

To: **Members of the Cabinet**

Notice of a Meeting of the Cabinet

Tuesday, 26 April 2022 at 2.00 pm

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

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

In line with current Government advice, those attending the meeting are asked to consider wearing a face-covering.



Stephen Chandler
Interim Chief Executive

April 2022

Committee Officer: **Colm Ó Caomhánaigh**
Tel: 07393 001096; E-Mail:
colm.oocaomhanaigh@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: 24 May 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 email democracy@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 - 38)

To approve the minutes of the meeting held on 15 March 2022 (CA3) and to receive information arising from them.

4. Questions from County Councillors (Pages 39 - 40)

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. In line with current Government advice, those attending the meeting in person are asked to consider wearing a face-covering.

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 'hybrid' meetings 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 20 April 2022. Requests to speak should be sent to colm.ocaomhanaigh@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.

6. Tree Policy for Oxfordshire (Pages 41 - 78)

Cabinet Member: Climate Change Delivery & Environment

Forward Plan Ref: 2022/014

Contact: Paul Fermer, Assistant Director Operations Tel: 07825 273984 / Andy Lederer, Principal Officer – Arboriculture Tel: 07860 453603

Report by Corporate Director Environment & Place (**CA6**).

This new Tree Policy puts the emphasis on ‘Presumption in favour of trees’ to maximise canopy cover opportunities and address the Climate Emergency across the Oxfordshire Landscape and Streetscape.

The Cabinet is RECOMMENDED to:

- a) **Approve the updated Tree Policy as at ANNEX 1;**
- b) **Approve the inclusion of related matters into the Street Design Guidance;**
- c) **Support the additional information provided as ‘Application of Tree Policy Guidance’ as set out at ANNEX 2.**

7. A40 HIF2 Smart Corridor - Compulsory Purchase and Side Road Orders (Pages 79 - 94)

Cabinet Member: Travel & Development Strategy

Forward Plan Ref: 2022/044

Contact: Arjen Bouwmeester, Programme Lead (A40),
arjen.bouwmeester@oxfordshire.gov.uk

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

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

NB: Annexes A and B are published as Supplementary Documents due to their number and size.

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 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 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 and that the Common Seal of the Council be affixed to the SRO and to the SRO Plans. 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 Director of Law & Governance 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 Part II and III to 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 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 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 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 Director of Law & Governance , 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 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;

- h) Authorise the Corporate Director Environment & Place 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;
- i) Authorise the Director of Property in consultation with the Director of Law & Governance 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 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;
- 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 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.

8. Highway Works Bond for Development with Public Bodies (Pages 95 - 100)

Cabinet Member: Travel and Development Strategy

Forward Plan Ref: 2021/233

Contact: Julian Richardson, Senior Engineer (Road Agreements Team C&W) Tel: 07825 052736

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

To seek approval for delegated powers to negotiate alternative Section 278 bond solutions with recognised Public Bodies to the Corporate Director for Environment & Place.

The Cabinet is RECOMMENDED to delegate powers to negotiate and put in place alternative solutions to a conventional Section 278 Agreement Bond with Public Bodies to the Corporate Director for Environment and Place in consultation with the Director of Finance.

9. Delegated Powers - April 2022

Cabinet Member: Leader

Forward Plan Ref: 2021/201

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

Report by Director of Law & Governance

There were no delegated decisions taken during the period January to March 2022.

10. Forward Plan and Future Business (Pages 101 - 104)

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 **CA10**. 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.