

MINUTES OF THE SCRUTINY COMMITTEE

Monday 7 March 2016

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COUNCILLORS PRESENT: Councillors Simmons (Chair), Hayes (Vice-Chair), Coulter, Darke, Gant, Hollick, Henwood, Lloyd-Shogbesan, Smith, Taylor, Pegg and Cook.

BOARD MEMBERS PRESENT: Councillor Dee Sinclair and Councillor Susan Brown

OFFICERS PRESENT: Jeremy Franklin (Lawyer), Simon Manton (Community Response Team Supervisor), Paul Wilding (Programme Manager Revenue & Benefits), Andrew Brown (Scrutiny Officer) and Catherine Phythian (Committee Services Officer)

97. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Fry (substitute Councillor Cook).

98. DECLARATIONS OF INTEREST

There were no declarations of interest.

99. UNIVERSAL CREDIT DELIVERY PARTNERSHIP AGREEMENT

The Revenues & Benefits Programme Manager presented the report. The Executive Board Member, Customer and Corporate Services was also present to answer the Committee's questions.

In response to questions the Revenues & Benefits Programme Manager and the Executive Board Member, Customer and Corporate Services confirmed that:

- the Council was actively seeking to safeguard jobs through the use of fixed term contracts, active redeployment and forward planning and did not expect to lose any permanent members of staff
- there was a mechanism in place for the Council to feedback to DWP concerns about problems encountered during the online application process

- the Council was providing support to clients during the online application process. The current cohort of applicants tended to be ICT literate and so the level of support required was currently manageable, however, there was an expectation that demand would increase in the future and put pressure on resources
- the Council was talking to local libraries about the services on offer to support online applications

The Committee expressed particular concern that the timescales of the application process meant that it was inevitable that clients would accrue rent arrears. They were pleased to note that the Council was seeking to address this situation through discussions with Job Centre Plus about a pilot scheme on referrals and that the Council's own Housing service was working with local housing associations on solutions to the problem.

The Committee AGREED to submit the following recommendations to the City Executive Board:

1. That the Board Member write to the County Council encouraging them to promote library access and services to support customers making Universal Credit applications
2. That appropriate workforce planning is conducted to ensure future demand for support can be met by the Council
3. That consideration should be given to the Council doing more work with social landlords to address the problem of rent arrears

100. WORKING WITH THOSE ALREADY NEET (NOT IN EMPLOYMENT, EDUCATION OR TRAINING) - APPLICATION TO EUROPEAN STRUCTURAL & INVESTMENT FUND

The Revenues & Benefits Programme Manager presented the report. The Executive Board Member, Customer and Corporate Services was also present to answer the Committee's questions.

In discussion the Committee noted that:

- the unemployment level for under 25s in the county remained relatively high at 4% compared to the overall unemployment level of 1%
- this would be a county wide service and an important example of how the local authorities could work together with partner organisations
- the County Council had elected not to bid in its own right but to participate as a partner organisation
- there was scope to change partners during the bid process
- the project focus was on getting people into work; there were no formal measures to track the longer term success and sustainability of those positions but the Council would be aiming to identify sustainable outcomes

The Committee NOTED the report and confirmed their support for the bid.

101. WATERWAYS PUBLIC SPACE PROTECTION ORDER: PRE-CONSULTATION

The Chair welcomed the members of the public to the meeting and set out the procedure that the meeting would follow. He explained that the Scrutiny Committee would consider the Waterways PSPO report and if necessary make recommendations to the City Executive Board. . He stressed that the decision to proceed with consultation on the Waterways PSPO was a matter for the City Executive Board.

Councillor Sinclair, Executive Board Member, Crime, Community Safety and Licensing and the Community Response Team Supervisor presented the report. They said that the draft PSPO was intended to promote appropriate behaviours on the City waterways and to improve the overall environment for the boating community, residents and all visitors and users of the river and riverbanks.

The Committee heard addresses from Councillor David Thomas and from the following members of the public:

- Dr Alex J Wood – representing members of the boating community
- Mr Edward Surridge – member of the boating community
- Sharyn Hyde – member of the boating community
- Julian LeVay – representing residents of Abbey Road
- John Ody – member of the boating community

Copies of the public addresses (where available) and additional written submissions to the Committee are published in a supplement to these minutes.

The Committee recognised that there are a number of issues affecting Oxford waterways and its users that should be addressed.

The Committee identified a number of concerns about the proposed consultation, including but not limited to:

- The need for early engagement with key stakeholders, such as multiple landowners in order to seek their views prior to a public consultation
- Whether some issues could be resolved if a more collaborative approach was taken to addressing these with interested parties such as UMBEG (Unlawfully Moored Boat Enforcement Group) and NBTA (National Barge Travellers Association)
- The need to provide more context and explanation as to why a PSPO is being considered and what difference it could make, including a preamble to the consultation
- The need for robust plans and sufficient time in order to engage with people who may be affected by the proposed PSPO and for officers to hand-deliver consultation letters, given that these people may move in and out of accommodation on the waterways and that this accommodation may move in and out of the city

- The need to allow sufficient time after the consultation to reflect on responses received

The Committee also expressed reservations about the robustness of the evidence presented in Appendix 1. These included concerns about the following:

- the age and relevance of some of the instances presented
- a lack of evidence to justify including some specific Oxford waterways, such as the river Cherwell, in the proposed restricted area and the rationale for the choice of boundaries

The Committee also felt that the wording of the draft PSPO should be reviewed, in particular but not limited to:

- That the wording of part c) 'no person shall store items...or erect structures' had significant implications for the homeless population
- That the wording of part d) 'no person shall create smoke...causing annoyance to others' could potentially include boat owners burning wood fuel to heat their boats, which should be treated differently from, for example, diesel fumes being emitted for a long period of time from stationary vessels. The Committee questioned whether smoke nuisance issues could be dealt with using existing environmental powers.
- That the wording of part e) 'No person shall tamper with the waterways habitats' is too unclear given that many habitats require active management and conservation.
- That the wording of part g) 'in charge of more than four dogs' could potentially include 'the lady with several small poodles'.

There was also some discussion about whether the validity of the proposed PSPO could be legally challenged.

In conclusion the Committee reflected as to whether the issues and concerns raised should be picked up during the proposed consultation or addressed before the start of the proposed consultation. The Committee then voted on which of the following two proposals to support:

1. Proceed with the consultation as planned with the existing documentation and PSPO as currently drafted
2. Revise the documentation, PSPO and consultation proposals in collaboration with interested parties before consulting on an improved proposal for an Oxford waterways PSPO

By majority vote the second proposal was agreed.

The Committee AGREED to submit the following recommendation to the City Executive Board:

1. That the Council should revise the documentation, draft Public Spaces Protection Order (PSPO) and consultation proposals in collaboration with

interested parties before consulting on an improved proposal for an Oxford Waterways PSPO.

102. PERFORMANCE REPORT - Q3 2015/16

The Committee NOTED the contents of the report.

103. WORK PROGRAMME AND FORWARD PLAN

The Committee reviewed the work programme and Forward Plan and AGREED to include the Discretionary Housing Payment Policy on the agenda for the April meeting.

The Chair encouraged the Committee to start considering what topics they wished to include on the work programme for the next Council year. The Committee AGREED that the following two topics should be added to the work programme:

1. Devolution Plans for Oxfordshire
2. The Oxfordshire Credit Union

104. MEMBERSHIP OF HOUSING STANDING PANEL

The Chair informed the Committee that Councillor Hollick had resigned from the Scrutiny Housing Panel. He explained that the Committee could decide to carry the vacancy for the rest of the Council year or, on the basis of the operating principles agreed in June 2015, the vacancy could be filled by an opposition member. He said that nominations had been received from Councillor Thomas and Councillor Gotch.

The Committee confirmed that they wished to appoint a new member to the Scrutiny Housing Panel.

Councillor Thomas addressed the Committee on his reasons for wishing to serve on the Housing Scrutiny Panel.

Councillor Smith, Chair of the Scrutiny Housing Panel, proposed Councillor Gotch as the new member of the Panel. This was seconded by Councillor Gant. On being put to the vote Councillor Gotch was appointed to the Scrutiny Housing Panel.

The Chair thanked Councillor Hollick for his contribution and commitment to the work of the Scrutiny Housing Panel.

105. REPORT BACK ON RECOMMENDATIONS

The Scrutiny Officer presented the report and confirmed that the majority of the recent recommendations had been accepted by the City Executive Board. He said that the City Executive Board responses to the Guest House Review Panel recommendations would be presented to the next meeting.

The Committee NOTED the contents of the report.

106. MINUTES

The Committee resolved to APPROVE the minutes of the meeting held on 2 February 2016 as a true and accurate record, subject to the following correction:

Item 87: Declarations of interest

Cllr Pegg: as a trustee of the Rosehill and Donnington Advice Centre

107. DATES OF FUTURE MEETINGS

The Committee NOTED the dates of the future meetings.

The meeting started at 6.15 pm and ended at 8.10 pm