

To: Cabinet
Date: 20 January 2021
Report of: Head of Paid Service (Chief Executive)
Title of Report: Decisions taken under Parts 9.3(b) of the Constitution

Summary and recommendations	
Purpose of report:	Cabinet is asked to note the decisions taken by the Head of Paid Service (Chief Executive) using the urgency powers delegated in Part 9.3(b) of the Constitution.
Recommendation:	Cabinet is recommended to:
1.	Note the decisions taken as set out in the report.

Appendices	
1	Exempt – additional information for item 2

Introduction and background

1. This report updates Cabinet on decisions taken by the Head of Paid Service (Chief Executive) using the urgency powers delegated in Part 9.3(b) of the Council's Constitution.
2. Where urgency powers are used the Constitution requires the Head of Paid Service to report, in writing, as soon as practicable to the body which would otherwise have been required to give the necessary authority to act.

9.3 Role of Head of Paid Service

...

(b) The Head of Paid Service is authorised to take any urgent action necessary to protect the Council's interests and assets where time is of the essence and it is impracticable to secure authority to act where such authority would otherwise be required.

The Head of Paid Service, in so acting, will be guided by budget and the policy framework, will consult the other Statutory Officers before acting and will report, in writing, as soon as practicable to the body which would otherwise have been required to give the necessary authority to act.

Decisions taken using urgency powers

3. The following decisions have been taken using urgency powers for which Cabinet would otherwise have been required to give the necessary authority to act. Cabinet is asked to note the decisions.
4. This report does not include decisions taken using urgency or emergency powers that have previously been reported to Cabinet.

ITEM 1	FREE PARKING AT PARK AND RIDES, DECEMBER 2020	
Decision: To provide free parking at Council-run park and ride sites (Redbridge, Seacourt and Peartree) for a limited period (5th to 27th inclusive) in December 2020. Oxfordshire County Council is making a matching offer for its two sites (Thornhill and Oxford Parkway). Guide revenue loss in discussion with Parking Management estimated at circa £36-39k, based on post-lockdown usage data for 2020 to date.		
Date decision made:	24 November 2020	
Decision taker	Head of Paid Service (Chief Executive) Decision taken in consultation with the Leader of the Council, the Head of Financial Services and the Head of Law and Governance	
Was the decision taken under emergency or urgency rules?	Constitution 9.3(b): <i>The Head of Paid Service is authorised to take any urgent action necessary to protect the Council's interests and assets where time is of the essence and it is impracticable to secure authority to act where such authority would otherwise be required.</i> <i>The Head of Paid Service, in so acting, will be guided by budget and the policy framework, will consult the other Statutory Officers before acting and will report, in writing, as soon as practicable to the body which would otherwise have been required to give the necessary authority to act.</i>	
Is this a Key Decision?	Not key	
Reasons for decision	The Council has worked in partnership with Oxfordshire County Council for much of December 2020, to provide free parking at all of Oxford's five park and ride sites to support businesses and help reduce car congestion on approaches to the city centre and at the Westgate car park, make it easier for people to visit the city centre and spend money in the local economy, and so support business and protect jobs.	
Alternative options considered:	The alternatives were to maintain parking charges, which would not help to boost the local economy, or to run a different scheme e.g. weekends only, which would be less supportive and miss an opportunity to encourage residents	

	who plan to shop or support hospitality businesses in the run up to Christmas to do so safely and avoid the busiest times.
Wards significantly affected	None

ITEM 2	AWARD OF CONTRACT AWARD FOR ENGAGEMENT AND ASSESSMENT SERVICE, AND PROVISION OF INTERIM ACCOMMODATION FOR ROUGH SLEEPERS AND SINGLE HOMELESS PEOPLE
Decision: To award a contract for the engagement and assessment service and provision of interim accommodation for rough sleepers and single homeless people to St. Mungo's.	
Date decision made:	30 December 2020
Decision taker	Head of Paid Service (Chief Executive) Decision taken in consultation with the Leader of the Council, the Cabinet Member for Affordable Housing, the Head of Financial Services and the Head of Law and Governance.
Was the decision taken under emergency or urgency rules?	Constitution 9.3(b): <i>The Head of Paid Service is authorised to take any urgent action necessary to protect the Council's interests and assets where time is of the essence and it is impracticable to secure authority to act where such authority would otherwise be required.</i> <i>The Head of Paid Service, in so acting, will be guided by budget and the policy framework, will consult the other Statutory Officers before acting and will report, in writing, as soon as practicable to the body which would otherwise have been required to give the necessary authority to act.</i>
Is this a Key Decision?	Yes (value >£500k) The decision was taken 5 clear days after being added to the Forward Plan and the Chair of Scrutiny being informed (the "general exemption"). The Chair of Scrutiny agreed to waive call members' call in rights in respect of this decision.
Reasons for decision	The response to the Covid19 pandemic required the Floyds Row engagement and assessment hub to be repurposed, and for the Council to seek self-contained accommodation for all rough sleepers and people accommodated in communal sleeping areas. St Mungo's

	<p>who had been delivering the Floyds Row services adapted to provide this service in a different way as well as managing the new accommodation which was found.</p> <p>Additional funding was agreed by way of urgency powers delegated to the Chief Executive in Part 9.3(b) of the Constitution which was reported to cabinet on 12 August 2020. A single contract has been drawn up for the amalgamation of the work streams which are the subject of these decisions.</p>
Alternative options considered:	None
Wards significantly affected	None

Financial issues

- The financial issues arising from the decisions are set out in the published decisions notices and any supporting documents. There are no other financial issues arising directly from this report.

Legal issues

- The urgency and emergency powers of the Head of Paid Service (Chief Executive) are set out in Part 9.3 of the Constitution.

Report author	Andrew Brown
Job title	Committee and Member Services Manager
Service area or department	Law and Governance
Telephone	01865 252230
e-mail	abrown2@oxford.gov.uk

Background Papers: None