

Decision type: Decision Specifically Delegated to Officers

Decision date: 23 May 2025

Decision maker: Deputy Chief Executive – City and Citizens’ Services

Decision title: To proceed with a lease renewal at Oxpens Car Park

Summary	
Decision being taken:	The decision to proceed with a lease renewal at Oxpens Car Park
Key decision:	Yes
Source of delegation:	Cabinet - 9th April 2025. Link to minutes here: April Cabinet Minutes.docx
Cabinet Member:	Councillor Ed Turner, Deputy Leader (Statutory) – Finance and Asset Management
Corporate Priority:	Enabling an Inclusive Economy
Policy Framework:	Asset Management Strategy

The Deputy Chief Executive – City and Citizens’ Services, in consultation with the Deputy Leader (Statutory) – Finance and Asset Management, the Director of Law, Governance and Strategy and the Group Finance Director, decides as follows:

1. Enter into a new lease with OxWed LLP for the Car Park at Oxpens Road

Appendix No.	Appendix Title	Exempt from Publication
Appendix 1	Exempt Appendix 1 – Lease terms and Financial Implications	Yes This information is exempted from publication under Schedule 12A to the Local Government Act 1972 since it is: <ul style="list-style-type: none"> • Information about someone’s finances or business
Appendix 2	Risk Register	No

Introduction and background

1. OxWed LLP (OXWED) is a joint venture between Oxford City Council and Nuffield College, and it is progressing the development of the land on Oxpens Road, which includes the car park currently under the management of the Council.
2. The Council currently manages the Oxpens Car Park and takes income from the parking charges on behalf of OxWED. It is intended that this arrangement will continue until the development of the site.
3. The site is in the freehold ownership of OxWED and the Council has a lease over the car park. The Council entered into the initial lease in 2019 and a further renewal in 2023, which expires 31st March 2025. The parties have agreed terms for a lease renewal which are set out in Exempt Appendix 1 – Lease terms and Financial Implications. The new lease will be backdated upon completion to 1st April 2025.
4. The renewal period will align with the OxWED development programme.

Reasons for the decision

5. The decision to renew the lease will financially benefit the Council, as well as ensure the continued control and operation of a city centre car park.
6. Should the Council opt not to enter into the new lease the income from the car park will cease. The current Medium Term Financial Plan provides for the Council's 50% share of incomes to be removed from its budget over the next 2 years in line with what was assumed to be the Oxpens development period. This new arrangement provides for some income to accrue to the Council for a slightly extended period of time.

Alternative Options Considered

7. The alternative option was to not enter into a new lease of the car park. This was not recommended as it would provide no financial benefit to the council and mean loss of control of a city centre car park.

Equalities Impact

8. The financial benefit to the Council will help provide services, notably those in line with the Council's ambition to create a more equal city.
9. The renewal of the lease does not give rise to any direct equalities issues. Therefore, an equalities impact assessment is not necessary.

Risks

10. See Appendix 2 – Risk Register.

Carbon and Environmental Considerations

11. This action does not give rise to any direct carbon or environmental considerations.

Implications of making the decision

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Financial implications	<p>Please see Exempt Appendix 1 – Lease terms and Financial Implications.</p> <p>Should the Council opt not to enter into the new lease the income from the car park will cease. The current Medium Term Financial Plan provides for the councils 50% share of incomes to be removed from the budget over the next 2 years in line with what was assumed to be the Oxpens development period. This new arrangement provides for some income to accrue to the Council for a slightly extended period of time.</p>	<p>Completed by: Nigel Kennedy</p> <p>Date: 15/04/2025</p>
Legal implications	<p>The documents are currently being drafted and will be ready to be finalised and completed subject to this approval. Advance notice of this decision has been given on the Forward Plan for at least 28 days. There are no other legal implications.</p>	<p>Completed by: Emma Griffiths</p> <p>Date: 15/04/2025</p>
Other implications	<p>The renewal of the lease does not give rise to any direct equalities issues. Therefore, an equalities impact assessment is not necessary</p>	<p>Completed by: Kate Protheroe, Asset Manager, Corporate Property</p> <p>Date: 15/04/2025</p>
Member declared interests	None	<p>Completed by: Kate Protheroe, Asset Manager, Corporate Property</p> <p>Date: 15/04/2025</p>

Background Documents
None

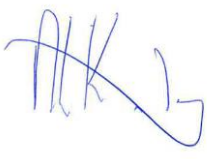

Report author	Kate Protheroe
Job title	Asset Manager
Service area or department	Corporate Property

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Consultee checklist

Consultees	Name and job title	Date
Senior officer e.g. the relevant service manager / Director where the decision maker is the Chief Executive or a Deputy Chief Executive.	N/A	
Group Finance Director Where required by the Constitution or conditions of the delegation	 NIGEL KENNEDY	21/05/2025
Director of Law, Governance and Strategy Where required by the Constitution or conditions of the delegation	 Emma Griffiths, Legal Services Manager for and on behalf of the Director of Law, Governance and Strategy	21/05/2025
Cabinet Member(s) Where required by the conditions of the delegation	Cllr Ed Turner, Deputy Leader (Statutory) – Finance and Asset Management	21/05/2025
Ward Members Where required by the Constitution or conditions of the delegation	N/A	

Decision Maker Approval

Name and job title	Date
Tom Hook, Deputy Chief Executive – City and Citizens' Services 	23/05/2025

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This form must be completed and sent to Committee and Member Services **on the date that the decision maker signs it. This must be only done once all consultees have given their approval. The decision shall be effective from the date of publication; therefore, it is important that you send to Committee and Member Services as soon as it is completed and dated by the decision maker. Please note that it is not effective until it is published and the call in period has passed.**

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NOTES

The law¹ requires the Council to record executive and non-executive decisions taken by officers under delegated powers and to publish them on the Council's website.

These requirements apply to decisions that would have been taken by Council or the Cabinet if delegated powers had not been given to an officer:

- under an express delegation granted at a meeting of Cabinet, Council or a Committee.
- in accordance with Part 4.4 of the Constitution as follows:
 - Awarding a contract where authority has been specifically delegated to officers by Cabinet or a Cabinet Member (regardless of value)
 - Acquiring or disposing of freeholds or leaseholds granting new leaseholds (excluding assignments and rent reviews) where authority has been specifically delegated to officers by Cabinet or a Cabinet Member (regardless of value)
 - Making a regulatory order which affects a number of people, for example a Public Space Protection Order or a Parking Place Order
 - Where the effect of a decision is to grant a licence or permission or it affects the rights of citizens
 - Discharging any other express delegation from Cabinet or a Cabinet Member a committee or Council.

These requirements **do not** apply to:

- planning and licencing matters where there are established arrangements for recording decisions: or
- decisions which are purely administrative or operational in nature

All other officer decisions should be recorded on an officer decision form but do not need to be published. They must though be stored so as to ensure that they are not lost should an officer leave the authority.

Exempt or Confidential information

Information relating to a delegated officer or single member decision does not have to be made public if it is exempt or confidential. Summary information from this decision

¹ the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012/2089 (Regulation 13(4)) and The Openness of Local Government Bodies Regulations 2014/2095 (Regulation 7)

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sheet (excluding all exempt or confidential information) will be published on the Council's website.

Key or Non Key Decision

A key decision is an executive decision which is likely to:

- Have a significant effect on people living or working in a least two wards or
- Involve spending, income, or saving a significant amount – whether an amount is significant depends on the Council's total budget for the service involved. For this Council 'significant' in budgetary terms is:
 - Expenditure, income, or savings of £750,000 or greater in the context of the medium term financial strategy,
 - Acquiring or disposing of freeholds with a consideration over £500,000 in the context of the medium term financial strategy except for disposals pursuant to right to buy legislation
 - Acquiring or disposing of leaseholds where either the rental value is in excess of £250,000 per annum and/or the premium is £750,000 except for statutory lease renewals under Part 2 of the Landlord and Tenant Act 1954 and disposals pursuant to right to buy legislation and disposals pursuant to right to buy legislation.
 - Acquiring or disposing of easements with a value over £750,000 and/or rental value over £250,000 each year

A key decision can only be taken and recorded here if notice of it has been published on the Forward Plan for at least 28 clear days. Key decisions taken by officers may be "called in" by any four councillors or the Chair of the Scrutiny Committee within two days of the notice of decision being published.

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