

Delegated Decisions by Cabinet Member for Infrastructure & Development Strategy

***Thursday, 12 October 2023 at 2.00 pm
Room 3 - County Hall, New Road, Oxford OX1 1ND***

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 19 October 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

October 2023

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

Note: *Date of next meeting: 16 November 2023*

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

See guidance below.

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. **Bicester - A4095 / B4100 Banbury Road roundabout improvements - Contracts and Agreements** (Pages 1 - 4)

Forward Plan Ref: 2023/237

Contact: Mohamed Gulamhussein, Project Manager,
mohamed@gulamhussein@oxfordshire.gov.uk

Report by Corporate Director Environment & Place (**CMDIDS4**).

Delegate decision to officer to enter into construction contract for Bicester - A4095 / B4100 Banbury Road Roundabout Improvements scheme.

The Cabinet Member is RECOMMENDED to:

delegate authority to the Director of Transport and Infrastructure in consultation with the Head of Legal and Deputy Monitoring Officer to finalise the target cost and programme for Stage 2 (Construction) and issue a Notice to Proceed to Galliford Try Infrastructure Ltd "GTIL" under the existing NEC 4 Engineering and Construction Contract for the A4095/B4100 Banbury Road Roundabout Project.

5. North Oxford Corridor (NOC) – Kidlington Roundabout Contracts
(Pages 5 - 8)

Forward Plan Ref: 2023/274

Contact: Jet Mulraney, Project Manager, jet.mulraney@oxfordshire.gov.uk

Report by Corporate Director Environment & Place (CMDIDS5).

This report seeks to ensure authority is in place to enter into all forthcoming contracts and other such agreements for the NOC 1b – Kidlington Roundabout.

The Cabinet Member is RECOMMENDED to delegate authority to the Corporate Director of Environment and Place in consultation with the Head of Legal and Deputy Monitoring Officer to settle the terms of, and approve the issuing of the following task orders which are required in relation to the North Oxford Corridor (NOC) 1b – Kidlington Roundabout referred to in this report:

- a) **A construction task order for construction of works under the existing OWN Contract (Peterborough) with Milestone Infrastructure Ltd maximum estimated value at £2.9m [including VAT].**
- b) **A design support task order with Milestone Infrastructure Ltd, under the existing OWN Contract (Peterborough) for support during construction maximum estimated value at £100k [including VAT].**

EXEMPT ITEM

In the event that any Member or Officer wishes to discuss the information set out in Annex A to Agenda Item 6, the Committee 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 the Annex 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.

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

6. Access to Witney - Detailed Design (Pages 9 - 14)

Forward Plan Ref: 2023/314

*Contact: Gareth Slocombe – Senior Project Manager,
Gareth.slocombe@oxfordshire.gov.uk*

Report by Corporate Director Environment & Place (**CMDIDS6**).

To seek delegated authority to the Corporate Director of Environment and Place to approve the entering into a Professional Services Contract for the Detailed Design of the Scheme.

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

3. Information relating to the financial or business affairs of any particular person (including the authority holding that information)

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, in that a negotiation is ongoing and would prejudice the position of the authority in the process of that negotiation and the Council's standing generally in relation to such matters in future, to the detriment of the Council's ability properly to discharge its fiduciary and other duties as a public authority.

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

The Cabinet Member is RECOMMENDED to delegate authority to the Corporate Director of Environment & Place in consultation with the Director of Finance and the Head of Legal Services & Deputy Monitoring Officer to approve the commencement of a Professional Services Contract (for the value given in the Annex A) called off under the Scape Perfect Circle Consultancy Framework (Lot 2) between Scape Procure Limited and with Perfect Circle JV Ltd in relation to the Detailed Design of the Access to Witney / Shore Green Scheme.

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.

Divisions Affected – Bicester and Banbury

**CABINET MEMBER FOR
INFRASTRUCTURE & DEVELOPMENT STRATEGY
12 October 2023**

**Bicester - A4095/B4100 Banbury Road Roundabout Improvements
Contracts and Agreements**

Report by Corporate Director Environment & Place

RECOMMENDATION

1. The Cabinet Member is RECOMMENDED to;

delegate authority to the Director of Transport and Infrastructure in consultation with the Head of Legal and Deputy Monitoring Officer to finalise the target cost and programme for Stage 2 (Construction) and issue a Notice to Proceed to Galliford Try Infrastructure Ltd "GTIL" under the existing NEC 4 Engineering and Construction Contract for the A4095/B4100 Banbury Road Roundabout Project.

Executive Summary

2. The Council Constitution states that key decisions are required prior to entering into any contracts with a capital spend of over £1 million.
3. This report recommends that the Cabinet Member delegates authority to the Director of Transport and Infrastructure to finalise the target cost and programme for Stage 2 and issue a Notice to Proceed to Galliford Try Infrastructure Ltd "GTIL" under the existing NEC 4 Option C Engineering and Construction Contract for the A4095/B4100 Banbury Road Roundabout Project, in line with the Constitution and ensuring the necessary Authority is in place.

Background

4. The A4095/B4100 Banbury Road Roundabout Project encompasses the following benefits:
 - a. Convert the existing roundabout into a crossroad with traffic lights.
 - b. Increase capacity for vehicles and reduce delays, helping to address congestion at the junction.

- c. Improve road-safety for active travel users via a reduced speed limit of 30mph and a raised table at Fringford Road.
 - d. Improve safety for cyclists and pedestrians, with segregated cycleways and crossings at the western and southern arms of the redesigned junction via an orthodox Dutch Orientation arrangement.
5. Oxfordshire County Council “OCC”, entered into a NEC 4 Engineering and Construction Contract with Galliford Try Infrastructure Ltd “GTIL” on the 11th of August 2021 further amended by a Deed of Variation “DOV” on the 24th of September 2021 to undertake early contractor involvement, surveys and detailed design “Stage 1” utilising secondary option X22 of the Form of Contract. Stage 1 was below the threshold for a Cabinet Member decision. Stage 1 is expected to be completed in November 2023.
6. Stage 2 (Construction) is anticipated to commence in December 2023. In order to meet the funding deadlines, this report is to request that delegated authority is given to the Director of Transport and Infrastructure to agree the target cost and enter into Stage 2 in a timely manner based on Council policy, regulations and professional judgement.
7. The contractor’s estimated final cost to complete Stage 2 only, is **£6.5m**. The formal submission of the contractors Stage 2 price and programme is due in early November 2023.

Key Issues

8. Planning was granted on 27 November 2021. Since then, there were changes in design which required changes to the planning application through Section 73. The Section 73 Amendment to the planning application is not yet determined. The planning decision is expected on 27 Nov 23.
9. The approval of the issuing of the Notice to Proceed will not take place unless and until the S73 application is approved.

Financial Implications

10. There are no new budgetary implications. The budget for the total project has already been agreed by Cabinet. The total funding allocated to this project is **£10.7m** comprised of £5.2m from Growth Deal and £5.5m from other Grants.

Prem Salhan, **Finance Business Partner**
Prem.salhan@oxfordshire.gov.uk

Date: 29/09/2023

Legal Implications

11. On 11th August 2021, the Council entered into a NEC4 ECC Option C Contract with Galliford Try Infrastructure Limited following a call-off under the Midland Highways Alliance MSF3 Framework. The contract was amended by way of a Deed of Variation dated 24th September 2021. Under the contract the Contractor delivers Stage One services (early contractor involvement and design). If agreement is reached on a target price and programme, the Council issues a Notice to Proceed to Stage 2 to the Contractor, which triggers the commencement of the Stage 2 construction works.
12. The council will be delivering the Banbury Road Roundabout Project in its capacity as the highway authority for Oxfordshire under the Highways Act 1980.

Comments checked by:

Jayne Pringle, **Principal Solicitor – Contracts and Conveyancing**
Jayne.pringle@oxfordshire.gov.uk

Date: 28/09/23

Staff Implications

13. There are no staff implications.

Risk Management

14. There are no risk management implications.

Owen Jenkins, Director of Transport, and Infrastructure

Annex: None

Background papers: None

Contact Officer: Mohamed Gulam Hussein
 Project Manager
Mohamed.Gulamhussein@oxfordshire.gov.uk
 Tel: +447514719883

12 October 2023.

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Divisions Affected – Kidlington South

CABINET MEMBER FOR INFRASTRUCTURE AND DEVELOPMENT STRATEGY

– 12 October 2023

North Oxford Corridor (NOC) – Kidlington Roundabout Contracts

Report by Corporate Director of Environment and Place

RECOMMENDATION

1. **The Cabinet Member is RECOMMENDED to** delegate authority to the Corporate Director of Environment and Place in consultation with the Head of Legal and Deputy Monitoring Officer to settle the terms of, and approve the issuing of the following task orders which are required in relation to the North Oxford Corridor (NOC) 1b – Kidlington Roundabout referred to in this report:
 - a) A construction task order for construction of works under the existing OWN Contract (Peterborough) with Milestone Infrastructure Ltd maximum estimated value at £2.9m [including VAT].
 - b) A design support task order with Milestone Infrastructure Ltd, under the existing OWN Contract (Peterborough) for support during construction maximum estimated value at £100k [including VAT].

Executive Summary

2. This report seeks to ensure authority is in place to enter into all forthcoming task orders [and other such agreements] for the NOC 1b – Kidlington Roundabout.

Background

3. Milestone Infrastructure Limited have been appointed pursuant to a contract dated 5th August 2021 to undertake highways services and works for the NOC 1b – Kidlington Roundabout scheme.
4. Preliminary and detailed design including relevant stages of Road Safety Audit has been completed by Milestone, with the next stage of the project to instruct a construction task order with Milestone.
5. Engagement and public consultation with key stakeholders and members of the public has been completed on the scheme proposals with results reported to 2nd February 2023 Delegated Decision by Cabinet Member for Travel & Development Strategy with approval granted.

6. Communication of the intended start date (November/December 2023) will be shared once confirmed including use of the project web page.
7. The NOC 1b Kidlington Roundabout project helps support OCC's vision by providing enhanced bus priority, cycling and walking infrastructure on the edge of the city to encourage a shift to more sustainable and healthy modes of travel whilst contributing towards improvements in air quality and reducing carbon emissions.

Key Issues

8. Oxfordshire County Council, as highway authority, are carrying out the NOC P1B Kidlington Roundabout scheme pursuant to the Highways Act 1980. The scheme forms part of a whole corridor of improvements / schemes on the A44 and A4260 corridors in north Oxford aimed at improving sustainable transport and supporting proposed development sites.
9. OCC Network Management team have been consulted regularly on the scheme with respect to road space booking and its impact on Oxfordshire's Road network including the ongoing major works on the Botley Road.

Financial Implications

10. The project currently has a total overall budget of £4m funded via the Housing and Growth Deal (H&GD). Corporate Governance procedures have been, and will continue to be, followed for the project.

Comments checked by: Lorna Baxter (Director of Finance),
lorna.baxter@oxfordshire.gov.uk

Legal Implications

11. The Own Contract between Oxfordshire County Council and Milestone Infrastructure Limited was made pursuant to a contract between Milestone Infrastructure Limited and Peterborough City Council which provides for other authorities, such as OCC, to enter into their own contract with Milestone for highways services and works on the same terms.
12. The Own Contract is a term service arrangement whereby the client may order successive services through issuing task orders to Milestone. The client has issued task orders from time to time for successive stages of this scheme.
13. As set out in paragraph 8 of the report, the council will be carrying out these works pursuant to its statutory responsibilities as highway authority pursuant to the Highways Act 1980.

Comments checked by: Jayne Pringle, Principal Solicitor – Contracts and Conveyancing (Legal Services) (jayne.pringle@oxfordshire.gov.uk)

Staff Implications

14. There are no staff implications.

Risk Management

15. There is a risk of reputational damage due to delays to the project if the Council does not carry out the works expediently.

Bill Cotton, Corporate Director of Environment and Place

Annex: Nil.

Background papers: Nil.

Contact Officer: Aron Wisdom
Programme Lead
Aron.Wisdom@oxfordshire.gov.uk

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Divisions Affected – Eynsham, Witney (North and East)

**CABINET MEMBER FOR
INFRASTRUCTURE & DEVELOPMENT STRATEGY
– 12 October 2023**

**Access to Witney Detailed Design
Report by Corporate Director of Environment & Place**

RECOMMENDATION

1. The Cabinet Member is RECOMMENDED to

delegate authority to the Corporate Director of Environment & Place in consultation with the Director of Finance and the Head of Legal Services & Deputy Monitoring Officer to approve the commencement of a Professional Services Contract (for the value given in the Annex A) called off under the Scape Perfect Circle Consultancy Framework (Lot 2) between Scape Procure Limited and with Perfect Circle JV Ltd in relation to the Detailed Design of the Access to Witney / Shore Green Scheme.

Executive Summary

2. This report seeks to ensure that authority is in place to enter into a contract for professional services (for the value given in the Annex A) with Perfect Circle JV Ltd (pursuant to the Perfect Circle) for the Detailed Design of the Access to Witney Scheme.

Background

3. The A40 Access to Witney Scheme proposed improvements to the existing B4022/A40 junction at Shores Green. The purposes of the A40 Access to Witney transport Scheme is:
- To reduce congestion and improve air quality in central Witney, including on Bridge Street and in the Air Quality Management Area
 - To support the delivery of planned housing growth in Witney as set out the West Oxfordshire Local Plan 2031
 - To improve access to the A40 from northeast Witney
4. The purpose of this report is to obtain approval for the Council to enter into a Professional Service Contract with Perfect Circle JV Ltd for the Detailed Design of the Access to Witney Scheme.

5. Perfect Circle JV Ltd will undertake the Detailed Design for the Access to Witney Scheme.

Key Issues

6. It is essential that this decision is made urgently in respect of entering into a contract with Perfect Circle JV Ltd to ensure that the Detailed Design can progress and subsequent construction programme is not adversely affected.
7. The key driver for use of the Scape Perfect Circle Consultancy Framework with Perfect Circle JV Ltd is time; this route will produce the shortest time to commence Detailed Design and the subsequent construction programme. Furthermore, there is a requirement to ensure that the Housing Growth Deal funding that has been allocated to the Scheme is spent by the end of March 2025. Use of the Scape Perfect Circle Consultancy Framework will help to drive time and cost (including value for money) efficiencies and, thereby, ensure that the project adheres to the latest programme/timescales.

Financial Implications

8. As identified previously, this report seeks to ensure that authority is in place for entering of a Professional Services contract (f for the value given in the Annex A) to be issued to Perfect Circle JV Ltd (pursuant to Scape Procure) for the delivery of the Detailed Design stage of the Access to Witney Scheme.
9. The value given in Annex A is the cost for Perfect Circle JV Ltd to deliver the Detailed Design stage for the Access to Witney Scheme on behalf of the County Council which falls within the 'approved budget':
 - (a) Housing Growth Deal Fund - £17m - Cabinet approved on 18 October 2022
 - (b) S106 (Unsecured) - £6.64m - forward funded by OCC Coporate Resources.
 - (c) S106 (Secured) - £1.39m - held as secured s106 contributions from an existing housing site on Burford Road in Witney.
10. There are no budgetary implications, as the budgets for the project have already been agreed by Cabinet.

Comments checked by: Rob Finlayson, Finance Business Partner
rob.finlayson@oxfordshire.gov.uk

Legal Implications

11. When procuring goods, services or works, the procurement must be conducted in accordance with the Council's Contract Procedure Rules and, where applicable, the Public Contracts Regulations 2015 (PCRs).

The value of the proposed contract for Detailed Design is given in Annex A and therefore is above the PCRs threshold for services which currently stands at £213,477 inc VAT.

12. The Scape Perfect Circle Consultancy Framework Agreement between Scape Procure Ltd and Perfect Circle JV Ltd was entered into on 29th January 2021 following a public procurement exercise under the PCRs and expires on 4th January 2025. The proposed call-off contract between Perfect Circle JV Ltd and the Council is a NEC4 Professional Service Contract
13. The Council will be delivering the Access to Witney Scheme in its capacity as the highway authority for Oxfordshire under the Highways Act 1980.

Comments checked by: Jayne Pringle, Principal Solicitor – Contracts and Conveyancing (Legal Services)
jayne.pringle@oxfordshire.gov.uk

Staff Implications

14. There are no staff implications.

Risk Management

15. If the Council does not enter a contract with Perfect Circle JV Ltd in respect to the delivery of the Detailed Design of the Scheme as soon as practicably possible then this could put pressure on the Council's ability to spend the Housing Growth Deal funding that has been allocated to the Scheme by the end of March 2025. Furthermore, Perfect Circle JV Ltd will not be able to commence the Detailed Design as per the latest programme until the call-off contract has been entered, which could have financial and time implications. Both of these risks could result in reputational damage if the Council does enter the contract with Perfect Circle JV Ltd in a time-efficient manner.

Bill Cotton, Corporate Director of Environment & Place

Annex: Annex A – Project Details

Background papers: Nil

Contact Officer: Gareth Slocombe
 Senior Project Manager, Access to Witney
 Gareth.slocombe@oxfordshire.gov.uk

October 2023

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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