

# OPEN ROADS FOR OXFORD

## Oxford Temporary Congestion Charge for Cars

Response to Oxfordshire County Council Consultation from OPEN ROADS FOR OXFORD LTD. Contact: info@openroadsforoxford.org

Open Roads for Oxford Ltd represents the interests of residents, businesses, commuters and other affected communities in and around Oxford. We have looked at the proposals for the Congestion Charge Scheme (also referred to in this document as “the scheme”) and have a number of concerns, which we present here. These concerns lead to a number of questions, which are listed at the end of each section, and to which, in the spirit of full engagement with consultation responses, we trust we shall receive full and prompt answers from Oxfordshire County Council (OCC) when they publish a response to the consultation (if not before).

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## A. Congestion Charge Scheme concerns

### 1. Unlikely to achieve stated objectives

Objectives of the scheme, according to the consultation survey:

- (i) Reduce traffic
- (ii) Make bus journeys faster and more reliable
- (iii) Allow for new and improved bus routes
- (iv) Make walking and cycling safer
- (v) Reduce local air pollution
- (vi) Improve the health and wellbeing of our communities

Taking each of these in turn:

### (i) Reduce traffic

While traffic may be reduced on some roads, OCC's modelling clearly shows that, as a direct consequence, it is increased on others. So, traffic build-up is not being reduced; it is simply being moved to other locations.

For some of these locations the amount of additional traffic is significant, and is adding pressure to already busy and congested roads. A key example is Woodstock Road, where OCC's modelling predicts an increase in Annual Average Daily Traffic ("AADT" - meaning 24-hour average flows) of 1,217 vehicles/day - **a 17% increase in traffic** compared with the 2025 baseline scenario, **as a direct result of this scheme**. And this is on a road that is already suffering an increase in traffic due to significant displacement of vehicles from the Botley Road (during its prolonged closure) and where congestion has already been made worse by the bus lane reversal instigated by the council last year and implemented some months ago.

This scheme appears to operate on the assumption that it will dissuade some drivers from using their cars and that those drivers will instead cycle, scoot, walk or wait for a bus. However, OCC has not presented evidence to support this, and fails to consider that, for many months of the year, weather conditions militate against these options, as does the fact that people's journeys are often:

- at times, or in directions, that neither are, nor ever can be, matched to bus timetables;
- multi-purpose, and requiring multiple journeys between disparate destinations, on the same trip – making it challenging to achieve by public transport in a reasonable time scale;
- requiring the carrying of heavy and/or important items that cannot realistically be transported other than by private car;
- are made by drivers, or involve carrying passengers, who cannot easily use public transport (for example due to age or disability)

### (ii) Make bus journeys faster and more reliable

Given the relocation, rather than removal, of congestion, it is hard to see how this objective can be objectively achieved. Taking the above case (Woodstock Road) as an example, a 17% increase in traffic on Woodstock Road will surely cause more delay to buses on that route, especially given the pinch points between buses and traffic where the bus lane moves from one side of the road to the other, following OCC's recent ETRO, the result of which has been to introduce these pinch points.

### (iii) Allow for new and improved bus routes

It is difficult to see how this scheme will enable new and improved bus routes, when analysis predicts that it will add to congestion on some already busy bus routes. However, two of the congestion charge points are

on roads that are NOT already bus routes (Thames Street and Hythe Bridge Street), while St Cross Road has very few buses. Furthermore there are currently no bus routes planned to run along those roads. If new routes are created, they should respond to the need for bus routes that go where people want to go *without* having to go into the city and out again on a different bus. The Low Traffic Neighbourhoods (LTNs) restrict those options, though, as they block access between key roads – forcing even cars to go into the city (at the Plain) and out again.

#### (iv) Make walking and cycling safer

Even if it can be definitively proven that pedestrians and cyclists (who are often themselves distracted from safe behaviours by their headphones, mobile devices or a lack of understanding of how to cycle on the public highway) will in every case be made safer by there being fewer private cars (but not other motor vehicles) on the road, the scheme as planned cannot possibly achieve this consistently. In some locations walking and cycling will become more dangerous under this scheme, in particular the roads to which traffic is displaced as a result of vehicles avoiding congestion charging points.

For example, on Woodstock Road, which is a residential street, both congestion and pollution are going to be significantly worse under this scheme (according to OCC's modelling). Woodstock Road is a busy road for cyclists who will be affected in terms of both safety (with the road being much busier and more congested) and pollution (see (v) below). Furthermore the road is used significantly by children going to and from the many primary schools on and adjacent to Woodstock Road, and a secondary school on the main road which has both residential and day students. The increased road safety and pollution risks on Woodstock Road will therefore affect many young people – those attending local schools, residential students in local schools, and those who live in homes along and adjacent to Woodstock Road. This is particularly worrying, but the main point is that these increased risks will affect everyone living adjacent to or using this road.

#### (v) Reduce local air pollution

As with traffic volumes, OCC modelling suggests that pollution is expected to be reduced on some roads and increased on others.

As a direct result of the proposed congestion charge scheme, all sites with the largest AADT increases (including Woodstock Road) are expected to see an increase in total NO<sub>2</sub> (Nitrogen dioxide) levels of between 1.2 and 1.5 µg/m<sup>3</sup>. These projections do *not* take into account that such significant increases in vehicle numbers will inevitably slow traffic down, causing more congestion (and therefore) even more pollution – so actual pollution levels in these locations are likely to be far higher than the figures quoted in the modelling document.

#### (vi) Improve the health and wellbeing of our communities

The increased road safety and pollution risks identified in the modelling occur largely on residential roads, such as Woodstock Road and Marsh Lane, where the impact on health and wellbeing could be significant for local communities. This is of even greater concern in areas where there are local schools, e.g. Woodstock Road. So, there are several areas where, far from improving health and wellbeing, the scheme is expected

to have detrimental impacts.

In addition, the congestion charge scheme will contribute to increased stress and anxiety for those who wish to avoid the charge points (possibly because they cannot afford the extra costs) and therefore need to allow longer for journeys, and will also incur additional fuel costs. There are many who are juggling work, home, caring and other commitments, for whom the extra journey time will add significant stress to their days. Stress – particularly on-going stress - is known to be one of the biggest causes of ill health, so here again the scheme is likely to produce some significant negative health and wellbeing consequences, rather than the improvements intended.

## 2. Inequality in outcomes

The increased road safety and pollution risks identified in the OCC modelling occur on residential roads, where the impact on health and wellbeing could be significant for local communities, and some of these roads are near to local schools. In contrast, the most significant potential reductions in traffic volumes and pollution occur on roads that are non-residential.

This 'balance' is surely illogical and irrational as, based on the OCC modelling, the scheme is expected to deliver benefits in less populated areas at the expense of significant potential harms in some of the more highly populated areas. In addition, the Equalities Impact Assessment (EIA) for this scheme identifies a number of groups who are more likely to suffer negative consequences from the scheme (particularly older people, disabled people, and people from certain ethnic groups, though it does not specify which). While the EIA says that measures such as a 100% discount for the vehicles of blue badge holders, and for "professional and non-professional health and care workers", will "mitigate the worse of these potential impacts", it does not analyse the different impacts on / needs of the groups identified, nor consider whether each group will benefit sufficiently from the proposed mitigations.

For example, on a radio phone-in on BBC Radio Oxford with the Cabinet member for Transport (Andrew Gant) on 19 June, a lady asked about her disabled son who does not drive and relies upon several helpers to drive him to places he needs to be. The response from Cllr Gant was that there would not be a problem, as her son would be able to obtain permits for up to two cars.

This is consistent with the fact that, in the documentation associated with the scheme ('Details about permits for cars'), it states that a Disability Benefit Claimant can have "Up to two nominated cars per permit. A nominated car may be driven through the congestion charge locations free of charge only when being used for, or in connection with, the transport of a person receiving disability benefit. The nominated cars can be changed as required."

The same applies to a Blue Badge holder, and to someone holding a SEN school student permit.

This does not address the needs of someone who relies on a large team of supporters. Many older, disabled or SEN individuals are supported informally by a range of family members / friends, as well as professional care workers, and the administrative burden of seeking to register all of their vehicles might be significant even if they meet the threshold. Specifically, we are concerned that the practical impacts of the scheme on these people, in particular, have not been considered. For example, it will be unreasonable to expect them

to keep updating which two cars are registered when they regularly call on a larger group of informal supporters.

The inadequacy of the mitigation is particularly stark when compared with the mitigations in place for regular users of workplace parking in the newly created central permit area. They will be allowed to register up to 3 cars.

This disparity defies logic. On the one hand you have a disabled person who has a team of helpers with cars, any one or more of whom may need a 'pass' on a particular visit (day) – but only 2 cars can be registered. On the other hand, a commuter who uses a vehicle to get themselves to work, who surely only needs to register one car, has the option to register three!

There is little evidence of engagement with people from affected groups. The “evidence / intelligence” section of the EIA refers to the EIA that was conducted in relation to the “very similar” traffic filter scheme, which was approved in November 2022 but delayed because works at Botley Road made it (according to OCC) impossible to implement.

That evidence relates to a different scheme, and is now several years out of date. We are concerned that sufficient evidence has not been collected in relation to this scheme.

### 3. Questionable justification for the scheme

#### Reducing traffic

OCC state clearly in their consultation materials that “The temporary congestion charge is being proposed **to reduce traffic around Oxford** during Network Rail’s extended closure of Botley Road” and this is reflected in their Objective 1. However, OCC’s regular traffic monitoring data show that traffic levels have been reducing in recent years.

An FOI request submitted to OCC on 9 July 2025 (Ref: 25848 EIR, and handled under the Environmental Information Regulations 2004) asked for the annual average daily traffic (AADT) counts or equivalent for each of the traffic monitoring points located nearest to the sites of the proposed traffic filters in Oxford (which are the same as the sites for the congestion charging points), for each of the past 10 calendar years (2014–2023 inclusive).

The response from OCC was provided in the following table:

AADT DATA ANALYSIS (source : FOI Request)														
		2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	Change
Hollow Way, Cowley	ATC 304	11,025		10,678	10,428	10,217	10,471	9,251	8,432	8,637	8,783	8,986	8,786	-20%
Marston Ferry Road, Marston	ATC 318	11,780	12,485	13,757	12,272	10,742		8,099	7,423		10,139	10,257	10,451	-11%
Thames Street, central Oxford	ATC 403	13,946		14,458	13,713	14,322	13,522	10,869	9,717	12,218	12,890	12,663	12,637	-9%
St Cross Road, central Oxford	ATC 530	10,012	9,478	9,822	8,734	8,951	9,282		7,477	7,069	7,526	7,405	7,213	-28%
Hythe Bridge Street, central Oxf	ATC 612	14,134	11,360	13,904	13,247	13,571	13,179	10,990	10,590	13,033	13,680	13,326	13,632	-4%
St Clement's Street, east Oxford	ATC 751										14,933	14,452	14,559	-3%
Total excluding St Clement's		60,897											52,719	-13%

It is evident that traffic has actually declined significantly on most of these roads since 2014 (except for St Clements, where data were not available until 2023), which raises the question:

**Is the need to reduce traffic in Oxford really so severe that action needs to be taken while Botley Road is still closed, causing a central area of the city to become inaccessible to people without them paying a fee?**

### Reducing local air pollution

This is identified as Objective 5. A key metric used by OCC is the level of nitrogen dioxide (NO<sub>2</sub>) in the atmosphere, for which there are a range of established targets:

Metric	Average annual NO <sub>2</sub> level (µg/m <sup>3</sup> )
Current UK legal limit	40
Local Oxford target for 2025	30
New EU legal limit	20
WHO gold standard	10

Data on NO<sub>2</sub> levels for roads in Oxford city centre are shown below:

**Source: Oxford City Council Air Quality Annual Status Reports, 2023 and 2024**

Location ID	Site ID	Location	Annual average bias adjusted NO <sub>2</sub> reading		% change, 2023 – 2024
			2023	2024	
DT	31	Beckett St.	17	17	0%
DT	32	Royal Oxford Hotel	21	19	-10%
DT	39	St Aldate's	32	25	-22%
DT	40	Queen St.	21	17	-19%
DT	41	Bonn Square	20	18	-10%
DT	42	New Rd.	22	16	-27%
DT	43	Park End St.	24	19	-21%
DT	44	Hythe Bridge St.	18	18	0%
DT	45	Worcester St.	25	25	0%
DT	46	Beaumont St.	18	19	6%
DT	47	George St. / Magdalen St.	25	24	-4%

DT	48	George St.	21	21	0%
DT	49	Cornmarket St.	16	15	-6%
DT	50	High St. / Turl St.	21	17	-19%
DT	51	50 High St.	25	21	-16%
DT	52	Longwall St.	26	25	-4%
DT	53	Magdalen Bridge	16	13	-19%
DT	56	High St.	31	25	-19%
DT	57	Speedwell St. / St. Aldate's	27	21	-22%
DT	59	Thames St.	17	15	-12%
DT	64	Thames St. / Oxpens Rd.	13	13	0%
DT	65	Speedwell St. / Littlegate	20	17	-15%
DT	68	Norfolk St.	22	16	-27%
DT	69	Paradise Square	16	13	-19%
DT	70	Castle St.	18	15	-17%
DT	73	Walton St. LP18	15	15	0%
DT	76	St Giles	23	21	-9%
DT	87	New Inn Hall St.	13	14	8%
DT	88	St Michaels St.	13	14	8%
DT	89	Turl St. / Market St.	13	12	-8%
DT	94	Broad St. Library	13	14	8%
DT	95	Broad St. LP6	16	14	-13%
TF	11	9 South Parks Rd.	15	15	0%
TF	12	15 Banbury Rd.	14	13	-7%
TF	15	Park End St.	29	21	-28%
<b>Annual average</b>			<b>19.89</b>	<b>17.63</b>	<b>-11%</b>

#### Key (pollution level status)

Complies with new EU legal limit (20µg/m) - not binding on the UK

Complies with Oxford City Council's current (voluntary) "30µg/m<sup>3</sup> by 2025" limit

Breaks Oxford City Council's current (voluntary) "30µg/m<sup>3</sup> by 2025" limit

Breaks UK 40µg/m<sup>3</sup> legal limit

#### Key (road status)

Road open to all traffic

Road open to all but also major bus / coach route

Road only open to buses

Mostly pedestrianised - limited vehicle access

No vehicles - pedestrians only

According to these data, which are referenced by OCC: all roads are well below the UK legal limit in 2023 and 2024; only two roads exceeded Oxford City Council's voluntary limit in 2023 (and even then only slightly); and none in 2024.



It is interesting to note that the only two roads exceeding Oxford's voluntary limit in 2023 already restrict car access and its pollution thus mainly comprises buses, taxis and mopeds; and, although below this limit in 2024, they remain amongst the highest figures.

These data indicate clearly that there has been an overall reduction in NO2 pollution in 2024, most apparent on roads used by buses, which is most likely a result of the introduction of a new fleet of electric buses between January and September 2024.

The annual figures for 2024 show that *all* roads listed were *well* within Oxford City Council's voluntary limit, with 70% of them already meeting the more stringent EU legal limit, which raises the question: **Is the need to reduce pollution in Oxford really so severe that action needs to be taken while Botley Road is still closed, causing a central area of the city to become inaccessible to people without them paying a fee?**

So, in terms of both traffic volume and pollution levels, Oxford is doing relatively well. We therefore believe that it is difficult to justify the proposed congestion charge scheme at this time.

**While Botley Road is still closed, and the data don't reflect a major concern, it seems irrational to introduce a scheme that will potentially have profound negative impacts on individuals and on businesses (see sections B and C).**

#### 4. The real drivers behind the scheme?

OCC made a decision in July 2024 that the 6 charging points identified for the traffic filters scheme could not be made operational, as part of the traffic filter scheme, until the Botley Road is re-opened. In OCC's precise words (on 19 July 2024): "the only feasible option is for the council to wait".

The Botley Road is still closed, and will be until at least Autumn 2026. Yet, OCC has now decided to implement a scheme which it describes as "very similar" to the traffic filter scheme, and has concluded that it can, after all, make those six charging points operational as part of that new scheme. on the basis that congestion is allegedly so bad they need to do something now. (See 3 above, re how bad it actually is.)

So, given that the data don't indicate a crisis of either congestion or pollution, why is OCC so intent on introducing this scheme now, contrary to their decision to delay the very similar traffic filter scheme?

In 2022 OCC voluntarily tied the delivery of the traffic filter scheme to a bid for funding for electric buses, via a government funding scheme known as ZEBRA (Zero Emission Bus Regional Areas). The following extracts are from a paper to OCC Cabinet on 18 October 2022, written by the Corporate Director for Environment and Place:

*"The Department for Transport (DfT) has agreed to Oxfordshire County Council's funding 'ask' for the delivery of its Zero Emission Bus Regional Areas programme (ZEBRA). ZEBRA services will be procured and operated by the two main bus operators serving Oxfordshire – Oxford Bus Company and Stagecoach."*

*"In March 2022 the funding bid was approved, and Oxfordshire County Council was awarded £32.8 million by the DfT. This has been supplemented by £6 million of capital funding by Oxfordshire County Council and £43.7 million from the Oxford Bus Company (Go-Ahead) and Stagecoach."*

*"Bus operators' participation in the ZEBRA project is conditional on the county council committing to measures to increase bus productivity in the city by at least 10%. The proposed trial traffic filters in Oxford will account for over half*

*of this productivity improvement, so operators' participation in ZEBRA – at the current time and its current form – is in effect conditional on the trial traffic filters proceeding.”*

*“The 10% improvement in journey times will be monitored independently by a third party, using a mutually agreed definition and methodology. There is a risk that the operators could seek to recover from the county council some or all of the investment they are making themselves to deliver ZEBRA if the 10% is not achieved. If the proposed measures do not deliver a minimum 10% productivity improvement, the county council will commit to working with bus operators to identify and implement additional measures to achieve the 10% improvement.”*

The deadline for delivering the 10% improvement in journey speeds, as set out in the “Oxfordshire Bus Service Improvement Plan”, was December 2025. If this is not delivered there is a risk, as identified in the Oct 2022 report, that the bus companies may seek to recover some or all of their investment.

As the traffic filter scheme has been delayed due to the Botley Road closure, it appears that the congestion charge scheme, which is almost identical, is an effort to secure at least some improvements by the deadline. If that is part of OCC's thinking, we are concerned that it has led it to predetermine the issue, rush the consultation, and base its approach on financial considerations which should not properly be part of the analysis.

## 5. The naming and positioning of the scheme

This section sets out key inconsistencies in the naming and framing of Oxfordshire County Council's proposed “temporary congestion charge” scheme. It raises concerns that the scheme has been deliberately misbranded, using misleading language that may constitute a breach of transparency obligations and undermine the validity of the associated public consultation, as well as calling into question whether the statutory powers under which OCC proposes imposing the scheme – which we understand to be the charging scheme powers under the Transport Act 2000 – are the correct ones. The fact that the traffic filter scheme which will replace the congestion charge scheme is to be implemented under different legislation - the Road Traffic Regulation Act 1984 - despite being functionally “identical”, adds to the confusion about what precisely the scheme is and what the proper powers are for making it.

### 5.1 Background: earlier dismissal of a congestion charge

During early engagement meetings with County Council officers in the lead-up to the traffic filter proposals, stakeholders questioned why the Council was not considering less punitive alternatives. A conventional congestion charge was suggested as one such option, defined as:

- Applying across all entry roads into a designated urban zone;
- Operating only during peak congestion periods (typically mornings and evenings);
- Using a low daily charge sufficient to influence travel behaviour without unduly harming trade or resident mobility.

Council officers replied that such a model had already been considered and rejected, with no supporting evidence provided at the time. Despite this dismissal, the same authority now claims to be introducing a congestion charge, albeit in a form that materially differs from the standard understanding of the term.

## 5.2 Misapplication of the term ‘congestion charge’

The proposed scheme involves a flat £5 daily charge for cars using six specific roads, up to twelve hours a day, seven days a week. This does not constitute a conventional congestion charge in policy, structure or practice. It is better described as a **road toll scheme**, targeting individual routes regardless of actual congestion levels.

By contrast, the precedent set by the London Congestion Charge (a widely recognised model) involves charging all vehicles entering a defined area during peak hours, with clearly identified aims of easing area-wide congestion and generating reinvestment in transport infrastructure. In Oxford, however:

- The charge applies only on select roads, not across an entry boundary;
- The scheme is not specifically limited to peak congestion hours;
- Roads chosen include some that do not suffer from major congestion issues (e.g. Hythe Bridge Street);
- The scheme makes use of identical infrastructure (cameras, permit systems) as the paused traffic filters scheme, further blurring the distinction.

Yet, the Council insists these are “separate” initiatives, justified by different legal powers, with a different enforcement model and a different (daily charge rather than fine-based) mechanism.

## 5.3 Officers’ own admissions about naming

In a recent stakeholder meeting, officers admitted that the principal reason for naming the scheme a “congestion charge” was **not** based on policy criteria or public understanding. Rather, it was a practical decision based on the availability of pre-approved Department for Transport (DfT) signage templates. They stated that of the limited wording options available, “congestion charge” was selected as the most fitting - not because it accurately described the scheme, but because it was the most convenient pre-printed label.

This is deeply concerning. The naming of a major transport and enforcement scheme should reflect its legal character and functional purpose, not be guided by signage convenience. Public authorities are expected to base decisions on policy rationale and statutory purpose, not procurement logistics. The use of pre-existing signage templates as justification could be argued to fall short of reasonableness under established public law principles.

## 5.4 Implications

This naming issue is not cosmetic. It may have materially distorted the public's understanding of the consultation and therefore the lawfulness of the process. Potential consequences include:

- **Procedural unfairness:** Consultees may have supported or opposed the scheme based on a misunderstanding of its nature.
- **Breach of expectations:** Earlier reassurances that a congestion charge had been ruled out were effectively reversed without transparency.
- **Unlawfulness:** If OCC purports to impose the scheme using the wrong statutory powers, it would be acting *ultra vires* and the scheme would accordingly be unlawful.
- **Failure of duty under the Local Government Act 1999:** By presenting a toll scheme as a congestion charge, the Council may have failed in its "best value" duty to act transparently and accountably.

The Council's inconsistent messaging - claiming the scheme is distinct from traffic filters, while relying on the same cameras, exemptions, and modelling - further compounds public confusion. If this is not a congestion charge, why call it one? If it is, why was the earlier version dismissed without proper explanation?

Confusion exists even among political actors. Liberal Democrat canvassing literature distributed during the most recent County Council election continues to refer to planned restrictions as "traffic filters" - suggesting either an unwillingness to use the term "congestion charge" publicly, or a fundamental misunderstanding or lack of awareness of their own party's policy. Notably, although internal council records confirm that this scheme was already under investigation prior to the election, no reference to a "congestion charge" appeared in any Liberal Democrat campaign materials, while "traffic filters" were explicitly referenced. This inconsistency in political messaging may reflect either a lack of internal clarity or a strategic choice to present the scheme differently depending on the audience - both of which have implications for public understanding and accountability.

We believe these issues raise serious concerns about the integrity of the process, and that they warrant legal examination.

## 6. Lack of accident risk assessment

A serious omission in the development and justification of the proposed Congestion Charge scheme is the absence of any published accident risk assessment. Despite the significant traffic redistribution forecast by OCC's own modelling - and the proposed use of Automatic Number Plate Recognition (ANPR) enforcement cameras at all charge point locations - there is no evidence that OCC has evaluated how the scheme may affect road safety, collision risk, or accident severity.

There are two primary and foreseeable categories of road safety risk introduced by this scheme, neither of which has been meaningfully considered:

1. Risk at or near ANPR enforcement points: experience from other enforcement-based schemes - including Oxford's own LTNs - shows that ANPR camera locations can become sites of erratic or unsafe driver

behaviour, particularly where signage is unclear or driver familiarity is low. Yet there is no published analysis of how the installation of ANPR cameras at these new sites may change local collision risk, nor how OCC proposes to mitigate such risks.

2. Risk on displaced and peripheral roads: The second, equally serious risk is associated with displacement of traffic into less suitable routes, often residential and heavily used by pedestrians and cyclists. This is already being observed in East Oxford following the introduction of ANPR-enforced LTNs. A particularly concerning example is Morrell Avenue, which has become a known rat run since the introduction of restrictions on Divinity Road and surrounding areas. The cumulative effects of policy-induced displacement can materially increase road danger on roads subjected to a significant increase in traffic, yet there is no indication that the Council's modelling has assessed this risk, or that it has considered how additional displacement from the Congestion Charge scheme might worsen the problem.

## 7. Accessibility of the scheme

The proposed Congestion Charge scheme is heavily reliant on digital systems — including for registering vehicles, applying for exemptions, and managing payment accounts. While the Council has stated that a telephone support line will be made available for those unable to access the online system, officers have not confirmed any postal or in-person permit system.

This poses a serious challenge for residents who are not confident with digital tools, including many groups already likely to be negatively impacted by this scheme. These residents may lack smartphones, home internet access, or the digital confidence required to navigate web-based account systems. For some, even navigating a telephone support service may feel inaccessible — whether due to hearing impairments, cognitive difficulties, language barriers, or simply a lack of confidence navigating bureaucratic systems without face-to-face support.

This lack of alternative access routes risks creating a two-tier system: one where digitally connected residents can comply easily with scheme requirements, and another where less-connected individuals face practical barriers to participation and risk unfair penalties.

The Council's decision not to offer any physical means of applying for exemptions or receiving documentation — even for residents who do not use the internet — appears ill-considered and exclusionary. A scheme intended to promote wellbeing and fairness must ensure that compliance and access are feasible for all. These concerns also relate directly to the problems discussed later in Section F2, where the consultation process for the scheme is shown to similarly disadvantage residents with limited or no digital access. OCC must urgently review whether its delivery plan meets the needs of all residents, particularly residents who depend on physical mail and in-person support to receive information, complete administrative tasks and access public services.

## QUESTIONS

- A1 How does OCC justify introducing a scheme which significantly INCREASES traffic, and associated pollution levels – with the associated negative health and wellbeing consequences – in some clearly identified residential areas, e.g. Woodstock Road?

- A2 Will OCC review the model for the allocation of permits in order to reflect needs more appropriately? Further, will OCC commit to:
- (i) **increasing** the number of permits available to Oxford City and Oxfordshire residents if any trial period makes it clear that this is necessary
  - (ii) never charging for these permits
  - (iii) not increasing the congestion charging amount for at least the next 3 years?
- A3 Given currently reducing traffic volumes and pollution levels (with Oxford City Council's voluntary NO2 targets already being easily met), on what grounds does OCC justify seeking to introduce a congestion charge at this time, when Botley Road is still closed?
- A4 Can OCC explain why it is now sensible to introduce a scheme that is, in their words, 'identical to the approved trial traffic filter scheme, except that cars without a permit have the option to pay a daily charge for access through the congestion charge locations, rather than being prohibited', when in 2024 they decided it necessary to delay the trial traffic filter scheme until after the Botley Road reopens?
- A5 Is it correct that part of the motivation for deploying the scheme in the autumn is in order to meet commitments to the bus companies for which the deadline is December 2025?
- A6 If OCC considers the current situation an 'emergency', has it considered the temporary removal of the LTNs to improve the bus journey times?
- A7 What internal decision-making process was used to determine the scheme's name?  
What assessment was made of the risk of public misunderstanding as a result of this?
- A8 On what legal basis is the scheme considered to be a congestion charge rather than a toll?
- A9 Was legal advice sought by Oxfordshire County Council on whether the use of the term "congestion charge" was appropriate and legally defensible, given the structure and operation of the scheme? If so, what did that advice conclude regarding consistency with statutory definitions, public understanding, and consultation fairness?
- A10 Was any Equality Impact Assessment conducted specifically on the terminology used (i.e. calling it a "congestion charge")?  
Could the term disproportionately affect understanding among vulnerable or disadvantaged groups?
- A11 What criteria were applied to determine the public communications strategy for this scheme, and were public understanding and precedent (e.g. the London model) taken into account?
- A12 Could the misleading use of terminology constitute a breach of the Council's statutory duties under the Local Government Act 2000 (particularly in relation to transparency, accountability, or best value)?
- A13 Has the Council maintained consistent internal definitions of the term "congestion charge" in documentation, modelling, legal advice, and consultation material?

## B. Economic Impact Concerns

### 1. City centre businesses - trade

There are specific concerns about the impact the proposed congestion charge scheme will have on businesses in the city and those businesses that serve clients in the city.

As a preliminary point, OCC's 'business impacts technical note' is an extremely short document, which provides a "brief commentary update" on the business impacts assessment completed in 2022, and concludes, without much analysis, that the impacts will be the same. We are concerned that the impacts of the proposed scheme, in the 2025 context, have not been sufficiently considered, and the current views of Oxford businesses have not been sufficiently canvassed.

The note clearly identifies that "an area of the city centre which includes the Westgate car park, Worcester Street car park, Oxford station and a number of businesses and other organisations will only be directly accessible for car-borne customers or visitors by paying the congestion charge during the scheme's operating hours. These areas include a large proportion of city centre car parking spaces." This is a major change, about which many businesses are seriously worried, and yet OCC's report effectively dismisses it.

For those travelling to Oxford by car and intending to use one of the main central car parks, the proposed scheme imposes an additional cost. Yet the consultation documentation fails to consider the potential impact this may have on leisure visitors - and, critically, on their willingness to choose Oxford as a destination over competing alternatives. This is a fundamental concern given the likely knock-on effect on city centre retail and hospitality trade, particularly at a time when the rising cost of living already discourages discretionary spending. Businesses themselves have repeatedly raised these concerns with both council officers and elected members, in public meetings and private discussions alike.

OCC has repeatedly claimed that 90% of people entering Oxford do not travel by car (referenced in several meetings, including recently the public 'Talk of the Town' meeting on 8 July, 2025) and uses this statistic to suggest that, even if the scheme has a negative impact, it would affect no more than 10% of trade. This argument is grossly reductive, resting on the flawed assumption that all visitors contribute equally to local spending. In reality, many non-driving visitors - such as international summer school students, organised tour groups, and daily commuters arriving by bus or train - often spend little or nothing within the city centre. By contrast, those who choose to travel by car frequently do so precisely because they intend to make purchases, particularly of physical goods that are inconvenient to transport without a vehicle. It is therefore our contention that the 10% of visitors who drive represent a disproportionately high share of consumer spending - and any deterrent to their visits poses a far greater risk to local trade than OCC acknowledges.

Certainly, the Council has presented no data or analysis to disprove this supposition, nor to support its assumption of uniform spending across visitor groups. Worse still, its selective and simplistic use of Mastercard transaction data offers only a narrow and potentially misleading view of economic activity - one that excludes cash payments, debit card usage, other credit providers, and any insight into visitor intent or purpose. Such an approach raises serious concerns about the robustness of the Council's economic assessment and the credibility of the reassurances it has offered to businesses.

Even if the Council's figures were accurate - and the downturn for local businesses limited to just 10% - it would still be inappropriate and punitive for OCC to proceed with the scheme. Does the Council seriously believe that already struggling city centre businesses can absorb a 10% drop in custom, turnover, and profit amidst rising business rates, taxation, and energy costs? For many, such a blow could be existential. Crucially, if this is indeed the Council's working assumption, it has made no apparent effort to ask the business community whether such an impact would be survivable. There is no evidence of meaningful consultation on this question, nor of any real concern for the consequences. If the Council accepts that some businesses may fail as a result of this scheme, yet chooses to proceed regardless, it must be asked - tacitly or otherwise - whether that outcome is one it is prepared to accept.

This lack of engagement is all the more troubling in light of recent data indicating that Oxford's retail vacancy rate has reached a 15-year high (*Oxford Mail*, 26 July 2025). The local business environment is already under severe strain (and the position has worsened since the previous consultation exercise in 2022). To impose further economic risk in such a context is not just ill-judged - it is indefensible.

A major source of concern for local businesses is the proposed timing of the Congestion Charge scheme's introduction. Council officers have indicated that they intend to recommend implementation as early as feasibly possible - as soon as November 2025. This comes despite repeated, reasonable requests at both public and private meetings with council officers and councillors, from the business community, to postpone any rollout until the new year, in order to avoid disruption during the critical pre-Christmas trading period. The Council's apparent unwillingness, clearly expressed at a 'Talk of the Town' meeting on 8 July 2025, to accommodate even this modest adjustment reinforces the perception that commercial realities - and the viability of independent businesses - are not being meaningfully prioritised in decision-making.

This urgency is all the more concerning given that OCC has openly acknowledged there will be significant early disruption to trade. Councillor Gant has repeatedly referred - euphemistically - to an "adjustment period" while modal shift takes place, a term echoed by council officers, who have described it as a "short to medium-term adjustment period". Under further scrutiny, officers have confirmed this refers to a period of three to six months. In today's precarious trading climate, even a few weeks of reduced footfall can prove critical - let alone half a year. For many independent businesses, this so-called adjustment period risks becoming a terminal one.

If the scheme does affect business trade significantly, it could lead to business closures and job losses across the city - consequences that would not only weaken the local economy, but also undermine the very vibrancy and distinctiveness that make Oxford a unique and desirable place to visit, live, and work. This risk is especially acute in the current climate, where many independent retailers are already operating on a knife edge.

In today's economic environment, retailers that close rarely return. Once a unit is lost to vacancy or converted to non-retail use, it is seldom recovered - and in Oxford, where high street property is often owned by colleges and long-term planning decisions favour office or institutional use, such changes are frequently irreversible.

Even where spaces are subsequently re-let, occupancy alone is a poor proxy for economic vitality. It tells us nothing about the resilience, longevity, or community value of the business inside. Since the introduction of Use Class E, which collapsed multiple commercial categories into a single planning designation, councils have had little ability to shape a balanced retail environment. This has accelerated the proliferation of



low-value or transient businesses - including cafés, coffee shops, souvenir outlets, and barbers - many of which, while not problematic in themselves, contribute little to the depth or distinctiveness of Oxford's retail offer. In some cases, these sectors are also prone to short lease cycles, cash-heavy trading models, and rapid turnover, which further destabilise the local economy.

It must be said plainly: independent retail matters. Local businesses matter. They do far more than facilitate transactions - they provide local jobs, support supply chains, build community resilience, and anchor the identity of the city. Critically, they also deliver more value back into the local economy: research by the New Economics Foundation shows that independent businesses return up to 63p in every £1 spent locally, compared with as little as 40p from national chains. Policymakers must recognise that the survival of these businesses is not incidental. It is essential.

## 2. City Centre businesses – staffing, service delivery and commuters

The proposed Congestion Charge scheme will have a disproportionate impact on individuals who commute into Oxford by car - a group that includes a significant portion of the city's essential and service-sector workforce. This includes NHS staff working at the John Radcliffe Hospital, the Churchill, and the Nuffield Orthopaedic Centre, as well as teachers, early-years providers, carers, and employees in retail, hospitality, cleaning, and other frontline roles. For many of these workers, private vehicle travel is not a matter of convenience but of necessity, due to the absence of viable public transport alternatives.

Public transport provision across Oxfordshire remains patchy and, in many rural or semi-rural areas, is either infrequent or entirely unavailable at the times required by shift workers and those working outside standard office hours. For those commuting from surrounding towns and villages, the need for multiple bus connections - or a train followed by a bus - results in extended and unreliable journey times that are often incompatible with work patterns, particularly in roles requiring early starts, late finishes, weekend cover, or on-call availability.

It is within the Council's knowledge that recruitment and retention challenges are already materialising across key sectors due to existing transport constraints. During the OCC Cabinet meeting held on 17 October 2023, a representative from Magdalen College School addressed members via video link, citing increased difficulties in retaining and recruiting staff since the introduction of the East Oxford LTN trial. Several other stakeholders raised similar concerns during the same meeting. Despite these warnings, the Cabinet voted later that day to make the LTNs permanent.

It is reasonable to infer that the introduction of a £5 daily Congestion Charge will further exacerbate these staffing challenges, placing workers in an impossible position. Those who continue to drive will face a significant new cost burden, while those who attempt to avoid the charge by rerouting will incur longer, slower, and more congested journeys, leading to higher fuel costs, extended travel times, and elevated commuter fatigue. In many cases, such rerouting results in greater exposure to air pollution, as traffic is displaced onto fewer arterial roads. These burdens are particularly acute for those already making long or complex journeys from outside Oxford and fall most heavily on lower-income workers and those with the fewest viable alternatives.

Many workers are tied into long-term vehicle lease agreements, with fixed monthly payments that remain contractually binding regardless of any policy change. These sunk costs mean that individuals must continue paying for their car whether or not they can afford to use it. Their real-world choice becomes this: either incur the daily Congestion Charge on top of their lease to continue driving - or leave their car unused and pay separately for public transport. Either way, they are financially worse off. From a behavioural standpoint, loss aversion - the well-established psychological tendency to avoid losses more strongly than to pursue equivalent gains - makes it especially likely that affected individuals will choose to continue driving, despite the additional cost. This is a foreseeable response, yet it does not appear to have been factored into the Council's transport modelling or economic assumptions regarding modal shift.

This framing of choice - as if individuals are freely and equally able to opt for more sustainable transport modes - appears to reflect an underlying policy assumption that modal shift is primarily a matter of willingness, rather than structural constraint. In doing so, the scheme design seems to adopt a prescriptive view of how people *should* travel, rather than addressing how they *can* travel within the limitations of cost, geography, time, and existing commitments. This approach lacks grounding in lived commuting realities and does not appear to be supported by any published behavioural evidence or modelling of likely commuter responses.

Council officers have not produced any evidence to suggest that these workforce groups were adequately consulted in relation to the traffic filter scheme (much less the current proposals), nor that the impact on employment patterns, service delivery, or labour market accessibility has been fully assessed as part of the Economic Impact Assessment or Equalities Impact Assessment.

For businesses, reduced staff availability has immediate implications for operating hours, reliability of service, and overall viability. For essential public services - particularly healthcare and education - the repercussions are wider and more serious. Difficulty in attracting and retaining qualified staff compromises both the stability of institutions and the quality of outcomes delivered to the wider community.

It is also important to note that this latest proposal comes on top of a series of prior interventions - including LTNs, increased parking charges and reduced on-street parking provision, which cumulatively increase the burden on commuting workers and their employers. This layered approach to restrictions, without adequate mitigation or adaptation measures, risks fundamentally undermining Oxford's ability to function as a liveable, accessible, and economically viable city.

In conclusion, the Congestion Charge - in its current form and timetable - is likely to undermine workforce accessibility, deepen ongoing recruitment and retention problems, and diminish the operational and social resilience of both private enterprise and public services. These foreseeable impacts appear to have been insufficiently considered by the Council to date.

### 3. Assessing impact

Table 1 in OCC's *Business Impacts Technical Note* – described by OCC as “a brief commentary update on the traffic filters business impacts assessment completed in 2022” .... focusing “on the differences between the original traffic filters scheme and the proposed congestion charge” – indicates net positive or neutral impacts for business. However, these assessments are presented **without any explanation of the**

methodology, assumptions, or evidence base on which they are founded, or the kinds of “impacts” that have been considered.

Business type	Sub-group	Travel time	Direct costs	Effect on business operations	Effect on business demand / market	Effect on labour market- recruitment & retention
Directly affected (transport and distribution)	Taxi operators	2	0	0	1	0
	PHVs	2	0	0	1	0
	Businesses with fleets of vehicles	2	1	0	0	0
	Bus operators (public buses)	2	1	0	1	0
	Bus operators (private buses/coaches)	2	1	0	1	0
	HGV operators	2	0	0	0	0
Businesses operating in Oxford (General)	City centre	2	0	0	0	0
	District centres	2	0	1	0	0
	Other	2	0	1	0	0
	Outside Oxford	0	0	0	0	0
Businesses (Consumer services)	City centre	1	0	0	1	0
	District centres	1	0	0	1	0
	Other	1	0	0	0	0
	Outside Oxford	0	0	0	0	0
Public sector	Schools	0	0	1	0	-1
	Hospitals	0	0	0	0	-1
	Universities	0	0	0	0	0

Score	Impact
-3	Large adverse
-2	Moderate adverse
-1	Slight adverse
0	Neutral – no significant benefits or disbenefits
+1	Slight beneficial
+2	Moderate beneficial
+3	Large beneficial

Source: OCC's 'Business Impacts Technical Note', written by Steer

It is unclear how the assessments in this table have been calculated, as they do not appear to reflect the views or experiences of businesses and organisations operating in Oxford. There is no published scoring

rationale, no stakeholder validation process, and no reference to consultation outcomes or direct feedback from the affected sectors.

For example, under 'effect on business demand/market', the table suggests that businesses in the city centre and district centres will experience a 'slightly beneficial' impact. This assessment stands in direct contradiction to the overwhelming concerns raised by businesses themselves, many of whom have stated clearly and publicly that the proposed scheme will significantly reduce trade. Are they not to be trusted?

The only area of concern identified in OCC's business impact assessment is that of 'slight adverse' impacts on recruitment and retention in schools and hospitals. It is unclear why this concern has not been extended to other sectors such as retail, hospitality, and entertainment, which also rely on staff commuting into Oxford - often from locations without reliable public transport. The assessment further overlooks the substantial number of university support staff, academic researchers, and others who regularly travel into the city from outside.

Even in the case of education and healthcare - where schools and hospitals in Oxford are already reporting significant recruitment and retention difficulties - the assessment still scores the impact as '-1' (slightly adverse). Any further decline in staffing capacity in these sectors risks substantial disruption to essential services and should be treated as a material risk, not a marginal one.

The term "district centres" is used in the assessment as if it refers to a single, homogenous economic unit. In reality, this term encompasses a highly diverse range of neighbourhood commercial areas across Oxford, each with distinct characteristics in terms of business mix, customer base, and transport dependency. It is neither appropriate nor methodologically defensible to apply a single impact score to such a broad and varied category. If the Council believes that all district centres will be affected in the same way, it must explain and evidence that position. If, alternatively, it anticipates differential impacts, these should be disaggregated and presented transparently. The current assessment does neither, which undermines its credibility and limits its usefulness.

Taken together, these issues point to serious shortcomings in the reliability of the business impact assessment. It was produced in 2022, and has not been meaningfully updated. The conclusions presented do not reflect the current views of local organisations - many of whom appear not to have been meaningfully consulted even in 2022. While council officers and consultants have attended meetings with business representatives and stakeholders (very sporadically from 2022 to 2025) there is little evidence that concerns raised in those forums have been incorporated into the published analysis. This gives the appearance of engagement, without corresponding evidence of influence or responsiveness in the final outputs.

Moreover, the document does not explain how the assessments were derived, what assumptions were applied, or whether any external validation, challenge, or scenario testing was undertaken. Decisions of this scale - with potentially far-reaching economic and social consequences - must be grounded in robust, transparent evidence. Generalised optimism or untested assumptions are not a sufficient basis for policymaking.

Finally, it is of serious concern that the Council has not defined any clear thresholds for adverse outcomes - particularly those relating to economic harm. Repeated requests to officers and elected members for this information have been met only with general assurances that the scheme will be "monitored on an ongoing

basis". However, without clear thresholds for intervention - for example, in the event of sustained revenue decline or significant job losses - such monitoring lacks any meaningful accountability.

While the Council may have internal aspirations for positive economic impact, it is not the presence or absence of modest improvements that will determine the scheme's impact, it is the potential for serious, systemic damage. Without predefined thresholds for failure, there is no mechanism by which adverse impacts will trigger mitigation, review, or withdrawal. This omission leaves businesses and the wider community exposed to significant risk without any assurance that the Council is willing to act on the evidence it claims it will collect. Without a 'red line' to trigger review or mitigation, the scheme proceeds without accountability, gambling with the livelihoods of real people in the hope that theoretical gains will materialise."

There is also no suggestion that the traffic filter scheme - which is to succeed the Congestion Charging Scheme, and which the consultation documents note has already been approved – will take any problems arising from the congestion charging scheme into account.

## QUESTIONS

B1 Has OCC conducted or commissioned any economic or behavioural analysis of the likely impact that restricting access to the Central Oxford Area - unless subject to payment of a congestion charge - will have on visitor numbers, retail footfall, or leisure and hospitality spending in the city? If so, will OCC publish this analysis, including the assumptions and modelling used?

B2 Can OCC provide the full dataset and analysis underpinning its claim that 90% of people entering Oxford do not do so by car, broken down by mode of transport, purpose of visit (e.g. retail, commuting, tourism), and time of day?

B3 What formal consultation mechanisms or structured engagement processes has OCC undertaken with businesses, schools, healthcare providers, and other major employers within the proposed charge area? How has feedback from those groups been documented and demonstrably incorporated into the design, timing, and implementation planning of the scheme?

B4 Have all affected organisations - including schools, NHS trusts, and businesses - received formal, direct communications from OCC regarding the consultation and its potential impact?

B5 OCC has indicated that it has not directly contacted all affected organisations - including schools, NHS trusts, and businesses - but has instead relied on communication via unnamed "partners." Why has OCC chosen not to communicate directly with all businesses and institutions likely to be impacted by the proposed scheme, particularly given the availability of City Council business rates data?

Please provide the documented rationale for this decision, including any consideration of whether this approach meets minimum standards for consultation on statutory schemes.

## C. Disproportionality concerns

The proposed congestion charge scheme introduces restrictions that will affect travel in and around Oxford between 7am and 7pm on every day of the week. However, patterns of congestion are very varied across

times of day, days of week and times of year. To impose restrictions that will be in place at many times when congestion is not an issue in the first place, seems rather like using a sledge hammer to crack a nut – particularly when the impact on residents, businesses, and commuters has serious ramifications for them.

**A solution that focuses on addressing congestion when and where it occurs, would achieve the same benefits with less negative impacts.** There is plenty of evidence that congestion is localised around specific ‘pinch points’ across the city, and there are a number of underlying reasons to which this can be attributed.

Evidence drawn from Google traffic maps, OCC traffic monitoring locations, a variety of existing data sources, direct observations at various times of the day – most of which have been filmed – together with modelling data supplied by Steer and Ricardo leads to some fairly significant conclusions regarding patterns and causes of congestion. (This is included in a separate report at Appendix 1: ‘Sources of Congestion in Oxford’.)

Based on these data sources, one can conclude that there are three main sources of congestion in certain parts of Oxford:

- Oxford’s two main hospitals – the John Radcliffe (**JR**) and Churchill;
- Private, not state, schools;
- Recently introduced low traffic neighbourhoods.

## Hospitals

Oxford University Hospitals NHS Foundation Trust, employs in excess of 16,000 staff (18,000 – 20,000 including support staff not employed by OUH), making it one of the largest (and most concentrated) employers in the city, with the JR and the Churchill both located on the city side of Headington. Between them, Oxford’s hospitals also have more than 1.7 million inpatient and outpatient visits per year (as referenced in the Trust’s Annual Report and Accounts 2023-2024), also contributing significantly to the city’s traffic and congestion levels.

In its ‘Healthy Travel Strategy: 2025-2027’, the OUH Foundation Trust estimates that 74,524 vehicles each week travel into, and out of, its John Radcliffe Hospital site, and also estimates that around 14% of all traffic on the city’s ring road is coming from, or going to, its Headington-based hospitals. With 80% of staff living outside the city’s ring road, cycling and walking are not realistic options, and public transport may be limited – especially for a workforce where shifts in high pressure departments can last 12.5 hours, often covering anti-social hours.

A report and analysis of the traffic patterns associated with the hospitals in Oxford has recently been produced by Reconnecting Oxford. Its author, Geoff Sutton, is a Kaizen-trained Process Improvement Analyst, with 15-20 years’ experience of applying these skills in the public sector, local government and industry. He used a simple form of customer journey mapping (looking at both hospital staff and patients) to better understand existing patterns of traffic movement and then to identify potential solutions based on understanding ‘customer’ needs and human behaviour.

See ‘The missing Headington Hospitals problem analysis, impact assessment and mitigation plan’ presented at Appendix 2.

His modelling began with the hypothesis that the two largest employment centres in Oxford are the University of Oxford and the Headington hospitals, i.e. that there are two major employers within the Ring

Road, not one and while the city centre is well served by the current bus services, the Headington employment centre, which is rapidly growing in size, is significantly under-served and fundamentally that's the cause of a lot of Oxford's traffic problems.

There's also one other key difference between the two centres. The teaching side of the University of Oxford is only in operation for 25 weeks of the year, while the hospitals in Headington work all year round. Also, while the University receives many 'visitors' per year, there are more readily available public transport options to the city centre, whereas patients and their visitors to the hospitals in Headington are poorly served by public transport. This, coupled with their health issues, means they are much more likely to travel by car.

A review of AADT data combined with physical observation identified the two main routes for staff and patients travelling to the hospitals from different directions, resulting in identification of roads on the main approaches to the hospitals where localised congestion would be the direct consequence, and an understanding of the key times when this localised congestion would occur.

The reliance on cars right up to the hospital is clearly exacerbated by the fact that there are roughly 50% less Park & Ride buses to the hospital sites than to the city centre, and they run in from the only direction in which there is no sizeable population outside the city.

In addition, the volumes of hospital related traffic on local bus routes will have a detrimental effect on bus journey times, and it is notable that the routes for people travelling to the hospitals from the south go via the Plain roundabout – obviously adding to the pressure on this known 'pinch point'.

The use of **journey mapping** in this way has produced a helpful picture of traffic flows linked to the hospitals in Headington, and the reasons for them. This then opens up the possibility of identifying solutions that specifically target reducing hospital related traffic on Oxford's roads (see section D).

However, the Steer report, produced for OCC, did not consider staff and patient journey flows. It used modelling based on movement from one specific area to another adjacent area – i.e. a piecemeal approach to modelling traffic movement, rather than a holistic journey-centred approach. This means there is a lack of understanding of the reasons for congestion, and therefore no ability to take account of human behaviour when looking to achieve a modal shift. Furthermore, the Steer report only mentions staff, and does not consider patients and their visitors – which is, of course, a huge omission.

The shortcomings of OCC's analysis are set out in more detail in Appendices 1 and 2, each of which also presents plausible evidence that OCC's congestion charge scheme will make traffic and congestion worse on the main approach roads to the John Radcliffe, in particular, causing significant inconvenience – potentially even harm – to staff, patients and nearby residents.

A particularly perverse projected outcome of the congestion charge scheme, based on traffic modelling for OCC by Steer and Atkins Réalis using the Oxfordshire Strategic Model and pollution modelling by Ricardo Consulting, is that, in Marston, vehicle volumes are predicted to increase on the already-congested Marsh Lane by a daily average of 352 (4.6%). Meanwhile, the already free-flowing Marston Ferry Road is expected to see a daily average decrease in traffic of 645 vehicles, a fall of 15.4%. It is not entirely clear how it is helpful to anyone for the already relatively quiet Marston Ferry Road to become even quieter, at the expense of the already busy suburban Marsh Lane, which is used by many on their route to the JR Hospital.

A further consideration in relation to patient related traffic is [NHS guidance on patient choice](#)<sup>1</sup>.

Rules in relation to patients' legal rights to choose their provider and team for in-scope elective services mean that patients from other parts of the country can elect to receive treatment at Oxford's hospitals. Given the extent and quality of scanning and other specialised facilities at Oxford's Headington-based hospitals, this leads to additional traffic from outside the county – certainly from southern England, and possibly from further afield.

No matter what deterrents are put in place by OCC to discourage such people from driving to the hospitals, their likely poor state of health and length of journey indicates they are very unlikely to use other methods.

This demonstrates the point that any measures put in place as deterrents need to take account of individual circumstances and human behaviour.

## Private schools

There is a recognisable pattern in Oxford's congestion, with which everyone in Oxford is familiar. When the private schools are not in term time, much of the congestion simply goes away.

This can be evidenced by looking at Google congestion maps, traffic counts, and also by on-the-ground observation.

The authors of the report at Appendix 1 collected Google map traffic data on a weekly basis for four weeks, as close to 8am as possible, and found that there is a clear correlation between private school term dates and traffic levels, in areas local to private schools (although in Headington the effect is less marked – probably due to hospital traffic being such a dominant feature).

The pattern is most pronounced in North Oxford, where most parents will drive into the school and then back, away from the city centre. So, the congestion charging points, located where they are, will not significantly reduce this localised congestion. The private school related traffic will therefore continue to impact negatively on both the Banbury and Woodstock Roads which are also popular commuter routes into and out of the city.

Understanding the levels of congestion that can be attributed to private schools, and their localised nature, suggests that alternative solutions are required to specifically target this issue.

## 'Low Traffic Neighbourhoods' (LTNs)

It is widely recognised by people living in, or commuting regularly to, Oxford that congestion – including on the ring road – has become much worse since implementation of the Cowley and East Oxford LTN schemes.

It is notable that when OCC were considering making the East Oxford LTNs permanent in October 2023, the Oxford Bus Company, Stagecoach and Thames Travel submitted a letter to OCC describing the impact of the East Oxford LTNs on bus services. Extracts are provided below:

“The effects of the LTN implementation have been entirely detrimental to bus operations, to a degree that is probably entirely unprecedented, and certainly is within the last 50 years. This has, quite predictably, had

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<sup>1</sup> <https://www.england.nhs.uk/long-read/patient-choice-guidance/>



a direct impact on bus use and on the current and potentially on longer-term sustainability of many services. In certain cases, especially after 2.30pm, a local bus journey in parts of East Oxford today takes so long to achieve that it is not a credibly relevant choice to any but the most physically infirm.”

“...the introduction of LTNs and their permanent confirmation in the manner proposed, leaves the County in the very uncomfortable position that they have directly caused bus services across the bulk of Oxford to become substantially slower, even less reliable, and as a result have further substantially reduced bus patronage and mileage, seriously aggravating the challenges caused by the COVID crisis.”

“...**traffic levels at the northern ends of Iffley Road and Cowley Road have grown on an adjusted basis by 33% and 65% respectively.** This can only be described as a huge increase in traffic levels on key public transport corridors – higher than even we anticipated. If the intention of the measures was to reduce the impact of car traffic on mobility, and the public realm, it must surely be judged to have failed, and seriously so.”

“It should be stressed that these figures are a result of monitoring throughout the day, and that these figures, if anything significantly understate the impact seen at peak times, when traffic speeds are now so low on these roads owing to the saturation at and around The Plain, that traffic throughput has reached a cap at these times. We find it notable that the Report makes no attempt to quantify impacts on St Clements and the knock-on impacts on either Headington Hill and Marston Road, which are not directly adjacent to the LTN areas. This too has been exceptionally severe.”

“...bus journey times have become so extended, and as a result, timetable frequencies so reduced, that there has been a greater than 50% drop in one way seat availability between Churchill Hospital and the city centre after 3.30pm; and compounding this, for those journeys, **it is actually quicker on many occasions to walk into the city centre, so slowly does the bus progress.**”

“While minimum journey times have overall been broadly unaffected, and in many cases have actually improved, maximum running times have increased dramatically on all corridors, and have almost doubled on some routes. This is of crucial importance, as the achievable “peak” running time is what drives the requirement for vehicle and driver resources and so bus operator costs.”

“We should end by highlighting that the maximum running times observed have generally been seen in the morning and evening peak periods: when the greatest number of bus passengers would want to travel. It is apparent that the offer we are able to provide to passengers has materially worsened at the time of greatest demand, and where the potential for mass transit to achieve a full range of transport and social policy goals ought to be the highest.”

It is also worth noting that, when a similar LTN scheme was introduced in the Cowley part of Oxford, adverse impacts on bus services were also recorded – this time in the official evaluation report of the scheme.

So, it is clear that the LTNs have contributed significantly to the congestion problems that OCC are now wanting to ‘solve’ with the congestion charge. Rather than adding in yet another scheme, a much simpler and more attractive solution for everyone (including emergency services, whose routes are made more difficult by the LTNs and the increased congestion on adjacent roads) would be to remove the LTNs – but OCC will not consider it.

A proper investigation of available data identifies where and when congestion occurs. Further analysis, as described above and in Appendices 1 and 2, leads to clarity about the major causes of localised congestion – and THIS is the starting point to identify potentially helpful actions.

Unfortunately, this has not been done by OCC or by those OCC commissioned to undertake research and modelling. If it had, then that would have led to the possibility of alternative and more targeted actions – as outlined in Section D.

Without this, OCC is pursuing a ‘solution’ that has – based on its own analysis – the risk of making things worse, not better, in terms of congestion and pollution in several areas, most of which are residential, with the health implications that this brings. We believe a more nuanced set of localised solutions, targeting the main causes of congestion, would be much more effective.

## QUESTIONS

C1 Can OCC provide the results of any investigation and analysis they have commissioned or undertaken on patterns of congestion across the city?

C2 Does this analysis identify congestion hotspots in and around the city?

C3 Has OCC identified and analysed patterns (location and timings) of congestion linked to specific activities, such as the ‘school run’, the hospitals, etc.?

C4 OCC’s analysis of the proposed Congestion Charge scheme clearly shows that currently quiet roads will get quieter and already busier roads will get busier.

Will OCC commit to exploring alternative solutions targeting specific identified congestion hotspots and their causes (e.g. hospital related traffic, private school pick-up and drop-off, and LTNs), before moving ahead with this scheme which, quite clearly, has some very negative consequences, particularly in heavily residential areas?

## D. Disregard for Alternative Solutions

There are many alternative solutions that could have been explored. To do so, however, requires an understanding of the root causes of high congestion levels, which in turn requires full interrogation of where high congestion occurs, when it occurs, and what specific factors are contributing to its occurrence.

There is little, if any, evidence that the analysis used to develop and justify these proposals includes consideration of these questions. So, it appears that the proposed congestion charge is a ‘solution’ to an alleged problem and broad symptom (congestion across Oxford) that OCC has not yet sufficiently understood.

In taking this approach, OCC is effectively suggesting a solution that has significant implications for residents, businesses and visitors, including net negative consequences for specific groups of people and businesses, as outlined in its own Equalities Impact Assessment.

OCC has not provided information on where and when congestion occurs and what is causing it. Had they done so, alternative solutions would have been apparent, and may have led to a different decision regarding the proposal to be put forward, and a different response from consultees to this consultation. The existence of alternative proposals is material evidence that has been ignored.

We present below a number of alternative solutions that potentially offer more effective delivery against OCC's identified objectives, and without the same discriminatory negative consequences.

## 1. An alternative approach to Transport Planning in Oxfordshire

A document with that title was published by the Independent Oxford Alliance (IOA) on 23 April 2025, and was accompanied by a specific example proposal for East Oxford Triangle and the Plain, demonstrating how the principles underpinning this alternative approach could be used in practice to tackle an area now suffering from severe congestion.

This was specifically flagged to the Cabinet member for Transport (Cllr Andrew Gant) and the rest of the Cabinet, by IOA's County Councillor David Henwood, at the OCC Cabinet meeting on 17 June 2025. Cllr Henwood subsequently sent to the Cabinet member for Transport, by email on 18 July 2025, details of the IOA proposals for East Oxford Triangle and the Plain – which is a major bottleneck since OCC's implementation of the LTNs and their banning of a key left turn on the Plain roundabout.

In his email to Cllr Gant, Cllr Henwood set out the rationale for suggesting a *“proposal that I believe warrants further investigation and a means to reduce congestion in the St Clements (East Oxford area).”* The aims of the proposal include:

- Addresses a known traffic bottleneck with an intervention (left turn) that reflects actual driver behaviour.
- Complements OCC's existing and upcoming traffic schemes (e.g. the A420 bus lane).
- Aligns with active travel and public transport prioritisation goals.”

He went on to offer an opportunity to explore the option further: *“If you or officers would like to receive a presentation from the IOA, we would be delighted to arrange at your earliest convenience. Any feedback on the proposal would be welcomed.”* The proposals can be found on the IOA website [here](#)<sup>2</sup>

The proposals were developed in collaboration with local people who understand how Oxford's roads function, and who bring the benefit of experience of the roads both before and after the implementation of LTNs in that area. Input came from bus companies, licensed taxi drivers, local businesses, and residents who experience the effects of traffic policies every day. With their help, these proposals have taken a practical, evidence-based approach to transport planning.

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2

<https://independentoxfordalliance.org/wp-content/uploads/2025/04/East-Oxford-triangle-The-Plain-traffic-proposals-short-version-including-map-with-key.pdf>

**Cllr Gant responded quickly by email that same day, 18 July 2025, and was very clear that he had no intention of even looking at the proposals:**

**From:** Cllr Andrew Gant <[Andrew.Gant@Oxfordshire.gov.uk](mailto:Andrew.Gant@Oxfordshire.gov.uk)>  
**Sent:** 18 July 2025 12:23 PM  
**To:** Councillor HENWOOD David <[cllrdhenwood@oxford.gov.uk](mailto:cllrdhenwood@oxford.gov.uk)>; Councillor GANT Andrew <[cllragant@oxford.gov.uk](mailto:cllragant@oxford.gov.uk)>  
**Subject:** Re: Subject: Oxford Independent Alliance (IOA) Proposal to Alleviate Congestion around St Clements / East Oxford Triangle

Dear David

It's not my role to work up the policy of the opposition, so I won't be taking up your offer.

I will continue to prioritise bus efficiency, safety, air quality, active travel and the other priorities clearly identified in LTCP and the recommendations of the Citizens' Assembly

regards

Andrew

Cllr Henwood shared the proposals in good faith, as a genuine alternative for consideration – **an alternative that had been informed by drawing on the knowledge and experience of those using roads in that area on a regular basis**. It is extremely disappointing that these proposals were dismissed without any consideration whatsoever, apparently on political grounds.

This seems to indicate that OCC is not open to genuine feedback, and brings into question the status of this consultation. It is to be hoped that, through this consultation process, these proposals will now be considered in the constructive way they are intended.

It is undeniable that congestion and pollution on the city's road network have become significantly worse in many areas since the LTNs were introduced. [See Section C regarding causes of congestion](#). Indeed Oxford Bus Company's managing director Luke Marion himself acknowledges that the LTNs in East Oxford have "slowed bus journey times" and created "traffic jams during peak hours that previously did not exist."

This is a huge contributory factor to the congestion that the Congestion Charge Scheme is apparently intended to address. So, an obvious solution is to remove LTNs where they have caused an increase in congestion, and instead address the specific causes of congestion in those areas, through the addition of new road usage patterns, including carefully planned one-way streets. This is a key feature in these alternative proposals.

The IOA chose the area around the Plain roundabout as the published example, because some simple changes there would significantly reduce the delays involved in traversing that roundabout, which currently results in huge tailbacks along several radial roads. This has been exacerbated by OCC's decision to make it illegal for vehicles to make a left turn from Cowley Road to the road immediately adjacent to its left, Iffley Road – which was enforced by ANPR cameras from September 2024. Vehicles wanting to make this manoeuvre, which would take just a few seconds, are now forced to do more than a full circuit around the roundabout, thus blocking access for vehicles coming from other directions (and indeed from Cowley Road itself!).

Once again, it is previous council decisions that have caused a higher level of congestion – a combination of more vehicles on the roundabout due to the banned left turn, and the fact that more vehicles now need to

make that turn due to the number of road blocks (LTNs) between Cowley and Iffley Roads, causing many more vehicles to need to go via the Plain to make their journey. The Plain roundabout is therefore a serious 'pinch point'.

The alternative approach developed by the IOA seeks to undo actions that have made congestion and pollution worse, and then add in additional actions to improve things beyond the original baseline – for example, opening up roads to be one-way a little way back from reaching the Plain roundabout, such that traffic can effectively make a left turn further away from the roundabout. This would facilitate individual journeys, and reduce traffic build-up on the approaches to the roundabout, while also removing much traffic from the Plain roundabout itself, which is a huge factor in the extent of tailback along each of the radial roads.

In developing these proposals, the IOA has clearly tried to focus on addressing some of the obvious root causes of congestion in Oxford, including the LTNs and traffic congestion associated with the 'school run'. It is clear, for example, that congestion is far worse during term times, and even more so in specific areas that form part of the main routes used for school drop-off and pick-up. This has even been acknowledged by County Councillor Mark Lygo, who cited this as a key cause of congestion at a public consultation event about the Traffic Filter Scheme, held at Oxford City Football Club, Marsh Lane, Marston in 2023.

In addition to the root causes of congestion identified in the above proposals, there are a number of other causes that, if addressed constructively, could contribute significantly to reducing traffic congestion in Oxford, without the need to introduce a congestion scheme. There are also:

- a number of aspects of this scheme that don't appear to effectively help achievement of the stated objectives – and could therefore be changed;
- and elements of current context that could be altered to secure beneficial outcomes – e.g. bus scheduling model.

All of these lead to identification of further alternative solutions, the cumulative impact of which could be significant. A number of these are outlined in points 2 - 8 below.

## 2. Locations of the congestion charging points

There are two bus-related objectives for the congestion charge scheme:

- make bus journeys faster and more reliable
- allow for new and improved bus routes

In order to make bus journeys faster and more reliable it would make sense to reduce traffic on roads that are on bus routes. However, two of the six proposed congestion charge locations, Hythe Bridge Street and Thames Street, are not on bus routes.

It is difficult to see how reducing traffic on these roads will improve bus journey times and reliability, and there are apparently no plans for using these roads for the proposed new and improved bus services either. So why not remove these charging points from the scheme?

This would also have the significant advantage of avoiding the creation of an area in the city centre that cannot be accessed without passing through a charging point, thus also removing the need for unlimited passes for residents and workers in that area.

In addition, and most importantly, this would make key city centre car parks accessible without the need to pay the congestion charge, and thus address the very real concerns of businesses that the congestion charge scheme, as proposed, will drive people away from Oxford city centre, as also indicated in a report by the Oxford Mail in June this year.

### 3. A different approach to bus scheduling

Currently Oxford Bus Company and others run the same timetables throughout the year. They do not distinguish between term time and vacation time for schools and universities.

This is odd, as it is very obvious that congestion is much worse during term times, and that a major cause of this is parents doing the school run by car at drop-off and pick-up times, morning and afternoon. This is particularly the case for public schools where children travel longer distances to school, often from outside the city, resulting in many lengthy journeys converging on specific locations in the city.

Looking at bus timetables, it is obvious that an additional 2-3 minutes journey time has been built in along specific stretches of road, between certain stops at peak times, to account for the congestion that occurs there. These 'peak times' are route specific and time specific, not general.

As this congestion does not occur for a total of around half the year, when public schools are on vacation, it would seem sensible to run a different 'vacation timetable' at least for the periods around Christmas, Spring holidays (Easter) and over the summer months. This would reduce bus journey times in those periods, thus also impacting average journey times that are the focus of the bus productivity improvement targets.

A consequence of running the current timetable in vacation periods is that buses are to be found sitting at bus stops in and around the city centre, waiting in order to avoid being ahead of schedule on their route. This in itself causes some congestion in the bus lanes, and also means journeys take longer than necessary.

#### **Proposal**

The introduction of alternative 'vacation timetables' for buses – eliminating the additional minutes built in to cater for delays due to the congestion that occurs only in term times.

The bus companies could model the use of vacation timetables, and their anticipated impact on journey times and bus productivity - and thus on costs (fewer buses needed?) and usage levels (which should increase as bus journeys become a more attractive and efficient option, thus also removing more cars off the road and increasing bus company income).

From the bus companies' perspective, this could also work well in terms of staffing, as many drivers with family will want to take leave during those vacation periods too, so running a more efficient service during vacations will facilitate such patterns of annual leave, which will raise staff satisfaction, and possibly enable lower overall staffing levels, too.

## 4. Managing the consequences of food and other delivery services

Food delivery services in Oxford have expanded hugely from 2015 onwards.

Many food delivery services are located on Cowley Road and will use the Plain roundabout on their delivery journeys, particularly where private cars (e.g. Uber Eats) are used for delivery. Cycles or mopeds are also used and, when using the Plain roundabout, also delay vehicle access to the roundabout, contributing to congestion on radial roads.

Steer's Modelling and Income Forecasting Report for the temporary congestion charge scheme, makes no reference to the impact of this source of traffic.

Other delivery services have also increased phenomenally, particularly since lockdowns in 2020 and 2021, with many people now routinely doing their weekly shops from home.

This means that there are significantly more delivery vehicles on the roads, adding to local congestion; and this also means that their services are negatively impacted by driving through Oxford at busy times. If these vehicles were incentivised to deliver in Oxford outside busy periods, it would be a win-win for the delivery drivers (and their employers) and for other road users in Oxford.

### Proposals

- (i) Work with food outlets to reduce the impact of their delivery services on city traffic.  
For example, through licensing regulations, restrict their use of private cars for delivery, thus encouraging use of mopeds/electric bikes (which contribute less to traffic queues as they can drive through) and cycles (which can reroute through LTNs).
- (ii) Work with supermarkets and other significant delivery firms to develop logistics models that avoid use of city centre roads at peak times.

## 5. Specific solutions to improve access to hospitals

Given the high number of car journeys converging on the Headington hospitals, the analysis at Appendix 2 seeks to identify some feasible 'hospital traffic' focused solutions.

The John Radcliffe Transport Strategy states:

*"Limited-stop bus-based solutions, such as express P&R services, and shuttles from key locations were consistently ranked highly throughout the survey and focus group findings."*

The paper at appendix 2 goes further, stating *"To really make modal switch work, we need P&R services that are significantly faster than driving."*

It goes on to suggest that one way of achieving this is as follows:

*"Our primary recommendation is to connect all of the Park & Rides to the hospital using the Ring Road and to open the Northway Bus gate to these Park & Ride services so they can rapidly access the John Radcliffe from*

- Thornhill
- Seacourt
- Oxford Parkway
- Redbridge
- Pear Tree
- (Eynsham)

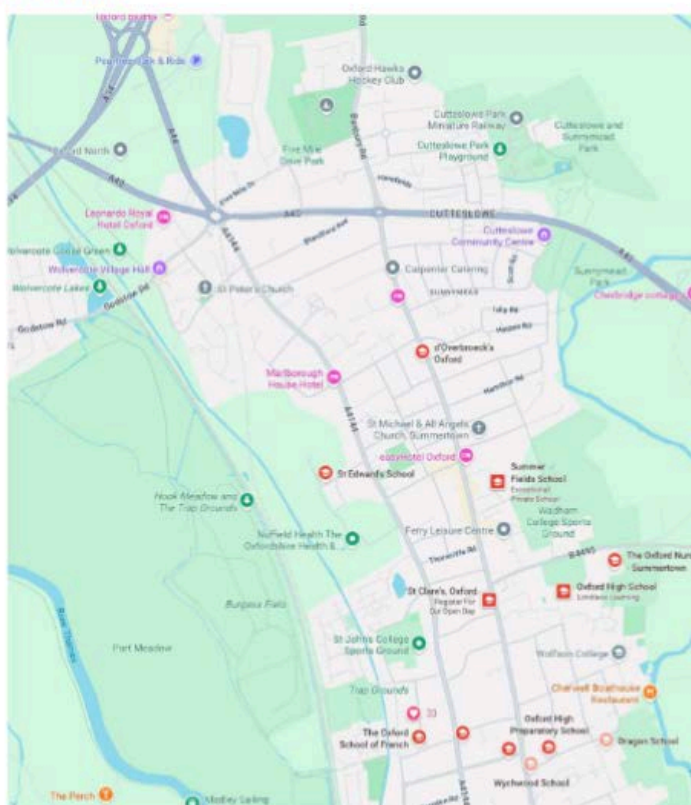
*Our travel time estimates are that P&R services will be a lot faster and more reliable using the Ring Road than any service routed via Headington or Marston and will be faster than driving, especially during rush hour. Using all of Oxford's P&R sites with Hospital Express P&R services will create more parking capacity for the hospitals, and will take cars off the Ring Road, while putting the Hospital Express P&R services on the Ring Road will enable much faster transit times to the John Radcliffe than is feasible using the city's roads."*

This certainly looks like a solution worth investigating further.

## 6. Specific solutions to reduce the impact of private schools' start and end times

As identified in the report at Appendix 1, "with private schools likely to be a significant source of outer Oxford congestion, one possible solution is – once again – Oxford's Park & Rides. Notably, most of North Oxford's private schools are within a short distance of Peartree Park and ride (see illustration 3.16 below)."

**Illustration 3.16: The proximity of Peartree Park and ride to North Oxford's private schools**



A similar situation can be identified for the other cluster of private schools in Headington / central Oxford, all of which are within convenient reach of Thornhill Park and Ride.

In Appendix 4, 'Buses in Oxford – solutions', a separate report by Reconnecting Oxford, they suggest that the operators of P&R sites (i.e. Oxford City Council in the case of Peartree P&R) could consider opening up the facility for school buses, to allow schools to operate their own peak time, point-to-point, shuttle buses



between the P&R and the main teaching sites. Secondly, consideration could also be given to the viability of running a generic shuttle bus, visiting most schools in quick succession – in a manner similar to the one already in operation involving Headington Rye and Magdalen College School.

Here, Oxfordshire County Council could potentially play a convening role in securing cooperation between schools to launch this service, if it were deemed more viable than individual schools running their own shuttle bus service.

Once again, it seems that creative use of new, specially designed P&R bus services could provide effective mechanisms for reducing traffic on roads inside the ring road.

## 7. More challenging but potentially effective solutions

There are a number of ‘re-engineering’ options that could be considered, aimed at removing obvious blockages and getting traffic flowing more freely, while also potentially improving safety.

Examples could include the use of a new type of traffic lane or dedicated bus lane on some roads that work in different directions at different times of day (morning and afternoon). This model has been successfully used in Manchester, for example – but would require a different approach to road layout and architecture, with a need for real time signage.

This would need careful planning and design, but could result in more creative and effective ways of managing traffic flow.

## 8. Remove the LTNs

As already stated, (see Section C) the LTNs are a key cause of increased congestion, particularly around the Plain roundabout and along its radial roads, and also on the ring road.

A simple solution that would have an immediate beneficial impact would be to remove the LTNs.

## QUESTIONS

D1 Why has OCC not identified specific patterns of congestion and attempted to address the root causes through localised targeted actions, rather than proposing a ‘congestion charge scheme’ which simply applies a ‘one-size-fits-all’ approach to addressing symptoms (congestion in general), not causes – i.e. identifiable causes of congestion at specific locations at specific times?

D2 Will OCC investigate the potential cumulative effect of such localised targeted actions, before progressing with the congestion charge scheme which has so many detrimental impacts, as identified in, for example, its own Equality Impact Assessment?

D3 Has OCC looked at and evaluated the alternative approach being advocated by the IOA, together with their example of how this might work in practice for East Oxford Triangle and the Plain?

D4 Will OCC explain the rationale for including all 6 of the proposed traffic filter locations as congestion

charge points in the congestion charge scheme?

D5 Will OCC explore with the bus companies the possibility of introducing separate ‘term time’ and ‘vacation’ bus timetables?

Will the impact of this on journey times and congestion be modelled, in order to assess the potential effectiveness of this measure?

D6 Will OCC work with food outlets, supermarkets and other delivery firms to identify creative approaches to logistics that will reduce their use of city centre routes during identified peak times?

D7 The city has seen a huge increase in mopeds and electric bikes since the advent of Deliveroo etc. How has this been taken into account in the modelling, when these are using bus lanes, slowing down buses, and adding to congestion at roundabouts and traffic lights, impacting on other mopeds, cyclists, buses and cars alike?

D8 Is OCC willing to explore more creative solutions to road design for the longer term, in the interests of finding solutions more supportive of the needs of residents, businesses and commuters?

## E. Data and Modelling Concerns

There are a number of concerns surrounding the data and the modelling used to evaluate this scheme. Specific concerns include:

- Pollution figures for 2025 were based on projections from 2022 (i.e. previously modelled data) rather than using the now available actual known values in 2024.
- Monitoring sites have been grouped together in a way that obscures important detail – specifically, as an example, monitoring sites on Woodstock Road have been combined with many others, with the titles of “radial roads” or “outer sites”, except site TF8 (191 Woodstock Road) which is grouped with the “city centre” sites (Oxpens, Folly Bridge, Magdalen Bridge, etc) which see an overall net benefit. The result is that the negative impact on Woodstock Road is totally absent from the written report (main modelling report by Steer Group) and is obscured from view in the data tables.
- In Ricardo’s report (Air quality technical note) TF8 is identified separately, and shows that this point on the Woodstock Road is forecast to see an increase of over 722 vehicles on an average day, and a drop in local air quality under the proposed scheme.
- However, in Ricardo’s report there are a number of limitations listed. One of them is that, even on roads where increased traffic and pollution is forecast, the pollution figures do not take account of slower traffic speeds which will exacerbate the increase in pollution – so these figures are not accurate and will most likely underestimate the reality.

A report produced by Peter West and Richard Parnham has looked closely at the Pollution and Vehicle Movement Analysis report produced for OCC by Ricardo. This is attached at Appendix 3, ‘Pollution and vehicle movement analysis’ and includes a detailed summary of the differences between the pollution figures used by Ricardo and the actual pollution figures as collected by Oxford City Council, as well as the differences between the vehicle numbers used by Ricardo and actual vehicle numbers reported on OCC’s

website. There are some quite huge discrepancies, which effectively undermines the content of Ricardo's report. **We conclude, therefore, that it cannot be relied upon as a guide to decision making.**

The most significant concern about the modelling, however, is that it has taken no account of actual current patterns of congestion, and their causes, so the modelling is fundamentally flawed. For this reason, any decisions based on the Steer report are unlikely to produce optimal results, as their analysis is missing a fundamental understanding of the problem being addressed.

## F. Process Concerns

### 1. The Consultation Process

As confirmed by the [LGA](#)<sup>3</sup>.

**The Gunning Principles** state that a consultation is only legitimate when these four principles are met.

1. proposals are still at a formative stage

*A final decision has not yet been made, or predetermined, by the decision makers*

2. there is sufficient information to allow respondents to give 'intelligent consideration' to the proposals

*The information provided must relate to the consultation and must be available, accessible, and easily interpretable for consultees to provide an informed response*

3. there is adequate time for consideration and response

*There must be sufficient opportunity for consultees to participate in the consultation. There is no set timeframe for consultation, despite the widely accepted twelve-week consultation period, as the length of time given for consultee to respond can vary depending on the subject and extent of impact of the consultation*

4. 'conscientious consideration' must be given to the consultation responses before a decision is made

*Decision-makers should be able to provide evidence that they took consultation responses into account*

#### Concerns re Gunning Principle 1: Proposals are at a formative stage

These proposals are clearly not at a formative stage, i.e. in some degree of flux and open to meaningful change in light of the consultation responses. As the consultation documents repeatedly state, the Congestion Charge Scheme is materially "identical" to the traffic filter scheme, which OCC has already approved; OCC has said that it intends the Congestion Charge Scheme to be a precursor to the traffic filter

<sup>3</sup> <https://www.local.gov.uk/sites/default/files/documents/The%20Gunning%20Principles.pdf>

scheme, which it will implement as soon as the Botley Road works are complete. It has clearly already made up its mind to implement the scheme in its current form. It has decided that “doing nothing is not an option” and that the proposals constitute a “key tool to tackle congestion”.

That is reflected by the consultation form itself, which primarily takes the form of tick box questions and is (as discussed below) clearly predicated on an assumption that the scheme will proceed, rather than genuinely seeking to explore alternatives.

### Concerns re Gunning Principle 2: *Sufficient information for ‘intelligent consideration’*

As outlined in Section D, there has been insufficient investigation of the root causes of congestion in Oxford, resulting in a lack of identified alternative solutions in the consultation documentation.

Much of the documentation relies on the traffic filter scheme and dates from 2022, rather than addressing the new scheme and the context as it stands currently. The differences between the two schemes have not been adequately set out; the reason why the traffic filter scheme is apparently unviable while the Botley Road works are ongoing, but the nearly “identical” Congestion Charge Scheme is not, has not been fully explained. That is particularly confusing for respondents, given that the schemes are apparently considered similar enough for OCC to adopt most of the old scheme’s data and modelling and rely on it in relation to the new scheme.

As discussed further below, OCC has also not explained, in its publicly available documents, the legal mechanism through which it proposes implementing the scheme, which means respondents do not have a clear understanding of the purpose of the scheme and the legal tests that should be applied to it. (We now understand, from a meeting some of our members had on 21 July 2025 with OCC, that the proposed mechanism is the Transport Act 2000.)

Consultees therefore have no alternatives against which to assess this proposal, which is itself limited by a lack of understanding of the various contributory factors to the current levels and patterns of congestion in Oxford. This means that the proposal itself may be sub-optimal, and this is important as there are many ‘potential disproportionately negative impacts’ identified in the Council’s own Equalities Impact Assessment of this scheme – largely affecting already vulnerable groups – those with disabilities, health conditions or special educational needs; younger people; older people; pregnant women and those with very young children; rural communities and those living in areas of deprivation. While some of these groups will be eligible for permits, or even a full exemption from any congestion charge, many will not qualify.

For this reason, we would have expected a deeper and more comprehensive analysis of the causes of congestion to enable consideration of more creative solutions, tailored to specific circumstances at specific locations or times of day/week.

It is also notable that the consultation documentation makes no reference to alternative proposals that were already in existence, published by the Independent Oxford Alliance (IOA) on 23 April, 2025 – a full 2 months before this consultation began on 23 June.

Furthermore, the fact that congestion levels are only really problematic for a little over half the year, in particular locations and only for a couple of hours at either end of working days, is clearly pertinent to the requirements of any solution, yet this fact was not referenced in the consultation documentation.

Given the nature and extent of identified impacts of the proposed congestion scheme, including an increase in congestion and pollution on several residential roads (e.g. Woodstock Road and Marsh Lane), we contend that:

- It was incumbent upon OCC to seek and assess less damaging solutions;
- And consultees needed to have a good understanding of the nature of the problem in order to be able to realistically assess if the consequences of the proposed congestion scheme are justifiable and a 'price worth paying'.

However, in the consultation documentation:

- The existence of alternative proposed solutions was not identified;
- The fact that congestion is not a problem for nearly half the year was not identified;
- The pattern (location and timings) of congestion hot spots was not identified.

It is therefore clear that there **was not** sufficient information to enable consultees to give 'intelligent consideration' to the proposal put before them.

The limited scope and structure of the survey document - and the lack of an easy option for submitting additional documentation beyond that online form – exacerbate the issue, by limiting the issues respondents understand they can consider and respond to.

### Concerns re Gunning Principle 3: *Adequate time for consideration and response*

The fundamental point here is that there must be sufficient opportunity for consultees to participate in the consultation.

While there is no set timeframe for consultation, there is a widely accepted view that 12 weeks is a good period to use (and a 12-week benchmark was also reflected in the government's recently published Civil Society Covenant, which sets out the approach public authorities, including local authorities, should take to consultations). It is acknowledged that the length of time given for consultees to respond should reflect the subject and the extent of impact.

In this case, the impact of the proposed scheme is far reaching – affecting all residents of the county to a greater or lesser degree, and having very significant impacts on those living and working in Oxford, as well as on Oxford-based businesses and mobile traders.

**For that reason, the consultation period should surely be longer than the 6 weeks allocated to it.**

The 6-week consultation period gives a distinct impression of a rush to force a decision over the line, based on inadequate evidence, before many of those affected even know what is going on.

Furthermore, the 6-week consultation launched on 23 June 2025 and runs to 3 August. State schools in Oxfordshire end their 2025 summer term on 22 July, and private schools finish earlier (e.g. Dragon School ended its summer term on 5 July). This means that there were barely 2 weeks of the consultation before school summer holidays started, so many people would have been away on holidays from that point, thus reducing the likelihood of their responding to the consultation.

**There is therefore an issue, not just with the relatively short duration of the consultation, but also, and more significantly, with the timing of it.**

Lastly, a key element in ensuring that there is sufficient opportunity for consultees to participate in a consultation is that they are aware of it! We have found that many people – particularly among those living in areas just outside Oxford (who may be significantly affected) – are not aware of the proposals, let alone the consultation. Many businesses also were not made aware of these proposals.

While there has been some media coverage, **we question whether enough has been done to make people aware of the consultation.** Leaflets regarding the 2042 Local Plan for Oxford were recently delivered to all City residents – **why could something similar not have been done in respect of the much more imminent, and arguably much more urgent, congestion charge consultation?**

**One very easy way of ensuring that the people most affected by this scheme would be made aware of the consultation would have been to place signs at the charging points to say that this scheme is being proposed and to promote the consultation.**

The people passing through these locations regularly are those that will be most affected, positively or negatively. So, as part of any serious consultation, surely these locations would be the best place to advertise the fact there is a survey to complete to give your opinion.

OCC was asked about this in an on-line 'Let's Talk' webinar in mid-July 2025 - run by the council to provide information and answer questions from the public. The answer to this question was not satisfactory. There was apparently no time to create the signs, get the required permission from DfT, etc.

We now know from an FOI request (Ref 25746 EIR) that OCC officers had been speaking with DfT (Department for Transport) about signage for this scheme since 2 April 2025, and had submitted a request for sign authorisation on 9 June 2025. DfT gave authorisation on 19 June 2025, 4 days before the 6-week consultation started. OCC could have included an authorisation request for signs designed to draw attention to the consultation, and it should have taken only a short time to get the signs printed and put in place. **The fact that this did not happen shows a serious lack of commitment by OCC to publicising the consultation to those who would be significantly affected.**

In light of the above observations, we believe that there has not been adequate time for consideration and response. We consider that six weeks - particularly one scheduled over the summer holiday period and in respect of a scheme of such breadth and impact - does not meet the requirements of Gunning Principle 3. We note that Cllr Gant refused requests made in writing ahead of the July 8th full council meeting to extend the consultation period, and did not justify this refusal in a way that addressed the concerns raised.

We are concerned that OCC may have concluded that it could circumvent some of the usual consultation requirements because it had previously consulted on, and approved, a scheme it considers nearly “identical”, meaning that it considers this further consultation to be something of an add-on / a tick-box exercise to confirm the previous decision. But this is a separate consultation, on a different scheme, several years later; it must itself be *Gunning* compliant as a standalone exercise.

## 2. Accessibility of the Consultation

The current consultation process for the proposed Congestion Charge scheme raises serious concerns about accessibility and inclusion. In particular, there is a notable risk that residents who are not digitally literate, or who lack reliable access to the internet, will not have been made properly aware of the consultation or supported in engaging with it. Despite the major implications of the scheme for how residents travel into and around Oxford, no letters have been sent to all households or businesses. Instead, the consultation seems to mostly rely on limited digital outreach and social media advertising, with just one or two local radio interviews and some coverage provided by local newspapers. This approach makes it likely that those who are not regularly online will be overlooked, and particularly affects older people, those living alone, carers, and people with lower incomes — groups that may be especially reliant on car travel.

Many individuals in these groups rely on post as their primary method of receiving official communications, and would reasonably expect to be written to directly about a city-wide proposal with major practical and financial implications. The absence of a formal postal notice — especially when such a step was taken for CPZ consultations with residents — represents a clear departure from the Council's own recent practice and engagement expectations, as demonstrated in its previous decision to notify households during CPZ consultations.

It also raises a strong likelihood that consultation responses will under-represent the views of groups who are more reliant on car travel, less digitally connected, or less equipped to engage through online-only formats — despite being among those most likely to be negatively impacted by the scheme. Equally concerning is the lack of targeted communication with affected businesses.

Oxfordshire County Council could easily have obtained business contact information — including email addresses — from Oxford City Council, which already holds these details for the purposes of business rates billing. Businesses with shopfronts in the city centre, many of whom will be directly impacted by the scheme, could have been contacted quickly, easily, and at no additional cost. That they were not is a serious oversight.

## 3. Barriers to Submission and Inconsistent Requirements

A further procedural concern relates to the differing requirements placed on individuals submitting consultation responses online versus by post or email. Those wishing to complete the consultation digitally are required to create a 'Let's Talk Oxfordshire' account before their response can be submitted. By contrast, individuals submitting a physical (postal) consultation response are not required to provide any such identifying information.

We anticipate that the Council may seek to justify this disparity by claiming that account creation ensures that responses are submitted by genuine Oxfordshire residents or legitimate stakeholders. However, this explanation is logically inconsistent, given that no such verification is required for physical submissions. If identity verification were genuinely a priority, it would surely be applied consistently across all submission routes.

This discrepancy raises serious concerns. First, it demonstrates a lack of parity between response mechanisms, which may compromise the fairness of the consultation. Second, requiring account creation adds a significant friction point in the online process — one that may deter time-poor individuals, those with lower digital confidence, or those concerned about data privacy from participating at all. Requiring respondents to register with a new account, including email verification and login management, represents an unnecessary barrier — especially for a consultation that purports to be accessible and inclusive.

It is not an acceptable defence for the Council to point to the headline number of responses received. The issue here is not how many responses were ultimately submitted, but how many more might have been submitted had the process been streamlined and consistent across channels. Public consultations are not popularity contests — they are exercises in representative democratic engagement, and must be designed to minimise avoidable exclusion. The additional burden of account creation in the digital pathway may have had a chilling effect on participation, especially among already underrepresented groups.

Given the Council's stated commitment to transparency and equity in public engagement, this inconsistency must be addressed. At minimum, the Council should provide a detailed explanation for the divergence in requirements and a full account of how this may have affected participation rates — particularly among digitally hesitant or disadvantaged residents.

### Business Identification Requirements: A Disincentive to Honest Participation

In addition to the procedural inequities outlined above, we are concerned by the specific requirement for business respondents using the Council's online portal to disclose their business name. This level of identification is not required of individual respondents, nor of those submitting feedback by post or email. The rationale for this discrepancy is unclear and, in the absence of robust justification, raises serious questions about fairness, proportionality, and the chilling effect on participation.

This issue is particularly acute for smaller businesses, many of whom may feel vulnerable to reputational damage, political pushback, or professional repercussions if they are publicly identified as opposing the scheme. Unlike larger corporations, which may have the resources to manage reputational risk or influence policy through other channels, small and independent businesses often rely on maintaining a cooperative working relationship with the local authority. This includes involvement in city-centre initiatives, access to discretionary grants, favourable lease terms, event partnerships, and compliance-based services such as licensing or street trading permissions.

In this context, it is not difficult to imagine that some business owners — especially those who are publicly associated with pro-council messaging or who currently collaborate with the Council on other matters — may feel unable to express their genuine views through the formal consultation process. Where the act of submitting a critical response could be interpreted as disloyalty or provoke concern about future treatment, the requirement to disclose the business name creates a disincentive to participate truthfully — or to participate at all.



This undermines the core democratic purpose of consultation: to gather a full, frank, and representative picture of how affected stakeholders perceive the proposals. Without the option of anonymity or confidentiality for business respondents, the process risks favouring only those businesses with nothing to lose or with sufficient protection from reputational or political consequences. It is essential that participation be made safe and accessible for *all* businesses — not just those who agree with the Council's position.

## 4. The Consultation Survey

As detailed below, we consider that there are various problems with the framing of the consultation survey, which exacerbate the issues identified above.

### Question 2

*Q2 – How often do you travel in or around Oxford?*

Daily       Weekly       Less than weekly       Never

#### Problem

There is insufficient particularisation in the options provided. Notably, many people will likely travel in or around Oxford less frequently than daily but more often than weekly. This pattern is even more likely since the post-covid increase in working from home, where many employees now do a mix of home and office-based working, so may typically travel in or around Oxford on 2 or 3 days a week. Similarly, families with care responsibilities may visit relatives frequently but not necessarily daily, and others may travel in for a combination of leisure/shopping/ medical appointments etc several times a week. (This used to be a common pattern for older people living on or near Botley Road before the closure, as evidenced in the report 'Network Hell' by Julian Le Vay, earlier this year (2025)). Also, though perhaps not affecting as many people, there is a huge gap between 'less than weekly' and 'never'. An option of 'occasional visits' would have been helpful.

#### Consequence

There is likely a huge number of people for whom there is not a response that truly reflects the frequency of their travel in or around Oxford. Most significantly, there is effectively a huge gap between 'Daily' and 'Weekly' when one considers likely travelling patterns. Therefore, many respondents will have had to make a choice whether to under- or -over-report the frequency of their visits.

#### Impact on analysis

There is no way of knowing how many will under- or over-report, although we suspect people in this situation are likely to tick weekly rather than daily as they will feel they can't justify 'daily'. If this is the case, then the analysis will under-represent the extent of travel in and around Oxford. Either way, it means the analysis of these data will not truly reflect the reality, and will therefore not support the required level of

understanding of potential impact on individuals travelling in or around Oxford. **The data collected here are insufficient to meet the needs of the analysis.**

## Questions 5 and 6

These questions ask people to indicate the impact of the proposed introduction of two very specific permits allowing free travel through the Congestion Charge locations - for residents of, or commuters to, the designated Central Oxford area – rating it from ‘Very Positive’ to ‘Very Negative’ or ‘No Impact’.

This is good *but* it needs to be remembered that, without these permits, the lives of residents of, and commuters to, the small Central Oxford area would be affected very negatively, as it is not possible under this scheme to access the Central Oxford Area without passing through a charging point. This means that introduction of this scheme without these passes would be very costly indeed to these individuals, as they would have to pay daily to leave/return home or commute to work. So, they are highly likely to respond to this question in the ‘very positive’ or ‘positive’ category, as the impact of the passes will be positive compared to introduction of the scheme without them.

**So, when analysing these responses OCC must be clear that these responses are not a reflection of how these permits impact on lives compared to now, but rather a reflection of the extent to which these permits will ameliorate very negative impacts of the scheme itself being introduced – i.e. positive responses to this question cannot necessarily be read as indicating support of the scheme as a whole.**

## Inferred Assumptions that the scheme will go ahead - potentially skewing responses

The majority of questions in the survey (Questions 3-9) are predicated on the scheme going ahead, and asking for views about details of the proposed scheme, such as specific permits, charging levels and use of income generated.

It is not until Questions 10, 11 and 12 (11, 12 and 13 in the on-line version) that respondents can express their views on the introduction of the scheme itself and its impact.

There is a risk here that those not in favour of the scheme will be put off from completing the survey, thinking as they go through it that all of the questions will be similarly predicated on it going ahead. **It would have been better if there had been a clear indication at the front of the survey that there are questions in the last section on ‘overall impact’**, in order to avoid skewing results towards favourable responses.

Furthermore, apart from the single rating scale for overall impact in Qu 10, the only way to express views is in free text responses.

**It is vital that these free text responses are analysed effectively to reflect people’s views of the scheme overall. This is not as straightforward as analysing rating scales, but is essential.**

**In the interests of transparency, this analysis of free text responses needs to be made available to the public for scrutiny.**

## 5. Time for analysis and consideration of consultation responses

The consultation closes on 3 August. The OCC Cabinet is now expected to make a decision on whether or not to implement the proposed Congestion Charge Scheme at an Extra Cabinet meeting on 10 September.

Papers will be published in the week before the meeting, i.e. on or around 3 September. The paper outlining the officers' recommendations on the matter will therefore be published on or around 3 September.

This means there is only one calendar month for all the analysis of consultation responses to be completed, for the results to be considered, and for conclusions to be reached.

In addition, we are concerned that there is no reference to this item being considered at the Full Council meeting on 9 September, the day before the Cabinet meeting. Given the far reaching consequences of this decision – for resident, business and commuter communities in and around Oxford – it surely deserves consideration by Full Council so that all councillors can represent the views of their areas, and this fuller consideration can inform the Cabinet's decision.

## 6. How will the scheme be implemented?

It is not clear from the consultation documents how the Congestion Charge Scheme will be implemented, and that has made it difficult for respondents to fully engage with the consultation.

As mentioned, some of our members were told last week that it would be implemented under the charging scheme powers in the Transport Act 2000 (and that the traffic filter scheme approved in 2022 will then be introduced to replace it, under the Road Traffic Regulation Act 1984). We consider that the implementation of both schemes under the proposed legislation would be amenable to legal challenge.

As explained above, we think there is some doubt as to whether this is the kind of charging scheme the Transport Act 2000 was designed to accommodate. If it is not, then OCC would be acting ultra vires by seeking to rely on those powers. If, on the other hand, it is, we do not understand why the traffic filter scheme has been advanced under different legislation.

The traffic filter scheme was approved as an experimental traffic order (**ETO**) under s9 of the Road Traffic Regulation Act 1984 – a temporary order to allow the authority, as OCC put it, to “test how a scheme works before any permanent decisions are made”. OCC confirmed that “[d]uring the trial period, Oxfordshire County Council will collect information on the effects of the scheme...At the end of the trial, the council will decide whether to continue with the traffic filters, based on all the information collected and feedback received.”

ETOs are supposed to be a genuine experiment to test whether a proposal will work: “For there to be a valid experimental order there must be an experiment and the authority must be able to explain what it is” - *UK Waste Management v West Lancashire District Council [1997] RTR 201*.

It is not clear to us that OCC would be conducting a genuine “experiment” through the traffic filter scheme if it simply implemented it to maintain the status quo after months or years of operating the “identical” congestion charge scheme.

## QUESTIONS

### **Re Gunning Principle 1**

F1 Does OCC have a genuinely open mind to the option of (a) not implementing the Congestion Charge Scheme, and/or (b) not in due course replacing it with the traffic filter scheme?

### **Re Gunning Principle 2**

F2 Why was the existence of alternative proposed solutions not identified in the consultation?

F3 Why was the fact that congestion is not a problem for nearly half the year not identified in the consultation, so that consultees could understand the nature and magnitude of the problem being addressed?

F4 Why was the pattern (location and timings) of congestion hot spots not identified in the consultation, so that consultees could understand the nature and magnitude of the problem being addressed?

### **Re Gunning Principle 3**

F5 Can you provide the rationale for running this as a 6-week consultation, rather than 12, especially in light of its overlap with the summer vacation period?

F6 Will OCC consider extending the consultation period, by re-opening the consultation for a further period of 6 weeks?

F7 Can OCC provide a comprehensive summary of all the ways in which the consultation has been advertised?

F8 How have businesses in Oxford been informed about the consultation?

F9 How have residents in areas where congestion and pollution are expected to increase been informed of the consultation?

F10 What efforts have you made to ensure that Oxfordshire residents outside Oxford city have been made aware of the consultation?

F11 Why did OCC not seek sign authorisation from DfT for signs to be placed at the proposed charge point locations informing people of the proposals and the consultation?

F12 Why has OCC not placed full page adverts e.g. in the Oxford Mail informing readers of the proposed scheme and where / how to have their say?

### **Re the Consultation Survey**

F13 How will OCC deal with the deficiencies identified in the design of the survey in Questions 2, 5 and 6 when producing their analysis?

F14 Can OCC identify and report how many people started to complete the survey but didn't finish it?

F15 How does OCC intend to analyse the free text responses in the last three questions?

F16 Will OCC publish the full set of anonymised survey responses, showing in full the responses to free text questions?

F17 Does OCC believe that 4 weeks (from the time the consultation closes on 3 August to the time officers are apparently expected to make their recommendations on 3 September, one week before the Cabinet meeting) is sufficient to fully analyse and consider the responses?

F18 Will Full Council have the opportunity to receive and consider the officers' recommendations, before a decision is confirmed by Cabinet?

### **Re the Implementation Mechanism**

F19 Will the scheme be implemented under the Transport Act 2000, or by some other mechanism?

F20 Will the traffic filter scheme then be implemented under the Road Traffic Regulation Act 1984? If so, why is different legislation being used?

### **Re business submissions**

F21 Was the disclosure of a business name mandatory or optional for online respondents?

F22 What confidentiality protections or data assurances were given to businesses at the point of submission?

F23 Has the Council undertaken any assessment of whether the naming requirement suppressed participation — particularly from small or council-affiliated businesses?

F24 Will the Council commit to offering anonymous or confidential response pathways for businesses in future consultations on controversial or high-impact policies?