

**To:** Council

**Date:** 30 November 2020

**Report of:** Chair of the Scrutiny Committee

**Title of Report:** Scrutiny briefing

| <b>Summary and recommendations</b> |  |
|------------------------------------|--|
| <b>Purpose of report:</b>          | To update Council on the activities of the Scrutiny function |
| <b>Corporate Priority:</b>         | All  |
| <b>Policy Framework:</b>           | Council Strategy 2020-24                                     |
| <b>Recommendation:</b>             | That Council resolves to note the update report.             |

| <b>Appendices</b> |   |
|-------------------|---|
| Appendix 1        | Scrutiny work plan  |
| Appendix 2        | Table of Cabinet responses to Scrutiny recommendations from Cabinet meetings of 15 July, 12 August, 9 September, and 11 November (no reports from Scrutiny were submitted to 14 October Cabinet). |

## Introduction

1. In October 2020 the Scrutiny Committee issued its annual report which was presented to Council on 5 October 2020. Due to this, no update to Council was given at that Council meeting. Consequently, this update is fairly lengthy as it covers the activity of Scrutiny from 08 July to 13 November 2020.
2. Following a period earlier in the year when the Council's emergency response to Covid meant resources could not be devoted to non-Cabinet reports, Scrutiny has begun to explore a number of issues which it considers to be of particular interest through its own commissioned reports.
3. During this period, Scrutiny has agreed its work plan for the year (included as Appendix 1), including its two annual Review Groups. The first Review Group has

already commenced, looking at Domestic Abuse. For its second, Scrutiny will Review the Council's draft budget in parallel with the wider budget consultation process.

4. As referenced in the previous update to Council on 20 July 2020, Scrutiny is proactively seeking to engage experts and key stakeholders from outside the Council to inform its considerations. Within this period, it has welcomed external speakers from the CAB, Oxford Tenants' Union, College and County estate agents, ACORN and the Oxford City Canal Partnership to give their perspectives on reports being considered by the Committee and its panels. Each has added immense value to the discussions held.

### **Scrutiny Committee**

5. Since the last Scrutiny update to Council the Scrutiny Committee has held meetings on 01 September, 06 October, and 03 November 2020. Responses were also made to previously made recommendations on The Social Value Act, and the Integrated Performance Report Q4 2019/20.
6. The following items were considered at the meetings during this period:
  - 01 September
    - Discretionary Housing Payment Policy (3 recommendations, agreed)
    - Air Quality Action Plan (10 recommendations, all agreed)
  7. Following the presentation of the report, where proposed changes to the policy were being made to allow for the impacts of Covid-19, the Committee raised a number of issues around the Council's Discretionary Housing Payment Policy. The primary focus of its discussion and questioning in response to the report was access, particularly in relation to the challenges of non-English speakers, and the impact of such challenges in take-up by those eligible.
  8. The Committee made three recommendations, around increased translation support for non-English speakers, identifying via monitoring the demographic groups not accessing the support available, and wider promotion of Discretionary Housing Payment through partners. All were agreed by Cabinet.
  9. Regarding the Council's Air Quality Action Plan (AQAP) proposals, the Committee's discussion and questioning in response to the report were wide-ranging and thorough. Consideration was given to the equalities aspect of air quality, textual clarifications and amendments, emitters outside the scope of the Clean Air Act (such as canal boats), the financial implications of the AQAP, issues on consultation and engagement, and suggestions on practical steps for the Plan on transport issues.
  10. The areas of the ten recommendations made focused on textual clarifications with a view to the expected use by other councils wishing to follow Oxford's lead, communication around air quality issues, and specific suggestions relating to traffic. All were agreed by Cabinet.

06 October

- Annual Air Quality Status Report (no recommendations)
- Tourism Review Group Update (no recommendations)

11. The Annual Air Quality Status report is a standing item on the Scrutiny agenda. Though no recommendations were made, the Committee explored a variety of issues, including the links between air quality and Covid, current and future monitoring capacity, the impact of weather on air quality, specific projects such as Dutch roundabouts and the Energy Superhub, and the inward-investment Oxford had secured to support air-quality improving schemes.
12. The Tourism Review Group Update report was a follow-up on the progress made in progressing those recommendations agreed by Cabinet in response to the 2019 Scrutiny Review Group on Tourism. Areas of particular interest were in relation to how the recommendations fitted with the impacts of Covid on the tourist-economy, and the Committee expressed keenness to hear more about the Council's emerging City Centre Vision before the end of the year. Other issues considered included air quality issues relating to tourist coaches, toilet facilities, increasing 'tourism' by local people, and the steps being taken by employers to pay the Oxford Living Wage.

03 November

- Oxford Waterways (draft report to be agreed - the summary and outcome will be included in the next update)
- Street Naming and Numbering Policy (no recommendations)

13. Street naming and numbering has grown in importance as an issue nationally, as greater scrutiny has been given to the associations of historical place-names. The Committee was in agreement with the need for clarity in place-names by preventing duplication or unusual spellings, avoiding obscenity and seeking consensus whilst ultimately retaining decision-making power. The mix of standard consultees was the only issue where some difference of opinion was raised, though no recommendation was made.

### **Housing and Homelessness Panel**

14. During this period there have been four meetings of the Housing and Homelessness Panel – 03 August, 03 September, 08 October and 05 November – to consider the following reports:

03 August

- Housing Delivery Plan (one recommendation, agreed)
- Impact of Covid on Private Rented Sector Tenants (five recommendations, four agreed, and one partially agreed)

15. Whilst lack of clarity from central government meant it was unclear whether Oxford was required to have a Housing Delivery Plan, the Council had prepared one in any case as a way of managing the challenge of delivering the required housing. To meet its housing requirements, 100% of its development sites would have to be developed up to 2036. The Housing and Homelessness Panel considered the plans for this activity and were impressed at the lengths gone to in order to support development. The impact of Covid had, inevitably, slowed this work, and the Panel's one recommendation was that following the lifting of lockdown activities in

the plan should be given new dates for completion as a way of ensuring the good work was kept on track. This recommendation was agreed by Cabinet.

16. For its consideration of the impact of Covid on Private Rented Sector tenants the Panel welcomed two members of the Oxford Tenants' Union to brief them on their view of the impact of Covid.
17. Initially, concerns were raised over failures by landlords and agents to maintain social distancing, attending properties for viewings unannounced or entering for inspection and cleaning without tenant permission. Latterly, problems had arisen in shared properties where tenants had been held responsible for the full rent following the departure of a house-mate, despite it not being possible to replace them. The pressure of paying rent during the pandemic had caused many people to be 'sick with worry' throughout, and those who had few alternative options were facing sofa-surfing or rough sleeping. Maintaining people in their homes was suggested to be the best means of preventing a significant rise in homelessness. As one of the places nationally with the most acute ratio between rents and earnings, Oxford would be particularly vulnerable to such an increase.
18. In response to the briefing and following discussion the Panel made recommendations around ways to increase knowledge of tenants' rights, to support at-risk tenants by ensuring sufficient capacity of emergency accommodation in case of a spike in homelessness and using environmental health powers to ensure let homes remained habitable during any winter lockdown, and to work with landlords, tenants and government to try and address the systemic issues and pressures on the private rented sector which led to such acute outcomes for tenants.

#### 03 September

- Selective Licensing (one recommendation, agreed)
  - HMO Licensing Scheme Renewal (no recommendations)
19. To garner the viewpoints of different key stakeholders on the Council's proposals to begin consulting on a Selective Licensing scheme in Oxford the Panel welcomed representatives from the CAB, ACORN (the union), and College and County estate and letting agency. Though each approached the issue from very different perspectives – raising standards of protections for vulnerable tenants, and not being undercut by landlords unwilling to abide by basic standards – the proposals were supported by all external speakers.
  20. In its discussion of the report, the Panel raised questions over a breadth of issues including: the responsibilities on landlords of the antisocial behaviour of their tenants, whether licenses were of the landlord or of the property and the financial implications arising from that, the efforts being made by the Council to engage in consultation those groups impacted by low housing standards but unlikely to come forward, in particular those in insecure accommodation and non-English speakers, Council staff's interaction with non-English speaking landlords, the potential to outlaw 'no DSS' policies through licensing conditions.
  21. The strongest theme of discussion, on which the only recommendation was made, was in relation to the fact that the most vulnerable – for reasons of language, fear of reprisal, unawareness or hiddenness – were the most likely not to participate in any consultation, and yet those were the people who would most benefit from a

selective licensing scheme. The recommendation that the Council take special measures to ensure that such people in the 'shadow' rental market be heard in consultation was agreed.

08 October

- Housing Performance Q1 (three recommendations, all agreed)
  - Response to the Government's 'Planning for the Future' White Paper (no recommendations)
  - Domestic Arrears During Covid (no recommendations)
22. As with much of performance monitoring, many of the normal measures of performance had been disrupted by Covid, meaning the Panel's consideration of the performance of the Council's Housing function in Q1 was more difficult. The Panel was, nevertheless, updated on the efforts made to house all rough sleepers under the 'everyone in' policy, the significant adaptations made to services such as repairs and lettings to ensure business continuity, and the delays caused and subsequent catch-up activity relating to the Council's house-building.
23. The three recommendations made by the panel in relation to the Housing Performance report focused on ensuring specific vulnerable groups were not prevented from accessing emergency accommodation when rough sleeping, with assurances sought that those without recourse to public funds would be housed over winter, the number of women being housed monitored in order to ensure those fleeing domestic violence were not being under-served, and ensuring the suitability of accommodation for vulnerable users. All three recommendations were agreed.
24. The response to the government's 'Planning for the Future' white paper was an information-only paper on how officers planned to respond, meaning the Panel made no recommendations. Nevertheless, the Panel explored in discussion the potential dangers lying in the government's current proposals, particularly in relation to the ability to deliver additional social housing, maintaining environmental standards and ensuring a suitable balance of developments.
25. Having heard the challenges faced by tenants in the private rented sector, the Panel sought an update from the Council as to how it was managing arrears as a landlord. Pleasingly, arrears levels were in a similar area to previous years. The Panel examined the process for addressing arrears and was pleased to hear of the Council's commitment to helping individuals in that situation maintain their tenancy, and of the efforts made to ensure even enforcement agents are highly trained and equipped to pick up on vulnerabilities which may be impacting people's ability to pay their rent.

05 November

- Rough Sleeping Update (one recommendation, agreed)
- Hidden Homelessness (report to be agreed – the summary and outcome will be reported on in the next update)

26. The Panel had commissioned a report to give greater detail on the Council's activities in relation to rough sleeping since the start of the first lockdown in March. They received updates on the 'everyone in' policy, successful bids for government funding for move-on accommodation, and the development of the Severe Weather Emergency Policy. In its scrutiny, the Panel asked questions about how feedback of rough sleepers was heard, relations with neighbouring districts (where it was encouraged to hear of the progress in developing a county-wide approach and joint working), the current status of provision for those with no recourse to public funds, the impact of providing additional homes for former rough sleepers on the overall housing stock and the practicalities of delivering the SWEP in a socially distanced way.
27. The Panel's biggest area of concern was for those with no recourse to public funds, who might be put off from accessing emergency accommodation for fears over whether by doing so any issues with their immigration status may be passed on to immigration officials. The Panel sought, successfully, to ensure that the Council would commit to accommodating such individuals without passing their details on to immigration officials, though this was caveated by the need to follow any future legal requirements.

### **Finance and Performance Panel**

28. The Finance and Performance Panel convened twice during this period, on 09 September and 29 September and considered the following reports:
- 09 September
- Revised Oxford City Business Plan 2020-21 (no recommendations were made to Cabinet, but suggested amendments were taken on board – details below)
  - Treasury Management Performance (no recommendations)
  - Procurement Strategy (no recommendations)
29. Whilst directly financial, the Council's revised business plan for 2020-21 to take account of Covid-enforced changes was considered by the Finance and Performance Panel owing to the fact that the business plan would provide an indicator of Council performance in the absence of the more traditional measures, which had been disrupted by Covid. The Panel was encouraged to see how much of the Council's original business plan and its priorities remained intact, with the largest change being in relation to the City Centre.
30. The Panel brought up a wide number of issues, which were agreed to be incorporated. These included giving greater prominence to the work of the Climate Emergency Review Group, committing to partnering with the County Council in developing Low Traffic Neighbourhoods, protecting greenery in the city, and clarifying the Council's carbon-reduction targets.
31. Though aware of the financial impact of Covid on the Council, the report on Treasury Management only covered the period up to the end of the 2019/20 financial year. At that time, the impacts of Covid had not filtered through fully, meaning the positive message of the Council's financial situation and management of its money was at significant variance to its current situation. On the basis of this significant change in circumstance, no recommendations were made.

32. Looking at the proposed Procurement Strategy, the Panel focused its attention on a number of key issues. These issues included the degree to which the Council's procurement strategy would be mirrored by its companies, the delivery of social value through procurement, and the implementation of Fairtrade supply chains in the Council's catering. No recommendations were made.

29 September

- Social Value in Procurement (no recommendations)
- Integrated Performance Report Q1 (2 recommendations, both agreed)
- Performance Monitoring Q1 (2 recommendations, one not agreed, one partially agreed)

33. Having partially touched on social value issues previously in its consideration of the Procurement Strategy, the Panel made no recommendations on the subject. It did, however, welcome the progress made, particularly the news of the procurement team becoming fully staffed, thereby creating capacity to drive forward the social value in procurement agenda.

34. The clear focus of the Integrated Performance Report Q1 was on the financial impact of Covid on the Council, with increases in spending and reduced income. However, having previously considered a report dedicated to the subject no recommendations were made relating to that area. Instead, the Panel sought greater clarity in the progress of capital spending by seeking to remove the optimism bias applied, and to disaggregate the effects of project delays (causing a positive variance) and overspends (causing a negative variance) so that the two could not balance each other out. Both recommendations were supported by Cabinet.

35. The Panel was pleased to note the degree to which most measures appeared to be holding up, although with granular performance monitoring using pre-Covid targets difficult, the Panel's main focus was on the suitability of the targets themselves. The Panel's recommendations followed this theme, suggesting targets be set for short and long term absence rates. This was partially supported by Cabinet on the basis that having a target for such measures would be unsuitable. Short and long term absence rates were, however, already monitored. The other recommendation, that with the growth of homeworking and the difference in experiences by staff of homeworking environments when compared to the office, the use of absence/presence as a unit of measure of capacity should be revisited was not supported. Rather than change the target, the Council was already in the process of looking at ways of supporting staff working remotely to increase their capacity.

### **Companies Panel**

36. The Companies Panel met on 14 September 2020 and heard the following reports:

- OxWED update (no recommendations)
- Barton Park quarterly report (no recommendations)

37. Owing to the confidentiality of the topics discussed and absence of recommendations no further discussion is given to this.

## Scrutiny Review Groups

### *Domestic Abuse Review Group*

38. The Scrutiny Committee agreed to hold a Review Group on the topic of Domestic Abuse in September. In November, the proposed scope developed by the members was agreed with minor changes by the Scrutiny Committee. Being primarily a County Council responsibility, the focus of the Review Group is on those areas where the City Council has its own influence – the links between homelessness and domestic abuse, the specific challenges faced by BAME communities regarding domestic abuse, and the Council's own processes for safeguarding people from domestic abuse.
39. The Review Group has started meeting and will be hearing from external contributors including professionals and those with personal experience of domestic abuse, but is not due to have a draft report until February 2021.

### *Budget Review Group*

40. The Budget Review Group has been agreed by Scrutiny to consist of the Finance and Performance Panel members, and with Housing and Homelessness Panel members contributing to the meeting where Housing issues are discussed. The Finance and Performance Panel will agree the written questions it wishes to make of Heads of Service at its 03 December meeting, once the draft budget is released. The three substantive meetings of the Budget Review Group, where Directors and Heads of Service will present their section of the budget will take place on 04, 06 and 11 January 2021.

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