

Agenda



Listening Learning Leading



Contact: Nicola Meurer, Democratic Services Officer

Telephone 01235 422523

Email: nicola.meurer@southandvale.gov.uk

Date: 19 October 2018

www.southoxon.gov.uk

www.whitehorsedc.gov.uk

A meeting of the

Joint Scrutiny Committee

will be held on Tuesday, 30 October 2018 at 6.30 pm

Meeting Room 1, 135 Eastern Avenue, Milton Park, Milton OX14 4SB

Members of the Committee:

Councillors

South

David Turner (co chair)

Sue Lawson

David Nimmo-Smith

John Walsh

Ian White

Vale

Debby Hallett (co chair)

Mike Badcock

Robert Hall

Anthony Hayward

Chris Palmer

Preferred Substitutes

South

John Cotton

Pat Dawe

Stefan Gawrysiak

Mocky Khan

Imran Lokhon

Toby Newman

Vale

Katie Finch

Dudley Hoddinott

Vicky Jenkins

Mohinder Kainth

Sandy Lovatt

Judy Roberts

Emily Smith

Alternative formats of this publication are available on request. These include large print, Braille, audio, email and easy read. For this or any other special requirements (such as access facilities) please contact the officer named on this agenda. Please give as much notice as possible before the meeting.



Margaret Reed, Head of Legal and Democratic

Agenda

Open to the Public including the Press

1. Apologies for absence

To record apologies for absence and the attendance of substitute members.

2. Minutes

(Pages 3 - 6)

To adopt and sign as a correct record the Joint Scrutiny Committee minutes of the meeting held on 20 September 2018 (attached).

3. Declarations of interest

To receive any declarations of disclosable pecuniary interests in respect of items on the agenda for this meeting.

4. Urgent business and chairman's announcements

To receive notification of any matters which the chairman determines should be considered as urgent business and the special circumstances which have made the matters urgent, and to receive any announcements from the chairman.

5. Public participation

To receive any questions or statements from members of the public that have registered to speak.

REPORTS AND OTHER ITEMS BROUGHT BEFORE THE SCRUTINY COMMITTEE FOR ITS CONSIDERATION

6. Draft housing allocations policy

(Pages 7 - 11)

To consider the report of the head of housing and environment (attached).

7. Work schedule and dates for all South and Vale scrutiny meetings

(Pages 12 - 14)

To review the attached scrutiny work schedule. Please note, although the dates are confirmed, the items under consideration are subject to being withdrawn, added to or rearranged without further notice.



Minutes

of a meeting of the

Joint Scrutiny Committee

held on Thursday, 20 September 2018 at 6.30 pm

in Meeting Room 1, 135 Eastern Avenue, Milton Park, Milton OX14 4SB

Open to the public, including the press

Present:

Members:

South Oxfordshire District Councillors: David Turner (co-chairman in the chair), John Walsh and Ian White

Vale of White Horse District Councillors: Mike Badcock, Robert Hall, Anthony Hayward and Chris Palmer

Officers:

John Backley, Richard Ballard, Andrew Down, Adrian Duffield, Liz Hayden, Holly Jones, Ian Matten, Adrianna Partridge, Donna Pentelow, Ron Schrieber, Mark Watson and Chris Webb

Also present:

Councillors Lynn Lloyd, Jane Murphy and Caroline Newton (South Oxfordshire) and Councillors Alice Badcock and Roger Cox (Vale of White Horse). John Amatt and Steve Hercus, GLL; Mark Hibbs and Kevin Harkness, Sodexo; and Pete Dickson and Ian Gillott, Biffa

Sc.9 Apologies for absence

South Councillor David Nimmo-Smith and Vale Councillor Debby Hallett submitted apologies.

Sc.10 Minutes

The minutes of the meeting held on 28 June 2018 were agreed as an accurate record and were signed by the Chairman.

Sc.11 Declarations of interest

South Councillor Ian White declared that he would be stepping down from the committee for Agenda Item 6: 2017/18 performance review of GLL, because of his relationship with the portfolio holder.

Vale Councillor Mike Badcock declared that he would be stepping down from the committee for Agenda Item 6: 2017/18 performance review of GLL, because the portfolio holder was his daughter.

Sc.12 Urgent business and chairman's announcements

None.

Sc.13 Public participation

None.

Sc.14 2017/18 performance review of GLL

Councillors Mike Badcock and Ian White stood down from the committee and took no part in the consideration of this item.

The committee considered the report of the head of community services, which assessed the performance of Greenwich Leisure Limited's (GLL) performance in delivering the joint leisure management contract for the period 1 April 2017 to 31 March 2018.

The report recommended that the contractor be awarded an overall rating of "Good".

Lynn Lloyd, South Cabinet member for community services introduced the report. Also present to answer questions were Vale Councillor Alice Badcock, Cabinet member for community services, Donna Pentelow, head of community services, Chris Webb, facilities development officer (leisure), and John Amatt and Steve Hercus, GLL.

In response to members' questions, the committee was informed that:

- The Key Performance Targets (KPTs) were jointly agreed by the officers and contractors each year.
- The loss of customers resulting from the closure of Abbey Meadow outdoor pool for refurbishment and temporary closures to other facilities impacted on GLL's user figures but it was not possible to say whether this would have affected their overall performance rating. The committee requested that officers provide further information on estimated user numbers had the facilities remained open, based on previous years' data and its impact on the KPTs.

GLL representatives expressed the view that the performance rating would have been "Excellent" but for the closure of facilities which was not within its control. Accordingly, the Cabinet members agreed to review the scores awarded.

RESOLVED: to support the assessment of GLL's overall performance of the leisure management contract in 2017/18 as "Good", subject to review of scores by the Cabinet members.

Sc.15 Performance review of Sodexo Limited (Horticultural Services) - 2017

The committee considered the report of the head of housing and environment which, assessed the performance of Sodexo Limited's performance in delivering the grounds maintenance services contract for the period 1 January to 31 December 2017.

The report recommended that the contractor be awarded an overall rating of “Good”.

Vale Councillor Roger Cox, Leader, deputising for Elaine Ware, Cabinet member for housing and environment, introduced the report. Also present to answer questions were South Councillor Caroline Newton, Cabinet member for housing and environment, Liz Hayden, head of housing and environment, John Backley, technical services manager, Richard Ballard, parks team leader, and Mark Hibbs and Kevin Harkness, Sodexo.

In response to members’ questions, the committee was informed that:

- There was only a very small difference between the scores which had resulted in last year’s “Excellent” and this year’s “Good” rating. However, these scores were based on the jointly agreed Key Performance Targets.
- Officers held monthly meetings with Sodexo to monitor performance.
- As grass needed to be cut less frequently than usual over the hot, dry summer, Sodexo agreed to carry out other work instead.

A member reported that several members of the public had spoken favourably about Sodexo staff’s polite and helpful attitude.

RESOLVED: to support the assessment of Sodexo’s overall performance of the grounds maintenance service contract in 2017 as “Good”.

Sc.16 Performance review of Biffa Municipal Limited - 2017

The committee considered the report of the head of housing and environment, which assessed the performance of Biffa Municipal Limited’s performance in delivering the household waste collection, street cleansing and ancillary services contract for the period 1 January to 31 December 2017.

The report recommended that the contractor be awarded an overall rating of “Fair”.

South Councillor Caroline Newton, Cabinet member for housing and environment, introduced the report. Also present to answer questions were, Vale Councillor Roger Cox, Leader, deputising for Elaine Ware, Cabinet member for housing and environment, Liz Hayden, head of housing and environment, Ian Matten, environmental services manager, Mark Watson, waste team leader, and Pete Dickson and Ian Gillott, Biffa.

In response to members’ questions, the committee was informed that:

- The reported missed bin collection Key Performance Target (KPT) had not been met in 2017, primarily because of vehicle breakdowns associated with Biffa’s refuse collection fleet as it neared the end of its operational life. Reliability issues continued until the entire fleet was replaced in October 2017.
- An action plan had been agreed to improve performance and, whilst Biffa accepted the assessment for 2017, it was confident that it would be awarded a higher rating in 2018.
- Officers could give Town and Parish Councils more than the current one month’s notice of a deep clean in the area, should they require it.
- The increasing tonnage of refuse being sent to energy refuse facilities and landfill was largely due to the increasing number of households in the district.
- The decreasing tonnage of dry recycling being collected was largely due to packaging etc. getting lighter rather than to a reduction in the quantity collected.

RESOLVED: to support the assessment of Biffa's overall performance of the household waste collection, street cleansing and ancillary services contract in 2017 as "Fair".

Sc.17 Oxfordshire Joint Spatial Plan

The committee considered the report of the head of planning, which sought comments on the draft project and programme documents for the Oxfordshire Joint Statutory Spatial Plan (JSSP) prior to their submission to Cabinets. These documents were:

- The JSSP Local Development Scheme (LDS) set out at Appendix 1;
- The draft Statement of Community Involvement 2018 for the JSSP set out at Appendix 2; and
- The Scoping Document set out at Appendix 3.

An addendum report was tabled setting out proposed changes to the LDS and Scoping Document. With regard to the latter document, these changes included:

- amending paragraph 3.10 to clarify that the JSSP will not allocate sites except at the request of the relevant local planning authority.
- Removing the key diagram illustration taken from the West of England Plan.

In response to members' questions, the committee was informed that:

- The outcome of the Regulation 18 consultation on preferred strategy options, scheduled for February/March 2019, would need to be fed back to each Oxfordshire local planning authority.
- The councils were seeking evidence from the Government to substantiate statements about one million new homes along the Oxford to Cambridge Expressway corridor.
- Work on the South and Vale Local Plans could not be delayed in anticipation of future Government announcements.

Following further discussion, it was:

RESOLVED: to

- 1) Recommend to South and Vale Cabinets that the draft project and programme documents for the Oxfordshire Joint Statutory Spatial Plan be approved, subject to the amendments proposed in the addendum report being approved by each Oxfordshire local planning authority.
- 2) Request that a report on the outcome of the Regulation 18 consultation be submitted to the committee.

Sc.18 Work schedule and dates for all South and Vale scrutiny meetings

The committee noted its work programme.

The meeting closed at 8.25 pm

Joint Scrutiny Committee Report



Report of Head of Housing and Environment

Author: Phil Ealey

Telephone: 01235 422456

E-mail: phil.ealey@southandvale.gov.uk

Wards affected: All

South Cabinet member responsible: Caroline
Newton

Tel: 07951 477144

E-mail: caroline.newton@southoxon.gov.uk

To: Joint Scrutiny Committee

DATE: 30 October 2018

Vale Cabinet member responsible: Elaine Ware

Tel: 01793 783026

E-mail: elaine.ware@whitehorsedc.gov.uk

To: Joint Scrutiny Committee

DATE: 30 October 2018

Draft Housing Allocations Policy

Recommendation

That scrutiny committee considers the draft joint housing allocations policy (HAP) and provides any comments to be taken into consideration as part of the consultation process.

Purpose of Report

1. To ask joint scrutiny for its views on the draft joint housing allocations policy.

Strategic Objectives

2. The HAP helps meet Vale's strategic objective of developing sustainable communities and South's strategic objective of homes and jobs for everyone.

Background

3. The current HAP is a joint South and Vale policy that came into effect from December 2013.
4. The HAP describes the mechanisms by which the councils assess applications to join their separate housing registers and make allocations of affordable housing within the districts.

5. The councils do not own affordable housing stock. The affordable housing properties in the districts are owned and managed by Registered Providers.
6. The councils have nomination agreements with Registered Providers to let their properties to households from the housing register and in accordance with the HAP.
7. Section 106 agreements for new affordable housing requires that the Registered Provider enter a nominations agreement with the councils.
8. The councils use Choice Based Lettings (CBL) to advertise and let affordable housing.
9. The councils are currently reviewing their joint HAP that includes holding stakeholder events and a public consultation.

The legislative framework

10. The 1996 Housing Act requires councils to allocate social housing in accordance with a published HAP. The Act states that the HAP should aim to meet housing need in the districts and give reasonable preference to four distinct groups:
 - people who are homeless, including those owed a statutory duty to be accommodated by the councils under homelessness legislation
 - people occupying insanitary or overcrowded housing, or otherwise living in unsatisfactory housing conditions
 - people who need to move on medical or welfare grounds
 - people who need to move to a specific locality in the districts, where failure to meet that need would cause hardship
11. The Localism Act 2011 introduced greater flexibilities for councils to determine local priorities. These include giving priority to working households and to applicants with a “strong local connection”.

The current allocations policy

12. You must be 16 or over to join the housing register and over 18 to bid for properties on Choice Based Lettings. Persons subject to immigration control are not eligible to join the register.
13. There are four main exclusion categories from the housing register:
 - applicants guilty of “unacceptable behaviour” or defined as not fit to be a social housing tenant
 - owner occupiers
 - applicants who have sufficient financial resources – income and/or savings above £60,000
 - applicants without a local connection to the district. A local connection is established through residence, employment, close family in the district or a special reason. e.g. care/support.

14. Priority on the housing register is mainly determined by a banding scheme. The scheme takes account of the reasonable preference categories and the additional flexibility from the Localism Act 2011. There are four bands that broadly reflect an applicant's level of housing need:

- Band 1 – exceptional housing need
- Band 2 – urgent housing need
- Band 3 – significant housing need
- Band 4 – no housing need / adequately housed

15. Priority of applicants within bands is normally determined by waiting time on the housing register.

16. Working households receive priority for 20 percent of lets and applicants with a strong local connection¹ receive priority for 20 percent of new-build first lets.

Reasons for developing a new housing allocations policy

17. The current HAP is approaching 5 years old, which is the normal lifespan of an allocations policy.

18. The current policy does not reflect changes introduced by Welfare Reform, particularly in relation to affordability.

19. The current policy does not reflect the preventative approach taken by the councils to tackle homelessness or changes to homelessness legislation.

20. The current policy does not take account of any requirements to meet Oxford City's future, unmet housing need.

21. A new HAP will allow the councils to review who will be able to bid for social housing and the priority awarded to applicants.

Areas reviewed

22. The review of the HAP considered amendments in key policy areas including:

- changes to local connection criteria
- the grounds for excluding applicants from the register
- awarding higher or lower priority to categories of housing need
- increasing or decreasing the number of priority bands
- introducing new categories of applicant, e.g. keyworkers
- increasing or decreasing the percentage of properties reserved for working households or households with a strong local connection
- any requirement to meet Oxford City's future, unmet housing needs
- the relationship between applying the HAP and Registered Provider's own allocation policies.

¹ Strong local connection is defined as a) where the applicant has lived in the parish for five years out of the last eight are currently resident there or b) where the applicant had previously lived in the parish for at least five years and their parents or children still live there and have done so for at least ten years.

The consultation process

23. A wide range of stakeholders, including councillors, were invited to a series of engagement and discussion workshops. These workshops included participation from Officers, Members, Registered Providers; statutory agencies; non-statutory agencies and the voluntary sector.
24. Officers have used the findings from these stakeholder engagement exercises to help inform the new draft HAP. A public consultation on the draft policy commenced from 15 October 2018.
25. Following public consultation, a report on the consultation outcomes and a final draft HAP will be submitted to Cabinet for approval.

Summary of proposed main changes

26. Keep the principle of Choice Based Lettings. Choice Based Lettings allows housing register applicants to choose which eligible properties they bid for. The alternative is the councils nominate successful applicants to a particular property.
27. Retain the current four priority need bands. The current four priority need bands received broad support in stakeholder engagement exercises and is considered a fair approach to reflecting housing need.
28. If Oxford City residents become eligible to join either housing register they will be subject to this allocations policy. Any future proposal to address Oxford's unmet housing need will apply the same eligibility and qualification rules to Oxford City applicants for joining the register. (except the local connection criteria). Any decision to allow residents of Oxford City to join either Vale of White Horse or South Oxfordshire District Councils' housing registers will be subject to the adoption of proposals in the Local Plans for each district.
29. Properties located on Great Western Park, Didcot may be available to both South and Vale housing register applicants. This will allow greater flexibility across the district borders for applicants in housing need. Properties in Great Western Park will first be advertised to housing register applicants in the district where the property is located.
30. An applicant's ability to pay any rent arrears will be considered before any decision to exclude them from the register. This will allow greater flexibility to consider an individual's financial circumstances.
31. Applicants on zero-hours contracts can qualify as working households. This reflects the increasing number of employees on zero-hours contracts who are resident in the districts.
32. Keep the main objectives of the housing allocation policy. The key aim of the policy is to promote the fair and transparent allocation of affordable housing. In addition, where possible the councils will meet priorities aimed at giving priority to working households to encourage people into work and to improve the opportunities for local people to access new build developments in their parish/ village.

Financial Implications

33. The consultation and implementation costs for the new HAP will be met within existing resources.

Legal Implications

34. The draft policy in its entirety and the significant changes which have been incorporated has been reviewed by a specialist housing barrister who has concluded that the proposals follow what have already become fairly well-established practices in other authorities and represent a moderated approach to both the legislative amendments made and other developments in housing allocation policy nationally.

Risk

35. The 1996 Housing Act requires that councils allocate social housing in accordance with a published HAP. The current HAP is approaching 5 years old and the risk of not producing a new HAP is that the current policy no longer reflects local housing need, welfare reforms or changes in legislation.

Other Implications

36. An Equalities Impact Check has been completed for the draft housing allocations policy. This will be made available as part of the public consultation and is also a background paper to this report. Arrangements are in place to enable persons without digital access to participate in the consultation.

Conclusion

37. The current HAP is approaching the end of its natural lifespan. It no longer reflects current legislation or the wider housing environment, including welfare reform.

38. A new HAP provides an opportunity for the councils to decide upon their priorities for the allocation of affordable housing going forward and to ensure they remain compliant with legislation.

Report Papers

- Draft Housing Allocations Policy
- Equalities Impact Check

Schedule for Scrutiny Committees

(further items to be added to schedule as required)

Meeting date	Council	Agenda items	Purpose of Report	Invited	Cabinet members	Report Author	Head of Service	Strategic Lead
Thurs 29 Nov	Vale	CIL spending strategy	To review the strategy		Mike Murray		Suzanne Malcolm	Adrianna Partridge
Tues 4 Dec	Joint Chair: David Turner	S106 negotiation	To review the policy & strategy for negotiations		Felix Bloomfield/Roger Cox		Adrian Duffield	Adrianna Partridge
Thurs 13 Dec	South	Local Plan	To consider the emerging Local Plan		Felix Bloomfield	Holly Jones	Adrian Duffield	Adrianna Partridge
Tue 22 January 2019	South	Corporate Delivery Plan Progress Report	Regular Monitoring Report		Kevin Bulmer	Sally Truman	Adrianna Partridge	Adrianna Partridge
Tue 5 February	South	Review of Final Draft Budget	To make recommendations to Cabinet		David Dodds	Richard Spraggett (Capita)	Adrianna Partridge	Adrianna Partridge
		5 Councils contract changes and action plan	To consider progress made on implementing changes		Kevin Bulmer	David Wilde	Andrew Down	
Thurs 7 February	Vale	Review of Final Draft Budget	To make recommendations to Cabinet		Robert Sharp	Richard Spraggett (Capita)	William Jacobs	Adrianna Partridge
		5 Councils contract changes and action plan	To consider progress made on implementing changes		Ed Blagrove	David Wilde	Andrew Down	
		Corporate Delivery Plan Progress Report	Regular Monitoring Report		Ed Blagrove	Sally Truman	Adrianna Partridge	

Agenda Item 7

		Annual Monitoring Report	Annual Review		Roger Cox	Ben Duffy	Adrian Duffield	
Possible additional meeting	Joint							Adrianna Partridge
Thurs 7 March	Joint Chair: Debby Hallett	Board Reports	To review their efficacy		Ed Blagrove/Kevin Bulmer	Chris Draper	Adrianna Partridge	Adrianna Partridge
Tues 26 March	South	Capita performance: HR, payroll and IT	To review the performance of the council's contractor		Bill Service	Andrew Down	Andrew Down	Adrianna Partridge
Thurs 28 March	Vale							Adrianna Partridge

Dates to be identified for the following items:

South

Corporate Plan Refresh
Berinsfield Redevelopment Project
Planning Appeals (requested 26.9.17)
Performance Review of Cornerstone
Air Quality Action Plan

Vale

Corporate Plan Refresh
Oxfordshire Growth Board Governance Arrangements
Abingdon Redevelopment: Charter Centre
Report of Budget Scrutiny Task Group
HMO Policy and Strategy

Joint

Science Vale Marketing Campaign
Reallocation of £295k Didcot Garden Town Grant
Unlawful encampments

The Cabinet work programmes can be accessed via the following links:

South

<http://democratic.southoxon.gov.uk/mgListPlans.aspx?RPIId=121&RD=0>

Vale

<http://democratic.whitehorsedc.gov.uk/mgListPlans.aspx?RPIId=507&RD=0>

Meeting Start times: Joint: 6:30; South: 6:30; Vale: 7.00;

Scrutiny Work Item Preparation

Members are invited to consider the following headings for future agenda items

Item name

Date of report to Committee

What do we want to know about? What topics should the report provider include in their report to Scrutiny?

Who to invite to Committee? (Cabinet member(s) and Head(s) of Service). Anyone from outside agencies?