

## CABINET – 16 JULY 2024

### ITEM 4 – QUESTIONS FROM COUNTY COUNCILLORS

1. COUNCILLOR CHARLIE HICKS	COUNCILLOR LIZ LEFFMAN, LEADER OF THE COUNTY COUNCIL
<p>On 20 June 2024 the UK Supreme Court held in a <a href="#">landmark decision</a> that Surrey County Council's ("the Council") decision to grant planning permission to a developer was unlawful because the environmental impact assessment ("EIA") for the project did not include an assessment of the downstream greenhouse gas ("GHG") emissions.</p> <p>Please can the Leader let me know whether she and/or our legal department and/or our planning department believe this ruling has an effect on the legality of any projects that Oxfordshire County Council has been granted (or is seeking) planning permission for (as an applicant), or has granted (or is considering to grant) planning permission for (as a planning authority), including road-building projects, where downstream greenhouse gas emissions can be expected from traffic models that predict more traffic will be generated by the road schemes?</p>	<p>The view from the legal and planning departments, having reviewed the recent Surrey County Council ruling regarding consideration of downstream greenhouse gas emissions, is that does not have a direct impact at present as existing road schemes subject to Environmental Impact Assessment already consider direct and indirect effects. It will be for the decision maker to ensure those effects are properly considered with due regard to this and other relevant rulings. We also await the decision on the HIF1 scheme, which will likely provide further advice on how this judgement should be taken into account in decision making going forward.</p>

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Questions are listed in the order in which they were received. Should any questioner not have received an answer in that time , a written answer will be provided.