

Minutes of a meeting of the CITY EXECUTIVE BOARD on Tuesday 22 May 2018

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Committee members:

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| Councillor Brown (Chair) | Councillor Chapman |
| Councillor Clarkson | Councillor Hayes |
| Councillor Hollingsworth | Councillor Rowley |
| Councillor Smith (Deputy Leader) | Councillor Tidball |
| Councillor Turner | Councillor Upton |

Officers:

Gordon Mitchell, Chief Executive
Tim Sadler, Executive Director Sustainable City
Caroline Green, Assistant Chief Executive
Nigel Kennedy, Head of Financial Services
Anita Bradley, Monitoring Officer
Andrew Brown, Committee Services Manager
Paul Wilding, Programme Manager Revenue & Benefits
John Mitchell, Committee and Member Services Officer

Apologies:

None.

6. Declarations of Interest

Cllr Upton declared a pecuniary interest in relation to item 9 on the agenda, having shares in Low Carbon Hub IPS.

7. Addresses and Questions by Members of the Public

None.

8. Councillor Addresses on any item for decision on the Board's agenda

None.

9. Councillor Addresses on Neighbourhood Issues

None.

10. Items raised by Board Members

None.

11. Scrutiny Committee Reports

In the unavoidable absence of the Chair and Vice Chair of the Scrutiny Committee and the Scrutiny Officer the two Scrutiny reports were introduced by the Committee and Member Services Manager.

Discretionary Housing Payments Policy

This was a matter which had previously been considered by the Committee, most recently in October 2017 and November 2016. The Committee had noted that there were considerable fluctuations in the level of grant funding and that the Council had the power to top up the money available for this purpose if it wished. Notwithstanding the existence of the hardship fund to assist those affected by the introduction of Universal Credit, the Committee wished to recommend that the Board give consideration to topping up the Discretionary Housing Payment (DHP) grant provided by the government for the reasons outlined in the report.

The Board's response to the Committee's recommendations was given at that item on the agenda (see below).

Oxford Town Hall

The Committee had commissioned a report to look at how the Town Hall was being promoted and, in considering this, the report touched on the issue of accessibility to it. The Committee's consideration of the report had concluded with three recommendations relating to: a review of charges made for the use of certain facilities (e.g. voice enhancers); the assembly of data about town hall use, including by different groups and community organisations; and the need for further work to make the key public areas of the Town Hall equally accessible for all users.

The Chair apologised for the fact that neither she nor Cllr Tidball had been able to attend the Committee meeting at which it had been discussed as they had been attending compulsory planning training. It was regrettable that neither of them had had the opportunity for an earlier sight of the report, not least because of Cllr Tidball's considerable previous involvement with matters of access in relation to the Town Hall. Rather than responding in detail now to all of the Committee's recommendations it would be preferable for the Chair and Cllr Tidball to return to the Board at a future date with a report to address the matters raised.

Cllr Tidball supported some of the principles set out in the report, such as the desirability of collecting good data about the use of the Town Hall to inform strategies to increase inclusivity and accessibility. Some matters needed finessing. In relation to charging, for example, it would be appropriate distinguish different types of event such as music and conference events and to charge for voice enhancers to be used as a conferencing system, but not for their use as a hearing loop facility. The audit undertaken of Town Hall accessibility was very comprehensive and, once signed off, would be central to future decisions about these matters.

The City Executive Board resolved to:

Accept recommendations 1 and 2 of the Scrutiny Committee's report, subject to the recognition of the fact that charging is appropriate in some circumstances; and

Agree that the Chair and Cllr Tidball should bring a further report to the Board in due course.

12. Clean Bus Technology Retrofit Scheme

The Executive Director, Sustainable City, had submitted a report which sought project approval to retrofit buses in Oxford with emissions reduction equipment, in the interest of improving air quality, following an award of £1,662,930 from the Joint Air Quality Unit, DEFRA.

Cllr Hayes introduced the report. It was pleasing that the Council had been able to take advantage of the opportunity to access central government funding for the benefit of the City and its residents. The award of the funding and the resultant scheme should properly be regarded as a great success. Air pollution was a matter of great concern and any significant contribution to mitigating its harmful effects were to be welcomed. He paid tribute to the work of officers in bringing the scheme to fruition. The report's recommendations were agreed subject to the addition of the Board Member for Safer, Greener Environment as a consultee in recommendation 2.

The City Executive Board resolved to:

1. **Grant** project approval for the bus retrofit programme outlined in this report; and
2. **Delegate** to the Executive Director of Sustainable City, in consultation with the: Board Member for Safer, Greener, Environment; Monitoring Officer and Section 151 officer, the authority within the funding envelope provided by the Council to enter into appropriate agreements with :
 - a) the Council's bid partners; and
 - b) third parties required to deliver the project subject to their being selected under an appropriate procurement process.

13. Extension of Loan to Low Carbon Hub IPS

Cllr Upton left the room.

The Head of Financial Services had submitted a report to request that the City Executive Board approves the extension of a loan facility to the Low Carbon Hub.

Cllr Turner introduced the report. The work of the Hub was to be commended, and the project was proceeding well. Repayments, with the agreed interest, were all being made as agreed. The project continued to represent good value for residents and the Council alike.

The Chief Financial Officer confirmed that the project offered good security and, having undertaken due diligence on the financial standing of the Hub, had no hesitation in commending the report's recommendations to the Board.

The City Executive Board resolved to:

1. **Approve** an extension of the availability period of the Council's current loan agreement with the Low Carbon Hub, so that the remaining £1.3m of outstanding loans are repayable by the Low Carbon Hub by 29 March 2019, on similar terms as those applying to the existing loan facility; and
2. **Agree** that a supplemental agreement be entered into with the Low Carbon Hub setting out the terms of this loan extension period.

14. Review of Discretionary Housing Payment policy

Cllr Upton returned to the room.

The Head of Financial Services had submitted a report to seek the City Executive Board's approval to amend the current Discretionary Housing Payment policy and to note the trends in expenditure detailed in the report.

The Chair introduced the report, reminding those present this was the annual review of the Council's approach to the use of Discretionary Housing Payments (DHP).

The Revenues and Benefits Programme Manager noted that this was the first time since 2013 (when the current policy had been introduced) that there had been little need to make significant changes to the policy.

With regard to the Scrutiny Committee's recommendation, the Chair understood why it sought to top up the DHP fund. This aspiration did not, however, take account of the fact that it was hard to predict where the need for support would occur next and DHPs were, by their nature, very narrowly targeted. The hardship fund could, on the other hand, be deployed more flexibly and, critically, before families and individuals could even be considered for a DHP. If an increase in funding was needed to support vulnerable families, then it would be preferable for the hardship fund to be topped up rather than the DHP fund. It was noted that changes in DHP grant funding from year to year had reflected changes to the benefits regime at a national level. While the Council's grant funding had been reduced for 2018/19, no new demand was expected to arise from benefit changes.

Concern was expressed that the Scrutiny Report appeared to suggest that the agreed DHP policy criteria were being applied with varying degrees of consistency as a direct response to (and to ameliorate the consequences of) varying levels of funding. This was patently not the case and, for the avoidance of doubt, the record should be corrected. To that end, the Scrutiny Committee should be asked to make this clear in its next minutes.

In discussion it became clear that while the priorities for the allocation of DHPs had been fine-tuned from year to year to target those with the greatest need (e.g. families

prioritised over single people) the policy at a particular time had always been applied consistently. In practice, no one who needed access to the fund had been denied it.

Cllr Tidball said that representations would be made to the Government about a number of groups for whom additional help seemed likely to be needed. These included those for whom Universal Credit payments were delayed; young people as they reach the age of 20 and are in certain categories of education and or have special educational needs or a disability; and those discharged from hospital or prison. In the absence of a satisfactory national response additional local support may be necessary.

The City Executive Board resolved to:

Approve the amendments to the current Discretionary Housing Payment policy and to note the trends in expenditure detailed in the report.

15. Regulation of Investigatory Powers Act 2000 Use of Surveillance Powers and Amended Procedure Document

The Head of Law & Governance had submitted a report to note the Council's use of the investigatory powers for the year 2017/18 and to approve the Council's amended policy and procedure document.

The Chair introduced the report which merely confirmed that the Council had not used the powers available to it under the Regulation of Investigatory Powers Act 2000 in the year 2017/18 and that an Investigatory Powers Commissioner's Office Inspection Report had been provided by His Honour Brian Barker CBE QC (Assistant Surveillance Commissioner) in October 2017 which recommended a number of amendments to the Council's RIPA Policy and Procedure.

The Monitoring Officer outlined the Assistant Surveillance Commissioner's recommendations with regard to amendments to the RIPA Policy and Procedure and the need for an updated training programme for all Authorising and relevant officers.

In relation to the Policy and Procedure accompanying the report, the Monitoring Officer drew attention to a typographical error in the heading of section 3 and noted that the Council's authorising officers detailed in section 4.2 should include the Executive Director for the Sustainable City rather than the Executive Director for Community Services.

Subject to those corrections the City Executive Board resolved to:

1. **Note** the Council's non use of the investigatory powers for the year 2017/18;
2. **Agree** that there was no longer need for annual reports to full Council about the use of Regulatory of Investigatory powers in any year when the powers have not been utilised; and
3. **Adopt** the Council's RIPA Policy and Procedure as amended.

16. Minutes

The City Executive Board resolved to:

Note the minutes of the meetings held on 17 April 2018 and 15 May 2018 as true and accurate records of those meetings.

17. Dates of Future Meetings

Meetings are scheduled for the following dates:

13 June 2018
11 July 2018
14 August 2018
18 September 2018
16 October 2018
14 November 2018
18 December 2018

All meetings start at 5pm.

18. Matters Exempt from Publication

No matters were considered in confidential session.

The meeting started at 5.00 pm and ended at 6.00 pm

Chair

Date: Wednesday 13 June 2018