

To: **Members of the Cabinet**

## ***Notice of a Meeting of the Cabinet***

**Tuesday, 23 May 2023 at 2.00 pm**

**Rooms 1&2 - County Hall, New Road, Oxford OX1 1ND**

If you wish to view proceedings online, please click on this [Live Stream Link](#).



Martin Reeves  
Chief Executive

May 2023

Committee Officer: **Chris Reynolds**  
Tel: 07542 029441; E-Mail: [chris.reynolds@oxfordshire.gov.uk](mailto:chris.reynolds@oxfordshire.gov.uk)

### **Membership**

#### *Councillors*

Liz Leffman	Leader of the Council
Liz Brighthouse OBE	Deputy Leader of the Council
Glynis Phillips	Cabinet Member for Corporate Services
Dr Pete Sudbury	Cabinet Member for Climate Change Delivery & Environment
Tim Bearder	Cabinet Member for Adult Social Care
Duncan Enright	Cabinet Member for Travel & Development Strategy
Calum Miller	Cabinet Member for Finance
Jenny Hannaby	Cabinet Member for Community Services and Safety
Mark Lygo	Cabinet Member for Public Health & Equality
Andrew Gant	Cabinet Member for Highway Management

*The Agenda is attached. Decisions taken at the meeting will become effective at the end of the working day on unless called in by that date for review by the appropriate Scrutiny Committee. Copies of this Notice, Agenda and supporting papers are circulated to all Members of the County Council.*

*Date of next meeting: 20 June 2023*

## **AGENDA**

### **1. Apologies for Absence**

### **2. Declarations of Interest**

- guidance note below

### **3. Minutes (Pages 1 - 12)**

To approve the minutes of the meeting held on 18 April 2023 (**CA3**) and to receive information arising from them.

### **4. 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'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.

### **5. 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.*

*To facilitate 'hybrid' meetings we are asking that requests to speak or present a petition are submitted by no later than 9am four working days before the meeting i.e., 9am on <<DATE>>. Requests to speak should be sent to [colm.ocaomhanaigh@oxfordshire.gov.uk](mailto:colm.ocaomhanaigh@oxfordshire.gov.uk)*

*If you are speaking 'virtually', you may submit a written statement of your presentation to ensure that your views are taken into account. A written copy of your statement can be*

*provided no later than 9am 2 working days before the meeting. Written submissions should be no longer than 1 A4 sheet.*

## **6. Cabinet response to report from People Overview and Scrutiny Committee - Home to School Transport Policy Working Group (Pages 13 - 24)**

Report by the Corporate Director for Children's Services and the Corporate Director for Environment and Place

In February 2022 the authority set up a Home to School Transport Working Group to review OCC's School Transport policies and to make recommendations to People's Overview and Scrutiny Committee. The Committee received that report on 30 March 2023 and they in turn provided a report for Cabinet's consideration on 18 April 2023. This report considers in detail each recommendation

### **RECOMMENDATION**

**The Cabinet is recommended to approve the approaches presented in paragraph 7 of the report.**

## **7. Reports from Scrutiny Committees (Pages 25 - 30)**

Cabinet will receive the following Scrutiny report:-

- Place Overview and Scrutiny Committee of the Future of Retail and the High Street

## **8. Financial Management Report 2023/24 (Pages 31 - 40)**

*Cabinet Member:* Finance

*Forward Plan Ref:* 2023/050

*Contact:* Kathy Wilcox, Head of Financial Strategy, [Kathy.Wilcox@oxfordshire.gov.uk](mailto:Kathy.Wilcox@oxfordshire.gov.uk)

Report by Director of Finance (**CA8**)

To note and seek agreement of the report and any recommendations.

**The Cabinet is RECOMMENDED to**

- a) agree the virements in Annex 1a and supplementary estimate request in Annex 1c and note the virements in Annex 1b.**
- b) note the additional one-off funding of £5.0m in 2023/24, notified since the budget was agreed by Council on 14 February 2023.**
- c) noting the inflation and demand pressures contributing to the forecast overspend of £14.4m set out in the Business Management & Monitoring Report to Cabinet in March 2023, agree to top up general balances to the 2023/24 risk assessed level of £30.2m depending on the year end position for 2022/23.**
- d) agree to transfer the remaining additional funding expected for 2023/24 to the corporate contingency budget.**

- e) agree the update to High Needs DSG budgets following the Education and Skills Funding Agency's approval of the transfer of £2.3m funding from the Schools Block to High Needs.

## **9. Proposal From OUFC to OCC As Landowner: Arrangements for engagement (Pages 41 - 68)**

*Cabinet Member:* Finance

*Forward Plan Ref:* 2023/081

*Contact:* Susannah Wintersgill, Director Strategy, Insight & Communications,  
[susannah.wintersgill@oxfordshire.gov.uk](mailto:susannah.wintersgill@oxfordshire.gov.uk)

Report by Corporate Director Customers, Organisational Development & Resources (CA9).

Paper setting out final arrangements for engagement.

**The Cabinet is RECOMMENDED to**

- (a) **Note the progress set out in the report below.**
- (b) **Note the feedback from the stakeholder meetings held during April and May (annex 1).**
- (c) **Amend the seven strategic priorities following stakeholder feedback as set out in paragraph 16 below.**
- (d) **Agree the approach to the second phase of public engagement as set out in annex 2.**

## **10. Oxfordshire County Council Air Quality Strategy (Pages 69 - 150)**

*Cabinet Members:* Travel & Development Strategy; Climate Change Delivery & Environment; Highway Management

*Forward Plan Ref:* 2023/051

*Contacts:* Joe Kay, Strategic Transport Lead, [joseph.kay@oxfordshire.gov.uk](mailto:joseph.kay@oxfordshire.gov.uk); Katharine Eveleigh, Health Improvement Practitioner, [katharine.eveleigh@oxfordshire.gov.uk](mailto:katharine.eveleigh@oxfordshire.gov.uk)

Report by Corporate Director Environment & Place (CA10).

To seek approval of the OCC Air Quality Strategy.

**Cabinet are RECOMMENDED to**

**Approve the Oxfordshire County Council Air Quality Strategy and Route Map for launch on Clean Air Day (15<sup>th</sup> June 2023).**

## **11. Oxfordshire Local Nature Recovery Strategy (Pages 151 - 160)**

*Cabinet Member:* Climate Change Delivery & Environment  
*Forward Plan Ref:* 2023/049  
*Contact:* Beccy Micklem, Principal Biodiversity Officer,  
[beccy.micklem@oxfordshire.gov.uk](mailto:beccy.micklem@oxfordshire.gov.uk)

Report by Corporate Director Environment & Place (**CA11**).

To approve Oxfordshire County Council's acceptance of its appointment as Responsible Authority for the Oxfordshire Local Nature Recovery Strategy, subject to the associated funding being considered by officers as sufficient and the Regulations and Guidance implementable and approve the Governance Structure for the Oxfordshire Local Nature Recovery Strategy.

**The Cabinet is RECOMMENDED to**

- a) note Oxfordshire County Council's anticipated appointment as Responsible Authority for the Oxfordshire Local Nature Recovery Strategy
- b) approve the Governance Structure for the Oxfordshire Local Nature Recovery Strategy

## **12. Appointments 2023/2024 (Pages 161 - 172)**

*Cabinet Member:* Leader  
*Forward Plan Ref:* 2022/221  
*Contact:* Colm Ó Caomhánaigh, Committee Officer, 07393 001096

Report by Director of Law & Governance (**CA12**).

To consider member appointments to a variety of bodies which in different ways support the discharge of the Council's Executive functions.

### **RECOMMENDATION**

**The Cabinet is RECOMMENDED to agree the appointments to the bodies set out in the Annex to this report.**

## **13. Capital Programme Approvals - May 2023 (Pages 173 - 178)**

*Cabinet Member:* Finance  
*Forward Plan Ref:* 2023/005  
*Contact:* Belinda Dimmock-Smith, Capital Programme Manager,  
[belinda.dimmocksmith@oxfordshire.gov.uk](mailto:belinda.dimmocksmith@oxfordshire.gov.uk)

Report by Director of Finance (**CA13**).

**The Cabinet is RECOMMENDED to:**

- a) **approve the revised budget provision of £11.2m for Wantage Eastern Link Road (Section 3).**

- b) approve the addition £2.7m road safety works in the vicinity of RAF Barford St John and RAF Croughton to the capital programme.
- c) approve the addition of £4.0m of the £5.0m pipeline funding agreed in February 2023 to the capital programme to support the Vision Zero Delivery Programme.
- d) approve the revised budget provision of £23.1m for the delivery of the new secondary school at Grove Airfield.
- e) approve the revised budget provision of £9.3m for the completion of works at Blessed George Napier School, Banbury.
- f) approve the addition of £0.8m to the programme to create an Energy Efficiency Recycling Fund for Oxfordshire County Council Maintained Schools.

## 14. Forward Plan and Future Business (Pages 179 - 184)

*Cabinet Member: All*

*Contact Officer: Colm Ó Caomhánaigh, Committee Officer Tel: 07393 001096*

The Cabinet Procedure Rules provide that the business of each meeting at the Cabinet is to include “updating of the Forward Plan and proposals for business to be conducted at the following meeting”. Items from the Forward Plan for the immediately forthcoming meetings of the Cabinet appear in the Schedule at **CA 14**. This includes any updated information relating to the business for those meetings that has already been identified for inclusion in the next Forward Plan update.

The Schedule is for noting, but Cabinet Members may also wish to take this opportunity to identify any further changes they would wish to be incorporated in the next Forward Plan update.

***The Cabinet is RECOMMENDED to note the items currently identified for forthcoming meetings.***

### **EXEMPT ITEM**

In the event that any Member or Officer wishes to discuss the information set out in Annex B to Agenda Item 15, the Cabinet will be invited to resolve to exclude the public for the consideration of the Annex by passing a resolution in relation in the following terms:

***"that the public be excluded during the consideration of Annex B since it is likely that if they were present during that discussion there would be a disclosure of "exempt" information as described in Part I of Schedule 12A to the Local Government Act, 1972 and specified below the item in the Agenda".***

**NOTE:** The report does not contain exempt information and is available to the public.

**THE ANNEX TO THE ITEM NAMED HAS NOT BEEN MADE PUBLIC AND SHOULD BE REGARDED AS ‘CONFIDENTIAL’ BY MEMBERS AND OFFICERS ENTITLED TO RECEIVE THEM.**

## **15. A40 Access to Witney - Compulsory Purchase Order (Pages 185 - 370)**

*Cabinet Member:* Travel & Development Strategy

*Forward Plan Ref:* 2022/012

*Contact:* Abdul Waraich, Project Manager,

[abdul.wairaich@oxfordshire.gov.uk](mailto:abdul.wairaich@oxfordshire.gov.uk)

Report by Corporate Director Environment & Place (CA15).

**NB Annex A is published as a Supplementary Document due to its size.**

To seek approval of the Statement of Reason and Orders, subject to delegation to officers and to make the Statutory Orders.

The information in this case is exempt in that it falls within the following prescribed categories:

2. Information which is likely to reveal the identity of an individual.

and since it is considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Annex B containing exempt information under the above paragraph is attached.

**The Cabinet is RECOMMENDED to:**

- a) **Confirm that the acquisition of the land identified on the map attached to this report (Annex B) (“the Order Map”) being the map accompanying The Oxfordshire County Council (Highways Infrastructure – A40 Access to Witney) Compulsory Purchase Order 2023 (“the CPO”) is necessary for highway purposes;**
- b) **Approve the CPO, the Order Map, The Oxfordshire County Council (Highways Infrastructure – A40 Access to Witney) (Side Roads) Order 2023 (“the SRO”), the plan accompanying the SRO (“SRO Plan”) all substantially in the form annexed to this report but to delegate to the Director of Transport and Infrastructure following consultation with the Director of Law & Governance, authority to modify them as necessary;**
- c) **Authorise the Director of Law & Governance to make The Oxfordshire County Council (Highways Infrastructure – A40 Access to Witney) Compulsory Purchase Order 2023 pursuant to Sections 239, 240, 246 and 260 of the Highways Act 1980 (as amended) and Part II and III of Schedule 2 and Schedule 3 to the Acquisition of Land Act 1981 for the purpose of acquiring the land and interests shown on the Order Map and described in the Schedule to the CPO (or such lesser area of land should this in his opinion be appropriate) to facilitate the improvement of the A40 by the construction of two new west facing slip roads and other necessary related highway improvement works and mitigation on such land and to affix the Common Seal of the Council to the CPO and to the Order Map;**

- d) Authorise the Director of Law & Governance to make The Oxfordshire County Council (Highways Infrastructure – A40 Access to Witney) (Side Roads) Order 2023 pursuant to Section 14 of the Highways Act 1980 (as amended) to enable the stopping up of highways and the alteration and improvement of existing highways, and giving authority to the acquisition of necessary land pursuant to the CPO and to affix the Common Seal of the Council to the SRO and to the SRO Plan;**
- e) Authorise the Director of Law & Governance to remove from the CPO any plot (or interest therein) no longer required to be acquired compulsorily, to amend the interests scheduled in the CPO (if so advised) and to request that the Secretary of State makes any modifications to the CPO prior to confirmation as may be appropriate;**
- f) Approve the draft Joint Statement of Reasons (Annex A) for the CPO and the SRO, substantially in the form annexed to this report, but to Authorise the Director of Law & Governance to amend and finalise the draft Joint Statement of Reasons as necessary prior to its submission to the Secretary of State;**
- g) Authorise the Director of Law & Governance to advertise the making of the CPO and the SRO and to submit the CPO and SRO to the Secretary of State for Transport for confirmation, together with authorising the Director of Law & Governance to take all other relevant action thereon to promote the confirmation and/or publication of the CPO and the SRO;**
- h) In the event that any Public Inquiry is convened to consider objections to the CPO and/or SRO and/or planning application (by way of a call-in decision), to authorise the Director of Law & Governance, in consultation with the Director of Transport and Infrastructure to prepare and submit such evidence as is necessary in support of the CPO and/or SRO and/or planning application, including enlisting the assistance of outside consultants, legal advisors and Counsel to assist in the preparation and presentation of such evidence.**
- i) As soon as the CPO and the SRO have been confirmed and become operative, to authorise the Director of Law & Governance to comply with all associated requirements in respect of personal, site and press notices of confirmation and to make, seal and give notice of a General Vesting Declaration (or declarations where more than one is required) under the Compulsory Purchase (Vesting Declarations) Act 1981 and/or to serve Notices to Treat and Notice of Entry in respect of those properties to be acquired compulsorily;**
- j) Authorise the Director of Transport and Infrastructure in consultation with the Director of Law & Governance to negotiate terms with interested parties for the purchase by agreement or payment of compensation in accordance with the Compensation Code in respect of any interests or rights in or over any land included in the CPO and, where appropriate, to agree terms for relocation;**



- k) Authorise the Director of Property in consultation with the Director of Law & Governance to complete the acquisition of such interests or rights and execute their legal transfer to the Council;**
- l) In the event that compensation for the acquisition of land cannot be agreed between the relevant parties, to authorise the Director of Law & Governance to make a reference to the Upper Tribunal (Lands Chamber) for determination of such compensation together with such other questions as may be necessary to determine, including the engagement of appropriate external legal advisors and surveyors and other experts, as required;**
- m) In the event that any question of compensation in relation to the acquisition of land is made by way of a reference to the Upper Tribunal (Lands Chamber) (whether by the claimant or the Council), to authorise the Director of Law & Governance to take all necessary steps in relation thereto, including advising on the appropriate uses and compensation payable and issuing the appropriate certificates;**
- n) Be notified of the Statutory Blight regime that requires the Council to respond to claims for Statutory Blight pursuant to Part V, Chapter II and Schedule 13 of the Town and Country Planning Act 1990 (as amended);**
- o) In respect of Statutory Blight, delegate authority to the Director for Property Services and the Director of Law & Governance to agree appropriate terms in accordance with statutory provisions; and**
- p) Underwrite the Scheme costs up to a figure of £6.638m and to forward fund any unsecured and/or conditional developer contributions to the Scheme (as may be secured through planning obligations pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended)) up to this underwritten sum, as may be necessary in order to enable the Scheme to have certainty of funding and so as not to create any untimely delay in Scheme delivery.**

## **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.