

To: Council
Date: 2 October 2023
Report of: Head of Law and Governance
Title of Report: Questions on Notice from members of Council and responses from the Cabinet Members and Leader

Introduction

1. Questions submitted by members of Council to the Cabinet members and Leader of the Council, by the deadline in the Constitution are listed below in the order they will be taken at the meeting.
2. Responses are included where available.
3. Questioners can ask one supplementary question of the Councillor answering the original question.
4. This report will be republished after the Council meeting to include supplementary questions and responses as part of the minutes pack.
5. Unfamiliar terms may be briefly explained in footnotes.

Questions and responses

Cabinet Member for Inclusive Economy and Partnerships; Leader of the Council

SB1 From Cllr Rawle to Cllr Brown – Thames Water discussions

Question

What discussion has the Council had with Thames Water about the burst water main on Rymer's Lane, and has the Council asked Thames Water for an action plan to ensure that incidents like this do not happen again?

Written Response

Council officers have not held any discussions with Thames Water in relation to the burst water main on Rymer's Lane and it should be noted the Council has no statutory oversight for Thames Water's provision of water or sewage services.

However, on 27 March the Council Leader and Deputy Leader did hold a meeting with a senior Thames Water executive to highlight

SB1 From Cllr Rawle to Cllr Brown – Thames Water discussions

the Council’s general concerns over the poor state of infrastructure in the city, this followed the burst water main on the Eastern Bypass which caused significant disruption, as well as highlighting issues over repeated sewage flooding in some residents’ gardens.

On the same day, a question and answer session was also held with the Thames Water executive with all Council members invited to participate, and written answers to questions provided as a follow up.

SB2 From Cllr Muddiman to Cllr Brown – Botley Road roadwork delays

Question

Given the news that the Botley Road will now remain closed until October 2024 and the ongoing works at the A34/A420 junction, what support can the council offer to residents and businesses along Botley Road facing increased costs and reduced incomes?

Written Response

This is a Network Rail scheme not a City Council scheme and funding has not been made available to us to provide to businesses.

Businesses can apply directly to the VOA for a reduction in their rateable valuation for the period of disruptions where they can demonstrate a “material change in circumstances” as a result of the works. More details are available [here](#). The decision on whether there can be a reduction is for the VOA not the City Council. The Leader previously wrote to the VOA to alert them to the likelihood for forthcoming applications and asked them to consider the applications sympathetically where the evidence provided to them shows businesses ability to operate have been negatively impacted. We encourage businesses who are concerned to contact the VOA. We have previously made this information available to local ward councillors to pass on locally.

We have actively encouraged Network Rail to liaise with the businesses as well as residents in the locality to ensure it is clear that the road and the businesses along it are open and accessible.

Cabinet Member for Finance and Asset Management; Deputy Leader of the Council

ET1 From Cllr Gant to Cllr Turner – Fusion management fee

Question

When did the council last receive a management fee from Fusion for managing the leisure centres?

Written Response

The Council have agreed a payment plan with Fusion for the payment of the management fee plus utilities in monthly instalments. Five instalments have been paid to date and one in respect of August is still outstanding.

ET2 From Cllr Gant to Cllr Turner – Dividend

Question

When did the city council last receive a dividend from its three companies?

Written Response

The Council has received 2 dividend payments from ODS, in the sum of £1.947 million. The last payment was made in 2022-23 for £600k. ODS have only recently finalised their 2021-22 accounts given well documented issues arising with the Housing Management System. The council is expecting more dividend to be paid once the 2022-23 accounts have been signed off, which is not expected until October/ November. The Housing Company is expected to pay the council around £15 million over the period 2023-24 to 2027-28. It is expected that the first of these payments in the sum of £2million will be made following the sign-off of the accounts by the Company Board expected at the end of September. I am not sure which third company the questioner is referring to.

ET3 From Cllr Gant to Cllr Turner – Kassam Stadium lease duration

Question

Why did the city council only agree to a 25 year lease with Kassam for the Kassam Stadium to be used for Oxford United

Written Response

The City Council entered into the relevant Development Agreement in February 2000. As such, I do not think it is my place to

Football club?	speculate on the motivations of councillors and the officers who advised them at the time in reaching this decision. I would therefore refer the councillor to the associated report and minutes of the Council of 22 November 1999, which will have formed the basis for decision making at the time.
----------------	--

ET4 From Cllr Pegg to Cllr Turner – Council buildings affected by RAAC	
<p>Question</p> <p>Which Council buildings are affected by RAAC and what is the council currently doing to ensure the safety of public buildings?</p>	<p>Written Response</p> <p>There are no buildings currently confirmed as having RAAC used in them. OCC is carrying out a building profile risk assessment to identify buildings where RAAC might have been used. This has identified a number of buildings where RAAC could have been used and these are currently being surveyed to confirm RAAC is not present. If RAAC is found within any building it will then be assessed as to the condition and location. A plan of remedial work will be actioned if required or if in a good condition then it will be subject to ongoing monitoring.</p>

ET5 From Cllr Kerr to Cllr Turner – Bramwell Place	
<p>Question</p> <p>In St. Mary's ward, Bramwell Place is owned by the City Council but appears to have very unclear parking rules which attracts anti-social parking from individuals without permits and complaints from a number of local residents - but as it is not on the Highway, the County Council is not able to enforce the double-yellow-lines. Could you explain who owns Bramwell place car parking, who is supposed to be permitted to park there, and how we can improve enforcement? Given there must be other properties across the city with similar issues, does the City Council hold a database of how many City-owned parking spaces there are outside of official car parks, and who has</p>	<p>Written Response</p> <p>We operate a free-of-charge resident parking permit scheme where parking spaces or poor parking practice need to be managed on City Council land, typically housing land. Where these schemes have been put in place, we have a record of who is permitted to park in which spaces. Our contractor enforces the permit scheme through the use of ANPR. Other permits for visitors or carers are available.</p> <p>In the case of Bramwell Place, officers will check the ownership of the land in question and carry out consultation with residents if appropriate. Officers have noted that the</p>

permission to use them?	buildings and the area of land to the right of Bramwell Place (as you enter) may be owned by a private landowner.
-------------------------	---

Cabinet Member for Leisure and Parks; Deputy Leader of the Council

CM1 From Cllr Miles to Cllr Munkonge – Marston Ferry Leisure Centre membership

Question	Written Response
What is the current number of centre members and has there been a change in the number of members and users at the Marston Ferry Leisure Centre as a result of current poor service levels and equipment maintenance?	The latest figures from Fusion show an increase in members and usage. The membership figures at Ferry leisure Centre up to and including July 2023 show there are currently 2219 members, which is up from 2145 in May.

CM2 From Cllr Smith to Cllr Munkonge – Bury Knowle House

Question	Written Response
Bury Knowle House front door entrance to the Headington library and some of the window frames are in a poor condition. Could the cabinet member confirm when these will be receiving attention?	The Council are working to procure a design team to assist with this refurbishment project to better understand the works required. Any works will require budget approval, planning and listed building consent.

CM3 From Cllr Miles to Cllr Munkonge – Play Park for Broad Street

Question	Written Response
What is the city council's view of the idea of a play park in the centre of Broad Street if and when plans are designed to improve the city centre?	<p>Space is a key constraint in the city centre. The high footfall and variety of uses all competing for this limited and constrained space in a historic setting poses many challenges.</p> <p>Broad Street is a highway and therefore comes under the jurisdiction of Oxfordshire County Council. We delivered an initial experimental scheme, known as Broad Meadow, in 2021. The current scheme is a</p>

	<p>county council led scheme.</p> <p>In designing those schemes careful balances had to be struck between access for Turl Street, deliveries for businesses along the street, Public Transport and disabled parking. The street also hosts many events during the year the most significant being the Oxford Half Marathon and Christmas markets. During St. Giles Fair the street also has to have wider access arrangements accommodated.</p> <p>Due to the above it would not be possible to safely introduce a permanent play park.</p> <p>The city and county councils will be working with stakeholders soon to look at longer term solutions for the street as part of a wider framework for the city centre. A key element of this is to try and identify opportunities for re-prioritisation of road space across the city centre to enable more civic space where people can dwell for longer. Play whether formal or informal is likely to feature in that thinking around public realm design.</p>
--	--

CM4 From Cllr Smith to Cllr Munkonge – St Andrew’s School use of Ferry pool	
<p>Question</p> <p>St Andrew’s School has hired a Thursday morning slot at Ferry pool for over 25 years. This year the application went to Fusion online and a hard copy delivered in person. The school was informed the day before the children's first swimming lesson of the year that the slot had been given to another school. Does the cabinet member have confidence in Fusion?</p>	<p>Written Response</p> <p>Due to an administration issue on Fusion's part, unfortunately the booking was not registered. Fusion have apologised to St Andrews school and a solution has now been found where the school will swim at the Leys pool from 09:30-10:30 on Thursday mornings.</p>

CM5 From Cllr Smith to Cllr Munkonge – City allotment associations rent rises
--

<p>Question</p> <p>I understand in the proposed terms of new leases to the City allotment associations for block rents is a whopping 29.5% rise with a link to inflation pressure rises thereafter. This is addition to changes in responsibilities for the associations. Does the leader consider these changes and rent increases justified and fair?</p>	<p>Written Response</p> <p>It is correct that an increase in rents is proposed. For context this will increase the global rent, across all allotment sites from £11,700 pa to £15,237.23 pa. The rents have not been reviewed in 9 years and so this represents a 3.3% increase per year. The rent is not taken as income by the Council but is instead made available to Associations by way of Grant to help facilitate investment in the sites. The Federation of Associations considers grant applications twice per year. The rents are also discounted for those sites that do experience regular flooding events which may mean part of the site is not useable during an event.</p>
--	---

<p>CM6 From Cllr Kerr to Cllr Munkonge – Usage data on public water fountains</p>	
<p>Question</p> <p>Does the council have usage data on public water fountains in the city? What are the costs of maintenance for them?</p>	<p>Written Response</p> <p>The council has drinking water fountains in Florence Park, Cutteslowe Park, and Bury Knowle Park. We have no data on usage of these, or on city-wide drinking fountains usage. So far repairs have been low level and are not recorded individually.</p>

<p>CM7 From Cllr Kerr to Cllr Munkonge – Installation of an outdoor public chess board</p>	
<p>Question</p> <p>Is the city council seeking to access Chess Federation funds for the installation of an outdoor chess public chess board in Oxford?</p>	<p>Written Response</p> <p>Unfortunately, the City Council isn't eligible to access these funds. Only Local authorities which are currently receiving the Levelling Up Parks Fund (LUPF) and have been identified as communities most in need of improved quality green space will determine where to locate the chess tables and Oxford City Council is not in that category. See https://www.gov.uk/government/news/major-investment-to-transform-future-of-english-chess-announced</p>

<p>CM8 From Cllr Morris to Cllr Munkonge – Local food production as an essential service</p>	
---	--

<p>Question</p> <p>Will the Council consider making local food production an essential service by dedicating adequate and substantial officer time into supporting and helping manage communal food growing projects in Oxford? This needs to have far greater priority if we are to provide greater food security and more sustainable farming practices in a more uncertain, less reliable future life for the citizens of Oxford.</p>	<p>Written Response</p> <p>We recognise the importance of local food production and local food growing projects. In respect of this we have been working with the County Council, District Councils, Good Food Oxfordshire and local groups on the Oxfordshire Food Strategy and also the City Food Action Plan. This promotes a system wide response to these issues rather than focusing on any one organisation given the scale of the problem.</p>
---	---

<p>CM9 From Cllr Morris to Cllr Munkonge – Allotment leases</p>	
<p>Question</p> <p>Given that allotments are the backbone of local food production, does the portfolio holder agree that the City Council should make it easier for leases to be renewed?</p>	<p>Written Response</p> <p>A template lease is being negotiated with ODFAA on behalf of each association, these discussions are ongoing. Once this is complete each association will receive a copy of their new lease. It has been undertaken in this way at the request of the Associations and ODFAA and to avoid having 30 differing lease types across the allotment portfolio.</p>

<p>CM10 From Cllr Morris to Cllr Munkonge – Allotment maintenance</p>	
<p>Question</p> <p>Does the portfolio holder agree that the city council has an obligation to maintain allotments, rather than putting extra responsibilities onto voluntary organisations with limited resources?</p>	<p>Written Response</p> <p>The Council does not generate any profit from the allotments. The rents are given back to associations in the form of grants with the criteria for grant application being determined annually by ODFAA. For clarity, this is a continuation of the existing position within the leases and is not a change in obligation.</p>

LU1 From Cllr Miles to Cllr Upton – OxIS multi criteria assessment tool

Question

OxIS multicriteria assessment toolkit is promoted across Oxfordshire for prioritising infrastructure spend; does the city council use this tool and when was the last time it was used?

Written Response

The City Council is working with our County and District partners on the OxIS project and we're familiar with the multicriteria assessment toolkit which was developed as part of the work on OxIS. It was developed for assessing and prioritising large infrastructure projects within the OxIS report itself. Several key infrastructure projects for the city scored well such as the station improvements and work to enable the reintroduction of passenger services on the Cowley Branch Line, and have been prioritised in OxIS accordingly. The next phase of OxIS will involve ensuring the toolkit performs well, and if so, assessing new projects with it. The City Council itself doesn't regularly commission such projects, but is keen to ensure that key infrastructure projects that will benefit the city are prioritised.

LU2 From Cllr Smowton to Cllr Upton – Planning Enforcement

Question

I note that the Council's good work to enforce against material change of use from a C3 dwellinghouse to a full-time short let is stymied by a significantly under-resourced planning enforcement operation. Will you commit to securing the additional person-hours needed to clear the backlog?

Written Response

The enforcement team work diligently and effectively across all manner of planning enforcement issues, and your positive comments regarding their work is welcome. As with all service areas we must balance the caseload with delivering a prudent and balanced budget. There are no current intentions to increase the number of Enforcement Officers but we will continue to prioritise the most urgent and egregious cases.

LU3 From Cllr Landell Mills to Cllr Upton – B4044 cycle path to Hill End and Eynsham

Question

What is the city council’s position on the proposal for a segregated cycle way on the B4044 to connect Oxford to Eynsham but also to allow visitors to the Hill End Activity Centre used by schools in the city to travel there safely by bike?

Written Response

This B4044, connecting Oxford to Eynsham, was found to be a strategic or primary route in the County Council’s recently completed project, the Strategic Active Travel Network (SATN). This means it is one of the priority routes which should be put forward for development as a scheme for potential delivery.

The council agrees with the finding of the SATN – this is not a pleasant or safe road for cycling on and it would benefit many people, including journeys by young people to the Hill End Activity Centre, if there were a segregated cycle way here.

Cabinet Member for Citizen Focused Services

NC1 From Cllr Miles to Cllr Chapman – Men’s toilets outside Town Hall

Question

What are the plans and timescales for addressing the boarded up gentlemen’s toilets on the outside of the town hall, and where were the original women’s public toilets?

Written Response

Following on from the successful move from St Aldates Chambers to the town hall, capital feasibility funds have been allocated to look at the potential scope of further work at the town hall, including the closed toilets on Blue Boar Street. This work will consider the business case for further investment to improve the asset

Officers expect this next phase of scoping work to complete by July 2024, at which point it will be reported to me for consideration, ahead of future budget and capital programme planning.

The original women’s toilets are further up Blue Boar Street and were accessed via a door at street level.

NC2 From Cllr Smowton to Cllr Chapman – Annual flytipping

Question

Headington has experienced an annual wave of fly-tipping relating to turnover of predominantly student lets. Is responding to these with case-by-case street scene visits cost-effective? Will you look at providing an extraordinary waste bulk collection given we know this will happen next August/September?

Written Response

ODS does not hold specific data on fly tips in the Headington area related to students. However, ODS is working with Oxford Brookes to ensure guidance is given to students around house clear-outs at the end of the academic year and is planning to hold discussions with property managing agents.

For a number of years ODS has also been working with the British Heart Foundation, to provide sites around the Headington area for temporary bring banks to collect clothing around the end of the academic year.

NC3 From Cllr Goddard to Cllr Chapman – Grass verge cutting policy

Has it been worth having a once-per-year grass verge cutting policy and what would the council change about the current policy based on resident feedback?

Over the past three years Oxford City Council has trialled allowing grass to grow long in 21 specific locations across the city to help boost biodiversity. This year Oxfordshire County Council, the highways authority, which has responsibility for roadside verges across Oxfordshire, announced a single mow policy countywide and confirmed it would only pay ODS for one annual mow. As a result, this year there was a single cut across the entire city. Additional mowing has been undertaken at junctions to ensure safety.

There has been significant resident feedback on the change in the verge cutting regime. We are now reviewing that feedback and also assessing the measurable changes in biodiversity achieved at different sites across the city. As cuttings are left in place following the single cut – other than in one of the 21 trial locations to boost biodiversity – we are also assessing the impact the greater volume of cuttings detritus has had on street cleaning costs.

	<p>Following the review and assessment we will consider adjustments to the mowing regime as appropriate.</p> <p>OCC & ODS are working through areas of Oxford, where taking resident views, safety, biodiversity and costs into account we could trial different frequencies in different areas of the City, to find the appropriate way of maintaining our verges. This is very much work in process currently</p>
--	---

NC4 From Cllr Miles to Cllr Chapman – Deep cleaning of streets	
<p>Question</p> <p>Outside of the city centre what criteria are applied to determine if and when certain streets are given a deep clean, for example is data on intensity of pedestrian use on specific streets used?</p>	<p>Written Response</p> <p>There is no specific criteria to deep cleansing, the work is normally generated through 3 streams</p> <ul style="list-style-type: none"> • Following Supervisor inspections • Resident feedback • Known historic hot spots <p>We have 4 Suburban streetscene Supervisors, who look after different areas of the City, and regularly inspect cleansing and complaints</p>

NC5 From Cllr Landell Mills to Cllr Chapman – Public realm in Cornmarket	
<p>Question</p> <p>What is the council’s view on the state of the public realm in Cornmarket and other city centre streets after 7pm? What advice is given to businesses about where they should place their commercial waste on the street after their businesses close?</p>	<p>Written Response</p> <p>Businesses presenting trade waste for collection does have an impact on the city centre in the evenings. Oxford City Council and ODS are working to help minimise the impact on the public realm. Where possible businesses should present commercial waste in the morning. ODS would be happy to work with any businesses, that have timing issues with this, to advise on best practice and solutions</p>

NC6 From Cllr Morris to Cllr Chapman – Grass Cutting around Marston

Question

In view of the still uncut grass verges around Marston in September, what actions is the Council taking to make sure next year is better organised and that the cuttings are collected and composted before the end of August?

Written Response

Over the past three years Oxford City Council has trialled allowing grass to grow long in 21 specific locations across the city - including Marston Road, Marsh Lane and Marston Ferry Road - to help boost biodiversity. This year Oxfordshire County Council, the highways authority, which has responsibility for roadside verges across Oxfordshire, announced a single mow policy across the county and confirmed it would only pay ODS for one annual mow. As a result, this year there was a single cut across the entire city for roadside verges.

Mowing in Marston has taken place between 18th and 22nd September, as planned. Cuttings are collected and composted in those roads that remain part of the biodiversity trial, elsewhere cuttings are left to mulch in.

We are now assessing the impact of the single cut approach - both in terms of the significant level of feedback from residents as well as measurable changes in biodiversity. Following the assessment we will consider adjustments to the mowing regime as appropriate.

AR1 From Cllr Pegg to Cllr Railton – Tree planting

Question

How many trees are being planted in the upcoming tree planting season and, of these trees, how many are replacing trees which have been removed? Given Oxfordshire County Council's recent announcement of a £2.1m fund to replace lost street trees, do we have allocated County funds to assist with tree planting?

Written Response

74 trees are due to be planted by ODS on Council land in the upcoming tree planting season.

Where trees are identified for removal by ODS on behalf of the City Council, then our aim is to replace them at the same site where appropriate – though this may not be in exactly the same position. Any replacement planting will be undertaken between November and March and according to our 5-year tree planting schedule (attached separately).

If Members would like to invest in local tree planting in your area sooner using your ward budget, please contact ODS and they can provide a quotation.

In addition, Oxfordshire County Council has informed us that it intends to remove 53 trees along Oxford highways this winter, which are approaching the end of their safe life. County officers have committed that two street trees will be planted for each tree removed – the first, wherever possible, within the tree pit of the felled tree; the second in other empty tree pits across the city. The Council's adopted Urban Forest Strategy provides clear criteria to prioritise where these additional street trees should be sited – in those areas of the city with lower levels of existing canopy.

JH1 From Cllr Miles to Cllr Hunt – Enforcement of single use plastic for street trading**Question**

What is the latest enforcement data regarding the continued use of single use plastic for street trading by street traders in contravention of the street trading policy?

Written Response

Following update report agenda item 4 at the General Purposes Licensing Committee 25/09/23, As reported to Council in July, steps have been taken to ensure that street traders are no longer using single use plastic, in line with the updated Policy. Inspection visits to 90% of street traders found that 25% of these were still using single use plastic. All respective Consent Holders were advised that they were breaching a condition of the Policy and it is intended that follow-up visits will be carried out in October this year. This work will continue in October following the issuing of 100 Pavement License consents.

JH2 From Cllr Miles to Cllr Hunt – Helium balloons at St Giles Fair**Question**

Street traders were selling Helium Balloons at St Giles Fair. What action was taken to inform the organisers of St Giles Fair about the updated street trading policy?

Written Response

The event is outside the scope of The Street Trading Policy which states in section 4.3- Local Government (Miscellaneous Provisions) Act 1982, this is an exempt activity.

LS1 From Cllr Smowton to Cllr Smith– HMOs not compliant with current standards

Question

Where a licensed HMO is not compliant with current standards (e.g., not having proper bin storage), but is licensed on grounds of use predating the licensing scheme, what can be done to compel the landlord to bring the property up to standard over time?

Written Response

There is a mandatory condition which makes it clear that the landlord is responsible for the provision of waste receptacles at the start of the tenancy and for dealing with problems during or at the end of the tenancy, and that tenants are also responsible during tenancy. If a property has an HMO licence, a lack of bin storage can be addressed at any time, through the use of enforcement of the licence condition or other relevant legislation. If there are particular HMOs of concern please refer them to HMO Enforcement team who will investigate the issue – hmos@oxford.gov.uk

LS2 From Cllr Jarvis to Cllr Smith – HMO Licenses

Question

Can the portfolio holder confirm whether licenses for HMOs and other private rented properties contain clauses surrounding anti-social behaviour, and, if so, what proportion of licensed properties have them?

Written Response

Following the consultation exercise carried out in 2020 regarding both the HMO licensing scheme renewal and the proposed Selective licensing scheme; standard conditions concerning anti – social behaviour are not included in either HMO or selective licences. However, where there are particular problems evidenced at a particular property, a specific property condition is included in the licence.

The number of properties where a specific condition to ASB has been included in a licence is not retrievable from the HMO licensing database; however I can confirm that we have added an ASB condition to only 1 or 2 licences recently, and none have as yet been added to a selective licence. It is hoped that using PowerBI we will be able to get information concerning details of specific conditions from the database in the future.

There are currently 3037 HMOs with an

	HMO licence and 4 of these have a specific condition relating to ASB. Specific ASB conditions have not, as yet, been added to a selective licence.
--	--

LS3 From Cllr Morris to Cllr Smith – Cooperative housing projects	
<p>Question</p> <p>Is the Council willing to work towards ensuring that future housing developments all include at least one co housing project? There is a demand and need for this sort of cooperative living arrangement in the way we live as a very real and practical way of living more sustainably and with better mental wellness.</p>	<p>Written Response</p> <p>No. Our priority remains the provision of affordable housing, to include homes for social rent, homes for affordable rent and shared ownership homes.</p>

This page is intentionally left blank