

**To:** Cabinet  
**Date:** 10 February 2021  
**Report of:** Head of Paid Service (Chief Executive)  
**Title of Report:** Decisions taken under Parts 9.3(b) of the Constitution

<b>Summary and recommendations</b>	
<b>Purpose of report:</b>	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.
<b>Recommendation:</b>	Cabinet is recommended to:
1.	<b>Note</b> the decisions taken as set out in the report.

<b>Appendices</b>	
None	

## 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.

<b>ITEM 1</b>	<b>DECARBONISATION FUNDING – HEAT PUMPS AND SOLAR INVESTMENT</b>
<b>Decision:</b> To agree to the grant terms outlined in the offer of £9.3m of Public Sector Decarbonisation funding from Salix Finance for decarbonisation work across the City Council estate.	
<b>Date decision made:</b>	23 December 2020
<b>Decision taker</b>	Head of Paid Service (Chief Executive)  Decision taken in consultation with Councillor Susan Brown, Leader, Councillor Ed Turner, Cabinet Member for Finance and Asset Management, Councillor Tom Hayes, Cabinet Member for Green Transport and Zero Carbon Oxford, Nigel Kennedy the Head of Financial Services and Anita Bradley, Head of Law and Governance
<b>Was the decision taken under emergency or urgency rules?</b>	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>
<b>Is this a Key Decision?</b>	Yes (value >£500k)
<b>Reasons for decision</b>	To enable the Council to benefit from £9.3m of Salix funding for decarbonisation work across the Council’s estate.  A ten day window was given to Oxford City Council to either accept or decline the funding.
<b>Alternative options considered:</b>	Decline the funding – not the preferred option as this would represent a missed opportunity to support the Council’s strategic priority of Pursuing a Zero Carbon Oxford.
<b>Wards significantly affected</b>	None

<b>ITEM 2</b>	<b>DECARBONISATION FUNDING - HINKSEY POOL</b>
<b>Decision:</b> To agree to the grant terms outlined in the offer of £1.6m funding from Salix Finance for decarbonisation work at Hinksey Pool.	
<b>Date decision made:</b>	23 December 2020
<b>Decision taker</b>	Head of Paid Service (Chief Executive)  Decision taken in consultation with Councillor Susan Brown, Leader, Councillor Ed Turner, Cabinet Member for Finance and Asset Management, Councillor Tom Hayes, Cabinet Member for Green Transport and Zero Carbon Oxford, Nigel Kennedy the Head of Financial Services and Anita Bradley, Head of Law and Governance
<b>Was the decision taken under emergency or urgency rules?</b>	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>
<b>Is this a Key Decision?</b>	Yes (value >£500k)
<b>Reasons for decision</b>	To enable the Council to benefit from £1.6m of Salix funding for decarbonisation work at Hinksey Pool.  A ten day window was given to Oxford City Council to either accept or decline the funding.
<b>Alternative options considered:</b>	Decline the funding - not the preferred option as this would represent a missed opportunity to support the Council's strategic priority of Pursuing a Zero Carbon Oxford.
<b>Wards significantly affected</b>	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.

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**Background Papers: None**