

**To:** City Executive Board  
**Date:** 17 November 2016  
**Report of:** Head of Planning and Regulatory Services  
**Title of Report:** CIL - Neighbourhood funds towards the Pedestrianisation of Queen St.

<b>Summary and recommendations</b>	
<b>Purpose of report:</b>	<ol style="list-style-type: none"> <li>1. Agree the payment of £500,000 to Oxfordshire County Council towards the costs of the pedestrianisation of Queen Street.</li> <li>2. To authorise arrangements for Oxford City Council to enter into an agreement with Oxfordshire County Council for this sum.</li> </ol>
<b>Key decision:</b>	Yes
<b>Executive Board Member:</b>	Cllr Alex Hollingsworth, Planning and Regulatory Services
<b>Corporate Priority:</b>	Vibrant and Sustainable Economy Strong and Active Communities A Clean Green Oxford.
<b>Policy Framework:</b>	None
<b>Recommendations:</b> That the City Executive Board resolves to:	
<ol style="list-style-type: none"> <li>1. <b>Agree</b> to the expenditure of £500,000 of the CIL Neighbourhood Portion to be paid to Oxfordshire County Council towards the Queen Street pedestrianisation scheme</li> <li>2. <b>Delegate authority</b> to the Executive Director of Regeneration &amp; Housing in consultation with the Board Member for Planning and Regulatory Services the power to negotiate and enter into an agreement with Oxfordshire County Council to provide for:                         <ol style="list-style-type: none"> <li>i. The approval of the scope and specification of works and detailed designs having regard to the views of the then members of the West Area Planning Committee and the Oxford Design Review Panel (and to agree amendments and a programme for implementation),</li> <li>ii. Independent audit of the costs and valuation of works.</li> <li>iii. Payment of up to £500,000 to Oxfordshire County Council in respect of the</li> </ol> </li> </ol>	

<p>execution of the works</p> <p>iv. Payment terms and conditions</p> <p>v. Incidental provisions including timing of works and the prior approval of publicity material including site boards and press releases and statements</p>
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<b>Appendices</b>	
Appendix 1	Risk Assessment

**Introduction**

1. The City Council brought the Community Infrastructure Levy (CIL) into effect on 21 October 2013. The levy is a standard charge towards the cost of infrastructure and to support development in the city.
2. CIL receipts are split into 3 portions. 80% of the CIL receipts must be used for funding the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of the Council’s area. 5% of the CIL receipts are spent on administration of the process.
3. The remaining 15% is known as the Neighbourhood Portion. In the non-parished areas, the CIL regulations allow for a proportion of levy receipts to be used for a wider range of things than the rest of the levy:
  - the provision, improvement, replacement, operation or maintenance of infrastructure; or
  - anything else that is concerned with addressing the demands that development places on an area.
4. It was agreed at CEB on 19 May 2016 that in areas without parish councils or neighbourhood plans the City Council would allocate:
  - up to £5k per ward (£2,500 per ward member of non parished wards) to be paid annually for use within these wards (total £105k) and
  - the remaining CIL neighbourhood portion to be spent by the City Council in line with paragraph 3 above.
5. It is the intention to use the majority of current remaining CIL neighbourhood portion funds (up to £500,000) towards the pedestrianisation of Queen Street.

**Queen Street Pedestrianisation**

6. It has been a long term aspiration of the City Council to have full pedestrianisation of Queen Street, especially with the opening of Westgate in Autumn 2017. The pedestrianisation of Queen Street has the potential to improve pedestrian safety and mobility, improve the environment and make the general city centre experience more enjoyable. This could in turn increase vibrancy, vitality and the economy. Pedestrianisation might include cycles, but only if it can be demonstrated that a ‘shared space’ approach is practical and safe in this crowded and restricted street with concentrated pedestrian flows.

7. The County Council is seeking to implement a scheme for the full pedestrianisation of Queen Street. This would include improvements to the public realm and changes to the bus routing. The County Council has calculated that the cost of the scheme would be £1.97m. The public realm works in Queen Street are estimated at £1m with the remaining being the enabling works required to pedestrianise Queen Street. The County Council has agreed to fund £170,000 from existing S106 contributions it holds. The Local Enterprise Partnership (LEP) has agreed to fund £1.3m from recycled Local Transport Board (LTB) funding. This leaves £500,000 to be funded from the neighbourhood portion of CIL.
8. The funding from the City Council would be used to fund 50% of the public realm works in Queen Street. As a co-funder of the public realm, the City Council will work with the County Council on the scheme and will seek input into the design of the public realm in Queen Street as a condition of the contribution. A further condition of funding would be that the scheme is reviewed by Oxford Design Review Panel and its recommendations given due consideration. We would also need to see results of the current consultation reflected in the implementation of the scheme.
9. It is recommended that the City Executive Board delegate to the Executive Director of Regeneration & Housing the authority to agree the terms of an agreement with the County Council, for the part funding of this scheme the maximum payment to be made by the City Council being £500,000.
10. It is expected that any agreement;
  - a. Would require the approval of the City Council (to be given by the Executive Director of Regeneration & Housing) to the specification of works and the detailed design of the scheme. That approval would not be given without seeking and taking account of the views of the members of the West Area Planning Committee and the Oxford Design Review Panel. Minor amendments and a programme for the execution of work could be approved simply by the Executive Director of Regeneration & Housing.
  - b. Independent audit of the costs and valuation of works
  - c. Would not involve the City Council in the commissioning of works or instruction of contractors. Obligations upon the City Council would be limited to part funding the scheme by payment to the County Council.
  - d. Would provide for the circumstances in which the part payment would be made. It could provide for phased payments to be made on the satisfactory completion of identified elements of the scheme or it could provide for payments in advance. In the case of anything other than a single payment after satisfactory completion of the entirety of the scheme the City Council would require repayment provisions in the event of the scheme not being satisfactorily completed. If the costs of the scheme exceed those currently anticipated the £500,000 would not be increased. If they are less then as the City Council's payment is intended to fill the funding gap, it would be reduced by the full amount of the cost reduction. At completion of the scheme verified financial information would be required to ascertain if there had been an underspend and if any refund was due.
  - e. Would cover miscellaneous related issues. These would include the prior approval of publicity material relating to the scheme. They would also include provisions relating to the provision of information to allow the City Council to

satisfy itself as to the satisfactory execution of the works and to consult as part of the process of giving approval to the detailed design.

### **Financial implications**

11. As at 30 September 2016 the balance of CIL funding allocated to unparished neighbourhoods was over £550,000. This balance is forecast to increase to around £750,000 by 31 March 2017 and will therefore meet the Council's commitment to fund ward members budgets in 2016/17 and make a £500,000 contribution to the pedestrianisation of Queen Street.

### **Legal issues**

12. Legal issues have been addressed within the report.

### **Level of risk**

13. A risk assessment has been undertaken (Appendix 1). All risks have been mitigated to an acceptable level.

### **Equalities impact**

14. No equalities impacts arise from this report.

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**Background Papers:** Report to LEP (date to be confirmed)