

Agenda

Cabinet

This meeting will be held on:

Date: **Wednesday 26 January 2022**

Time: **6.00 pm**

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

For further information please contact:

Emma Lund, Committee and Member Services Officer, Committee Services Officer

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Members of the public can attend to observe this meeting and

- may submit a question about any item for decision at the meeting in accordance with the [Cabinet's rules](#)
- may record all or part of the meeting in accordance with the Council's [protocol](#)

Details of how City Councillors and members of the public may engage with this meeting are set out later in the agenda. Information about recording is set out later in the agenda and on the [website](#)

Please contact the Committee Services Officer to submit a question; 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

Cabinet Members

Councillor Susan Brown	Leader of the Council
Councillor Ed Turner	Deputy Leader - Finance and Asset Management
Councillor Tom Hayes	Deputy Leader - Green Transport and Zero Carbon Oxford
Councillor Lubna Arshad	Cabinet Member for Parks and Waste Reduction
Councillor Shaista Aziz	Cabinet Member for Inclusive Communities
Councillor Diko Walcott	Cabinet Member for Affordable Housing, Housing Security, and Housing the Homeless
Councillor Mary Clarkson	Cabinet Member for Culture, Leisure and Tourism
Councillor Alex Hollingsworth	Cabinet Member for Planning and Housing Delivery
Councillor Mike Rowley	Cabinet Member for Citizen Focused Services
Councillor Louise Upton	Cabinet Member for a Safer, Healthier Oxford

Apologies received before the publication are shown under *Apologies for absence* in the agenda. Those sent after publication will be reported at the meeting.

Decisions come into effect after the latest of the expiry of the post-meeting councillor call in period; reconsideration of a called-in decision; or Council's agreement of recommendations.

Oxford City Council, Town Hall, St Aldate's Oxford OX1 1BX

Agenda

Items to be considered at this meeting in open session (part 1) and in confidential session (part 2).

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

		Pages
1	Apologies for Absence	
2	Declarations of Interest	
3	Addresses and Questions by Members of the Public	
4	Councillor Addresses on any item for decision on the Cabinet agenda	
5	Councillor Addresses on Neighbourhood Issues	
6	Items raised by Cabinet Members	
7	Scrutiny reports Scrutiny Committee meets on 18 January. Any recommendations from that meeting will be published as a supplement to this agenda.	
8	Exploring future options for Council owned land in the City centre Lead Member: Deputy Leader (Statutory) - Finance and Asset Management (Councillor Ed Turner) The Executive Director (Development) has submitted a report to seek approval to delegate to officers the process and selection of a preferred commercial partner for the potential redevelopment of Council owned land in the city centre. This will enable the Council to make an informed choice about its next moves. Cabinet is recommended to: 1. Delegate authority to the Executive Director Development, in consultation with the Council's Section 151 Officer, the Head of Law and Governance, and the Cabinet Member for Finance and Asset Management, to agree the terms, route to market, and then select a	9 - 12

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preferred commercial partner for the potential redevelopment of council owned land in the city centre; and

2. **Note** that any decision to enter into contract with the preferred commercial partner for the redevelopment of the land would require a separate Cabinet decision. This would be taken in the round with consideration of other options, including the potential to renew the lease with existing lease holder.

9 Council Tax Reduction Scheme for 2022/23

13 - 38

Lead Member: Cabinet Member for Inclusive Communities (Councillor Shaista Aziz)

The Head of Financial Services has submitted a report to consider the feedback from the recent consultation on the proposed changes to the 2022/23 Council Tax Reduction Scheme and to agree the principles of the new scheme to be drawn up for approval by Council.

Cabinet is recommended to:

1. **Note** the outcome of the consultation on the proposed Council Tax Reduction Scheme; and
2. **Delegate authority** to the Head of Financial Services to draft the details of the new Council Tax Reduction Scheme for 2022/23 in accordance with paragraphs 8 to 11 of this report which sets out the proposed implementation and changes to the Scheme; and
3. **Recommend** to Council to resolve to adopt the new Local Council Tax Reduction Scheme for 2022/23 taking into account the following:
 - To increase the Income Bands in line with paragraph 8 Table 1 using CPI for the Benefit Cap uprating;
 - To continue to support a 100% CTR entitlement;
 - To continue with a Banded Scheme based on Income rather than family composition;
 - To leave non dependant deductions as they are currently.

10 Proposal to remove and sell car parking decking from Oxpens car park

39 - 44

Lead Member: Cabinet Member for Planning and Housing Delivery (Councillor Alex Hollingsworth)

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The Executive Director for Development has submitted a report to seek approval to remove and dispose of car park decking at Oxpens Car Park.

Cabinet is recommended to:

1. **Grant** project approval for the removal of the car park decking located at Oxpens car park and sold for recoverable steel rather than stored for potential reuse; and
2. **Delegate** to the Director of Development in consultation with the Cabinet Member for Planning and Housing Delivery and the Head of Law and Governance and Head of Financial Services the authority to procure, and enter into all appropriate contracts to implement the recommended option.

11 Minutes

45 - 54

Recommendation: That Cabinet resolves to **approve** the minutes of the meeting held on 15 December 2021 as a true and accurate record.

12 Decisions taken under Part 9.3(b) of the Constitution

55 - 58

The Head of Paid Service (Chief Executive) has submitted a report asking Cabinet to note a decision taken by the Head of Paid Service (Chief Executive) using the urgency powers delegated in Part 9.3(b) of the Constitution.

Recommendation: That Cabinet resolves to **note** the decision taken as set out in the report and **recommend** to Council to note the decision.

13 Dates of Future Meetings

Meetings are scheduled for the following dates:

9 February 2022

16 March 2022

13 April 2022

15 June 2022

13 July 2022

All meetings start at 6.00

Decisions come into effect after the latest of the expiry of the post-meeting councillor call in period; reconsideration of a called-in decision; or Council's agreement of recommendations.

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Matters Exempt from Publication

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

Cabinet may maintain the exemption if and so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Part Two – matters exempt from publication

- | | |
|-----------|--|
| 14 | Exploring future options for Council owned land in the City centre - Appendices 1 and 2 |
|-----------|--|

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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.

The Council asks those recording the meeting:

- 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.

How Oxford City Councillors and members of the public can engage at Cabinet

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

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

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

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

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

Councillors speaking at meetings

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

Councillors speaking on Neighbourhood issues (10 minutes in total)

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

Items raised by Cabinet members

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

To: Cabinet

Date: 26 January 2022

Report of: Executive Director (Development)

Title of Report: Exploring future options for Council owned land in the City Centre

Summary and recommendations	
Purpose of report:	To seek approval to delegate to officers the process and selection of a preferred commercial partner for the potential redevelopment of Council owned land in the city centre (see Confidential Appendix 1 for more details). This will enable the Council to make an informed choice about its next moves.
Key decision:	Yes
Cabinet Member:	Councillor Ed Turner, Cabinet Member for Finance and Asset Management
Corporate Priority:	Inclusive Economy
Policy Framework:	Oxford Local Plan
Recommendation(s): That Cabinet resolves to:	
1.	Delegate authority to the Executive Director Development, in consultation with the Council's Section 151 Officer, the Head of Law and Governance, and the Cabinet Member for Finance and Asset Management, to agree the terms, route to market, and then select a preferred commercial partner for the potential redevelopment of council owned land in the city centre (see Confidential Appendix 1 for more details); and
2	Note that any decision to enter into contract with the preferred commercial partner for the redevelopment of the land would require a separate Cabinet decision. This would be taken in the round with consideration of other options, including the potential to renew the lease with existing lease holder.

Appendices	
Appendix 1	Confidential – Officer Report
Appendix 2	Confidential - Risk Register

Introduction and background

1. The Council has a responsibility to effectively manage assets it holds in order to maximise income returns for the Council, and bring about wider public benefits.

Options considered to date

2. A high level review of the site's redevelopment potential has been undertaken by external commercial agents. Due to commercial sensitivity, findings on options are summarised within Appendix 1 – Confidential Officer Report.

Proposed strategy moving forward

3. A number of shortlisted options are set out in the Appendix 1 – Confidential Officer Report. To move these forward three workstreams now need to be explored in parallel to help reach a decision in terms of financial return and other factors.
4. This approach will help the Council guard against adverse risks as detailed in Appendix 1– Confidential Officer Report.
5. The three workstreams are:
 - A. Appointing a commercial agent to market the site for redevelopment, to advise on the most advantageous leasing or redevelopment options; and to negotiate the detail of the proposed transaction.
 - B. Continuing to pursue talks with existing tenant on an acceptable lease renewal proposal.
 - C. Exploring any other opportunities to maximise income and other benefits on the site.
6. These three workstreams will allow the Council to understand what is achievable and viable, and whether comprehensive redevelopment should be pursued. The funding for the initial phase of these three workstreams has been approved by an officer delegated decision.
7. Workstream A (exploring options for comprehensive redevelopment), once completed, will help inform decisions about whether it is a more suitable option than those being considered through Workstream B (lease renewal) and C (other opportunities).
8. However, in order for us to adequately progress Workstream A in a timely fashion, it is necessary to seek delegated authority to Director for Development, in consultation with the Lead Member for Finance and Asset Management, to agree the terms, route to market and seek a preferred commercial partner.
9. The Council's officer level Development Board, in consultation with the Cabinet Member for Finance and Asset Management, will review the outcome of the work across the three workstreams, and make a recommendation in regard to the best option for the Council. This will then be brought forward in the line with the Council's Scheme of Delegation.
10. As noted above, should the comprehensive redevelopment option be recommended, this will need to come back to Cabinet for final decision, along with a recommendation to Council for further budget to take this forward.

Milestones and Programme

11. In order to best secure the Council's interests for the site, and minimise risks; all options need urgently progressing in parallel.
12. It is expected that Development Board will consider the initial outcome of the three workstreams in April or May 2022, which could then inform a potential Cabinet decision in June or July 2022. This programme is subject to further work with the appointed commercial agent and consultants, and as such is indicative at this stage.

Financial implications

13. This report is seeking an officer delegation from Cabinet to explore the comprehensive redevelopment option for the land, and is not seeking approval for any additional budget at this point. This delegation is necessary to allow the Council to explore this option in a timely fashion, for reasons explored further in Appendix 1 – Confidential Officer Report.
14. An overall budget approval has already been agreed as an Officer Delegated Decision. The budget allocation will be staged, and reviewed by the Council's officer level Development Board at key gateways. The costs associated with the work to take forward the three workstreams outlined above will come from the R&D capital feasibility allocation within the capital programme. The costs include the commercial agent to advise on delivery options, market site and negotiate the transaction; consultants to review other options, internal project management, property and legal advice, and contingency.

Legal issues

15. The Council's legal team has advised on this Report, see Appendix 1 – Confidential Officer Report.

Level of risk

16. Refer to the attached Appendix 2 – Confidential Risk Register.

Equalities impact

17. Not required at this stage.

Report author	Carri Unwin
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Background Papers: None

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To: Cabinet
Date: 26 January 2022
Report of: Head of Financial Services
Title of Report: Council Tax Reduction Scheme 2022/23

Summary and recommendations	
Purpose of report:	To consider the feedback from the recent consultation on the proposed changes to the 2022/23 Council Tax Reduction Scheme and to agree the principles of the new scheme to be drawn up for approval by Council
Key decision:	Yes
Cabinet Member:	Councillor Shaista Aziz, Inclusive Communities
Corporate Priority:	All
Policy Framework:	Council Strategy 2020 - 24
Recommendation(s): That Cabinet resolves to:	
<ol style="list-style-type: none"> Note the outcome of the consultation on the proposed Council Tax Reduction Scheme. Delegate authority to the Head of Financial Services to draft the details of the new Council Tax Reduction Scheme for 2022/23 in accordance with paragraphs 8 to 11 of this report which sets out the proposed implementation and changes to the Scheme; and Recommend to Council to resolve to adopt the new Local Council Tax Reduction Scheme for 2022/23 taking into account the following: <ul style="list-style-type: none"> To increase the Income Bands in line with paragraph 8 Table 1 using CPI for the Benefit Cap uprating; To continue to support a 100% CTR entitlement; To continue with a Banded Scheme based on Income rather than family composition; To leave non dependant deductions as they are currently. 	

Appendices	
Appendix 1	Response to consultation
Appendix 2	Risk Register
Appendix 3	Equalities Impact Assessment
Appendix 4	Glossary of Terms

Introduction and background

1. Councils are required to review their Council Tax Reduction (CTR) Scheme for working age recipients on an annual basis and consider any appropriate revisions. The scheme that exists for pension age recipients is a national scheme prescribed by regulations and cannot be varied locally.
2. In order to change its scheme a council is required by law to:
 - Consult with the major precepting authorities
 - Consult with other persons it considers are likely to have an interest in the operation of the scheme.

The CTR Scheme itself must be adopted by full Council, it cannot be delegated to an officer or committee.

3. Local Schemes must take account of and support:
 - Work incentives and in particular avoid disincentives for those moving into work
 - The Council's duties to protect vulnerable people (under the Equality Act 2010, the Care Act 2014, the Child Poverty Act 2010 and the Housing Act 1996)
 - The Armed Forces Covenant.

Proposed changes to scheme

4. At its meeting on 15 September 2021, Cabinet agreed to consult on a new CTR Scheme for 2022/23. Public consultation was undertaken for a period of 8 weeks from 22 September 2021 to 17 November 2021 in both electronic and paper format where required. The Council consulted directly with existing CTR claimants, the major preceptors, Oxfordshire County Council and the Thames Valley Police and Crime Commissioner and also advice agencies in Oxford.
5. A number of new proposals were submitted for consultation. The proposals related to:
 - Whether or not to increase the Income Bands or to freeze at current levels. Where wages are being increased freezing income bands to current levels will reduce the amount of CTR given although clearly in the current environment post pandemic this impact may be negligible since wage rises in

most sectors are unlikely to increase rapidly as business try to initiate their recovery.

- If the Council were to increase income bands, to use CPI instead of RPI where stated, in line with the DWP up-ratings. CPI is generally lower than RPI and will lead to lower CTR payments.
- To consider if the banded income approach should take into account family size. Currently the scheme has a single structure for a total income for all applications, with no regard to household composition.
- To consider giving a reduction of up to 100% for passported cases, limiting the reduction to a % or a fixed weekly amount for all other claims. If the Council were to reduce the % award, or ask all claimants to pay a set amount, the Council's tax base (the total of Band D properties used in the calculation of council tax income) would increase in future years, as there would be fewer Band D equivalents lost as a result of awarding CTR.
- To automatically reduce the CTR award to a maximum of 75% if there is a non-dependant (adult aged 18 or over) in the property. In cases where there is a disability benefit in payment for the applicant or an additional adult, then the reduction would not be applied. This mirrors the application of the single person discount.

Summary of consultation responses

6. Appendix 1 provides a summary of the responses to the consultation on the proposed changes to the CTR Scheme. Details of those consulted with directly are listed at 4 above.
7. Paper copies were distributed to libraries and were sent to those that requested a paper version.
8. 294 online responses (8 from organisations and precepting authorities) and 6 paper responses were received, the majority of responses were fully completed, with many providing very detailed feedback and showing a good understanding of the issues. In summary:
 - There is support for continuing to use income bandings and for the method of uprating the bandings used in the income band scheme (see Section 9, Table 2), (46% agreed, 32% disagreed). 28% of respondents commented, and most wanted to see the uprating of the bands continue rather than freezing at the current level. It is clear those on low incomes are struggling with other increasing living costs. That said, 47% of respondents then agreed to a freeze on uprating the bands, but the comments suggested the Council should continue to increase the bands (see Section 9, Table 2). There were lots of comments regarding pensioners, however it is only the Working Age Scheme the Council has any control over.
 - 52% thought we should consider the household structure in relation to the bands, however there were comments around income being more relevant than household make up. Many want to keep the scheme as it is to avoid complication.

- 54% said that they did not want to see everyone having to pay something towards their Council Tax. 60% did not want to see everyone having to pay something regardless of their income, which highlights how important maintaining a 100% CTR scheme is to claimants. Comments were mixed though, with those clearly struggling already keen to still receive full support.
- Changes to restrict the award to 75% where there is a non-dependant deduction were mixed, with this not receiving a great deal of support and the comments suggest this is not supported.
- The majority of respondents did not want to see an increase in Council Tax or Fees and Charges, but supported cutting other services to fund the CTR Scheme.

Additional comments to note:

- Many comments are relating to the National Minimum Wage not covering the cost of living for Oxford. Comments are ranging from the Council needs to uplift to not penalise the increase in wages from the budget and other comments are the rise in inflation post Brexit.
- There are many comments regarding to the Oxford Living Wage stating that they work locally and are not on this hourly rate or that the scheme assumes that people are in receipt of the higher hourly rate.
- People who are in privately rented accommodation are already paying higher living costs.
- Comments relate to disparity of wealthy residents to poor and that the wealthy should contribute towards the CTR scheme to help with lower income families. There is a further comment asking if wealthy people could pay an additional amount in their CT charge to cover the increase cost in the CTR scheme to reduce the burden to the Council.
- People have noted that the current scheme works, so why change it and there are comments that they agree with the banded approach.
- There is a single comment that the council are not supportive and send out letters when they are behind with the instalments. As this questionnaire is anonymous, we are unable to establish who this is, to make contact with them.

Implementation of the Responses

Income Banded Scheme

- To continue with the same methodology for updating income bands for 2022-23 for assessing the entitlement for the percentage of council tax reduction.
- To apply the CPI rate for the uplift to Band 5 which as at September 2021 was 3.1%

Table 1- 2022 proposed bands

Band	Weekly Income	Discount received	No of working age claimants at Sept 2021
1	£0 - £152.00	100%	793
2	£152.01 - £228.00	75%	734
3	£228.01 - £315.00	50%	1,350

4	£315.01 - £396.99	25%	1,197
5	£397 and above	0%	1,912

The rationale for the weekly income figures above is as follows:

Band 1 is equivalent to 16 hours on the National Minimum Wage (NMW £9.50 per hour from April 2022) rounded upwards

Band 2 is equivalent to 24 hours on the NMW rounded upwards

Band 3 is equivalent to 30 hours on the Oxford living wage (OLW £10.50 per hour from April 2022) rounded upwards

Band 4 equivalent to the difference between the top of Band 3 and the Band 5 figure

Band 5 is the Benefit Cap amount for couples (£384.62) increased by CPI at Sept 21 of 3.1% instead of RPI of 4.9%, in line with DWP benefit uprating)

Council Response – To keep the methodology of updating the bands as highlighted above, and to increase Band 5 by CPI instead of RPI which as at September 2021 was 3.1%.

Making a minimum charge

- In preparing the Consultation Budget presented to Cabinet, the Council resolved to continue to provide maximum financial support for residents in receipt of CTR, factoring in the cost of such support into its budget plans. This is in line with the consultation responses which equally indicated little support for capping the amount of financial support provided.

Council Response - In view of the current effect of the pandemic and increases in the cost of living, it is recommended that the Council continues to award up to a maximum 100% CTR.

Family Composition

- To consider if the banded income approach should take into account family size. Currently the scheme has a single structure for a total income for all applications, with no regard to household composition.

Council Response - Whilst there is support for this there were also a range of comments including keeping the scheme as it is to avoid complication. It is recommended that the bands stay as they are currently as this appears to be working well, but that officers will investigate options other Councils implement around the bands/income and family composition and model options for the 2023/24 CTR Scheme.

Non-Dependants

- To automatically reduce the CTR award to a maximum of 75% if there is a non-dependant (adult aged 18 or over) in the property. In cases where there is a disability benefit in payment for the applicant or an additional adult, then the reduction would not be applied. This mirrors the application of the single person discount.

Council Response -There was little support for this change and as the numbers are small it is recommended that the Council does not take this forward.

Other considerations taken into account in the proposed scheme

9. The Council will always endeavour to maximise the CTR award. Where the customer has a minimal change in Income and doesn't move from one Income Band to another they will not need to report changes and their CTR award remain the same.
10. As part of the new CTR scheme, the Council will continue to disregard most disability benefits. The Council will however take into account Employment Support Allowance Contributions Based, as this benefit is based on National Insurance contributions and the claimant may have other Income.
11. There will be some administrative work required to implement the amendments to the scheme and inform the public about the changes. This includes revising the scheme, updating any legislative changes required, amending the functionality of the software used for administering the CTR Scheme, amending local processes, training staff and producing communications for customers. This will lead to a better customer experience by having an easier application process, with no need to notify of minor income changes unless this would mean moving into a lower or higher band and regular reviews of claims.

Financial Implications

12. The Council is one of less than 40 councils in the country to maintain a 100% CTR scheme for the payment of CTR i.e. one that requires no minimum payment of council tax but provides financial support at much the same level for claimants as existed within the old Council Tax Benefit scheme, before the new CTR scheme came into force on 1st April 2013. Most other councils have reduced the cost of their schemes by providing a lower level of support. Whilst the Government initially provided funding for the new local schemes, the funding has reduced each year in line with the reduction in the Council's Revenue Support Grant (RSG) which has now reduced to zero, consequently no Government funding is provided towards the CTR Scheme.
13. Some authorities are considering or have returned to providing 100% support.
14. Due to Covid-19 the Council received a one off funding payment of £1.1m from Central Government for 2020/21 as a hardship fund to help support CTR recipients with the payment of Council Tax. The Government recommended

payments of up to £150 to cover outstanding council tax liability although given the Council's 100% funded CTR scheme the Council has been able to increase this up to £250 as a discount towards the residual element of Council Tax. From 2022 this fund will not be available but anyone in difficulty can apply for a discretionary discount as in previous years.

15. When the tax base for 2021/22 was estimated in January 2021 a gross figure of £11.874m was included as the estimate of CTR expenditure for the year. As at Nov 1st 2021 expenditure on CTR was £12.621m, an increase of around £747k or 6.3%. The City's share of this revised estimated spend is £1.932m, an increase of £114k on that estimated. This increase in CTR spend will be factored into budget setting for 2022-23.
16. By continuing to award up to 100% CTR this continues to support the residents of Oxford from going further into poverty and building up Council Tax debts. It is important that those on low incomes are not penalised by reducing the support currently available.
17. Staff savings of £70k were achieved in the Benefits Team as a result of moving to an Income Banded Scheme for all Working age claimants in 2021.
18. The scheme is administered alongside payment of Housing Benefit by 24.8 FTE staff at a gross cost of £1.00m per annum for 2021-22. Central Government issues a grant to compensate local authorities for the cost of administering Local Council Tax Support (LCTS) and Housing Benefit. For 2021/22 OCC will receive £174,819 for CTR administration, and Housing Benefit Administration grant of £397,420. With some other smaller grants for increased workloads this results in a net annual cost for administration of both Housing Benefit and CTR of £427,342. As universal credit is rolled out the administration grant is likely to be reduced further as will the cost of administration. Provision has been made in the Council MTFS for both these eventualities.
19. The proposed changes to the scheme may increase the scheme's cost slightly. The bandings in the income band scheme are being uprated in line with expected increases in wages, and so this change should ensure current recipients of support stay in the same band as their income increases. With furlough ending and seasonal work going through peaks and troughs, it is unclear if we will see any increase in claimants as the jobs market is buoyant at present.
20. Universal Credit changes, wage increases and National Insurance Contribution increases are likely to balance each other out.

Legal issues

21. Local Council Tax Support came into effect on 1 April 2013 pursuant to the Local Government Finance Act 1992. Section 13A(2) of that Act (as amended) provides:
Each billing authority in England must make a scheme specifying the reductions which are to apply to amounts of council tax payable, in respect of dwellings in its area, by—
(a) persons whom the authority considers to be in financial need, or
(b) persons in classes consisting of persons whom the authority considers to be, in general, in financial need.'

22. Schedule 1A of that Act prescribes what must be included in a Council Tax Reduction Scheme, and places a duty on the authority, each financial year, to consider whether to revise its scheme or replace it with another scheme. The scheme states the classes of person who are to be entitled to a reduction, the type of reduction and whether there are different reductions for different classes. The scheme should also set out the procedure to apply for a reduction and the appeal procedure.
23. Before preparing a scheme, the authority must (in the following order)—
- (a) Consult any major precepting authority which has power to issue a precept to it;
 - (b) Publish a draft scheme in such manner as it thinks fit; and
 - (c) consult such other persons as it considers are likely to have an interest in the operation of the scheme.
24. In considering changes to the CTR Scheme, the Council must take into account the provisions of The Council Tax Reduction Schemes (Prescribed Requirements) (England) 2012 and subsequent amendments.
25. Since the introduction of CTR Schemes, there have been a number of legal challenges against other local schemes. Most of these challenges have been in relation to the consultation undertaken and have questioned whether due regard was given to any equality impact assessment when changes were made to schemes. A Supreme Court ruling in 2014 (R (Moseley) v London Borough of Haringey) has determined that consultation on changes to council tax reduction schemes must also include an option for any current scheme to be retained on the same level of funding with a consequent reduction in funding for other services. There were questions in the consultation paper on these options.
26. The CTR Scheme itself must be adopted by Council, and the approval of the scheme cannot be delegated to an officer or committee.

Level of risk

27. A risk register is attached at Appendix 2.

Equalities impact

28. The changes proposed in this report do not have any new equality impacts attached to them. The equality impact of the income band scheme was considered in a report to Cabinet dated 19 December 2017. An Equalities Impact Assessment is attached at Appendix 3.
29. When the scheme is published on the Council website we will ensure customers are aware of our translating and interpreting services available.

Report author	Tanya Bandekar
Job title	Revenues & Benefits Service Manager
Service area or department	Financial Services
Telephone	07483 011298
e-mail	tbandekar@oxford.gov.uk

Background Papers: None

Appendix 1

Council Tax Reduction Scheme 2022/23 Consultation

This report was created on Thursday 25 November 2021 at 10:42

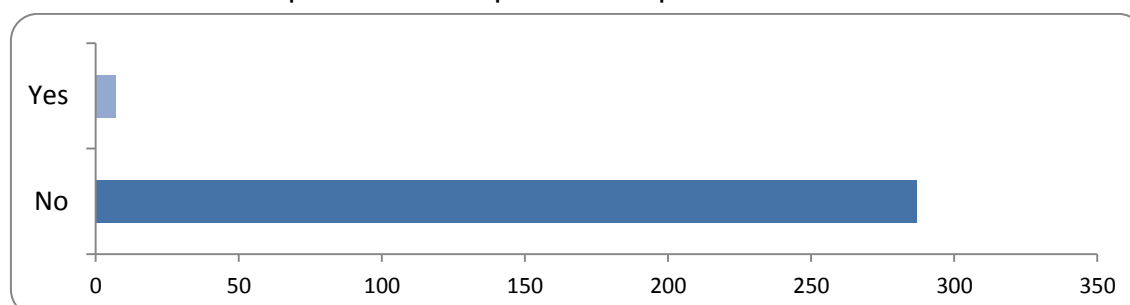
The activity ran from 22/09/2021 to 17/11/2021

Responses to this survey: **294**

1: Are you responding on behalf of an organisation?

Reply for an organisation

There were 294 responses to this part of the question.



Option	Total	Percent
Yes	7	2.38%
No	287	97.62%
Not Answered	0	0.00%

2: If you are responding on behalf of an organisation, please state which one?

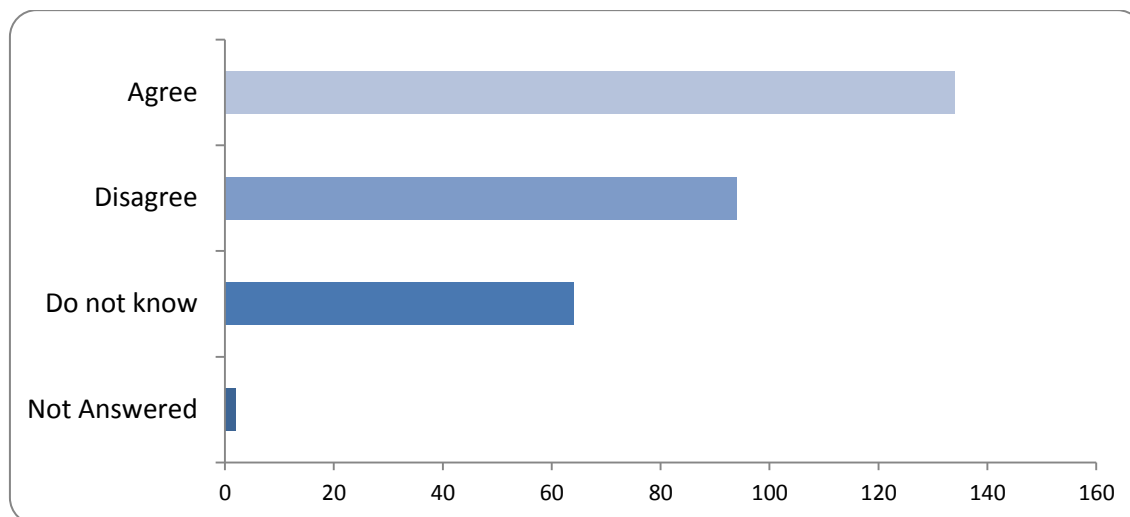
Comments

There were 8 responses to this part of the question.

3: Do you agree or disagree with the proposal for uprating the income bands from 2021/2022?

Uprating income bands

There were 292 responses to this part of the question.



Option	Total	Percent
Agree	134	45.58%
Disagree	94	31.97%
Do not know	64	21.77%
Not Answered	2	0.68%

4: Please provide any comments you have on the income band scheme, and this proposal.

Comments

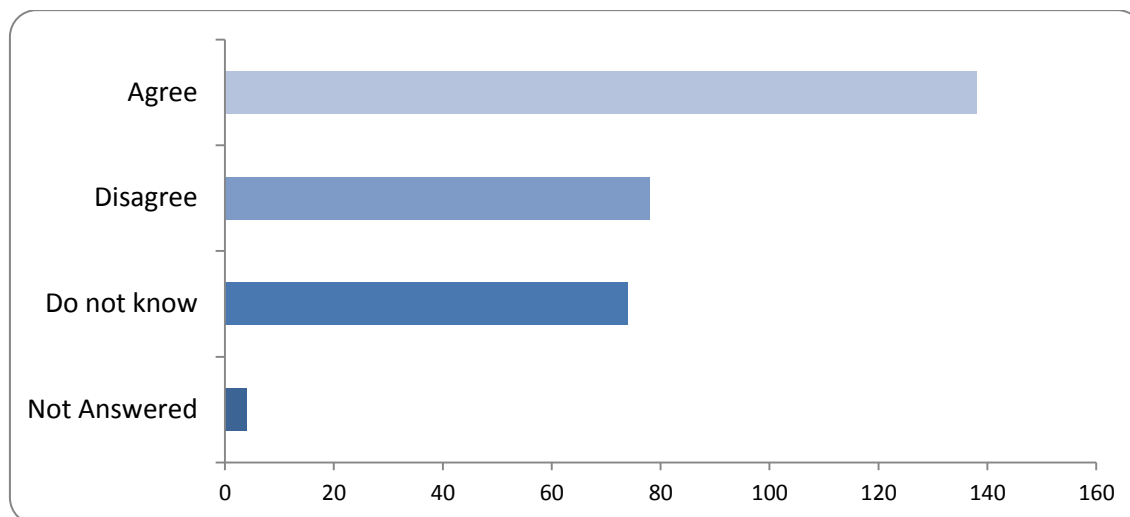
There were 83 responses to this part of the question.

5: Proposal 2 considers whether or not the Council should freeze the proposed uprating of the Bands for 2022/23 due to affordability.

Do you agree or disagree with the proposal for freezing the income bands at the 2021/22 amounts?

Freezing income bands

There were 290 responses to this part of the question.



Option	Total	Percent
Agree	138	46.94%
Disagree	78	26.53%
Do not know	74	25.17%
Not Answered	4	1.36%

6: Please provide any comments you have on the income band scheme and this proposal.

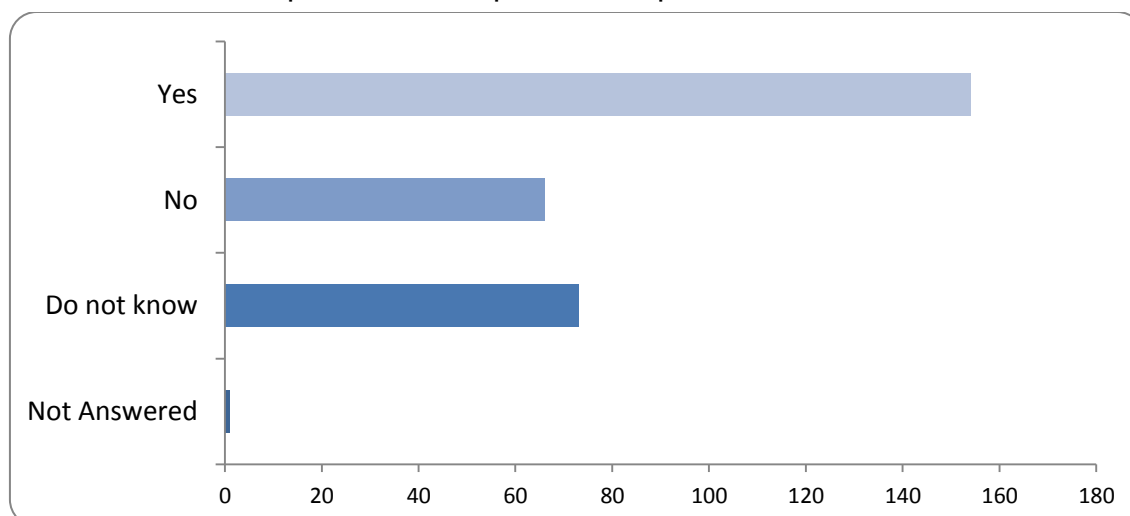
Comments

There were 74 responses to this part of the question.

7: Do you think the Council should amend the banding structure to take into account the size of the household?

Household affects banding structure

There were 293 responses to this part of the question.



Option	Total	Percent
Yes	154	52.38%
No	66	22.45%
Do not know	73	24.83%
Not Answered	1	0.34%

8: Please provide any comments you have on amending the banding structure to take into account the size of the household.

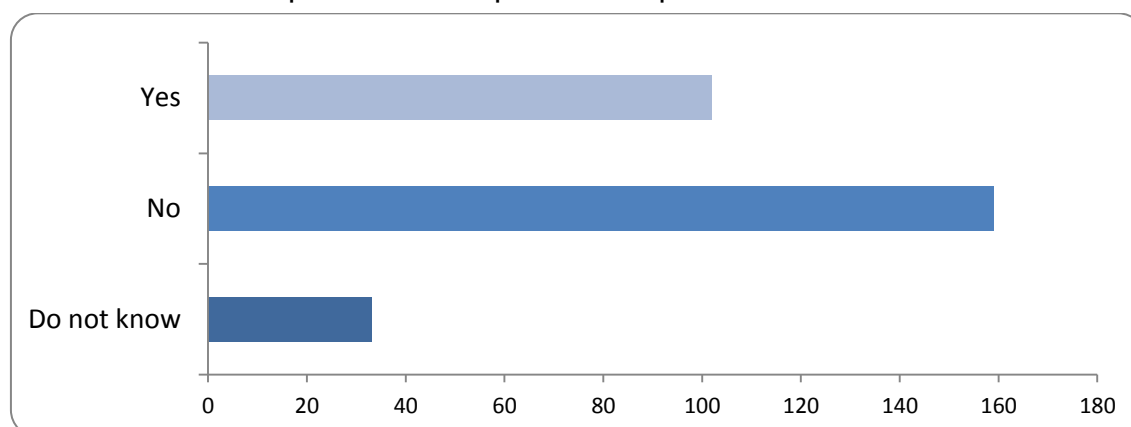
Comments

There were 82 responses to this part of the question.

9: In your view, should everyone pay towards their Council Tax charge?

Minimum charge

There were 294 responses to this part of the question.

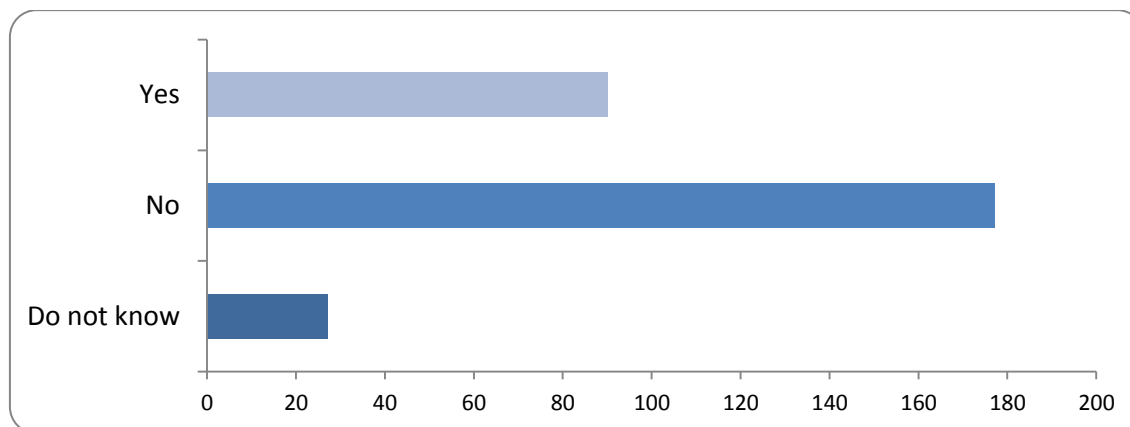


Option	Total	Percent
Yes	102	34.69%
No	159	54.08%
Do not know	33	11.22%
Not Answered	0	0.00%

10: Do you think that all claimants should make some contribution towards the Council Tax regardless of their Income?

All pay regardless of passporting

There were 294 responses to this part of the question.



Option	Total	Percent
Yes	90	30.61%
No	177	60.20%
Do not know	27	9.18%
Not Answered	0	0.00%

11: Please provide any comments you have on reducing the amount of CTR for claimants.

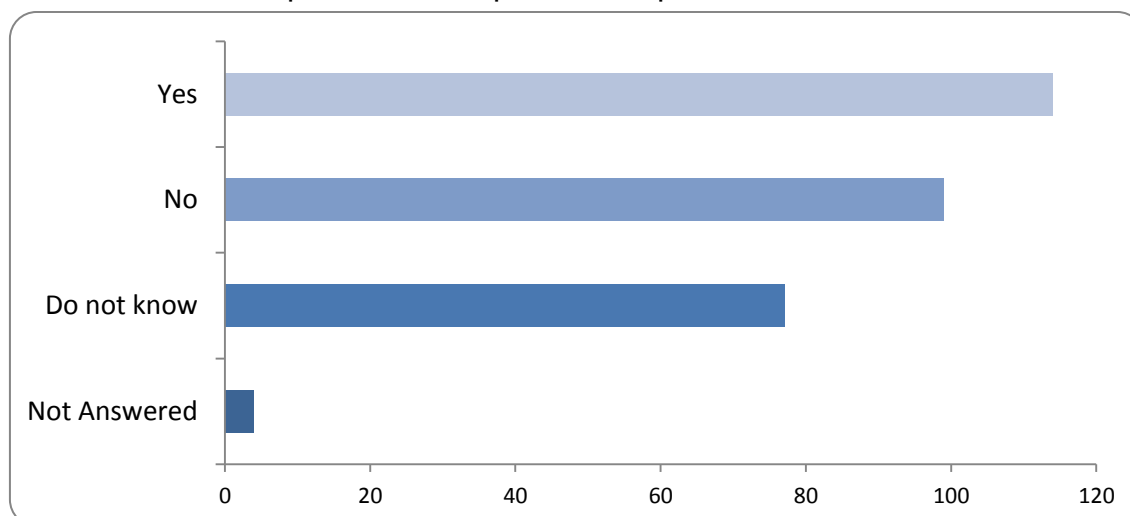
Comments

There were 106 responses to this part of the question.

12: Do you think we should restrict the CTR award to 75% where there is at least one non-dependent in the household and neither the claimant or non-dependent is in receipt of a disability benefit?

Non deps

There were 290 responses to this part of the question.



Option	Total	Percent
Yes	114	38.78%

No	99	33.67%
Do not know	77	26.19%
Not Answered	4	1.36%

13: Please provide any comments you have on reducing the amount of CTR for certain households with a non-dependent?

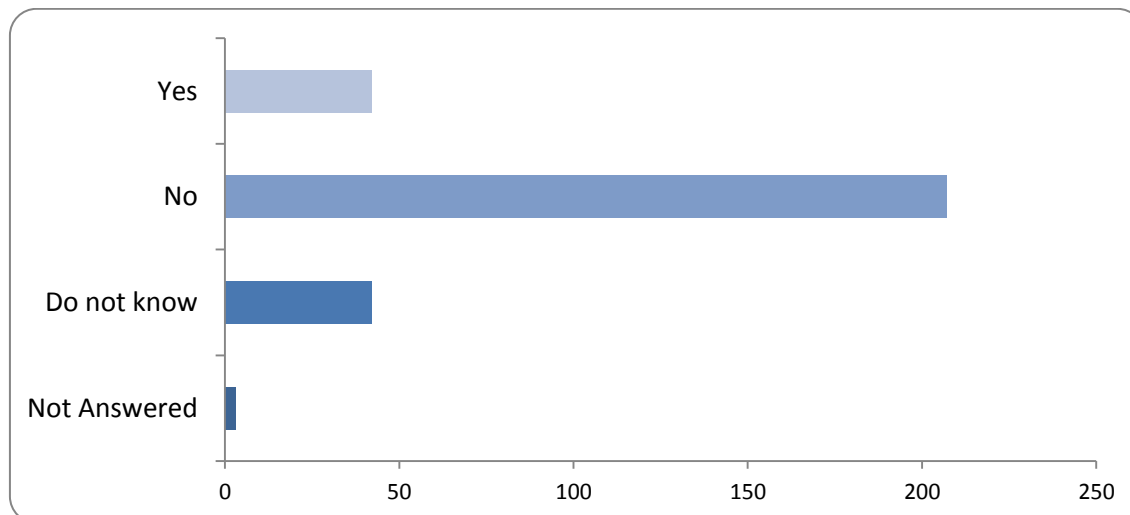
Comments

There were 59 responses to this part of the question.

14: Increase the level of Council Tax

Increase Ctax

There were 291 responses to this part of the question.

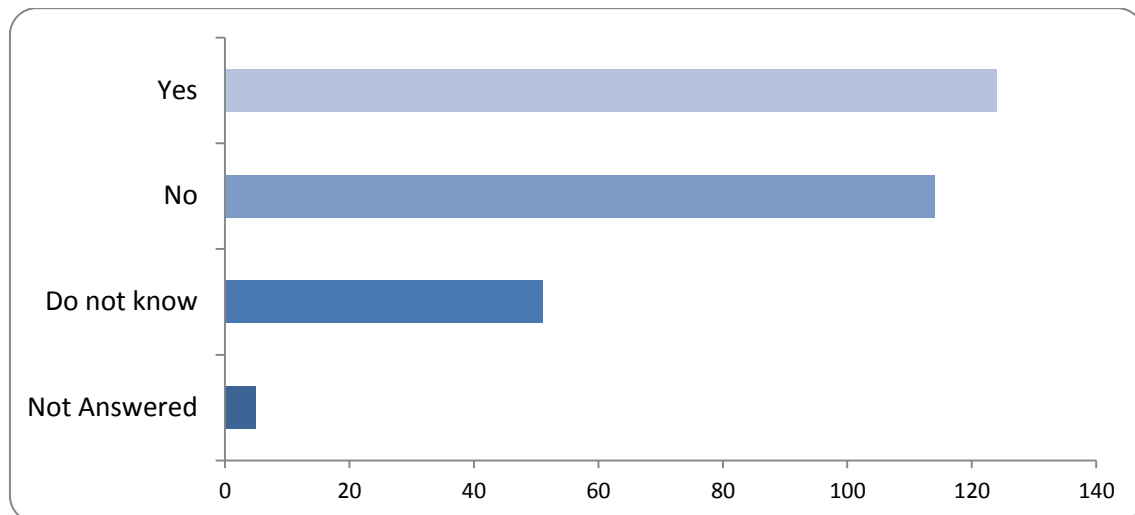


Option	Total	Percent
Yes	42	14.29%
No	207	70.41%
Do not know	42	14.29%
Not Answered	3	1.02%

15: Find savings from cutting other council services

Cut services

There were 289 responses to this part of the question.

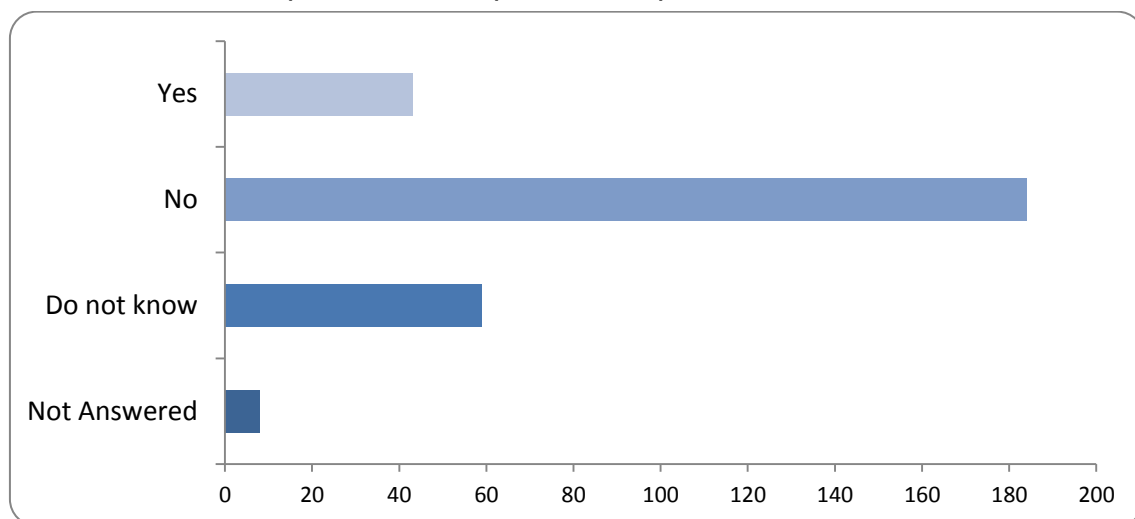


Option	Total	Percent
Yes	124	42.18%
No	114	38.78%
Do not know	51	17.35%
Not Answered	5	1.70%

16: Increase fees and charges

Increase fees and charges

There were 286 responses to this part of the question.



Option	Total	Percent
Yes	43	14.63%
No	184	62.59%
Do not know	59	20.07%
Not Answered	8	2.72%

17: Any other options?

Comments

There were 88 responses to this part of the question.

18: Please use this space to make any other comments on the CTR scheme.

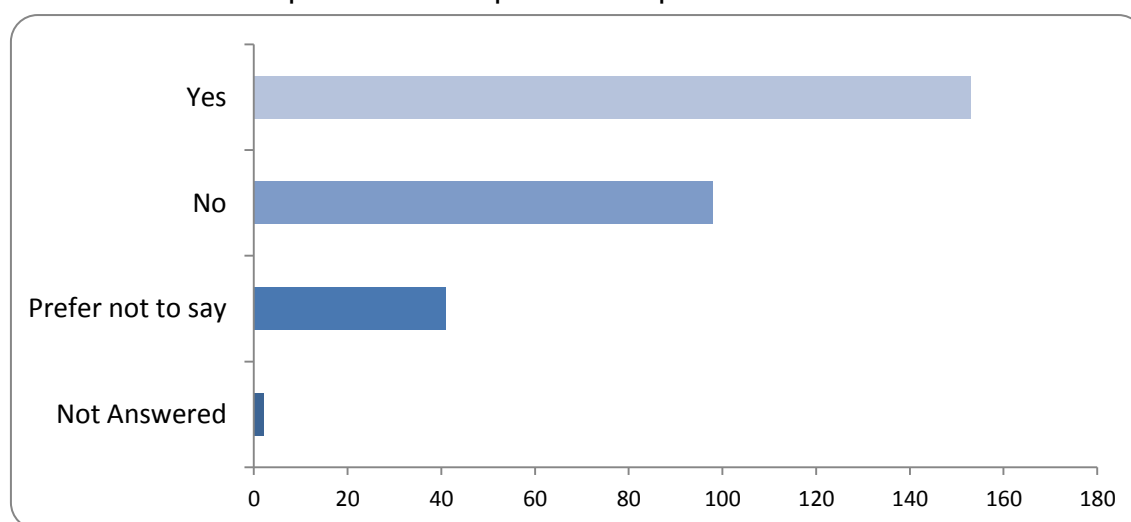
Comments

There were 41 responses to this part of the question.

19: Are you, or someone in your household, getting CTR now?

Getting CTR

There were 292 responses to this part of the question.



Option	Total	Percent
Yes	153	52.04%
No	98	33.33%
Prefer not to say	41	13.95%
Not Answered	2	0.68%

20: What is your postcode?

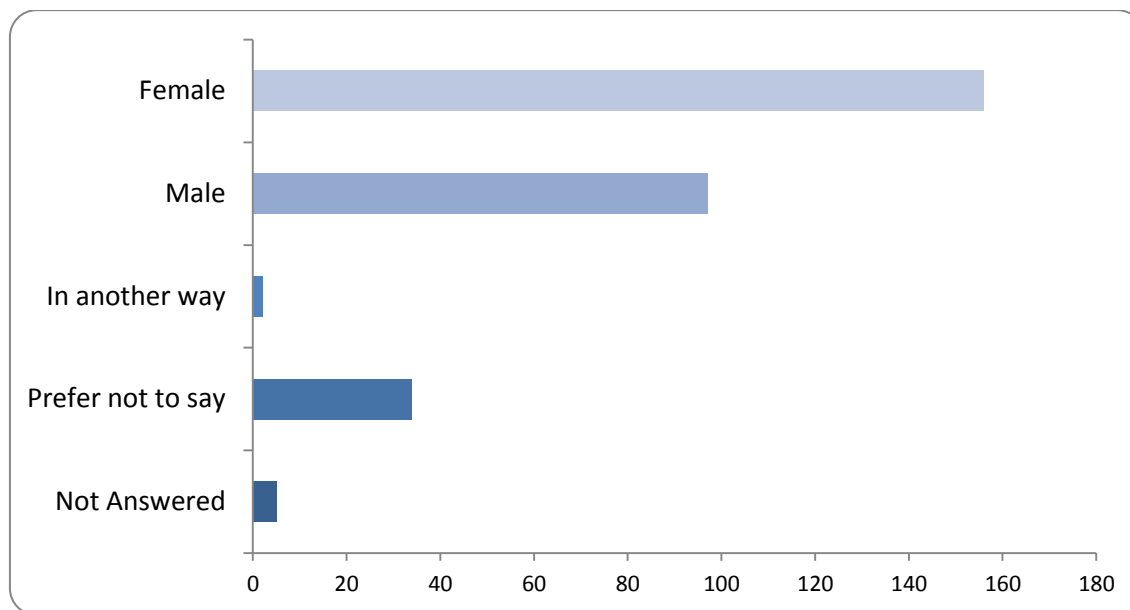
Postcode

There were 257 responses to this part of the question.

21: Which of the following best describes how you think of yourself?

Gender

There were 289 responses to this part of the question.

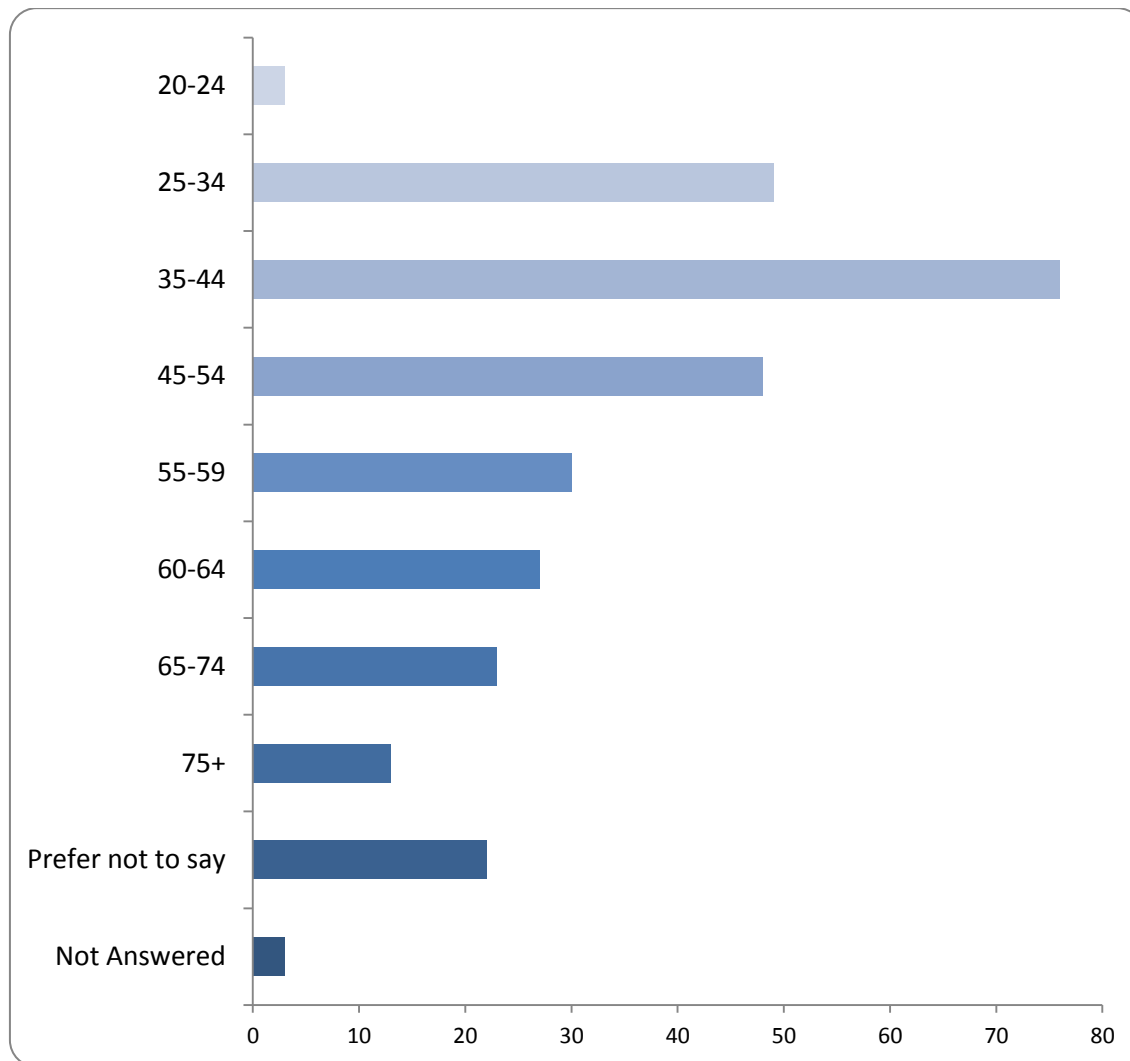


Option	Total	Percent
Female	156	53.06%
Male	97	32.99%
In another way	2	0.68%
Prefer not to say	34	11.56%
Not Answered	5	1.70%

22: Which age bracket do you fall into?

Age

There were 291 responses to this part of the question.

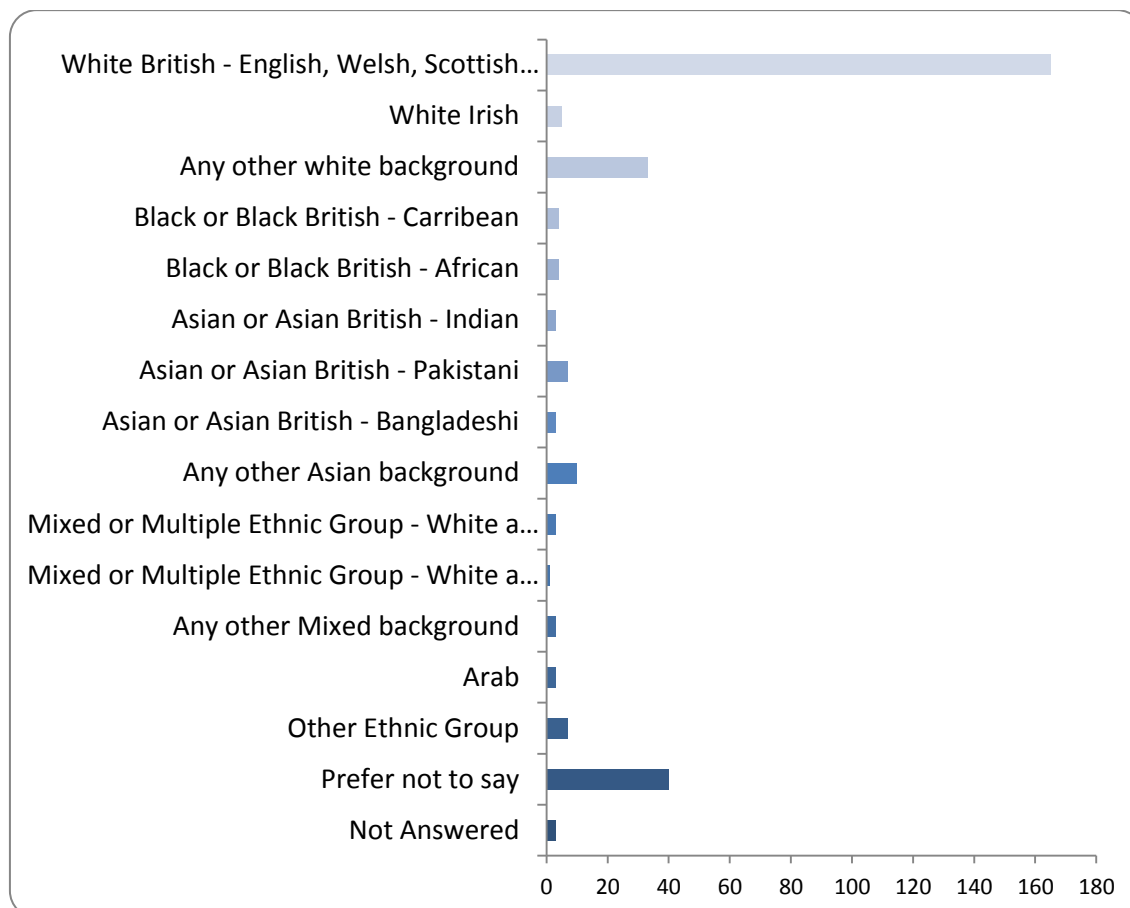


Option	Total	Percent
16-19	0	0.00%
20-24	3	1.02%
25-34	49	16.67%
35-44	76	25.85%
45-54	48	16.33%
55-59	30	10.20%
60-64	27	9.18%
65-74	23	7.82%
75+	13	4.42%
Prefer not to say	22	7.48%
Not Answered	3	1.02%

23: Which of the following best describes your ethnic group?

Ethnicity

There were 291 responses to this part of the question.



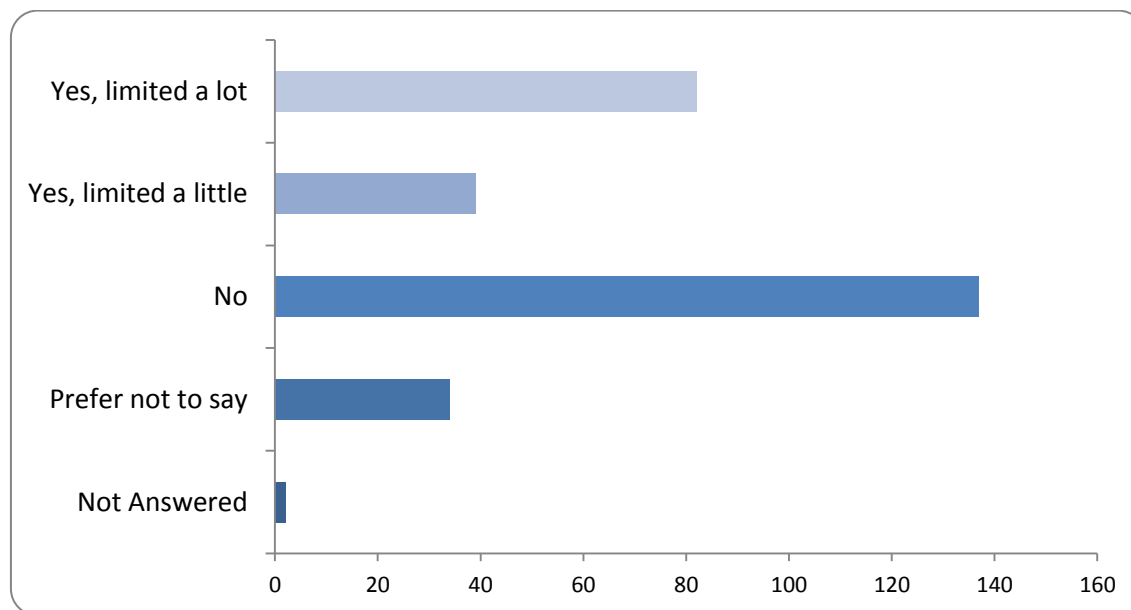
Option	Total	Percent
White British - English, Welsh, Scottish, Northern Irish	165	56.12%
White Irish	5	1.70%
White Gypsy or Irish Traveler	0	0.00%
Any other white background	33	11.22%
Black or Black British - Caribbean	4	1.36%
Black or Black British - African	4	1.36%
Any other black background	0	0.00%
Asian or Asian British - Indian	3	1.02%
Asian or Asian British - Pakistani	7	2.38%
Asian or Asian British - Bangladeshi	3	1.02%
Any other Asian background	10	3.40%
Mixed or Multiple Ethnic Group - White and Black Caribbean	3	1.02%
Mixed or Multiple Ethnic Group - White and Black African	0	0.00%
Mixed or Multiple Ethnic Group - White and Asian	1	0.34%
Any other Mixed background	3	1.02%
Arab	3	1.02%
Chinese	0	0.00%
Other Ethnic Group	7	2.38%
Prefer not to say	40	13.61%

Not Answered	3	1.02%
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24: Are your day to day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months?

Disability

There were 292 responses to this part of the question.



Option	Total	Percent
Yes, limited a lot	82	27.89%
Yes, limited a little	39	13.27%
No	137	46.60%
Prefer not to say	34	11.56%
Not Answered	2	0.68%

Appendix 2

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
Challenge to consultation process	Customers challenge the effectiveness of the consultation	Threat	Due regard not given to statutory guidelines or relevant case law.	Any changes in the CTR scheme may not be upheld by Tribunals or Courts, when challenged by a customer.	25/11/2021	Tanya Bandekar	3	2	1	2	1	2	Robust consultation has been carried out and arrangements made for those unable to complete an on-line form.	Reference the relevant regulations and case law in planning the consultation	15/1/22	Complete	100	Laura Bessell
Increased customer contact	Customers are concerned at potential changes to the support they get and contact the Council about them.	Threat	Poor explanation of changes, and no mitigation planned. Consultation documents are incomplete	Customers are not clear about the impact of the changes.	25/11/2021	Tanya Bandekar	2	2	1	1	1	1	Customers have engaged and responded and we have received more considered comments than in previous years.	Simple explanations given of the proposed changes, together with details of mitigation.	15/1/22	In progress	75	Laura Bessell
Council reputation	Proposals for changes not clearly thought through, and impact not properly understood, resulting in damage to Council reputation	Opp	Insufficient modelling undertaken, and/or impact of changes not properly understood	Informed customers spot impacts of changes that the Council has not properly identified, undermining both the proposals and consultation process.	25/11/2021	Tanya Bandekar	3	3	3	2	3	2	Modelling will be undertaken from our new system	Expert team from different service areas assembled to work on the proposals, time taken to model changes and understand customer impact.	15/1/22	In progress	75	Laura Bessell/Tanya Bandekar
Financial implications	Costs are not correctly calculated, or a change in economic climate means more claimants	Threat	Poor budgeting	Changes are costed incorrectly and lead to an increase in scheme costs	25/11/2021	Tanya Bandekar	3	3	3	2	3	2	Impacts of Covid-19 affecting budget forecasting. Increased caseload was not foreseen at the start of the year. 100% scheme retained for 2021-22 will cost more	Work with Finance Team to ensure funding available and changes costed	1/2/22	In progress	75	Tanya Bandekar

Appendix 3

Initial Equalities Impact Assessment screening form

1. Within the aims and objectives of the policy or strategy which group (s) of people has been identified as being potentially disadvantaged by your proposals? What are the equality impacts?

Council Tax Reduction is claimed by low income households in the city. The following groups are over represented in this cohort compared to the general population:

Women

Single parent households

Ethnic Minorities

People with a disability or lifelong illness

2. In brief, what changes are you planning to make to your current or proposed new or changed policy, strategy, procedure, project or service to minimise or eliminate the adverse equality impacts?

Please provide further details of the proposed actions, timetable for making the changes and the person(s) responsible for making the changes on the resultant action plan

The 2022/23 Council Tax Reduction Scheme has been informed by a consultation process. This included:

- Reducing the costs of the CTR Scheme for working age claimants by introducing a minimum charge for all residents, or for all residents unless they fall within certain criteria (modelling has been undertaken to assess the impact of any charge introduced);
- Uprating the current Income Bands for UC claimants;
- Taking into account household composition
- Minor changes to simplify some of the existing scheme rules, such as non-dependant deductions

Within the existing Council Tax regulations, there is provision for discretionary payments to be made to people experiencing hardship. Anyone disadvantaged by the Council Tax Reduction scheme can apply for help from this scheme. Changes will take effect from 1 April 2022 unless otherwise stated

3. Please provide details of whom you will consult on the proposed changes and if you do not plan to consult, please provide the rationale behind that decision.

Please note that you are required to involve disabled people in decisions that impact on them

We have consulted via our website, electronically with major preceptors and advice agencies, and invited people to respond via email straplines. The

Council also targeted all CTR claimants via email and letter. Paper copies were placed in libraries and were available to anyone unable to access the consultation on line

4. Can the adverse impacts you identified during the initial screening be justified without making any adjustments to the existing or new policy, strategy, procedure, project or service?

Please set out the basis on which you justify making no adjustments

Within the existing Council Tax regulations, there is provision for discretionary payments to be made to people experiencing hardship. Anyone disadvantaged by the Council Tax Reduction scheme can apply for help from this scheme.

5. You are legally required to monitor and review the proposed changes after implementation to check they work as planned and to screen for unexpected equality impacts.

Please provide details of how you will monitor/evaluate or review your Proposals and when the review will take place.

The impact will be monitored via applications for discretionary support. This should highlight any areas of concern.
The Council will also continue to ensure that it promotes the CTR scheme to anyone moving onto Universal Credit, as it will need to be by a separate application.
The Council regularly monitors spend on CTR and will be informed as this rises/decreases

Glossary of Terms

Working Age	Age for which the Government expect State Pension to not be claimed. Currently 18-65 for women and 18-66 for men.
Up-rating	Department for Work and Pensions annual income-related social security benefit increases each April. These benefits, and the amount which the government state is required to live on each week are increased each April by a percentage. Since 2011, the increase is based on the Consumer Price Index (CPI) as at September the previous year.
Income Bands	The amount of weekly net income used in the calculation of the award. Some income is not included, such as certain disability benefits. Where income changes but stays within the same band, then there is no change to entitlement, but the change is still recorded.
Capping	This is a ceiling limit on an award. A capping level could be applied to the council tax bands, so instead of applying Council Tax Reduction (CTR) using all the council tax bands A-H, that only bands A-E are applied. This means that the capping level is at a band E Council Tax amount, and those claims for properties in Bands F-H would only see a maximum level of support to a band E Council Tax liability. The claimant would need to pay the difference between their CTR award and their Council Tax liability.
National Minimum Wage	For 2021/22 the rate is £8.91
Oxford Living Wage	For 2021/22 the rate is £10.31
Benefit Cap	<p>The <i>benefit cap</i> is a limit on the total amount of <i>benefit</i> you can get. It applies to most people aged 16 or over who have not reached State Pension Age. A cap is usually applied when a claimant is not in employment for more than 16 hours per week, and is not exempt by disability.</p> <p>The Cap level currently for outer London is:</p> <ul style="list-style-type: none"> £384.62 per week (£20,000 a year) if you are a couple £384.62 per week (£20,000 a year) if you are a single parent and your children live with you £257.69 per week (£13,400 a year) if you are a single adult

Non-dependant	If someone else lives in your home a deduction may be made to your Council Tax Reduction (CTR) if the person is treated as a 'non-dependant'. The deduction is made on the assumption that the non-dependant should make a contribution towards your council tax of at least the amount of the deduction.
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To: Cabinet
Date: 26 January 2022
Report of: Executive Director – Development
Title of Report: Project Approval – to remove car parking decking from Oxpens car park

Summary and recommendations	
Purpose of report:	To seek approval to remove and dispose of car park decking at Oxpens Car Park
Key decision:	Yes
Cabinet Member:	Councillor Alex Hollingsworth, Cabinet Member for Planning and Housing Delivery
Corporate Priority:	A Vibrant and Sustainable Economy
Policy Framework:	Council Strategy 2020-24
Recommendations: That Cabinet resolves to:	
<ol style="list-style-type: none"> Grant project approval for the removal of the car park decking located at Oxpens car park and sold for recoverable steel rather than stored for potential reuse; and Delegate to the Director of Development in consultation with the Cabinet Member for Planning and Housing Delivery and the Head of Law and Governance and Head of Financial Services the authority to procure, and enter into all appropriate contracts to implement the recommended option. 	

Introduction and background

1. The steel frame decking was constructed in 2014 as a temporary replacement car park for use during the Westgate works.
2. The top deck of the car park has been closed since January 2019, following the opening of the Westgate car park.
3. Planning permission for the car park decking located at Oxpens car park has now expired and as such the structure needs to be dismantled and removed.
4. The land the decking is located on (including the Oxpens car park) was transferred to Oxford West End Developments (OxWED) in 2018. The Council occupies the land and operates the car park on lease from OxWED. The lease

originally required the Council to remove the decking by June 2019, with an extension granted up to May 2022. We are currently in negotiations to extend this again to December 2022 to allow sufficient time for the works to take place.

5. The car park decking is liable for business rates, for the time that it is in situ within Oxpens car park.
6. In January 2019 the Council authorised expenditure in the CEB (now Cabinet) meeting of £243,000 to deliver the removal of the decking, with an additional £105,000 provided from the proposed Depot rationalisation project budget to cover transportation and storage ready for the potential reuse as part of that scheme. Subsequently it has become clear that the decking will not be required as part of any future depot scheme, resulting in the £105,000 no longer being available.
7. Given the original CEB decision included an agreement for storage and reuse, and this is no longer the preferred option, a Cabinet decision is required to change the scope.

Options Considered

8. Three options have been considered:
 - a. Dismantle and store until required for re-use
 - i. As there is no identified project or space for the decking's reuse, it is unknown how long a period the structure will need to be stored for, so it would be difficult to determine the exact amount of funding that would be required to cover the associated costs for the period of time storage would be needed.
 - ii. If the structure was to be kept for re-use, a new condition survey would be required to ascertain the condition at the point of removal, ready to go into storage for potential re-use at some point in the future.
 - iii. Consideration would also need to be given to the deterioration of the structure during its time in storage. The longer the period of time, the higher the probability of deterioration, as well as the increased potential of the structure not being fit for purpose
 - b. Dismantle and sell
 - i. Consideration was given to the selling the decking, however it has been difficult to establish a value for the decking as there is limited interest on the open market for such equipment, especially with the associated handling and transport costs. If we were to try to pursue this option further, additional delays will be added to the project. This will significantly reduce the time frame available to carry out the works and could mean passing the expiration date of the lease with OxWED before completion.

c. Dismantle, dispose of and sell as scrap metal

- i. This is likely to have the least cost associated with it and lowest risk. A cost estimate has been provided by ODS, which indicates this option can be delivered within the existing Budget. As such, this then negates the need to request additional funding to store the structure for an unknown period of time and removes the risk of the structure not being re-purposed in the future, or being unfit for purpose should an alternative location be found.
- ii. Whilst there was the prospect of being able to reuse the decking to support a scheme it made sense to dismantle and store the materials for reuse. Now there is no longer a need for the decking it will be more cost effective. This option will also, allow the use of local labour, to dismantle the structure and sell any recoverable materials for reuse, rather than specialist operators. This will also allow the lease requirements to be met and reduce the business rates payable.

Financial implications

9. The previously authorised expenditure of £243,000 will still be sufficient to carry out and complete the works. Based on the cost estimate work undertaken, no further funding is being requested. The estimates include a 10% contingency.
10. The removal of the car park decking should result in a reduction in business rates but this is subject to an assessment by the Valuation Office so the actual amount is not known at this time. Based on the current rates assessment and the decking having previously incurred around a third of the rates on the site, the saving could be in the region of £74k
11. By proceeding with this recommendation we are presenting the opportunity for the project to be able to claw back some funding with the re-sale value of the steel so that it will be recycled. At this stage the value of this income is unknown.
12. Notwithstanding discussions are underway about temporarily extending the agreement with OxWED, if the structure is not removed by the end of the lease expiration with OxWED, then based on terms of the lease, this could incur a reduction in income to the council and further cost penalties. If the Council have not removed the structure by the required date, the lease permits OxWED to undertake the works to remove the structure and pass the cost onto the Council.

Legal issues

13. The Council is under a planning and contractual obligation to OxWED under the terms of their existing lease to remove the car park decking. The backstop date for removal of the decking originally agreed with OxWED was extended to May 2022 however, we are currently in negotiations to extend this again to December 2022.

Carbon and Environmental Considerations

14. While reuse of the decking would have clear benefits, and was originally the preferred option, now there is no clear future use for the structure, the benefits of

seeking reuse needs to be weighed against the unknown costs of storage and the structure's likely deterioration over that period.

15. The project entails dismantling an existing structure. We are not using any new materials and are looking to sell any reusable steel available.
16. We have negated the need to use the Italian contractor who installed the decking, by no longer needing to dismantle, label and store ready for use. Use of the Italian contractor was essential for the reuse options, as it kept warranties in place, which were needed for re-use. By dismantling, disposing and selling recoverable steel we are now able to use a local contractor, keeping work within the local area and utilising local workforces.
17. Oxford Direct Services will be the contractor used for demolition of the structure. By using ODS we are using a local Oxford contractor who support and are committed to sustainability and responding to climate change, thus supporting and enforcing the Council's carbon and environmental practices and policies.

Level of risk

18. The risks associated with this project are -
 - i. Planning permission expiration – The structure no longer has the benefit of planning permission and therefore should be removed as soon as possible
 - ii. Business rates payable to OxWED - rates could be increased / longer period of expenditure for every month the decking remains in situ.
 - iii. Breach of the lease with OxWED - there are financial penalties from May 2022 (or December 2022 subject to extension being granted).
 - iv. No resale market for recoverable steel
 - v. Project cost overrun
 - vi. There are potential health and safety risks from the proposed works. These will be mitigated by ensuring a competent contractor is appointed and over seen to carry out the works.

Equalities impact

19. The car park is no longer open to the public, as such there is no equality impact directly arising from this report.

Conclusion

20. The Council has to act to remove the car park decking structure that was installed to accommodate parking facilities during the construction of the Westgate re-development. Dismantling and selling any recoverable steel will negate the need for any further funding. The removal also provides a saving, as business rates associated with the deck will no longer be payable.

Report author	Lisa Smith
Job title	Regeneration Manager
Service area or department	Economy and Regeneration
Telephone	01865 252062
e-mail	lsmith@oxford.gov.uk

Background Papers: None

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Minutes of a meeting of the Cabinet on Wednesday 15 December 2021



Committee members present:

Councillor Brown	Councillor Turner
Councillor Hayes	Councillor Arshad
Councillor Aziz	Councillor Clarkson
Councillor Hollingsworth	Councillor Rowley
Councillor Upton	

Officers present for all or part of the meeting:

Caroline Green, Chief Executive
Nigel Kennedy, Head of Financial Services
Susan Sale, Monitoring Officer and Head of Law & Governance
Ian Brooke, Head of Community Services
Tom Hudson, Scrutiny Officer
Rachel Nixon, Principal Planner
Michael Scott, Senior Asset Manager (Contractor)
Rose Dickinson, Carbon Reduction Team Manager
John Mitchell, Committee and Member Services Officer

Apologies:

Councillor Blackings sent apologies.

74. Declarations of Interest

None.

75. Addresses and Questions by Members of the Public

Sue Tanner, Chair of the Board of Trustees of Rose Hill & Donnington Advice Centre, speaking on behalf of all three of the City's advice centres addressed Cabinet in relation to item 12 on the agenda. The Strategic Grants Review proposed a cut of £25,000 in the funding for the three local advice centres and Citizens' Advice Oxford.

The advice centres were very grateful for the support they had had from Oxford City Council over many years and recognised that other authorities have made greater cuts in their advice services.

However, a further cut would come on top of many others over the years. Grants had been frozen since 2010 . In 2018 a cut of 5% was made in order to fund the Advice Development Fund, which it was now proposed should be removed.

The three centres were based in the most deprived areas of the city. Last year they had helped their clients to increase their income by £10 million – 19 times the value of the City Council grant. Much of this extra income would have been spent locally. If funding was reduced further it was likely to impact on the service provided to residents.

The centres currently administer the Government's Household Support Fund on behalf of the Council and while they were glad to do so, illustrated an effective resource the centres were.

She concluded by urging Cabinet not to agree to further cuts to the advice centre budgets.

Cllr Shaista Aziz, Cabinet Member for Inclusive Communities, thanked Sue Tanner for her contribution and acknowledged the important work of all the advice centres. Initial proposals for cuts to these services were only being made very reluctantly. She would be meeting representatives of the advice centres in the New Year to discuss their concerns and alternative proposals in more detail.

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

None.

77. Councillor Addresses on Neighbourhood Issues

None.

78. Items raised by Cabinet Members

None.

79. Scrutiny reports

Tom Hudson, Scrutiny Officer, introduced the reports before Cabinet on behalf Cllrs Wade, Fry and Linda Smith in their capacities as Chairs of Scrutiny Committee; Housing & Homelessness Panel; and Finance & Performance Panel respectively

Workplace Equalities

The report's recommendations related to the extension of monitoring key performance indicators to ODS; monitoring and promoting the effectiveness of positive action; improving management engagement with disclosing details of protected characteristics; the importance of continued monitoring of the demographic profiles of responses to job advertisements and shortlisted candidates; and clarification over a possible misinterpretation of what lies behind pay gaps.

Cllr Mike Rowley, Cabinet Member for Customer Focused Services was pleased to have accepted the recommendations, noting that the additional data in relation to ODS

was being collected and that while they could not form part of the formal annual report it could be provided separately.

Strategic Grants

It had been agreed that the Budget Review Group would look specifically at grant funding and additional information would be provided to support this.

The report's recommendations sought to address the desirability of stability for grant funded organisations by proposing the opportunity to reapply well before a current grant has expired; and an idea for improving sales of Oxford lottery tickets.

Cllr Shaista Aziz, Cabinet Member for Inclusive Communities had not felt able to support the first recommendation which would have the unwanted consequence of making it harder for new organisations to access the limited funding available. The proposal in relation to lottery tickets was constrained to some extent by legal restrictions but work would be done see what could be done to promote sales.

Asset Management Strategy

The report's one recommendation that the phasing out of gas over the medium to long term should be a strategic objective, committed to within the Asset Management Strategy.

Cllr Ed Turner, Cabinet Member for Finance and Asset Management, responded at the meeting by explaining that the report would be amended to include a high level target, with the caveat that how this can be achieved, and the pace at which progress can be made, will be dependent, to a large degree, on government policy and funding decisions.

Air Quality Action Plan

This report's recommendations included matters tangential to air quality such as LTNs but also covered the importance of strategic and community level engagement, and the desirability of allowing residents to benefit from having a real-time alert function from the new Air Quality website.

Cllr Tom Hayes, Cabinet Member for Green Transport and Zero Carbon Oxford, noted that most of the recommendations related to matters already underway and suggested that it was unfortunate that the Committee had not been able to focus more on the Air Quality Action Plan. He would be pleased to attend Scrutiny again to address some of the bigger strategic issues around air quality.

Housing & Carbon Reduction

The report's recommendations were about having a general high and broad level of engagement with tenants from an early stage in parallel with special provision for those who have more complex needs as well as those learning to live with technologies.

The Chair, speaking in the absence of Cllr Blackings, said the recommendations had all been accepted and the principle of engaging meaningfully with tenants was very welcome.

Tourism Review Group Update

The recommendations from this report had come from the meeting when the report was originally heard along with additional recommendations made during the sign off process.

The original recommendations concerned a wish to work with partners to ensure tourist transport is made as sustainable as possible, and in readiness for the return of high visitor numbers to Oxford to reinvigorate the toilet scheme with city centre shops. The further recommendations concerned a tilting of strategy towards domestic tourists and a more wide-ranging review of the recommendations of the Tourism Review Group in the light of the consequences of Covid.

Cllr Mary Clarkson, Cabinet Member for Culture, Leisure & Tourism said she had been pleased to accept the recommendations. While the proposed focus on domestic tourism was sensible in the present climate, sight should not be lost of pent up demand from overseas, particularly the USA.

80. Strategic Grants Review

The Head of Community Services had submitted a report which set out the findings, recommendations and implementation plan following the Grants Strategic Review. The report reflects what has been learnt during the Review and proposes changes to ensure the grants remain fit for purpose, with particular reference to processes, equalities and equity, partnerships, transparency and leveraging in external funding for Oxford.

Cllr Shaista Aziz, Cabinet Member for Inclusive Communities, said the proposed strategy represented a new approach which would, among other things, encourage applications from a wider range of groups than hitherto and took account of the desirability of environmental sustainability and equality. The strategy would streamline and demystify the application process.

Ian Brooke, Head of Community Services, said the preceding consultation had been extremely thorough and detailed as illustrated by the report. Completion of the report's Equality Impact Assessment had been an ongoing process during development of the strategy rather than something completed after the event. Appendix 4 as published with the agenda was not the finally agreed version and would be replaced on the Council website after the meeting.

The Chair noted the importance of all those with an interest in these matters responding to the forthcoming consultation.

Cabinet resolved to:

1. **Endorse** the recommendations and approach to implementation contained in the Communities Grants Strategic Review;
2. **Recommend** the Council to approve the establishment of a Community Impact Fund totalling £558,000;
3. **Recommend** the Council establishes a commissioning fund totalling £475,000 for domestic abuse, and advice services;
4. **Recommend** that the Council continues to use the £442,000 homelessness monies alongside the Government grant (section 22);
5. **Recommend** the Council agrees the savings shown in table one;

6. **Agree** the criteria and weightings (shown in table three) for assessment of Applications;
7. **Agree** that there should be an annual report to the Cabinet to confirm the criteria and weighting for assessing the following year's grants to ensure the programme remains fully transparent, inclusive and aligned with the Council's strategic priorities. This report will also update on the impact of the previous year's grants and commissioning programme; and
8. **Agree** that officers should engage directly with the groups impacted and people who responded to the consultation to explain the changes before they are implemented.

81. Oxford City Council's net zero targets and green gas purchasing

The Head of Corporate Strategy had submitted a report to seek approval to amend the Council's emissions reduction target for its estate and operations and to establish a Net Zero Transition Fund, reflecting advice from the Council's Scientific Advisor.

Cllr Tom Hayes, Cabinet Member for Green Transport and Zero Carbon Oxford, introduced the report which would contribute to the Council's ambition of achieving net zero by 2030 by repurposing existing funding to secure additional reductions. It was noted that it seemed unlikely that existing gas boilers could be converted to run off green gas as had been suggested in some quarters; the predominate solution was likely be through the installation of heat pumps. The challenges of securing sufficient heat pumps had been recognised and steps were being taken to stimulate local production of them. There was a lack of consistency in the definition of 'zero carbon' and related matters throughout Council documentation and this should be addressed.

Cabinet resolved to:

1. **Approve** the amendment to Oxford City Council's greenhouse gas emissions reduction target for its estate and operations to focus solely on achieving net zero carbon by 2030, thereby changing the Council's use of terminology to reflect advice from the Council's Scientific Advisor and to align with the emerging definition of net zero;
2. **Approve** the Council's continued commitment to net zero, with the same planned absolute reduction in carbon emissions by 2030;
3. **Approve** the diversion of funds already allocated in the 2021/22 and 2022/23 budgets for green gas purchase and offsetting to be used instead to create a 'Net Zero Transition Fund', which will direct resources towards additional emissions reduction actions;
4. **Note** that these amendments will be incorporated into the Council's 4th Carbon Management Plan to reflect new best practice and advice from the Council's Scientific Advisor and help to settle the evolving consensus on the emerging definition of net zero; and
5. **Note** the Council's commitment in the Carbon Management Plan to develop a greater understanding of ways to reduce Scope 3 emissions and develop a Scope 3 emissions reduction plan. This work will commence in 2022/23.

82. Budget 2022/23

The Head of Financial Services had submitted a report to propose a Medium Term Financial Strategy and the 2022/23 Budget for consultation.

Cllr Ed Turner, Cabinet Member for Finance & Asset Management introduced the report. Preparation of the budget for consultation had once again been challenging given, among other things, reduced income streams, the need to call upon reserves and the absence, so far, of a local government settlement for 2022/23. Despite these challenges there were some positive elements such as retention of the Council Tax Reduction Scheme. Officers had worked hard to achieve a balanced, strong and progressive budget. He anticipated that the consequences of future inflation and interest increases could be mitigated in the short term. He paid tribute to the work of all those officers who had contributed to the development of these proposals particularly those in the Finance Team, a view echoed by the Chair.

Cabinet resolved to:

1. **Approve** the 2022-23 General Fund and Housing Revenue Account budgets for consultation and the General Fund and Housing Revenue Account Medium Term Financial Strategy as set out in Appendices 1-9, noting :

a) the Council's General Fund Budget Requirement of £22.333 million for 2022/23 and an increase in the Band D Council Tax of 1.99% or £6.37 per annum representing a Band D Council Tax of £326.54 per annum subject to confirmation of the referendum levels contained in paragraph 10 (d) of the report

b) the Housing Revenue Account budget for 2022/23 of £47.882 million and an increase of 4.10% (£4.51 per week) in social dwelling rents from 1 April 2022 giving a revised weekly average social rent of £112.00 as set out in Appendix 5

c) the increase in shared ownership rental in accordance with the lease as shown in paragraphs 77 -79 and the discretion used by the Head of Housing in setting the initial rent for the unsold share of 2% and giving delegated approval to the Head of Housing to set this for future shared ownership rents up to 2.75%

d) the General Fund and Housing Revenue Account Capital Programme as shown in Appendix 6.

2. **Agree** the fees and charges shown in Appendix 7;

3. **Delegate** to the Section 151 Officer in consultation with the Board Member for Finance and Assets the decision to determine whether it is financially advantageous for the Council to enter into a Business Rates Distribution Agreement as referred to in paragraphs 25 of the report;

4. **Approve** the payment into the County Council Pension Fund of £5 million in 2023-24 as referred to in paragraph 32 of the report;

5. **Recommend** to Council the appropriation of Alice Smith House from the HRA to the General Fund in accordance with paragraph 87 subject to any consents which are required;

6. **Note** the disposal of 4 HRA properties in accordance with paragraph 88 subject to any necessary consents that are required; and

7. **Approve** the increase in the 'multiplier' for the use in Furnished Tenancy charges in accordance with para 84.

83. Workplace Equalities and Action Plan

The Head of Business Improvement had submitted a report to present and seek approval for the publication of the annual Workforce Equality Report 2021, which includes the Gender Pay Gap Report, Ethnicity Pay Gap Report and Disability Pay Gap Report; and to share current progress on the Workforce Equalities Report and Action Plan.

Cllr Mike Rowley, Cabinet Member for Customer Focused Services introduced the report and was pleased to note that the appointment of BAME colleagues had now exceeded the target for such appointments while recognising that there was still much more which could and would be done to recruit a workforce which was properly representative of the City's residents. It was agreed that further consideration should be given to the appropriateness of BAME as a descriptor.

Cabinet resolved to:

1. **Approve** the contents of the Workforce Equality Report 2021;
2. **Delegate** authority to the Head of Business Improvement to publish the Workforce Equality Report and to make any changes as may be required before publication following Cabinet discussion;
3. **Approve** the contents of the Gender Pay Gap, Ethnicity Pay Gap and Disability Pay Gap reports for this year; and
4. **Delegate** authority to the Head of Business Improvement to publish the Gender Pay Gap table at paragraph 19 before 30 March 2022, the Ethnicity Pay Gap table at paragraph 34 and the Disability Pay Gap table at paragraph 41 on the Council website.

84. Authority Monitoring Report and Infrastructure Funding Statement

The Head of Planning Services had submitted a report to approve the Authority Monitoring Report and Infrastructure Funding Statement for publication.

Cllr Alex Hollingsworth, Cabinet Member for Planning and Housing Delivery, introduced the report which fulfilled a statutory duty to provide an annual account of performance against a number of indicators. The target for house building had, for the first time in several years, been exceeded, but adherence to it over the life of the Local Plan would require building on all sites identified for the purpose. He noted that there was a demand for employment sites within the City and these should be provided. They were generally more sustainable and preferable to work located outside the City in business parks.

Rachel Nixon, Principal Planner, drew attention to an amendment to Appendix 2 of the report; the updated version would replace the one which had originally been placed on the Council website.

Cabinet resolved to:

1. **Approve** the Authority Monitoring Report and Infrastructure Funding Statement 2020/21 for publication; and
2. **Authorise** the Head of Planning Services to make any necessary minor corrections not materially affecting the document prior to publication.

85. Asset Management Plan

The Head of Corporate Property had submitted a report to approve the Draft Asset Management Strategy 2021 - 2031 which will provide an ongoing framework for the management of the Council's property assets prior to public consultation.

Cllr Ed Turner, Cabinet Member for Finance and Asset Management, introduced the report. It was important to manage the Council's assets well and the report set out how this was being achieved.

Cabinet resolved to:

1. **Approve** the Draft Asset Management Strategy 2021- 2031 for public consultation.

86. Integrated Performance Report for Q2

The Head of Financial Services and Head of Business Improvement had submitted a report to update the Cabinet on Finance, Risk and Corporate Performance matters as at 30 June 2021.

Cllr Ed Turner, Cabinet Member for Finance and Asset Management introduced the report which had been prepared in the context of a significant draw down of reserves. He drew attention to the welcome addition of £2m to the homelessness budget.

Cabinet resolved to:

1. **Note** the projected financial outturn as well as the current position on risk and performance as at 30 Sept 2021; and
2. **Recommend** to Council the addition of £2 million into the Homelessness budget, which will be fully funded by grant, as per paras 9 and 10.

87. Treasury Management Mid-Year Report

The Head of Financial Services had submitted a report on the performance of the Treasury Management function for the 6 months to 30 September 2021.

Cllr Ed Turner, Cabinet Member for Finance and Asset Management introduced the report and was pleased to note that investment income was forecast to be better than budgeted for.

Cabinet resolved to:

1. **Note** the performance of the Treasury Management function for the six months to 30th September 2021.

88. County-Wide Homelessness Budget and Contract

The Executive Director of Communities and People had submitted a report to seek approval from Cabinet to amend the financial and contractual commitment by Oxford City Council to the county-wide pooled budget arrangement, relating to the provision of homelessness services.

In the absence of Cllr Blackings, the Chair introduced the report which sought, simply, to remedy a small omission from the report on this subject which had been agreed by Cabinet on 16 June 2021.

Cabinet resolved to:

1. **Amend** and **approve** Oxford City Council's commitment to the pooled budget arrangement and linked contract from 5 years plus 2 years to five years plus three years.

89. Minutes

Cabinet resolved to approve the minutes of the meeting held on 10 November as a true and accurate record.

90. Dates of Future Meetings

Meetings are scheduled for the following dates:

26 January 2022

9 February 2022

16 March 2022

13 April 2022

26 May 2022

All meetings start at 6.00

The meeting started at 6.00 pm and ended at 7.30 pm

Chair

Date: Wednesday 26 January 2022

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To: Cabinet – 26 January 2022
Council – 31 January 2022

Report of: Head of Paid Service (Chief Executive)

Title of Report: Decisions taken under Part 9.3(b) of the Constitution

Summary and recommendations	
Purpose of report:	Cabinet and Council are asked to note the decision taken by the Head of Paid Service using the urgency powers delegated in Part 9.3(b) of the Constitution.
Recommendation:	Cabinet is recommended to:
1.	Note the decision taken as set out in the report and recommend to Council to note the decision.

Appendices
None

Introduction and background

1. This report updates Cabinet and Council on a decision taken by the Head of Paid Service (Chief Executive) using the urgency powers delegated in Part 9.3(b) of the Council's Constitution.
2. Where urgency powers are used the Constitution requires the Head of Paid Service to report, in writing, as soon as practicable to the body which would otherwise have been required to give the necessary authority to act.

9.3 Role of Head of Paid Service

...

(b) The Head of Paid Service is authorised to take any urgent action necessary to protect the Council's interests and assets where time is of the essence and it is impracticable to secure authority to act where such authority would otherwise be required.

The Head of Paid Service, in so acting, will be guided by budget and the policy framework, will consult the other Statutory Officers before acting and will report, in writing, as soon as practicable to the body which would otherwise have been required to give the necessary authority to act.

Decisions taken using urgency powers

3. The following decision has been taken using urgency powers for which Cabinet and Council would otherwise have been required to give the necessary authority to act. Cabinet is responsible for recommending budget allocations to Council and Council is responsible for agreeing the budget. Cabinet is asked to note the decision and to recommend to Council to note the decision.
4. This report does not include decisions taken using urgency or emergency powers that have previously been reported to Cabinet or Council.

ITEM 1	TO INCREASE THE BUDGET FOR THE PURCHASE OF SHARES IN THE OXWED LIMITED LIABILITY PARTNERSHIP.
To increase the budget for the purchase of shares in the OxWED Limited Liability Partnership from £360,000 (agreed by Council on 29 November 2021) to £750,000.	
Date of decision:	14 December 2021
Decision taker	Head of Paid Service (Chief Executive) Decision taken in consultation with: <ul style="list-style-type: none"> • Councillor Ed Turner, Cabinet Member for Finance and Asset Management • Nigel Kennedy the Head of Financial Services • Susan Sale, Head of Law and Governance • Jane Winfield, Head of Corporate Property
Was the decision taken under emergency or urgency rules?	Constitution 9.3(b): <i>The Head of Paid Service is authorised to take any urgent action necessary to protect the Council's interests and assets where time is of the essence and it is impracticable to secure authority to act where such authority would otherwise be required.</i> <i>The Head of Paid Service, in so acting, will be guided by budget and the policy framework, will consult the other Statutory Officers before acting and will report, in writing, as soon as practicable to the body which would otherwise have been required to give the necessary authority to act.</i>
Is this a Key Decision?	No
Reasons for decision	Cabinet on 10 November resolved to: <ol style="list-style-type: none"> 1. Agree the structure of the transaction in relation to the restructure of the Joint Venture between Oxford City Council and Nuffield College in the University of Oxford; 2. Delegate authority to the Head of Financial Services, in consultation with the Head of Law and Governance and the Cabinet Member for Finance and Asset Management, to agree the final documentation, including whether the tax charge payment is made by way of capital payment or loan, and enter into the transaction to create the Limited Liability Partnership;

	<p>...</p> <p>4. Recommend to Council, for the sale of shares in OxWED for up to £360,000 along with the purchase of shares in the Limited Liability Partnership and allocate a budget of up to £360,000;</p> <p>...</p> <p>The Head of Financial Services exercised the delegated authority to enter into the transaction to create the Limited Liability Partnership on 10 December 2021. The call in period expired on 15 December 2021 meaning the decision was effective from that date.</p> <p>The Council was advised that the member capital required to enter the LLP was anticipated to be up to £750k, an increase of up to £390k since the report to Cabinet on 10 November 2021. As the cost passed through the transaction, it did not represent an increased financial risk for the Council.</p>
Alternative options considered:	Due to the timetable for the transaction to enter into the OxWED LLP there was insufficient time to seek Cabinet and Council approval of the increase budget.
Wards significantly affected	None

Financial issues

5. The financial issues arising from the decision are set out in the published decision notice and the report to Cabinet on 10 November 2021.

Legal issues

6. The urgency and emergency powers of the Head of Paid Service are set out in Part 9.3 of the Constitution. The responsibilities for budget decisions are set out in Part 18.8 of the Council's Constitution.

Report author	Andrew Brown
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Service area or department	Law and Governance
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Background Papers: None

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