

Delegated Decisions by Cabinet Member for Finance

Tuesday, 19 December 2023 at 3.00 pm

Council Chamber - County Hall, New Road, Oxford OX1 1ND

Please note that due to guidelines imposed on social distancing by the Government the meeting will be held virtually.

If you wish to view proceedings, please click on this [Live Stream Link](#).
However, that will not allow you to participate in the meeting.

Items for Decision

The items for decision under individual Cabinet Members' delegated powers are listed overleaf, with indicative timings, and the related reports are attached. Decisions taken will become effective at the end of the working day on 28 December 2023 unless called in by that date for review by the appropriate Scrutiny Committee.

Copies of the reports are circulated (by e-mail) to all members of the County Council.

These proceedings are open to the public



Martin Reeves
Chief Executive

December 2023

Committee Officer: **Democratic Services**
committeesdemocraticservices@oxfordshire.gov.uk

Note: Date of next meeting: 23 January 2024

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.

Items for Decision

1. Declarations of Interest

2. Questions from County Councillors

Any county councillor may, by giving notice to the Proper Officer by 9 am two working days before the meeting, ask a question on any matter in respect of the Cabinet Member's delegated powers.

The number of questions which may be asked by any councillor at any one meeting is limited to two (or one question with notice and a supplementary question at the meeting) and the time for questions will be limited to 30 minutes in total. As with questions at Council, any questions which remain unanswered at the end of this item will receive a written response.

Questions submitted prior to the agenda being despatched are shown below and will be the subject of a response from the appropriate Cabinet Member or such other councillor or officer as is determined by the Cabinet Member, and shall not be the subject of further debate at this meeting. Questions received after the despatch of the agenda, but before the deadline, will be shown on the Schedule of Addenda circulated at the meeting, together with any written response which is available at that time.

3. Petitions and Public Address

Members of the public who wish to speak at this meeting can attend the meeting in person or 'virtually' through an online connection.

Requests to speak must be submitted by no later than 9am four working days before the meeting. Requests to speak should be sent to committeesdemocraticservices@oxfordshire.gov.uk.

If you are speaking 'virtually', you may submit a written statement of your presentation to ensure that if the technology fails, then your views can still be taken into account. A written copy of your statement can be provided no later than 9 am 2 working days before the meeting. Written submissions should be no longer than 1 A4 sheet.

4. Bloxham CE Primary School Construction Contract (Pages 1 - 4)

Forward Plan Ref: 2023/185

Contact: Liz Clutterbrook, Head of Major Projects, liz.clutterbrook@oxfordshire.gov.uk

Report by Director of Finance

To seek approval to enter into contract with a main contractor for the construction of a new school hall at Bloxham CE Primary School.

The Cabinet Member is RECOMMENDED to

- a) **approve the construction of a new school hall and associated refurbishment works at Bloxham Church of England Primary School.**
- b) **approve the contract award to E W Beard Ltd for the construction works.**
- c) **delegate authority to the Executive Director for Resources in consultation with the Head of Legal and Deputy Monitoring Officer to complete all necessary legal documentation to give effect to this contract award.**

Councillors declaring interests

General duty

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed 'Declarations of Interest' or as soon as it becomes apparent to you.

What is a disclosable pecuniary interest?

Disclosable pecuniary interests relate to your employment; sponsorship (i.e. payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licenses for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest. If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members' Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member 'must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself' and that 'you must not place yourself in situations where your honesty and integrity may be questioned'.

Members Code – Other registrable interests

Where a matter arises at a meeting which directly relates to the financial interest or wellbeing of one of your other registerable interests then you must declare an interest. You must not participate in discussion or voting on the item and you must withdraw from the meeting whilst the matter is discussed.

Wellbeing can be described as a condition of contentedness, healthiness and happiness; anything that could be said to affect a person's quality of life, either positively or negatively, is likely to affect their wellbeing.

Other registrable interests include:

- a) Any unpaid directorships

- b) Any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority.
- c) Any body (i) exercising functions of a public nature (ii) directed to charitable purposes or (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management.

Members Code – Non-registrable interests

Where a matter arises at a meeting which directly relates to your financial interest or wellbeing (and does not fall under disclosable pecuniary interests), or the financial interest or wellbeing of a relative or close associate, you must declare the interest.

Where a matter arises at a meeting which affects your own financial interest or wellbeing, a financial interest or wellbeing of a relative or close associate or a financial interest or wellbeing of a body included under other registrable interests, then you must declare the interest.

In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied:

Where a matter affects the financial interest or well-being:

- a) to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest.

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

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Divisions Affected – Bloxham and Easington

CABINET MEMBER FOR FINANCE

19 DECEMBER 2023

Bloxham CE Primary School Hall Construction Contract

Report by Executive Director for Resources

RECOMMENDATION

1. **The Cabinet Member is RECOMMENDED to**
 - a) approve the construction of a new school hall and associated refurbishment works at Bloxham Church of England Primary School.
 - b) approve the contract award to E W Beard Ltd for the construction works.
 - c) delegate authority to the Executive Director for Resources in consultation with the Head of Legal and Deputy Monitoring Officer to complete all necessary legal documentation to give effect to this contract award.

Executive Summary

2. Bloxham CE Primary School has grown to its current capacity of 2FE (AN 60) over several years. Capital investment has secured sufficient classroom spaces to support this expansion. The final phase of expanding the school is to address deficiencies in the core accommodation which are now inadequate for a 2FE primary school, in particular the school hall and catering facilities which are below DfE and OCC recommended minimum areas.
3. The Initial Business Case for Bloxham Church of England Primary School Hall with a project value of £1.375m was approved on 28th October 2020 and the project entered the capital programme. This will have been previously included in the Capital Monitoring Report to Cabinet as it was over £1m.
4. Following the project entering the capital programme, E W Beard Ltd were competitively procured via the Pagabo Dynamic Purchase System Small Works Framework. Six contractors compliantly responded to the tender with E W Beard Ltd being the successful bidder following a qualitative and commercial evaluation.
5. E W Beard Ltd were appointed under a Pre-Construction Services Agreement for the design work in March 2022. The contractor and their design team have now developed the proposals to RIBA 4 detailed design, and it is ready for construction.

6. The work undertaken during the project development has demonstrated that the project cost is higher than reported in the Initial Business Case. The project budget increases have been reported in the Outline Business Case and Final Business Case with the total project cost now being £2.866m. The Full Business Case with increased project cost has been approved by the Strategic Capital Board on the 7th December 2023.
7. The Council now seeks to enter into a JCT Design and Build contract with E W Beard Ltd for the construction works at Bloxham Church of England Primary School at a value of £2.320m. This would be undertaken as a direct award which would be compliant with the original Pagabo framework referred to in paragraph 4 above.

Corporate Policies and Priorities

8. This proposed course of action supports the Council's statutory duty to provide basic need pupil places required due to population growth. Despite the classroom accommodation being provided at Bloxham Church of England School via previous capital works, the core accommodation to support the pupil places is insufficient according to Department for Education and Oxfordshire County Council standards.

Financial Implications

9. The capital funding for this project has been approved as part of the capital programme, with the most recent project budget being approved as part of a Full Business Case by Property Programme Board in November 2023 and Strategic Capital Board in December 2023. The project is funded from S106 agreements and the Basic Need Contingency programme funding.

Comments checked by:

Bick Nguyen-McBride
Assistant Finance Business Partner
Email: Bick.Nguyen-McBride@Oxfordshire.gov.uk

Legal Implications

10. As a key decision, this is required to enable the project to proceed and to comply with the Council's legal and constitutional requirements. The decision will enable legal services to enter into the relevant contractual documentation on behalf of the Council.

Comments checked by:

Paul Grant, Head of Legal and Deputy Monitoring Officer
(paul.grant@oxfordshire.gov.uk)

Staff Implications

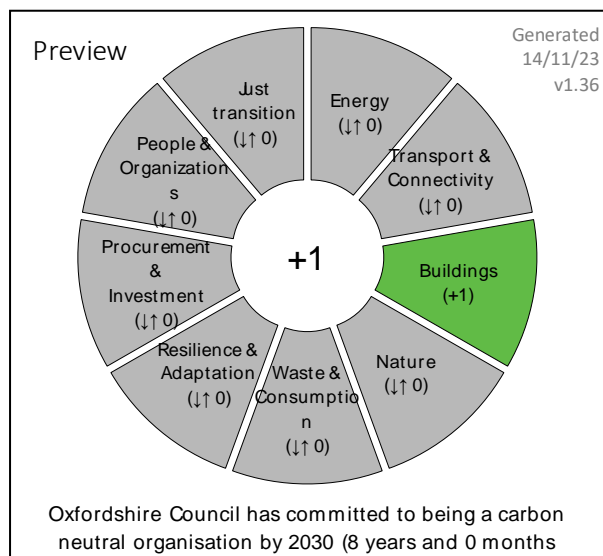
11. The project budget includes allowance for internal staff costs for a Project Lead in the Major Projects team to ensure the project is delivered to the required standards within the project programme and budget agreed in the Full Business Case.

Equality & Inclusion Implications

12. The project does not have any equality and inclusion implications with no change to current operations.

Sustainability Implications

13. The project has limited scope regarding sustainability implications. Re-use and refurbishment of the existing school building have been used wherever possible to meet the project objectives and to reduce embodied carbon in the proposal. A Climate Impact Assessment has been completed for the project.



Risk Management

14. Project risks including any impacts to the Council's statutory duty to provide basic need pupil places required due to population growth and budget management has been monitored and managed by the Project Lead.

Consultations

15. The proposal received full planning permission on the 17th April 2023.
16. Bloxham Church of England Primary School Business Manager and Headteacher have been consulted regarding the proposed changes.
17. No further public consultation has been undertaken.

Lorna Baxter

Executive Director for Resources

Annex: None

Background papers: [CAB180723 R8 Capital Programme Update Monitoring Report - May 23.pdf](#)
(paragraph 59)

Contact Officer: Jade Piper, Project Lead
Email: jade.piper@pxfordshire.gov.uk
Liz Clutterbrook, Head of Major Projects
Email: liz.clutterbrook@oxfordshire.gov.uk

December 2023