

Minutes of a meeting of the Cabinet on Wednesday 12 June 2024

www.oxford.gov.uk



Cabinet members present:

Councillor Turner (Chair)

Councillor Arshad

Councillor Chapman

Councillor Hollingsworth

Councillor Railton

Councillor Linda Smith

Officers present for all or part of the meeting:

Ted Bowler, Corporate Asset Manager

Tom Bridgman, Executive Director (Development)

Lorraine Freeman, CIL Data Analysis and Reporting Team Leader

Emma Gubbins, Corporate Asset Lead

Emma Jackman, Head of Law and Governance

Nigel Kennedy, Head of Financial Services

Emma Lund, Committee and Member Services Officer

Peter Matthew, Executive Director of People and Communities

Lan Nguyen, Senior Data Analyst and Reporting Officer

James Viljoen, Technical Services Manager

Also present:

Councillor Katherine Miles, Chair of Scrutiny Committee

Councillor David Henwood

Apologies:

Councillors Brown, Munkonge and Upton sent apologies.

1. Addresses and Questions by Members of the Public

None.

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

None.

3. Councillor Addresses on Neighbourhood Issues

None.

4. Items raised by Cabinet Members

None.

5. Scrutiny Reports

The Scrutiny Committee had met on 5 June 2024, at which meeting it had agreed its operating principles for the year, the establishment and membership of standing panels and review groups, and its work plan.

The Climate and Environment Panel had met on 11 June 2024 and had considered the following reports:

- Tree Management Policy 2024-2032
- HRA Energy Efficiency Projects
- Framework for the Installation of Renewable Technologies in Council-Owned Properties

All of the recommendations, together with Cabinet Members' responses, were included in the separately published supplement to the agenda.

No recommendations had been made in relation to the HRA Energy Efficiency Projects.

Eight recommendations had been made in relation to the Tree Management Strategy, of which six were agreed.

A recommendation that the Council should explicitly recognise the importance of mature trees within the Tree Management Policy and highlight the need for the planning process to be sympathetic to mature and existing trees had been partially accepted: the Cabinet Member for Citizen Focused Services and Council Companies explained that this was because the focus of the Tree Management Policy was on trees which were managed by the Council on council-owned land. The issue of how trees were dealt with through the planning process was addressed separately within planning policy, specifically the Oxford Local Plan.

A recommendation to include within the Tree Management Policy a reference to the Council explicitly recognising the need to work in partnership with the County Council and/or Highways on street tree issues had been rejected. The Cabinet Member for Citizen Focused Services and Council Companies explained that the Policy's specific focus was on trees which were managed by the Council on council-owned land, and therefore adding a reference to trees which the County Council was responsible for would not be appropriate. However, the need to work closely with County (for example in cases where trees on City Council land were impacting on roads) was recognised and did already happen.

One recommendation had been made in relation to the Framework for the Installation of Renewable Technologies in Council-Owned Properties, which had related to encouraging the submission of bids to the Framework from diverse suppliers which were representative of the local population of Oxford. The recommendation had initially been only partly accepted on the basis that the Council's procurement processes were constrained by legal requirements and the need to obtain best value for the Council taxpayer. However, following clarification from the Chair of Scrutiny that the recommendation related to the submission, rather than the evaluation, of bids the Deputy Leader (Statutory) – Finance and Asset Management agreed that this recommendation could be fully accepted.

A number of reports which had been deferred from the April Cabinet meeting were also received:

- Biodiversity Net Gain
- Citywide Retrofit Strategy

- Tree Planting
- Energy Generation / Solar Potential on Council Buildings
- Integrated Performance Report Q3 2023/24
- Housing Ombudsman Complaint Handling Code Self-Assessment
- Implementation of Selective Licensing
- Adult Exploitation

All of the recommendations relating to these reports, together with Cabinet Members' responses, were also included in the separately published supplement to the agenda.

In relation to Biodiversity Net Gain (BNG), two recommendations had been made, of which one had only been accepted in part. This had related to the Council seeking to identify sufficient sites to establish itself as a key provider of biodiversity units locally. The Deputy Leader (Statutory) explained that the reason why the recommendation had only been accepted in part was that whilst it represented a good longer term aim, there was a need for the Council to focus on demonstrating BNG delivery for its own projects first.

In relation to the Citywide Retrofit Strategy, two recommendations had been made, of which one had only been accepted in part. This had related to including non-residential Council-owned buildings within the scope of the strategy. The Deputy Leader (Statutory) explained that whilst the premise was accepted, the reason why the recommendation had only been accepted in part was because of the need to manage expectations about how quickly that additional piece of work could be delivered, as well as the need to consider the resource implications alongside the setting of the Council's budget.

In relation to Tree Planting four recommendations had been made, of which one had been accepted in part. This had related to the production of a guidance document setting out the process for the planting of new street trees on public land. Councillor Katherine Miles, Chair of Scrutiny, clarified that this recommendation had pre-dated the subsequent consideration by scrutiny of the Tree Management Policy, and had been superseded by that work.

In relation to Adult Exploitation two recommendations had been made, of which one had been accepted in part. This had related to rolling out a social media campaign aimed at spotting the signs of adult exploitation and modern slavery. The recommendation was only partly accepted as the issue of adult exploitation, spotting the signs, how to report, and support for victims was covered within existing social media campaigns which were undertaken at different times of the year.

All of the recommendations relating to Energy Generation/Solar Potential on Council Buildings, the Integrated Performance Report Q3 2023-24, the Housing Ombudsman Complaint Handling Code Self-Assessment and the Implementation of Selective Licensing had been fully accepted.

6. Community Infrastructure Levy (CIL) - Submission of Draft Charging Schedule for Examination

The Head of Planning and Regulatory Services had submitted a report to seek approval for (i) modifications to the Community Infrastructure Levy (CIL) Draft Charging Schedule following consultation; and (ii) submission of the CIL Draft Charging Schedule to the Secretary of State for examination.

This followed a partial review which had proposed an increase to the rates for Industrial (Use Class B2/B8) and Office/R&D (Use Class E(g)) developments based on evidence that increasing CIL rates would be possible for these developments without making them unviable. Following consideration of consultation responses and supplementary viability testing, one substantive modification to the schedule was proposed, together with three minor updates. The proposed main modification was to retain the existing rates for B2/B8 industrial uses and raise the rates only for E(g) Office and R&D uses.

It was noted that the proposed modification offered potential to bring significant additional income over the period of the Local Plan to 2040.

Cabinet resolved to:

1. **Approve** the Statement of Modifications (Appendix 1) and the submission version of the Community Infrastructure Levy (CIL) Draft Charging Schedule (Appendix 2); and
2. **Delegate authority** to the Head of Planning and Regulatory Services, in consultation with the Cabinet Member for Planning, to make any minor changes deemed necessary to the CIL Draft Charging Schedule and supporting CIL documentation and to formally submit all documents to the Secretary of State for examination.

7. Tree Management Policy 2024 - 2032

The Executive Director (Development) had submitted a report to seek approval for an updated Tree Management Policy. This set out the Council's policy regarding management of its tree stock and sought to align its approach in this area to current standards and good practice.

Councillor Nigel Chapman, Cabinet Member for Citizen Focused Services and Council Companies, explained that the policy would cover the eight-year period 2024-32, replacing the previous eight-year policy which had been approved in 2016. It covered the management and ownership of trees which were in the control of Oxford City Council: alternative arrangements were in place for County Council owned trees.

Councillor Chapman highlighted that trees had an important role in enhancing the quality of life for residents of the city, and the policy set out how the trees which the Council owned and managed could be nurtured and looked after. A major change from the previous policy related to how risks around weakened and diseased trees were managed and the process for regular survey and mitigation of risk to the public. Trees which were deemed to be 'high risk' would now be surveyed on a more frequent basis than previously (every 18 months as opposed to every three years) which would bring the Council's approach into line with best practice.

The updated policy also placed an emphasis on consultation with councillors and interested parties; for example, in cases where trees were to be removed (other than in emergency situations) and the planting of new trees. Wording had also been included to clarify that the Council could, in exceptional circumstances, exercise its statutory powers to undertake remedial work to trees which threatened the highway.

The Executive Director (Development) highlighted a proposed change to policy PL7 to clarify that the Council's discretionary powers under the Local Government (Miscellaneous Provisions) Act 1976 also allowed it to intervene in cases where a tree on private land (that is, any land not in the ownership or control of the City Council) was

creating an imminent danger for members of the public. Such cases would be considered on an individual basis.

Cabinet resolved to:

1. **Adopt** the Tree Management Policy 2024-2032 (at Appendix 1); and
2. **Delegate authority** to the Executive Director (Development) in consultation with the Cabinet Member for Citizen Focused Services and Council Companies to make any minor, non-substantive changes to the policy.

8. Update of the 2011 City of Oxford Off-Street Parking Places Order and Car Park Tariffs

The Head of Corporate Property had submitted a report to seek approval for the making of new off-street parking place orders and implementing charges at four car parks.

The Deputy Leader (Statutory) commented that the proposed new charges would allow for better management of the car parks - for example by discouraging use for which the car park was not intended (such as by those parking in order to commute). It would also allow funds to be generated to mitigate the cost of maintenance of the car parks. An update of the 2011 City of Oxford Off-Street Parking Places Order was also proposed, which would allow better management of the car parks going forward and avoid the need for excessive variations.

Cabinet resolved to:

1. **Approve** the making of new off-street parking places orders covering all of the car parking sites covered under the existing order and to revoke and replace the existing 2011 Order and all variations to it;
2. **Approve** the introduction of charges at Bury Knowle Car Park as set out in the budget papers approved by Council;
3. **Approve** the introduction of charges at Sunnymead Car Park as set out in the budget papers approved by Council;
4. **Approve** the introduction of charges at Headington Hill Car Park as set out in the budget papers approved by Council;
5. **Approve** the introduction of charges at Rose Hill Community Centre Car Park;
6. **Delegate authority** to the Head of Corporate Property in consultation with relevant Cabinet Members to follow due procedure as set out in the Local Authorities' Traffic Order (Procedure)(England and Wales) Regulations 1996 and in the Road Traffic Regulations Act 1984 including required public consultation and consideration of objections and responses to them; and
7. **Delegate authority** to the Head of Corporate Property in consultation with relevant Cabinet Members to approve a Notice of Making and Making of Orders and revocation of the existing 2011 Order.

9. Contract for Rebuild Cost Assessments

The Head of Corporate Property had submitted a report to seek approval to enter into a contract for Rebuild Cost Assessments of the Council's property assets to assist with placing the property insurance policy.

The Deputy Leader (Statutory) highlighted that the insurance market for local authorities was challenging, and the work on rebuild cost assessments which had previously been done in-house did not now satisfy insurance tender requirements. Consequently, in order for the Council to continue to be able to secure insurance it was necessary for specialist assistance to be procured so as to be able to supply correct estimates to the insurance provider.

Given the cost involved, officers had been challenged on the need to procure external support. The alternative option of recruiting specialist staff to undertake the work in-house had been discounted for several reasons, including the cost associated with this approach; the level of human resource which would be needed; and the difficulty in sourcing suitably experienced and qualified staff. This decision had been informed by discussions with other local authorities.

In agreeing the recommendations, Cabinet noted the likely need for periodic revaluations every 3 years and highlighted the importance of seeking to reduce the costs and bureaucracy associated with this wherever possible. It was also recommended that alternative approaches to insurance procurement (for example, separating the HRA and General Fund assets for insurance purposes) should continue to be investigated.

Cabinet resolved to:

1. **Recommend to Council** the provision of a revenue budget in the General Fund for the sum of £128,000 per annum for the next 3 years and in the HRA for the sum of £55,000 per annum;
2. **Give project approval** to tender a contract to undertake the rebuild cost assessments across all assets in both the General Fund and the HRA;
3. **Delegate authority** to the Head of Corporate Property to finalise the tender documents; and
4. **Delegate authority** to the Head of Corporate Property, in consultation with the Head of Law and Governance; the Head of Financial Services; and the Deputy Leader (Statutory) - Finance and Asset Management to agree the cost and final terms of, and enter into and make any necessary amendments to, a contract with the preferred supplier.

10. Write-Off of Commercial Tenant Rent Arrears

The Head of Corporate Property had submitted a report to seek approval for the write-off of commercial rent arrears above the limit which officers could approve under the Scheme of Delegation.

Cabinet resolved to:

1. **Approve** the write-off of arrears relating to the properties identified in the Exempt Appendix 1.

11. Framework for the Installation of Renewable Technologies to Council Owned Properties

The Executive Director (Communities and People) had submitted a report to seek (i) Cabinet approval to establish a Framework for the provision and installation of renewable technologies to Council owned properties; and (ii) delegated authority for the Executive Director (Communities and People) to appoint suppliers to the Framework.

The Deputy Leader (Statutory) – Finance and Asset Management explained that the Council was anticipating making substantial investment its housing stock though the installation of renewable technologies. It was therefore considered expedient to establish a framework to procure their provision and installation. This would enable procurement to take place in a timely way and without unduly onerous processes, whilst ensuring that best value for the taxpayer was retained.

Cabinet resolved to:

1. **Grant approval** for Oxford City Council to establish a Renewable Technologies Framework under the Public Contracts Regulations 2015 (or successor legislation) for the installation of renewable technologies to Council owned properties;
2. **Delegate authority** to the Executive Director (Communities and People) to agree the final structure of the Renewable Technologies Framework and appoint successful suppliers to all lots on the Framework; and
3. **Delegate authority** to the Executive Director (Communities and People) to procure and award contracts over £1 million procured through the Renewable Technologies Framework.

12. HRA Energy Efficiency Projects 2024/25

The Executive Director (Communities and People) had submitted a report to seek Cabinet approval for HRA Energy Efficiency projects for the financial year 2024/25, and delegated authority to award the necessary contracts.

Councillor Linda Smith, Cabinet Member for Housing and Communities, reported that a capital budget of £7.45m had been allocated to HRA energy efficiency projects for 2024-25, of which c£4m had already been allocated within Social Housing Decarbonisation Fund projects. The report before Cabinet sought approval for the allocation of the remaining funds to energy efficiency projects for 2024-25. Councillor Smith highlighted that these works would bring benefits to residents in the form of warmer homes and reduced energy consumption, as well as helping the Council work towards its targets of getting 95% of its housing stock to Energy Performance Certificate (EPC) C or above by 2030 and achieving net zero carbon emissions as a city by 2040.

Councillor Smith outlined that whilst detailed programmes had yet to be worked up a 'fabric first' (e.g. insulation) approach would be taken, before installing low carbon heating solutions such as air source or ground source heat pumps. It was proposed that the budget would also include delivery of projects on non-traditional properties and improving housing stock energy data.

Cabinet resolved to:

1. **Grant project approval** for Oxford City Council to proceed with energy efficiency projects on HRA properties using the 2024/25 approved budget; and
2. **Delegate authority** to the Executive Director (Communities and People), in consultation with the Head of Financial Services/Section 151 Officer and the Head of Law and Governance, to spend the previously approved remaining HRA 2024 /25 budget, as agreed by full Council in 2023/24, for the purposes of HRA energy efficiency projects including awarding contracts to contractors and consultants to manage and deliver the projects following procurement processes outlined in the constitution.

13. Oxfordshire Councils Charter

The Head of Law and Governance had submitted a report to seek approval of the Oxfordshire Councils Charter, a framework for better partnership working in Oxfordshire including shared commitments and principles.

Councillor Anna Railton, Cabinet Member for Zero Carbon Oxford, reported that the Charter was a non-binding agreement which sought to promote a closer working relationship between the different levels of local government within Oxfordshire. The Charter had been subject to consultation, and also review by a multi-organisational working group.

Cabinet resolved to:

1. **Approve** the Oxfordshire Councils Charter.

14. Minutes

Cabinet resolved to approve the minutes of the meeting held on 17 April 2024 as a true and accurate record.

15. Dates of Future Meetings

Meetings are scheduled for the following dates:

10 July 2024
14 August 2024
11 September 2024
16 October 2024
13 November 2024
11 December 2024

All meetings start at 6pm.

The meeting started at 6.00 pm and ended at 7.02 pm

Chair

Date: Wednesday 10 July 2024

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.