

DELEGATED DECISIONS BY CABINET MEMBER FOR TRANSPORT

MINUTES of the meeting held on Thursday, 2 September 2010 commencing at 10.00 am and finishing at 10.40 am.

Present:

Voting Members: Councillor Rodney Rose – in the Chair

Other Members in Attendance Councillor David Turner (Shadow cabinet Member for Transport)
Councillor Jean Fooks (Local Member - Agenda Item 2)
Councillor Zoe Patrick (Local Member – Agenda Item 5)

Officers:

Whole of meeting A. R. Cloke (Chief Executive's) and T. Dow (Environment & Economy)

Part of meeting G Barrell (Environment & Economy) – Item 5
D. Tole (Environment & Economy) – Items 6 to 9
M. Ruse (Environment & Economy) – Item 10 and 11

The Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting, together with a schedule of addenda tabled at the meeting, and decided as set out below. Except insofar as otherwise specified, the reasons for the decisions are contained in the agenda, reports and schedule, copies of which are attached to the signed Minutes.

19/10 QUESTIONS FROM COUNTY COUNCILLORS

(Agenda No. 2)

Councillor Jean Fooks

“Residents in some parts of the North Summertown CPZ, particularly the roads in Cutteslowe furthest from the Banbury Road, are finding that the restrictions provide no benefits but only bureaucracy and unnecessary restrictions on their own parking arrangements. When does Cllr Rose expect resources to be available to look at ways to reduce the impact on residents of the North Summertown CPZ whilst still retaining the policy objective of discouraging commuters from parking in the area? Commuter parking was, in fact, not an issue in much of the zone.”

Response from Cabinet Member for Transport

“Councillor Fooks will be aware of the pressures on resources that the County Council currently faces which will get worse before they get better.

As part of the budget planning process we are looking at how we can achieve a 40% revenue reduction. A reduction on this scale will have implications across the council. At this time therefore we are not able to commit staff resources to further CPZ reviews.”

Supplementary Question

“Thank you for the reply, which was not unexpected. What will the members of staff currently reviewing the controlled parking zones then do? Simple changes to CPZs must be possible.”

Response from Cabinet Member for Transport

“The policy has been approved, but minor amendments to CPZs may be possible in order to address unfairness.”

20/10 PETITIONS AND PUBLIC ADDRESS

(Agenda No. 3)

<i>Speaker</i>	<i>Item</i>
George Dick Councillor Zoe Patrick) 5. Speed Limit Review)
Michael Hocken	6. Central Oxford CPZ
Councillor David Turner	12E. Bus Service Subsidies

The Cabinet Member for Transport agreed to hear representations in respect of agenda items at the point at which item was considered.

21/10 RATIFICATION OF A DECISION BY THE TRANSPORT DECISIONS COMMITTEE

(Agenda No. 4)

The Cabinet Member for Transport considered a report which stated that, at the meeting of the Transport Decisions Committee in November 2009, the agreement during the course of debate that there appeared to be sufficient evidence to support the inclusion of a new exemption allowing Milk Tankers and agricultural vehicles to pass through the restricted zone without making deliveries or collections had not been reflected in the wording of the final resolution which was signed off at the next meeting of the Transport Decisions Committee on 11 February 2010.

The Cabinet Member for Transport was satisfied, as indeed was the Cabinet Member for Growth & Infrastructure (both of whom formed the membership of the Transport Decisions Committee at that time) that the intention of the Transport Decisions Committee had been to approve the exclusion of milk

tankers and agricultural vehicles (as defined under Road vehicles (Construction and Use)(Regulations) 1986) from the proposed weight restriction order.

The Cabinet Member for Transport AGREED to:

- (a) ratify that the original intention of the Transport Decisions Committee had been to exclude milk tankers and all agricultural vehicles from the Buckland Road and Bampton 7.5 tonne environmental weight limit order and that the decision of the Transport Decisions Committee be amended accordingly; and
- (b) approve an amendment to the Oxfordshire County Council (Oxfordshire 7.5 Tonne Maximum Gross Weight restriction) Order 2007 as follows:
 - (i) to amend the articles to allow for a general exemption for agricultural vehicles;
 - (ii) to amend the articles to allow for a specific exemption for milk tankers using the Buckland to Bampton road only;
 - (iii) to amend the articles to include the definition of 'agricultural vehicles'.

22/10 COUNTY SPEED LIMIT REVIEW - ADDITIONAL SPEED LIMIT CHANGES

(Agenda No. 5)

The Cabinet Member for Transport considered a proposal to introduce additional speed limit changes at various locations in Oxfordshire.

Mr. George Dick, Didcot resident, explained that he was a Highways Agency LGV instructor and an emergency services instructor. He had asked Thames Valley Police for the number of incidents on the Didcot link road, but that of course was only the number of incidents which had been reported. Over the next three years he estimated the traffic on the A4130 and B4493 west of Didcot would increase ten-fold as a result of the Great Western Park housing development and the new ASDA Wal-Mart depot. He stated that the speed limit on those roads was breached every day; he also mentioned the need for a cycle path on both roads, not just the A4130. He asked the Cabinet Member to reconsider and reduce the speed limit below 40 mph from Foxhall Road roundabout to the new signalled junction of the A4130 with the Great Western Park housing development and introduce solid white lines and chevrons in the middle of the carriageway.

Mr. Barrell stated that there needed to be a balance. The review of speed limits on A and B roads had been conducted with Government criteria in mind. Having considered the circumstances of the stretch of road in question, the national speed limit remained appropriate; he added that the

Council could not introduce double white lines in the centre of the carriageway because the Government criteria for this were not met.

Councillor Zoe Patrick, as local Member, asked that the speed limit on the A417 Mably Way be reduced from 40 mph to 30 mph; she reminded the Cabinet Member that she had presented a petition to this effect at the last meeting and asked him to support the recommendation in the report.

Mr. Barrell noted the strength of feeling and pointed out that the officer recommendation was to reduce the speed limit to 30 mph.

The Cabinet Member for Transport **APPROVED** implementation of the speed limit orders as detailed in Annex 1 to the report (CMDT5) and agreed to delegate his authority to the Head of Highways & Transport, in consultation with him, to agree a final programme of schemes ensuring value for money.

23/10 CENTRAL OXFORD CPZ - MINOR AMENDMENTS TO PARKING

(Agenda No. 6)

The Cabinet Member for Transport considered a proposal (CMDT6) to amend parking and loading arrangements in several streets in response to requests from local businesses, colleges, as part of the High Street repaving scheme and to clarify restrictions on certain streets with Pay & Display bays (particularly with regard to Sunday parking arrangements).

Mr. Michael Hocken explained that his first objection was to the proposal to reduce the length of the disabled bay on St Michael's Street by 7 metres, which would reduce the number of vehicles able to park there by two, without making any alternative provision. He explained that he was a regular attender of auctions at Mallam's and would not now be able to park nearby; he also questioned whether there was a request from businesses.

His second objection was, in the absence of any equality impact statement or assessment, to the blanket proposal to impose waiting and loading restrictions across all the streets set out in the Controlled Parking Order, given that the consequence of this order will be to prevent any parking by blue badge holders on double yellow lines across the whole of the City centre.

He considered that the proposal was a clear breach of planning policy which, coupled with illegal enforcement against non-UK blue badge holders by enforcement officers, was evidence of institutional discrimination against blue badge holders.

Mr. Tole explained that 7 m was approximately the length of one parking bay at 6.7m (not two), and he confirmed that the request had come from Mallam's and was not just in relation to auction days. He pointed out that blue badge holders could continue to park there when delivering/collecting items.

In response to the points about equality impact assessment and parking enforcement, he replied that the level of changes to the existing provision did not automatically warrant an impact assessment but he had carried out an assessment which was set out at Annex 3 to the report (CMDT6); he had sought advice about the use of non-UK blue badges and did not consider it unreasonable to check out the use of non-standard badges.

The Cabinet Member for Transport **AGREED:**

- (a) the proposed changes to parking and loading restrictions in central Oxford as advertised in The Oxfordshire County Council (Central Area Oxford) (Controlled Parking Zone and Waiting Restrictions) Order 20**, The Oxfordshire County Council (Oxford Central Area) (Designation and Regulation of Street Parking Places) Variation Order 20** and The Oxfordshire County Council (Disabled Persons' Parking Places – Oxford) (Amendment No.*) Order 20** as amended in respect of part of Mansfield Road as set out in the report (CMDT6); and to authorise the Head of Highways & Transport to agree any further non-substantial variations he considers appropriate subject to him consulting the Cabinet Member for Transport on any material variation and undertaking any further consultation which he may consider appropriate.
- (b) to ask for views from organisations representing users with disabilities on the adequacy of provision of DPPPs in Oxford City Centre (as set out in the report) and review the Government recommendations arising from the 2007 report 'The Strategic Review of the Blue Badge Scheme' commissioned by DfT particularly relating to the use of single yellow lines by Blue Badge Holders when making future changes to DPPPs in Oxford.

24/10 HEADINGTON NORTHEAST CPZ, OXFORD MINOR AMENDMENTS

(Agenda No. 7)

The Cabinet Member for Transport considered (CMDT7) comments and objections received to a formal advertisement and statutory consultation to vary the Traffic Regulation Order (TRO) for the Headington Northeast Controlled Parking Zone (CPZ) to amend the parking arrangements in two streets in response to requests from local residents.

The Cabinet Member for Transport **AGREED:**

- (a) the proposed change to parking in Northfield Road in the Headington Northeast CPZ as advertised in the Oxfordshire County Council (Headington Northeast) (Controlled Parking Zone and Waiting Restrictions) (Variation No.9*) Order 20** subject to not proceeding with the proposed change for Burrows Close as set out in the report (CMDT7);

- (b) to authorise the Head of Highways & Transport to agree any further non-substantial variations he considered appropriate subject to him consulting the Cabinet Member for Transport on any material variation and undertaking any further consultation which he might consider appropriate.

25/10 MARSTON SOUTH CPZ, OXFORD PROPOSED CHANGES TO PARKING

(Agenda No. 8)

The Cabinet Member for Transport considered (CMDT8) comments received to a formal advertisement and statutory consultation to vary the Traffic Regulation Order (TRO) for the Marston South Controlled Parking Zone (CPZ) in Oxford to amend parking arrangements in a number of streets in response to requests from local members, local residents and Oxfordshire Fire & Rescue.

Mr. Tole confirmed that no further comments had been received.

The Cabinet Member for Transport **AGREED** the proposed changes to the Marston South CPZ as advertised but with the addition of no waiting at any time to protect the access to number 15 William Street, as described in the report (CMDT8) and to authorise the Head of Highways & Transport to agree any further non-substantial variations he considered appropriate subject to him consulting the Cabinet Member for Transport on any material variation and undertaking any further consultation which he might consider appropriate.

26/10 WALTON MANOR CPZ, OXFORD MINOR AMENDMENTS

(Agenda No. 9)

The Cabinet Member for Transport considered (CMDT9) comments and objections received to a formal advertisement and statutory consultation to vary the Traffic Regulation Order (TRO) for the Walton Manor Controlled Parking Zone (CPZ) to amend parking arrangements in several streets in response to requests from local residents; formalise new parking arrangements following the remodelling of North Parade Avenue and to remove some ambiguities in the definition of the area covered by the CPZ and the list of properties eligible for permits.

Mr. Tole confirmed that he had nothing further to add to the report.

The Cabinet Member for Transport **AGREED** the proposed changes to the Walton Manor CPZ as advertised in the Oxfordshire County Council (Walton Manor, Oxford) (Parking Places and Traffic Management) (Consolidation) (Variation No.11*) Order 20** as amended to retain a 3m length of double yellow lines in Southmoor Road as set out in Annex 2 to the report (CMDT9)

and to authorise the Head of Highways & Transport to agree any further non-substantial variations he considered appropriate subject to him consulting the Cabinet Member for Transport on any material variation and undertaking any further consultation which he might consider appropriate.

27/10 EXCLUSION OF RESIDENTIAL PROPERTIES FROM EAST OXFORD AND NORTH SUMMERTOWN CONTROLLED PARKING ZONE ORDERS, OXFORD

(Agenda No. 10)

The Cabinet Member for Transport considered (CMDT10) comments and objections received to a formal advertisement and statutory consultation on varying the Traffic Regulation Orders (TRO) for the East Oxford and North Summertown Controlled Parking Zones (CPZ) in Oxford to exclude a number of residential properties from eligibility for resident and visitor parking permits. These proposals arose out of planning permissions granted by Oxford City Council where consent was conditional upon removal of permit eligibility.

Mr. Ruse reported that he had checked if permits had been issued in areas where objections had been submitted. In North Summertown there were two visitor permits for flats which had sufficient off-street parking. He added that the payment parking bays were generous and the CPZ restrictions did not apply 'out of hours'.

The Cabinet Member for Transport **AGREED** that the proposed revisions to the East Oxford and North Summertown Traffic Regulation Orders be implemented as advertised and authorised the Head of Highways & Transport to agree any further non-substantial variations he considered appropriate subject to him consulting the Cabinet Member for Transport on any material variation and undertaking any further consultation which he might consider appropriate.

28/10 DISABLED PERSONS' PARKING - HORTON AVENUE, THAME

(Agenda No. 11)

The Cabinet Member for Transport considered (CMDT11) proposed provision of a new Disabled Persons' Parking Place (DPPP), in Horton Avenue, Thame and associated No Waiting at Any Time (NWAAT) restrictions. This followed the publication of the draft Oxfordshire County Council (South Oxfordshire District) (Disabled Persons' Parking Places) (Amendment [No.5]) Order 20**, and the Oxfordshire County Council (Various Roads – South Oxfordshire) (Prohibition and Restriction of Waiting and Permitted Parking) (Variation No. 4*) Order 20**.

Mr. Ruse explained that the blue badge in question had been correctly issued and would be reviewed at the end of a three year period in accordance with normal practice. He added that on only one occasion had it

looked like a bay would need to be removed, but this had not proved necessary because another resident had in the meantime become eligible.

The Cabinet Member **AGREED** variations to the Oxfordshire County Council (South Oxfordshire District) (Disabled Persons' Parking Places) Order 2006 and the Oxfordshire County Council (Various Roads - South Oxfordshire) (Prohibition and Restriction of Waiting and Permitted Parking) (Variation No. 4*) Order 20**, as amended in the report (CMDT11), to provide for a new DPPP in Horton Avenue and a new section of No Waiting at Any Time restrictions opposite the DPPP.

29/10 EXCLUSION OF PUBLIC

(Agenda No.)

The Cabinet Member for Transport agreed that the public be excluded for the duration of the following item since it was likely that if they were present during that item there would be disclosure of exempt information as defined in Part I of Schedule 12A to the Local Government Act 1972 (as amended) and specified below in relation to that item and since it is considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information on the grounds set out in that item:

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

30/10 BUS SERVICE SUBSIDIES

(Agenda No. 12)

The Cabinet Member for Transport considered the report (CMDT12) and associated Annexes which dealt with decisions to be made on contract awards following the Review of Subsidised Bus Services in the Witney and Eynsham area, which, if awarded, would be effective from 12 December 2010 and other bus subsidy contracts elsewhere in the County.

Ms. Dow reported that total amount paid in respect of contracts was reducing in real terms over the length of the Medium Financial Term Plan because of negotiations with providers to reduce costs. The Cabinet Member for Transport asked that his congratulations to the team be recorded.

Mr. Cloke corrected the report in that it was, of course, the Chairman of the County Council – not the Cabinet Member – who could agree to an executive decision being exempt from the Call In requirements. He confirmed that the Chairman had agreed that, in her opinion, the decisions in relation to subsidised bus services in the Witney and Eynsham area were urgent in that any delay likely to be caused by the call in process would result in service discontinuity and, in accordance with the requirements of Scrutiny Procedure Rule 17(b), those decisions should not be subject to the call in process.

The Cabinet Member for Transport **AGREED** those levels of subsidy for the services described in the report (CMDT12) on the basis of the tender prices (and the periods of time) as set out in Supplementary Exempt Annex 2.

..... in the Chair

Date of signing 2010