

Minutes of a meeting of the Scrutiny Committee on Tuesday 2 November 2021



Committee members present:

Councillor Wade (Chair)	Councillor Abrishami (for Councillor Tidball)
Councillor Chapman (Vice-Chair)	Councillor Corais
Councillor Djafari-Marbini	Councillor Dunne
Councillor Fry	Councillor Linda Smith
Councillor Snowton	Councillor Thomas
Councillor Wolff	

Also present:

Councillor Louise Upton, Cabinet Member for a Safer, Healthier Oxford,
Councillor Shaista Aziz, Cabinet Member for Inclusive Communities

Officers present for all or part of the meeting:

Richard Adams, Community Safety Service Manager
Hagan Lewisman, Active Communities Manager
Deborah Wyatt, Affordable Housing Supply Senior Programme Officer
Tom Hudson, Scrutiny Officer
John Mitchell, Committee and Member Services Officer

Apologies:

Councillors Tidball and Waite sent apologies.

59. Declarations of interest

Cllrs Dunne and Abrishami declared non-pecuniary interests as users of the East Oxford Community Centre (item 7 on the agenda).

60. Chair's Announcements

The Chair noted the clash of the next scheduled meeting on 06 December with the Lord Mayor's Christmas Party. It was agreed that the meeting would be held on 08 December instead.

The Chair said the City Council's membership of the Child Poverty Review Group, to be run in partnership with the County Council, would comprise Cllrs Pegg, Dafari-Marbini, Rehman and herself

The Scrutiny Officer explained that County Council's participation with the Review Group was contingent upon its capacity and work starting no sooner than January 2022. The Committee agreed that the desirability of the County's involvement warranted this slight delay.

61. Minutes

The Committee resolved to APPROVE both the open and confidential minutes of the meeting held on 05 October 2021 as true and accurate records.

62. Work Plan and Forward Plan

The Committee confirmed its agreement to the priorities and work plan attached to the agenda.

63. Anti-social Behaviour Policy

Cllr Louise Upton, Cabinet Member for a Safer Healthy Oxford introduced the report, noting that anti-social behaviour (ASB) could blight lives if unchecked and the Council had a responsibility to challenge it both in relation to its own housing stock as well as the wider community. This was a responsibility carried out in close partnership with other agencies. The policy set out what the Council could do and, as importantly, what it could not. It also set out what complainants might expect and was expected of complainants. ASB often had its root causes in deep seated difficulties for those involved and officers were trained to take proper account of that and to respond accordingly.

Richard Adams, Community Safety Service Manager, said the Council had a statutory duty to provide a policy, to review it regularly and to investigate certain matters. The Council played a leading role in addressing ASB as a Responsible Authority of the Community Safety Partnership in the City, notably but not exclusively in relation to Council property and its tenants. The last 18 months had seen a sharp decline in the incidence of ASB but as Covid restrictions had eased, so the incidence had increased and was now at a higher level than pre-pandemic. While there was an unequivocal responsibility to deal with ASB in Council properties there was no equivalent responsibility in relation to private rented property, however this was not to say that the Council would not offer appropriate support in such cases as, indeed, it often did. He noted that complaints about noise was one matter which the Council was bound to investigate irrespective of its source (subject to the limitations set out in the policy). The ASB team, through its partnership working, connected with a host of programmes, initiatives and activities to address the challenges and behaviours that may be experienced by those exhibiting ASB. The covering report and the policy itself avoided explicit references to them however as they were so many and various.

The Committee made a number of detailed observations and suggestions. One of the five core principles referred to anti-social behaviour being "...addressed firmly, fairly and proportionally", it was agreed that this could be expanded to include "holistically." Another principle referred to "...high quality customer service." It was agreed that this could be changed to "...delivering a high quality service for citizens."

The collection of evidence in support of complaints was a sensitive matter. The council did not employ covert means that require Regulation of Investigatory Powers Act authority and did not ask residents to do so. Gathering data in relation to noise complaints was however straightforward, was not invasive and could be straightforwardly achieved with help from the Council if needed.

The list of circumstances under which the Council would not investigate a complaint included “Alcohol consumption in a public space that is not causing anti-social behaviour and noise from late night revellers”. It was explained that this was intended to apply to occasional and fleeting incidents in public spaces rather regular incidents relating to particular venues.

It was noted that the Council was committed to removing racist graffiti within 24 hours of it being reported.

The flexible use of verbal or written warnings was an important element of the strategy of employing the lowest level of intervention suitable for a particular case. To require a written warning on every occasion (as a reminder to recipients who may not otherwise remember because, for example, they were inebriated at the time) was not thought, on balance, to be desirable as it would run counter to a flexible and proportionate approach, fettering officers’ discretion on the ground to too great a degree.

The last resort of eviction from a Council property can itself exacerbate or trigger ASB and an explicit reference to that would be helpful as part of the holistic approach to ASB.

It was agreed that the reference to “All complex cases that involve homeless people...” might helpfully be more nuanced and expanded to embrace those living in supported accommodation.

While not part of the report before the Committee it was agreed that the PSPO covering the area which included the Wolvercote bathing place should be amended to make clear that barbecues are not banned there.

The Community Safety Service Manager concluded by inviting Members of the Committee to shadow members of his team if they would find that valuable.

The Committee resolved to recommend that the Council:

1. **Amends** the Anti-Social Behaviour Policy 2022-25 as follows:

- i) Principle three to read “Anti-social behaviour will be addressed firmly, fairly, proportionately and holistically”
- ii) That reference throughout the document to ‘customers’ is reworded around ‘citizens’

2. **Amends** its Anti-Social Behaviour Procedure 2022-25 as follows:

- i) to include a paragraph on the diversionary activities the Council provides to prevent anti-social behaviour
- ii) to address issues around invasive evidence gathering, and link to best practice guidance
- iii) to note negative impacts associated with anti-social behaviour-related evictions, and reference the Council’s commitment to using this power as a last resort

- iv) To alter s. 7.4 so it reads “All complex cases that involve homeless or vulnerably housed people”

64. East Oxford Community Centre - Improvement Scheme

Councillor Shaista Aziz, Cabinet Member for Inclusive Communities, introduced the report which brought forward proposals for redevelopment which had been worked on since 2014. This major scheme and investment would provide an important, sustainable cultural hub as well as some much needed affordable housing. The East Oxford Cultural Centre had strong emotional connections for many residents and much of the preparatory work had focused on positive and constructive discussions with the many and various groups and organisations which use it or have used it in the past.

Hagan Lewisman, Active Communities Manager, said a considerable amount of work had preceded the report including consultations with users and a number of detailed feasibility studies. The necessary planning permissions and budget were in place.

Deb Wyatt, Affordable Housing Supply Officer said the scheme would provide 26 affordable, low carbon and highly energy efficient homes.

The Committee noted that a Council press release had implied that the Committee had already agreed the proposals given in the report. This was regrettable both because it pre-empted any views the Committee might have and also because it was Cabinet rather than the Committee which would ultimately agree the report’s recommendations. Cllr Aziz apologised for this miscommunication and said she would ensure that the matter was addressed and the press release corrected accordingly.

The Committee made a number of detailed observations and suggestions. The focus on energy efficiency/ carbon reduction was very welcome and it was agreed that some means of measuring what savings will have been achieved as a result would be welcome. The Affordable Housing Supply Officer said consultants were being appointed to measure this (among other things) in relation to the housing element.

A project of such a scale inevitably ran the risk of overruns; this was not reflected in the risk register accompanying the report and it was agreed that it should be. The Active Communities Manager said that there was tight governance of the project which included regular meetings with consultant Project Managers and Architects Arcadis, robust contingency provision and a project risk register that captured wider project risks.

The final arrangements for governance of the centre was an important matter. The report proposed that there should be a year of operation before agreeing the future arrangements. It was agreed that there should be an ambition to have concluded the arrangements two years after that.

Members of the Committee had received correspondence about the use by “Catweasle” of the centre, a matter which had the potential for some reputational damage for the Council. The Active Communities Manager reassured the Committee that a positive relationship was being re-established with Catweasle which was a much loved and valued community activity at the centre.

Concerns had been expressed about the need to demolish the building used by Fusion Arts. The Active Communities Manager explained that the building was in very poor condition and not economical to maintain. The building was particularly inefficient from

an energy point of view and it would not be cost-effective to refurbish it to the level of efficiency which would be provided by a new one. The Council response to Fusion Arts concerns would be shared with the Committee in due course. The identification of deteriorating building quality as contributory factor in reduced levels of centre use had been informed by user feedback.

The desirability of a suitable space for dance (with a sprung floor being considered) was being factored into the design.

A great deal of work had been (and was being done) to accommodate the needs of all those who currently use the centre both in the short, medium and long term whether tenants or not. Account was also being taken of the prospective needs of new users. The importance of the new centre capturing its previous “soul and vibrancy” had been recognised and would be informed by continuing close engagement with the local community and all who use it.

It was agreed that materials from the site as parts of it are demolished should be reused wherever possible.

The Committee resolved to recommend that the Council:

- Sets down plans for measuring and assessing the effectiveness of carbon-saving measures delivered on the East Oxford Community Centre development, and their cost efficiency in reducing carbon emissions.
- Includes within the risk register for this project those external risks to land values referenced in paragraph 52 of the Cabinet report
- Implements within three years of the new community centre being opened the preferred option for its management and operation
- Will, where possible, recycle materials recovered from the demolition of the East Oxford Community Centre site, particularly steel and wood.

65. Reports for approval

Cllr Smith, as Chair of the Housing & Homelessness Panel commended the report on Housing & Carbon Reduction to the Committee. It was agreed that a third recommendation should be added which would encourage the availability of ongoing technical support for tenants who have had new energy saving equipment installed.

The Chair commended the report on Air Quality to the Committee which included those recommendations agreed at the previous meeting.

The Committee agreed that both reports should be forwarded to Cabinet.

66. Report back on recommendations and from Scrutiny Panel Meetings

The Chair was pleased to report Cabinet’s positive response to the Committee’s recommendations in relation to the South Oxford Science Park.

Cllr Smith, as Chair of the Housing & Homelessness Panel, was pleased to report Cabinet’s positive response to its recommendation that the breadth and depth of its engagement with the Lived Experience Advisory Forum (and other similar groups in shaping Council homelessness services) should be increased.

Cllr Fry, as Chair of the Companies Scrutiny Panel, said it had considered a report on the structure of OxWed, a joint venture involving Nuffield College and the City Council. It had become apparent that the current arrangements, which had been in place for a few years, exposed both parties to a significant tax burden in the future. The report simply proposed an alternative arrangement for good commercial reasons, which did not compromise the Council's interests while at the same time being more tax efficient.

67. Dates of future meetings

Scrutiny Committee

- 08 December 2021 (changed from 06 December)
- 18 January
- 01 February
- 07 March
- 05 April

Standing Panels

Housing & Homelessness: 02 February, 04 April

Finance & Performance: 08 December, 24 January, 09 March

Companies: 24 November, 13 December, 24 March

All meetings start at 6.00 pm.

The meeting started at 6.00 pm and ended at 8.10 pm

Chair

Date: Wednesday 8 December 2021