

Law & Governance

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Central Number: 01865 249811

Date: 25 June 2021

Dear Councillor Wade, Chair of Scrutiny Committee,

I am writing to notify you of the proposed taking of a key decision which will not have been notified on the Council's Forward Plan for 28 days.

The key decision titled "Enabling Works to Facilitate the Decarbonisation Project" was added to the Forward Plan today. It concerns the approval of expenditure of up to £2.816m on the repair, upgrade or early lifecycle replacement of mechanical and electrical plant equipment at leisure centres to ensure compatibility with the decarbonisation equipment, plus fees and consultancy.

The background to the decision is that in December 2020 the Council was allocated £10.9m from the public sector decarbonisation fund to finance the provision of heat pumps, thermal storage and battery storage at Oxford City Council sites and the development of renewable energy to reduce Council carbon emissions. Cabinet on 10 February 2021 delegated authority to officers to commence expenditure to carry out the work to develop proposals for funding and, subject to their satisfactory conclusion, enter into funding and other necessary agreements, for the purpose of development and delivery of decarbonisation projects across Oxford City Council estate. This delegation has been retained on the Forward Plan as a standing delegation to officers.

The proposed decision which has been added to the Forward Plan today does not fall within the scope of that standing delegation because it is proposed to fund the expenditure from the Council's pre-existing budget for stock condition surveys rather than the budget for decarbonisation projects. The timescale for delivery of the decarbonisation project is very challenging, so there is a need to rely on urgency provisions to authorise these enabling works.

The intention is to use the "general exemption" rule whereby a key decision can be taken without being notified for 28 days if 5 clear days' notice is provided to the Chair of the Scrutiny Committee. The Chief Executive will then take an urgent decision under Part 9.3(b) of the Constitution, which authorises the Head of Paid Service (Chief Executive) 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 in the normal way, which in this case would be from Cabinet and Council. The decision will be taken in consultation with the other statutory officers and relevant Cabinet Members. The decision will also be subject to call in to provide the maximum transparency and member oversight commensurate with timeframe for delivery.

If you would like further details about the circumstances of the decision please let me know and I will arrange for the relevant officer to make contact with you to provide a briefing.



Please note that a copy of this letter will be attached to the public decision notice and the urgent decision will be reported to meetings of Cabinet and Council in the coming weeks.

With best wishes,

A handwritten signature in black ink that reads "Susan Sale". The signature is written in a cursive style with a large initial 'S'.

Susan Sale
Head of Law and Governance