains in more detail how you can expect us to deal with your case should you report an ASB problem to the Council.
- 1.2. Our Anti-Social Behaviour **Policy** and Corporate Enforcement Policy should be read alongside this document and tells you what we mean by 'anti-social behaviour' and sets out the principles of our ASB service.

## 2. The Council's responsibilities

- 2.1. OCC believes that no-one should tolerate anti-social behaviour and will use tools and powers available to local authorities, where appropriate, to address all forms of nuisance.
- 2.2. These powers arise from three complementary roles
  - As a Responsible Authority for the Oxford Safer Communities Partnership
  - As a landlord
  - As an environmental protection champion
- 2.3. Anti-social behaviour refers to any form of nuisance, disorderly behaviour, intimidation or harassment that impact on a person's quality of life. Such a broad term can encompass everything from nuisance neighbours to environmental crime.
- 2.4. For ASB cases within other social landlords' and private landlords' properties the Council will not lead the case investigation but offer support and assistance, unless there are exceptional circumstances or we have a statutory duty to investigate, for example statutory nuisance offences.
- 2.5. The Council is not an emergency response service. Incidents where there is an immediate risk of harm to person or property must be reported to the police or other appropriate emergency service.
- 2.6. Incidents of a criminal nature must be reported to the police, for example, drug dealing. The police are the lead response and investigatory service for criminal offences. The Council work closely with the police and will consider criminal behaviours when investigating an anti-social behaviour case.

## 3. Behaviour that is not anti-social

- 3.1. The Council does not regard the following types of behaviours as anti-social and therefore we **will not** use enforcement powers against:
  - Children playing in a public place or a garden
  - Neighbour complaints regarding boundary disputes and other property matters, for example, location of waste receptacles, cooking smells, smoking and untidy gardens.
  - Noise from vehicles on the highway carrying out their routine activities, noise from emergency service vehicles, aircraft, helicopters or other motorised airborne vehicles and noise from demonstrations.

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- Reasonable living noise in domestic settings such as lawn mowing, household DIY, crying, loud talking, toilets flushing, sexualised noises, banging doors and noise from household appliances.
- Cycling, skateboarding, or riding e-scooters on the pavement and reports of inconveniently or illegally parked vehicles. Obstruction of the highway and pavements should be reported to the Highways Authority or to the police if there is an obstruction of the highway.
- Alcohol consumption in a public space that is not causing anti-social behaviour and noise from late night revellers.
- Flying drones. This should be reported to the Civil Aviation Authority or the police.
- People because they are homeless or rough sleeping.

## Categories of anti-social behaviour

Anti-social behaviour cases are categorised to determine the Council's response time as described below.

<b>Category 1</b>	<b>Target time for first contact with victim or referrer: three working days</b>
<b>Definition</b>	
<ol style="list-style-type: none"> <li>1. Behaviour that presents a risk of serious harm to individuals or the peace of the neighbourhood and which may include violence, serious threats of violence or other criminal activity.</li> <li>2. Any complaint where there have been previous incidents and it appears to the case officer that a greater risk has developed or may be developing.</li> </ol>	
<b>Category 1</b> includes the following types of anti-social behaviour :-	
<ul style="list-style-type: none"> <li>■ Hate related incidents (hostility towards a person's race, sex or ethnicity, sexual orientation, disability, religion or belief, or transgender identity)</li> <li>■ Physical violence and threats of harm</li> <li>■ Child or adult safeguarding including cuckooing</li> <li>■ Domestic abuse</li> <li>■ Kerb crawling and aggressive, predatory and intrusive sexual behaviour</li> <li>■ Serious harassment, intimidation and threatening behaviour</li> <li>■ Racist or offensive graffiti following a report</li> <li>■ Threats to Oxford City Council or Oxford Direct Services staff</li> </ul>	
<b>Category 2</b>	<b>Target time for first contact with victim or referrer: within five working days</b>
<b>Definition:</b>	
<ol style="list-style-type: none"> <li>1. Behaviour that presents a risk to public health or nuisance.</li> </ol>	
<b>Category two</b> includes:	
<ul style="list-style-type: none"> <li>■ Noise disturbances due to unreasonable behaviour not excluded in section 5.</li> <li>■ Verbal abuse, written intimidation and harassment</li> <li>■ Allegations of sex working and sexual acts</li> </ul>	

# Appendix 2

- Other forms of serious anti-social behaviour, which in the Council's opinion, need priority but do not warrant an urgent or immediate response
- Minor noise nuisance
- Untidy gardens that may harbour vermin or present a public health risk.
- Litter, incorrect refuse disposal from domestic and commercial properties, fly tipping and dog fouling
- Running a business without permission that impacts on the neighbourhood
- Nuisance from vehicles such as untaxed vehicles and car repairs

## 5. Stages of an investigation

5.1. Many incidents of anti-social behaviour can be resolved between the parties with no involvement by the Council or other agency. The Council will encourage this course of action, whenever appropriate. In some circumstances mediation between both parties will be suggested.

5.2. Not all anti-social behaviour cases will follow the process set out below; however these stages are used as a guide to ensure that our investigations are robust and proportionate to the nature of the case. A case whose seriousness increases rapidly may result in moving straight to emergency court action, particularly where there is a serious threat of violence. The key stages to case investigation are:

- Reporting. On receipt of the initial report the case is allocated to the appropriate team, based on the nature of the report.
- Initial investigations and evidence gathering
- Early intervention
- Involvement of support services
- Enforcement activities
- Court action
- Case closure

## 6. Housing-related remedies for Council tenants

6.1. Early intervention techniques including accessing relevant support agencies, mediation, warning letters and voluntary Acceptable Behaviour Contracts (ABCs). There are cases where these remedies either do not work or need to have enforcement activities running alongside them. Listed below are the most commonly used tools to address anti-social behaviour.

6.2. **Introductory tenancies.** Introductory Tenancies are a "trial" tenancy where, if there are no problems with the tenancy after a year, the tenant will move onto a more secure form of tenancy agreement. The Council will adhere to the legal process set out for dealing with ASB related Introductory Tenancies. Enforcement measures used for Introductory Tenancies are:

- Extension of Introductory Tenancies
- Termination of Introductory Tenancies

# Appendix 2

- Final Warnings
  - Possession proceedings
- 6.3. **Secure/Assured/Licence Tenancies.** This is the most common form of tenancy and provides the tenant security unless they breach the grounds of the tenancy agreement. Breaches can be dealt with by:
- Written warnings
  - Demoted tenancies. A demoted tenancy is a less secure form of tenancy. A secure tenancy can be demoted where there is anti-social behaviour, and is done by serving a Demotion Notice and making a court application for a Demotion Order. Demotion tenancies generally last for a period of 12-18 months.
  - Possession proceedings
- 6.4. **Possession Proceedings.** The council can consider applying to the court to repossess a tenant's home where the perpetrator of anti-social behaviour is a council tenant or someone living with or visiting a tenant. The behaviour complained of is a breach of the terms of the tenancy agreement, or, in the case of secure tenants, one of the grounds for possession as defined by the Housing Act 1985 applies.
- 6.5. The grounds for possession include where the tenant or a person living with or visiting the tenant is guilty of anti-social behaviour.
- 6.6. The type of tenancy held determines the course of legal action. When an application is made to court for possession of an Introductory Tenancy, the court should grant possession.
- 6.7. When the tenant is a secure tenant the court must also be satisfied that it is reasonable to evict the tenant on the basis of the anti-social behaviour that has been evidenced.
- 6.8. The **absolute grounds for possession** was introduced by the Anti-Social Behaviour, Crime and Policing Act 2014. If one of the following five conditions is met the court must make an order for possession:
- the tenant, a member of the tenant's household or a person visiting the property has been convicted for a serious offence;
  - the tenant, a member of the tenant's household or a person visiting the property has been found by a court to have breached an injunction to prevent anti-social behaviour;
  - the tenant, a member of the tenant's household or a person visiting the property has been convicted for breaching a criminal behaviour order;
  - the tenant's property has been closed for more than 48 hours under a closure order for anti-social behaviour; or
  - the tenant, a member of the tenant's household or a person visiting the property has been convicted for breaching a noise abatement notice or order (convictions in practice are exceptional and are likely to relate to very serious noise issues).



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6.9. Application for possession will always be a last resort, particularly where there is a serious harm to the mental health of the tenant. Examples of cases where eviction would be considered include:

- Dealing/supplying/cultivation of drugs from council property;
- Using violence or severe intimidation against neighbours or staff;
- Using council property for serious criminal activity;
- Where properties have been closed using anti-social behaviour closure powers;
- Where the anti-social behaviour is persistent and other attempts to prevent it have failed.

## 7. Anti-Social Behaviour enforcement remedies

7.1. Prior to formal enforcement action, the case officer will ensure all reasonable steps have been taken to identify any vulnerabilities and safeguarding needs, and that all appropriate supportive actions have been considered.

7.2. Our policy is to take the lowest level of intervention suitable to the case. Often matters can be resolved by explaining the impact of a person's behaviour on others. Verbal or written warnings may be used. Officers have discretion to take more invasive actions as are proportionally required in each case in order to prevent harm or risk to public health.

7.3. In complex cases enforcement options will be discussed with the Council's Legal Services Team and a written note of the advice given will be filed against the case notes. Having first obtained approval by their line manager the case officer will compile a full case file with all documentary evidence obtained during the investigation for enforcement by the Council's Legal Services Team. This will include all available evidence such as photographs, statements, letters, ABCs, Cautions and CCTV evidence. In these complex cases, all draft legal notices will be sent to Legal Services for their approval, prior to serving.

7.4. All complex cases that involve homeless people, or may bring a significant media attention on the Council will be signed off at a senior level, Head of Service or above.

7.5. Managers will provide advice and guidance in regard to appropriate legal measures, taking full account of the perpetrator's age, tenure, vulnerabilities and the seriousness of the case.

7.6. In line with Home Office guidance, no enforcement action will take place if it would result in an individual being disproportionately and unreasonably affected. Reasonable steps will be made to obtain relevant information and advice on a person's vulnerabilities from support agencies, which may include outreach teams, GPs, mental health services, housing providers and the police.

7.7. **Civil Injunction.** The ASB, Crime and Policing Act 2014 introduced a Civil Injunction granted by the County Court. It is available for perpetrators of ASB aged 10 years or over. There is no minimum and maximum term for an

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injunction for adults but for under 18s, the maximum term is 12 months and the local Youth Offending Team must be consulted.

- 7.8. The Injunction can include positive requirements which are relevant to getting the perpetrator to address underlying reasons for their ASB. A power of arrest can be attached if violence has or is threatened, or there is significant risk of harm to others.
- 7.9. Breach of an Injunction is a contempt of court and not a criminal offence. However, the county court can still apply serious sanctions including prison.
- 7.10. **s.152 Housing Act 1996 Injunction.** This injunction is granted by the County court in order to prohibit a person from engaging in or threatening to engage in conduct causing or likely to cause a nuisance or annoyance to a person residing in, visiting or otherwise engaging in a lawful activity in residential premises. This also includes using the premises for immoral or illegal purposes. A power of arrest (s.153) can be attached.
- 7.11. In very serious cases it may be possible to apply for an Interim Injunction whereby the court issues the injunction without the need for the perpetrator to be at the hearing. A full hearing is scheduled for a later date.
- 7.12. **Injunctions for trespass.** The Council can send a prohibition letter banning individuals from entering council-owned land. If the letter is ignored this will be trespass and the Council can apply for an injunction banning the individual from continuing the trespass.
- 7.13. **Injunctions under s.222 Local Government Act 1972.** The Council can use the authority of s. 222 Local Government Act 1972 to bring proceedings in the County Court to prohibit a person from continuing to cause a public nuisance, if it can be shown that it is expedient for the promotion or protection of the interests of the inhabitants of the area.
- 7.14. **Closure Notices and Closure Orders.** The Council can issue a Closure Notice and if relevant apply for a Closure Order for a premises that is the cause of significant and persistent disorder, or persistent serious nuisance to a community. The Closure Notice lasts for a maximum period of 48hrs if signed by a police Superintendent or Senior Council Official, and 24 hours if signed by a police Inspector. A Notice can prohibit everyone from the premises or allow access to certain people, for example, the people who habitually live on the premises and the owner of the premises. A Closure Order is issued by the court and the application must be made within 48hrs of the issuing of a Closure Notice. The closure period is three months and can be extended to a maximum of 6 months.
- 7.15. **Seizure of sound equipment.** Section 10(7) of the Noise Act 1996 confirms the power of a local authority to abate any statutory noise nuisance by seizing and removing equipment used in the emission of the noise in question.
- 7.16. **Seizure of vehicles.**

Vehicles may be seized under different legislation dependant on the offence, including if the vehicle is making a statutory noise nuisance with its alarm system. Legislation to control waste offences; The Control of Waste (Dealing with Seized Property) (England and Wales) Regulations 2015

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section 5 of the Control of Pollution Amendment Act 1989, section 34B of the Environmental Protection Act 1990.

## 7.17. **Environmental Protection Act 1990.**

The Environmental Protection Act 1990 provides the legal framework for the management of litter, domestic and commercial waste disposal, and duty of care responsibilities. Section 79 and 80 of the Act contains public health and statutory nuisance definitions and provisions for legal action.

7.18. **Community Protection Notices.** Community Protection Notices (CPNs) can be issued to stop a person, aged 16 or over, business or organisation from causing anti-social behaviour. The behaviour must be unreasonable, persistent and has a detrimental effect on the quality of life of those in the locality. A warning of a CPN (CPW) must be issued first, followed by the CPN if the behaviour continues. Failure to adhere to the CPN can result in a fixed penalty notice, prosecution at court or the Council can undertake remedial action. The CPN can include positive requirements on the person or organisation, although the Council cannot prosecute for breaches of positive requirements.

7.19. CPNs are most commonly used for environmental crimes and noise complaints. For the less complex cases a set of common prohibitions are available for case officers to use. Complex cases involving more bespoke prohibitions the CPWs and CPNs are agreed with Legal Services as set out in paragraph 7.2. Remedial actions can be taken and a court can issue seizure or remedial orders.

7.20. **Public Spaces Protection Order (PSPO).** PSPOs are designed to deter anti-social behaviour in public spaces by placing conditions on the use of the area. Breaches of a PSPO will usually result in officers issuing a verbal warning, often alongside an information sheet that explains the Order in more detail. Further breaches can result in the issuing of a fixed penalty notice or prosecution at court. Current PSPOs can be found on the Oxford City Council website.

7.21. **Criminal Behaviour Orders (CBO).** Available to the Crown Prosecution Service and Local Authorities, these Orders can be applied for on conviction of a criminal offence and are designed to curb the behaviour of perpetrators of persistent ASB and criminality. The Council may apply for a CBO when a person is convicted of breaching a CPN, PSPO, Environmental Protection Act 1990, S80 abatement notice, bye-law or other criminal offence the Council has the power to prosecute.

## 8. **Evidence gathering**

8.1. The Council will not investigate anonymous complaints. It is important for us to be able to speak to a complainant about the behaviour they are concerned about.

8.2. We will not disclose a complainants personal details to the alleged perpetrator of the behaviour. Where it is necessary to speak to the alleged perpetrator, the complainant will be advised prior to a contact.

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- 8.3. In order to investigate reports of anti-social behaviour we are evidence-led and rely on evidence supplied by complainants and witnesses. We will not investigate cases where no evidence or details of the case is provided.
- 8.4. It is essential that high quality evidence is gathered at an early stage to ensure risks are identified, the correct courses of actions are taken, support agencies are involved and, if necessary, court files prepared. Case officers will ensure all investigations are thorough and all avenues of potential evidence are explored to determine the most effective means to resolve complaints of ASB.
- 8.5. This information is recorded on the ASB case management system. Any evidence provided in support of an anti-social behaviour case may be used as evidence in legal proceedings, where appropriate.
- 8.6. **Statements.** Witness Statements can be taken from any person over the age of 10 years, but for anyone under 18 an appropriate adult is advised. Persons under 18 years are entitled to special measures and best evidence principles should be considered. Everyone who gives a statement is liable for cross examination in court unless the defence have accepted the evidence as per section 9 of the Criminal Justice Act 1972.
- 8.7. **A victim personal statement** should always be included in all case files.
- 8.8. **Community Harm Statements.** May be used, where appropriate, in order to highlight the harm an individual's behaviour is having on the wider community. Statements may be exhibited as part of legal proceedings or may be used as part of non-legal interventions.
- 8.9. **Professional witnesses** can be used in situations of harassment, threat or intimidation where a witness is not prepared to make a statement.
- 8.10. **Noise App.** The ASB service has signed up to the RHE Noise App which allows individuals to download the app free of charge onto their smart phones. Noise can then be recorded and digitally diarised over a two week period. During this period the digital diary will be accessed by an allocated case officer from the ASB service and a relevant investigation plan formulated.
- 8.11. **Incident diaries** will be made available to all complainants of ASB and will be:
  - provided with guidance of 'how to complete'
  - made available in community languages where requested
  - provided with a freepost envelope, on request
  - made available digitally on request.
  - Alternative methods of capturing information can be arranged if preferable.
- 8.12. **Letter drops.** Neighbours may be written to asking whether they would like to report any cases of anti-social behaviour or have information relating to a case. All responses are kept confidential.
- 8.13. **Photographs.** Photographic evidence is particularly used when prosecuting environmental offences such as dog-fouling, fly-tipping, illegal

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parking and incorrect presentation of domestic or commercial waste. Caution is advised when taking photographs which can be intrusive and present a risk to the witness.

- 8.14. **Surveillance.** Where surveillance operations are to be used to obtain directed covert CCTV evidence, an appropriate Regulation of Investigatory Powers Act 2000 (RIPA) authorisation will be sought. Private CCTV systems are commonly used, including door bells. Use of these systems must adhere to statutory guidance found on the Information Commissioners Office website.

## 9. CCTV

- 9.1. CCTV can be a significant tool in the fight against ASB. The impact of CCTV can also help detect crime, as well as identifying missing persons and other public safety concerns.
- 9.2. The ASB service has a number of redeployable overt and cover CCTV cameras available for monitoring ASB hotspot areas throughout the City and within communal areas of council owned properties. These cameras are managed by the ASB Service.
- 9.3. The Council own body-worn video (BWV) cameras for use by case officers when undertaking their evidence-gathering and investigate roles. The Council has a separate procedure for the use and management of the cameras and the data gathered, including the use of privacy zones.
- 9.4. The Council adhere to the principles set out by the Information Commissioner Office.
- 9.5. Oxford's public space CCTV cameras are currently managed under a partnership agreement between Oxford City Council and Thames Valley Police.
- 9.6. The cameras, except those in the Park and Ride sites, are managed and monitored from the CCTV Suite in St Aldates Police Station. The cameras are located in the following places:
- Oxford City Centre
  - Park and Ride sites
  - Cowley Road
  - Rose Hill
  - Wood Farm
  - Barton
  - Blackbird Leys
  - City Council tower blocks.

## 10. Supporting victims and witnesses

- 10.1. When a complaint of ASB is reported to the ASB Service the case officer will explain the process, agree with the complainant how often they want to be contacted, assess the risk to them and update them as the case progresses.

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- 10.2. Every complainant will receive information on what they can expect from the case officer, how they can gather evidence, what tools and powers are available and the investigation process.
- 10.3. The case officer, if appropriate, will sign post or refer complainants to other support services.
- 10.4. To tackle ASB effectively, victims and witnesses must feel able to provide evidence in confidence and without fear. We will discuss with the complainant their views on anonymity, particularly in regard to court hearings that usually require a witness statement and subsequent appearance at court.
- 10.5. For cases that go to court, the case officer must consider compiling a "Victim personal statement" detailing the effects of the perpetrator's behaviour on the witness's life. The court is obliged to take this statement into account when dealing with the offender.
- 10.6. Officers will ensure that any instructions issued to legal representatives will include full consideration of the needs of the witness especially with regard to the availability of special measures. Officers will always advise complainants of the final outcome of cases and of any measures aimed at preventing problems from recurring.

## **11. Information sharing arrangements**

- 11.1. Information sharing arrangements are governed by the Oxfordshire Community Safety Information Sharing protocol that can be found on the Oxfordshire Insight website. This is based on the power to share information for the prevention or detection of crime and disorder as set out in statute. The protocol describes how data will be managed in line with data protection principles.

## **12. Logging concerns for children, young people or vulnerable adults**

- 12.1. In the course of an investigation an officer may come across a person whose welfare may raise concerns. Whether or not the subject has a direct connection to the case under investigation, it remains the duty of officers to ensure that these concerns are properly logged on the Council's safeguarding reporting system and passed to social services through the Council's safeguarding procedures.

## **13. Monitoring the service**

- 13.1. Oxford City Council is committed to delivering a high quality anti-social behaviour service. Our aim is to continuously improve the way we work and to acknowledge, and learn from, the occasions when the service fails to meet expectations.
- 13.2. How we deal with ASB in the community is also monitored against an agreed set of minimum standards of performance, established in the Oxford Local Offer for ASB. We report on our performance against these standards.

## **14. Professional discretion**

- 14.1. Our ASB policy commits us to dealing with anti-social behaviour fairly and proportionately. Our services are constantly evolving and each ASB case is

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unique. When appropriate, we will use our discretion to vary our approach depending on the circumstances of the case.

## **15. Comments, compliments and complaints**

- 15.1. As a service provider, Oxford City Council strives to excel in customer satisfaction. We particularly feedback where our staff, services, policies and procedures have exceeded customer expectations.
- 15.2. Oxford City Council's objective is to build a world class city for everyone and excel in our service provision. We recognise that things sometimes can go wrong. When they do, we want to put them right as soon as possible and learn from what happened to develop and improve services and procedures.
- 15.3. To ensure we receive customer feedback, either positive or negative, please call us on our mainline number: 01865 249811 or use our on-line form that can be found here:

<http://www.oxford.gov.uk/PageRender/decVanilla/CommentsComplimentsorComplaints.htm>

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[www.oxford.gov.uk](http://www.oxford.gov.uk)



Community Safety Service  
Regulatory Services and Community Safety  
Oxford City Council  
**St Aldates Chambers**  
109 St Aldates  
Oxford, OX1 1DS

January 2022



# Appendix 3

Appendix 3: ASB Policy 2022-25 Risk Assessment

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
ASB Policy	Multi agency enforcement	Lack of enforcement officers	Financial cutbacks in police and council	Ineffective legislation and negative public feedback	17/09/2021	Richard Adams	4	2	4	2	2	2	Continued partnership working with the police and other internal Council teams.	Training process in place.	17/09/2021	On-going		Richard Adams
ASB Policy	Increased demand.	Capacity overstretched.	Inappropriate reporting.	Poor customer service, sign-posting to correct organisation.	17/09/2021	Richard Adams	4	2	4	2	2	2	Clear descriptions of types of ASB that Council will not investigate available on the website and in Contact Centre scripts	Training process in place.	17/09/2021	On-going		Richard Adams

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**To:** Cabinet – 10 November 2021  
Council – 29 November 2021

**Report of:** Executive Director Communities and People

**Title of Report:** East Oxford Community Centre and Housing Development

<b>Summary and recommendations</b>	
<b>Purpose of report:</b>	<p>The Council has been working closely with the community in the East Oxford area. As a result of this the intention is to refurbish the existing East Oxford Community Centre building and extend it with a new and highly efficient building. There will also be the provision of 26 housing units that will be situated across two sites. A small amount of additional units can be accommodated on the Catherine Street site if the Council is minded to dispose of the land to another developer.</p> <p>To enable these developments there will be demolition of four of the existing buildings that are no longer fit for purpose. As such this report seeks project approval and seeks delegation to award the construction contract.</p>
<b>Key decision:</b>	Yes
<b>Cabinet Member:</b>	Councillor Diko Blackings Cabinet Member for Affordable Housing, Housing Security and Homelessness and Councillor Shaista Aziz Cabinet Member for Inclusive Communities
<b>Corporate Priority:</b>	Strong and Active Communities, Meeting Housing Need and Efficient and Effective Council
<b>Policy Framework:</b>	Community Centre Strategy 2016-2020, Housing & Homelessness Strategy 2018-2021:
<b>Recommendations:</b> That Cabinet resolves to:	
<p><b>1. Grant Project Approval</b> 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;</p> <p><b>2. Grant approval</b> to dispose of the land at Catherine Street for the purpose of an external housing development which will contribute to the business</p>	

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.

### Appendices

Appendix 1	Equalities Impact Assessment
Appendix 2	Risk Register
Appendix 3	Chronology of Community Engagement

## Introduction and background

1. The City Council's Community Centres Strategy (2016-2020) had an objective of considering the feasibility study on the development of East Oxford Community Centre and work with the Reference Group and stakeholders to extend and improve the range of activities offered at the centre.
2. A budget of £4 million for this project was initially approved within the 2017/18 Capital programme and Medium Term Financial Plan. That budget had been based on a desktop feasibility exercise and outline concept plan from 2016. After detailed feasibility, surveys, community engagement and an external cost estimate by Arcadis a budget for East Oxford Community Centre of £5.430 million was included in the capital programme for 2021-22 onwards. This will be funded from sales of land to the HRA for new house build at Collins Street and Princes Street and a separate receipt for Catherine Street collectively estimated from external valuations at £1,765,984, with £3,809,455 coming from the General Fund.
3. In May 2019 OCC engaged the services of consultant Project Managers and Architects Arcadis to support the project with professional services and to build on previous feasibility work that had been undertaken since 2017.
4. In conjunction with the East Oxford Community Centre Reference Group (a group of key community stakeholders) a list of top ten priorities were devised, and it was agreed that these principles would help guide the project in tandem with the Council's priorities;
  - to create a sustainable, cultural hub that is used by a broader range of the community,
  - thereby helping celebrate local diversity, heritage and cultural identity
  - improve skills, reduce inequalities and improve health
  - increased occupancy and customer satisfaction.
  - removal of the Council's backlog maintenance liabilities across Princes Street, Collins street and Catherine Street sites
  - for any improvement to be funded by cross-subsidisation (residential housing ) as far as possible
  - positively impact the Council's Climate Change and Housing agendas
5. We have been regularly engaging with the tenants at the community centre site, these are;
  - Fusion Arts
  - AKCHI
  - BKLUWO
  - East Oxford Community Association
  - Oxfordshire Chinese Community and Advice Centre
  - Phoenix Lounge
  - OARC
  - Green print
  - Oxpots
  - Film Oxford
  - The parasol project
  - Open doors

- Catweazle

6. After year on year increases in visits to EOCC since the Council took on the management in 2015, the 2018/19 year has shown a dip in visits to 56,899 which we believe is a direct impact from the deteriorating condition of the building.
7. Similarly the usage at East Oxford Games Hall had dropped. At the time the site closed due to the impact of the COVID pandemic there were only 11 groups regularly using the site. These groups have all been found alternative homes, signposted to potential options or have chosen to pursue their own routes.
8. The present condition of the East Oxford Community Centre (EOCC) and other associated buildings on the site at Princes street and the East Oxford Games Hall (EOGH) facility on Collins Street, means that they are unwelcoming, do not meet modern standards and that there is a poor overall user experience.
9. To date officers have worked with Arcadis to undertake a detailed and robust level of feasibility work pre-demolition, pre-tender cost work, coupled with significant community engagement and design development.
10. Planning approval was then given in December 2020 for the recommended option of refurbishing the existing East Oxford Community Centre building and extending it with a new and highly efficient building and 26 housing units that will be situated across Princes Street and Collins Street. To also demolish the four existing buildings that are no longer fit for purpose to enable this.

### **Feasibility work**

11. The feasibility work has included all of the necessary surveys prior to demolition, title and legal reports, design development, community engagement, housing valuations and pre-tender cost exercises.

### **Design development and community engagement**

12. A thorough community engagement exercise has been undertaken over several years which has included;
  - Regular stakeholder workshops and meetings
  - Several 1-1 engagement sessions with community groups
  - 3 community engagement events in 2019/20
13. A full chronology of this is found in appendix 3.
14. Although most of the comments have been generally positive it should be noted that there has been feedback around whether we are able to deliver this without housing on Princes street, or if the housing could be moved to Cave street and whether areas within the proposed new community centre building can be increased in size. Unfortunately this would not be achievable within the current budget and timescales.
15. The community engagement has helped lead the design development and whilst there were some additional requests around detailed design elements to work through, the plans were endorsed in principle by the stakeholder group prior to planning approvals being gained on 8 December 2020.

### **Housing summary**

16. Delivery of affordable housing in mixed and balanced communities to meet a range of housing needs is a key objective for the Council (Policy H4) and development of the sites at Princes and Collins Street will provide 26 much needed housing units in a sustainable location within Oxford City.
17. The homes are split between the Princes Street and Collins Street sites with 12 Social rented units and 14 Shared ownership units respectively. The Affordable units will attract funding in the region of £1,400,000 to assist with the scheme viability.
18. The Catherine Street site is quite small and a viability exercise has indicated that there would be a low level of units that could be deliverable at the site which wouldn't be as viable for Oxford City Homes Ltd. The recommendation is that the site is sold and the capital receipt used within the Community Centre business case.
19. Delivery of the housing is essential to fund the business case for the development of the community centre as shown in paragraph 33.

### **Procurement and the Award of Construction Contract**

20. We have had ongoing conversations with Oxford Direct Services Ltd (ODSL) and they have confirmed interest in the Community Centre refurbishment and new build elements. They have submitted a tender cost estimate against a full specification that is currently being scrutinised by an external Quantity Surveyor. With the results of this in November. Subject to this being within budget would be looking to appoint ODSL by December 2021.
21. The housing element will be procured via a framework or a mini competition based on the framework that the council officers are in the process of finalising. The housing element must be in contract by March 2022 to meet external funding conditions.

### **Other options for delivery**

22. Other options to deliver the project at the feasibility stage prior to planning submission have included;
  - Building to a smaller footprint
  - Replacing housing on Princes street with business units from Cave street and then placing the housing on Cave Street
  - Exploring the potential of bringing in external funding.
  - An additional option is to 'do nothing' however given the current state of the buildings it is likely that this would lead to building failures within the next 10 years.
23. The stakeholders are clear that any option that reduced the building size any further would compromise their business plan and the ability to deliver activities and programmes for the community effectively.
24. Officers have been exploring external funding options with the stakeholders for several years, which culminated in a 6 month pause. However this has unfortunately not led to any major funding successes.

25. The comments on housing and business units have been carefully considered over the period of the project, but due to the potential delays to the project and the associated increases in cost these options have not been taken forward.

### **Key Milestones**

26. These are shown below and are indicative until we have agreed programmes from the construction contractors at appointment;

- Appoint ODSL as the construction contractor for the Community Centre elements by December 2021
- Decant of community groups and users Feb-March 2022
- Develop design through Design and Build route ready for March 2022
- Commence on site March 2022
- Demolition complete mid July 2022
- Complete all works by Autumn 2023

### **Benefits**

27. There are a significant number of benefits to the community and to the Council of progressing with the recommended option

- Replaces several poor facilities with a modern facility with flexible space for the future.
- Contributes towards the Council's climate change agenda, with the new extension to the community centre including solar panels, high levels of insulation, efficient mechanical and electrical equipment and excellent energy efficiency.
- Meets the needs of current and future users.
- Reduces running and maintenance costs
- The building will enable more inclusive use in line with the relevant legislation in this area, increasing accessibility.
- Enables the ability to generate more revenue with modern flexible spaces to help the sustainability of the site.
- Provision of 26 much needed affordable housing units that have a 70% reduction in carbon, a mixture of social rent and shared ownership, in a central location.

### **Sustainability and Carbon Reduction**

28. We have pressed hard within the available budget to ensure that the scheme drives forward the Council's key priorities in this area. Energy modelling for the Community Centre refurbishment and new build scheme indicates that fabric and systems energy efficiency measures, low carbon heating, as well as PV systems have the potential to make an improvement on Building Regulations L2A 2013 of 26.0% when assessed jointly for both –EOCC extension and new build.



29. The new build extension to the community centre will be a minimum of nearly carbon zero and when it is looked at in isolation, has the potential to make an improvement on Building Regulations L2A 2013 of 45.0%.
30. The carbon improvements to the existing community centre building are constrained by the age, condition and fabric of the building and to make any significant further viable improvements on the existing centre would likely mean demolition of this building and replacement with new build which isn't viable within the existing budget. Funding pots such as SALIX and Decarbonisation grants have been explored.
31. Energy modelling for the Housing elements has indicated that fabric and systems energy efficiency measures, low carbon heating, as well as PV systems have the potential to make an improvement on Building Regulations Part L1A 2013 in excess of 70% for Princes Street and Collins Street

### Financial Implications

32. The housing development will generate a land value of £1.491m which will support the community centre refurbishment. The Housing Revenue Account has a total budget of £8.985m for the housing activity on Princes Street and Collins Street. The scheme satisfies the Housing Revenue Account financial parameters of

- Internal Rate of Return – 5.19% vs target of 4.00%
- Pay back – 31 years vs target of 70 years
- Net Present Value - £2.6 million vs target of £0

33. The budget for East Oxford Community Centre in the General Fund Capital Programme is £5.430 million. The breakdown of forecast spend as below:

Item	£
Construction	4,325,000
Fees	240,998
Risk, Contingency & Inflation	864,489
	<b>5,430,487</b>

34. The estimated spend profile for the project before contract is

	2021-22	2022-23	2023-24	Total
	£	£	£	
East Oxford	1,400,000	3,530,487	500,000	5,430,487

35. Various modelling options have been worked through for operating the Community Centre. It is recommended that for at least the first year that the centre will be run in house, the aspiration is that this will be in line with the existing budget. Any change to this will be picked up as part of next year's budget process

## **Legal issues**

36. Under section 111 Local Government Act 1972, the Council has the power to enter contracts to discharge local authority functions.

37. The Council has a duty to consider best value under section 3 of the Local Government Act 1999, securing continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness

38. The Council has power to provide such recreational facilities as it thinks fit including to provide buildings pursuant to section 19 local Government (Miscellaneous Provisions) Act 1976. Under section 19.12(c) of the Council's Constitution, where the Council wishes to let a contract to a company which it owns under S12(1) Public Contract Regulations 2015 (in this case ODSL) there is no legal requirement for Council to seek alternative quotes or tenders.

39. An application was made by East Oxford Community Association for the Community Centre site at Princes Street to be listed as an 'Asset of Community Value'. This was granted by Oxford City Council on 5 February 2020 in exercise of the powers conferred by the Localism Act. The land will remain on the list of assets of community value for a period of 5 years from the date of this notice unless removed with effect from some earlier time in accordance with the provision of the Regulations.

40. Under section 95 of the Act, an owner must notify the Council if they wish to enter into a relevant disposal of the land by notifying the Head of City Development. Relevant disposal is defined in section 96 and means a freehold disposal or the grant of assignment of a qualifying leasehold interest, with vacant possession (subject to exemptions in section 95 (5) and Schedule 3 of the regulations). This notification triggers a moratorium period, initially of 6 weeks, during which time a community interest group as defined in regulation 12 of the Regulations (referring to the bodies in paragraph (1) (d) to (g) of regulation 5) may submit a written expression of interest to be treated as a potential bidder for the land. If this is received, a 6 month moratorium period will apply during which time the owner may sell only to a community interest group as defined by the regulations.

41. Should the Council wish to appoint ODSL a quantity surveyor will be appointed to demonstrate value for money and ensure unlawful state aid is avoided.

42. The tenancies at EOCC expired on 1<sup>st</sup> September 2021. We have offered tenants a new short lease to enable the use of the Community Centre until it is required for refurbishment and this is expected to be at the end of February 2022. There is a wider project to look at the possibility of temporarily re-accommodating tenants during the period of works.

43. It is anticipated that new leases will be offered to the current users of the community centres at no less than the terms currently in place with them.

44. The Council has the power to acquire and hold property for various statutory purposes to perform its functions, In order to use land for a purpose other than the one for which it was acquired the land must be “appropriated” for a different purpose. Appropriation is a statutory process which allows the Council to reallocate property within its ownership from one purpose to another.
45. It is entirely within the Council’s discretion to decide that a certain parcel of land or a certain property that has been acquired or held for one purpose should now be used or appropriated for another purpose. The Council is the sole judge of whether or not the land is still required for the purpose for which it is held and its decision cannot be challenged, other than by way of a judicial review if the decision is made outside the Council’s powers or the relevant procedural requirements have not been complied with.
46. Under section 122 of the LGA 1972, appropriation may be made where the land is no longer needed in the public interest of the locality for the purpose for which it is held immediately before appropriation. In this regard, a broad view of local need (taking account of the interests of all residents in the locality), has to be taken and officers consider that this test has been met. Officers are also satisfied that the use of appropriation would be in the public interest and proportionate to the objectives of the redevelopment scheme for the purpose of the Human Rights Act 1998.
47. Section 19 (1) of the Housing Act 1985 gives the Council the power to appropriate for housing purposes any land for the time being vested in them or at their disposal. Consent of the Secretary of State is not required to appropriate land to the HRA, however once land is appropriated to the HRA any later appropriation or disposal for another purpose would require the consent of Secretary of State.
48. The Council minutes should show that the land is not currently held for housing purposes and that the Council intends to formally appropriate the land in accordance with s19 (1) HA 1985.

### **Equalities impact**

49. An equalities impact assessment has been completed. In summary the modern replacement facility will provide much improved accessibility including a Changing Spaces facility and also provide spaces that can be used flexibly for a variety of different activities that are suitable for the local community and wider.

### **Risk**

50. The costs will only be fixed when the Council has had the full tender return from ODSL and independent review by Quantity Surveyor. Similarly the housing elements will only be fixed after the framework process. To try to mitigate this risk we have supplied a full detailed specification and have had regular independent cost reviews.
51. The effect of Brexit and the Pandemic on the construction industry and the supply chain is not fully known at the moment. This could manifest in significant increases in time and costs. In response to this we have been making sure that we are horizon scanning within the industry, regularly benchmarking/cost checking and have ensured that we have a deliverable and suitable contingency.

52. There is always a risk that the land value is negatively impacted by external factors such as Brexit and the pandemic. To try to mitigate this we have had independent surveys undertaken, regular cost analysis and have a deliverable and suitable contingency.
53. There are differing views from the community and stakeholders regarding the scope of the project and also in relation to the potential governance arrangements going forward. To mitigate this we have been having regular dialogue with the community and stakeholders. External funding has also been explored as an option. Resource has been focused on the project delivery stage and will then move to exploring governance arrangements once the centre has re-opened.
54. If cabinet decide at this stage not to give the necessary approvals then there will be abortive costs from professional fees and surveys. Due diligence has been undertaken with feasibility, surveys, cost analysis and management and community engagement. As well as ODS tender return.
55. There are a number of projects being delivered across the Council that are looking to decant their community groups, tenants and stakeholders at the same time. In relation to this there is a risk that there is not enough available or suitable space. To try and mitigate this there is a governance board in place, suitable options are being drawn up, resource for a project co-ordinator and property agent is being identified from existing budgets.

### **Governance of the Community Centre**

56. The Council currently manage and operate the Community Centre. Various groups have indicated to the Council over the duration of the project that they would like to manage the centre.
57. To ensure that we are able to effectively engage around the various potential options around this, that it is adequately resourced and that it gives the 1<sup>st</sup> years operational costs and best chances of succeeding it is recommended that the Council continues to operate the site for the first year.
58. The governance work would start after the community centre re-opens with a view to recommending a way forward after the first operational year as a minimum.

<b>Report author</b>	Hagan Lewisman
Job title	Active Communities Manager
Service area or department	Community Services
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**Background Papers:** None

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## Form to be used for the Full Equalities Impact Assessment

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<b>Service Area:</b> Community Services		<b>Section:</b>	<b>Date of Initial assessment:</b> 15.05.19	<b>Key Person responsible for assessment:</b> H. Lewisman/F Afieri and L Sackey	<b>Date assessment commenced:</b> 15.05.19 – 14.10.21		
<b>Name of Policy to be assessed:</b>			East Oxford Community Centre Development				
<b>1. In what area are there concerns that the policy could have a differential impact</b>			<u><b>Race</b></u>		<u><b>Disability</b></u>		<u><b>Age</b></u>
			<u><b>Gender reassignment</b></u>		<u><b>Religion or Belief</b></u>		<u><b>Sexual Orientation</b></u>
			<u><b>Sex</b></u>		<u><b>Pregnancy and Maternity</b></u>		<u><b>Marriage &amp; Civil Partnership</b></u>
<b>Other strategic/ equalities considerations</b>			<u><b>Safeguarding/ Welfare of Children and vulnerable adults</b></u>		<u><b>Mental Wellbeing/ Community Resilience</b></u>		
<b>2. Background:</b>  Give the background information to the policy and the perceived problems with the policy which are the reason for the Impact			<p>The City Council's Community Centres Strategy (2016-2020) has a clear objective of 'considering the feasibility study on the development of East Oxford Community Centre and work with the Reference Group and stakeholders to extend and improve the range of activities offered at the centre.'</p> <p>The key intended aims of the project are:</p> <ol style="list-style-type: none"> <li>1. to create a sustainable cultural hub that is used by a broader range of the community,</li> </ol>				

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## Assessment.

2. thereby helping celebrate local diversity and cultural identity
3. improve skills, reduce inequalities and improve health
4. increased occupancy and customer satisfaction.
5. removal of the Council's backlog maintenance liabilities across the 3 sites
6. for any improvement to be funded by cross-subsidisation (residential) as far as possible

In terms of Corporate priorities these aims clearly contribute as follows:

- 'Strong and active communities' theme – as illustrated by the aims above.
- 'Meeting housing need' - the potential consolidation of community facilities at OCC including 2 nearby facilities - also enables the delivery of much needed housing.

Two other nearby community facilities were included within the feasibility study as some of the activities within them could potentially be re-housed in a new improved EOCC facility, thereby creating longer terms savings through a single site operation, with associated economies of scale and efficiency of investment, resources, and management. This consolidation also offered the potential to release land for housing development to cross subsidise the new community build, subject to the floorspace requirements defined by Communities for their new facility.

These 2 other properties are :

1. East Oxford Games Hall (EOGH), Collins St, and
2. Film Oxford's premises, Catherine St

EOGH is also in poor condition, and Film Oxford are keen to co-locate with Fusion Art (at EOCC) and their current property has poor access and limitations.

The present condition of the EOCC (and EOGH) facility means that there is a poor user experience, its unwelcoming to new users, and the facilities have a significant maintenance backlog (underlined by the estimated costs of repair and maintenance/refurbishment below). After year on year increases in visits to EOCC since we took on the management and operation from the East Oxford Community Association, the 2018/19 year has shown a dip in visits to 56,899 which we believe is a direct impact from the deteriorating condition of the building.


After the break in activities due to the lockdown, EOGH users cease their activities or relocated to venues suggested by the Community Centre team. Not all of the groups in EOCC decided to get back to their normal bookings, as the pandemic has provided them with new ways of working or they still don't consider safe to

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	<p>meet in person.</p> <p>Feasibility work has been undertaken to scope the potential 'property options' available to improve the EOCC facility (and potential consolidation as above). This has included conceptual scheme drawings, QS costing advice, valuation of potential residential development land, and public consultation. The aim being to deliver a scheme which is largely self-funding, but which meets the project objectives.</p> <p>The conceptual scheme work has indicated the broad scale of facility which might be achievable, based on the concept of cross subsidisation through residential use on part of the sites, plus necessary capital budget allocation to enable a facility which is close to the existing level of net floorspace provided at EOCC. Albeit this will reflect an overall reduction in community floorspace across the 3 sites.</p> <p>The City Council currently operate and manage the site but we are currently in discussions with the community regarding the operation and management of the site going forward.</p> <p>The tenants at the site are;</p> <ul style="list-style-type: none"> <li>• Fusion Arts</li> <li>• AKCHI</li> <li>• BKLUWO</li> <li>• East Oxford Community Association</li> <li>• Oxfordshire Chinese Community and Advice Centre (44b Princes Street)</li> <li>• Phoenix Lounge</li> <li>• Oxpots</li> <li>• Cowley Works</li> </ul> <p>As all leases expired on the 31<sup>st</sup> August 2021, tenants were offered a further one year lease from the expiry date. The lease has a mutual rolling break clause which will enable either party to terminate the lease at the end of February 2022 or any time after, on one months' notice.</p> <p>The key considerations for the Council will to be to continue to evolve and development of this Equalities Impact Assessment as we move along the process.</p>
<p><b>3. Methodology and Sources of Data:</b></p> <p>The methods used to collect data and</p>	<p>We have been engaging the community through various methodologies. We have been meeting with the community through the reference group (made up of tenants, Film Oxford and local councillors) regularly and most recently monthly. Minutes are taken for each meeting and shared.</p>

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<p>what sources of data</p>	<p>We have undertaken a thorough needs analysis.</p> <p>There have been various site visit to understand best practice in this area including with members of the East Oxford Community Association.</p> <p>There has been significant and widespread consultation regarding the development in 2017.</p>
<p><b>4. Consultation</b></p> <p>This section should outline all the consultation that has taken place on the EIA. It should include the following.</p> <ul style="list-style-type: none"> <li>• Why you carried out the consultation.</li> <li>• Details about how you went about it.</li> <li>• A summary of the replies you received from people you consulted.</li> <li>• An assessment of your proposed policy (or policy options) in the light of the responses you received.</li> <li>• A statement of what you plan to do next</li> </ul>	<p>There has been significant consultation:</p> <p>In September 2016 we carried out a public consultation on three design principles. This gave the public the opportunity to vote on their preferred option with option 3.1, a mix of refurb and new build being the most voted for option. This was widely promoted through a mix of social media, through the reference group, press releases and websites.</p> <p>In 2017 we gave local community groups the opportunity to fund raise to deliver the communities self titled “option 3+”. To support this we gave a time frame of 6 months and funded a part time fund raiser to help achieve this. Unfortunately there was insufficient money raised or interest generated to progress this scheme any further. Additional information is in the below document which was created by the community.</p>  <p>In 2017 we offered the reference group the chance to visit two facilities in London to look at how other organisations have gone about this. The main feedback and feeling of the trip was the importance of flexible, multi-use space. Further details about what we learnt in the document below;</p>

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## Community Centre Visits

March 2017



We have also visited other facilities, including the below;

- Doncaster Arts <https://www.thepoint.org.uk/>
- Ipswich Arts Centre <http://ipswichartscentre.org/>
- Fitzrovia Community Centre <http://www.fitzroviacommunitycentre.org/>
- Hub 67 <http://hubsixtyseven.com/>

The clear feedback from the Community is the following;

- That option 3.1 was the development option favoured by the community
- That the entrance to the facility is difficult to find and not very accessible.
- That the outside space is important.
- That it is important that we maintain the vibe from the existing centre.
- Modern flexible and accessible spaces are important
- That less housing on the site would be preferable if feasible

### What works well and not so well at the existing Community Centre

Works well	Works not so well (an opportunity to address)
<ul style="list-style-type: none"> <li>• Good mix of users, tenants and staff</li> </ul>	<ul style="list-style-type: none"> <li>• Poor sense of arrival (users struggle to find the entrance on princes street)</li> <li>• The entrance also provides a sheltered and unsupervised</li> </ul>

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		alcove that has been noted by neighbours as a night time hot spot for ASB, drug use and rough sleeping
	<ul style="list-style-type: none"> <li>Heritage at the site e.g gable that borders cowley road</li> </ul>	<ul style="list-style-type: none"> <li>On entering the centre it is poorly signed and no real sense of where spaces are or where you would need to go</li> </ul>
	<ul style="list-style-type: none"> <li>The 'vibe' at the site (a diverse mix of cultures and inclusive activities which fits with the wider cowley road area)</li> </ul>	<ul style="list-style-type: none"> <li>Toilets on ground floor are out at the back – with some anti-social behaviour/drug use</li> </ul>
	<ul style="list-style-type: none"> <li>Some secure and safe outdoor space (although this can be improved on)</li> </ul>	<ul style="list-style-type: none"> <li>Poor natural light (except for the lounge)</li> </ul>
	<ul style="list-style-type: none"> <li>Cycling, walking and public transport over cars (no parking spaces)</li> </ul>	<ul style="list-style-type: none"> <li>Poor condition of the buildings and maintenance backlog</li> </ul>
	<ul style="list-style-type: none"> <li>There are three general bookable spaces and a commercial kitchen. This allows variety and some flexibility (although the relationship between all of the spaces is poor and might be able to be improved)</li> </ul>	<ul style="list-style-type: none"> <li>Security and access– tenants have access outside of staff times and there are push button access pads to entrance. These are often left on the latch by tenants/users., which can lead to security concerns. The site doesn't seem to be very welcoming or conversely have secure access.</li> </ul>
	<ul style="list-style-type: none"> <li>The general bookable spaces are busy during evening and weekends</li> </ul>	<ul style="list-style-type: none"> <li>The general bookable spaces are quiet during the daytimes Mon-Fri</li> </ul>
	<ul style="list-style-type: none"> <li></li> </ul>	<ul style="list-style-type: none"> <li>There is a bar area that the</li> </ul>

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		<p>community feel is essential for the centre, however more and more community spaces are moving away from this – could this be more flexible space</p>	
		<ul style="list-style-type: none"> <li>• Poor / little ICT</li> </ul>	
		<ul style="list-style-type: none"> <li>• Staff office is poor and a concealed box. It is not open or welcoming or well placed.</li> </ul>	
<ul style="list-style-type: none"> <li>•</li> </ul>			
<p><b>5. Assessment of Impact:</b> Provide details of the assessment of the policy on the six primary equality strands. There may have been other groups or individuals that you considered. Please also consider whether the policy, strategy or spending decisions could have an impact on safeguarding and / or the welfare of children and vulnerable adults</p>	<p><b>Race</b> Neutral</p>	<p><b>Disability</b> Positive Impact</p>	<p><b>Age</b> Positive Impact</p>
	<p><b>Gender reassignment</b> Neutral</p>	<p><b>Religion or Belief</b> Neutral</p>	<p><b>Sexual Orientation</b> Neutral</p>
	<p><b>Sex</b> Neutral</p>	<p><b>Pregnancy and Maternity</b> Neutral</p>	<p><b>Marriage &amp; Civil Partnership</b> Neutral</p>
	<p>This is an initial assessment and it will develop over time as the project moves forward. The current view is that this will have an overarching positive impact with the facility to help enable the site to become more sustainable in the longer term and turnaround the current decline in the condition of the buildings. The conditions of the buildings are poor which resulted in the recent closure of B Block and as such doing nothing would mean a real risk of eventual closure.</p> <p>The aim of the project is to improve the existing East Oxford Community by a mix of refurbishment and new build. The project will ensure that it meets the latest building control guidance to help improve access to the facility, with the current site not meeting modern guidance and access poor for</p>		

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	<p>those with some physical impairment.</p> <p>The user brief that the professional team will take forward includes all of the consultation to take into consideration. The community and reference group will be involved in the ongoing design development.</p> <p>We are also looking at developing a decant plan for existing users over the next few months to look at how we best accommodate user needs during the works program.</p>
<p><b>6. Consideration of Measures:</b></p> <p>This section should explain in detail all the consideration of alternative approaches/mitigation of adverse impact of the policy</p>	<p>We have involved the community at each stage of the project and will continue to do so going forward.</p> <p>Various different options for the development of the project have previously been presented to the project and option 3.1 was the most favoured affordable. Mitigations are also highlighted above.</p>
<p><b>6a. Monitoring Arrangements:</b></p> <p>Outline systems which will be put in place to monitor for adverse impact in the future and this should include all relevant timetables. In addition it could include a summary and assessment of your monitoring, making clear whether you found any evidence of discrimination.</p>	<p>We have set up an EOCC officer project group that will monitor this as well as through the EOCC reference group.</p> <p>This will also be developed as we move through the project stages.</p>
<p><b>7. Date reported and signed off by City Executive Board:</b></p>	<p>It is proposed to go to Executive Board in November 2021.</p>

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<p><b>8. Conclusions:</b></p> <p>What are your conclusions drawn from the results in terms of the policy impact</p>	<p>That this is a positive development that should make the building sustainable going forward and remove/reduce the risk of any unplanned closures. It will help improve the accessibility of the building and also enable the building to become more flexible and modern to accommodate existing groups and the wider community not only for now but for in the future as well.</p> <p>This will continue to evolve during the next stages of the project with key input and involvement from the community.</p>				
<p><b>9. Are there implications for the Service Plans?</b></p>	<p>NO</p>	<p><b>10. Date the Service Plans will be updated</b></p>		<p><b>11. Date copy sent to Equalities Lead Officer</b></p>	
<p><b>13. Date reported to Scrutiny and Executive Board:</b></p>		<p><b>14. Date reported to City Executive Board:</b></p>		<p><b>12. The date the report on EqlA will be published</b></p>	

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Signed (completing officer)

Signed (Lead Officer)

**H Lewisman / F Alfieri / L Sackey**

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# Appendix 2

## Appendix 2: Risk Register

					Date Raised	Owner	Gross		Current		Residual		Comments	Controls				
Title	Risk description	Opp/ threat	Cause	Consequence			I	P	I	P	I	P		Control description	Due date	Status	Progress %	Action Owner
Affect of the pandemic and Brexit	There is a risk that prices and timescales for delivery could increase due to these factors some of which are unknown.	T	Brexit and Pandemic effects on supplies and services	Increase in cost and timescales	01/07/2021	Arcadis/DK	4	4	4	3	4	3		Regular benchmarking Horizon scanning: Industry and subcontractor updates: Suitable project contingency: Regular review	31/12/2021	Open	70	MH/DK
Management and delivery of construction contracts	Ensuring that contractors are suitably skilled and resourced	T	Contractors have become more stretched due to the current industry conditions	Increase in costs and timescales	01/07/21	Arcadis/DK	3	4	3	3	3	3		Detailed specification; Thorough tender process and regular review meetings	31/12/21	Open	85	MH/DK
Community and stakeholder engagement	There is a risk that some community and stakeholder groups will not be satisfied with the project	T	There are some different and sometimes competing views amongst the community and stakeholders	Reduction in community cohesion. Reputational risks. Increase in time and costs.	01/07/21	Arcadis/HL	4	3	3	3	3	3		Communication and Engagement Plan: Regular communication and engagement with stakeholders including 1-1's	31/03/22	Open	60	DM/FA

Decant	There is a risk that we are unable to find suitable temporary spaces that meet the requirements of tenants.	T	There are a number of decant projects happening at the Council at the same time and the City is quite tight for spaces.	Impact to community groups. Additional costs and timescales	01/07/21	Arcadis/HL	4	4	4	4	3	3		Corporate decant meetings. Action plan. Regular engagement with stakeholders. Sufficient decant budget.	28/02/22	Open	40	DM/FA
Housing Funding	The deadline for a contract to be placed with a contractor is the end of March 2022	T	Funding terms and conditions	Funding will be at risk if we do not make this deadline	01/07/21	Arcadis/RJ	4	3	4	2	2	3		Clear specification and feasibility work. Achievable program. Regular review meetings.	31/03/22	Open	80	MH/DW
Abortive costs	If cabinet does not approve the recommendations then there will be abortive costs.	T	Costs have been incurred through the necessary surveys, feasibility work and professional fees such as architecture	Abortive costs	01/07/21	Arcadis/DK	3	3	3	3	2	3		Detailed feasibility, thorough project diligence, pre-approvals through planning and budget	Oct 21	Open	95	MH/DK



# Appendix 3

## Appendix 3 – Community Engagement

### A: Timeline on past consultation on DESIGN of CC

There has been significant amount of community engagement over the duration of the project.

In September 2016 we carried out a public consultation on three design principles. This allowed the public to vote on their preferred option with option 3.1, a mix of refurb and new build being the most voted for option. This was widely promoted through a mix of social media, through the reference group, press releases and websites.

In 2017 we encouraged local community groups to fundraise to deliver the community favoured option. To support this we gave a time frame of 6 months and funded a part-time fundraiser to help achieve this. Unfortunately the attempts to generate external funding were unsuccessful.

Enhanced proposals for the East Oxford Community Centre redevelopment were presented to the centre's Reference Group in October 2017 This £3.7m scheme would have delivered more community space than previous proposals, and an improved and better located outdoor amenity space.

In the meantime, there were some exploratory discussions with Oxfordshire County Council about their possible involvement in the redevelopment plans as it seemed they could co-locate some additional uses at a new EOCC facility and feasibility work was carried out to establish whether and how this might work, without compromising space provision already planned in the new facility.

By July 2018 Oxford City Council and Oxfordshire County Council were entering the second phase of discussions about developing a joint community hub at East Oxford Community Centre.

The intention of the hub would have included some of the County Council's children's centre and adult learning activities at East Oxford Community Centre, alongside the City Council's community and arts provision. This approach would have offered the potential to enhance the range of services, the amenity provision (e.g. kitchen, café, etc), and the quality of a new community facility, increasing usage and creating opportunities to link activities and communities, and helping meet the needs of residents both now and well into the future.

Unfortunately the County Council were unable to contribute funding to the project at the time and this option was therefore discontinued.

From April 2019 Arcadis were appointed to manage the project from design and feasibility through to occupation. They have met with tenants and main hirers several times and again the optimal option to fulfil all requirements has been to refurbish the existing main building that is listed and a new purpose-built part to accommodate existing tenants and users.

In June 2019 a Consultation Framework meeting was held to make sure all the right parties were consulted. In addition to that, a task force was set up to involve hard reaching communities and charities operating in East Oxford.

Between June and July Arcadis met with key users and tenants to identify their design priorities, so they were able to draft a design proposal. That was first presented to the Reference Group (September 2019) and then to a wider audience in a community engagement meeting on the 20th of September. Around 150 people attended the event and gave feedback on the new plans. Tenants and hirers displayed their activities to the general public, showing the centre's good vibe, heritage and sense of community as well as a creative spirit. People not able to participate in the event could submit their feedback online. The feedback received was in-line with the previous consultation, but the new designs also spark comments on other important functional aspects.

The feedback collected in the engagement event was discussed with the stakeholders at the October Reference group and absorbed in the new designs. A new community engagement event was held on the 12th November to give visibility of new designs to the wider public.

At the same time, from October 2019, a special communication plan has been put in place for the EOGH customers: a letter has been sent out to inform them about the expected timeline of works and closure of the building they use and meetings have been held with 5 out of the 11 current hirers. The Scout group will be rehoused at the Centre.

### **B: Consultation on residential element of the scheme**

Resident feedback and input on the draft plans for the housing element of the project are critical as these sites are surrounded by existing communities and active neighbours, but also because each site is very different to each other. This approach will be implemented on the three housing sites, Princess Street, Collin Street and Catherine Street, whether they come forward together or separately.

Since the outset of the project the community have been made aware that the funding of the development can only be achieved with the housing being part of the business plan. An opportunity was given for the community to raise external funding for over 6 months to try and give another alternative to this but unfortunately it was unsuccessful.

### **C: Engage on the vision for the centre to inform the governance**

Without community activities, groups and services a Community Centre, is just another building. So the next stage of engagement journey will be around the vision of the centre, the needs of the wider community and how the centre and its activities will support addressing these.

We are aware that throughout the project process there have been a number of different community groups wanting to manage the centre going forward. To ensure that we are able to effectively engage around this, that it is adequately resourced and that it gives the 1<sup>st</sup> years operational costs and best chances of succeeding it is recommended that the Council continues to operate the site for the first year. That governance work starts after the community centre opens with a view to recommending a way forward after the first operational year as a minimum.

**Cabinet response to recommendations of the Scrutiny Committee made on 05/10/2021 concerning the Development of Land at South Oxford Science Village**

**Response provided by Deputy Leader and Cabinet Member for Finance and Asset Management, Ed Turner, and Cabinet Member for Planning and Housing Delivery, Alex Hollingsworth**

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<i>Recommendation</i>	<i>Agree?</i>	<i>Comment</i>
<p><b>1) That, so far as is possible without compromising other key strategic objectives for the development, the Council affords the greatest possible weight to environmental standards and seeks that this importance is reflected at all stages of the development, including the agreement between partners and in the master developer agreement.</b></p>	<p>Agree</p>	<p>The Council will be one of three partners who will be promoting the development of the site and for the development to progress it will need to be commercially viable; as the report sets out, different partners have different objectives, and it will be essential to achieve consensus about the degree to which these are pursued, which may require that a balance be struck between desirable elements and the essential infrastructure required for the site such as schools and road improvements as well as much needed affordable housing. It is also worth pointing out that South Oxfordshire District Council, as the planning authority, may also have requirements that the scheme and the partners will need to meet. But, as set out in the answer to recommendation 2 below, pursuing the highest possible environmental standards while being conscious of these constraints is the best way to mitigate against both the risks of changes to environmental standards and more importantly, against the risks of climate change itself.</p>
<p><b>2) That the Council recognises the risk of national or local energy efficiency building standards rising over the course of the development, determines a risk-adjusted baseline for energy efficiency standard for buildings on the development, and seeks to encourage partners of the business case for</b></p>	<p>Agree</p>	<p>The detailed analysis of the scheme does currently include in the risk assessment the likelihood that nationally or locally set environmental standards will change, and that the timetable for any such changes is currently uncertain. The partners are aware that South Oxfordshire District Council has started worked on a new Local Plan, and has</p>

<p><b>adopting a standard beyond current South Oxfordshire District Council Local Plan standards.</b></p>		<p>made clear its aspirations to set the highest possible environmental standards in that Plan. At this early stage of course it is not certain what those standards will be and when any new Local Plan might be adopted. Nonetheless it is the Council's view as a partner in the project that the best way to mitigate this risk is pursue standards that are not just beyond those in the Building Regulations, but more importantly beyond the more rigorous standards that are a requirement of the current South Oxfordshire Local Plan.</p>
<p><b>3) That the Council works with partners to seek to optimise social value generation throughout all the stages of the project.</b></p>	<p>Agree</p>	<p>While pursuing additional measures that impact on costs and thus viability is subject to agreement and compromise between the partners, the pursuit of social value through the development is something that adds value rather than cost, and is something therefore that the Council will promote to its partners and in particular through the appointment of the Master Developer. This is a very significant development, with great opportunities for new jobs, training and skills for local people, and the City Council would like to see this sort of social value reflected not just in the outcome of the development, but as part of the criteria against which the appointment of the Master Developer is measured.</p>
<p><b>4) That the Council includes the Cabinet members for Planning and Housing Delivery and Finance and Asset Management as consultees to the delegations referred to in recommendations 1 – 3 the Cabinet report</b></p>	<p>Agree</p>	<p>Consultation with both Cabinet members will be added to the delegation recommendations in the report; this was a drafting error in the report, and Scrutiny are thanked for spotting it.</p>

**Cabinet response to recommendations of the Housing and Homelessness Panel made on 02/09/2021 concerning Housing Performance Q1**

**Provided by the Cabinet Member for Affordable Housing, Housing Security, and Housing the Homeless, Councillor Diko Blackings**

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<b><i>Recommendation</i></b>	<b><i>Agree?</i></b>	<b><i>Comment</i></b>
<p><b>1) That the Council, as Covid restrictions ease, increases the breadth and depth of its engagement with the Lived Experience Advisory Forum and other similar groups in shaping Council homelessness services.</b></p>	<p>Yes</p>	<p>Working with LEAF and others with lived experience to inform and help shape homelessness services is vitally important. The pandemic has made engagement more difficult, but has continued over the past year including: informing the specification for the new countywide rough sleeping and single homelessness service and Housing First support service, contributing to the developing Housing and Homelessness Strategy, and working with LEAF and King’s College London to put together a team of peer assessors to conduct the qualitative evaluation of the Step-down housing service which is part of the Out of Hospital project.</p> <p>We are committed to continue to build on this engagement, including involving LEAF in the next stages of the development of the new Housing and Homelessness Strategy, and they will be a key component of the new countywide service with representation in the governance arrangements, and a partner in ensuring the voice of service users are heard in the ongoing monitoring and development of the services.</p>

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

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