

Agenda



Cabinet

This meeting will be held on:

Date: **Wednesday 14 June 2023**

Time: **6.00 pm**

Place: **Long Room - Oxford Town Hall**

For further information please contact:

Emma Lund, Committee and Member Services Officer

☎ 01865 252367

✉ DemocraticServices@oxford.gov.uk

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, Inclusive Economy and Partnerships
Councillor Ed Turner	Deputy Leader (Statutory) - Finance and Asset Management
Councillor Shaista Aziz	Cabinet Member for Safer Communities
Councillor Nigel Chapman	Cabinet Member for Citizen Focused Services and Council Companies
Councillor Jemima Hunt	Cabinet Member for Culture and Events
Councillor Chewe Munkonge	Cabinet Member for Leisure and Parks
Councillor Anna Railton	Cabinet Member for Zero Carbon Oxford and Climate Justice
Councillor Ajaz Rehman	Cabinet Member for Inclusive Communities
Councillor Linda Smith	Cabinet Member for Housing
Councillor Louise Upton	Cabinet Member for Planning and Healthier Communities

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

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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	
An apology for absence has been received from Councillor Anna Railton, Cabinet Member for Zero Carbon Oxford and Climate Justice.	
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 will meet on 7 June 2023 and the Housing and Homelessness Panel met on 24 April 2023. The following reports are expected and will be published as a supplement, together with any other recommendations from those meetings:	
<ul style="list-style-type: none">• Housing Management System Implementation• Tenancy Agreement• Recommendations of the Child Poverty Review Group	
8 Review of the Corporate Enforcement Policy	13 - 28
Lead Member: Cabinet Member for Housing (Councillor Linda Smith), Cabinet Member for Safer Communities (Councillor Shaista Aziz)	
The Head of Regulatory Services and Community Safety has submitted a report to review the Corporate Enforcement Policy and seek approval	

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for an amended policy for a further three years.

Cabinet is recommended to:

1. **Approve** the amended Corporate Enforcement Policy (at Appendix 2) for a further three years.

9 Ice Rink Future Car Parking Provision

29 - 44

Lead Member: Cabinet Member for Planning and Healthier Communities (Councillor Louise Upton), Cabinet Member for Leisure and Parks (Councillor Chewe Munkonge)

The Head of Community Services has submitted a report to seek approval for the favoured on-site option for future car parking provision for users of the Oxford Ice Rink when the Oxpens car park is closed permanently for redevelopment.

Cabinet is recommended to:

1. **Grant project approval** for option 1 (car parking at the front of the ice rink) being progressed on the basis of seeking to achieve around 25 spaces in total;
2. **Recommend to Council** to establish a budget of £580,000 within the Council's capital programme, profiled across 2024/25 and 2025/26, to fund the provision of new car parking at the front of the ice rink, subject to OXWED's programme for closing the Oxpens car park, and approve the payback of previously spent feasibility funding of £46,000 into the feasibility budget; and
3. **Delegate authority** to the Head of Community Services, in consultation with the Council's Section 151 Officer, the Head of Law and Governance, the Cabinet Member for Leisure and Parks and the Cabinet Member for Planning and Healthier Communities to finalise the scope of works, undertake the necessary procurements, and negotiate and enter into all contracts for the detailed design, construction works, and all associated professional services, for the new ice rink car park within the agreed budget.

10 Fire Door Replacement Programme

45 - 52

Lead Member: Cabinet Member for Housing (Councillor Linda Smith)

The Executive Director (Communities and People) has submitted a report to seek approval and delegated authority to award works contract(s) to replace all applicable resident front doors in Evenlode, Windrush and Hockmore Towers, Oxford with certificated compliant fire

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doors.

Cabinet is recommended to:

1. **Grant project approval** to allocate the approved budget of £2.6m agreed by full Council in 2021/22 to enable progression of the replacement of all resident front doors at Plowman, Evenlode, Windrush and Hockmore Towers, Oxford, with certificated compliant FD30 fire doors; and
2. **Delegate authority** to the Executive Director (Communities and People) or the Head of Housing Services to award the fire door replacement programme contract(s) to ODS, or others as required, following the procurement process outlined in the Constitution.

11 **Agency Agreement to Undertake Land Drainage and Flood Investigation Services on behalf of Oxfordshire County Council**

53 - 56

Lead Member: Cabinet Member for Citizen Focused Services and Council Companies (Councillor Nigel Chapman)

The Head of Corporate Strategy has submitted a report to seek approval to enter into an agency agreement with Oxfordshire County Council under Section 101 of the Local Government Act 1972 and Section 19 of the Local Government Act 2000 to undertake duties relating to the Land Drainage Act 1991/Flood and Water Management Act 2010, on behalf of and as an agent of Oxfordshire County Council as Lead Local Flood Authority.

Cabinet is recommended to:

1. **Grant approval** to enter into an agency agreement with Oxfordshire County Council pursuant to Section 101 of the Local Government Act 1972 and Section 19 of the Local Government Act 2000 to undertake ordinary watercourse consenting and other duties relating to the Land Drainage Act 1991/Flood and Water Management Act 2010 on behalf of Oxfordshire County Council, as described in the report.

12 **Blackbird Leys Development Project - Land Appropriation**

57 - 76

Lead Member: Deputy Leader (Statutory) - Finance and Asset Management (Councillor Ed Turner), Cabinet Member for Inclusive Communities (Councillor Ajaz Rehman)

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.

The Executive Director (Development) has submitted a report to seek approval to advertise the Council's intention to appropriate land (change the statutory basis on which it is held by the Council) at the Blackbird Leys District Centre and Knights Road to facilitate the Blackbird Leys Development Project. The intent to appropriate relates to land owned by Oxford City Council only.

Cabinet is recommended to:

1. **Approve** the public notification process to consider the proposal to exercise the Council's powers to appropriate land in its ownership at Blackbird Leys District Centre and Knights Road (see plan at Appendices 1 & 2) ("the Land") to planning purposes;
2. **Approve** the publishing of a notice in a local newspaper for two weeks consecutively expressing the Council's intention to appropriate the Land in accordance with section 122 Local Government Act 1972 to planning purposes so as to rely on section 203-205 Housing and Planning Act 2016. This is necessary to facilitate Phase 1 of the Blackbird Leys Development Project.

13 **East Oxford Community Centre**

77 - 96

Lead Member: Cabinet Member for Inclusive Communities (Councillor Ajaz Rehman), Deputy Leader (Statutory) - Finance and Asset Management (Councillor Ed Turner)

The Executive Director (Communities and People) has submitted a report to provide an update on progress of the project to deliver the development of The East Oxford Community Centre at Princes Street in upgrading the main building and providing a modern new build extension in a single place. The report also sets out, for approval, options to address the unprecedented construction inflation.

Cabinet is recommended to:

1. **Approve** option 1;
2. **Recommend to Council** to increase the project budget by £1.298m (from £5.496m to £6.794m);
3. **Delegate authority** to the Executive Director (Communities and People) in consultation with the Head of Financial Services/S151 Officer; the Head of Law and Governance; the Cabinet Member for Finance and Asset Management; and the Cabinet Member for Inclusive Communities to award the construction contract to Oxford Direct Services Ltd (ODSL) for the sum of £5.9m and enter into the contract;

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4. **Approve** (subject to Council's agreement to recommendation 2 above) that the 2023 construction contingency budget is applied to the East Oxford Community Centre project, to make up the budget increase required as set out in the report.

14 **Housing Management System Implementation**

97 - 110

Lead Member: Cabinet Member for Citizen Focused Services and Council Companies (Councillor Nigel Chapman)

The Executive Director (Communities and People) and the Head of Financial Services have submitted a report to update Members on the lessons learned from the implementation of the Housing Management System and the outcome of discussions with the supplier as to potential settlement; and to seek additional budget approval for further development of the product after the move to 'business as usual' which has now been secured.

Cabinet is recommended to:

1. **Note** the lessons learned from the system implementation;
2. **Approve** the proposed settlement terms offered by the supplier as referenced in Appendix 4 (exempt) and **delegate authority** to the Executive Director (Communities and People) in consultation with the Head of Financial Services and the Head of Law and Governance to finalise the terms;
3. **Recommend to Council** the approval of additional budget of £263k in 2022-23 as detailed in paragraph 8 of the report; and
4. **Recommend to Council** the inclusion of an additional budgetary amount of £497k of capital and £97k of revenue over the next 4 year period for the further development of the system (paragraphs 9-11).

15 **Minutes**

111 - 114

Recommendation: That Cabinet resolves to **approve** the minutes of the meeting held on 19 April 2023 as a true and accurate record.

16 **Dates of Future Meetings**

Meetings are scheduled for the following dates:

12 July 2023

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.

9 August 2023
13 September 2023
18 October 2023
15 November 2023
13 December 2023

All meetings start at 6.00pm.

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

17	East Oxford Community Centre - Confidential Appendices	115 - 134
18	Housing Management System Implementation - Confidential Appendices	135 - 164

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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.

Members' Code – Other Registrable Interests

Where a matter arises at a meeting which directly relates to the financial interest or wellbeing** of one of your Other Registrable Interests*** then you must declare an

interest. You must not participate in discussion or voting on the item and you must withdraw from the meeting whilst the matter is discussed.

Members' Code – Non Registrable Interests

Where a matter arises at a meeting which ***directly relates*** to your financial interest or wellbeing (and does not fall under disclosable pecuniary interests), or the financial interest or wellbeing of a relative or close associate, you must declare the interest.

Where a matter arises at a meeting which affects your own financial interest or wellbeing, a financial interest or wellbeing of a relative or close associate or a financial interest or wellbeing of a body included under Other Registrable Interests, then you must declare the interest.

You must not take part in any discussion or vote on the matter and must not remain in the room, if you answer in the affirmative to this test:

“Where a matter affects the financial interest or well-being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest You may speak on the matter only if members of the public are also allowed to speak at the meeting.”

Otherwise, you may stay in the room, take part in the discussion and vote.

*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.

** Wellbeing can be described as a condition of contentedness, healthiness and happiness; anything that could be said to affect a person's quality of life, either positively or negatively, is likely to affect their wellbeing.

*** Other Registrable Interests: a) any unpaid directorships b) any Body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority c) any Body (i) exercising functions of a public nature (ii) directed to charitable purposes or (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management.

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.

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To: Cabinet
Date: 14 June 2023
Report of: Head of Regulatory Services and Community Safety
Title of Report: Review of the Corporate Enforcement Policy

Summary and recommendations	
Purpose of report:	To review the Corporate Enforcement Policy and recommend renewal of the Policy
Key decision:	Yes
Cabinet Members:	Councillor Linda Smith, Cabinet Member for Housing and Councillor Shaista Aziz, Cabinet Member for Safer Communities
Corporate Priority:	Deliver more affordable housing; Support thriving communities; Pursue a zero carbon Oxford; Enable an inclusive economy
Policy Framework:	Council Strategy 2020-24

Recommendation: That Cabinet resolves to:
1. Approve the amended Corporate Enforcement Policy (at Appendix 2) for a further three years.

Appendices	
Appendix 1	Corporate Enforcement Policy 2019
Appendix 2	Corporate Enforcement Policy 2023
Appendix 3	Risk Register
Appendix 4	Equalities Impact Assessment

Introduction and background

1. The current Corporate Enforcement Policy, see Appendix 1, was approved in 2015, and renewed in 2019. In line with best practice, the policy is now due a further review.

Review of the Policy

2. The current policy sets out the broad principles and aims behind the Council's strategic approach to enforcement to ensure a level playing field for business, fairness for all and in particular, protection of the vulnerable. There is explicit reference in the policy that the Council's enforcement approach will take corporate and local priorities into account.
3. The Council will have regard to the statutory guidance laid out in the Government's Regulators Code. This remains in force and unchanged since its publication in 2014. There has been no further overarching statutory guidance published since that time.
4. The policy states that the Council will take a graduated approach to enforcement, i.e. education and promotion to change behaviour or set standards followed by enforcement where non-compliance occurs. The policy also recognises that there will be circumstances where it may be necessary to take more immediate enforcement action. This approach remains valid today and does not require amending.
5. The Council have not received any complaints or challenges to the Council's approach whereby the Corporate Enforcement Policy contains broad principles rather than detailing how specific legislation will be applied. The policy states that service areas will develop their own procedures based on statutory guidance where necessary and this is how enforcement practices have developed. This approach continues to provide flexibility for services to implement, and to be able to amend and improve, processes that specifically address legislative requirements. It also enables duty holders to engage with and challenge enforcement procedures and decisions at a service level.
6. There are no external factors requiring changes to the policy and given the proven track record and continuing relevance of it, there is no current requirement or advantage to be gained from significantly amending the current policy. There have been some minor amendments to include officers' powers of entry and the expectations of businesses. The purpose of these amendments are to clarify and explain the powers local authority officers have to be able to carry out their role effectively and to underline that the responsibility for compliance lies with dutyholders. As this is the case, consultation on the renewed policy is not considered necessary.

Other implications

7. Where legislation requires a specific enforcement policy to be adopted by the Council, a separate policy will be developed in line with the principles of the Council's Corporate Enforcement Policy.

Financial implications

8. There are no financial implications. Renewing the Policy will not result in any change in income or expenditure.

Legal issues

9. Before commencing an enforcement investigation officers will have regard to the policy. Defendants would be entitled to cite the policy when making their case or putting forward any defence and may be able to challenge the Council where it cannot demonstrate it has followed its own policy.

Level of risk

10. The Risk Register is attached at Appendix 3.

Equalities impact

11. The Initial Equalities Impact Assessment is attached as Appendix 4. The Council's enforcement activity is largely focussed on protecting vulnerable people so it has a positive impact. Enforcement Actions are regularly monitored by services, where possible, to identify any race disparity issues and ensure the Council's approach does not have disproportionate adverse impacts on any community including those with protected equality characteristics. There is robust oversight of enforcement decisions and Senior Managers, review and authorise certain enforcement action including prosecutions, and will consider equality issues as part of the review.

Carbon and Environmental Considerations

12. There are no carbon and Environmental considerations. Renewing the Policy will not result in any change in such considerations.

Conclusion

13. The existing Corporate Enforcement Policy has continued to be a success and has facilitated the robust approach to enforcement taken by the Council. The reference to corporate and local priorities has provided flexibility and allowed regulators to focus enforcement action to deal effectively with local issues. The approach of using broad principles to underpin the policy and developing service based procedures has resulted in efficient enforcement activity that remains open to challenge and scrutiny by dutyholders.

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Background Papers: None

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Corporate Enforcement Policy

1 Introduction

- 1.1 The Council is committed to Building a World Class City for Everyone and recognises that its regulatory services play an important role in ensuring a level playing field for business, fairness for all and in particular, protection of the vulnerable.
- 1.2 The Council's enforcement approach will take corporate and local priorities into account.

2 Principles of enforcement

- 2.1 The Council will have regard to the [Regulators Code](#) and statutory principles of good regulation. The Council's position is that the responsibility for compliance with the law clearly rests with duty holders, i.e. individuals and businesses.
- 2.2 Subject to any other legal requirements, we will ensure that we exercise our regulatory activities in a way which is:
 - i. **Proportionate** – our core duty is to protect the public and safeguard children and vulnerable adults from harm. Our enforcement activities will reflect the level of risk to the public and enforcement action taken will correspond to the seriousness of the offence. We will seek to resolve cases at the lowest level of intervention appropriate to the case.
 - ii. **Accountable** – the way we carry out enforcement activities will be open to public scrutiny, with clear and accessible policies, and fair and efficient complaints procedures. We will use enforcement activity to assist businesses and others in meeting their legal obligations without unnecessary expense and to support economic growth.
 - iii. **Consistent** – we will enforce the law in a fair, equitable and consistent manner with a view to maintaining public support for the Council's regulatory role. We will have regard to any action being taken by other bodies.
 - iv. **Transparent** – we will ensure that our advice to those we regulate is clear and reliable to help them understand their legal obligations and we will seek to raise awareness about what is expected of them and the need to comply. We will consider what action is appropriate for each regulatory matter and offender.
 - v. **Targeted** – We will seek to change the behaviour of the offender and eliminate any financial gain or benefit from non-compliance where practicable. Our resources will be focussed on higher risk enterprises and activities, reflecting local need and national and corporate priorities. We will seek to restore the harm caused by regulatory non-compliance where appropriate and expedient, and deter future non-compliance.

3 Decisions on enforcement action

- 3.1 We will take a graduated approach to enforcement, unless there are circumstances where more formal enforcement action is necessary.
- 3.2 We will have regard to statutory guidance and national codes of practice when considering enforcement action.
- 3.3 When deciding whether to prosecute The Council will have regard to the provisions of The Code for Crown Prosecutors, in particular the need for a realistic prospect of conviction and whether prosecution is in the public interest.
- 3.4 Individual regulatory services may supplement this policy by developing more specific and detailed service procedures based on statutory provisions.

4 Victims and witnesses

- 4.1 We will consider the needs of victims and witnesses and comply with relevant codes of practice for the treatment, support and communication with both victims and witnesses.

5 Delegation of authority

- 5.1 The Council's Constitution and Scheme of Delegations specifies the extent to which enforcement powers are delegated to officers.

6 Training and appointment of officers

- 6.1 All officers undertaking enforcement duties will be suitably trained and qualified to ensure officers are fully competent to undertake their enforcement activities.

7 Shared regulatory roles

- 7.1 Officers will attempt to co-ordinate visits and actions with other agencies to achieve the most efficient and effective outcomes and to minimise inconvenience for those who are being visited, inspected, or subject to other enforcement action.

8 Review of Enforcement Policy

- 8.1 This document was published in December 2015. This policy document will be reviewed every 3 years or sooner should legislation change.

Corporate Enforcement Policy

1 Introduction

- 1.1 The Council is committed to Building a World Class City for Everyone and recognises that its regulatory services play an important role in ensuring a level playing field for business, fairness for all and in particular, protection of the vulnerable.
- 1.2 The Council's enforcement approach will take corporate and local priorities into account.

2 Principles of enforcement

- 2.1 The Council will have regard to the Regulators Code and statutory principles of good regulation. The Council's position is that the responsibility for compliance with the law clearly rests with duty holders, i.e. individuals and businesses.
- 2.2 Subject to any other legal requirements, we will ensure that we exercise our regulatory activities in a way which is:
 - i. **Proportionate** – our core duty is to protect the public and safeguard children and vulnerable adults from harm. Our enforcement activities will reflect the level of risk to the public and enforcement action taken will correspond to the seriousness of the offence. We will seek to resolve cases at the lowest level of intervention appropriate to the case.
 - ii. **Accountable** – the way we carry out enforcement activities will be open to public scrutiny, with clear and accessible policies, and fair and efficient complaints procedures. We will use enforcement activity to assist businesses and others in meeting their legal obligations without unnecessary expense and to support economic growth.
 - iii. **Consistent** – we will enforce the law in a fair, equitable and consistent manner with a view to maintaining public support for the Council's regulatory role. We will have regard to any action being taken by other bodies.
 - iv. **Transparent** – we will ensure that our advice to those we regulate is clear and reliable to help them understand their legal obligations and we will seek to raise awareness about what is expected of them and the need to comply. We will consider what action is appropriate for each regulatory matter and offender.
 - v. **Targeted** – We will seek to change the behaviour of the offender and eliminate any financial gain or benefit from non-compliance where practicable. Our resources will be focussed on higher risk enterprises and activities, reflecting local need and national and corporate priorities. We will seek to restore the harm caused by regulatory non-compliance where appropriate and expedient, and deter future non-compliance.

3 Delegation of authority

- 3.1 The Council's Constitution and Scheme of Delegations specifies the extent to which enforcement powers are delegated to officers.

4 Decisions on enforcement action

- 4.1 We will take a graduated approach to enforcement, unless there are circumstances where more formal enforcement action is necessary. Informal action can be in the form of advice with formal enforcement ranging from formal notices to prosecution in the more serious cases.
- 4.2 We will have regard to statutory guidance and national codes of practice when considering enforcement action.
- 4.3 When deciding whether to prosecute The Council will have regard to the provisions of The Code for Crown Prosecutors, in particular the need for a realistic prospect of conviction and whether prosecution is in the public interest.
- 4.4 Individual Council services may supplement this policy by developing more specific and detailed service protocols/procedures based on statutory provisions.

5 Officers' Powers of Entry and Obstruction

- 5.1 Enforcement Officers have a wide variety of duties, many of which need them to act as investigators similar to Tax Inspectors, Revenue and Customs officers and police officers. To enable them to act effectively, the law has given strong powers of entry, seizure and inspection. If individuals or companies obstruct officers or do not provide the requested information, the law also imposes punishments. Officers are trained so they rarely have to use these powers, but for them to be effective the Council will continue to uphold and support them.
- 5.2 Officers will use their powers of entry when necessary to effect an inspection of the premises or in the process of an investigation. The Council will always actively support officers acting in good faith and will consider prosecuting those individuals who obstruct or assault officers during investigations or inspections.
- 5.3 When the legislation allows, an officer may examine premises and articles, take photographs, remove articles, take samples or require information and may in some instances be accompanied by other persons. In appropriate cases an officer may seek a warrant from a Magistrates' court to gain entry into premises.
- 5.4 An officer will be expected to explain the powers available to them and seek to obtain voluntary compliance. However where this cannot be obtained, or where it is not applicable to use informal powers, formal use of powers will be sought. Officers will explain both the justification and the legal basis for the above actions upon demand.
- 5.5 All enforcement officers are required to carry identification in the form of an "Authority to Enter" card bearing their photograph. If an officer does not show their card, they may be asked to show it by anyone who is requested to allow entry. If no card is produced, entry may be legitimately refused and no punitive enforcement action will result. If a member of the public has any doubt about the officer's identity, they may telephone the Council on 01865 249811

6 Training and appointment of officers

- 6.1 All officers undertaking enforcement duties will be suitably trained and qualified to ensure officers are fully competent to undertake their enforcement activities.

7 Victims and witnesses

- 7.1 We will consider the needs of victims and witnesses and comply with relevant codes of practice for the treatment, support and communication with both victims and witnesses.

8 Expectations of Business

- 8.1 In their own interests, and in order to avoid the need for enforcement action, businesses including landlords and managers of residential property are expected:
- to proactively seek advice.
 - to be open in disclosing information to the Council when required.
 - to be cooperative and willing to discuss issues/problems.

9 Shared regulatory roles

- 9.1 Officers will attempt to co-ordinate visits and actions with other agencies to achieve the most efficient and effective outcomes and to minimise inconvenience for those who are being visited, inspected, or subject to other enforcement action.

10 Review of Enforcement Policy

- 10.1 This policy document will be reviewed every 3 years or whenever there is a legislative change that requires its review.

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Appendix 3 Risk Register

Appendix 3

Corporate Enforcement Policy

As at: May 23

Ref	Title	Risk Description	Opp / Threat	Cause	Consequence	Risk Treatment	Date Raised	Owner	Gross		Current			Target		Comments	Control / Mitigation Description	Date Due	Action Status	% Progress	Action Owner
									P	I	P	I	Score	P	I						
1	Legal Challenge	Current Policy is not renewed	Threat	Dutyholders challenge enforcement decisions and cite an out of date policy	Enforcement actions are prolonged, unsuccessful or ineffective. Cost to the Council and reputational damage.	Reduce	11/04/23	Ian Wright	1	2	3	2	6	2	1	Current risk is low, however will increase over time	Renew Policy	14/06/23	In Progress	80%	Ian Wright
2	Inconsistency	Policy is applied inconsistently across the Council	Threat	Services not acting in accordance with the policy	Enforcement brought into disrepute, challenges to enforcement action	Accept	11/04/23	Ian Wright	4	3	3	2	6	3	2	All services need to be aware of policy	Membership and Terms of reference of Council wide Enforcement Group will be reviewed and re-established	14/06/23	Ongoing	30%	Gail Siddall
3	Equalities	Enforcement impacts unfairly on a group with protected characteristics	Threat	Services not acting in accordance with the policy	Enforcement brought into disrepute, challenges to enforcement action	Reduce	11/04/23	Ian Wright	4	3	3	2	6	2	1	All services need to be aware of policy	Monitoring and scrutiny of enforcement action to identify impacts e.g. racial disparity. Officers reminded of need to consider circumstances of individuals when making enforcement decisions.	14/06/23	Ongoing	90%	Ian Wright

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Initial Equalities Impact Assessment screening form

Prior to making the decision, the Council's decision makers considered the following: guide to decision making under the Equality Act 2010:

*The Council is a public authority. All public authorities when exercising public functions are caught by the Equality Act 2010 which became law in December 2011. In making any decisions and proposals, the Council - specifically members and officers - are required to have **due regard** to the 9 protected characteristics defined under the Act. These protected characteristics are: **age, disability, race, gender reassignment, pregnancy and maternity, religion or belief, sex, sexual orientation and marriage & civil partnership***

The decision maker(s) must specifically consider those protected by the above characteristics:

- (a) To seek to ensure equality of treatment towards service users and employees;*
- (b) To identify the potential impact of the proposal or decision upon them.*

The Council will also ask that officers specifically consider whether:

- (A) The policy, strategy or spending decisions could have an impact on safeguarding and / or the welfare of children and vulnerable adults*
- (B) The proposed policy / service is likely to have any significant impact on mental wellbeing / community resilience (staff or residents)*

If the Council fails to give 'due regard', the Council is likely to face a Court challenge. This will either be through a judicial review of its decision making, the decision may be quashed and/or returned for it to have to be made again, which can be costly and time-consuming diversion for the Council. When considering 'due regard', decision makers must consider the following principles:

- 1. **The decision maker is responsible for identifying whether there is an issue and discharging it.** The threshold for one of the duties to be triggered is low and will be triggered where there is any issue which needs at least to be addressed.*
- 2. **The duties arise before the decision or proposal is made, and not after and are ongoing.** They require **advance** consideration by the policy decision maker with conscientiousness, rigour and an open mind. The duty is similar to an open consultation process.*
- 3. The decision maker must be **aware** of the needs of the duty.*
- 4. The **impact of the proposal or decision must be properly understood first.** The amount of regard due will depend on the individual circumstances of each case. The greater the potential impact, the greater the regard.*
- 5. **Get your facts straight first!** There will be no due regard at all if the decision maker or those advising it make a fundamental error of fact (e.g. because of failing to properly inform yourself about the impact of a particular decision).*
- 6. What does 'due regard' entail?
 - a. **Collection and consideration of data and information;***
 - b. **Ensuring data is sufficient to assess the decision/any potential discrimination/ensure equality of opportunity;***
 - c. **Proper appreciation of the extent, nature and duration of the proposal or decision.****

7. **Responsibility** for discharging can't be delegated or sub-contracted (although an equality impact assessment ("EIA") can be undertaken by officers, decision makers must be sufficiently aware of the outcome).
 8. **Document the process** of having due regard! Keep records and make it transparent! If in any doubt carry out an equality impact assessment ("EIA"), to test whether a policy will impact differentially or not. Evidentially an EIA will be the best way of defending a legal challenge. See hyperlink for the questions you should consider <http://occweb/files/seealsodocs/93561/Equalities%20-%20Initial%20Equality%20Impact%20Assessment%20screening%20template.doc>
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?

Complying with national legislation applies equally to everyone. Before such legislation is implemented by Government it has been subjected to parliamentary scrutiny and an Equality Impact Assessment.

The initial Equalities Impact Assessment has highlighted that there are eight groups with protected characteristics that have been identified as having the potential to be impacted by this Enforcement Policy:

- All persons aged above 10 years old – the age of criminal responsibility in the UK
- People who do not speak English as a first language (or at all) – those with limited or no ability to understand how the policy/law affects them day to day
- People with mental health issues – those who lack capacity to understand the way this policy may affect them day to day
- Households with a low income – those households who may lack the financial income to pay fixed penalty notices or fines
- Unemployed people – those individuals who may lack the financial income to pay fixed penalty notices or fines
- Young people not in employment education or training – those who may lack financial income to pay fixed penalty notices or fines and be financially dependent upon their parent(s)/carer(s).
- Rough Sleepers/homeless – those who may lack the financial income to pay fixed penalty notices or fines

In order to mitigate the potential impact upon the groups identified by the initial Equalities Impact Assessment, the decision of whether to proceed with enforcement action or not must be on a case by case basis where all facts of the case and circumstances of individuals are taken into account and considered

Dutyholders also have a right to legal redress should they feel that an enforcement decision was unfairly/unlawfully taken; this can be via the Council's Complaints system, an appeal process, or at a tribunal/court hearing. Service users can use the Council's Complaints system if they believe we have failed to adequately enforce the law.

The Council's policy is based on templates provided by the Government's Better Regulation Delivery Office and has therefore been developed using nationally approved best practice.

By maintaining the number of services covered by an enforcement policy the potential for actions causing inequality will be reduced. Enforcement activity is monitored and scrutinised whenever practicable to assess its impact on protected characteristics. Many of the enforcement activities undertaken by the council are initiated to protect vulnerable individuals with protected characteristics and the policy has a positive effect on equalities.

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

There are no adverse equality impacts. The current policy is in line with legislative changes and will result in regulatory activities carried out in more service areas being covered by a clear and consistent policy.

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

No consultation is planned. This is because the policy closely follows the template provided by the government for developing enforcement policies.

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

No adverse equality impacts were identified.

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

Enforcement activity is reviewed annually by each regulatory service as part of developing their Service Plan.

Enforcement Activity is monitored to ensure unexpected equality impacts do not occur. For example statutory notices have to be countersigned by senior officers, certain financial penalties /prosecutions have to be approved by Team Managers, Head of Service and passed to Law and Governance for further scrutiny.

Lead officer responsible for signing off the EqIA: Gail Siddall

Role: HMO Enforcement Team Manager

Date: 11th April 2023

To: Cabinet
Date: 14 June 2023
Report of: Head of Community Services
Title of Report: On-site option for future car parking provision for users of the ice rink

Summary and recommendations	
Purpose of report:	To review and seek approval of the favoured on-site option for future car parking provision for users of the Oxford Ice Rink when the Oxpens car park is closed permanently for redevelopment.
Key decision:	Yes
Cabinet Member:	Cllr Chewe Munkonge, Deputy Leader and Cabinet Member for Leisure and Parks
Corporate Priority:	Enable an inclusive economy; Support thriving communities and Pursue a zero carbon Oxford
Policy Framework:	Oxford Local Plan 2036

Recommendations: That Cabinet resolves to:	
1.	Grant project approval for option 1 (car parking at the front of the ice rink) being progressed on the basis of seeking to achieve around 25 spaces in total;
2.	Recommend to Council to establish a budget of £580,000 within the Council's capital programme, profiled across 2024/25 and 2025/26, to fund the provision of new car parking at the front of the ice rink subject to OXWED's programme for closing the Oxpens car park, and approve the payback of previously spent feasibility funding of £46,000 into the feasibility budget; and
3.	Delegate authority to the Head of Community Services, in consultation with the Council's Section 151 Officer, the Head of Law and Governance, the Cabinet Member for Leisure and Parks and the Cabinet Member for Planning and Healthier Communities to finalise the scope of works, undertake the necessary procurements, and negotiate and enter into all contracts for the detailed design, construction works, and all associated professional services, for the new ice rink car park within the agreed budget.

Appendices	
Appendix 1	Key Risks and Mitigation
Appendix 2	OIR Car Park Programme
Appendix 3	Initial Equalities Impact Assessment Screening Form

Introduction and background

1. Cabinet, [on 10 August 2022](#), resolved to:
 - a) Release the requirement in the OxWED LLP Members Agreement with OxWED to make provision in their investment plan for parking at the ice rink.
 - b) Amend the OxWED LLP Member Agreement and/or enter into an easement to secure the access rights for car parking on site at the ice rink.
 - c) Progress options to provide the ice rink car parking, seeking to achieve around 25 spaces in total.
 - d) Progress further work required on car parking options is progressed through the Development Board process, using feasibility funding, to identify the best solution, noting that a further report will be brought to Cabinet on the final option chosen together with a recommendation to Council to allocate any additional funds as appropriate.

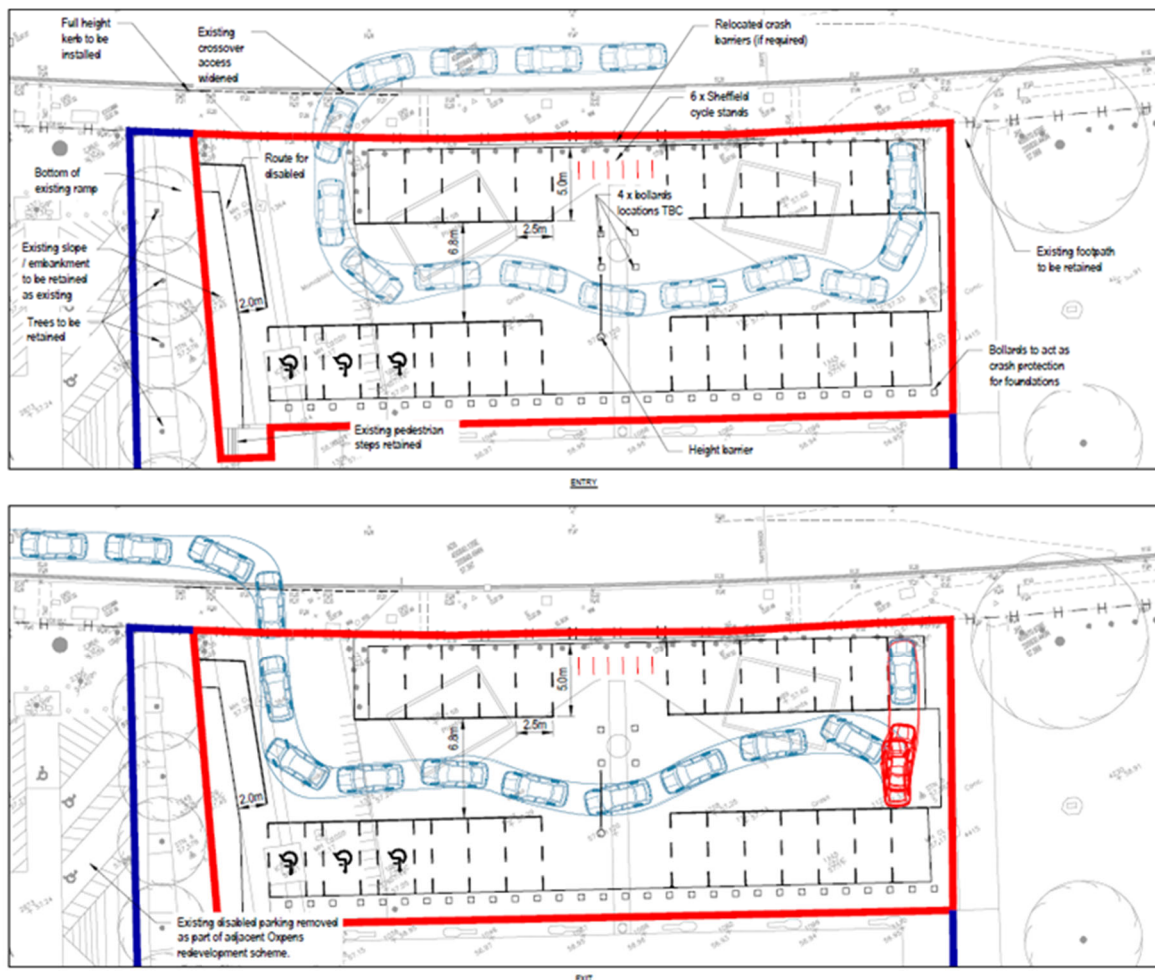
This cabinet report is the “further report” envisaged by the Cabinet Report of 10 August 2022, as Council Officers are now in a position to recommend the final option chosen.
2. The Oxpens public car park adjacent to the Oxford ice rink, is currently used by visitors to the ice rink, but the ice rink operator has no formal agreement with the City Council to use this car park.
3. There are proposals to redevelop the Oxpens car park as part of the redevelopment of the Oxpens site, which is an allocated site in the Local Plan. A planning application was submitted in December last year by OxWED.
4. The original agreement, made on the establishment of the OxWED scheme, had included a requirement from the Council, as an LLP Member, for the scheme to provide 50 car parking spaces relating to the operation of the ice rink. OxWED have sought a release from this requirement due to its inconsistency with the master plan, which seeks a car free scheme, and because the requirement for 50 car parking spaces would reduce the area available for new development on the site.
5. Council Officers have reviewed a number of options for parking provision either at the ice rink site or on the OxWED site, to ensure up to a total of 25 spaces are made available for use by the Oxford ice-rink.
6. Council Officers are keen to ensure that any scheme devised at the current time does not preclude any option for the future of the ice rink either on its current site, or on an adjacent site, as part of the OxWED development.
7. Onsite car parking is not required until the Oxpens car park closes and this date has not yet been confirmed. However, recent advice from OxWED suggests it would be prudent to assume a closure date of 1st April 2025 for estimating purposes.

8. Initially, 7 options were considered, including on-site and off-site parking provision for the ice-rink. These have now been reduced down to 2 preferred options, and further work has been undertaken on these, now renumbered options 1 & 2 (parking at the front of the ice rink building or at the side with the removal of the ramp) as illustrated on the plans set out below at paragraph 10 of this report.
9. The City Council's leisure centre operator contract with Fusion, is coming to an end in March 2024. The City Council has recently started the Tender process to procure a new operator from 1st April 2024. Council Officers will ensure that any changes or proposals that could impact the commercial viability of the Ice Rink are shared with potential Operators at the appropriate times.

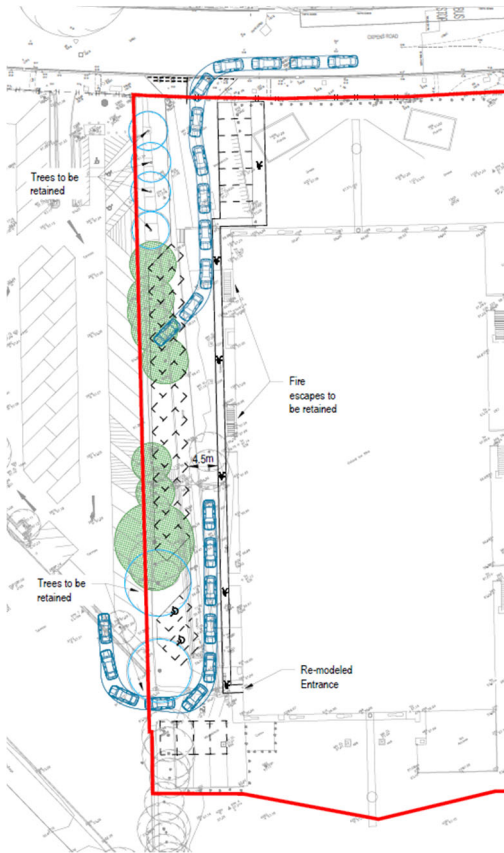
Proposals and options

10. We have assessed the pro and cons of these two preferred options:

Option 1 Parking at front of Ice rink (formerly option 2)



Option 2 Ramp removal and parking to west of ice rink (formerly option 7)



11. This shows a preference for option 1 rather than option 2, for the following reasons:

- 1) Costs (estimated £580k for Option 1 and £980k for option 2)
- 2) Option 1 would result in less disruption to ice rink users because the works are on some relatively unused ground at the front with minimal access currently required.
- 3) Option 1 would not require the closure of the ice rink for internal works; option 2 involves reception being moved from 1st floor to ground, with external elevation changes requiring closure of the ice rink for internal works.
- 4) Exit from option 2 car park would discharge into the adjacent OxWED site and would likely have to pass through a construction site for the first couple of years. We would expect this to mean that various temporary route/s would be required and then a permanent route as construction of the OXWED development progresses.
- 5) Option 2 allows reversing cars to approach pedestrian access path to main reception.

12. The designs are not yet finalised and we are currently awaiting pre-app discussions with the LPA. Initial discussions have been undertaken with the County Council, as Highway Authority to discuss the access point to car park, intensification of use, coach drop-off and pick up points requested by users.

13. The recommended programme and strategy is shown in appendix 2, however, is dependent on when the OxWED car park will be closed. We are advising that a minimum of nine months is required before planned closure in order to mobilise to deliver the parking. This will allow us to finalise designs, update ecology reports, liaise with ODS, or other contractor, and undertake the work. As Planning permission lasts for three years, there is a case for getting this in place so that it can be implemented when required. Equally, we would not want to apply too early as the closure could be further away depending on the commercial decisions of OxWED.
14. The Council's Corporate Property team are continuing discussions with OxWED to ensure access to the rear of the ice rink plant is maintained for servicing and possible egress from option 2.
15. Option 1 is currently our preferred option due to it being substantially cheaper than option 2, less disruptive to the operation of the ice rink, unlikely to require closure of the ice rink (as option 2 would for circa 3 months) and having its own access/egress points to the highway. Option 2 would require the discharge through the OxWED site, which will likely be a construction site for many years, requiring possible alternative exit routes, and need legal agreements.
16. Following advice from OxWED that the Oxpens car park could close in April 2025, the programme has been updated to show the processes required for the installation of the new car parking before closure.
17. There are currently over 21 months between Cabinet date in June 2023 and possible closure in April 2025. Allowing for a 3 month build process to construct the car park, as shown on the programme, we currently have over a year to complete the planning process.

Financial implications

18. The provision of more parking spaces on the ice rink site would also have a cost but would not require a land payment (as the City Council owns the ice rink site), and both options individually and cumulatively would be lower than requiring spaces on the Oxpens site.
19. A budget would still be required, for further internal costs involved with design progression, tendering, contract monitoring, preparation of further reports etc. and a construction budget. The current budget project estimates are £580,000 for the recommended option 1 (parking at the front). The cost of capital on £580,000 is approximately £34,800 per annum.
20. The current budget project estimate is £980,000 for option 2 (ramp removal and parking at side).
21. As the date of construction is not confirmed, it is difficult to assess the inflationary impacts and these are not allowed for in the above figures. The Royal Institution of Chartered Surveyors have predicted a 22% increase in tender prices in the 5 years to 2026, which may now be looking a little undervalued. It would seem prudent to allow for an increase in the costs proposed by 20% between the cost plan date and Q2 of 2025, if the estimated completion date of March 2025 is assumed. This is the basis of the project estimate cost above. We must be aware

the construction date may be sometime beyond the financial year 2024/25, depending the OXWED decision to close the Oxpens car park.

22. It should be noted that no allowance has been made for the costs associated with closure of the ice rink. These will be minimal or nil for the recommended option 1. They would be significant for option 2, due to ramp removal, elevation changes and reception relocation from 1st to ground floor in option 2.
23. The new car parking will not be required until the Oxpens car park closes, which is not anticipated for around 2 years, but, could be longer. However, it will be necessary to implement a scheme before closure, to ensure the new parking provision is ready and available immediately following closure of the Oxpens car park. Assuming we use the OXWED suggested date of 01/04/2025 for closure of Oxpens car park, then the construction budget will be required in the financial year 2024/25.
24. Therefore, the construction spend is likely to take place in 2024/25 or possibly 2025/26, or later, if the OXWED prediction slips.
25. The initial feasibility budget was just over £46,000. It is anticipated that this figure will be expended by the date of Cabinet. An allowance has been made in the estimate to pay this back.
26. We anticipate future ongoing internal costs to be c£35,000 plus contingency to include planning fees, future PM time and allowances for other internal costs (legal, property, internal finance costs) and updated ecology report. This is on the basis we are able to proceed with option 1, without more intrusive investigations, the most likely scenario. This spend is not anticipated until after the June Cabinet, but most during 2023/24. The precise timing of the spend will be dependent on the agreed timings of the car park build, as outlined above.
27. The budget request in the recommendation is based on progressing option 1 and includes an allowance for inflation based on construction spend in 2024/25, contingency, the payback of previously spent feasibility funding (£46,000) into the feasibility budget and future internal spending.

Legal issues

28. Under the terms of the lease of Oxpens Car Park, OxWED are obliged to give the City Council 3 months' notice of their intention to close the Oxpens Car Park, to allow the Council time to plan ahead and carry out works to secure the new car parking arrangements. Council Officers will work closely with OxWED to maintain an understanding of their programme to close the Oxpens car park, to minimise the risk of being unprepared to provide alternative parking.

Level of risk

29. The Risk Register is attached as Appendix 1.
30. There is a risk that detailed design and planning process reveals new constraints or requirements that alter timescales or costings of parking at the ice rink. Planning pre-app will take place between publication of this report and the Cabinet meeting.
31. The development of the approach to accommodating the minimum level of parking required removes the risk of the ice rink being left without adequate parking affecting its programmes and activities.

Equalities impact

32. Section 149 of the Equality Act 2010 places a duty on public authorities in the exercise of their functions to have regard to the need to eliminate discrimination, harassment, victimisation and to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
33. In considering the minimum level of car parking required Communities have taken account of the role of the ice rink within the community, the range of users of the ice rink and those with protected characteristics. In providing parking on the site the parking design will incorporate blue badge spaces, as close to the entrance as feasible, in accordance with current guidance. Option 1 provides clarity of access for inclusion and spaces closest the entrance. However all options will be an improvement on the current arrangement for people needing access to blue badge spaces. This complies with the EQIA initial assessment. As part of establishing agreed options, a fuller EQIA will be undertaken.

Carbon and Environmental Considerations

34. During the early design stages, the design team were committed to addressing the Climate and Biodiversity Emergency in all design. The greatest opportunity to reduce carbon happens at the early stages of design, when the “build less” principle was the focus. There was a long list of options. The selection of the parking option with the least amount of new construction, by building mostly on an existing parking area.
35. Out of the 2 favoured options, the option chosen does not impact on the existing trees to the west, some of which are substantial trees, allowing the carbon capture element of these trees to remain.
36. The proposal supports the council’s climate emergency commitments to pursue a zero carbon Oxford.

Conclusion

37. The preferred option to progress is option 1, parking at the front, for the reasons outlined above.
38. There is a need to work closely with OxWED to maintain an understanding of their programme to close the Oxpens car park as a JV partner, to minimise the risk of the City Council being unprepared to provide alternative parking. The lease Agreement obliges OxWED to provide the Council with 3 months’ notice of the date on which the Oxpens Car Park will be closed, however in practice, due to the relationship between the parties it is likely that the Council will be made aware of the required closure date in advance of the legal notice period.
39. To reduce this risk, we should proceed with the preparation of tender documents by appointed consultants once planning permission is obtained to reduce the lead-in time to construction.

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Service area or department	Regeneration and Economy
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Background Papers:

Report to Cabinet on 10 August 2022: Ice Rink Future Parking Provision
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Appendix 1

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Ref	Title	Risk Description	Opp / Threat	Cause	Consequence	Risk Treatment	Date Raised	Owner	P	I	P	I	Score	P	I	Comments	Control / Mitigation Description	Date Due	Action Status	% Progress	Action Owner
1	Amount of parking required	Consultation with Leisure department has asked for c25 spaces to be provided.	Threat	Change to ice rink programme or access options	Impact on attendance and viability of the rink	Accept	01/07/22	Leisure	2	3	2	3	6	1	3	Assessment made of current levels of use and programme which has informed the number of spaces identified.	Continue to monitor to ensure adequate provision is made	on going	In Progress	80%	Leisure
2	Unable to accommodate the identified number of parking spaces	Detailed work results in a lower number of parking spaces being accommodated	Threat	Detailed scheme development results in reduction in number of spaces	Impact on attendance and viability of the rink	Reduce	01/07/22	PM	3	2	3	2	6	2	2	Initial feasibility has identified viable options	Proposals will be developed prior to Oxpens parking being closed so there is time to reach an acceptable conclusion.	30/12/22	In Progress	30%	PM
3	Cost of works increases	The cost estimates of carrying out the work are exceeded	Threat	Construction cost inflation is currently resulting in increased costs	Increased cost in providing parking	Accept	01/07/22	PM	4	3	4	3	12	3	2	increased construction costs. Will depend on when construction takes place as dependent on when OXWED shut Oxpens car park.	Monitor construction costs and the timing of providing necessary parking	30/12/24	In Progress	10%	PM
4	Highway Authority (HA), Oxfordshire County Council, object to proposals in principle, disagree to access use/location, coach drop in principle.	Highway Authority (HA), Oxfordshire County Council, object to proposals in principle, disagree to access use/location, coach drop in principle.	Threat	Threatens viability of option or means a compromise	Could mean unable to provide parking on site. May mean not possible to incorporate desired outcomes of car or coach drop off.	Accept	01/07/22	PM	3	4	3	3	9	3	2	Initial highways meeting held 10/08/22. Design to be modified to accommodate some comments, liaise with Stakeholders and re-engage with HA.	Liaising with HA to agree items during the pre-app process	on going	In Progress	40%	PM
5	Adverse publicity re future reduction in parking adjacent to the ice rink	Adverse publicity created by users of the ice rink unhappy with loss of Oxpens car park	Threat	Loss of Oxpens car park adjacent to the ice rink	Loss of public car park users are used to being able to access	Reduce	01/07/22	PM	4	2	4	3	12	3	2	Comms plan being prepared to highlight issues and the Council's response. Reduction has been informed by usage by communities team.	Plans being developed so that there is alternatives for identified groups when the Oxpens car park closes.	30/12/22	In Progress	10%	PM
6	Oxpens car park shuts earlier than anticipated	Oxpens car park shuts prior to an alternative parking scheme being implemented for identified users	Threat	Alternative parking not complete before Oxpens Car park shuts.	Limited car parking available in close proximity to ice rink causing complaints and possible loss of activity to ice rink.	Avoid	01/07/22	External	3	3	2	3	6	1	2	Carpark in the control of OxWED	Liaison with OxWED to ensure there is notice to shut the carpark to ensure programmes are aligned to ensure replacement can be built before closure.	on going	Ongoing	30%	PM
7	Technical constraints prevent the provision of car parking at the ice rink	Technical constraints and the need for consents could restrict the amount of parking that could be accommodated	Threat	The site has a number of constraints including the structure of the rink, trees and access arrangements	Impact on attendance and viability of the rink	Reduce	01/07/22	PM	3	2	2	2	4	1	2	Initial work undertaken to identify constraints to the provision of parking and engagement with planning and highways proposed	Undertake technical work and engage highways and planning to address any issues arising as per report recommendations.	30/12/22	In Progress	20%	PM
8	Agreeing access rights with OxWED	OxWED do not agree to vary the member agreement or enter into an easement.	Threat	Nuffield do not agree with amending the Member Agreement and it is likely too early in the masterplan process to agree a formal route to be documented by way of easement.	OCC do not have a formal right of access over the OxWED land, or the ability to trigger deadlock through the management agreement if OxWED to not include within the masterplan	Avoid	06.07.22	PM	3	3	2	3	6	1	2		Agree additional wording within the Member Agreement to note OCCs requirement for access over the OxWED land. This will need to be formalised at the appropriate point.	on going	In Progress	10%	PM
9	Ice rink users unhappy with proposals leading to reputational risk.	reputational risk	Threat	Poor communications or lack of agreement.	Damage to OCC reputation	Accept	06.07.22	Leisure	3	3	3	2	6	2	2		Deadlock provisions can be triggered by either Member should there be a disagreement over the access route to be included within the masterplan.	on going	In Progress	10%	PM
10	Increased inequalities gap	Oxpens car park shuts prior to an alternative and adequate parking scheme being implemented for identified users.	Threat	Reduced land available for parking provision;	Impact on attendance and viability of the rink; Key user stakeholders participate less regularly; Less income; Long term viability of clubs and key stakeholders is impacted; Facility & community offer becomes financially unstable and/or unsustainable.	Reduce	06/07/22	PM	3	3	2	3	6	1	2	OIR needs to be inclusive, supporting the needs of those with a wide range of ice activity profiles including Ice Hockey and Figure Skating and needs that support residents, respond to local needs, help reduce inequalities and build strong, resilient communities.	Minimum provision made as recommended in the report; A coach "drop off and pick up point" on Oxpens Road, although not ideal would be acceptable; At least one "drop off and pick up point" for three large (i.e. 5/7 seater) vehicles	on going	In Progress	30%	PM
11	Financial & commercial viability of a unique community asset and sporting venue	Oxpens car park shuts prior to an alternative and adequate parking scheme being implemented for identified users.	Threat	Car park shuts earlier than anticipated to allow works on the development site	Impact on attendance and viability of the rink; Key user stakeholders participate less regularly; Less income into the business; Facility & community offer becomes financially unstable and /or unsustainable.	Reduce	06/07/22	PM	4	4	2	3	6	1	2	It is accepted that some convenient parking will be lost and unlikely all desires for convenient parking to replace the existing provision will be met when the Oxpens car park is removed; Some provision is considered essential by leisure services.	Liaison with OxWED to ensure there is notice of any works that would shut the carpark so the loss of parking can be managed and ensure programmes are aligned to ensure replacement can be built before closure.	on going	In Progress	30%	PM
12	Viability of key user groups and clubs	Oxpens car park shuts prior to an alternative and adequate parking scheme being implemented for identified users.	Threat	Car park shuts earlier than anticipated to allow works on the development site.	A unique sporting and community offer in the city folds.	Reduce	06/07/22	PM	3	3	2	3	6	1	2	OIR needs to be inclusive, supporting the needs of those with a wide range of ice activity including Ice Hockey and Figure Skating & needs that support residents, help reduce inequalities and build strong, resilient communities.	Liaison with OxWED to ensure there is notice of any works that would shut the carpark so the loss of parking can be managed and ensure programmes are aligned.	on going	In Progress	30%	PM
13	Ice rink needs to be closed during works.	Closed during works causing issues with operator and users	Threat	Works to car park prevent access to rink requiring temporary closure.	Not able to access ice rink safely causing loss of income to operator.	Reduce	07/07/22	PM								If works can be undertaken away from Hockey season then access easier to manage.	Try and avoid/ minimise closure. Seek to ensure any closure is in "quite period" and use good comms to notify.				

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Appendix 2 – OIR Car Park Programme

Work Stages and Milestones	Start	Finish	Duration (Days)	2023											
				Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct		
Oxpens Provision of c25 Car Park spaces - design	23/11/2022	25/08/2023	198												
Glanville Preliminary Design	23/11/2022	30/04/2023	113												
DRG (feasibility budget and update)	13/04/2023	13/04/2023	1												
Prepare report for 18 April DB	11/04/2023	13/04/2023	3												
DB report	18/04/2023	18/04/2023	1												
Design of selected option	13/03/2023	21/04/2023	30												
Pre-App and highways consultation (date TBC by planning)	13/04/2023	27/04/2023	11												
Cabinet report preparation	21/04/2023	27/04/2023	5												
Cabinet report to Director	28/04/2023	28/04/2023	1												
Cabinet report to Member approval	12/05/2023	12/05/2023	1												
Cabinet meeting	14/06/2023	14/06/2023	1												
Prepare planning pack (date TBC based on anticipated Car park closure date)			30												
Planning Application	TBC	TBC	1												
Planning determination process	TBC	TBC	50												
Preparation of tender documents by appointed consultants			30												
Car park build Process (allow 4-5 months from when existing Oxpens car park closure date known)	TBC	TBC	MONTHS	2024						2025					
Preparation of tender documents by appointed consultants	July 2024	Aug 2024	2												
Complete tender (Possibly ODS)	Aug 2024		1												
Award of contract	Aug 2024														
Contract mobilisation	Sept 2024	Sept 2024	0.5												
Construction of on-site parking	Oct 2024	Mar 2025	5												
Open on-site parking	Mar 2025	Mar 2025													
Working assumption of closure of Oxpens car park	01/04/2025	01/04/2025													

Note: The lower section works back from suggested closure date of 01 April 2025 and works dates backwards to show latest date; summer 2024, which OCC would need to know to progress tender documents.

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Appendix 3 – Initial Equalities Impact Assessment Screening Form

Initial Equalities Impact Assessment screening form

Prior to making the decision, the Council's decision makers considered the following: guide to decision making under the Equality Act 2010:

*The Council is a public authority. All public authorities when exercising public functions are caught by the Equality Act 2010 which became law in December 2011. In making any decisions and proposals, the Council - specifically members and officers - are required to have **due regard** to the **9** protected characteristics defined under the Act. These protected characteristics are: **age, disability, race, gender reassignment, pregnancy and maternity, religion or belief, sex, sexual orientation and marriage & civil partnership***

The decision maker(s) must specifically consider those protected by the above characteristics:

- (a) To seek to ensure equality of treatment towards service users and employees;*
- (b) To identify the potential impact of the proposal or decision upon them.*

The Council will also ask that officers specifically consider whether:

- (A) The policy, strategy or spending decisions could have an impact on safeguarding and / or the welfare of children and vulnerable adults*
- (B) The proposed policy / service is likely to have any significant impact on mental wellbeing / community resilience (staff or residents)*

If the Council fails to give 'due regard', the Council is likely to face a Court challenge. This will either be through a judicial review of its decision making, the decision may be quashed and/or returned for it to have to be made again, which can be costly and time-consuming diversion for the Council. When considering 'due regard', decision makers must consider the following principles:

- 1. **The decision maker is responsible for identifying whether there is an issue and discharging it.** The threshold for one of the duties to be triggered is low and will be triggered where there is any issue which needs at least to be addressed.*
- 2. **The duties arise before the decision or proposal is made, and not after and are ongoing.** They require **advance** consideration by the policy decision maker with conscientiousness, rigour and an open mind. The duty is similar to an open consultation process.*
- 3. The decision maker must be **aware of the needs of the duty**.*
- 4. The **impact of the proposal or decision must be properly understood first**. The amount of regard due will depend on the individual circumstances of each case. The greater the potential impact, the greater the regard.*
- 5. **Get your facts straight first!** There will be no due regard at all if the decision maker or those advising it make a fundamental error of fact (e.g. because of failing to properly inform yourself about the impact of a particular decision).*
- 6. What does 'due regard' entail?
 - a. **Collection and consideration of data and information;****

- b. Ensuring data is sufficient to assess the decision/any potential discrimination/ensure equality of opportunity;*
 - c. Proper appreciation of the extent, nature and duration of the proposal or decision.*
7. **Responsibility** for discharging can't be delegated or sub-contracted (although an equality impact assessment ("EIA") can be undertaken by officers, decision makers must be sufficiently aware of the outcome).
 8. **Document the process** of having due regard! Keep records and make it transparent! If in any doubt carry out an equality impact assessment ("EIA"), to test whether a policy will impact differentially or not. Evidentially an EIA will be the best way of defending a legal challenge. See hyperlink for the questions you should consider <http://occweb/files/seealsodocs/93561/Equalities%20-%20Initial%20Equality%20Impact%20Assessment%20screening%20template.doc>
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?

Disabled users, Visually impaired users and Neurodiverse users

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 Oxpens car park adjacent to the Oxford Ice Rink (OIR) is currently used by visitors to the OIR.

The proposals are to redevelop the surface car park as part of the OxWED scheme, currently at pre-application stage, planning application is due for submission this year.

The EQIA is reviewing the provision of operational parking for staff and patrons with accessibility issues (i.e. those less mobile, wheelchair users, with particular special/ educational need, etc.), people with heavy equipment. Maintaining the ease and ability to drop-off/collect and park is a high priority.

Feedback from OIR users and key stakeholders demonstrates a need for approximately 25 car parking spaces, including 3 disabled spaces close to the entrance, and a safe drop off provision. Some form of clear marking for partially sighted users will also need to be incorporated as well as locations for guide dogs to be rested and watered.

The car park is not due to close in the near future, but further design input is required.

The Project Manager will be Steve Weitzel.

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.

Feedback from OIR users and key stakeholders has been received and feedback will be given and recommendations acted on. We intend to continue to liaise with them as the design progresses.

We will also share this project design and development with the Inclusive Transport and Movement group & Equalities Officer at the appropriate milestones.

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

No adverse impacts have been identified as the design of the new car parking will bring disabled parking spaces closer to the entrance and allow for design enhancements for visually impaired users.

The benefits of this scheme outweigh any potential or reviewed disadvantages and this scheme can be recommended in the light of this EQIA. The financial impact of any changes are all part of the economic planning and no additional monies need to be allocated towards equality mitigation measures.

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 of the changes will be monitored as part of our routine monitoring and governance arrangements and the EQIA updated at key milestone points.

Lead officer responsible for signing off the EqIA: Steve Weitzel

Role: Regeneration Manager

Date: 20/07/2022

Approved By: Wendy Hind

Date: 22/07/2022

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To: Cabinet
Date: 14 June 2023
Report of: Executive Director (Communities and People)
Title of Report: Replacement of resident front doors in high rise buildings with compliant certificated fire doors

Summary and recommendations	
Purpose of report:	To seek Cabinet approval and delegation to award works contract(s) to replace all applicable resident front doors in Evenlode, Windrush and Hockmore Towers, Oxford with certificated compliant fire doors (FD30's)
Key decision:	Yes
Cabinet Member:	Councillor Linda Smith, Cabinet Member for Housing
Corporate Priority:	Deliver More Affordable Housing
Policy Framework:	Housing, Homelessness and Rough Sleeping Strategy 2023-2028

Recommendations: That Cabinet resolves to:	
1.	Grant project approval to allocate the approved budget of £2.6m agreed by full Council in 2021/22 to enable progression of the replacement of all resident front doors at Plowman, Evenlode, Windrush and Hockmore Towers, Oxford, with certificated compliant FD30 fire doors; and
2.	Delegate authority to the Executive Director (Communities and People) or the Head of Housing to award the fire door replacement programme contract(s) to ODS, or others as required, following the procurement process outlined in the Constitution.

Appendices	
Appendix 1	Risk Register

Introduction and background

1. The focus for Fire Doors in high rise blocks has changed dramatically since the Grenfell tragedy, with a greater emphasis on doors meeting modern standards. As well as this, the newly introduced Building Safety Act 2022 has made significant changes to the way fire safety is regulated in Higher Risk Buildings, introducing a new Building Safety Regulator (BSR) in England to oversee a new, more stringent safety management regime for these buildings and to drive improvements in building safety and performance standards in all applicable buildings. The provision of compliant fire doors is a significant part of this regime in providing assurance to residents that their building is safe from a fire perspective.
2. The Building Safety Act takes forward further changes to the Regulatory Reform (Fire Safety) Order 2005 (the Fire Safety Order or FSO), building on the Fire Safety Act 2021. The Act also creates an ongoing duty on the Accountable Person (The Council) to assess the safety risks relating to their building, to take all reasonable steps to prevent a risks materialising and to limit the severity of any incident resulting from such a risk. The Accountable Person will need to demonstrate how we are meeting this ongoing duty via our safety case and Safety Case Reports, (which we must produce and submit to the BSR) and by building electronic Golden Threads of Information to show safety compliance in our higher risk buildings.
3. Oxford City Council have annually undertaken Fire Risk Assessments for all our high risk buildings, and are taking further action to collate historical and recent building information/safety checks to comply with the BSA 2022. These checks have identified that, as we have no certification that resident front doors meet modern standards then they can only be classified as 'nominal fire doors'.
4. The term 'nominal fire door' is used where an existing fire door's fire separation performance cannot be proven but it is assumed that the door will be of a suitable build to act as a fire door.
5. The Council has taken additional steps to reduce fire spread within all our tower blocks by installing sprinkler systems within each of the flats which will help prevent fire and smoke spreading. However, we still need to guarantee that the flat entrance fire doors would prevent fire and smoke spreading into common areas of the building. Having this extra mitigation in place is essential for fire safety in our higher risk buildings. The Act also brings forward measures to protect leaseholders from the costs associated with the remediation of historical building safety defects in medium- and high-rise buildings. The Act protects qualifying leaseholders (those living in their own homes or with up to three UK properties in total) from all costs associated with the remediation of unsafe cladding, and provides additional protections from non-cladding costs. The Act means that building owners and landlords are now liable to pay to fix historical fire safety defects if they are (or are linked to) the developer of a building with fire safety defects.
6. We have a budget of available £2.6m in 2023/24. Foresters Tower has been completed and Plowman Tower is in process via a general delegated officer decision. This report addresses the works required at the remaining towers to ensure that due authority is in place.

Options

7. Option 1 (recommended): Grant approval to spend the current allocated budget of £2.6m as approved by full Council in 2021/22 to enable progression with the

installation of certificated flat of entrance doors at Evenlode, Windrush and Hockmore Towers and then to move onto replacement of all uncertificated flat entrance doors in Housing for Older people blocks followed by the 11 identified four story blocks where there is a shared escape route for fire safety purposes.

8. Option 2: Do nothing - Not installing certified flat entrance fire doors to tower blocks and low rise blocks could expose Oxford City Council and its tenants to unacceptable risk, as such, we have made progress on this and have completed a door replacement programme at Foresters Tower in March with authorisation from the Executive Director for Homes and Communities. This included all tenants and leaseholder dwellings.
9. This report is seeking authorisation/permission to continue this programme following completion of Plowman Tower. Once the proposed programme is completed we would like to move on to the surplus three and two storey blocks where there is a shared escape route for fire safety purposes. The request for funds to complete this further programme will be included in future budget requests in coming years.

Financial implications

10. The HRA business plan includes a budgetary provision of £2.4m as well as an approx. £200,000 carry over from 2022/23. The estimated contract value is circa £1.2m The estimates are based on the following blocks:

Repair Works Summary	Property	Estimated Cost
Replace all resident front doors with certificated compliant fire doors (FD30's)	Plowman Tower	£309,000.00
	Evenlode Tower	£149,574.50
	Windrush Tower	£156,005.00
	Hockmore Tower	£149,574.50
	10 Housing for older people blocks (approx. 200 doors)	£500,000.00
	11 four storey blocks (approx. 100 doors)	£250,000.00
	Total	£1,514,154.00
Low rise blocks (based on current data)		
	Approx. 293 three story blocks (approx. 1558 doors)	Future budget request to be confirmed.
	Approx. 201 two storey blocks (approx.. 804 doors)	Future budget request to be confirmed.

11. In line with the Council's Constitution, works will be offered to ODS as they are a certified fire door installer and have capacity. Work has been awarded to ODS for Foresters tower in line with the rules in the constitution. However, we will be carrying out a Quantity Surveying exercise to ensure value for money is achieved on the material costs.
12. The approved HRA capital programme includes approx. £2.6m for fire doors. This report seeks Cabinet approval to use this budget for the completion of the fire door replacement programme at Plowman, Evenlode, Windrush and Hockmore Towers at an estimated cost of £764,154.00 and replacement of flat front doors and cross corridor doors at Housing for Older People sites and all relevant four storey blocks at a further estimated cost of approx. £750,000.

Legal issues

13. There is a health and safety risk as we have a statutory duty to provide residents relevant information about fire doors, particularly residents' flat entrance doors, as these play an important part in containing any fire within the flat in which it starts. We cannot currently do this as we have no certification for existing doors.
14. Criminal sanctions for failure to comply with requirements and prohibitions imposed by the Fire Safety Order and any regulations made under it may apply. The most serious offences are subject to a maximum penalty of a fine not exceeding the statutory maximum in a magistrates' court (currently £5,000) or on conviction on indictment to an unlimited fine and/or a term not exceeding two years.

Level of risk

15. The level of risk, should this request not be granted is significant, as we would not be fulfilling our statutory duties as stated previously. The safety of our Resident's would be put at greater risk.

Equalities impact

16. There are no known equalities impacts regarding the works or proposed delegation. Due regard will be given to equalities impacts within the procurement process.

Carbon and Environmental Considerations

17. The programme of fire door replacement is not expected to have any impact on Oxford City Council's policies and commitments relating to carbon reduction and safeguarding the environment.
18. The existing 'composite' doors are being replaced with timber doors which are responsibly sourced from FSC and PESC certified suppliers. This means the trees are harvested responsibly so there is no net loss of forest over time.
19. As much of the waste material produced by these works as is possible will be recycled by Oxford Direct Services via their depot facility at Marsh Road, Oxford.

Conclusion

20. Cabinet is recommended to approve the delegated authority to allocate the approved budget of £2.6m as agreed by full Council in 2021/22 to enable

progression of the replacement of all resident front doors at Plowman, Evenlode, Windrush and Hockmore Towers, Oxford, as well as the doors at 10 Housing for Older People blocks and 11 four storey blocks with certificated compliant FD30s fire doors.

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Background Papers: None

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Appendix 1: Risk Register

Authorisation to replace all resident front doors in high rise buildings with compliant certificated fire doors

As at: 10.05.2023

Ref	Title	Risk Description	Opp / Threat	Cause	Consequence	Risk Treatment	Date Raised	Owner	Gross		Current			Target		Comments	Control / Mitigation Description	Date Due	Action Status	% Progress	Action Owner
									P	I	P	I	Score	P	I						
1	Construction industry price increases across the board in relation to construction inflation/supply chain issues.	Construction materials prices continue to rise as they have done for the last 18 months.	Threat	Construction materials and lack of availability have/ are causing construction costs to increase.	Higher than budgeted for costs of completing the works	Contingency Plans	10/05/23	Steve Stansfield	4	3	2	2	4				Contingency budget built into the budget figure.				
2	Additional works that come to light once the programme begins on site.	Additional works identified during the works, requiring additional funding	Threat	Once works begin on site, unseen issues could come to light that need repair before the planned works can be completed	Place pressure on budget and extend length of programme of works on site.	Contingency Plans	10/05/23	Steve Stansfield	4	3	2	2	4				We have carried out similar projects on almost identical buildings so are aware of possible pitfalls, along with the contingency should prevent a requirement for additional funds. We are very familiar with the building so the full condition should be known.				

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To: Cabinet
Date: 14 June 2023
Report of: Head of Corporate Strategy
Title of Report: Agency agreement to undertake land drainage and flood investigation services on behalf of Oxfordshire County Council

Summary and recommendations	
Purpose of report:	To seek approval to enter into an agency agreement with Oxfordshire County Council under Section 101 of the Local Government Act 1972 and Section 19 of the Local Government Act 2000 to undertake duties relating to the Land Drainage Act 1991/Flood and Water Management Act 2010, on behalf of and as an agent of Oxfordshire County Council as Lead Local Flood Authority.
Key decision:	Yes
Cabinet Member:	Councillor Nigel Chapman, Cabinet Member for Citizen Focused Services and Council Companies
Corporate Priority:	Pursuing a Zero Carbon Oxford
Policy Framework:	Council Strategy 2020-24

Recommendations: That Cabinet resolves to:	
1.	Grant approval to enter into an agency agreement with Oxfordshire County Council pursuant to Section 101 of the Local Government Act 1972 and Section 19 of the Local Government Act 2000 to undertake ordinary watercourse consenting and other duties relating to the Land Drainage Act 1991/Flood and Water Management Act 2010 on behalf of Oxfordshire County Council, as described in this report.

Appendices	
None	

Introduction and background

1. Under the Flood and Water Management Act 2010 (FWMA), Oxfordshire County Council were designated as Lead Local Flood Authority (LLFA) and as such had powers conferred upon them with regards to flood risk management, and management of surface water and groundwater. These responsibilities include flood investigations under Section 19 of the FWMA, and consenting of construction of structures within ordinary watercourses, investigation of nuisance caused by erecting a structure or alteration of a watercourse, or enforcement against activities not permitted within watercourses, as defined by Sections 23, 24, and 25 of the Land Drainage Act 1991 (LDA, which were transferred to the LLFA by the FWMA).
2. Oxfordshire County Council is looking to formally delegate a number of functions to Oxford City Council, namely:
 - Section 19 (FWMA) - flood investigations into events above a threshold set by the FWMA or Oxfordshire County Council as LLFA (i.e internal flooding to five or more properties, one property for more than one week, flooding of critical infrastructure). These are undertaken in conjunction with the LLFA, and any relevant stakeholder (e.g. Thames Water for sewer flooding).
 - Section 23 (LDA) - the determination of applications for consent to alter a watercourse, such as installing culverts, headwalls, or any other structure, or any alteration which may affect flow.
 - Section 24 (LDA) – investigate any nuisance caused by erecting or altering an obstruction or culvert in a watercourse
 - Section 25 (LDA) - enforcement action in accordance with Oxfordshire County Council policy for watercourse enforcement.
3. Oxfordshire Districts including the City Council have undertaken these functions on behalf of Oxfordshire County Council on an informal time-based basis since circa. 2015, and a fixed fee paid for service since 2019. We are now seeking to formalise this informal appointment, and formally transfer powers under the FWMA from Oxfordshire County Council to Oxford City Council by entering into an agency agreement pursuant to Section 101 of the Local Government Act 1972 and Section 19 of the Local Government Act 2000 (“the Agreement”).
4. Guidance notes for the processing and determination of consents under Section 23 of the LDA, and guidance outlining enforcement procedure and protocol will be provided by Oxfordshire County Council to Oxford City Council.
5. The benefits to the City Council of entering this Agreement are that we gain the ability to control installation of new structures within/alteration of ordinary watercourses in the City, and have direct involvement in investigating and securing mitigation for flood incidents which impact our residents.
6. The Council will be provided with funding to cover the costs of undertaking the duties delegated by the County Council under the Agreement. Oxfordshire County Council will pay the City Council a fixed annual contribution of £6,000 on 1 April in each year that the Agreement remains in force. This sum will be index linked. Further sums may also be paid by the County Council to enable the City Council to continue providing the functions under the Agreement (see paragraph 8 below).

7. Entering into this agreement will contribute to the Corporate Priority '*Pursuing a Net Zero Oxford*' by making the City more resilient to climate change by improved flood risk management.

Financial implications

8. The acceptance of the agreement provides a secured income for Oxford City Council of £6,000 per annum. There are no additional cost implications, as the work is already being undertaken under the remit of the (Principal) Flood Mitigation Officer. The number of City Council officer hours spent undertaking the work will be recorded, and should the time taken to undertake the work exceed the annual payment of £6,000 (calculated using the agreed hourly rate) then additional money can be claimed from the County Council on an hourly basis as stated within the agreement.
9. Oxford City Council will also receive the application fees (£50 per application) paid by applicants when requesting consent under Section 23 of the LDA, which the City Council are entitled to keep in addition to the fixed annual contribution of £6,000.

Legal issues

10. Under the proposed Agreement, Oxford City Council would be appointed as agent of Oxfordshire County Council under s101 of the Local Government Act 1972 to undertake ordinary watercourse consenting and other duties relating to the Land Drainage Act 1991/Flood and Water Management Act 2010, on behalf of Oxfordshire County Council.
11. Both Oxford City Council and Oxfordshire County Council have the right to terminate the Agreement on providing the required 3 month period of notice.
12. Legal Services have examined the legal agreement and have raised no concerns with its contents from a legal perspective.

Level of risk

13. Acceptance of the agreement carries no additional risk with regards to resources, as it is formalising an existing arrangement carried out informally by City Council officers. However, should circumstances change, a 3 month notice period for ending the agreement has been incorporated to ensure City Council are not committed to providing this service indefinitely.
14. On taking on the aforementioned responsibilities from Oxfordshire County Council, Oxford City Council would '*...indemnify the County Council in respect of all actions claims costs demands proceedings and liabilities which may arise from any act omission or neglect on the part of the District Council...'*. In order to reduce and mitigate the risk of this indemnity being called upon, the work will be undertaken by a suitably qualified technical specialist within the relevant City Council team (Principal Flood Mitigation Officer or equivalent, or as delegated by), and undertaken using knowledge and professional judgement.
15. Therefore, the degree of risk is commensurate with other technical duties/advice already undertaken/dispensed by the Council, such as that for approval of planning applications, or other technical projects. Furthermore, public liability and other insurance is in place (as required as part of the agreement) should any issues arise as a result of this work, again as with other specialist functions undertaken by Oxford City Council.

16. Legal Services have examined the agreement, and have raised no concerns as to level of risk.

Equalities impact

17. An Equalities Impact Assessment is not required for this proposal.

Carbon and Environmental Considerations

18. There are sustainability and environmental benefits to the City Council, in that we have greater control of activities that go on within the watercourses in the City, and are more closely involved with flood investigations when necessary, and enforcement of issues if required.

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Service area or department	Corporate Strategy
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Background Papers: None

To: Cabinet
Date: 14 June 2023
Report of: Executive Director (Development)
Title of Report: Blackbird Leys Development Project – Land Appropriation

Summary and recommendations	
Purpose of report:	To seek approval to advertise the Council's intention to appropriate land (change the statutory basis on which it is held by the Council) at the Blackbird Leys District Centre and Knights Road to facilitate the Blackbird Leys Development Project. The intent to appropriate relates to land owned by Oxford City Council only.
Key decision:	Yes
Cabinet Members:	Councillor Ed Turner, Deputy Leader (Statutory) - Finance and Asset Management Councillor Ajaz Rehman, Cabinet Member for Inclusive Communities
Corporate Priority:	Meeting Housing Need; Strong & Active Communities
Policy Framework:	The Oxford Local Plan 2016- 2036, including: <ul style="list-style-type: none"> • A pleasant place to live, delivering housing with a mixed and balanced community (Policy H1 – H16); • Making wise use of our resources and securing a good quality local environment (Policy RE1 – RE9); • Ensuring efficient movement into and around the city (Policy M1 – M5); • Providing communities with facilities and services and ensuring Oxford is a vibrant and enjoyable city to live in and visit (Policy V4 , V6, V7); • Areas of Change and Site Allocations including Policy AOC3, SP4, SP15.
Recommendations: That Cabinet resolves to:	
1.	Approve the public notification process to consider the proposal to exercise the Council's powers to appropriate land in its ownership at Blackbird Leys

	District Centre and Knights Road (see plan at Appendices 1 & 2) (“the Land”) to planning purposes;
2.	Approve the publishing of a notice in a local newspaper for two weeks consecutively expressing the Council’s intention to appropriate the Land in accordance with section 122 Local Government Act 1972 to planning purposes so as to rely on section 203-205 Housing and Planning Act 2016. This is necessary to facilitate Phase 1 of the Blackbird Leys Development Project.

Appendices	
Appendix 1	Aerial View of Blackbird Leys Masterplan Sites
Appendix 2	Blackbird Leys Masterplan: District Centre
Appendix 3	Blackbird Leys Masterplan: Knights Road
Appendix 4	Risk Register
Appendix 5	Benefits of the Blackbird Leys Regeneration Scheme

1. Purpose of Report

- 1.1 This report seeks approval for the commencement of a public notification process to consider using the Council’s powers to appropriate the Land (that is to transfer how the Council holds the land from the function and purpose for which it is currently held to a new function and purpose) to be held for planning purposes because following the grant of planning permission the Council’s intention is (subject to any representations and objections received) that the Land will be developed as part of the Phase 1 Blackbird Leys Development Project.
- 1.2 For the purposes of 1.1 above, approve the publication of a notice in a local newspaper for two weeks consecutively, as required by section 122 Local Government Act 1972. Appropriating the Land to a planning purpose will allow the Council to utilise section 203-205 Housing and Planning Act 2016 which means that any restrictions on the use or development of Land will be overridden. This is necessary so as to facilitate Phase 1 of the Blackbird Leys Development Project which will include the Blackbird Leys District Centre and Knights Road (Appendices 1-3) (the “Land”).

2. Introduction and Background

- 2.1 Blackbird Leys District Centre and Knights Road were identified as a comprehensive regeneration sites in the Oxford City Council Sites and Housing Plan (2013) and reaffirmed in the Oxford Local Plan 2036. The District Centre is located at the centre of the 1960s estate with major employment sites to the North, an industrial park to the North East, a science park to the South West and the Kassam Stadium to the South.
- 2.2 The Leys has some of the most deprived areas in the country, with the 2019 Indices of Deprivation (IMD2019), demonstrating that 3 out of the 4 LSOAs

within Blackbird Leys rank amongst the 20% most deprived within England, and amongst the 10% most deprived in terms of Education, Skills, and Training. Furthermore, according to End Child Poverty estimates for 2017/18, Blackbird Leys ranks as the Oxford city ward with the highest incidence of children living in poverty (after housing costs).

- 2.3 OCC and Peabody have been working together to develop the Blackbird Leys masterplan, focusing on layout, housing mix (including tenure and type), phasing and viability. The masterplan concept has included engagement with the community and is subject to change during the detailed design and planning stage and will be informed by further engagement with the local community. The proposed masterplan is included in Appendices 1-3.
- 2.4 The proposals for the District Centre and Knights Road sites are considered as a masterplan, looking to promote a holistic approach to place-making across Blackbird Leys. The proposals seek to integrate a new high-density residential-led mixed use development into a changing context, within an established and engaged local community. The scheme will be delivered in phases, with Phase 1 including the Knights Road site and most of the District Centre, excluding the existing block of retail units and flats above (shown in grey in Appendix 2). Phase 2, which is made up of the District Centre block of retail units and flats above (shown in grey in Appendix 2), will commence upon completion of Phase 1.
- 2.5 The Blackbird Leys mixed use development provides a total of 294 residential units as a mixture of 1, 2 and 3 bedroom apartments and 2 and 3 bedroom houses spread across both sites. This represents a density of circa 95 dwellings per hectare at the District Centre and 38 dwellings per hectare at the Knights Road site. 100% of the homes are affordable, provided as a mixture of 174 (59%) for Social Rented and 120 (41%) for Shared Ownership. As well as housing, the scheme will provide improved public realm focusing on well-being and sustainability with the inclusion of sustainable drainage systems (SuDS), biodiversity-led landscaping and play space, as well as retail space, that allows for the relocation of existing retail units located within the scheme's boundary, and a new community centre.
- 2.6 Oxford City Council (OCC) owns land in the Blackbird Leys District Centre and Knights Road and proposes to redevelop the site as part of the Blackbird Leys Regeneration Masterplan. The residential-led, mixed-use development will provide housing, retail, and community accommodation across two sites.
- 2.7 The Knights Road site has been allocated as a development site in OCC's 2016-2036 Local Plan, which was adopted in 2020.
- 2.8 According to the 2036 Local plan:

'The site comprises some poor quality open space. It is adjacent to Spindleberry Nature Park and the Kassam Stadium. The site was also allocated for development in the Sites and Housing Plan 2011-2026.'

'The site is suitable for residential use. Development should enhance the quality and safety of the area. The relationship between new development and

remaining green areas, particularly Spindleberry Park should be carefully considered. More vulnerable development will be expected to be directed away from Flood Zone 3b. The site does not have any biodiversity protections, but the ecological value of the site must be assessed as part of a planning application and any harm avoided, mitigated or compensated for.'

- 2.9 In October 2017, OCC undertook an OJEU compliant 'Competitive Dialogue' process, which ultimately led to the appointment of Catalyst Housing Limited (CHL) as the development partner for the Blackbird Leys Estate Regeneration project.
- 2.10 Given the relative low land and property values in the area the project has always had significant viability issues. Initial proposals from all bidders were based upon an indicative masterplan produced for the Council by Levitt Bernstein and which the Council's consultants CBRE had assessed as having a deficit or negative land value. Tenders were scored on a 60% Qualitative and 40% Quantitative (financial) basis. The selection of CHL, as the preferred development partner, was recommended after evaluation by Council advisers CBRE and a team of Council Officers.
- 2.11 It was agreed to proceed with CHL on the understanding that the Development Agreement would allow for a stage where proposals would be developed to close the viability gap before moving forward to detailed design and planning.
- 2.12 On 18 September 2018, the then City Executive Board (CEB) delegated authority to the Regeneration and Economy Programme Director and the Head of Law and Governance, to finalise and enter into a Development Agreement with the CHL. It also delegated authority to the Regeneration and Economy Programme Director and the Head of Law and Governance, to agree external grant funding arrangements to support this project. The Development Agreement was agreed in May 2018.
- 2.13 The Development Agreement sets out how the project is to be bought forward through a series of Gateways, where at key stages the schemes' viability is tested and agreed by both parties. In 2022, Peabody Housing Association (PHA) merged with CHL and became Peabody in April 2023, who are continuing the development partnership on the Blackbird Leys regeneration project.
- 2.14 Since signing the Development Agreement in 2018, OCC officers have been working with development partners to achieve scheme efficiencies to close the viability gap, through Stages 1 and 2. The scheme continues to have considerable viability issues, and as such, Stage 2 viability work is ongoing.

3. Rationale for Appropriation

- 3.1 In order to progress the Blackbird Leys development, officers are currently of the view that the appropriation of council-owned land in this area will facilitate the development of the land, and will contribute to the achievement of the economic and social wellbeing of the area, namely in the delivery of affordable housing. Some of the principal benefits of the scheme are outlined in Appendix 5.

- 3.2 The intent is to appropriate all of land required for Phase 1 of the Blackbird Leys development. This will include parts of the District Centre and Knights Road sites, with the exception of what has been shown in grey shading in Appendix 2.
- 3.3 The District Centre site does not have land designated as open space, as is the case in Knights Road. However, it is view of the Council that it should be included in the intent to appropriate as there may be third party rights that need extinguishing to enable the development to proceed. The beneficiaries of any rights that are extinguished as a result of the appropriation will be entitled to make a claim for compensation.
- 3.4 Without the extinguishment of the third party rights the beneficiaries of those rights could potentially seek an injunction preventing the development from being completed. Exercise of the appropriation powers will extinguish all third party rights over the land. These rights may include such things as rights of way that are unrecorded and that OCC may have no knowledge of. It would also include any possible infringements of rights to light that may occur if the new development overshadows neighbouring properties.
- 3.5 Appendix 2 illustrates the extent of land to be included in the intent to appropriate in the District Centre. The area shown in grey is Phase 2 of the development, and is therefore excluded from the intent to appropriate at this stage. Appropriation for Phase 2 will occur at a later date.
- 3.6 Appendix 3 illustrates the extent of land to be included in the intent to appropriate in Knights Road, which includes the entire site.
- 3.7 It is important to note that the intent to appropriate covers only land owned by Oxford City Council.
- 3.8 It is also important to note that it will be necessary to bring forward a further appropriation of the Phase 2 site after vacant possession of the properties within that phase has been obtained.
- 3.9 Officers consider it necessary to appropriate the land at the Blackbird Leys District Centre and Knights Road for development, and believes the benefits of developing these sites outweighs the negative impacts. Appendix 5 outlines some of the main benefits of the scheme.

4. Legal Implications

- 4.1 The Council holds land for the statutory purposes for which it was acquired or following acquisition, appropriated. Appropriation is the process by which land held by the Council pursuant to one statutory function is transferred to another statutory function.
- 4.2 Section 122 of the Local Government Act 1972 governs the process of appropriation. Section 122 provides that before appropriating any land which is an open space the Council must give notice of its intention to do so and consider any objections made to the proposed appropriation. The notice must be given in a local newspaper over a period of 2 consecutive weeks.

- 4.3 The Land is held by the Council as a pleasure ground under section 164 of the Public Health Act 1875 – this status as a pleasure ground amounts to a public trust over the Land preventing its use for other purposes. Appropriation of the Land to a planning purpose under section 122 of the 1972 Act (see previous paragraph) will have the effect of discharging this public trust.
- 4.4 It should be noted that there may be other trusts over the land which will need to be dealt with appropriately in due course before the development can be undertaken.
- 4.5 The purpose of this report is to authorise the taking of the first step of advertising the intention to appropriate. Any objections received would be considered at a future meeting of Cabinet when the decision would be taken on whether to appropriate the Land to planning purposes.
- 4.6 The appropriation notice will cover both the land subject to the statutory trust and other land (shown in Appendix 2 ('The District Centre')) as it is necessary to appropriate the whole of the Land to a planning purpose before the works can be undertaken. Appropriation has the effect of overriding restrictions and third party rights that may affect the use and further development of the Land in return to a right to compensation. At the time of appropriation the council will need to balance the public benefit of Blackbird Leys Development Project proceeding against the impact that the loss of private rights/restrictions may have on landowners benefiting from those private rights.
- 4.7 Given the nature of the exercise of the powers proposed by the Council it will be necessary for the Council to have regard to its public sector equality duty in reaching a final decision to appropriate the Land to planning purposes.

5. Impact Assessment

- 5.1 The impact of undertaking the notification procedure for the proposed appropriation is minimal as a separate decision on the substantive question as to whether to appropriate the Land for planning purposes will be required to be made at a later date. The impact of the planned advertisement for the proposed appropriation is not expected to be surprising to local residents, as the Council and its development partner have carried out community engagement and consultation regarding the proposed masterplan at Blackbird Leys. It is nonetheless a legal requirement to allow the community at Blackbird Leys to submit their views and comments regarding the proposed appropriation of land for development, and to consider these submissions before making the decision to appropriate.
- 5.2 In terms of appropriating the land for development, one major impact to the local community is the loss of open space used for recreation at Knights Road, which could negatively impact residents' overall health and wellbeing. When assessing this impact and allocating this site for development, the Council considered other surrounding open and green spaces including Blackbird Leys Park, Fry's Hill Park, and the Spindleberry Nature Reserve, which also offer local residents open space for recreation. It was the Council's view that the existing Knight's Road recreation park was of poor quality and therefore the benefit of an additional 84

affordable family homes in the area would outweigh the loss of a large portion of the recreation space.

5.3 Please refer to Appendix 4 for the risk register.

6. Stakeholder Engagement

6.1 Prior to appropriating the land at the District Centre and Knight's Road, OCC will advertise the intent to appropriate for a total of 14 consecutive days. This will be advertised in local newspapers as required by law.

6.2 Comments and views received will be reviewed, assessed and incorporated into a report to be presented to Cabinet at a future date.

7. Alternative Options

7.1 Please refer to Section 4 Rationale for Appropriation and Appendix 5.

8. Financial Implications

8.1 The following activities will require internal resources:

- Officer involvement during the advertisement period to record any comments and views, and to review the responses to summarise in the Cabinet report.
- Compilation of an Equalities Impact Assessment
- Internal legal advice

8.2 There are also external costs which will be funded from the revenue budget for this project:

(i) Advertising the notice of intent to appropriate the land which is estimated to be:

- Full page advertisement in the Oxford Mail: £3,990 + VAT
- Half page advertisement on Oxford Mail: £2,992 + VAT

(ii) External legal advice at an estimated cost of £1820 + VAT

9. Next Steps

Cabinet Approval for Intent to appropriate	14 June 2023
Advertisement	15 June 2023 – 29 June 2023
Assessment of responses to advertisement	15/06/23 – 10/07/23
Report writing for cabinet approval	1 month
Cabinet Approval for Appropriation	09/08/2023

Report author	Karoline Mendonca – Regeneration Manager
Service area or department	Regeneration and Economy
Telephone	01865 252986
e-mail	ksoisalodemendonca@oxford.gov.uk

Background Papers: None

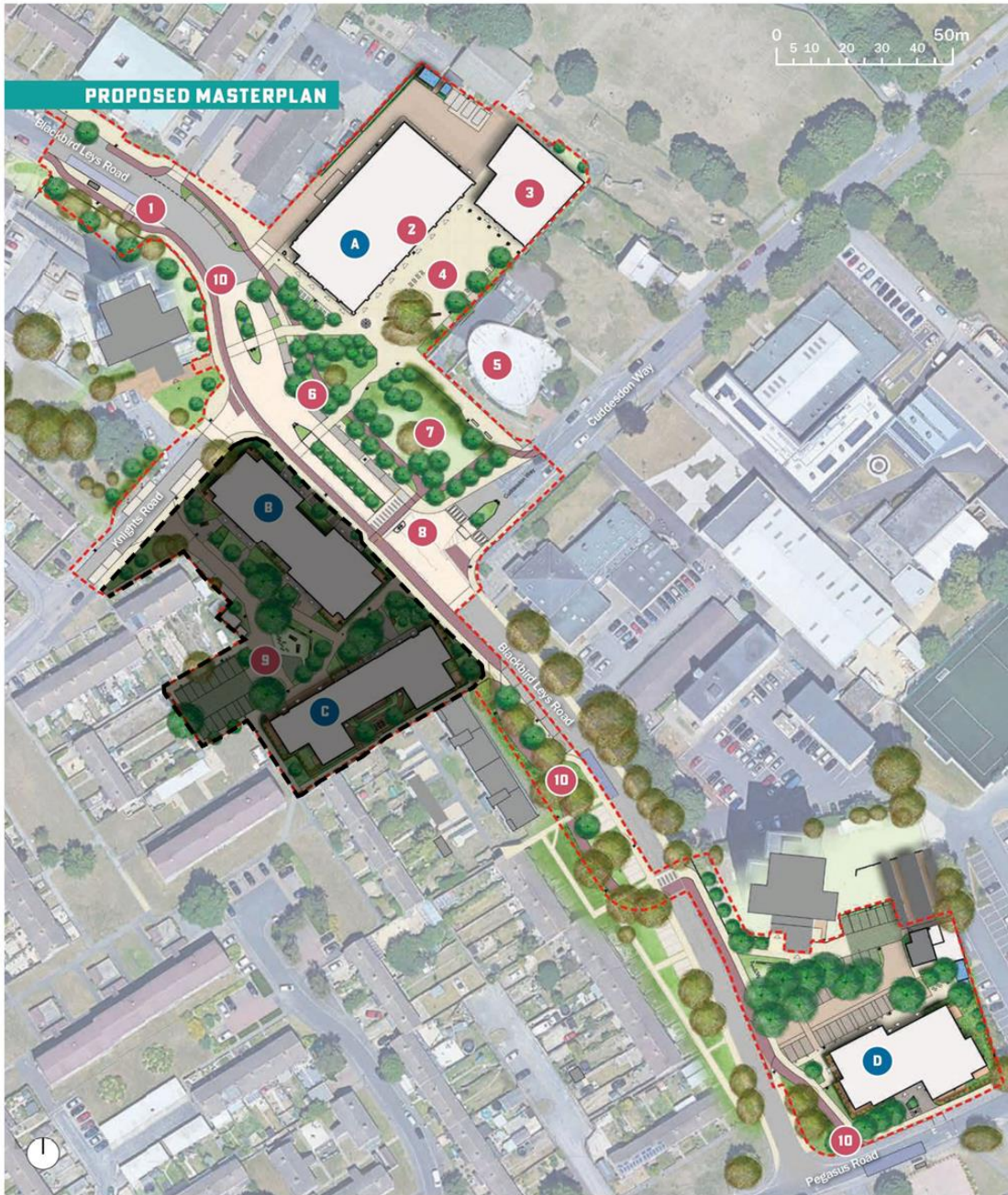
APPENDIX 1: Aerial View of Blackbird Leys Masterplan



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APPENDIX 2: Blackbird Leys Masterplan: The District Centre





THE MASTERPLAN

- X** New residential buildings
- 1** Improved bus stop
- 2** Shared terrace garden on the 1st floor
- 3** Community Centre (Outline Application)
- 4** Public Square
- 5** Proposed New Church of the Holy Family (Consented)
- 6** On-street car-parking & drop-off
- 7** New and improved large public open space
- 8** New pedestrian crossings
- 9** Green amenity and play space
- 10** New segregated cycle routes

- Pedestrian walkways
- Parking, access and residential zones
- Private terraces
- Roadway with traffic calming raised table
- Delineated cycle path
- Public green space
- Shared amenity space
- Rain garden or swale
- Planting
- Hedge
- Existing trees
- Proposed tree

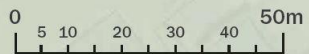
Land in grey shaded area corresponds to Phase 2 of the development and will be appropriated at a later date.

APPENDIX 3: Blackbird Leys Masterplan: Knights Road

- KEY**
- Site Boundary
 - ① Public Right of Way
 - ② Spindleberry Nature Park
 - ③ Kassam Stadium
 - ④ Northfield Brook - runs along the southern boundary of the site
 - ⑤ Fry's Hill Park
 - ⑥ Vue Cinema
 - ⑦ Windale Primary School
 - ⑧ Northfield School / Orion Academy



ILLUSTRATIVE MASTERPLAN



Boundaries:

- - - Site Boundary
- - - Spindleberry Nature Park
- - - Littlemore and Northfield Brooks

- 1** Route to Kassam
- 2** Central Green
- 3** Brook Edge East
- 4** Brook Edge West
- 5** Residential Courtyards
- 6** Private Rear Gardens
- 7** Street Parking
- 8** On-Plot Parking
- 9** Parking Court
- 10** Northfield Brook
- 11** Spindleberry Nature Park
- 12** Bridge to Kassam Stadium
- 13** Pedestrian route commencing from Spindleberry Park to Kassam Bridge
- 14** Link to Existing Pedestrian Routes
- 15** Retaining Wall
- 16** Existing Houses
- 17** Board walk route to brook

- 18** Distance from the road to the northern edge of Northfield Brook

Appendix 4 - Risk Register

BLACKBIRD LEYS - INTENT TO APPROPRIATE

As at: 31/05/2023

71

Ref	Title	Risk Description	Opp / Threat	Cause	Consequence	Risk Treatment	Date Raised	Owner	Gross		Current		Target		Comments	Control / Mitigation Description	Date Due	Action Status	% Progress	Action Owner
									P	I	P	I	Score	P						
1	Insufficient Stakeholder Engagement	Potential for insufficient stakeholder engagement through inadequate reach.	Threat	Advertising not reaching enough people or the correct people.	Not enough people will be informed and be able to respond to the advertisement. This could cause people to feel like they were not consulted on a decision that they feel affects them directly.	Reduce	16/05/23	PM	3	2	3	2	6	3	2	Develop a comprehensive stakeholder map to ensure all relevant parties receive the correct information. Advertising through local media to ensure wide reach.				
2	Miscommunication or Misinterpretation of Information	Potential for miscommunication or Misinterpretation of Information provided for advertisement	Threat	<ul style="list-style-type: none"> Use of ambiguous or unclear language Use of overly technical or specialist language Including inaccurate or incomplete information Including overly technical or specialist information Including hard to read or interpret diagrams or maps language 	Residents/Stakeholders may not be able to understand the information provided.	Reduce	16/05/23	PM/Comms	4	3	3	2	6	2	2	Provide clear, accessible, and consistent information in the advertisement.				
3	Opposition and Resistance from the Community	There may be objections and negative comments from residents and community groups who are against the Blackbird Leys Masterplan Development.	Threat	Similarly to most large scale development, especially in areas of low-rise residential buildings, this project has had objections and negative comments from local residents and community groups. The appropriation of land for development, especially any designated open space, will attract objections from those who use that space and object to its loss.	The Council must review and assess every comment received, and weigh them up against the benefits of the land being appropriated for development.	Accept	16/05/23	PM	4	4	4	3	12	4	2	Be clear and transparent about plans and potential impacts, and be open to feedback. Show how community input has influenced plans to increase buy-in and reduce resistance.				
4	Legal Challenges	Potential for legal challenges by residents	Threat	Residents may want to legally challenge the Council's intent to appropriate in order to protect existing rights that may affect the land being appropriated.	The Council must review legal challenges with in-house and consultant legal teams to understand how to respond to legal challenges that may arise.	Accept	16/05/23	PM/ OCC Legal	3	4	3	4	12	3	3	Ensure that all legal requirements for the appropriation process are met. Get appropriate legal advice at each stage of the process.				
5	Consultation Fatigue	Fatigue brought on by too many instances of consultation	Threat	The community may feel tired of responding to different consultation processes for the Blackbird Leys Scheme. There are multiple and ongoing consultation processes pertaining to the planning application, and respondents to this advertisement might feel like they have already done enough.	Consultation fatigue may lead to fewer responses to the advertisement to intent to appropriate land.	Accept	31/05/23	PM	2	2	2	2	4	2	2	The intent to appropriate land will be advertised in the local paper for two weeks, and the Council will provide contact details where comments can be sent to. This should give respondents enough time to put together responses and comments.				
6	Unmanaged Expectations/ Clarity on what is being consulted	There might be confusion about what OCC is advertising.	Threat	There may be confusion on what this advertisement pertains to - which is the intent to appropriate land at Blackbird Leys. Respondents might want to use this opportunity to send comments about the regen scheme in general, the masterplan and the design.	There may be a number of responses that are not relevant to the intent to appropriate land, but that instead focus on the scheme's design or deliverables.	Reduce	31/05/23	PM	3	2	2	2	4	1	1	In order to avoid confusion and incorrect responses, the content and language of the advertisement must be clear and easy to understand.				
7	Data Protection	Sensitive data could be mishandled	Threat	Protected data from responses such as names, contact details and addresses, could be stored incorrectly or shared, breaching GDPR.	GDPR irregularities could be investigated and breaches in GDPR could result in the Council being fined.	Reduce	01/06/23	PM	1	5	1	5	5	1	1	In order to avoid any GDPR breaches, OCC will handle all personal data according to GDPR guidance and legislation.				

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APPENDIX 5

Some of the benefits of the Blackbird Leys Masterplan Development as Outlined in the Design and Access Statement, which forms part of the planning submission for the scheme:

- 1. Engagement and Fairness:** The Blackbird Leys Masterplan scheme ensures fairness for all members of the local community by consulting the community on the proposals for Blackbird Leys and through the provision of affordable homes, new public realm with play and sustainable drainage, new retail space and community facilities in the new development.
- 2. Providing new high-quality affordable homes:** The Oxford Local Plan identifies a city-wide housing requirement for 10,884 new homes to be provided between 2016 and 2036 (Policy H1). There is significant political recognition at national and local level of the role estate regeneration plays in boosting housing supply and improving living conditions for local people. The Local Plan recognises this and confirms a key objective is to promote the cities District Centres as “hubs for local community focus and identity...providing a range of social, leisure, sport and cultural facilities...alongside housing and employment opportunities.” This development represents an opportunity to significantly boost the supply of housing, providing new sustainable and high-quality affordable homes and improved retail and community facilities. Policy H2 requires a minimum of 50% affordable housing on sites of ten or more dwellings. All 294 homes provided across both sites are affordable.
- 3. Creating an inclusive & accessible place:** In line with the requirements of Policy H10, all the proposed dwellings meet the Category M4(2) standard – enabling the dwellings to meet the potential differing needs of residents and allowing for adaptation as occupant needs change. The policy also requires 5% of Social Rent dwellings to meet the M4(3) standard for wheelchair accessibility – designed to be step-free, have sufficient space, and accommodate several other adaptations. The M4(3) provision will be delivered via 9 M4(3) apartments in the District Centre.
- 4. Pedestrians with varying levels of mobility, disability and visual impairment** have been considered throughout the development proposals. Wide, high-quality footpaths are proposed throughout the development, with a minimum width of two metres, facilitating pedestrian movement. Street lighting will be provided, along with dropped kerbs and designated pedestrian crossing points. This will ensure that the elderly, those travelling with buggies and those who may struggle to walk can travel around and through the development. In particular, a sloped access from the Knights Road homes, towards the Northfield brook has been incorporated into the design to ensure disabled access is provided to this area, despite the change in levels.
- 5. Improvements for the local community:** The completed development will provide new and enhanced spaces for social activities for the local community – both for businesses and residents – with facilities available for the whole community, including new retail units and a new community centre. The

community centre design and delivery will include meaningful community engagement to ensure the community's needs are met.

6. New employment opportunities will be available to local residents and the wider Leys population during the construction and operation of the building. Where possible, local companies and suppliers will be preferred, and the appointed contractor will be working with local schools, colleges and charity organisations to provide work experience and mentorship.
7. **Health & wellbeing:** The District Centre site aims to create a positive and healthy place that will actively promote the well-being of its occupants, forming spaces that are welcoming and comfortable, and creating an environment that people will want to be in. The well-being of residents is emphasised through the high-quality design of the site with a new public square at its heart – acting as a new centre for the community to gather. Incorporation of planting, seating and play areas, will create a vibrant and accessible public realm asset.
8. The design at the Knights Road site puts landscape at the development's core. The new central green, and enhancements to the brook not only improve the landscape quality but will also provide healthy spaces for residents to enjoy.
9. **Delivering landscape improvements with high quality amenity:** Both sites have allocated large areas to the public realm - far above the 10% of land required by Policy G8. 4,381sqm of public amenity space is provided in the District Centre, an amount that equates to over 19% of the site area. 5,586sqm of public amenity space is provided on the Knights Road site, equating to 24% of the total site area.
10. The District Centre proposals include ecological enhancements including native planting, bird boxes and bat boxes which will be incorporated into the new landscape in accordance with Policies G2 and RE1.
11. The Knights Road site benefits from close proximity to the Spindleberry Nature Reserve and the Northfield Brook. As part of the development improvements will be made to both access to, and habitat quality of the Northfield Brook – bringing benefits to both the residents and local wildlife.
12. **Enhanced connectivity, legibility & safety:** The masterplan provides crucial infrastructure for walking, cycling, and using public transport which not only frees-up road space but also improves air quality. Reducing reliance on motor vehicles also enhancing the public realm, making a safer and more accessible space. The existing sites suffer from poor passive surveillance, underused leftover spaces and subsequently are vulnerable to crime. Blackbird Leys District Centre and Knights Road sites are designed in accordance with the layout and design principles of Secured by Design (SBD) with specific reference made to the SBD Guidance document "Homes 2019".
13. High-quality and wide footways are proposed throughout the development, with a minimum width of two metres, facilitating movements for pedestrians. Street lighting will be provided, along with dropped kerbs and designated pedestrian crossing points. The proposals will repair the street scene and reconnect both sites into well-defined and active public routes. The development will result in clearly defined and controlled public and private realm that promotes activity, social interaction and ensures casual surveillance, seeking to eliminate opportunities for crime.

14. **Sustainability:** Oxford City Council has declared a climate emergency and set out a target of realising Net Zero carbon emissions by 2050. As such, the proposals for these sites apply a whole life carbon approach, where low and zero carbon technologies are utilised to heat, cool and power the building with no-combustion being provided onsite. This will align the project to a net zero future.
15. A fabric-first approach has been taken for the buildings in the proposed development, with high fabric performance adopted. Through a combination of passive, energy efficient measures, and low or zero carbon technologies, the scheme is targeted to achieve over a 50% reduction in regulated CO2 emissions compared to a Part L Building Regulations compliant baseline when a 40% reduction is required by Policy RE1.

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To: Cabinet
Date: 14 June 2023
Report of: Executive Director (Communities and People)
Title of Report: East Oxford Community Centre Update

Summary and recommendations	
Purpose of report:	To provide an update on progress of the project to deliver the development of The East Oxford Community Centre at Princes Street in upgrading the main building and providing a modern new build extension in a single place. The report also sets out, for approval, options to address the unprecedented construction inflation which is currently running at approximately 19% in the construction industry. The budget and approvals for the project were agreed by Cabinet with Council approval in November 2021.
Key decision:	Yes
Cabinet Members:	Councillor Ed Turner, Deputy Leader (Statutory) - Finance and Asset Management Councillor Ajaz Rehman, Cabinet Member for Inclusive Communities
Corporate Priority:	Support Thriving Communities and Deliver More, Affordable Housing
Policy Framework:	Thriving Communities Strategy 2023-27 and Housing, Homelessness and Rough Sleeping Strategy 2023-28

Recommendations: That Cabinet resolves to:	
1.	Approve option 1;
2.	Recommend to Council to increase the project budget by £1.298m (from £5.496m to £6.794m);
3.	Delegate authority to the Executive Director (Communities and People) in consultation with the Head of Financial Services/S151 Officer; the Head of Law and Governance; the Cabinet Member for Finance and Asset Management; and the Cabinet Member for Inclusive Communities to award the construction contract to Oxford Direct Services Ltd (ODSL) for the sum of £5.9m and enter into the contract;

4. **Approve** (subject to Council's agreement to recommendation 2 above) that the 2023 construction contingency budget is applied to the East Oxford Community Centre project, to make up the budget increase required as set out in this report.

Appendices	
Appendix 1 (Exempt)	Arcadis Formal Cost Plan 3 January 2023
Appendix 2 (Exempt)	East Oxford Community Centre Budget Forecast at March 2023
Appendix 3 (Exempt)	Options Report and Summary
Appendix 4	Risk Register
Appendix 5	Equalities Impact Assessment
Appendix 6 (Exempt)	Explanation and breakdown of increased costs
Appendix 7 (Exempt)	Funding the Budget Increase

Introduction and background

1. The redevelopment of East Oxford Community Centre and the provision of new social and affordable housing is a major investment in the communities in East Oxford. The community centre has been a popular part of one of the most diverse areas of the city. The redevelopment will provide modern facilities, flexible space and a sustainable building that reflects the needs and aspirations of a vibrant area and communities. As part of the redevelopment, one of the council's aims is to broaden the centre's appeal to new groups and users, while ensuring that it continues to be at the heart of the community for established users.
2. The project was put on pause during the pandemic. In December 2020 the Cabinet approved to unpause the project in the following financial year, recognising the importance of high quality community assets in the wider health and wellbeing of residents. Cabinet approval for the final proposal was given in November 2021.
3. Conditional planning approval for the partial demolition, refurbishment and extension to the community centre was given in January 2022. Pre-demolition conditions and changes to improve buildability meant these were not discharged until December 2022. Demolition of the buildings that are in poor condition and beyond economic repair has now started, and will complete by 14 July in Princes Street and 8 September at Collins Street.
4. Due to unprecedented construction inflation over the period since Cabinet approval in November 2021, it has only recently been possible to agree a fixed fee price with ODS for the construction of East Oxford Community Centre (EOCC). This has placed a financial and time pressure on the community centre construction contract. Cabinet have supported work to try and mitigate this as well as presenting viable options for consideration. The project has been value engineered (VE) on every aspect of materials and methods.
5. The original tender from ODS was circa £6.2m presented in January 2023.
The VE exercise looked at:

- Programme to reduce time and consequently the preliminaries cost
- Buildability to reduce construction time and materials as well as making outdoor space more usable.
- Fabric for external doors and windows that were acceptable to LPA
- External cladding
- Sustainable drainage systems

This exercise resulted in the £5.9m fixed price package.

Further VE work is ongoing to identify alternative packages for substructure works with national groundwork contractors in the hope of identifying further savings.

6. Members have shown strong commitment to looking for options that will deliver this much-needed scheme for the community of East Oxford. Delivering a scheme that meets the needs of the Community and is sustainable for the future is the over-riding priority, recognising that this investment represents decades of future use and benefit. Current budget considerations are balanced against the long-term capacity the project will provide to deliver services, strengthen community groups and tackle inequalities in social, health and skills opportunities.
7. It is well understood that the construction sector is currently experiencing high inflation. As a result projected costs have increased significantly since budgets were originally agreed by the cabinet in November 2021. We have worked closely with all partners to manage costs without compromising on the fundamental commitment to community facilities and housing within necessary time-frames. We have maximised cost-reductions in all aspects of the project while still delivering on this commitment, but now require Cabinet approval for an increase in the price package from £5.496M to £6.794m. Further detail below outlines the cost and time dependencies that recommend this as a good value for money investment.
8. The East Oxford Community Centre (EOCC) and residential schemes are inter-related in both funding and planning terms. Significant delay in progressing EOCC will seriously undermine the housing scheme. The housing scheme requires the removal of community space that, as currently approved, is to be replaced by the EOCC project in line with Local Plan policies V6 and V7. A condition has been included to require that a phasing plan be submitted which details the demolition, construction and occupation of both the development proposed within the application and that proposed at East Oxford Games Hall (under application 20/01298/CT3) to ensure that there would not be an unacceptable loss of community facilities without adequate re-provision. The principle of the development was accepted on the basis that the refurbished and extended community centre provided enhanced facilities.
9. A Pre-Construction Service Agreement (PCSA) was entered into with ODS to utilise the knowledge of their construction team and appointed design team to develop the RIBA Stage 3 design produced by Arcadis UK. This was a lengthy process and required a return to planning under a section 73 variation application.
10. Planning Permission 20/00994/CT3 condition 11 is very clear that a phasing plan is submitted that satisfies "Reason: To ensure that a suitable alternative community provision is available for local community groups, in accordance with policies V6 and V7 of the Oxford Local Plan 2036. This implies that the community space must be completed for use prior to the occupation of the residential units. The intention of

members and officers is to provide suitable space and a return to LPA to amend this condition could be made and supported by a phasing plan indicating that intent.

11. A delay to any element of the works will be subject to inflation and fluctuation on top of any cost for the re-design.
12. Both the residential and community project contracts are in an agreed form and ready for execution by the council and contractors. Contractors are unable to agree fixed cost with their supply chain for longer than six weeks so agility is essential to controlling cost.
13. It is also important to note that the project would not be possible to deliver at less cost on an alternative site or sites as the cost per square metre of the build would remain the same but with the additional cost of revised design and planning.
14. Any return to planning with an alternative scheme, be it on Princes Street or elsewhere would mean serious delay to the housing delivery. Again this would expose the projects to further inflation and delayed revenue.
15. The housing schemes have already secured over £1.5m social housing grant from Homes England based on the proposed sizes and tenures for 100% affordable housing scheme (12 social rent at Princes Street and 14 shared ownership at Collins Street). Funding is secured on the basis that the Council can demonstrate additionality by delivering 100% affordable housing, otherwise it would not be available. The Council has entered into a Grant Agreement with Homes England and under this agreement fundamental changes to the scheme impacting grant rates cannot be made at this late stage and programme milestones need to be met – the housing contractor is required to start on site by 1st October 2023 and so any changes to the schemes must be kept to a minimum so that this funding is not put at risk.
16. The only way a higher land receipt could be generated is if more units could be built. The building heights were however tested thoroughly through the planning pre-application process and it is considered the sites are at their capacity in delivering 26 units across both schemes.
17. The Communities and People directorate has investigated external funding and undertook an extensive external funding search at the outset and earlier stages of the project this included significant engagement with the National Lottery, Sport England, Arts Council England, SALIX and Changing Places amongst many others. Unfortunately, on this occasion we were unsuccessful with the big funders. However we have been successful in securing £40,000 from Changing Places towards the provision of a Changing Places space at the new build part of the development.
18. Sometimes the Council is not best placed to draw in the funding, so in addition to the above we worked closely with community groups and tenants to try and lever in funding through this avenue and in early 2017 we commissioned a professional fundraiser to support the community groups in trying to raise funds for a period of 6 months where we paused the project. Unfortunately neither the community groups nor fundraiser were successful on this occasion.
19. Whilst we have been keeping an eye out for potential funding opportunities as we have been moving along the project, this has become much more challenging now that the project has started. Most major funders will not fund projects that have already started and in addition turnaround timescales are also a minimum of 3 months at the earliest creating delay, with no guaranteed return. This would rule out

the larger funders, for example National Lottery Reaching Communities and Sport England funding bids. What we have been trying to look at more so recently is where smaller funders can fund an element of the project e.g. the Changing Places fund which we have been successful in. We will continue to keep an eye out for opportunities that may arise in relation to this.

20. At Weekly Leaders Meeting on 10th May 2023, Cabinet has indicated its support for this highly important and needed key and critical project for the community. This is a positive move to see the community returned to its home in Princes Street.

21. In accordance with due diligence, an independent check was made on the ODS submitted construction tender price and this was found to be acceptable. This therefore demonstrates that this is value for money and ensuring unlawful subsidy is avoided.

22. The options for Cabinet are summarised below with Option 1 being recommended.

Option	Option Description	For	Against
1	Proceed with approved planning permission – refurb and new build.	East Oxford Community Centre building refurbished and extended with a new and highly efficient building to suit the needs of the community in line with consultation and planning approval. Fixed price offer from ODS under a Design and Build Contract.	Delaying commencement represents a change to planning and is high risk LPA are very clear that approval can only be achieved with the provision of suitable community space prior to occupation of residential units This would have a very negative affect on the phasing plan for housing across the sites, delaying delivery and income. Inflation is still impacting on cost with supply chains unable to fix prices beyond 6 weeks in the majority of cases.
2	Amend design to sit inside budget and house some tenants in alternative space off site.	Potentially allows the project to proceed within the budget subject to suitable alternative premises.	Shortage of suitable space to relocate tenants. Redesign and Return to planning is high risk of not being approved. Exposed to further inflation. Delay in delivery of holistic project and risk to phasing plan as part of planning permission.

			Renegotiation with prospective tenants. No single space suitable. Reputational damage.
3	Refurbish existing hall and relocate all proposed tenants from extension.	Potentially allows the project to proceed within the budget subject to suitable alternative premises.	Shortage of suitable space to relocate tenants. Redesign and Return to planning is high risk of not being approved. Exposed to further inflation. Delay in delivery of holistic project and risk to phasing plan as part of planning permission. Renegotiation with prospective tenants. No single space suitable. Reputational damage.
4	Do Nothing.		This is not an option that would be recommended. This would fail to meet the planning approval for housing.
<i>Common to all Options</i>		<i>Demolition of building beyond economic repair and investment to be demolished. This allows housing project to proceed.</i>	

23. They are shown in full at Appendix 3.

24. From earlier consultation, the community tenants were clear that any option that reduced the building size any further would compromise their business plan and the ability to deliver activities and programmes for the community effectively.

Other implications

25. The buildings that are in the process of being demolished within the project are wholly unsustainable and beyond economic repair. They do not and cannot comply with the Council's vision for a Zero Carbon Future.

Financial implications

26. A full financial breakdown is shown in Appendix 2, but in line with paragraph 1 there is a circa £1.297 million deficit.

Legal issues

27. There are no further legal issues beyond the original approval from November 2021.

Level of risk

28. A Risk Register has been completed for the project – see attached Appendix 4.

Equalities impact

29. An Equalities Impact Assessment was completed. This showed that this is a positive development that should make the building sustainable going forward. It will help improve the accessibility of the building and also enable the building to become more flexible and modern to accommodate existing groups and the wider community not only for now but for in the future as well. Option 1 supports this, whilst the other options listed would likely negatively impact on this.

30. This will continue to evolve during the next stages of the project with key input and involvement from the community – see attached Appendix 5.

Conclusion

31. The options explored show there is little or no available and suitable space to re-home the tenants of EOCC. The significant inflation experienced over the last two years has seen unprecedented rises in cost on construction projects. The recommendation to Cabinet is to choose Option 1 which will require an increase of circa £1.298m in the budget. It is recommended that this should be funded using the 2023 construction contingency budget, as set out in Appendix 7.

Report author	Douglas Kerrigan
Job title	Interim Development Manager
Service area or department	Regeneration and Economy
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Background Papers: None

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Project Risk Register

Project Name: **EOCC, Princes & Collins St**
Various Programmes
May-23

Appendix 4

Key	Score	Description
	0 – 3	Very Low
	4 – 8	Low
	9 – 12	Medium
	13 – 19	High
	20 – 25	Very High

Purpose of Register:
To demonstrate the deliverability, strong understanding of the risk and correct allocation / level of contingency on the project

Programme	Determining the appropriate programme for the delivery considering the site activities, risk, holiday periods and contractor availability and phasing
Cost	Understand and manage the risks associated with cost, levels of funding from client and or other sources
Quality	Understand the decision making model on the specification of materials and the quality of workmanship and managed any changes and the implications
Health & Safety / Safe guarding	Understand and manage the health and safety and safeguarding risks associated with the project

Top 5 Risks	Category	Risk Description	Likelihood	Impact	Overall Rating	Mitigation	Post Mitigation Risk			Proximity	Additional Provisional Sum recommended	Likelihood				Impact			
							Likelihood	Impact	Overall Rating			Likelihood	Very Low	Low	Medium	High	Very High		
1	Project Costs/ Budget	ODS Tender tender sums is higher than budget allowance	5	4	20	A review of ODS pricing has produced a package offer of £5.9m. This gives an overall forecast of £6.79m. Accept this offer and proceed to contract	1	5	5	Imminent	£1.297m	1	Very Low	1	Very Low	1			
85	Stakeholder Management	Re homing' previous tenants to premises other than Princes Street development	4	5	20	Alternative premises such as Regal and Asian Community centre to be investigated for suitability	5	5	25			2	Low	2	Low	4			
	3	Planning	Housing - failure to deliver a community facility as agreed in planning application impacts on delivery of housing across both sites	5	5	25	Re design scheme and return to planning	4	5	20	Imminent		3	Medium	3	Medium	9		
4	Project Costs/ Budget	Industry trends - Material prices, shortage of labour, effects of the Ukraine conflict	4	5	20	Enter into contract with main contractor	5	4	20	Imminent		4	High	4	High	16			
5	Project Costs/ Budget	Increase in project costs following Stage 2 negotiations with ODS	4	5	20	Arcadis to evaluate commercials and quality on an open book process. ODS will be requested to provide three quotations from market, along with the necessary quality pack. These will be assessed by Arcadis to ensure all work packages have been addressed.	4	5	20	Approaching		5	Very High	5	Very High	25			

Risk Number	Category	Risk Description	Likelihood	Impact	Overall Rating	Mitigation	Likelihood	Impact	Overall Rating	Proximity	Additional Provisional Sum recommended	Owner	Status (Open / Closed)	Status (comments)
001	Planning	Failure to submit pre-commencement planning conditions for discharge in timely manner, causing delays to the project delivery programme	2	4	8	The appointed main contractor (ODS and designer) will be responsible for full discharge of relevant conditions. Contractor to demonstrate that sufficient time has been allocated in their programme for this task.	2	4	8	Approaching		ODS / Resi Contractor		
002	Project Costs/ Budget	ODS Tender tender sums is higher than budget allowance	5	4	20	A review of ODS pricing has produced a package offer of £5.9m. This gives an overall forecast of £6.79m. Accept this offer and proceed to contract	1	5	5	Imminent	£1.297m			Although likelihood is low the rating appears good due to wording
003	Project Costs/ Budget	Increase in project costs following Stage 2 negotiations with ODS	4	5	20	Arcadis to evaluate commercials and quality on an open book process. ODS will be requested to provide three quotations from market, along with the necessary quality pack. These will be assessed by Arcadis to ensure all work packages have been addressed.	4	5	20	Approaching				
004	Statutory- Highways	Creation of a drop kerb to connect to the proposed shared access road serving EOCC and Princes Street Development- Delays in getting necessary approvals from Highways authority.	3	4	12	Will be included within ODS scope based on proposed programme. ODS to commence early engagement with Highways authority	2	4	8	Approaching		ODS		
005	Statutory- Utilities	Utilities- Until below ground services are known, a cost risk remains around estimating any re-routing / renewing of services to facilitate development.	3	5	15	Contractor to review early following appointment - risk to be evaluated	3	5	15	Approaching		ODS / Arcadis		
006	Technical - Environmental	GI Risk- Initial designs have been completed prior to demolition on site. Design risk due to possibility of having to amend the design based on further GI survey findings.	3	4	12	This risk will be transferred to the appointed contractor as part of the D&B contract.	2	3	6	Approaching		Arcadis		
007	Technical - Environmental	Recycling Loan Fund Application - Risk that the proposed works may fail to satisfy the required grant funding criteria.	3	2	6	ARCADIS team to produce the necessary data to support the Recycling Loan Fund Application.Task to run in parallel with the programme and not on critical path.	2	2	4	Close		Arcadis / OCC	Closed	

Risk Number	Category	Risk Description	Likelihood	Impact	Overall Rating	Mitigation	Likelihood	Impact	Overall Rating	Proximity	Additional Provisional Sum recommended	Owner	Status (Open / Closed)	Status (comments)
008	Stakeholder Management	Fusion Arts- Sparse, limited communication from Fusion Arts. Layout signoff awaited. Crucial that this is concluded imminently.	5	4	20	OCC to email Fusion Arts	2	4	8	Imminent		Arcadis		
009	Stakeholder Management	Potential programme and cost impact due to failure to conclude stakeholder input and confirm final deliverables/scope	3	3	9	First round of stakeholder engagement was concluded in July 21; albeit certain specific matters remained outstanding which were addressed as part of detailed design development under PCSA. This was actively managed by ARCADIS in liaison with OCC as part of Stage 2 discussions with ODS to confirm scope of works in line with stakeholder feedback captured through the consultation process.	2	3	6	Imminent		Arcadis / OCC		
010	Contract Matters	Non-performance by the preferred/ appointed contractor	4	4	16	Active close liaison and monitoring by Arcadis to ensure the programme targets and deliverables are met.	3	4	12	Approaching		Arcadis		
011	Statutory-Highways	Approvals on road closures from Highways	3	4	12	Early engagement with highways to discuss the project and explore partial/full closure options and timescales required.	2	3	6	Approaching		ODS / Arcadis		
012	Statutory-Highways	LTN - Low Traffic Neighbourhood	4	4	16	Further understanding required to appreciate whether this is a risk or potential opportunity to aid build logistics.	2	4	8	Approaching		ODS / Arcadis		
013	Contract Matters	Land receipts from OCHL required to allow the whole development to proceed	5	5	25	Understanding of contractor build costs required and establishing if the scheme is viable before commencing any work. Previous budget prices received from Impact Modular & ODS confirm the scheme could be delivered for between £6.2-£7.3M. The latest negotiated offer of £5.9 m from ODS shows a forecast of £6.79m to deliver the scheme	4	5	20	Imminent		Arcadis/OCHL		
014	Contract Matters	Potential for additional works at Templar Square required to allow decant at EOCC.	0	0	0	Design and scope of works to be defined and agreed ahead of remodelling works.	0	0	0	Imminent		OCC	CLOSED	
015	Tenancy Issues	Materials/rubbish left behind once VP granted.	3	3	9	Property services to arrange for all removal of left over materials/rubbish.	2	2	4	Imminent		OCC	CLOSED	
016	Planning	Housing - failure to deliver a community facility as agreed in planning application impacts on delivery of housing across both sites	5	5	25	Re design scheme and return to planning	4	5	20	Imminent				
017	Party Wall Matters	Delay in agreeing the Party Wall award for Hooper House may impact demolition date for Games hall	3	5	15	Preliminary Party Wall Assessment Report has been prepared by AUK. OCC have confirmed that AUK will be leading on Party Wall matters and issue any relevant notices such that demolition works on site can commence. Formal appointment signed by OCC 14.04.22 & AUK 25.04.22.	4	3	12	Imminent				
018	Project Costs/ Budget	Industry trends - Material prices, shortage of labour, effects of the Ukraine conflict	4	5	20	Enter into contract with main contractor	5	4	20	Imminent				
019	Stakeholder Management	Re homing' previous tenants to premises other than Princes Street development	4	5	20	Alternative premises such as Regal and Asian Community centre to be investigated for suitability	5	5	25					Not seen as 'spiritual home' of EOC. suitability is poor and costly on a long term basis.



Appendix 5

Form to be used for the Full Equalities Impact Assessment

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

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

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

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

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

These 2 other properties are:

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

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

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

After the break in activities due to the lockdown, EOGH users cease their activities or relocated to

venues suggested by the Community Centre team. Not all of the groups in EOCC decided to get back to their normal bookings, as the pandemic has provided them with new ways of working or they still don't consider safe to meet in person.

Feasibility work has been undertaken to scope the potential 'property options' available to improve the EOCC facility (and potential consolidation as above). This has included conceptual scheme drawings, QS costing advice, valuation of potential residential development land, and public consultation. The aim being to deliver a scheme which is largely self-funding, but which meets the project objectives.


The conceptual scheme work has indicated the broad scale of facility which might be achievable, based on the concept of cross subsidisation through residential use on part of the sites, plus necessary capital budget allocation to enable a facility which is close to the existing level of net floorspace provided at EOCC. Albeit this will reflect an overall reduction in community floorspace across the 3 sites.

The City Council currently operate and manage the site but we are currently in discussions with the community regarding the operation and management of the site going forward.

The tenants at the site are –

- Fusion Arts
- AKCHI
- BKLUWO
- East Oxford Community Association
- Oxfordshire Chinese Community and Advice Centre (44b Princes Street)
- Phoenix Lounge
- Oxpots
- Cowley Works

As all leases expired on the 31st August 2021, tenants were offered a further one year lease from the expiry date. The lease has a mutual rolling break clause which will enable either party to terminate the lease at the end of February 2022 or any time after, on one months' notice.

	<p>The key considerations for the Council will to be to continue to evolve and development of this Equalities Impact Assessment as we move along the process.</p>
<p>3. Methodology and Sources of Data:</p> <p>The methods used to collect data and what sources of data</p>	<p>We have been engaging the community through various methodologies. We have been meeting with the community through the reference group (made up of tenants, Film Oxford and local councillors) regularly and most recently monthly. Minutes are taken for each meeting and shared. We have undertaken a thorough needs analysis.</p> <p>There have been various site visit to understand best practice in this area including with members of the East Oxford Community Association.</p> <p>There has been significant and widespread consultation regarding the development in 2017.</p>
<p>4. Consultation</p> <p>This section should outline all the consultation that has taken place on the EIA. It should include the following.</p> <ul style="list-style-type: none"> • Why you carried out the consultation. • Details about how you went about it. • A summary of the replies you received from people you consulted. • An assessment of your proposed policy (or policy options) in the light of the responses you received. • A statement of what you plan to do next 	<p>There has been significant consultation:</p> <p>In September 2016 we carried out a public consultation on three design principles. This gave the public the opportunity to vote on their preferred option with option 3.1, a mix of refurb and new build being the most voted for option. This was widely promoted through a mix of social media, through the reference group, press releases and websites.</p> <p>In 2017 we gave local community groups the opportunity to fund raise to deliver the communities self-titled “option 3+”. To support this we gave a time frame of 6 months and funded a part time fundraiser to help achieve this. Unfortunately there was insufficient money raised or interest generated to progress this scheme any further. Additional information is in the below document which was created by the community.</p> 

In 2017 we offered the reference group the chance to visit two facilities in London to look at how other organisations have gone about this. The main feedback and feeling of the trip was the importance of flexible, multi-use space. Further details about what we learnt in the document below –

Community Centre Visits

March 2017



We have also visited other facilities, including the below –

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

The clear feedback from the Community is the following –

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

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

Works well	Works not so well (An opportunity to address)
<ul style="list-style-type: none"> • Good mix of users, tenants and 	<ul style="list-style-type: none"> • Poor sense of arrival (users struggle to find

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

	not open, welcoming or well placed		
<p>5. Assessment of Impact: Provide details of the assessment of the policy on the six primary equality strands. There may have been other groups or individuals that you considered. Please also consider whether the policy, strategy or spending decisions could have an impact on safeguarding and / or the welfare of children and vulnerable adults</p>	Race Neutral	Disability Positive Impact	Age Positive Impact
	Gender reassignment Neutral	Religion or Belief Neutral	Sexual Orientation Neutral
	Sex Neutral	Pregnancy and Maternity Neutral	Marriage & Civil Partnership Neutral
	<p>This is an initial assessment and it will develop over time as the project moves forward. The current view is that this will have an overarching positive impact with the facility to help enable the site to become more sustainable in the longer term and turnaround the current decline in the condition of the buildings. The conditions of the buildings are poor which resulted in the recent closure of B Block and as such doing nothing would mean a real risk of eventual closure.</p>		
	<p>The aim of the project is to improve the existing East Oxford Community by a mix of refurbishment and new build. The project will ensure that it meets the latest building control guidance to help improve access to the facility, with the current site not meeting modern guidance and access poor for those with some physical impairment.</p>		
<p>The user brief that the professional team will take forward includes all of the consultation to take into consideration. The community and reference group will be involved in the ongoing design development.</p>			
<p>We are also looking at developing a decant plan for existing users over the next few months to look at how we best accommodate user needs during the works program.</p>			

<p>6. Consideration of Measures:</p> <p>This section should explain in detail all the consideration of alternative approaches/mitigation of adverse impact of the policy</p>	<p>We have involved the community at each stage of the project and will continue to do so going forward.</p> <p>Various different options for the development of the project have previously been presented to the project and option 3.1 was the most favoured affordable. Mitigations are also highlighted above.</p>
<p>6a. Monitoring Arrangements:</p> <p>Outline systems which will be put in place to monitor for adverse impact in the future and this should include all relevant timetables. In addition it could include a summary and assessment of your monitoring, making clear whether you found any evidence of discrimination.</p>	<p>We have set up an EOCC officer project group that will monitor this as well as through the EOCC reference group.</p> <p>This will also be developed as we move through the project stages.</p>
<p>7. Date reported and signed off by City Executive Board:</p>	<p>It is proposed to go to Executive Board in November 2021.</p>
<p>8. Conclusions:</p> <p>What are your conclusions drawn from the results in terms of the policy impact</p>	<p>That this is a positive development that should make the building sustainable going forward and remove / reduce the risk of any unplanned closures. It will help improve the accessibility of the building and also enable the building to become more flexible and modern to accommodate existing groups and the wider community not only for now but for in the future as well.</p> <p>This will continue to evolve during the next stages of the project with key input and involvement from the community.</p>

9. Are there implications for the Service Plans?	NO	10. Date the Service Plans will be updated		11. Date copy sent to Equalities Lead Officer	
.13. Date reported to Scrutiny and Executive Board:		14. Date reported to City Executive Board:		12. The date the report on EqlA will be published	

Signed (completing officer): H Lewisman / F Alfieri / L Sackey

Signed (Lead Officer)

Please list the team members and service areas that were involved in this process:

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To: Cabinet

Date: 14 June 2023

Report of: Executive Director (Communities and People)
Head of Financial Services

Title of Report: Housing Management System Implementation

Summary and recommendations	
Purpose of report:	To update members on the lessons learned from the implementation of the Housing Management System and the outcome of discussions with the supplier as to potential settlement; and to secure additional budget approval for further development of the product after the move to 'business as usual which has now been secured.
Key decision:	No
Cabinet Member:	Councillor Nigel Chapman, Cabinet Member for Citizen Focused Services and Council Companies
Policy Framework:	Council Strategy 2020-24 and Budget

Recommendations: That Cabinet resolves to:	
1.	Note the lessons learned from the system implementation;
2.	Approve the proposed settlement terms offered by the supplier as referenced in Appendix 4 (exempt) and delegate authority to the Executive Director (Communities and People) in consultation with the Head of Financial Services and the Head of Law and Governance to finalise the terms;
3.	Recommend to Council the approval of additional budget of £263k in 2022-23 as detailed in paragraph 8 below; and
4.	Recommend to Council the inclusion of an additional budgetary amount of £497k of capital and £97k of revenue over the next 4 year period for the further development of the system (paragraphs 9-11).

Appendices	
Appendix 1 (Exempt)	External 'lessons learned' report
Appendix 2	Summary of lessons learned
Appendix 3	Budgetary provision of exploitation of the system and ongoing revenue
Appendix 4 (Exempt)	Discussions with the supplier
Appendix 5	Risk Register

Introduction

1. On the 18th January 2023 the Audit and Governance Committee was presented with a report on the issues arising during the implementation of the Housing Management System. Much of what was reported to Audit and Governance Committee was held in confidential session. The external consultant's report on lessons learned presented to Audit and Governance Committee has been replicated in the Confidential Appendix 1 for ease of reference.

Background

2. Members will be aware of the issues arising from the implementation of the Housing Management System, a system which was originally scheduled to go live on May 2018 but had a delayed go live date of May 2021. Once go live was initiated the system suffered from data migration problems which resulted in significant business disruption and a delay in reaching a 'steady state' and 'business as usual' until November 2022. Oxford Direct Services Ltd have only recently submitted their Statement of Accounts for the year end 31-3-2021 to the external auditors, which has a consequential impact on the production of the Council's Group accounts for the same year.
3. The confidential report and accompanying exempt appendices is attached although the 'lessons learned' from the implementation have been summarised in Appendix 2. The Organisational Change Board chaired by the Executive Director of Resources has re-enforced the need for project managers to have regard to these lessons learned when embarking on a project.
4. Key elements of the lessons learned include:
 - a. Taking the right procurement decision
 - b. Project Team and Board structure that included the appropriate officers including specialists with knowledge of the product in question and supplier representatives
 - c. A programme Board such as Organisational Change Board with oversight of key projects

- d. Appropriate documented testing plans for key stages of the project i.e. data migration.
5. Since steady state was reached, officers have begun in earnest to develop the system in conjunction with the supplier and there have been a number of achievements since to illustrate this, including:
- The automation of the sales order review process – the process by which ODS are paid for work done
 - ODS First Touch Forms (Mobile Working) for ODS & reimplementation – 160+ forms in use
 - ODS Versaa Migration and further form development (Versaa is the replacement platform for First Touch) – Aug 22
 - Upgrade to 4.11.4 Successful - four full version upgrades in one.
 - Super User Group (SUG) in place and meeting monthly with a monthly briefing bulletin
 - SQL training in place for Super Users
 - OCC Versaa platform migration successful
 - Versaa Form Design training in place for relevant users
 - The Customer Portal - rent and repairs imminent
 - Future software updates – subject to the funding contained within this report including:

Product	Implementation
Versaa Forms : Tenancy Sign-up – Mobile solution to aid tenancy management with completing new tenancy sign ups, electronic tenancy agreements, direct debit set up etc.	2023 -24
Versaa Forms : Tenancy Management – Covers rents , ASB, repairs and tenancy management information available to staff on site with customers in their homes	2023 -24
Versaa Forms: Estate Inspections – A mobile solution aimed at capturing real time estate inspection data and updating QL in real time. Includes reporting facilities for graffiti, fly tipping etc.	2023 -24
Versaa Forms : Asset Management & Stock Condition – A solution that provides surveyors with real time information on assets, information on planned works and the ability to update stock condition details	2023 -24
Managing 3 C's – roll out the ODS established process for complaints, compliments across rest of landlord services	2023 -24
DRS Upgrade – repairs operative scheduling tool which is due to be upgraded	2023 -24
Data Loader for New Properties- A technical tool which seeks to gather and loan new build properties into QL	2023 -24

Data Loader for Property Components – A technical tool aimed at gathering and loading new and updating components as they are replaced	2023 -24
ASBIT & CRT Review – Existing ASBIT and CRT process needs modification to ensure all stages for a case are captured correctly	2023 -24
Info@Work for ASBIT & CRT - Aimed at capturing all case documentation	2023 -24
Versaa Portal App – enables an app to be installed on tenants own device	2023 -24
Online Application Form - allows housing applicants to submit an online application to be added to waiting list	2023-24
Implement Intelligent Energy – to replace existing system Crohm	2023-24
Versaa Customer Portal : Online Application	2023-24
Predictive Arrears Monitoring – Looking to improve monitoring of arrears cases	2023-24
Integration between Housing Management System & Info@Work - aimed at capturing all case documentation, its currently captured on a network shared drive	2023-24
Choice Based lettings – A portal to enable tenants to bid for council housing on line.	2023-24
CBL Portal – Enables OCC applicants to bid for available/advertised properties via a bespoke browser applicant portal	2023-24
Enhance Housing Options – seeks to triage and sign post potential applicants to other resources particularly where they ae unlikely to be placed on a waiting list	2024-25
Private Rented Sector Process Redesign – Process review to simply process	2024-25
Text Messaging from Housing Management System- enable text messages to be sent to QL tenants	2024-25
Contractor Portal - enables contractors to update progress on property works	2024-25
RTB Process Review –To automate the process	2024-25
NEC Info@Work Review Renewal/Replacement – should info @work be replaced integration with QL will need to be revisited	2024-25

All this work done to date and planned will bring significant benefits to the Council from:

- the integration of data held in a number of services such as Housing Applications. Property, Anti-Social Behaviour and Community Response Teams and ODS
- the real time updating of such data

- streamlined and efficient processes for both internal users of the system and our tenants
- easier interfacing between the Council ODS, external suppliers and our tenants

Discussions with the supplier

6. Discussions have been ongoing with the supplier in relation to their part played in the implementation. The outcome of these discussions is shown in the confidential Appendix 4.

Additional Budget

7. In February 2016 Council approved a project budget of £600k. Following soft market testing in June 2017 this budget was increased to £1.7 million and subsequently to £2.3 million in February 2021. The problems encountered since Go Live in May 2021 and bringing the system to 'steady state', in addition to subsequent system upgrades, led to a request for further budget requirement agreed under Chief Executive urgent powers of £375k in May 2022, in addition to a virement from underspends in HRA capital of £250k.
8. Spend up to 31-3-2023 amounts to £3.188 million, requiring a request for additional budget of £263k. Approvals for this additional spend was provided by the Project Board but this requires formal approval by Cabinet and Council. Additional resources referred to in Appendix 4 will go some way to mitigate these additional costs.
9. In February 2023 Council gave budgetary approval for £528k of capital and £448k of revenue over the next 4 year period (£112k of ongoing revenue) commencing 1-4-2023, to continue the exploitation of the product. This spend approved, provided for some of the additional products included in paragraph 5 above. An additional amount will be required to implement other discounted products referred to in Appendix 4. The table below shows the amount of budget that will be required over the next 4 years which is above the amount agreed in February 2023 and enables the discount on products provided by supplier to be secured of £60k, over the 4 year period.
10. Appendix 3 gives a breakdown of all the work areas together with associated capital and revenue cost. In summary this indicates:

APPENDIX 3										
Resource Required for QL Exploitation 2023-24 to 2026-27										
	Capital				Revenue					
	2023-24	2024-25	2025-26	2026-27	2023-24	2024-25	2025-26	2026-27		
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's		
Budget Requirement	605.1	331.9	98.4	-	105.2	159.2	135.2	145.7		
Budget Available										
Transformation	39.0									
ICT	80.0									
Capital programme HRA	245.0	58.0	58.0	58.0	112	112.0	112.0	112.0		
Total budget available	364.0	58.0	58.0	58.0	112.0	112.0	112.0	112.0		
Additional Budget Ask	241.1	273.9	40.4	-	58.0	-	6.8	47.2	23.2	33.7

11. The above table indicates that a further £497k of capital expenditure will be required over the next 4 years in addition to £97k of revenue. Savings of £147k from the retirement of legacy systems were made in the original business case and have already been removed from the revenue budget.

Financial Implications

12. The issues surrounding the implementation of Housing Management System have been well documented as has the 3 year overrun in time and the estimated extra £1.5 million costs incurred above the original budget of £1.6 million to bring the product a steady state position in November 2022.
13. Changing systems of this scale are a significant undertaking. In approving the potential settlement package being offered by the supplier the council is at least recouping some of its additional costs but is also moving to establish a longer term relationship with the supplier which should bring longer term savings.

Legal Implications

14. Legal services are reviewing the draft compensation settlement agreement and will ensure the robustness of wording prior to formal sign off. If settlement cannot be agreed this may escalate to legal claim in a court of law but every effort is being made to avoid this.
15. It should be noted that the discounts on products under the settlement agreement are claimable over a 3 year period, although the terms of the current contract only have provision for the contract to run for another 2 years. Normal procurement terms would allow some extension of the contract past this contract date to enable the council to benefit from the full discount on these products should it wish to do so. An extension of the contract is probable given the time and money spent to date on the product.

Risk Implications

16. The paper outlines multiple issues that arose through the implementation of the Housing Management System. The lessons learned once embedded into the organisation should serve to mitigate potential risks in future project implementations.

Equality Impact Implications

17. Not applicable given the nature of this report.

Report author	Nigel Kennedy
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Service area or department	Financial Services
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Background Papers: None

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Appendix 2

Additions to the Project Checklist following the Lessons Learned Review

Checklist Addition	Lessons Learned Recommendations
Project Idea Stage	
✓ Review the current provision and ensure that through negotiations with incumbent supplier, a better solution cannot be offered	Decision to procure
✓ Feasibility assessment to fully consider the impact, scale and complexity of the project	Decision to procure
✓ Options Appraisal – what options are being considered (to include a “do nothing” option)	Decision to procure
✓ Fully evaluate the Risk associated with the idea	Robust Procurement Process
✓ Ensure robust and compliant procurement process	Robust Procurement Process
Project Initiation Stage	
✓ Scope of Works (Objectives, Vision, Deliverables are clearly detailed).	Governance - Project Ownership
✓ Supplier due diligence and Market Evaluation considering sector and complexity experience	Supplier
✓ Stakeholder Matrix (considering role and involvement in the project)	Governance - Project Ownership
✓ As-Is Process Maps	PM Recommendation
✓ <i>Specification / Requirements (including business rules) clearly prioritised and monitored for deliverability</i>	Robust Procurement Process Delivery - Requirements
✓ Benefits (Key metrics to be measured)	PM Recommendations
✓ Predicted budget	PM Recommendations
✓ Ensure the Project Board Structure covers representation for impacted business areas and suppliers (usually no more than 8 for complex projects)	Governance – Project Sponsor Governance – Project Board
✓ Ensure that Project Board and any subgroups have clear terms of reference	Governance – Project Board Governance - Subgroups
✓ Ensure the Project Board mandate clearly sets out roles, responsibilities and skills requirement	Governance – Project Board
✓ Robust Resource Plans to ensure consideration is given to adequately resourcing in line with complexity of the project (including roles, responsibilities and skills required)	Delivery - Project Manager Delivery - Resources
✓ Data migration strategy (if required)	Preparation - Data
✓ Testing strategy	Delivery - Testing
✓ Training Needs Analysis and strategy	Delivery - Training
Project Deliver Stage	
✓ Project Document Library, library structure and naming conventions, user access & permissions	Project Documentation
✓ Standard Project Board agenda items for embedded Project Assurance and Monitoring: <ul style="list-style-type: none"> ○ Highlight Report (progress updates, milestones) ○ Project Plan Review ○ Risk Register Review ○ Issues Log Review ○ Budget vs actual spend 	Risks, Assumptions, Issues and Decisions (RAID)

○ Decision log	
✓ Embed standard project assurance and monitoring principles into subgroup meetings	Risks, Assumptions, Issues and Decisions (RAID)
✓ Data migration plan, mapping, reconciliation and monitoring reports (if required)	Preparation - Data
✓ Monitoring of requirements met	Delivery - Requirements
✓ Testing Plan and monitoring reports	Delivery - Testing
✓ Training Plan and monitoring reports	Delivery - Training
✓ Go-no-go assessment criteria and monitoring reports	Delivery – Go Live
✓ Go-live activities checklist (lists all activities in chronological order, dependencies, estimated duration – no decisions on the day)	Delivery – Go Live
Project End Stage	
✓ Lessons learned (mechanism for feeding back improvements)	PM Recommendations
✓ Requirements evaluation	Delivery - Requirements
✓ Benefits evaluation	Delivery - Requirements

Appendix 3

Resource Required for QL Exploitation 2023-24 to 2026-27

	Capital				Revenue			
	2023-24 £000's	2024-25 £000's	2025-26 £000's	2026-27 £000's	2023-24 £000's	2024-25 £000's	2025-26 £000's	2026-27 £000's
Programme resources								
Programme Manager	137.5	114.4	57.2					
Programme support	99.0	82.5	41.3					
Internal Project Support & Additional Days	100.0	100.0						
Sub-Total	336.5	296.9	98.4	-	-	-	-	-
Compensation Agreement terms discounted								
Productised Versaa Tenancy sign ups	16.6				10.8	10.8	10.8	13.0
Productised Versaa Tenancy services	10.5				10.5	10.5	10.5	13.0
Self-service app	10.0				23.3	23.3	23.3	29.1
Sub-Total	37.1	-	-	-	44.6	44.6	44.6	55.1
Other products to be implemented								
Productised Versaa Estate Inspections	15.0				13.0	13.0	13.0	13.0
Productised Versaa Asset Management	9.0				9.6	9.6	9.6	9.6
Choice Based lettings on QL	2.0							
CBL Portal	25.0				5.0	5.0	5.0	5.0
Online Housing Register Application	20.0	5.0			5.0	5.0	5.0	5.0
Enhanced Housing Options		10.0						
Versaa Forms : Mobile Devices (Hardware)	39.0				12.0	12.0	12.0	12.0
QL Health Checks/Data Cleansing					6.0	6.0	6.0	6.0
QL Upgrade					4.0	4.0		
QL for Property Services					6.0	6.0		
Implement Intelligent Energy	24.5					12.0	12.0	12.0
PRS Review	50.0	10.0				15.0	15.0	15.0
Communities Referral Forms								
Text Messaging from QL		10.0					1.0	1.0
Predictive Arrears Monitoring	10.0							
Data Loader for New Properties	3.0							
Data Loader for Property Components	5.0							
Contractor Portal	24.0					12.0	12.0	12.0
RTB Process Review						10.0		
Integration between QL & Infor Work						5.0		
ASBIT & CRT QL Review								
Info Work for ASBIT & CRT								
NEC Info@Work Review Renewal/Replacement	5.0							
Sub-Total	231.5	35.0	-	-	60.6	114.6	90.6	90.6
Budget Requirement	605.1	331.9	98.4	-	105.2	159.2	135.2	145.7
Budget Available								
Transformation	39.0							
ICT	80.0							
Capital programme HRA	245.0	58.0	58.0	58.0	112	112.0	112.0	112.0
Total budget available	364.0	58.0	58.0	58.0	112.0	112.0	112.0	112.0
Additional Budget Ask	241.1	273.9	40.4	- 58.0	- 6.8	47.2	23.2	33.7

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Appendix 5 - Risk Register

Risk description	Opp/ threat	Risk		Date Raised	Current		Residual		Control description	Controls			
		Cause	Consequence		I	P	I	P		Due date	Status	Progress	Action Owner
Settlement agreement not agreed	T	The Council is having regular meetings with the supplier to come to an agreement	Clause 12.1.4 of the contract allows for the determination of the contract dispute by an 'independent expert' and ultimately for resolution in court. This would lead to significant legal costs for both parties and a deterioration in the working relationship	23-03-2023	4	2	2	2	Regular meetings with both parties to discuss agreement and finalise	23-03-2023	In Progress	70%	N Kennedy/ S Gabriel
Project Implementation delays	T	Delays are caused from lack of staff or technical difficulties in the implementation	Increased cost, knock on impact on ICT work programme and interruption with key processes such as ODS works, rent accounting , tenancy lets	23-03-2023	4	2	2	2	Project Team management and Board oversight	23-03-2023	In progress	100%	S Gabriel/ Bill Graves/ Alison Cornachio/ Nigel Kennedy
Procurement	T	Compensation within the settlement agreed is beyond the period of the original contract i.e February 2025. The Council would need to seek exemption from re-tendering the procurement of the system if it was to benefit from the full compensation being offered	The council could lose some of the compensation on offer	23-03-2023	2	2	2	2	Consider procurement route at an early stage. Although fair to say that the potential loss of compensation for one year should the contract not be extended is minimal.Potential to negotiate this away	23-03-2023	In progress	10%	Nigel Kennedy

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Minutes of a meeting of the Cabinet on Wednesday 19 April 2023



Cabinet members present:

Councillor Brown	Councillor Turner
Councillor Aziz	Councillor Chapman
Councillor Hollingsworth	Councillor Munkonge
Councillor Railton	Councillor Linda Smith
Councillor Upton	Councillor Walcott

Officers present for all or part of the meeting:

Stephen Cohen, Refugee and Resettlement Manager
Rhian Davies, Interim Head of Law and Governance
Stephen Gabriel, Executive Director (Communities and People)
Caroline Green, Chief Executive
Emma Lund, Committee and Member Services Officer
Jonathan Malton, Committee and Member Services Manager
Nerys Parry, Head of Housing
Richard Wood, Housing Strategy and Needs Manager

Apologies:

No apologies were received.

138. Addresses and Questions by Members of the Public

None.

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

None.

140. Councillor Addresses on Neighbourhood Issues

None.

141. Items raised by Cabinet Members

Councillor Anna Railton, Cabinet Member for Zero Carbon Oxford and Climate Justice, reported on the Construction, Logistics and Community Safety (CLOCS) standard: a national industry standard which aimed to improve the safety of construction vehicle

journeys. Councillor Railton explained that it was the Council's intention to become a CLOCS champion.

Councillor Alex Hollingsworth, Cabinet Member for Planning & Housing Delivery, drew attention to two elements within his portfolio area which could be used to enable the Council to show its support for the CLOCS principles.

Firstly, the Local Planning Authority was required to issue conditions for Construction Traffic Management Plans (CTMPs) on major applications, and there was potential to include within such conditions wording which sought to make the principles of the CLOCS scheme as binding as possible on those undertaking construction within the city. This would require consultation with Oxfordshire County Council as the Highways Authority; however, the County Council had not so far raised any objections to the principles.

Secondly, whilst the Council's housing development company, OX Place, was not itself a contractor it did collaborate with operators which used the types of vehicles covered by the CLOCS standard. OX Place had indicated that it would be very keen to endorse the standard and sign up to its principles.

142. Scrutiny reports

There were no scrutiny recommendations to be reported to the meeting.

143. Local Authority Housing Fund

The Executive Director (Communities & People) had submitted a report to seek project approval and delegations to enable the Council to proceed with entering into the national Local Authority Housing Fund (LAHF) and to make available the required budget provision. The LAHF was a national fund to support local authorities in providing accommodation to Ukrainian and Afghan families settled in the UK under various government schemes following the respective conflicts which had occurred in their countries. As a condition of the fund, local authorities were required to meet part of the funding required to purchase properties to provide new affordable homes: the remainder would be provided as grant from the fund.

The proposed agreement with the Department for Levelling Up, Housing and Communities would enable the Council to purchase six properties to offer as affordable social housing for Ukrainian and Afghan refugee families, thereby helping to reduce emergency, temporary and bridging accommodation costs.

Councillor Linda Smith, Cabinet Member for Housing, reported that entering into the agreement reflected the Council's values a City of Sanctuary. It would allow the Council an opportunity to welcome Ukrainian and Afghan refugees into the community, allowing them to contribute to life in Oxford and providing a life-changing opportunity for the individual families who would receive the tenancies. It would also be very beneficial for the Council in that it would allow the Council to receive grant funding of c£1.1 million in return for an investment of c£1.2 million. Once the properties were purchased the Council would become the owner, and this would provide a source of rental income to the Council. Once the initial tenancy had ended the properties would become part of the Council's regular housing stock, available for allocation to eligible applicants on the housing register.

Cabinet resolved to:

1. **Approve** the Council becoming part of the Local Authority Housing Fund in order to deliver 6 new affordable homes;
2. **Recommend to Council** the allocation of a £2,330,320 capital budget from the Housing Revenue Account for the Council’s investment to purchase the properties as part of Local Authority Housing Fund; and
3. **Delegate** authority to the Executive Director (Communities & People) in consultation with the Cabinet Member for Housing; the Head of Financial Services/Section 151 Officer; and the Head of Law and Governance/Monitoring Officer, to enter into agreements and contracts to facilitate the purchase by the Council of housing (to be held in the HRA) within the identified budget and within the project approval.

144. Decisions taken under Part 9.3(b) of the Constitution

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

Cabinet resolved to:

1. **Note** the decision taken as set out in the report.

145. Minutes

Cabinet resolved to approve the minutes of the meeting held on 15 March 2023 as a true and accurate record.

146. Dates of Future Meetings

- 14 June 2023
- 12 July 2023
- 9 August 2023
- 13 September 2023
- 18 October 2023
- 15 November 2023

All meetings start at 6.00 pm.

The meeting started at 6.00 pm and ended at 6.15 pm

Chair

Date: Wednesday 14 June 2023

When decisions take effect:

Cabinet: after the call-in and review period has expired

Planning Committees: after the call-in and review period has expired and the formal decision notice is issued

All other committees: immediately.

Details are in the Council’s Constitution.

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