

Minutes of a meeting of the Cabinet on Wednesday 16 November 2022

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Cabinet members present:

Councillor Brown	Councillor Aziz
Councillor Chapman	Councillor Hollingsworth
Councillor Munkonge	Councillor Linda Smith
Councillor Upton	Councillor Walcott

Officers present for all or part of the meeting:

James Axford, Senior Engineer
Jenny Barker, Regeneration Manager
Tom Bridgman, Executive Director (Development)
Alice Courtney, Committee and Member Services Manager (Interim Acting)
Richard Doney, Scrutiny Officer
Stephen Gabriel, Executive Director (Communities and People)
Caroline Green, Chief Executive
Emma Gubbins, Senior Estates Surveyor
Sarah Harrison, Team Leader (Planning Policy)
Tom Hook, Executive Director (Corporate Resources)
Nigel Kennedy, Head of Financial Services
Emma Lund, Committee and Member Services Officer
Tom Morris, Principal Planner
Annette Osborne, Procurement Manager
Nerys Parry, Head of Housing
Malcolm Peek, Property Service Manager
Elaine Philip, Markets Manager
Susan Sale, Monitoring Officer and Head of Law & Governance
Mish Tullar, Head of Corporate Strategy
Steve Weitzel, Regeneration Manager
Jonathan Wright, General Fund Surveying Manager

75. Apologies for Absence

An apology for absence was received from Councillor Imogen Thomas, Cabinet Member for Zero Carbon Oxford and Climate Justice.

Councillor Ed Turner, Deputy Leader (Statutory) – Finance and Asset Management attended the meeting remotely. Whilst he participated in debate, Councillor Turner did not vote on any items.

76. Declarations of Interest

None.

77. Addresses and Questions by Members of the Public

None.

78. Councillor Addresses on any item for decision on the Cabinet agenda

None.

79. Councillor Addresses on Neighbourhood Issues

None.

80. Items raised by Cabinet Members

None.

81. Scrutiny reports

Richard Doney, Scrutiny Officer, presented the report giving apologies for Councillor Smowton and Councillor Diggins, who had both been unable to attend.

Scrutiny Committee had met on 7 November 2022 and considered (i) the Corporate Procurement Strategy 2022-2025; (ii) Social Housing Decarbonisation Fund Bid Approval; and (iii) the West End and Osney Mead Supplementary Planning Document.

Six recommendations had been made in relation to the Corporate Procurement Strategy. These had largely sought to strengthen the language used in the document, particularly in areas relating to social value commitments. Councillor Ed Turner, Deputy Leader (Statutory) - Finance and Asset Management commented that he had sought to respond positively to the recommendations, whilst ensuring that the strategy maintained a balance between social value aspirations and making sure that the procurement process remained workable. Issues of sustainability, equality and social value were core to the new strategy and would continue to be so.

Seven recommendations had been made in relation to the draft West End and Osney Mead Supplementary Planning Document (SPD), of which six were principally intended to improve clarity. There had also been a recommendation seeking a future progress update on the feasibility of opening up Osney Abbey and Osney Mill Cottage. Councillor Alex Hollingsworth, Cabinet Member for Planning and Housing Delivery, responded that a number of changes had been made to the document for the purpose of improving clarity, as recommended by scrutiny. However, the SPD did not create new policy. Delivery of the potential benefits of opening up Osney Abbey and Osney Mill Cottage depended, amongst other factors, on the owners of the land. This would therefore need to be taken forward (not necessarily by the Planning Team or the Council) as a separate additional piece of work in the future which would require appropriate resources to be made available.

One recommendation had been made in relation to the Social Housing Decarbonisation Fund, which had related to a request that the reason for targeting according to type of housing rather than financial needs of tenants be set out, as well as whether similar targeting was likely in the future. The Leader responded that the reasons for the approach to targeting properties had been set out in the response from the Cabinet Member for Housing which was included in the published supplement. This included ensuring that any potential bidding requirements for funding could be met, as well as

ensuring that a cohesive and achievable programme could be presented. The Head of Corporate Strategy confirmed that a full equalities impact assessment (EIA) would be produced alongside the bid, and that any opportunities to maximise the benefit for those most in need would be used. This would be set out in the EIA.

82. Award of a Works Contract for the Refurbishment of the Gas Works Pipe Bridge

The Executive Director (Development) had submitted a report to seek approval for a works contract to refurbish/repair the gasworks pipe bridge situated between Friars Wharf and Baltic Wharf; delegated authority to award a contract; and approval of the spend of identified funds for the contract.

Councillor Ed Turner, Deputy Leader (Statutory) – Finance and Asset Management reported that due to safety issues the bridge had been closed for quite some time, causing inconvenience and disadvantage for communities living on both sides of the river. A significant amount of work had been required in order to achieve a way forward which would allow the bridge to be reopened: this had involved a complicated process of negotiation and consideration of civil engineering solutions. However, a process was now in place which should enable a contractor to be commissioned to undertake the works required, with the aim of the bridge being re-opened next summer. Local ward members had been kept apprised of the situation, and, as the works had been anticipated, appropriate financial provision had also been made.

Cabinet resolved to:

1. **Grant project approval** to award a contract for the refurbishment/repair of the gasworks pipe bridge;
2. **Recommend to Council** the approval of a virement of £1.82 million from the existing stock condition budget to fund the works to the gasworks pipe bridge, including reimbursement of c£185k feasibility cost incurred to date; and
3. **Delegate authority** to the Executive Director (Development), in consultation with the Deputy Leader (Statutory) – Finance and Asset Management and the Head of Financial Services/Section 151 Officer, to award the contract for refurbishment/repair of the gasworks pipe bridge to a successful tenderer following the completion of the competitive and compliant tender process described in the report.

83. Appointment of a Contractor for the Oxpens River Bridge

The Executive Director (Development) had submitted a report to seek approval to (i) enter into a legal agreement with Oxfordshire County Council to enable the completion of the Oxpens River Bridge as set out within the Oxfordshire Housing and Growth Deal; (ii) fund and enter into a construction contract to build the Oxpens River Bridge, subject to agreement with Oxfordshire County Council; and (iii) enter into an agreement with OxWED (which owned some of the land on which the bridge would be situated) to facilitate its construction.

Councillor Alex Hollingsworth, Cabinet Member for Planning and Housing Delivery, reported that the scheme had been initially identified a number of years ago. It would represent a substantial enhancement to active travel within the city, significantly improving links between the Oxpens site and the broader Osney Mead site beyond.

The project was contingent on the allocation of Growth Deal Funding for part of the costs, and was therefore subject to the receipt by the County Council of the final £30m of Growth Deal infrastructure funding which the Government had committed to provide. At the time of the meeting, this had not been received by the County Council. Delegated authority was being sought to enable the project to move forward on receipt of the funding: however, in the event that it was not forthcoming new negotiations would be needed.

Value engineering work, to ensure that the project could be completed within the budget envelope, was ongoing and almost complete. Submission of a planning application was contingent on this work being finalised, due to its potential to affect the final design.

Cabinet resolved to:

1. **Delegate authority** to the Executive Director (Development) in consultation with the Head of Financial Services/Section 151 Officer, the Head of Law and Governance and the Cabinet Member for Planning and Housing Delivery, to agree and enter into contractual terms with Oxfordshire County Council for £2.8 million of additional funding from the Oxfordshire Housing and Growth Deal Funds (OHGDF) and an amended collaboration agreement to cover revised project delivery arrangements including fees and programme;
2. **Recommend to Council** the establishment of an additional capital budget of £2.8 million in 2022/23 and 2023/24 funded from additional growth bid monies;
3. **Delegate authority** to the Executive Director (Development) in consultation with the Head of Financial Services/Section 151 Officer, the Head of Law and Governance and the Cabinet Member for Planning and Housing Delivery to enter into contractual terms with a contractor for the pre-contract stages of the Oxpens River Bridge by signing a project order for providing detailed design, programme and 100% market tested estimate for the bridge, subject to the Council's normal procurement procedures;
4. **Delegate authority** to the Executive Director (Development) in consultation with the Head of Financial Services/Section 151 Officer, the Head of Law and Governance and the Cabinet Member for Planning and Housing Delivery to agree and enter into contractual terms with a contractor by signing a delivery agreement to build the bridge and carry out associated works, subject to the project being deliverable within the funding available and compliant with the Council's normal procurement procedures; and
5. **Delegate authority** to the Executive Director (Communities & People) in consultation with the Cabinet Member for Planning and Housing Delivery, the Head of Law and Governance, the Head of Financial Services/Section 151 Officer and the Head of Corporate Property to enter into a legally binding agreement(s) with OxWED to enable the bridge to be constructed from its land and over land to the rear of the ice rink and to undertake enabling works if appropriate to facilitate the delivery of the bridge.

84. Housing Infrastructure Funding for Osney Mead Revised Implementation Arrangements

The Executive Director (Development) had submitted a report to provide an update on revised implementation arrangements for the use of Housing Infrastructure Funding (HIF) to support delivery of development at Osney Mead, and to seek delegated authority to enter into legal agreements to support the arrangements.

In introducing the report Councillor Alex Hollingsworth, Cabinet Member for Planning and Housing Delivery, reported that some years ago Cabinet had granted approval to use HIF funding from the Government (via Homes England) to support the Oxford Flood Alleviation Scheme (OFAS) as well as proposed improvements to the path alongside the Thames. The latter would allow connection to the new Oxpens River Bridge and support future development, including residential development, at Osney Mead. Delegations had also been sought, and granted by Cabinet, to achieve this.

The OFAS scheme had subsequently been delayed for a number of reasons, including the need for urgent repair / replacement work to the A423 Southern Bypass Bridge at Kennington.

The report before Cabinet therefore sought to update and extend the delegations previously given by Cabinet, and also to revise the scope of the HIF pathworks to focus on path improvements linked to the Growth Deal funded bridge over the river, as the latter was likely to be necessary for future residential development at Osney Mead. Further pathworks improvements were likely to come forward in the future, and be funded as part of wider Osney Mead development proposals.

Councillor Hollingsworth highlighted that a minor amendment was required to the recommendation shown at 2(ii) of the report to read: *'an agreement with the Environment Agency (EA), and if necessary including the County Council, regarding the delivery of the HIF milestones, monitoring and clawback arrangements as necessary.'* This amendment was required to allow sufficient flexibility to cover any changes in the arrangement and avoid the need for further delegation to be sought.

Cabinet resolved to:

1. **Note** the proposed revisions to the Housing Infrastructure Fund agreement with Homes England noting that Cabinet, on 20 January 2021, delegated authority to the Executive Director (Development) in consultation with the Cabinet Member for Planning and Housing Delivery and the Head of Law and Governance, to make any changes necessary to facilitate effective delivery of the funding agreement with Homes England; and
2. **Delegate authority** to the Executive Director (Development) in consultation with the Cabinet Member for Planning and Housing Delivery and the Head of Law and Governance to enter into legal agreements with:
 - (i) Oxfordshire County Council, to provide them with a proportion of the HIF funding secured by the City Council to enable County to deliver the Oxford Flood Alleviation Scheme enabling works as part of the Kennington Bridge works; and
 - (ii) an agreement with the Environment Agency (EA), and if necessary including the County Council, regarding the delivery of the HIF milestones, monitoring and clawback arrangements as necessary.

85. West End and Osney Mead Supplementary Planning Document

The Acting Head of Planning Services (Planning Policy) had submitted a report asking Cabinet to consider the public comments made on the draft West End Supplementary Planning Document (SPD), the proposed changes in response, and to consider adoption of the revised SPD and supporting documents.

Councillor Alex Hollingsworth, Cabinet Member for Planning and Housing Delivery, reported that the document represented the outcome of a significant amount of work by the Council's Planning team and its consultants. The SPD did not alter existing policies within the Local Plan; however, it did provide more detailed guidance, particularly within the design guide, on how those sites were expected to be brought forward by landowners or developers in due course. As such, it represented a template for a transformative vision for that part of the city. The document covered a significant geographical area which included the Osney Mead estate, the Oxpens site, the extended railway station site, and various Nuffield College owned sites.

It was noted that some comments received during the SPD consultation had related to elements of the Local Plan rather than the SPD. The Cabinet Member for Planning and Housing Delivery reported that the next consultation on the Local Plan 2040 was due to take place in 2023 and would offer an opportunity for representations to be made. Planning officers would have regard to comments which had been made as part of the SPD consultation but which had, in fact, related to the Local Plan.

Cabinet resolved to:

1. **Adopt** the revised West End and Osney Mead Supplementary Planning Document, having considered the public comments received on the Draft West End SPD; the Spatial Framework and Design Guide and the proposed changes in response;
2. **Approve** the West End and Osney Mead SPD as a 'material consideration' in determining planning applications on sites in the West End;
3. **Authorise** the Acting Head of Planning Services (Planning Policy) in consultation with the Cabinet Member for Planning and Housing Delivery, to make any necessary editorial corrections to the West End and Osney Mead SPD prior to publication; and
4. **Approve** the revocation of the Oxpens Masterplan SPD and the Oxford Station SPD.

86. Gloucester Green Market Re-tender

The Executive Director (Development) had submitted a report to seek approval to re-tender a contract for operational management of the outdoor market at Gloucester Green. The agreement with the existing operator would expire at the end of March 2023, and the report set out the proposed route and timeline for the procurement.

Councillor Ed Turner, Deputy Leader (Statutory) – Finance and Asset Management, commented that the market was an asset to the city and had a long history. The pandemic had had an impact on the market in recent years, and the tender process would require any new operator to clarify how they would support future growth and align the market's operations with the Council's objectives. It was also important to engage with local residents regarding the market's operations.

In debate it was noted that the market had in the past offered a valuable opportunity for traders to test their products and sales model prior to expansion, and officers undertook to consider how this could be reflected in the re-tender process.

Cabinet resolved to:

1. **Approve** the re-tender of a contract for the operational management of Gloucester Green Outdoor Market;
2. **Authorise** the Executive Director (Development) to finalise the tender documents; and
3. **Delegate authority** to the Executive Director (Development) in consultation with the Deputy Leader (Statutory) – Finance and Asset Management, the Head of Financial Services/Section 151 Office and the Head of Law and Governance to finalise terms and enter into a new contract for the operational management of Gloucester Green Outdoor Market.

87. Corporate Procurement Strategy 2022-2025

The Head of Financial Services had submitted a report to seek approval for a three year Corporate Procurement Strategy for the council.

Councillor Ed Turner, Deputy Leader (Statutory) – Finance and Asset Management, highlighted that the Council procured c£150m of goods and services each year. The key aims within procurement were to obtain good quality products or services at the very best value to the taxpayer and local residents in a timely way, and to meet wider corporate objectives relating to equality, sustainability, and social value. Whilst these aspirations had been reflected in the previous strategy, they had been more firmly embedded within the processes contained in the new strategy, and were also more closely aligned with wider corporate goals. The new strategy would benefit residents by supporting local businesses, small- and medium- sized enterprises, and social enterprises and co-operatives. It would also enable the Council to set an example to other organisations within the city which procured goods and services. However, it was also noted that the strategy involved a balance between social value aspirations and the need for procurement processes which delivered the core aims of providing the right product at the right time and at the right cost.

The strategy would continue to be informed by best practice. It was also likely that it would require updating in due course to reflect procurement legislation which was going through Parliament.

Cabinet resolved to:

1. **Approve** the Corporate Procurement Strategy 2022-2025.

88. Social Housing Decarbonisation Fund Bid Approval

The Head of Corporate Strategy had submitted a report to approve Oxford City Council's submission of a bid to Government under the Social Housing Decarbonisation Fund (SHDF) 2.1 bidding round to seek funding towards a retrofit programme for around 300 council houses.

Councillor Linda Smith, Cabinet Member for Housing, highlighted the benefits of the retrofit programme in terms of reducing carbon emissions and lowering energy costs,

and its potential for providing jobs and growth. Councillor Smith highlighted that it was important for the council to take every funding opportunity in order to achieve its aims of improving the energy performance ratings of its housing stock and moving towards net zero by 2040. Following an unsuccessful bid in SHDF round 1, the new bid included a focus on tenant involvement, with a tenant ambassador on the programme board and a tenant involvement strategy. This was considered to strengthen the bid, and would also help to ensure successful delivery of the programme if funding is awarded.

Comment was also made that retrofitting offered a more environmentally sustainable solution than, for example, the demolishing and rebuilding of stock. It would also have a direct benefit for the tenants of those properties included in the scheme by reducing their energy costs.

Cabinet resolved to:

1. **Grant approval** for Oxford City Council to submit a funding bid in the Social Housing Decarbonisation Fund (SHDF) 2.1 bidding round in November 2022, seeking a Government funding contribution towards a retrofit programme for around 300 council houses;
2. **Delegate authority** to the Head of Corporate Strategy, in consultation with the Cabinet Member for Housing, the Cabinet Member for Zero Carbon Oxford and Climate Justice, and the Head of Housing Services, to finalise the bid document for submission to Government by 18 November 2022;
3. **Recommend to Council** that if the bid is successful it grants approval for the release of up to £6.050 million of HRA capital funding required for match funding under the terms of the SHDF 2.1 scheme in accordance with the estimated spend profile in paragraph 24;
4. **Delegate authority** to the Executive Director (Communities and People) in consultation with the Head of Financial Services / Section 151 Officer to spend the HRA funds together with SHDF grant funding for the purposes of the proposed retrofit scheme, including entering into contracts with contractors to deliver the works;
5. **Note** that officers are developing plans for tenants' involvement to help shape the funding bid, to build understanding and support for the application of energy saving measures in tenants' homes and – if the bid is successful – to work with the appointed contractor to ensure appropriate arrangements are made to support the tenants of those properties involved during the period of the works; and
6. **Note** that officers have entered into contracts with consultants with a total value of c£25,000 to develop the bid proposals and complete the associated documents for submission.

89. Minutes

Cabinet resolved to approve the minutes of the meeting held on 19 October 2022 as a true and accurate record.

90. Dates of Future Meetings

14 December 2022

25 January 2023

8 February 2023

15 March 2023

19 April 2023

All meetings start at 6.00pm.

The meeting started at 6.00 pm and ended at 7.09 pm

Chair
2022

Date: Wednesday 14 December

When decisions take effect:

Cabinet: after the call-in and review period has expired

*Planning Committees: after the call-in and review period has expired and the formal
decision notice is issued*

All other committees: immediately.

Details are in the Council's Constitution.

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