

Minutes of a meeting of the CABINET on Wednesday 29 May 2019

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Committee members:

Councillor Brown (Chair)	Councillor Linda Smith (Deputy Leader)
Councillor Chapman	Councillor Clarkson
Councillor Hayes	Councillor Hollingsworth
Councillor Rowley	

Officers:

Tom Bridgman, Executive Director (Development)
Caroline Green, Assistant Chief Executive
Tim Sadler, Transition Director
Anita Bradley, Monitoring Officer
Carolyn Ploszynski, Planning Policy and Place Manager
Stephen Clarke, Head of Housing Services
Claire Sutton, Team Leader, Design & Heritage Team
Nigel Kennedy, Head of Financial Services
Hagan Lewisman, Active Communities Manager
Laura Harlock, ODS Cemeteries Manager
Stefan Robinson, Scrutiny Officer
John Mitchell, Committee and Member Services Officer

Apologies:

Councillors Turner, Tidball and Upton sent apologies.

1. Declarations of Interest

None.

2. Addresses and Questions by Members of the Public

Dr Nick Brown, University of Oxford (Chair of the Building Estates Sub-Committee), addressed the Cabinet in relation to item 12 on the agenda, Extension of the Central Conservation area. He said the impact of the proposal in relation to the Science Quarter would fall exclusively on the University and the sixteen science departments in the area and limit the ability of some departments to upgrade their existing buildings which are increasingly no longer fit for purpose. He believed that, overall, it would place an unreasonable additional burden on the University.

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

None.

4. Councillor Addresses on Neighbourhood Issues

None.

5. Items raised by Board Members

The Chair announced changes to some Cabinet Member portfolio titles and responsibilities, these would be published very shortly. In the meantime she drew attention to a few key changes. Councillor Chapman would become Cabinet Member for Safer Communities and Customer Focused Services, taking on liaison with the police and community safety matters from Councillor Hayes who would, in turn, become the Cabinet Member for Zero Carbon Oxford. Councillor Hollingsworth would be Cabinet Member for Planning & Sustainable Transport and Councillor Rowley, Cabinet Member for Affordable Housing.

6. Scrutiny Committee Reports

The Cabinet had before it three Scrutiny reports and the draft Cabinet responses to them. Councillor Gant spoke to these reports in his capacity as Chair of Scrutiny Committee and Chair of the Tourism Management Review Group.

Report of the Tourism Management Review Group

The subject of this review had been chosen by the Scrutiny Committee. He paid tribute to the significant contribution made by officers to the report, notably Laurie-Jane Taylor, until recently City Centre Manager; Matt Peachey, Economic Development Manager; and Stefan Robinson, Scrutiny Officer. There was a recognition that tourism was not “working as well as it should” in the City. A vision was needed and agreement about, for example, how best to manage coaches in a medieval city and the Council’s relationship with the Destination Management Organisation, Experience Oxfordshire. The recommendations of the review need to be factored into a longer term strategic vision for the city, taking account of such things as major developments, and transport planning. He thanked the Cabinet for its response to the recommendations but was disappointed with the responses to many of them and the absence of explicit acceptance or rejection in some cases.

The Cabinet Member for Culture and the City Centre (Councillor Mary Clarkson), thanked Councillor Gant and the Scrutiny Officer for the report which she welcomed. She agreed that a close relationship with Experience Oxfordshire was important. The Council had contributed the majority of financial support to Experience Oxfordshire in the past, despite the fact that many of the beneficiaries (eg Blenheim and Bicester Village lay outside the City), other Councils needed to play their part too. She agreed that any vision for tourism needed to be developed in partnership with other stakeholders it couldn’t and shouldn’t be developed in isolation. The Council’s capacity to deal with the management of coaches in the city was constrained as it was not the Highways Authority.

The Chair said the Council continued to lobby government for the permission necessary to allow introduction of an overnight tourism levy. She recognised the importance managing coaches effectively but was doubtful about the merits of seeking

“Coach Friendly Status” which appeared to be skewed too much in favour of operators’ needs.

The Chair said this was a thorough piece of work and thanked Councillor Gant and the officers for it. The report and its recommendations now had to be considered in the context of the Council’s wider strategic aims and a balance struck between the needs of tourists and those of residents.

Future Strategic Direction of the Council’s group of Housing Companies

Councillor Gant was grateful for the positive response to the Committee’s recommendations, and was particularly pleased to see that that “...zero carbon homes should always be considered as part of any feasibility study.”

The Cabinet Member for Affordable Housing, Councillor Mike Rowley had welcomed the thorough Scrutiny debate. Councillor Donnelly’s observation about the need to ensure proper account was taken of those who may be disabled had been helpful as had been the discussion about the ability to purchase parcels of land when suitable opportunities arose.

Community Infrastructure Levy (CIL) Draft Charging Schedule

Councillor Gant was once again grateful for a positive response to the Committee’s recommendations.

The Cabinet Member for Planning and Sustainable Transport said the consequence of the recommendation was that agreement of an application for Exceptional Circumstances Relief would take slightly longer than otherwise would have been the case but then, as the title implied, it would be an infrequent occurrence.

7. The future strategic direction for the Council's group of housing companies

The Head of Housing Services had submitted a report to consider and approve changes to the arrangements between the Council’s group of Housing companies and the Council’s Housing Revenue Account for the delivery of affordable housing in response to recent government policy changes and to agree to a review of future Oxford City Housing Limited (OCHL) development with a view to expanding activity and accelerating affordable housing delivery.

The Board Member for Affordable Housing, Councillor Mike Rowley introduced the report, once again thanking the Scrutiny Committee for its contribution to this important area of work. He reminded Cabinet members of the original reason for the establishment of the Council’s housing company and how the subsequent change in Government policy now necessitated a change in approach with a view to expanding activity and accelerating affordable housing delivery.

It was important to emphasise that the new Government policy was to remove restrictions on the ability to borrow within the HRA in order to stimulate an increase in

new supply. It was also important to be clear that the increased debt will need to be serviced and paid back.

The Head of Housing Services said progress of the development programme, as well as the further review into how to both increase and accelerate delivery, would be monitored via the quarterly meetings of the Shareholder. The revised Council budget proposals within the report are to support the agreed development programme of OCHL. It was noted that there was capacity to deliver houses on the sites listed in paragraph 13 of the report and a number of further sites could be brought forward if there was greater capacity. The focus was currently on larger sites which were, generally, more cost effective to develop than smaller ones.

Cabinet resolved to:

1. **Agree** that the Oxford City Housing Limited group of companies (OCHL) continues with the current development and acquisition programmes as detailed in paragraphs 9,12 and 14 of this report;
2. **Agree** that the Council's Housing Revenue Account from this date onwards purchases and manages the social rented and shared ownership units (with the exception of the Barton Park units);
3. **Recommend** to Council to increase the HRA capital programme by £45.303m so that adequate additional budgetary provision is made available for the acquisitions to take place (see Appendix 1);
4. **Recommend** to Council to approve a revised HRA budget and Business Plan that incorporates the new acquired dwellings that impacts on rental income, maintenance spend, interest payments, debt redemption activity and other matters as set out in Appendix 2;
5. **Recommend** to Council to approve the re-phasing of the loans from the General Fund Capital Programme in relation to the borrowing activity of OCHL over the MTFP period 2019/20 to 2022/23(see appendix 1);
6. **Agree** that delegated authority is given to the Assistant Chief Executive in consultation with the Head of Finance and the Head of Law and Governance to approve and facilitate the agreed purchase by the HRA of all affordable housing units at the OHCL development sites;
7. **Authorise** Phase 2 of the review of the role and future activity of OCHL and the detail of the review as set out in paragraph 17 of the report; and
8. **Grant** delegated authority to the Assistant Chief Executive in consultation with the Head of Finance and Head of Law and Governance to approve the sale of sites as set out in the OCHL business plan to OCHL providing that such sales comply with the mechanism set out in paragraph 31 of this report and s123 of the Local Government Act 1972, and are made on the basis that following development all affordable housing units at the sites would be purchased back by the Council through the Housing Revenue Account.

8. Community Infrastructure Levy Charging Schedule Review

The Head of Planning Services had submitted a report to seek approval for the Draft CIL Charging Schedule and revised CIL 123 list to be submitted to the Secretary of State for examination, approve the statement of modification and approve the policy for Exceptional Circumstances.

The Cabinet Member for Planning & Sustainable Transport, Councillor Alex Hollingsworth introduced the report which followed on from the earlier consultation which had revealed concerns about the viability of imposing a levy on B2 and B8 designated developments; it was therefore proposed that those developments should not be subject to a levy.

The recommendation in relation to the Exceptional Circumstances Relief Policy now needed to be revised (to take account of the agreement to the Scrutiny Committee recommendation described above) by the removal of recommendation 3 as shown in the report.

Cabinet resolved to:

1. **Approve** the Statement of Modification (Appendix 5) the Community Infrastructure Levy (CIL) Draft Charging Schedule (Appendix 4) and the revised CIL Regulation 123 list (Appendix 7) and Authorise the Head of Planning (or any officer acting in that capacity), to make any typographical changes to the document deemed necessary and then to formally submit to the Secretary of State for examination; and
2. **Approve** the discretionary Exceptional Circumstances Relief Policy (as per Regulation 56 of the Community Infrastructure Levy Regulations 2010 (as amended) (Appendix 6).

9. Clean Bus Technology Fund

The Transition Director had submitted a report following an award to the Council of £671,550 from the Joint Air Quality Unit, DEFRA to retrofit buses in Oxford with emissions reduction equipment, in the interest of improving air quality. The report sought project approval.

The Cabinet Member for Zero Carbon Oxford, Councillor Tom Hayes, introduced the report. This report was not just about the immediate financial advantage of the award. It was, more fundamentally, another measure which would make a demonstrable improvement to the city's air quality and, consequently, to people's health, and was, thus, aligned with the Council's values. Transport emissions generally were the biggest source of poor air quality and buses contributed more to that than anything else.

Cabinet resolved to:

1. **Grant project approval** for the bus retrofit programme outlined in the report; and
2. **Delegate to the Transition Director**, in consultation with the Monitoring Officer and Section 151 officer, the authority within the funding envelope of £671,550 provided within the Council's capital programme and funded from external grant to enter into:
a) appropriate agreements with the Council's bid partners; and

b)third parties required to deliver the project subject to their being selected under an appropriate procurement process.

10. Revolving Construction Loan to Low Carbon Hub IPS

The Head of Financial Services had submitted a report to request Cabinet to approve a revolving loan facility to Low Carbon Hub.

The Head of Financial Services introduced the report which sought to renew the previous loan agreement which had worked well to date, with all due payments having been made.

There was agreement that this arrangement, as with the previous item, was more than just a matter of money, given the nature and value of the work undertaken by the Low Carbon Hub; it was something the Council should be proud of.

Cabinet resolved to:

1. **Approve** a revolving loan facility to the Low Carbon Hub of £2.3 million at an annual interest rate of 5%, secured on the assets of the Low Carbon Hub whilst noting the success of previous loan facilities;
2. **Recommend** that full Council agrees to make budget provision of £2.3 million to enable this loan facility to be created; and
3. **Instruct** the Head of Law and Governance in consultation with the Head of Financial Services to draw up and enter into a new loan agreement with the Low Carbon Hub setting out the terms of the loan.

11. Extension to Central (City & University) Conservation Area

The Acting Head of Planning Services had submitted a report seeking Cabinet approval for a new conservation area boundary.

The Cabinet Member for Planning & Sustainable Transport, Councillor Alex Hollingsworth, introduced the report reminding Cabinet Members that this was a report on the outcome of the recent consultation. The inclusion of the St Thomas' area was important, as one of the City's first suburbs, and for the reasons listed in the report.

The reason for the inclusion of the University Science Quarter was set out in the report and because, among other things, it was "... a physical demonstration of the commitment to scientific research within the city."

In response to the earlier contribution from Dr Brown, he did not believe the introduction of the Conservation area would place a "heavy burden" on the University. The designation would merely require planning permission to demolish a building and introduce some requirements in relation to flues. The character of the area was important, revolving as it did around scientific excellence. The designation should encourage the development of high quality new science buildings over time.

The Planning Policy and Place Manager pointed out that the area was surrounded by a conservation area and, importantly, no "Article 4" direction for the area was proposed.

The Chair said it was not the intention of the designation to “preserve the area in aspic” but rather to ensure the replacement of buildings of sufficient quality in due course that reflect the physical demonstration of scientific research.

The Conservation Area Appraisal and Management Plan is also being developed for the Central Conservation Area. This will make the purpose of the designation clear and Oxford University is engaged with this process alongside other stakeholders. Given the concerns expressed by Oxford University the Chair highlighted the importance of this engagement.

Cabinet resolved to:

Approve the proposed new conservation area boundary to include all areas proposed on the map at Appendix 2 of the report.

12. Community leases

The Head of Community Services had submitted a report to agree three community leases and delegate the authority to agree further community leases with a market value below £50,000 per annum to the Regeneration and Major Projects Service Manager.

The Committee Clerk drew attention to the need to make two corrections to the report. “Purpose of the report” on the first page of the report should simply read “To agree three community leases.” the rest of that sentence to be deleted. The second sentence of paragraph 3 of the report beginning “This report requests ...” should be deleted.

Cabinet Members were unequivocal about the value of the three organisations for which these leases were to be prepared and pleased to be able to support the recommendations.

Cabinet resolved to:

1. **Approve** terms for new leases for the Trustees of the Oxfordshire Chinese Community and Advice Centre at Princes Street, the Leys Community Development Initiative at Blackbird Leys Community Centre and The Trustees of The Parasol Project at Plowmans Tower; and
2. **Delegate** authority to the Regeneration and Major Projects Service Manager in consultation with the Head of Community Services to make such amendments as are required in order to complete the above three leases.

13. Grave Reclamation in Oxford City Council Cemeteries

The Head of Community Services had submitted a report in response to the fact that by about 2021 all Oxford City Council Cemeteries will be full and closed to new burials leaving Oxford City without any new space to bury Oxford residents. This report was to approve reclaiming grave plots, potentially providing burial space for an additional two years.

The Cabinet Member for Leisure & Housing introduced the report by thanking the officers for working up this proposal about a delicate matter in a sensitive manner. It was important to emphasise that no previous internments would be disturbed by what was being proposed. The practice had been adopted by other authorities faced by similar pressures and would provide Oxford residents with choice in the future which would otherwise be denied.

The Chair noted that pressure on space for burials within the City had a long history. She also placed on record her thanks to the officers for their sensitive handling of the matter.

It was agreed that recommendation as given in the report should be amended to reflect the fact that graves would be available to city residents to people *liable* to pay Council tax to Oxford City Council.

Cabinet resolved to:

1. **Grant** project approval to the grave plot reclamation proposal as set out in this report;
2. **Agree** that Wolvercote & Botley will be the first cemeteries where reclaimed graves will be made available (Botley is still open to new burials and Wolvercote has only recently closed to new burials.);
3. **Agree** that graves available through grave reclamation would only be made available to Oxford City residents (residents would be classed as people liable to pay Council tax to Oxford City Council);
4. **Agree** that graves where the deeds have never been purchased and have interments (commonly known as unpurchased graves) may be sold at a lower cost; and
5. **Agree** to delegate to the Head of Community Services the ability to deal with the design and detail of the Scheme.

14. Park & Ride Management

The Transition Director had submitted a report concerning Park & Ride Management.

The Cabinet Member for Planning & Sustainable Transport, Councillor Alex Hollingsworth said the report's recommendations would remove the confusion flowing from the fact that the City Council runs three Park and Ride sites and the County Council runs two.

The Chair welcomed this example of co-operation with the County Council.

Cabinet resolved to:

1. **Authorise** the Council's entry into an Agency Agreement with Oxfordshire County Council under which the City Council would be appointed to provide management services for Oxfordshire County Council's two Oxford Park & Ride sites – Thornhill and Oxford Parkway (Water Eaton);
2. **Authorise** the Council's entry into an agreement with Oxford Direct Services Limited ("ODSL") under which the management responsibilities taken on by the Council under

the Agency Agreement with the County Council referred to in Recommendation 1 above would be carried out by ODSL; and

3. **Delegate** authority to the Chief Executive in consultation with the Council's Monitoring Officer and s151 Officer to agree the terms of the Council's entry into the two agreements referred to in Recommendations 1 and 2 above.

15. OVO Energy Women's Cycle Tour

The Head of Community Services had submitted a report to highlight the requirements of delivering the OVO Energy Women's Cycle Tour in Oxfordshire over the next three years (2019, 2020 and 2021).

The Chair introduced the report. The opportunity to contribute to this important event represented a good investment for the City and would provide valuable opportunities to promote cycling generally but particularly for women and those from parts of the community which tend to have low levels of participation in sporting activity.

The Active Communities Manager said officers would be working closely with schools and partners to promote both the event and cycling generally.

It was agreed that the risk register should include reference to the importance of ensuring a positive legacy from the tour and the risk of failing to do so.

Cabinet resolved to:

1. **Support** Oxfordshire being a host venue for the OVO Energy Women's cycle tour in 2019, 2020 and 2021;
2. **Agree** the principle of an equal share of costs between the County Council, the four districts and the City Council for the three years of the Event;
3. **Recommend** that Council allocates a budget of £30,000 funded from reserves to pay the City Council's share of the costs for 2019; and
4. **Agree** that sponsorship, regardless of which partner attracts it, will be used to reduce the hosting costs on an equal basis.

16. Award of Asbestos Surveying Contract

The Head of Housing had submitted a report to seek delegated authority to award an asbestos surveying contract.

The Assistant Chief Executive said the contract was necessary to comply with the relevant regulations and the money to do so had been identified.

Cabinet resolved to:

Delegate authority to the Assistant Chief Executive, after consultation with the Monitoring Officer, following completion of the EU-compliant tender process described in this report, to award an asbestos surveying contract to the successful contractor.

17. Minutes

The Cabinet resolved to APPROVE the minutes of the meeting of the City Executive Board held on 10 April 2019 as a true and accurate record.

18. Dates of Future Meetings

Meetings are scheduled for the following dates for the rest of 2019:

- 12 June
- 10 July
- 07 August
- 11 September
- 09 October
- 13 November
- 11 December

All meetings start at 6pm.

19. Matters Exempt from Publication

If the Board wishes to exclude the press and the public from the meeting during consideration of any of the items on the exempt from publication part of the agenda, it will be necessary for the Board to pass a resolution in accordance with the provisions of Paragraph 4(2)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012 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.

The Board may maintain the exemption if and so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

20. The future strategic direction for the Council's group of housing companies - Appendix 3

No matters were considered in confidential session.

The meeting started at 6.00 pm and ended at 7.45 pm

Chair

Date: Wednesday 12 June 2019