

To: Members of the Cabinet

Notice of a Meeting of the Cabinet

Tuesday, 18 January 2022 at 2.00 pm

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

Please note that Council meetings are currently taking place in-person (not virtually) with Covid precautions at the venue. Meetings will continue to be live-streamed and those who wish to view them are strongly encouraged to do so online to minimise the risk of Covid-19 infection.

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

If you still wish to attend this meeting in person, you must contact the Committee Officer by 9am four working days before the meeting and they will advise if you can be accommodated at this meeting and of the detailed Covid-19 safety requirements for all attendees.

Please note that in line with current government guidance *all* attendees are strongly encouraged to take a lateral flow test in advance of the meeting.



Yvonne Rees
Chief Executive

January 2022

Committee Officer: **Colm Ó Caomhánaigh**
Tel: 07393 001096; E-Mail:
colm.ocaomhanaigh@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
Neil Fawcett	Cabinet Member for Community Services & Safety
Dr Pete Sudbury	Cabinet Member for Climate Change Delivery & Environment
Tim Bearder	Cabinet Member for Highways Management
Duncan Enright	Cabinet Member for Travel & Development Strategy
Calum Miller	Cabinet Member for Finance
Jenny Hannaby	Cabinet Member for Adult Social Care
Mark Lygo	Cabinet Member for Public Health & Equality

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: 15 February 2022

Declarations of Interest

The duty to declare.....

Under the Localism Act 2011 it is a criminal offence to

- (a) fail to register a disclosable pecuniary interest within 28 days of election or co-option (or re-election or re-appointment), or
- (b) provide false or misleading information on registration, or
- (c) participate in discussion or voting in a meeting on a matter in which the member or co-opted member has a disclosable pecuniary interest.

Whose Interests must be included?

The Act provides that the interests which must be notified are those of a member or co-opted member of the authority, **or**

- those of a spouse or civil partner of the member or co-opted member;
- those of a person with whom the member or co-opted member is living as husband/wife
- those of a person with whom the member or co-opted member is living as if they were civil partners.

(in each case where the member or co-opted member is aware that the other person has the interest).

What if I remember that I have a Disclosable Pecuniary Interest during the Meeting?.

The Code requires that, at a meeting, where a member or co-opted member has a disclosable interest (of which they are aware) in any matter being considered, they disclose that interest to the meeting. The Council will continue to include an appropriate item on agendas for all meetings, to facilitate this.

Although not explicitly required by the legislation or by the code, it is recommended that in the interests of transparency and for the benefit of all in attendance at the meeting (including members of the public) the nature as well as the existence of the interest is disclosed.

A member or co-opted member who has disclosed a pecuniary interest at a meeting must not participate (or participate further) in any discussion of the matter; and must not participate in any vote or further vote taken; and must withdraw from the room.

Members are asked to continue to pay regard to the following provisions in the code that *“You must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself”* or *“You must not place yourself in situations where your honesty and integrity may be questioned.....”*.

Please seek advice from the Monitoring Officer prior to the meeting should you have any doubt about your approach.

List of Disclosable Pecuniary Interests:

Employment (includes *“any employment, office, trade, profession or vocation carried on for profit or gain”*.), **Sponsorship, Contracts, Land, Licences, Corporate Tenancies, Securities.**

For a full list of Disclosable Pecuniary Interests and further Guidance on this matter please see the Guide to the New Code of Conduct and Register of Interests at Members’ conduct guidelines. <http://intranet.oxfordshire.gov.uk/wps/wcm/connect/occ/Insite/Elected+members/> or contact Glenn Watson on **07776 997946** or glenn.watson@oxfordshire.gov.uk for a hard copy of the document.

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.

AGENDA

1. Apologies for Absence

2. Declarations of Interest

- guidance note opposite

3. Minutes (Pages 1 - 18)

To approve the minutes of the meeting held on 21 December 2021 (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

Currently council meetings are taking place in-person (not virtually) with Covid safety procedures operating in the venues. However, members of the public who wish to speak at this meeting can attend the meeting 'virtually' through an online connection. While you can ask to attend the meeting in person, you are strongly encouraged to attend 'virtually' to minimise the risk of Covid-19 infection.

Please also note that in line with current government guidance all attendees are strongly encouraged to take a lateral flow test in advance of the meeting.

Normally requests to speak at this public meeting are required by 9 am on the day preceding the published date of the meeting. However, during the current situation and to facilitate these new arrangements we are asking that requests to speak are submitted by no later than 9am four working days before the meeting i.e. 9 am on Wednesday 12 January 2022 Requests to speak should be sent to

colm.ocaomhanaigh@oxfordshire.gov.uk . You will be contacted by the officer regarding the arrangements for speaking.

If you ask to attend in person, the officer will also advise you regarding Covid-19 safety at the meeting. 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.

6. Budget & Business Planning Report - 2022/23 - January 2022 (Pages 19 - 464)

Cabinet Member: Finance

Forward Plan Ref: 2021/136

Contact: Kathy Wilcox, Head of Financial Strategy Tel: 07788 302163

Report by Director of Finance (**CA6**).

Cabinet proposes 2022/23 revenue budget, MTFP and capital programme for recommendation to Council in light of comments from the Performance & Corporate Services Overview & Scrutiny Committee and consultation feedback. Includes the Review of Charges.

NB Annex C and Section 2.1 to follow

RECOMMENDATIONS

1. **In relation to the draft strategic plan (Section 2);**

Cabinet is RECOMMENDED to RECOMMEND Council to:

a) adopt the strategic plan.

2. **In relation to the Revenue Budget and Medium Term Financial Strategy (Section 4);**

Cabinet is RECOMMENDED to:

- b) approve the Review of Charges for 2022/23 and in relation to the Registration Service, charges also for 2023/24 (Annex A);**
- c) approve the final schools funding formula for 2022/23 subject to the decision by the Secretary of State for Education regarding permission to transfer 0.5% (£2.2m) from the Schools block to support High Needs expenditure (Annex B)**
- d) Receive and thank the Performance and Corporate Services Overview and Scrutiny Committee for their Budget Scrutiny report and note the response as set out in Annex C (to follow);**
- e) approve the Financial Strategy for 2022/23 (Section 4.5);**
- f) approve the Earmarked Reserves and General Balances Policy Statement 2022/23 (Section 4.6);**
- g) and to note that the Leader of the Council will, following consultation with the Director of Finance and the Cabinet Member for Finance,**

make any appropriate changes to the proposed budget following receipt of information relating to the outstanding matters at paragraph 9 of this report

Cabinet is RECOMMENDED to RECOMMEND Council to:

- h) approve a Medium Term Financial Strategy for 2022/23 to 2025/26 as set out in Section 4.1 (which incorporates changes to the existing Medium Term Financial Strategy as set out in Section 4.2);**
- i) agree the council tax and precept calculations for 2022/23 set out in Section 4.3 and in particular:**
 - (i) a precept of £435,816,475;**
 - (ii) a council tax for band D equivalent properties of £1,651.61.**
 - (iii) approve a revenue budget for 2022/23 as set out in Section 4.4**

3. In relation to the Capital and Investment Strategy and Capital Programme (Section 5);

Cabinet is RECOMMENDED to recommend Council to:

- j) approve the Capital and Investment Strategy for 2021/22 - 2031/32 (Section 5.1) including;**
 - (i) the Minimum Revenue Provision Methodology Statement (Section 5.1 Annex 1);**
 - (ii) the Prudential Indicators (Section 5.1 Annex 2)**
 - (iii) the updated Pupil Place Plan (Section 5.1 Annex 3) and**
- k) approve the Treasury Management Strategy Statement and Annual Investment Strategy for 2022/23 (Section 5.2); and**
 - (i) continue to delegate the authority to withdraw or advance additional funds to/from external fund managers to the Director of Finance;**
 - (ii) approve that any further changes required to the 2022/23 Treasury Management Strategy be delegated to the Director of Finance in consultation with the Leader of the Council and the Cabinet Member for Finance;**
 - (iii) approve the Treasury Management Prudential Indicators; and**
 - (iv) approve the Specified Investment and Non Specified Investment instruments as set out in Section 5.2 paragraphs 55 to 60;**
- l) approve the Investment Strategy for Property Investment (Section 5.3);**
- m) approve the Property Strategy (Section 5.4);**
- n) approve the new capital proposals for inclusion in the Capital Programme (Section 5.5)**
- o) approve the capital programme (Section 5.6);**

7. Kidlington Local Cycling and Walking Infrastructure Plan (LCWIP) (Pages 465 - 560)

Cabinet Member: Highway Management

Forward Plan Ref: 2021/185

Contact: Eric Stevens, Principal Infrastructure Planner Tel: 07436 700673

Report by Corporate Director Environment & Place (**CA7**).

The Kidlington Local Cycling and Walking Infrastructure Plan sets out a cycling and walking network plan for the village including links to neighbouring rural settlements and measures to improve the network over a ten-year timescale to 2031. An improved comprehensive network will increase the uptake of active travel modes.

The Cabinet is RECOMMENDED to approve the Kidlington Local Cycling and Walking Infrastructure Plan.

8. A40 HIF2 Smart Corridor - Compulsory Purchase and Side Road Orders (Pages 561 - 668)

Cabinet Member: Travel & Development Strategy

Forward Plan Ref: 2021/131

Contact: Tom Shuttleworth, Programme Lead (A40), Tel: 07908 059132

Annex A is included in this agenda reports pack.

Annex B is published as a separate pack "Supplementary Documents" due to their number and size.

Report by Corporate Director Environment & Place (**CA8**).

To seek approval of the Statement and Orders Plans and approval to make the Compulsory Purchase and Side Road Orders.

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 HIF2 Smart Corridor (Hill Farm to Dukes Cut)) Compulsory Purchase Order 2022 ("the CPO") is necessary for highway purposes;**
- b) **Approve the Joint Statement of Reasons (Annex A) for the CPO and The Oxfordshire County Council (Highways Infrastructure – A40 HIF2 Smart Corridor (Hill Farm to Dukes Cut)) (Side Roads) Order 2022 ("the SRO"), together with approving the CPO, the Order Map, the SRO and the plans accompanying the SRO ("SRO Plans") all substantially in the form annexed to this report but to delegate to the Corporate Director Environment & Place following consultation with the Monitoring Officer, authority to modify them as necessary;**
- c) **Authorise the Monitoring Officer to make The Oxfordshire County Council (Highways Infrastructure – A40 HIF2 Smart Corridor (Hill Farm to Dukes Cut)) (Side Roads) Order 2022 ("the SRO") to enable the stopping-up, diversion, alteration, improvement and creation of new lengths of highway**

or reclassification of existing highways, and giving authority to the acquisition of necessary land pursuant to the CPO. The SRO also enables the stopping up of private means of access as necessary where the scheme design necessitates and re-provision of private means of access.

- d) Authorise the Monitoring Officer to make The Oxfordshire County Council (Highways Infrastructure - A40 HIF2 Smart Corridor (Hill Farm to Dukes Cut)) Compulsory Purchase Order 2022 pursuant to Sections 239, 240, 246, 250 and 260 of the Highways Act 1980 (as amended) 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 Schedules to the CPO (or such lesser area of land should this in his opinion be appropriate) to facilitate the construction of new highway on such land and that the Common Seal of the Council be affixed to the CPO and to the Order Map;
- e) Authorise the Monitoring Officer 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 Monitoring Officer to take all other relevant action thereon to promote the confirmation of the CPO and the SRO;
- f) 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 Monitoring Officer, in consultation with the Corporate Director Environment & Place 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.
- g) As soon as the CPO and the SRO have been confirmed and become operative, to authorise the Monitoring Officer 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;
- h) Authorise the Corporate Director Environment & Place in consultation with the Monitoring Officer 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;
- i) Authorise the Director of Property in consultation with the Monitoring Officer to complete the acquisition of such interests or rights and their transfer to the Council;
- j) In the event that compensation for the acquisition of land and/or rights cannot be agreed between the relevant parties, to authorise the Monitoring Officer 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;

- k) In the event that any question of compensation in relation to the acquisition of land and/or rights is made by way of a reference to the Upper Tribunal (Lands Chamber) (whether by the claimant or the Council) to authorise the Monitoring Officer to take all necessary steps in relation thereto, including advising on the appropriate uses and compensation payable and issuing the appropriate certificates.

9. Traffic Management Act - Part 6 Powers for Oxfordshire (Civil Enforcement of Moving Traffic Offences) (Pages 669 - 684)

Cabinet Member: Highway Management

Forward Plan Ref: 2021/198

Contact: Keith Stenning, Head of Service – Network Management Tel: 07584 581214

Report by Corporate Director Environment & Place (CA9).

The Department for Transport will be inviting applications for a Designation Order to enable a Highway Authority to undertake civil enforcement of site specific Traffic Regulation Orders within a geographical area already covered by Civil Parking Enforcement. For Oxfordshire, this can include the whole County as Civil Parking Enforcement is now Oxfordshire wide.

The Cabinet is RECOMMENDED to:

- (a) Approve submission of an application to the Department for Transport to apply for a Designation Order for Oxfordshire to enforce moving traffic offences.
- (b) Approve the Site Selection Criteria at Annex 1 and Resource Prioritisation Framework at Annex 2 to manage decisions for potential enforcement delivery.

10. EXEMPT ITEM

In the event that any Member or Officer wishes to discuss the information set out in the Annex to Agenda Item 11, 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 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.

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.

11. Land at Stratfield Brake, Kidlington - Proposal from Oxford United Football Club to Oxfordshire County Council as Landowner (Pages 685 - 694)

Cabinet Member: Finance

Forward Plan Ref: 2021/241

Contact: Steve Jorden, Corporate Director Commercial Development, Assets and Investment Tel: 07770 867896

Report by Corporate Director - Commercial Development, Assets and Investment (CA11).

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.

The annex containing exempt information under the above paragraph is attached.

Oxford United Football Club (OUFC) have approached OCC and requested that OCC transfer c.18 hectares (44.48 acres) of land for the development of a new 18,000 capacity football stadium with ancillary leisure and commercial facilities to include, hotel, retail, conference, and training/community grounds.

The Cabinet is RECOMMENDED to enter into negotiations as requested by Oxford United Football Club (OUFC) and with Oxfordshire County Council's current tenants to enable the use of Oxfordshire County Council (OCC) owned land for the development of a new football stadium, subject to planning permission.

If Cabinet decides to proceed it is RECOMMENDED that

- a) **Officers ensure that any proposal by OUFC is consistent with the Oxfordshire Fair Deal Alliance's priorities, by achieving the following objectives for the use of the OCC's land:**
- i. **maintain a green barrier between Oxford and Kidlington and improve access to nature and green spaces;**
 - ii. **enhance facilities for local sports groups and on-going financial support;**
 - iii. **significantly improve the infrastructure connectivity in this location, improving public transport to reduce the need for car travel in so far as possible, and to improve sustainable transport through increased walking, cycling and rail use;**
 - iv. **develop local employment opportunities in Oxfordshire;**

- v. increase education and innovation through the provision of a sports centre of excellence and facilities linked to elite sport, community sport, health and wellbeing;
- vi. support OCC's net zero carbon emissions pledge through high sustainable development;

- b) Officers enter negotiations and agree a deal that achieves community benefit, meet OCC's aspirations and complies with The European Union (Future Relationship) Act 2020 and is in accordance with S.123 of the Local Government Act 1972.
- c) Cabinet agrees delegated authority to the Corporate Director, Oxfordshire County Council – Commercial Development, Assets and Investment, in consultation with the Portfolio Holder for Finance & Property, to agree financial terms and to instruct OCC Legal Services accordingly.

12. Delegated Powers - January 2022 (Pages 695 - 698)

Cabinet Member: Leader

Forward Plan Ref: 2021/138

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

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

To report on a quarterly basis any executive decisions taken under the specific powers and functions delegated under the terms of Part 7.1 (Scheme of Delegation to Officers) of the Council's Constitution – Paragraph 6.3(c)(i). It is not for Scrutiny call-in.

13. Forward Plan and Future Business (Pages 699 - 702)

Cabinet Member: All

Contact Officer: Alison Bartlett, Democratic Support Officer Tel: 07741 607515

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 **CA13**. 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.