

## WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the **Economic and Social Overview & Scrutiny Committee**  
held in Committee Room 1, Council Offices, Woodgreen, Witney,  
at 6.30pm on **Thursday 22 November 2018**

### PRESENT

Councillors: Andrew Beaney (Chairman), Hilary Fenton (Vice-Chairman); Jake Acock, Rosa Bolger, Laetisia Carter, Jane Doughty, Harry Eaglestone, Andy Graham, Peter Kelland, Nick Leverton, Michele Mead, Neil Owen and Alex Postan.

#### 40. MINUTES

**RESOLVED:** That the minutes of the meeting of the Committee held on 20 September 2018 be approved as a correct record and signed by the Chairman.

#### 41. APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

There were no apologies for absence and the Committee was advised of the following resignation and temporary appointment:-

Councillor Alex Postan for Councillor Ted Fenton.

#### 42. DECLARATIONS OF INTEREST

There were no declarations of interest from Members or Officers in items to be considered at the meeting.

#### 43. PARTICIPATION OF THE PUBLIC

Sue Haywood on behalf of Responsible Planning in Burford, Friends of West Oxfordshire Cotswolds, Sustainable Stonesfield, CPRE and Cotswold Conservation Board Planning Officer, was present to speak in relation to Agenda Item No. 9 (Calculation of Affordable Housing Need). A copy of her presentation is attached as an appendix to the original copy of these Minutes.

#### 44. CHAIRMAN'S ANNOUNCEMENT – ORDER OF BUSINESS

Councillor Beaney advised that he had decided to vary the order of business to consider Agenda Item No. 9 (Calculation of Affordable Housing Need) as the next item in view of the submission reported at minute no. 43 above.

#### 45. CALCULATION OF AFFORDABLE HOUSING NEED

The Committee received and considered the report of the Head of Planning and Strategic Housing which, further to a previous request, sought to explain to the Committee how affordable housing need was calculated and used for development management purposes.

The Planning Policy Manager introduced the report and set out in detail points in Section 4 of the report which dealt with the calculation of affordable housing need, which was a multi-layered approach.

Councillor Owen was concerned that it appeared that developers in future would submit their own housing needs survey in support of an application. The Planning Policy Manager pointed out that in accordance with the recently adopted Local Plan, evidence would need to be provided to demonstrate that there was a justifiable housing need and that the evidence submitted by developers would be assessed as part of the application process, and

not simply accepted. Planning Officers would accordingly come to a view as to whether the evidence was reasonable.

Councillor Graham asked what would be the position if there was a conflict between the evidence supplied by the developer and that supplied by another group (e.g. those preparing a Neighbourhood Plan). The Planning Policy Manager replied that if both groups commissioned a housing needs survey from a reputable source, the results should in theory be similar but that the Council would have the ability to seek independent advice and could appoint an independent third party expert where that was considered to be necessary.

Councillor Graham then asked why Clause 32 in Homeseeker Plus was not applied and the Planning Policy Manager replied that it was to remove and reduce the risk of void properties, which would be a likely consequence if the allocation of affordable properties was unduly narrow. He added that the Planning Service and system secured the development of affordable housing, and that it was for the Council to decide how the Homeseeker Plus processes should be applied.

Councillor Graham then referred to a comment to the effect that the Oxfordshire SHMA 2014 which evidenced housing need across Oxfordshire was now “long in the tooth” and asked why it was being persisted with and whether it should still be relied on. The Planning Policy Manager replied that whilst having been published in 2014, there was no alternative in Oxfordshire, that it underpins all current Local Plans, it runs until 2031 and that only very recently an independent Inspector in South Oxfordshire in dealing with a planning appeal had formed the view that it was to be used as the current assessment. The Planning Policy Manager added that it would be replaced before 2031, most likely being updated as part of the supporting evidence base for the Joint Statutory Spatial Plan.

Councillor Postan commented that the problem of property not being affordable was countrywide, albeit more severe in this area than in many. He felt that the Oxfordshire Green Belt should be considered to provide more land supply. Affordable housing needed affordable money. He felt recommendations should be made on ways of increasing land supply and being innovative regarding mortgages, with a view to improving the proportion of people able to afford housing.

Councillor Beaney reminded Members that this was a report for noting, and stated that more information was needed and would come forward in the future. He asked whether the Committee could request a further report and was advised by the Head of Democratic Services that it could.

Councillor Acock felt that the challenge was the definition of affordable housing and that there was a risk of the people affected being forgotten. He believed that the sale of council houses had been a mistake, and asked whether the definition of affordable housing could be reconsidered. The Planning Policy Manager replied that there is a national definition set out in the NPPF but that it is for the Council to seek to deliver a broad range of different property types and tenures to meet a range of needs.

It was then proposed by Councillor Postan and seconded by Councillor Doughty that the content of the report be noted, and that a further report on the potential for more innovative ways of delivering affordable housing be submitted to the Committee in the future.

**RESOLVED:** That the report be noted and that a further report exploring potentially more innovative ways in which affordable housing could be delivered, be brought to a future meeting of the Committee.

46. POLICY TO IMPLEMENT ENFORCEMENT POWERS IN THE HOUSING AND PLANNING ACT 2016

The Committee received and considered the report of the Group Manager, Professional Services, which set out how the Council planned to implement new enforcement powers contained in the Housing and Planning Act 2016, (Part 2: Rogue landlords and property agents in England), including the use of civil penalties for private housing offences and other regulatory functions, and provided an opportunity for the Committee to comment on the proposals.

The Service Leader, Environmental and Regulatory Services, advised that the policy had been derived from a scheme operated by Oxford City Council.

Councillor Leverton felt that the rules relating to Homes in Multiple Occupation were onerous upon landlords as he understood they would be unable to evict a tenant. The Service Leader advised that this would be the case where an Improvement Notice had been served.

Councillor Leverton asked how many prosecutions had been carried out by Oxford City Council and the Service Leader replied that he did not have those figures but that West Oxfordshire would follow its own procedures.

Councillor Postan asked whether the policy would result in more rogue landlords being prosecuted and whether the fines could be used by the Council on the provision of new homes. The Service Leader advised that there had been two successful prosecutions in 14 months and that the level of fines would not be great. He added that HMO Licensing provisions would bring some income and that charges for serving notices could be introduced. The Chief Finance Officer advised that penalties imposed by the Courts could be used to fund enforcement activities but could not be used to contribute towards the provision of new homes. The Regulations stated that surplus income would in fact pass to Central Government and not to the Council.

Councillor Beaney considered that the proposals were a step in the right direction and asked that a further report be brought to the Committee in the future to show how the policy was working in practice.

**RESOLVED:**

- (a) That Cabinet be advised that the Committee was supportive of the recommendations in the report; and
- (b) That a report be submitted to a future meeting of the Committee on the operation of the policy.

47. OXFORD CITY LOCAL PLAN

The Committee received and considered the report of the Head of Planning and Strategic Housing, which invited it to consider Oxford City's Proposed Submission Draft Local Plan (2016 – 2036), and submit any comments to Cabinet.

The Planning Policy Manager explained that the report was a brief summary of the Local Plan document which was in excess of 300 pages in length, and that the appendix to the report set out the suggested response to Oxford City Council, in light of what were considered to be the issues of primary interest to this Council.

Councillor Doughty was concerned regarding the amount of the unmet housing need that might fall on West Oxfordshire. She asked whether the Grenoble Road site was included

in the plan. The Planning Policy Manager advised that the site was in South Oxfordshire and would not therefore be included in the Oxford City Plan, but also confirmed that he was not aware that it was mentioned in the City Council's document.

Councillor Postan commented that Local Plans and Neighbourhood Plans needed to have public support.

Councillor Acock stated that Oxford City Council was the lowest provider of affordable housing in Oxfordshire and that it needed to do more.

Councillor Leverton asked if the City Council should be doing more to deliver additional housing including the consideration of sites within the City Centre facilitated by some other uses being moved out to more peripheral sites such as Botley Road.

The Planning Policy Manager explained that the level of housing proposed in the Local Plan is only marginally above that previously set out in the Oxford Core Strategy and that the City Council were likely to face pressure from respondents to the consultation in terms of whether they have identified all potential housing opportunities.

As an aside, the Planning Policy Manager drew the Committee's attention to paragraphs 4.16 and 4.17 of the report which referred to the amount of employment land being provided and clarified the fact that the Northern Gateway proposal will in fact deliver around 87,000m<sup>2</sup> of additional floorspace and that the report and draft response attached at Appendix I should be amended accordingly.

Councillor Leverton asked whether there would be a meeting to consider the impact of the various Local Plans on West Oxfordshire and was advised by the Planning Policy Manager that whilst there was no single meeting currently proposed, the Joint Statutory Spatial Plan for Oxfordshire would consider the cumulative, overall impact of long term growth to 2050.

**RESOLVED:** That the contents of the report be noted, and that the comments included in its Appendix be forwarded to Cabinet for consideration and agreement for submission to Oxford City Council in response to the current consultation.

48. OXFORDSHIRE JOINT STATUTORY SPATIAL PLAN STATEMENT OF COMMUNITY INVOLVEMENT

The Committee received and considered the report of the Head of Planning and Strategic Housing, which had been provided to enable it to respond to the consultation on the Statement of Community Involvement for the Oxfordshire Joint Statutory Spatial Plan, as set out in the appendix to the report.

Councillor Graham considered that any events held during the consultation process should be in strategic locations so as to ensure maximum public awareness.

Councillor Beaney considered that the Specific Consultation Bodies set out in Appendix I of the report should include BT in the Utilities section.

**RESOLVED:** That the above comments be submitted by way of a response.

49. DRAFT HOMELESSNESS STRATEGY

The Committee received and considered the report of the Group Manager, Customer Services, which invited it to submit views on the draft strategy appended to the report to Cabinet.

Councillor Doughty asked how many rough sleepers there were in West Oxfordshire and the Business Service Manager advised that none had been identified in the most recent count.

Councillor Carter commented that she was aware of four regular rough sleepers in Chipping Norton and felt that local intelligence should be used in order to obtain an accurate figure. The Business Service Manager replied that often those approached said they did not require help.

Councillor Graham agreed that the numbers needed to be counted differently as the figures were skewed. He asked if there was another strategy that would give more accurate figures and was advised that a report on rough sleepers considered by a meeting of the Health Improvement Board earlier in the day would be circulated to Members for information.

Councillor Doughty commented that Oxford City Council sent people with West Oxfordshire connections back to this district and considered that there was a need to be able to identify such persons.

Councillor Kelland indicated that there were often mental health considerations in relation to rough sleepers, and added that some people chose not to use hostels as they considered them to be unsafe.

Councillor Acock asked what the procedure was when someone came to the Council and said that they were homeless. The Business Service Manager explained the processes and the obligations on the Council and referred to the fact that the Council did not currently own any emergency accommodation in the district, which was why a building in Chipping Norton was being acquired.

Councillor Leverton said that he understood that there were a lot of RAF homes empty and felt that these should be used. The Executive Director, Commissioning (Publica) replied that this did not appear to be the case and in fact the RAF had indicated that it needed more houses.

Councillor Beaney asked when the Chipping Norton property would be ready for use and was advised that it would be as soon as all necessary works had been completed, which was anticipated to be early in the New Year.

Councillor Carter welcomed the section on domestic violence and asked whether the section was strong enough. See suggested that domestic violence should be included in the Committee Work Programme.

Councillor Graham considered that matters should be regularly reported in order to highlight any issues that arose. He felt that the general direction of the Strategy was good but that it needed to be kept under review.

**RESOLVED:** That the report be noted and that Cabinet be advised of the above comments and that the Committee was supportive of the proposed strategy, subject to it being kept under review.

#### 50. COUNCIL TAX EXEMPTION FOR CARE LEAVERS

The Committee received and considered the report of the Group Manager, Customer Services. The report drew attention to the motion referred by Council for consideration, put forward some information and comments/suggestions, and advised that the matter was

also due to be considered by the Finance and Management Overview and Scrutiny Committee and by Cabinet, prior to further consideration by Council.

Councillor Bolger said that her biggest concern was requesting the County Council to take on the burden as that authority was already facing huge costs. She felt that the District Council should take on the burden. She believed that full exemption should be applied to the age of 25 in line with both the options set out in the report.

Councillor Acock asked whether the scheme would apply to just those with lower incomes and felt that it should be earnings related. The Business Service Manager commented that everything was up for discussion, this was a discount scheme and it would be possible to make it earnings related if the Council so desired.

Councillor Carter considered that means testing would increase costs.

Councillor Leverton proposed the recommendation set out in the report and the proposal was duly seconded.

**RESOLVED:**

- (a) That the Committee considered that the Council should, in principle, agree that it should exercise its discretion under Section 13A (1) (c) (Local Government Finance Act 1992) to apply a new Care Leavers Council Tax Discount Scheme; and
- (b) That the Council be recommended:
  - (i) To instruct officers to seek to enter into an appropriate data sharing agreement with Oxfordshire County Council to enable that authority to share information about care leavers residing in the District;
  - (ii) To request Oxfordshire County Council and Thames Valley Police to agree to fund their share of the cost of any discount scheme; and
  - (iii) To request subsequent recommendations from Cabinet as to the detail of a proposed scheme, taking into account both the options set out in this report and the as yet unknown financial implications.

51. VULNERABLE PERSONS' RESETTLEMENT SCHEME

The Committee received and considered the report of the Head of Democratic Services, which updated it on the meeting of the Working Party previously appointed to consider the matter, which had taken place on 15 October 2018.

Councillor Bolger considered that the Working Party had been useful but that the job was not fully completed. She suggested assigning a member from each political group to act as Champions for the resettlement scheme.

Councillor Leverton considered that the Working Party had held a very constructive meeting and felt that it should meet again in six months to review the scheme.

Councillor Beaney referred Members to the conclusions set out at paragraph 5.2 of the report which made clear that the Working Party did not have a remit to do that as it was usual for a Working Party to operate on a "task and finish" basis.

Councillor Graham commented that in principle he was not against the Champions suggestion and wondered if it could be investigated. The Executive Director replied that she did not think that it was workable and suggested that Members could ask Officers to bring a further report to Committee in approximately six months.

**RESOLVED:** That the report be noted and that Officers be requested to bring a further report to the Committee in approximately six months' time.

52. BUDGET 2019/2020

The Committee received and considered the report of the Chief Finance Officer, which sought consideration of the initial draft base budgets for 2019/20, draft fees and charges for 2019/20 and the latest Capital Programme for 2019/20 revised and future years. The views of each of the Overview and Scrutiny Committees of the Council would be submitted to Cabinet for consideration.

The Chief Finance Officer advised Members that this was the first budget report and that significant points were still to be included. The Local Government Settlement details would be announced in December, Council Tax details in January. In addition, the Council had submitted a bid with the other Oxfordshire authorities to become a pilot for 75% Business Rates Retention and a decision on that bid was expected in December. She also drew attention to paragraph 3.12 of the report, which showed the challenges for the budget process. Any changes would be included in the next report. There was some good news however, including the higher than expected income from green waste charges.

The Chief Finance Officer advised of other matters which would impact on the process. The Spending Review 2019, the Local Government Fairer Funding Review, the Implementation of 75% Business Rates Retention Scheme and the Review of the New Homes Bonus. Consultation documents were expected to be received from the Government.

Councillor Graham referred to the savings from the leisure contract set out in paragraph 3.12 and asked whether details setting out the savings were available. The Chief Finance Officer replied that she would check and contact Councillor Graham accordingly.

Councillor Postan had concerns over staffing levels and asked if those departments that had lost staff were having problems.

The Executive Director commented that if Members were aware of service areas where there were these problems they should refer details to the Chairman to raise at the Public Liaison meeting.

Councillor Postan commented that the Planning Department had lost staff and the Head of Democratic Services replied that that matter had been mentioned at Audit and General Purposes Committee and was expected to be raised at the Public Liaison meeting the following week, and also drew attention to the informal session intended for Councillors after the Council meeting on 23 January, which would be another opportunity to raise issues or concerns.

Councillor Postan then asked about future projects in gestation and the Chief Finance Officer commented that if Members were aware of any such project likely to be coming forward they should let her know.

The Chief Finance Officer confirmed that Cabinet would consider any comments received at its meeting on 16 January and asked that any comments be passed to her by mid-December.

**RESOLVED:** That the report be noted.

53. QUARTER TWO PERFORMANCE INDICATORS 2018/19

The Committee received and considered the report of the Group Manager, Council and Company Support, which provided information on the Council's performance at the end of Quarter 2 2018/2019, and included commentary on red and amber indicators.

**RESOLVED:** That the report be noted.

54. COMMITTEE WORK PROGRAMME 2018/2019

The Committee received and considered the report of the Head of Democratic Services which gave an update on progress in relation to its Work Programme for 2018/2019.

54.1 RAF Brize Norton

The Executive Director advised Members that there had been a meeting of the Civilian-Military Partnership Group the previous day. This had been a very good meeting with valuable contributions from Members. With regard to the REEMA North housing site, discussions were ongoing. There was consent for 200 houses although the RAF were hoping to increase this to 300.

Councillor Postan referred to the Partnership Group and asked whether as the Local Member he could receive the reports. The Executive Director confirmed that he could as well as any other relevant Member.

54.2 Working Party on Review of Outside Bodies

Councillor Graham asked if he could be given details of the membership of the Working Party and the Head of Democratic Services replied that he would pass the information on to him.

54.3 Other Matters

Councillor Carter requested that Domestic Violence be added to future Work Programmes and also suggested that it might be helpful to arrange Domestic Violence training for Members.

Councillor Postan suggested having a single item agenda in respect of Domestic Violence. The Head of Democratic Services suggested that there were various options, including something other than a formal meeting of the Committee, but commented that it needed to be clear what were the desired objectives and outcomes. Discussion would be needed to find the best way forward.

**RESOLVED:** That the report be noted.

55. CABINET WORK PROGRAMME

The Committee received and considered the report of the Head of Democratic Services, which gave members the opportunity to comment on the Cabinet Work Programme published on 13 November 2018.

**RESOLVED:** That the report be noted.

56. MEMBERS' QUESTIONS

There were no questions from Members relating to the work of the Committee.

The meeting closed at 8:50 pm

Chairman