

WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the Cabinet

Held in the Council Chamber at 2.00 pm on **Wednesday, 20 April 2022**

PRESENT

Councillors: Michele Mead (Leader), David Harvey (Deputy Leader), Suzi Coul, Merilyn Davies, Jane Doughty, Jeff Haine and Norman MacRae MBE.

Also present: Councillors Julian Cooper, Derek Cotterill, Andy Graham, Gill Hill and Alex Postan.

Officers: Amy Bridgewater-Carnall (Democratic Services Manager), Jan Britton (Managing Director - Publica), Georgina Dyer (Business Partner Accountant), Giles Hughes (Chief Executive), Jasmine McWilliams (Estates Manager) and Frank Wilson (Group Finance Director - Publica).

Also present: Chris Urwin, Finance Director for Publica.

99 Notice of Decisions

The notice of the decisions taken at the meeting held on 16 March 2022 were agreed.

100 Apologies for Absence

There were no apologies for absence received.

101 Declarations of Interest

There were no declarations of interest received.

102 Participation of the Public

There was none.

103 Receipt of Announcements

Electric Vehicles

Councillor MacRae advised that three electric panel vans had been added to the Council's fleet, following a minor delay.

End of Civic Year

The Leader addressed the meeting and highlighted that it was the last Cabinet meeting of the Civic Year. She took the opportunity to thank all members of her Cabinet along with the officers who had supported them throughout that time. Councillor Mead concluded by reflecting on the active year that had passed.

104 Publica Business Plan

Members received a report from the Chief Executive which asked them to consider the Publica Business Plan 2022-25 and any comments made by the Finance and Management Overview and Scrutiny Committee on the draft Business Plan. The Cabinet were asked to recommend that the Leader (as Shareholder Representative) approve the plan, subject to any comments the Cabinet wished to make, and those made by other Shareholder Councils.

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The report explained that as part of the establishment of Publica Group (Support) Ltd. (Publica), twelve items were identified as Reserved Matters for Shareholder approval to ensure that shareholder Councils retained the necessary control over their Teckal company.

The Reserved Matters decisions fell to the Shareholder Representatives to determine. For each shareholder Council, the Shareholder Representative was designated as the Leader of the Council and “Adopting or amending the Business Plan in respect of each Financial Year” was one of these responsibilities.

The Business Plan for 2022-25 was attached as Annex A to the report.

There were no alternative options detailed in the report.

The Business Plan had been considered by the Finance and Management Overview and Scrutiny Committee on 13 April 2022 and the comments they made, mainly relating to grammatical amendments were noted.

The Leader introduced the report and thanked the Finance and Management Overview and Scrutiny Committee for their consideration of the report and subsequent input. She advised that this document had been worked on for some time, with the initial draft being considered by the Shareholders at a meeting in February. Councillor Mead felt that it was a good plan that focused on Planet, People and Place as the key themes and she advised that the final version, incorporating the amendments, would be circulated.

This was seconded by Councillor Harvey, who agreed that the key themes supported the Council’s own plan and aspirations.

Following a question from Councillor Cooper, clarification was provided on the differing recruitment processes between Ubico and Publica. He asked what the cost implication would be if Publica started the recruitment process when they first became aware of a staff member leaving.

The Managing Director of Publica, Jan Britton addressed the points raised which had also been discussed at the scrutiny meeting the week before. The Leader reminded Councillor Cooper that Ubico and Publica were separate companies and could therefore manage their recruitment as they wished.

Councillor MacRae highlighted that due to the service being delivered, Ubico needed to recruit quickly should a vacancy come to light. Chris Urwin, Finance Director from Ubico, addressed the meeting and concurred with the comments made by Councillor MacRae. He advised that Ubico would often employ agency staff to cover any vacancies, however, there was more leeway when it came to replacing members of the corporate team.

In response to Councillor Cooper’s query relating to the removal of the vacancy factor, the Locality Directory, Frank Wilson, advised that this would cost each authority approximately £200,000.

Councillor Graham asked when the other partner Council’s were considering the Business Plan and was advised that it had already been approved by the relevant Cabinet at Cotswold and the Forest of Dean District Councils.

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Having been proposed and duly seconded, the Cabinet

Resolved that the Publica Business Plan 2022-25 be approved by the Leader, as the Council's Shareholder Representative for Publica Group (Support) Ltd and subject to any minor amendments that might arise from the final stages of consultation with the Shareholder Councils and/or general editing.

105 Ubico Business Plan

Members received a report from the Chief Executive which asked them to consider the Ubico Business Plan 2022-23 and any comments made by the Finance and Management and Environment Overview and Scrutiny Committees, on the draft Business Plan and to recommend that the Leader (as Shareholder Representative) approve the plan, subject to any comments the Cabinet wishes to make and those made by other Shareholder Councils.

The report explained that West Oxfordshire District Council (WODC), was a shareholder of Ubico Limited, a teckal company, designed to deliver environmental services, offering better value for money than commercial contracts. As part of the establishment of Ubico, a number of items were identified as reserved matters for council approval to ensure that shareholder councils retained an element of control over their company. Approval of the Business Plan therefore fell to the Leader, as the Council's representative, to determine.

The Environment Overview and Scrutiny Committee and the Finance and Management Overview and Scrutiny Committee reviewed the Draft Business Plan. Feedback from the Environment Overview and Scrutiny Committee on the 3 February was incorporated into the final draft. The comments made by the Finance and Management Overview and Scrutiny Committee at their meeting on the 13 April would be given verbally at the meeting.

An alternative option was that the Cabinet could make comments in relation to the plan, but proposed amendments would need to be agreed by the other shareholder councils.

The Cabinet Member for the Environment, Councillor MacRae introduced the report and thanked the scrutiny committee members for their input into the process. He reminded Members that the collection rate for the waste and recycling service was 99.5% and, despite some challenges, Ubico had continued to maintain this high level of service. He therefore proposed the recommendation as laid out.

This was seconded by Councillor Coul, who thanked Councillor MacRae and all of the staff at Ubico for their dedication and hard work throughout the past twelve months. She noted that there had been cancellations of the service throughout other parts of Oxfordshire but West Oxfordshire had maintained a full service to residents.

Councillor Graham added his thanks to Ubico and their staff for hard work and stated that he had received very few complaints considering the challenging times encountered. He therefore supported the report.

Chris Unwin, Finance Director for Ubico, thanked Members for their comments and assured them that he would pass them onto the staff.

Having been proposed and duly seconded, the Cabinet

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Resolved that the Ubico Business Plan 2022-23 be approved by the Leader, as the Council's Shareholder Representative of Ubico Limited and subject to any minor amendments that might arise from the final stages of consultation with the other Shareholder Councils and/or general editing.

106 Exclusion of Public and Press

RESOLVED: That, in view of the likely disclosure of exempt information, as defined in paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972, the public were excluded from the meeting for the remaining item of business.

107 Investment Property - Surrender and Grant of New Lease

Members received a report from the Business Manager for Assets and Council Priorities which asked them to consider approval to complete a surrender of an existing commercial lease and grant a new lease to a new tenant.

The report explained that a Council owned property, purchased in July 2012, was currently occupied by a tenant on a long term tenancy. The company had since entered into a Company Voluntary Arrangement and had been seeking an alternative tenant to take over the lease. Two separate companies had expressed an interest and their offers were detailed at section 2.2 and 2.3 of the report.

Having considered the options, officers were proposing that a new tenant should be secured, subject to terms, to preserve the Council's revenue income at the property. Of the two companies, one was forecast to generate a higher revenue income than the other.

An alternative option was that the Council could decide not to agree to the surrender and grant of a new lease. The existing lease would continue until September 2025 at which point it was likely that the tenant would vacate and the Council would have a void period pending the acquisition of a new tenant.

The Cabinet Member for Finance, Councillor Coul, introduced the report and proposed the recommendations as laid out. This was seconded by Councillor MacRae.

Following discussions relating to the purchasing criteria for local authorities and clarification from officers on the rent free period, Members agreed with the officer's recommendation.

Having been proposed and duly seconded, the Cabinet

Resolved that

- a) the proposal to agree to a surrender of the existing lease and the grant of a new lease to the company detailed in the report, is approved; and
- b) delegated authority is granted to the Interim Head of Legal Services, in consultation with the Cabinet Member for Finance and the Group Manager for Commissioning, to approve the final terms of the transactions.

The Meeting closed at 2.20 pm

CHAIRMAN