

Decision type: **Decision Specifically Delegated to Officers**

Decision date: 27 July 2026

Decision maker: Tom Bridgman
Deputy Chief Executive – Place
(former title Executive Director (Development))

Decision title: Oxford Burial Meadow – Entering into a Deed of Release with Oxford Preservation Trust

Summary	
Decision being taken:	For the Council to serve notice on the Oxford Preservation Trust of the Council's intention to enter into the Deed of Release of restrictive covenant and to subsequently make the required payment and enter into the Deed of Release with the Oxford Preservation Trust.
Key decision:	Not Key
Source of delegation:	Item 49 Cabinet, on 13th September 2023, resolved to: - <i>4. Delegate authority to the Executive Director (Development), in consultation with the Head of Finance / Section 151 Officer, Head of Law and Governance and the Cabinet Member for Finance and Asset Management to agree the final heads of terms and enter into the necessary transactions set out in Appendix 4 together with any other ancillary agreements, contracts and notices that may be required to facilitate the scheme.</i> <i>Deed of Release of OPT covenant is one of the property transactions set out in Appendix 4 to the Cabinet Report dated 13th September 2023.</i>
Cabinet Member:	Councillor Ed Turner, Cabinet Member for Finance and Asset Management.
Corporate Priority:	Support Thriving Communities
Policy Framework:	Oxford Local Plan

Deputy Chief Executive – Place decides as follows:

- To.** Serve notice on the Oxford Preservation Trust of the Council's intention to enter into the Deed of Release of restrictive covenant relating to the land

use and to subsequently make the required premium payment detailed in Appendix 1, including VAT if applicable, as specified in the Deed and enter into the Deed of Release with the Oxford Preservation Trust.

Appendix No.	Appendix Title	Exempt from Publication
Appendix 1	Confidential Appendix detailing premium to be paid.	Yes This information is exempted from publication under Schedule 12A to the Local Government Act 1972 since it is: Commercially sensitive
Appendix 2	Equalities Impact Assessment	No

Introduction and background

0. Though not a statutory duty, the provision of burial space is seen as an important civic function to ensure all Oxford residents, of all faiths, beliefs, and cultures, have continuity of access to burial space in their City. This is also a crucial community facility to have as Oxford promotes itself as an attractive City to live and work in.
1. Oxford's current cemeteries have been running out of space for the last 10 years, and there is now such an acute shortage of space that footpaths in existing cemeteries are being dug up to squeeze in more grave plots.
2. A search for new burial space got underway afresh 4 years ago, which has resulted in a scheme being developed for the Oxford Burial Meadow on land the Council owns at Horspath. This land has suitable soils, and is within easy access for Oxford residents, and in a tranquil peaceful location.
3. In September 2023 Cabinet approved the project, and budget to deliver the new burial meadow on this site, and authorised the Executive Director of Development to enter into the necessary property agreements and contracts to deliver the scheme.
4. The land required for the burial meadow is subject to a restrictive covenant in favour of the Oxford Preservation Trust. This restrictive covenant prevents development on the land subject to the covenant.
5. On 14th January 2026 the Council entered into an Option Agreement with the Oxford Preservation Trust. This Option Agreement granted the Council the right to enter into a Deed of Release with the Oxford Preservation Trust. This Deed of

Please send the completed form to acforwardplan@oxford.gov.uk

Release removes the restrictive covenant from the land required for the burial meadow, allowing development on the land to proceed.

6. Planning permission for change of use was granted on 1st April 2026.
7. A decision to award the construction contract for the works required to create the burial meadow has also been approved.
8. The Council now wish to serve notice on the Oxford Preservation Trust of the intention to enter into the Deed of Release and to subsequently make payment of the premium as detailed in Appendix 1 and complete the Deed of Release. The amount of the premium was agreed between independent valuers appointed by the Council and the Oxford Preservation Trust. This payment will be funded from the existing budget.

Reasons for the decision

9. The decision will remove the restrictive covenant from the land required for the development of the burial meadow and therefore help enable the construction of the new burial meadow and greenspace on the land owned by Oxford City Council.

Alternative Options Considered

10. The option to do nothing and not provide new burial space was considered, but was discounted because of:
11. the risks outlined in the report below
12. The 'cradle to grave' function of a Council. A cemetery is an important place of civic pride, and community cohesion, where families and communities gather to remember their loved ones
13. The lack of capacity in neighbouring areas for burials and reliance on such would require people to be buried away from their home city.
14. The likelihood a lack of local burial provision would undermine the City's status, and growth agenda promoting Oxford as being an attractive place to live and settle, for all the reasons above. The do-nothing option, not making this decision to construct a new cemetery was also discounted because it undermines the City's status, and growth agenda promoting Oxford as being an attractive place to live and settle.
15. The burial meadow will minimise any gap in burial plot provision which is reliant on the normal development process of running works streams in parallel not series.

Implications of Local Government Reorganisation

12. This project ensures continuity of essential services for residents of Oxford City; has Cabinet approval to be delivered and is in progress and underway within the Oxford City Council capital delivery programme. The Deed of Release will be entered into before decisions are made on the successor Council.

Equalities Impact

Please send the completed form to acforwardplan@oxford.gov.uk

13. An Equalities Impact Assessment in relation to the proposed burial meadow was undertaken as part of the project approval process and is attached Appendix 2.
14. Taking this decision will have a positive impact on people with religions, beliefs and cultures that require burials.

Risks

15. The risks if this decision is not taken are:
 - a. that residents will not have anywhere local to Oxford to be buried as there is already such an acute shortage of plots in existing cemeteries. This would not align with Oxford being a 'world class City', or its growth aspirations including promoting Oxford as an attractive place to live and settle.
 - b. Likely adverse impacts on residents of certain religions, beliefs and cultures who require burials.
 - c. Reduction and potential loss of the income stream from burials.
16. The key risks associated with this project and how they are being managed are shown below. The risk register is shown in the Confidential Appendix.

Numbered Risk / Issue	Mitigation / Strategy -	
Acute shortage of 'new greenfield' burial plots from now til new site open.	Progress delivery of new burial space site works asap. Note: reclaimed graves available, and PM and ODS managing plot types, & comms	
Difficulty obtaining planning, and therefore programme risk	Planning approval obtained on 1 st April 2026. The one pre com condition – the Construction Traffic Management Plan requires Site Works award form signing	
Difficulty of highway approval / s278	Highways removed all objections. Still s278 to do	
Ensuring site works delivered efficiently, on budget, and to quality	Successful open market tender process completed to ensure procuring best value, and high quality works	

Carbon and Environmental Considerations

17. This decision will assist delivery of the Council's priority to pursue a zero carbon Oxford. The proposed new burial meadow will encourage sustainable transport for visitors; minimise new hard structures; prioritise sustainably sourced materials; and include additional tree planting on the land.

Implications of making the decision

Financial implications	<i>There are no financial implications arising from this decision as the payment detailed in Appendix 1 can be funded from existing approved budget within the current MTFP Capital Programme.</i>	Completed by: Paul Swaffield – Finance Project Accountant Date: 09/07/2026
Legal implications	There are no legal implications arising from taking the proposed decision to enter into the Deed of Release of	Completed by:

Please send the completed form to acforwardplan@oxford.gov.uk

	restrictive covenant. The terms of the Deed of Release have previously been agreed with Oxford Preservation Trust and approved as part of the decision to enter into the Option Agreement in December 2025.	Iwona Defer, Senior Solicitor – Commercial and Contracts (Major Projects) Date: 02/07/2026
Member declared interests	None	Completed by: Bruce McRobie Date: 27/07/2026

Background Documents
Item 49 Cabinet, on 13th September 2023

Report author	Bruce McRobie
Job title	Capital Programme Surveyor
Service area or department	Corporate Property
Email contact	bmcrobie@oxford.gov.uk

Consultee checklist

Consultees	Name and job title	Date
Senior officer e.g. the relevant service manager / Director where the decision maker is the Chief Executive or a Deputy Chief Executive.	Jane Winfield Head of Corporate Property	10/07/26
Group Finance Director Where required by the Constitution or conditions of the delegation	Alistair Rush Group Finance Director	20 th July 2026
Director of Law, Governance and Strategy	Emma Jackman, Director of Law, Governance & Strategy	

Please send the completed form to acforwardplan@oxford.gov.uk

Where required by the Constitution or conditions of the delegation		22/07/26
Cabinet Member(s) Where required by the conditions of the delegation	Councillor Ed Turner, Cabinet Member for Finance and Asset Management	14/07/2026
Ward Members Where required by the Constitution or conditions of the delegation	N/A The land is located outside of the city boundary.	

Decision Maker Approval

<i>Name and job title</i>	<i>Date</i>
Tom Bridgman Deputy Chief Executive - Place	23/07/2026

This form must be completed and sent to Committee and Member Services **on the date that the decision maker signs it. This must be only done once all consultees have given their approval. The decision shall be effective from the date of publication; therefore, it is important that you send to Committee and Member Services as soon as it is completed and dated by the decision maker. Please note that it is not effective until it is published and the call in period has passed.**

Please send the completed form to acforwardplan@oxford.gov.uk

NOTES

The law¹ requires the Council to record executive and non-executive decisions taken by officers under delegated powers and to publish them on the Council's website.

These requirements apply to decisions that would have been taken by Council or the Cabinet if delegated powers had not been given to an officer:

- under an express delegation granted at a meeting of Cabinet, Council or a Committee.
- in accordance with Part 4.4 of the Constitution as follows:
 - Awarding a contract where authority has been specifically delegated to officers by Cabinet or a Cabinet Member (regardless of value)
 - Acquiring or disposing of freeholds or leaseholds granting new leaseholds (excluding assignments and rent reviews) where authority has been specifically delegated to officers by Cabinet or a Cabinet Member (regardless of value)
 - Making a regulatory order which affects a number of people, for example a Public Space Protection Order or a Parking Place Order
 - Where the effect of a decision is to grant a licence or permission or it affects the rights of citizens
 - Discharging any other express delegation from Cabinet or a Cabinet Member a committee or Council.

These requirements **do not** apply to:

- planning and licencing matters where there are established arrangements for recording decisions: or
- decisions which are purely administrative or operational in nature

All other officer decisions should be recorded on an officer decision form but do not need to be published. They must though be stored so as to ensure that they are not lost should an officer leave the authority.

Exempt or Confidential information

Information relating to a delegated officer or single member decision does not have to be made public if it is exempt or confidential. Summary information from this decision sheet (excluding all exempt or confidential information) will be published on the Council's website.

¹ the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012/2089 (Regulation 13(4)) and The Openness of Local Government Bodies Regulations 2014/2095 (Regulation 7)

Please send the completed form to acforwardplan@oxford.gov.uk

Key or Non Key Decision

A key decision is an executive decision which is likely to:

- Have a significant effect on people living or working in a least two wards or
- Involve spending, income, or saving a significant amount – whether an amount is significant depends on the Council's total budget for the service involved. For this Council 'significant' in budgetary terms is:
 - Expenditure, income, or savings of £750,000 or greater in the context of the medium term financial strategy,
 - Acquiring or disposing of freeholds with a consideration over £750,000 in the context of the medium term financial strategy except for disposals pursuant to right to buy legislation
 - Acquiring or disposing of leaseholds where either the rental value is in excess of £250,000 per annum and/or the premium is £750,000 except for statutory lease renewals under Part 2 of the Landlord and Tenant Act 1954 and disposals pursuant to right to buy legislation and disposals pursuant to right to buy legislation.
 - Acquiring or disposing of easements with a value over £750,000 and/or rental value over £250,000 each year

A key decision can only be taken and recorded here if notice of it has been published on the Forward Plan for at least 28 clear days. Key decisions taken by officers may be "called in" by any four councillors or the Chair of the Scrutiny Committee within two days of the notice of decision being published.

All key decisions are subject to a two-day call-in period which starts the day after the decision has been published (i.e. if a decision was published on a Monday, then call-in starts on Tuesday and expires at the end of Wednesday). No action can be taken until Committee and Member Services have confirmed the call-in period has expired.

Please send the completed form to acforwardplan@oxford.gov.uk