

# Agenda

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## City Executive Board

Date: **Thursday 24 March 2016**

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Time: **4.00 pm**

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Place: **St Aldate's Room, Town Hall**

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For any further information please contact:

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As a matter of courtesy, if you intend to record the meeting please let the Contact Officer know how you wish to do this before the start of the meeting.

# City Executive Board

## Membership

### Chair

Councillor Bob Price	Corporate Strategy and Economic Development
Councillor Ed Turner	Finance, Corporate Asset Management and Public Health
Councillor Susan Brown	Customer Services and Corporate Services
Councillor Alex Hollingsworth	Planning, Transport and Regulatory Service
Councillor Pat Kennedy	Young People, Schools and Skills
Councillor Mark Lygo	Leisure, Sports and Events
Councillor Mike Rowley	Housing
Councillor Christine Simm	Culture and Communities
Councillor Dee Sinclair	Crime, Community Safety and Licensing
Councillor John Tanner	Climate Change and Cleaner, Greener Oxford

The quorum for this meeting is three, substitutes are not allowed.

Future items to be discussed by the City Executive Board can be found on the Forward Plan which is available on the Council's [website](#)

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# AGENDA

## PART ONE PUBLIC BUSINESS

Pages

**1 APOLOGIES FOR ABSENCE**

**2 DECLARATIONS OF INTEREST**

**3 PUBLIC QUESTIONS**

When the Chair agrees, the public can ask questions about any item for decision at the meeting for up to 15 minutes. Questions must have been given to the Head of Law and Governance by 9.30am one clear working day before the meeting (email [executiveboard@oxford.gov.uk](mailto:executiveboard@oxford.gov.uk) or telephone the person named as staff contact). No supplementary questions or questioning will be permitted. Questions by the public will be taken as read and, when the Chair agrees, be responded to at the meeting.

**4 COUNCILLOR ADDRESSES ON ANY ITEM FOR DECISION ON THE BOARD'S AGENDA**

City Councillors may, when the Chair agrees, address the Board on an item for decision on the agenda (other than on the minutes). The member seeking to make an address must notify the Head of Law and Governance by no later than 9.30am at least one clear working day before the meeting. An address may last for no more than three minutes. If an address is made, the Board member who has political responsibility for the item for decision may respond or the Board will have regard to the points raised in reaching its decision.

**5 COUNCILLOR ADDRESSES ON NEIGHBOURHOOD ISSUES**

10 minutes of the meeting is available for any Councillor to raise local issues on behalf of communities directly with the Board. Priority will be given to those who have not already attended within the year and in the order received. Issues can only be raised once unless otherwise agreed by the Board. The Board's responsibility will be to hear the issue and respond at the meeting, if possible, or arrange a written response within 10 working days.

**6 SCRUTINY COMMITTEE REPORTS**

No scrutiny committee reports have been, or will be, submitted to this meeting.

**7 OXFORD AND ABINGDON FLOOD ALLEVIATION SCHEME**

**Lead Member:** Councillor Price, Executive Board Member for Corporate Strategy and Economic Development

The Executive Director Community Services has submitted a report which seeks authority to enter into an agreement with the Environment Agency in regard to funding the above scheme, and to seek project approval for the

7 - 10

scheme.

**Recommendations:** That the City Executive Board resolves to:

1. Authorise the Council's entry into the proposed agreement with the Environment Agency, as described in this report, under which the Council would play an active role in the establishment of the business case of the Oxford and Abingdon flood alleviation scheme, and provide funding to a capped sum.
2. Grant Project Approval for the Council's involvement in the Oxford and Abingdon flood alleviation scheme, as described in this report.

## 8 **BID FOR REFURBISHMENT AND EXTENSION OF CAR PARK FOR A PUBLIC SECTOR BODY**

11 - 16

**Lead Member:** Councillor Turner, Executive Board Member for Finance, Corporate Asset Management and Public Health

The Executive Director Community Services has submitted a report which seeks approval to enter into a contract for civil engineering works associated with the refurbishment and extension of a car park in Oxford for a public sector body.

**Recommendations:** That the City Executive Board resolves to:

1. Authorise the entering into a contract for civil engineering work referred to in this report.
2. To note that the contract will make a satisfactory contribution towards local overheads, as identified in the Not for Publication Annex attached.

## 9 **DEVOLUTION UPDATE**

17 - 20

**Lead Member:** Councillor Price, Executive Board Member for Corporate Strategy and Economic Development

The Assistant Chief Executive has submitted a report which updates the Board on devolution and seeks authorisation for further joint working in support of it.

**Recommendations:** That the City Executive Board resolves to:

1. **Agree** to work with the other District Councils and partners to further develop the initial unitary devolution proposals.
2. **Agree** that independent consultants should be jointly appointed by the Districts to undertake detailed work and a contribution of up to £50k be made to facilitate those studies.
3. **Recommend Council** to allocate the budget of £50k to support the initial study on viability and sustainability and governance; specialist work on collaboration around Children and Adult services; public consultation and involvement; and preparation of a revised Devolution Deal. This will be funded from reserves and balances.

## 10 **ITEMS RAISED BY BOARD MEMBERS**

## 11 **MATTERS EXEMPT FROM PUBLICATION**

If the Board wishes to exclude the press and the public from the meeting during consideration of any of the items on the exempt from publication part of the agenda, it will be necessary for the Board to pass a resolution in accordance with the provisions of Paragraph 21(1)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 on the grounds that their presence could involve the likely disclosure of exempt information as described in specific paragraphs of Schedule 12A of the Local Government Act 1972.

The Board may maintain the exemption if and so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**PART TWO**  
**MATTERS EXEMPT FROM PUBLICATION**

**12 CONFIDENTIAL APPENDIX: BID FOR REFURBISHMENT AND EXTENSION OF CAR PARK FOR A PUBLIC SECTOR BODY**

21 - 22

**Lead Member:** Councillor Turner, Executive Board Member for Finance, Corporate Asset Management and Public Health

This is exempt from publication by virtue of Paragraph 3, Part 1 of Schedule 12A of the Local Government Act 1972 for the following reasons:

- Commercial affairs of the Council.

## **DECLARING INTERESTS**

### **General duty**

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you.

### **What is a disclosable pecuniary interest?**

Disclosable pecuniary interests relate to your\* employment; sponsorship (ie payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licences for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

### **Declaring an interest**

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest.

If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

### **Members' Code of Conduct and public perception**

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member "must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself" and that "you must not place yourself in situations where your honesty and integrity may be questioned". What this means is that the matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

\*Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those of the member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

**To:** City Executive Board  
**Date:** 24 March 2016  
**Report of:** Executive Director Community Services  
**Title of Report:** Oxford and Abingdon Flood Alleviation Scheme

<b>Summary and recommendations</b>	
<b>Purpose of report:</b>	To seek authority to enter into an agreement with the Environment Agency in regard to funding the above scheme, and to seek project approval for the scheme.
<b>Key decision:</b>	Yes
<b>Executive Board Member:</b>	Councillor Bob Price, Board Member for Corporate Strategy and Economic Development
<b>Corporate Priority:</b>	Clean and Green Oxford
<b>Policy Framework:</b>	Corporate Plan and budget
<b>Recommendation(s): That the City Executive Board resolves to:</b>	
1.	<b>Authorise</b> the Council's entry into the proposed agreement with the Environment Agency, as described in this report, under which the Council would play an active role in the establishment of the business case of the Oxford and Abingdon flood alleviation scheme, and provide funding to a capped sum.
2.	<b>Grant</b> Project Approval for the Council's involvement in the Oxford and Abingdon flood alleviation scheme, as described in this report.

<b>Appendices</b>

## Introduction and background

- At its meeting on 29 January 2015, the City Executive Board authorised the Council's entry into a Memorandum of Understanding ("MOU") with the Environment Agency in regard to bringing forward a major flood relief scheme for the city ("the Scheme"). Under the provisions of the MOU, the City Council indicated its general support for the Scheme and its intention to provide certain funding in support of it, subject to contributions also being made by other relevant bodies, and the contract conditions being otherwise satisfactory.

2. In the period since January 2015, the arrangements for the Oxford and Abingdon flood alleviation scheme have been further discussed between the interested parties, and progress has been made in regard to finalising the scheme design and securing the total funding package, with the result that a formal agreement between the City Council and the Environment Agency has now been drafted. This Agreement formalises the relationship between the parties in regard to progressing and implementing the Scheme, and the Council is now being asked to formally commit to the Scheme by executing the Agreement.

### **Financial Issues**

3. In accordance with the proposals set out in the MOU, the proposed Agreement commits the Council to provide funding totalling, but capped at, £1.5m. It is proposed that the first tranche of funding be drawn down in the financial year 2015/16.
4. The Council has budgeted for this contribution in the capital programme over the next 5 years, profiled to match the expected drawdown by the Environment Agency.
5. The total cost of the scheme is currently estimated to be £140m, most of which is funded via central government sources.

### **Legal Issues**

6. In contrast to the MOU, the proposed Agreement would create a legally enforceable arrangement between the Council and the Environment Agency. The Agreement sets out the proposed governance arrangements for the scheme, which are thorough and sophisticated. Under these the Council would be represented on the proposed Programme Board.

### **Other implications**

7. For the Council to be able to play an active role in guiding the implementation of the Scheme and the proposed flood alleviation measures, it will be necessary for it to become part in the Scheme by entering into the Agreement with the Environment Agency and by providing the specified funding.

### **8. Environmental**

There will inevitably be significant environmental implications arising from the implementation of the Scheme, and these will need to be dealt with by the Programme Board as and when arising.

### **Equalities impact**

9. No Equalities Impact Assessment is considered necessary due to the nature of the Scheme proposed.

### **10. Risk**

The risk involved to the Council is primarily financial, due to its commitment to make a substantial financial contribution to the Scheme, but this risk should be mitigated by the provisions of the Agreement itself and the Council's on-going presence on the Programme Board.



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<b>Background Papers:</b> None
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**To:** City Executive Board  
**Date:** 24 March 2016  
**Report of:** Executive Director, Community Services  
**Title of Report:** Bid for refurbishment and extension of car park for a public sector body

<b>Summary and recommendations</b>	
<b>Purpose of report:</b>	To seek approval to enter into a contract for civil engineering works associated with the refurbishment and extension of a car park in Oxford for a public sector body
<b>Key decision:</b>	No
<b>Executive Board Member:</b>	Councillor Ed Turner, Portfolio for Finance, Asset Management and Public Health
<b>Corporate Priority:</b>	An Effective and Efficient Council.
<b>Policy Framework:</b>	Corporate Plan.
<b>Recommendation(s): That the City Executive Board resolves to:</b>	
<ol style="list-style-type: none"> <li>1. <b>Authorise the entering into a contract for civil engineering work referred to in this report.</b></li> <li>2. <b>To note that the contract will make a satisfactory contribution towards local overheads, as identified in the Not for Publication Annex attached.</b></li> </ol>	

<b>Appendices</b>	
Appendix 1	Risk Register
Appendix 2	Not for Publication - Confidential Document

## **Introduction and background**

1. The City Executive Board approved a report in September 2011 which set out a framework for expanding income generation through service supply to public sector bodies and charging for discretionary services.
2. The City Executive Board approved proposals to provide services to public sector bodies and to charge for the provision of discretionary services. Where the value of the works did not exceed £ 100,000 the decision to engage was delegated to officers.

3. This report seeks approval to enter into contractual relations as Principal Contractor to provide certain engineering services, where the potential value of the services to be provided exceed that figure.

### **Proposal**

4. Under the terms of the proposed contract, Direct Services would provide appropriate labour, plant, materials, site supervision and management resource to undertake the civil engineering elements of a car park refurbishment and extension in Oxford.
5. A briefing for members on the commercial opportunities and risks is set out in the separate appendix attached, which is exempt from publication.
6. This report seeks authority to enter into a contract to undertake this work.
7. There are no alternatives to the proposed option other than not to enter into the contract.

### **Financial implications**

8. The price for the work has been calculated to provide a contribution to local overheads as a minimum. The contribution will be monitored by the Council's Trading and Development Board and reported to Members. Supply of these services would make a useful contribution to the income targets currently set in the Council's Medium Term Financial Strategy.

### **Legal issues**

9. In entering into this proposed arrangement, the Council would be relying on the provisions of the Local Authorities (Goods & Services) Act 1970. This contains a wide power that enables local authorities to enter into supply agreements with other local authorities or public bodies. Many Organisations qualify as public bodies under the Goods and Services Act, including Health Organisations, schools, housing associations and community organisations. Under this legislation there is no express requirement on the supplier to ensure that income equals expenditure, and many Authorities have made considerable use of these powers, securing economies of scale and reducing internal costs by providing services to each other. The power can be used for the purposes of:-

- Supplying goods or materials.
- Administrative professional or technical services.
- The use of vehicles plant or apparatus.
- Works of maintenance in connection with land or buildings.

The body procuring the overall works is a public sector body.

### **Level of risk**

10. A Risk Register is attached as Appendix 1.

### **Equalities impact**

11. All relevant Council policies such as the Oxford Living Wage and Apprenticeships will be applied to the delivery of these services and will be costed into the proposal.

### **Conclusion**

12. The delivery of the proposed contract would bring both an income opportunity and some limited amount of risk. The Council's approach is to balance this by seeking to achieve an appropriate contribution to overheads and ensuring that sufficient resources are deployed to mitigate risks.

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**Public Sector - Civil Engineering**  
**Risk Register - March 2016**

Risk ID	Description of the Risk	Current Gross Risk Rating			Mitigating Actions	Residual Risk Rating		
		P	I	Score		P	I	Score
R001	The time in the tender for "mobilisation" is relatively short and to set up sub-contractors in this period is a challenge.	4	3	12	We have excellent relationships with our supply chain, the flexibility of the supply chain will ensure that all the necessary resources will be available particularly during peak periods of the programme.	2	2	4
R002	Car park closure and significant disruption to surgery clients	5	3	15	A safe pedestrian access route to the surgery will be maintained throughout the course of the the work	4	2	8
R003	Ground conditions – possibly contaminated and or water ingress.	3	2	6	Trial holes will be undertaken prior to our final submission, the trial holes will generate soil samples that will be analysed to establish suitable disposal points. The level of ground water and the ingress of water will also be noted and allowances made within our final bid to reflect the need for pumping or dewatering as required.	3	2	6
R004	Health and Safety.	3	3	9	Effective training and supervision and compliance with the CDM requirements.	2	2	4
R005	Hitting an underground supply pipe / cable.	3	3	9	Effective training and supervision and use of detection equipment.	2	2	4

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**To:** City Executive Board

**Date:** 14 April 2016

**Report of:** Assistant Chief Executive

**Title of Report:** Devolution – Update

<b>Summary and recommendations</b>	
<b>Purpose of report:</b>	To update the Board on devolution and to authorise further joint working in support of it.
<b>Key decision:</b>	Yes
<b>Executive Board Member:</b>	Councillor Bob Price
<b>Corporate Priority:</b>	Efficient and Effective Council
<b>Recommendation(s): That the City Executive Board resolves to:</b>	
<ol style="list-style-type: none"> <li>1. <b>Agree</b> to work with the other District Councils and partners to further develop the initial unitary devolution proposals.</li> <li>2. <b>Agree</b> that independent consultants should be jointly appointed by the Districts to undertake detailed work and a contribution of up to £50k be made to facilitate those studies.</li> <li>3. <b>Recommend Council to</b> allocate the budget of £50k to support the initial study on viability and sustainability and governance; specialist work on collaboration around Children and Adult services; public consultation and involvement; and preparation of a revised Devolution Deal. This will be funded from reserves and balances.</li> </ol>	
<b>Appendices</b>	

## Introduction and background

1. Following the July budget in 2015 the Government invited expressions of interest from local authorities for devolution proposals. The councils in Oxfordshire worked together with the Local Enterprise Partnership and the Clinical Commissioning Group during the autumn of 2015 on proposals for an ambitious devolution deal with Government, with the aims of securing greater powers and funding locally to realise

our economic growth potential, and to reform the way that public services are designed and delivered locally.

2. In summary, the proposals included:

- Bringing together NHS services with local government social care to save money on the £1bn budget and provide better services for patients and tackle the challenge of our ageing population.
- Creating a new infrastructure investment fund to back a locally agreed investment programme to deliver the roads and infrastructure we need.
- Tackling housing shortages and affordability – through aligning strategic infrastructure and housing investment and an integrated approach to strategic planning.
- Taking on responsibility for skills funding and apprenticeships better targeting of funding for skills so it supports development of the skills base needed by local employers; and better coordination of business support programmes to support innovative and entrepreneurial companies.

3. The proposals included the creation of a Combined Authority through which the councils would work in partnership with the Clinical Commissioning Group and the Local Enterprise Partnership where necessary to collectively coordinate strategic services in which economies of large scale can be secured (eg. transport planning) across a wider geographical area. The proposals rejected the option of a directly elected Mayor as not appropriate for an area as diverse and rural as Oxfordshire.

4. Following discussion of the initial proposals in December 2015, more detailed proposals were submitted in February. Following an initial positive response, Government has made clear that the proposals would only make progress if they are accompanied by either a directly elected Mayor, or a move to unitary councils.

### **Unitary devolution proposals**

5. At their budget meeting on 16 February, Oxfordshire County Council put forward proposals for a consultation to Government and made it clear that their preference was for a single Unitary County to cover the whole County. The District Councils do not believe that a single county-wide unitary authority is the right solution for Oxfordshire and have put forward alternative proposals for a number of unitary authorities. In our view, this would offer a better solution for the people of Oxford and Oxfordshire for two key reasons:

- It would allow decision-making and service delivery to better reflect the different challenges and priorities of the communities that we represent in different parts of the county; and
- It would build on a strong track record of sound financial planning and service transformation that are at the heart of good governance and effective service delivery.

6. The proposal is to abolish the existing local councils, including the County and to create new unitary authorities that would be responsible for running all of the local services within their local area. The preferred option is for four new unitary authorities that would come together where necessary to collectively coordinate strategic services in which economies of large scale can be secured (eg. transport planning). In view of the successful partnerships and close working relationships that already exist in the north and west of the county, the Oxfordshire District

Leaders have agreed to explore a unitary option that includes both Cotswold District Council and South Northamptonshire Council.

7. The new unitary councils would form a Combined Authority /Joint Committee for strategic joint work and commissioning, and would work in partnership with the National Health Service, Police and the Local Enterprise Partnership in Oxfordshire and neighbouring county areas to coordinate services that need to be managed across a wider geographical area.
8. The proposals have been drawn up in support of the substantive elements of the original devolution proposals and are intended to provide a better approach to the implementation of those proposals.

### **Next Steps**

9. There is clearly a lot of detail to be worked through over the coming months. The next step will be to jointly commission independent experts with our partners to produce detailed, costed plans for the preferred option and test them against other options to ensure the best and most cost-effective solutions. It is proposed that Oxford City Council contribute up to £50,000 to jointly commission this detailed work.
10. Detailed proposals will be considered by each of the councils prior to full public consultation in the summer. We would need to be certain of the benefits for the residents of Oxford.

### **Financial implications**

11. The cost of the work required will be funded jointly by partner authorities. It is estimated that the cost will be up to £50k to support the initial study on viability and sustainability and governance; specialist work on collaboration around Children and Adult services; public consultation and involvement; and preparation of a revised Devolution Deal.
12. The contribution from Oxford City will be funded from reserves and balances.

### **Legal issues**

13. Whilst the restructuring of local government in the area has fundamental legal implications, there are none arising directly from this report.

### **Level of risk**

14. There is a significant risk that without commissioning the suggested work to develop the proposals and test their viability and cost against comparators, potential changes to the structure of local government in Oxfordshire will not deliver the most cost-effective solutions or the best outcomes for residents.

### **Equalities impact**

15. There are no equalities implications arising from the commissioning of the studies outlined in the report.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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