

## CITY EXECUTIVE BOARD

Wednesday 11 September 2013

**COUNCILLORS PRESENT:** Councillors Price (Leader), Brown, Clack, Cook, Kennedy, Lygo, Rowley, Seamons and Tanner.

### **45. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Turner.

### **46. DECLARATIONS OF INTEREST**

Councillor Susan Brown declared a pecuniary interest in agenda item 11 – Jericho Canalside SPD (minute 55 refers) on the grounds that she lives close to the Community centre that will be impacted by this document. She stated her intention to withdraw from the room while this item is considered.

### **47. PUBLIC QUESTIONS**

Full written questions with answers were distributed at the start of the meeting. These are attached to the minutes as appendix one.

Resolved to note the questions and answers provided.

### **48. SCRUTINY COMMITTEE REPORTS**

The following Scrutiny reports (now appended) were submitted to the meeting:-

Allocations Scheme Review  
Customer Contact Strategy  
Treasury Management Quarter 1  
Quarter 1 Spending.

They were considered when the relevant item on the agenda was reached.

### **49. COUNCILLOR ADDRESSES ON ANY ITEM FOR DECISION ON THE BOARD'S AGENDA**

Councillor Jean Fooks attended the meeting and addressed the Board on agenda item 12 – Finance, Performance and Risk; Quarter 1 progress.

### **50. CUSTOMER CONTACT STRATEGY**

The Head of Customer Services submitted a report (previously circulated, now appended) concerning the draft Customer Contact Strategy. The Board was asked to agree this for consultation, following which the proposed strategy for adoption would return to the Board in February 2014.

Councillor Susan Brown (Board member for Benefits and Customer Services) presented the report to the Board and provided some background and context.

The following Scrutiny recommendations were submitted:-

Recommendation 1: To ensure that separate arrangements for consultation with the Business Community are included in the information gathering to inform the final strategy.

Agreed by the Board

Recommendation 2: To explore the use of Skype as a communication tool within this strategy

Councillor Mark Mills (Scrutiny Chair) explained that scrutiny considered Skype to be a useful method to contact customers in specific situations, and asked the Board to consider it.

Comment from the Board: Understanding how our customers wish to engage with us and through which mediums is fundamental to the consultation approach. This and all other communication mediums are to be considered. The consultation findings will be reported to CEB in due course and inform the final strategy. The Board would be willing to investigate the use of Skype in order to ensure that our methods of communication reflect modern conditions, but would not wish to consider it in isolation.

Recommendation 3: To ensure that any service developments are evaluated financially around clear value for money principles.

Agreed by the Board.

Resolved: To approve the Draft Customer Contact Strategy for consultation, with recommendations from Scrutiny as shown above.

## **51. HOUSING STRATEGY ACTION PLAN 2012-16 - PERIODIC REVIEW**

The Head of Housing and Property submitted a report (previously circulated, now appended) concerning the Housing Strategy Action Plan 2012-2016 Periodic Review.

Councillor Scott Seamons (Board Member for Housing) presented the report to the Board and clarified those indicators that were currently red. The Action Plan would go for consultation and return to the Board in December.

Resolved to:-

- (1) Note the progress made against the tasks in the Plan;
- (2) Revise Plan targets as detailed in Appendix B to the Report;
- (3) Note that progress will be reported annually to the Board;

- (4) Note that the refresh of the Housing Strategy Action Plan would return to the Board in December 2013 following consultation with partners.

## **52. HOMELESS ACCOMMODATION SUPPLY**

The Head of Housing and Property submitted a report (previously circulated, now appended) concerning the supply of temporary accommodation in order to meet the Council's duties to homelessness households, and proposes improvements to it.

Councillor Scott Seamons (Board Member for Housing) introduced the report and provided some background and context.

Resolved:-

- (1) To endorse the approach being taken to procure additional properties for temporary accommodation as part of the discharge of the Council's homelessness duties;
- (2) To give project approval to the Homeless Accommodation Supply Project identified in the report, and to grant delegated authority to the Executive Director for Regeneration and Housing in consultation with the Chief Executive to decide on the final management model, to tender contracts to set up and operate a scheme, and to award appropriate contracts and, as necessary, to agree property acquisitions, that are the most financially advantageous for the Council with respect to the Council's Medium Term Financial Plan, following approval from the Council's Head of Finance; and that the final management model will be agreed in consultation with the Leader of the Council, Board Member for Housing and the Leaders of the two Opposition Groups;
- (3) To ask officers report progress to the Board after the first £5million spend to evaluate the impact of the scheme;
- (4) To recommend Council as follows:-
  - (a) That the 2013/14 General Fund Capital Budget be updated with the inclusion of a new scheme, namely "Homeless Property Acquisitions", estimated at £5 million, funded from borrowing, and to include a further £5 million budget in 2014/15;
  - (b) To increase General Fund external borrowing of up to £10 million to finance the capital expenditure.

### **53. ALLOCATIONS REVIEW AND CHANGES TO THE ALLOCATIONS SCHEME**

The Head of Housing and Property submitted a report (previously circulated, now appended) concerning the Allocations Review and changes to the Allocations Scheme.

Councillor Scott Seamons presented this report to the Board and explained the background to it. He added that the Oxfordshire sub-regional Choice Based Lettings scheme was in effect disbanded because there were now different schemes in place across the County. Arrangements for reciprocal lettings were, and would remain, in place.

#### Scrutiny recommendation

A Communications Strategy should be in place to explain the scheme as agreed, what it means for the applicants, alongside some general information on the likelihood of being housed. Communications should include the opportunity for feedback on the scheme itself and the understandability of it.

Agreed by the Board.

The following amendment to the scheme was also AGREED by the Board, following comments from the Scrutiny Housing Panel:-

- (1) Section 1.3 Oxford City Council's Principal Housing Objectives (agenda page 103, bottom of the page)

Changed from:

- To not discriminate against members of the armed forces/former members of the armed forces in housing need, with regard to local connection

To:

- To treat members of the armed forces/former members of the armed forces in housing need, equally with regard to local connection (see section 3.3.3)"

- (2) Section 3.3: Qualification For Inclusion On the General Register List (agenda pages 112, 113)

Added:

"5. The applicant met one or more of the criteria in 1 to 4 above at the time they entered the armed forces, they will then retain this Local Connection when applying for housing on leaving the Armed Forces." & "in accordance with Section 3.4" at the end of each paragraph shown in Sections 3.3.3 & 3.3.4.

Resolved to:-

- (1) Note the proposed changes to the existing Allocation Scheme and responses to consultation;
- (2) Recommend Council to approve the new Allocations scheme (as amended above);
- (3) Give delegated authority to the Head of Housing and Property to introduce the new Allocations Scheme within three months of its approval by Council (in order to allow time to implement the changes);
- (4) To agree to the Council leaving the Oxfordshire sub-regional Choice Based Lettings Scheme.

#### **54. AFFORDABLE HOUSING AND PLANNING OBLIGATIONS - SUPPLEMENTARY PLANNING DOCUMENT - ADOPTION**

The Head of City Development submitted a report (previously circulated, now appended) concerning the Affordable Housing and Planning Obligations Supplementary Planning Document.

Councillor Colin Cook (Board Member for City Development) introduced this report. And commended it to the Board as he felt it would offer further clarity and guidance.

Resolved to:-

- (1) Adopt the Affordable Housing and Planning Obligations SPD;
- (2) Authorise the Head of City Development to make any necessary editorial corrections to the document prior to publication;
- (3) Note that a separate report will go to Council on 30<sup>th</sup> September in order to approve the bringing into force of the CIL on 21<sup>st</sup> November 2013 [to allow a clean break between the old system and the new]. Linked to this, a report will be presented at CEB on 9<sup>th</sup> October to agree the Regulation 123 list that details the infrastructure projects that may be funded in part or whole by CIL.

#### **55. JERICHO CANALSIDE SUPPLEMENTARY PLANNING DOCUMENT - CONSULTATION**

The Head of City Development submitted a report (previously circulated, now appended) concerning the Jericho Canalside SPD Consultation.

Councillor Colin Cook (Board Member for City Development) presented the report to the Board and asked to make one minor change to the draft SPD document as follows:

- Paragraph 6.15 – to remove the reference to 1,000m square gross external area as a guideline for the Community Centre, pending further work with the Community Centre and consultees.

Laura Goddard (Planning Policy) outlined two further changes, the wording of which would be agreed with Councillor Cook and the Head of City development:-

- Paragraph 6.13- planning consent had not lapsed; and the stated 1,400m square gross external area should be 1,600m square;
- Paragraph 6.14 needs further clarity generally and this will be agreed as above.

Laura Goddard indicated that the consultation was expected to start on Friday 13th September and would last for six weeks. The final report would return to CEB in December 2013.

Resolved to:-

- (1) Approve the draft Jericho Canalside SPD for public consultation with amendments as listed above;
- (2) Approve the draft Jericho SPD as a material consideration in determining planning applications;
- (3) Endorse the accompanying Strategic Environmental Assessment screening Report;
- (4) Authorise the Head of City Development to make any necessary editorial corrections to the document prior to publication in consultation with the Board Member.

(Having declared a pecuniary interest in this item, Councillor Susan Brown withdrew from the room whilst the matter was discussed, and took no part in the proceedings)

## **56. FINANCE, PERFORMANCE AND RISK - QUARTER 1 PROGRESS**

The Executive Director, Organisational Development and Corporate Services submitted a report (previously circulated, now appended) that updated the Board on Finance, Risk and Performance at the end of Quarter 1 (30<sup>th</sup> June 2013)

In the absence of the Board Member for Finance, Efficiency and Strategic Asset Management, Councillor Bob Price presented this report to the Board. He invited Councillor John Tanner, Board Member for Cleaner, Greener Oxford, to introduce the section on recycling rates.

Councillor Jean Fooks attended the meeting and addressed the Board on the contents of this report.

### Scrutiny Recommendations

The following recommendations were submitted:-

Recommendation 1: To express concern about the availability of resources to deliver the Capital Programme.

Response: The Council's 2013/14 capital programme is significantly greater than in previous years. The administration involved in delivering this programme is similarly considerable and whilst every effort is made to use the councils in-house resources there are occasions when this is not always possible. Consequently the monitoring report identifies a number of additional external posts which will be required to facilitate key capital projects.

Recommendation 2: To reconsider the reporting of the Commercial Property rental measure using dates that align to produce a more accurate picture of performance.

Response: Agree that the reporting of this indicator needs improving to mitigate the timing differences highlighted in the report. Officers will ensure that this is undertaken going forward

Recommendation 3: That the City Executive Board bring forward their strategy for the provision of contingencies with the forthcoming medium Term Financial Strategy to the next meeting of the Panel in November.

Response: The Medium Term Financial Plan and Consultation Budget for 2014-15 is scheduled to be presented to CEB in December 2013 at which point the Finance Panel will be able to consider the strategy for the provision of contingencies in the context of the pressures and risks identified.

Resolved to:-

- (1) Note the financial position and performance of the Council for the first quarter of 2013/14, and also the position of risks outstanding as at 30<sup>th</sup> June 2013;
- (2) That the Council's performance indicator for the Recycling Rate Target be amended to a floor target of 44% for 2013/14 and 2014/15, and to 45% for 2015/16 and 2016/17 in accordance with paragraph 8 of the report. The Council still aspires to reach a 50% target for recycling;
- (3) That the Board agrees that the weight of residual waste per household, per annum, should in future be used as the Council's key indicator (published in the Corporate Plan) to measure its recycling performance in accordance with paragraph 8 of the report.

## **57. TREASURY MANAGEMENT ANNUAL REPORT**

The Head of Finance submitted a report (previously circulated, now appended) that outlined the Council's treasury management activity and performance for 2012/13.

Nigel Kennedy (Head of Finance) presented the report to the Board and provided some background and context.

## Scrutiny Recommendations

The following recommendations were submitted:-

Recommendation 1: To raise the non-specified investment limits from their current levels and redefine what is grouped in this area to manage risk, in an effort to encourage investment diversity and higher rates of return.

Response: The limit on non-specified investments contained within the Treasury Management Strategy agreed by Council in February 2013 is 25% of the total investment portfolio. Non-specified investments are considered inherently more risky in nature, but are used to increase the diversity, the number of counterparties.

The Council already makes use of non-specified investments including non-rated building societies and to a limited extent property funds. The Council is actively considering placing further deposits with property funds to gain higher rates of interest. However, property funds require longer term investments which are more illiquid.

As a consequence the 25% limit is considered reasonable given the level of 'core cash' held and our advisors assessment of the amount of risk the council should bear.

Recommendation not accepted by the Board.

Recommendation 2: Wherever it provides for good value for money to consider using investment funds for internal borrowing in order to avoid prudential borrowing.

Response: Agreed - where it provides better value for money the Council will continue to use internal rather than external borrowing, i.e. where the return on investment income is less than interest payable on PWLB loans.

Resolved to note the report.

## **58. TRANSFERS FROM HOUSING REVENUE ACCOUNT TO GENERAL FUND**

The Head of Finance submitted a report (previously circulated, now appended) that sought approval for the transfer of assets from the HRA to the General Fund, together with a proportion of HRA cash balances.

Jackie Yates (Executive Director for Organisational Development and Corporate Services) presented the report to the Board and provided some background and context. The Board noted that the proposed £7million transfer was to be used in such a way that it could in future achieve long term savings and solid value; and should not be allowed to fund ephemeral schemes of the moment, no matter how well meaning.

Resolved to recommend that Council:-



- (1) Transfers the non-dwelling assets identified in Appendix B of the report with a net book value of around £18 million from the HRA to the General Fund;
- (2) Transfers with immediate effect cash balances of £7 million from the HRA to the General Fund in order to fund future projects that achieve on-going General Fund savings.

#### **59. 15 - 19 GEORGE STREET - LEASE RESTRUCTURE**

The Head of Housing and Property submitted a report (previously circulated, now appended) that sought approval for the restructuring of the lease of the part basement and upper floors and roof of 15-19 George Street in order to facilitate a hotel development.

Jane Winfield presented the report to the Board and provided some further detail of what was proposed.

Resolved to:-

- (1) Approve the acceptance of a surrender of the existing lease, together with the simultaneous grant of an Agreement for Lease, to be followed by a new lease of the part basement, upper floors and roof of 15-19 George Street for hotel development; on the terms and conditions attached in the “not for publication” appendix to the report, and otherwise on terms and conditions to be approved by the Service Manager of Regeneration and Major Projects;
- (2) Give authority to the Service Manager of Regeneration and Major Projects to vary the proposed terms as detailed herein, in line with any further negotiation with the tenant, provided the transaction continues to represent best consideration.

#### **60. LANHAM WAY - COMPULSORY PURCHASE**

The Head of Housing and Property submitted a report (previously circulated, now appended) concerning a proposed Compulsory Purchase Order for a property in Lanham Way, Oxford.

Councillor Bob Price, Leader of the Council, explained that in the light of very recent correspondence on this item, consideration of it should be deferred pending further legal discussions.

Resolved to defer this item to the next meeting of CEB.

## **61. GAMBLING POLICY - UPDATE**

The Head of Environmental Development submitted a report (previously circulated, now appended) concerning the Council's Statement of Licensing Policy.

Councillor Colin Cook, Board Member for City Development, presented the report to the Board. Julian Alison (Licensing Team Leader) clarified that the Council was able to formally adopt a "no casino" policy as its Council meeting, should it wish to do so.

Resolved to:-

- (1) Approve the recommendation of the Licensing and Gambling Acts Committee that the draft revised statement of Gambling Licensing Policy be recommended to Council for adoption, and,
- (2) Recommend to Council that the said Policy be adopted, including the re-adoption of a "no casinos" policy.

## **62. TAXI LICENSING: EURO EMISSIONS AND VEHICLE AGE LIMITS**

The Head of Environmental Development submitted a report (previously circulated, now appended) concerning the age limits and euro emissions of Hackney Carriages and Private Hire Vehicles.

Councillor Colin Cook, Board Member for City development, presented the report to the Board. He confirmed that the taxi licensing trade had been consulted on this issue.

The Board noted that the Law Commission was due to report on the reform of Taxi and Private Hire Services at the end of 2013, but that any proposed reforms were unlikely to come into force during the lifetime of the current Government. The age limits proposed to Council would not take effect until after 1<sup>st</sup> January 2016 in order to allow both a lead in period for the taxi trade, and a period for further progress in relation to the Law Commission proposals.

Resolved to recommend to Council the following age limits for Hackney carriage and Private Hire Vehicles:-

- New Hackney Carriage and Private Hire Vehicles – 5 years;
- Existing Hackney Carriage Vehicles – 12 years;
- Existing Private Hire Vehicles -10 years.

## **63. HACKNEY CARRIAGE VEHICLE LICENSES - REGULATION OF NUMBERS**

The Head of Environmental Development submitted a report (previously circulated, now appended) concerning the policy on Hackney Carriage Quantity Control.

Councillor Colin Cook, Board Member for City Development presented the report to the Board, and confirmed that no change to present arrangements was proposed.

Resolved to:-

- (1) Approve the recommendation of the General Purposes Licensing Committee that accepted the conclusions of the hackney carriage "unmet demand" survey report prepared by Halcrow Group Limited, that there is currently no significant unmet demand for hackney carriage vehicles;
- (2) Agree that there is currently no significant demand for the services of hackney carriage vehicles which is unmet and to therefore resolve to maintain the Council's policy of quantity control on the number of hackney carriage vehicle licences;
- (3) Agree that a further unmet demand survey be commissioned in 2015, subject to any future changes to legislation,

And that the above is therefore recommended to Council.

#### **64. FUTURE ITEMS**

Nothing was raised under this item.

#### **65. MINUTES**

Resolved to confirm as a correct record the minutes of the meetings held on 10th and 31<sup>st</sup> July 2013.

#### **66. MATTERS EXEMPT FROM PUBLICATION**

Resolved to exclude the press and public from the meeting during consideration of the items in the exempt from publication part of the agenda in accordance with the provisions in Paragraph 21(1)(b) of the Local Authorities (Executive Arrangements) (England) Regulations 2000 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 and that, in all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

Summary of business transacted by the Board after passing the resolution contained in minute 66

The Board received and noted the contents of not for publication appendix to the reports at item 15 (minute 59 refers).

The Board noted that the report at item 16 had been deferred to the next meeting (minute 60 refers).

**67. 15-19 GEORGE STREET - LEASE RESTRUCTURE**

The Board received and noted the contents of a not for publication appendix (previously circulated, now appended) to the report at agenda item 15 (minute 59 refers)

The Board decided not to release the appendix from confidentiality because the information contained within it was, and remains, commercially sensitive.

**68. LANHAM WAY - COMPULSORY PURCHASE**

Resolved to note that this item had been deferred to the next meeting (minute 60 refers)

**The meeting started at 5.00 pm and ended at 6.16 pm**

## APPENDIX 1

### Public Questions for CEB, 11/9/2013.

From Mr Nigel Gibson.

### Agenda Item 10, Affordable Housing and Planning Obligations

**Question 1: Can you please confirm the number of people currently on the Housing Register, reported as 4,700 in a recent edition of the Oxford Mail?**

Reply: As of 6<sup>th</sup> September 2013 there are 4,789 households on the housing register.

**Question 2: Can you supply the numbers of people in each of the five housing bands that comprise the Housing Register?**

Reply:

Band 1: 58  
Band 2: 403  
Band 3: 1312  
Band 4: 90  
Band 5: 2926

**Question 3: There seems to be a continual emphasis, focus and drive on increasing the amount of social housing; can you please explain why you believe there is such a demand for housing in Oxford that you need to afford spending on new housing such a priority?**

Reply: The city has in recent years experienced a booming housing market with rising house prices, comparable to London. This has led to open-market housing becoming more difficult to obtain and expensive, and has limited the supply of affordable housing. According to Cities Outlook 2013, Oxford has overtaken London as the UK's least affordable city in terms of housing. The average house price in Oxford is £380,000 while the average salary is £25,800. Average Oxford house prices are now nearly fifteen times higher than average annual incomes. Owner-occupied housing is increasingly out of the reach of people on lower incomes. Oxford is also the least affordable city in the UK for private rented housing.

This has caused problems for existing residents wanting to relocate within their local community, and for younger people wanting to buy in Oxford. There are severe pressures on the housing stock, with concentrations of homes in multiple occupation and many homeless and other vulnerable people. The lack of housing, especially affordable housing, can also make it difficult for employers to retain and recruit staff.

The City Council therefore has provision of new housing, and particular affordable housing, as one of its top priorities, due to the clear impacts that the housing

problem is having on local communities and the local economy. The City Council's approach and further justification is set out in the Corporate Plan.

### **Agenda Item 12, Finance, Performance and Risk Quarter 1 Performance**

**Question 4: What proportion of the reported percentage recycling rate (target amended to 44% and 45% in this meeting) is actually non-recyclable, ie has been placed (for whatever reason) in the incorrect bins?**

Reply: Each month, a percentage of the domestic and trade recyclate collected and taken to the recycling plant is contaminated with waste that cannot be recycled and as a result it is sent to an energy from waste plant. The main reason for such contamination is due to items being placed in the incorrect bin.

The table below features both the tonnage and % of recycled and contaminated material for the first quarter of 2013. The average is an impressive 3.09%, a huge decrease compared to the first quarter in 2012 which was 1.27% higher at 4.36%.

	<b>Quarter 1 2013</b>		
	<b>April</b>	<b>May</b>	<b>June</b>
<b>Tonnes for recycling (commingled)</b>	1192.62 <b>(97.16%)</b>	1352.73 <b>(96.65%)</b>	1255.51 <b>(96.91%)</b>
<b>Tonnes rejected to landfill (contamination)</b>	34.86 <b>(2.84%)</b>	46.89 <b>(3.35%)</b>	40.03 <b>(3.09%)</b>

**Question 5: What is the actual value of waste (in terms of tonnes or other similar metric, not a ratio), in total, and split between recyclable and non-recyclable, disposed for by or on behalf of the Council for each of the last three years?**

Reply: The table below shows both the total tonnage of refuse (landfill) waste and recyclate material for the previous three years.

<b>Year</b>	<b>Refuse (tonnes)</b>	<b>Recyclate (commingled &amp; compost – tonnes)</b>	<b>Total (tonnes)</b>
2010-2011	32,906,64	21,280,57	54,187,21
2011-2012	31,235,95	22,184,31	53,420,26
2012-2013	30,840,01	23,099,14	53,939,15

The figures reveal that there has been a year on year decrease in refuse waste by an average of 1033.32 tonnes while recyclate has continued to increase at an average rate of 909.29 tonnes per year.

**Question 6: Following on from the previous question, what is the target reduction in total waste from these actual figures for the next two years?**

Reply: There are many variables associated with compiling a total waste figure, not least the annual changes in the number of households and the changes to the number of different items that can be recycled. The only weight measured target involves the number of kilograms of residual waste (non-recyclate) collected per household which is targeted to reduce by a total of 3.38% over the next two years.

**Question 7: Budget Monitoring Report Para 15 lists “Mitigating” Actions, including no 3, Additional car park income of £50,000. Can you please explain where this additional income came from, and if it was indeed planned as a mitigation against anticipated overspend in other areas?**

Reply: The increased car park income of £50k represents 0.6% of total car parking income and is an unbudgeted ‘mitigation’ against the budget pressures which have arisen this year in Direct Services. There is no specific reason for the increased income with the variation being within the normal tolerance of what would be expected.

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