

Minutes of a meeting of the SCRUTINY COMMITTEE on Tuesday 4 December 2018

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Committee members:

Councillor Gant (Chair)	Councillor Altaf-Khan
Councillor Arshad	Councillor Bely-Summers
Councillor Curran	Councillor Djafari-Marbini
Councillor Donnelly	Councillor Fry
Councillor Kennedy	Councillor Lygo
Councillor McManners	Councillor Simmons

Officers:

Matthew Peachey, Economic Development Manager
Elaine Philip, Markets Manager
Amanda Ford, Principal Planner
Ian Brooke, Head of Community Services
Stefan Robinson, Scrutiny Officer
John Mitchell, Committee and Member Services Officer

Also present:

Councillor Linda Smith, Board Member for Leisure and Housing
Councillor Alex Hollingsworth, Board Member for Planning and Transport
Brendan Hattam, Westgate Shopping Centre Manager
Sue Fuge, Development Manager
Graham Jones, Oxford High Street Association and ROX-Promoting Oxford Business

61. Apologies for absence

Councillor Clarkson had apologised, in her capacity as the Board Member for Culture and the City Centre, for not being able to be present for the item on the Westgate Shopping Development.

62. Declarations of interest

For the avoidance of doubt the Chair declared an interest in relation to item 10 (Annual Monitoring Report) by virtue of his position as an employee of St Peter's College and his membership of and his wife's employment by St Edmund Hall.

63. Chair's Announcements

The Chair welcomed Councillor Curran to the Committee following his recent reappointment to it. The Committee gave thanks to Councillor Henwood for his long service on the Committee and its Standing Panels.

64. Appointment of Vice-Chair

The Committee resolved to elect Councillor McManners as Vice Chair for the remainder of the Council Year.

65. Minutes

The Committee resolved to APPROVE the minutes of the meeting held on 06 November 2018 as a true and accurate record.

66. Work Plan and Forward Plan

The Scrutiny Officer spoke to the Work Plan and Forward Plan. The Joint Statutory Spatial Plan (JSSP) Regulation 18 Consultation Document had not appeared on the Forward Plan at the time the papers for the Committee had been published but it would be going to the CEB in January; agreed that it should be added to the Committee's Work Plan for the 14 January meeting. The Committee also noted Councillor Djafari-Marbini's proposal to speak informally with external agencies to gather more information on the operation of the Prevent Programme, to assist with her preparation in proposing this issue for a review group later in 2019.

Councillor Fry reminded the Committee of its previous positive contribution to the issue of recycling in the City through its suggestion of the "Blue Bin Recycling League". Following a recent visit with Councillor Munkonge to Direct Services he suggested that representatives of the recycling team should be given the opportunity to give a presentation to the Committee to demonstrate the valuable contribution they make. The Committee agreed that this should be scheduled for the March meeting.

67. Report back on recommendations

The Chair was pleased to note the City Executive Board's agreement to the Committee's recommendations in relation to workforce equalities. The Board's partial support for the Committee's recommendations in relation to the No Local Connection report was also welcome as far as it went. Councillor Bely-Summers, as Chair of the No Local Connection Group, was pleased that the report had raised the profile of the issue. Those recommendations which had been agreed should make a demonstrable difference to those experiencing homelessness. She was meeting with the Board Member and officers to discuss implementation of the recommendations.

There was some disappointment at the Board's refusal to adopt the recommendation relating to monitoring the social and economic impact of the changes. The Committee agreed however that a report back on progress should be requested for 6 month's time.

68. Impact of the Westgate Shopping Development

Councillor Altaf-Khan left during this item.

The Economic Development Manager spoke to the officers' report which provided a high level overview of how the opening of the centre had affected the local economy. He drew attention to a number of matters, including but not limited to:

- The local economy was affected by a number of factors of which the opening of the Centre was but one.

- The shift to online shopping has a profound effect on ‘high street’ shops.
- Business overheads and rates put significant pressures on retailers.
- The development had resulted in a significant increase in rateable value and increase in income for the exchequer and local government (from c. £9m to c. £27m).
- The centre employs c. 2,000 full time equivalents (3,600 headcount), generating c. £29m in wages.
- Footfall increases had exceeded expectations and the travel plan put in place as a planning condition was seen as a success with, among other things, an increase in bus and Park and Ride use.
- Vacancy rates of retail units elsewhere in the City had increased slightly.
- There were positive signs in terms of planning applications/investment around the City Centre (outside Westgate) with, for example, applications for two hotels and proposals relating to the reconfiguring of Jesus college buildings facing Cornmarket and Market Street, and the recent addition of Metrobank in Queen Street.
- The overall picture was a positive one but with residual concerns over the number of vacant units. Officers would keep the position under review and continue to work closely with stakeholders.

Brendan Hattam and Sara Fuge gave a brief presentation to the Committee drawing attention to a number of matters, including but not limited to:

- The Centre was intended to provide a “premium retail experience”, embracing leisure as well as shopping opportunities, in a safe, secure and well managed environment.
- The car park’s 1000 spaces, was a reduction on the number previously available and was part and parcel of the travel plan which appeared to be working well.
- Footfall in the first year (19m) far exceeded the level of the old Centre and exceeded the estimate (15m) for the first year.
- 97.3% of units were now let or in solicitors’ hands.
- 75% of the units were new to Oxford or second stores
- Aesthetically the building was a vast improvement on its predecessor, with a great deal of attention having been paid to its permeability and space, with an eye, among other things, to its use for occasional civic, community and commercial activities.
- Oxford’s place in the hierarchy of shopping destinations had been falling. The Centre was reversing that trend.
- The Centre was acting as a catalyst for further regeneration of the West End.
- The Centre had provided employment to 94 people who had previously been unemployed.
- The Centre worked with Oxford Homeless Pathways and Aspire as two of its partners

- Only one unit had closed since the opening. There was an understanding that a new centre would take three years to settle down and 'mature'.

The Markets Manager spoke to the Committee about the position of the Covered Market. The retailers operating from it faced significant challenges as a result of consumers' changing habits such as the overall preference for buying food from supermarkets. While rents were sometimes a factor in decisions to terminate leases, some recent high profile departures from the Market were driven by other commercial realities. A recent survey had indicated a 5% increase in footfall compared with 2012. The presence of many and varied traders could be very successful and she and her colleagues were working closely and collaboratively with the Market traders to maximise that potential. She noted the many of the traders were expressing concern at the possible consequences of the introduction of a zero emissions zone.

Graham Jones said that the Centre had given the City challenges as well as opportunities. He drew attention to the significant number of food outlets in the City and questioned whether that would be sustainable in the longer term. Many shops had relocated to the Centre and Cornmarket appeared to be becoming more of a transit route than a shopping street as a result. The street scene in many parts of the City was becoming a source of great concern. The Council had gained income from the Centre and some of that should be deployed to compensate for the negative consequences of the Centre. Business rates were a great concern and the Council should take a lead in seeking to address that.

In subsequent discussion the following matters were discussed by the Committee:

- The desirability of the Oxford Living Wage (OLW) was shared by all those present. Brendan Hattam explained that while Landsec (the management company) paid the OLW and could encourage tenants to follow suit it could not require them to do so. It was noted that pay rates in the Centre for retail staff were already amongst the highest in the UK.
- Consideration should also be given to the application of the OLW to those employees/companies providing "behind the scenes" support to the front line retailers
- It was agreed that the Centre would explore the possibility of a reward/recognition scheme for those tenants who do provide the OLW.
- There were concerns about the practicability of the introduction of the zero emissions zone. Would a low emissions zone be more realistic and practical?
- At the planning stage, retail consultants had advised that the Centre was likely to have significant knock on consequences for retail activity beyond the City centre; data about that would be helpful.
- Extended closing times for the Covered Market were being explored with its traders .
- A planning application was underway to improve the public realm aspect of the Castle complex in parallel with exploring a range of different users for the area.

- The car park was rarely full (regarded as a good thing in the context of the travel plan) and an eye would be kept on the desirability of an alternative use for some of that space if occupancy levels remained low.
- The car park spaces designated for electric vehicles were sometimes released for use by those who were, for example, pregnant or disabled.
- The use of the Centre for cultural events was welcome one had recently been had in partnership with the Ashmolean.

As a consequence of the discussion the Committee made the following recommendations to the CEB:

Recommendation 1: That CEB considers what further opportunities are available to promote and encourage the take up of the Oxford Living Wage among employers located in the Westgate Centre.

Recommendation 2: That CEB carries out a survey of the 125 retailers in the Westgate Centre to understand how many are paying the Oxford Living Wage as a minimum to all their staff.

Recommendation 3: That CEB engages with local retailers in the wider city to understand where improvements to the public realm are most needed, and that these are incorporated into the City Council's scheme of works.

Recommendation 4: That CEB carries out a survey of retailers in secondary retail areas in the City (outside of the city centre) to understand what impact the redevelopment of the Westgate Centre has had on local businesses.

69. Quarter 2 Council Performance 2018/19

Cllrs Djafari-Marbini, Bely-Summers and Simmons, left during this item.

The Committee considered the Q2 Council Performance report, together with some additional Fusion Lifestyle data.

Q2 Council Performance report

The Committee and Member Services Officer drew attention to minor corrections to one indicator and a clarification of a commentary in relation to another received since publication of the agenda.

There was disappointment that only three of the indicators provided demonstrated year on year improvement. In many cases staff shortages contributed to the difficulty. Staff sickness, something which the Committee had discussed recently, remained a concern and it was agreed that the Committee would consider the next quarterly performance report to check for improvements, before deciding whether or not there was a need to invite the relevant Board member to discuss the issue. In cases where performance is not on target it would be helpful to have an indication if the target would be met by year end. The electoral registration target is an annual measure and the value of reporting it on a quarterly basis was doubtful. Data about Business Rate appeals would be helpful.

Fusion Lifestyle

The Head of Community Services introduced the data provided by reminding the Committee of the challenging environment in which Fusion Lifestyle was operating, with particular reference to the competition from budget gyms, opportunities for free outdoor activity and rising wage costs (the Oxford Living Wage has been paid, as a minimum, from the outset). Staff turnover was an issue which Fusion sought to counter with a training programme to encourage retention. There had been good progress with targeting particular groups of customers; both data capture and accuracy were improving; and the customer satisfaction rate was 87% overall.

Mark Munday, said the Company's ambition was always to add value and the many packages available from Fusion Lifestyle meant that simple comparisons with other providers (in terms of cost of membership) were rarely fair. Some of these packages represented particularly good value for money and provided a wider participation offer than competitors and a young person taking swimming lessons, for example, would be entitled to free swimming sessions during public sessions. Fusion had an ongoing marketing and promotion campaign via social media and elsewhere. There would be a campaign in the New Year to capitalised on the traditional increase in gym membership at that time. Fusion participated in a scheme for Social Prescribing, Exercise on Referral, with clinical practitioners. The offer provides low cost access to leisure facilities. There was currently a waiting list for entry onto the scheme.

Concern was expressed at the state of decoration and maintenance in some centres. There was concern too about the robustness of some of the data provided. It was suggested that it would be helpful to have more precise data about centre use, disaggregated to show the number of individuals (as distinct from just the number of visits) and, in turn, more detail about those individuals.

The Committee expressed concern at Fusion' apparent financial weakness as evidenced by the record at Companies House and a loss in the last financial year. Mark Munday acknowledged that the previous year had been very challenging for Fusion. The current year was better and improvements were evident. The financial position was shared with officers at least monthly.

The Head of Community Services said he recognised that some aspects of provision were unsatisfactory and officers were working closely with Fusion locally and with the Fusion senior executive team, to address concerns. He registered a note of caution about the requests for further disaggregated data. The information currently collected was set against national benchmarking data. In the absence of a readily available means of gathering the additional data now asked for, the costs associated with it would be considerable. The focus should, rather, be on addressing the areas of concern.

Councillor Smith, as Board Member for Leisure and Housing, said that she and officers met Fusion Lifestyle representatives on at least a monthly basis to review and challenged the company's performance as necessary. She noted that the swimming

provision was particularly good and that more work needed to be done to publicise that in schools. Fusion were also taking steps to improve the way in which their performance data are captured.

The Leisure and Performance Manager explained that the initial field work for the additional audit scope (to test the robustness of Fusion Lifestyles financial and participation accounting), was progressing with an independent auditor who expected to present findings and recommendation to Scrutiny Committee in January 2019.

70. Annual Monitoring Report 2017-2018

Councillor Hollingsworth, as Board Member for Planning & Transport, introduced the annual report which, on this occasion had two indicators removed in line with a previous request from the Committee, and responded to a number of detailed questions.

In discussion about planning appeals where conservation areas were cited as the reason for refusal it was suggested that there might be grounds for the use of an Article 4 direction under the Town and Country Planning Acts to provide more protection of heritage assets in the City. This was not something proper to the report, the principal purpose of which was simply to provide a factual snapshot of the position with data collected from the planning process and not to offer commentary. Any consideration of an Article 4 direction would have to take account of the pros and cons for residents in the affected areas. Both the Council's Planning Committees would however receive a report on the subject of appeals.

Some of the information in the report was derived from the 2011 census data which, while not recent, was the best available for the purpose.

The need for more dedicated residential moorings was recognised (and reflected in the emerging local plan) not least because of the number of unofficial residential moorings that there are.

The number of family houses 'lost' to AirBnb was not known but likely to be considerable. The growth of AirBnb generally was a cause for concern, given the number of homes which might otherwise be available for families.

71. Reports for Scrutiny Committee Endorsement

At its meeting on 12 November 2018, the Scrutiny Committee's Housing Panel considered a report concerning preparations being made for the Severe Weather Emergency Protocol (SWEP). The Committee endorsed the report and agreed that its recommendation should be submitted to the City Executive Board on 18 December 2018.

72. Appointments to standing panels

The Committee agreed the following appointments:

- Councillor Corais to Finance Panel
- Councillor Howlett to Companies Scrutiny Panel
- Councillor Taylor to Housing Panel (and noted that the additional Liberal Democrat vacancy will be appointed at the next meeting, as agreed by the Committee on 6 November 2018).

The Chair of the Housing Panel will be appointed in the New Year.

73. Dates of future meetings

The next meetings of the Scrutiny Committee and its panels are scheduled as follows:

Scrutiny Committee

- 14 January 2019
- 05 February 2019
- 05 March 2019
- 02 April 2019
- 15 May 2019

Standing Panels

- Housing Standing Panel: 4 March, 8 April
- Finance Standing Panel: 06 December, 8 January, 9 January
- Companies Panel: 12 December, 6 March

All meetings start at 6.00 pm

The meeting started at 6.00 pm and ended at 8.40 pm

Chair

Date: Monday 14 January 2019