



To: Members of the Cabinet

***Notice of a Meeting of the Cabinet***

**Tuesday, 26 February 2019 at 2.00 pm**

**Rooms 1&2 - County Hall, New Road, Oxford OX1 1ND**

A handwritten signature in blue ink, appearing to read 'Yvonne Rees'.

Yvonne Rees  
Chief Executive

February 2019

Committee Officer: **Sue Whitehead**  
Tel: 07393 001213; E-Mail: [sue.whitehead@oxfordshire.gov.uk](mailto:sue.whitehead@oxfordshire.gov.uk)

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**Membership**

*Councillors*

Ian Hudspeth	Leader of the Council
Mrs Judith Heathcoat	Deputy Leader
Lawrie Stratford	Cabinet Member for Adult Social Care & Public Health
Ian Corkin	Cabinet Member for Cherwell Partnership
Steve Harrod	Cabinet Member for Children & Family Services
Lorraine Lindsay-Gale	Cabinet Member for Education & Cultural Services
Yvonne Constance OBE	Cabinet Member for Environment
David Bartholomew	Cabinet Member for Finance
Mark Gray	Cabinet Member for Local Communities
Eddie Reeves	Cabinet Member for Transformation

*The Agenda is attached. Decisions taken at the meeting will become effective at the end of the working day on unless called in by that date for review by the appropriate Scrutiny Committee. Copies of this Notice, Agenda and supporting papers are circulated to all Members of the County Council.  
Date of next meeting: 19 March 2019*

## Declarations of Interest

### The duty to declare.....

Under the Localism Act 2011 it is a criminal offence to

- (a) fail to register a disclosable pecuniary interest within 28 days of election or co-option (or re-election or re-appointment), or
- (b) provide false or misleading information on registration, or
- (c) participate in discussion or voting in a meeting on a matter in which the member or co-opted member has a disclosable pecuniary interest.

### Whose Interests must be included?

The Act provides that the interests which must be notified are those of a member or co-opted member of the authority, **or**

- those of a spouse or civil partner of the member or co-opted member;
- those of a person with whom the member or co-opted member is living as husband/wife
- those of a person with whom the member or co-opted member is living as if they were civil partners.

(in each case where the member or co-opted member is aware that the other person has the interest).

### What if I remember that I have a Disclosable Pecuniary Interest during the Meeting?.

The Code requires that, at a meeting, where a member or co-opted member has a disclosable interest (of which they are aware) in any matter being considered, they disclose that interest to the meeting. The Council will continue to include an appropriate item on agendas for all meetings, to facilitate this.

Although not explicitly required by the legislation or by the code, it is recommended that in the interests of transparency and for the benefit of all in attendance at the meeting (including members of the public) the nature as well as the existence of the interest is disclosed.

A member or co-opted member who has disclosed a pecuniary interest at a meeting must not participate (or participate further) in any discussion of the matter; and must not participate in any vote or further vote taken; and must withdraw from the room.

Members are asked to continue to pay regard to the following provisions in the code that *“You must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself”* or *“You must not place yourself in situations where your honesty and integrity may be questioned.....”*.

Please seek advice from the Monitoring Officer prior to the meeting should you have any doubt about your approach.

### List of Disclosable Pecuniary Interests:

**Employment** (includes *“any employment, office, trade, profession or vocation carried on for profit or gain”*.), **Sponsorship, Contracts, Land, Licences, Corporate Tenancies, Securities.**

For a full list of Disclosable Pecuniary Interests and further Guidance on this matter please see the Guide to the New Code of Conduct and Register of Interests at Members’ conduct guidelines.

<http://intranet.oxfordshire.gov.uk/wps/wcm/connect/occ/Insite/Elected+members/> or contact Glenn Watson on **07776 997946** or [glenn.watson@oxfordshire.gov.uk](mailto:glenn.watson@oxfordshire.gov.uk) for a hard copy of the document.

**If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.**

# AGENDA

## 1. Apologies for Absence

## 2. Declarations of Interest

- guidance note opposite

## 3. Minutes (Pages 1 - 12)

To approve the minutes of the meeting held on 22 January 2019 (**CA3**) and to receive information arising from them.

## 4. Questions from County Councillors

Any county councillor may, by giving notice to the Proper Officer by 9 am two working days before the meeting, ask a question on any matter in respect of the Cabinet's delegated powers.

The number of questions which may be asked by any councillor at any one meeting is limited to two (or one question with notice and a supplementary question at the meeting) and the time for questions will be limited to 30 minutes in total. As with questions at Council, any questions which remain unanswered at the end of this item will receive a written response.

Questions submitted prior to the agenda being despatched are shown below and will be the subject of a response from the appropriate Cabinet Member or such other councillor or officer as is determined by the Cabinet Member, and shall not be the subject of further debate at this meeting. Questions received after the despatch of the agenda, but before the deadline, will be shown on the Schedule of Addenda circulated at the meeting, together with any written response which is available at that time.

## 5. Petitions and Public Address

## 6. Performance Scrutiny Highways Deep Dive Recommendations (Pages 13 - 34)

*Cabinet Member:* Environment

*Forward Plan Ref:* 2018/202

*Contact:* Lauren Rushen, Policy Officer Tel: 07990 367851

Report by Deep Dive Lead Member (**CA6**).

The condition of roads has a significant impact on levels of public satisfaction with the

Council and their local area. As a result, the Performance Scrutiny Committee commissioned a deep dive into the factors affecting public perception and experience of highways and the Council's approach to improving this. From July to November a small group of councillors worked with officers to identify opportunities for improving the condition of the road network, tackling congestion, better managing the impact of street works and adapting our approach to maintenance contracts and partnership working on highways. This report has been considered by the Performance Scrutiny Committee and is now presented to Cabinet for them to consider and respond to its recommendations.

***The Cabinet is RECOMMENDED to:***

- (a) Consider the findings of the Performance Scrutiny Committee's deep dive into highways.***
  
- (b) Agree which of the following recommendations the Cabinet will accept:***
  - (1) Ensure there is councillor input into the review of the Highways Asset Management Plan, and that this includes consideration of flexibility for local prioritisation.***
  - (2) Ask Cabinet to ensure there is a smarter process for developing a programme of work to utilise the additional capital investment in highways and that a robust capital governance process is in place to help shape this and improve risk management.***
  - (3) Ensure officers consider the impact on public perception when developing a programme of work and improve opportunities for councillors to influence this based on local priorities.***
  - (4) Ask officers to work with SKANSKA to explore a business case for greater levels of supervision that will ensure the quality of work remains high, including a consideration of how in-house resources could be utilised differently.***
  - (5) Ensure that opportunities to utilise staff in flexible ways are explored further with SKANSKA, so that the maximum benefit of having staff on site can be realised.***
  - (6) Encourage officers to explore more innovative maintenance methods and tools.***
  - (7) Ask Cabinet to ensure an effective approach to publicly publishing and communicating the highways programme of work is in place.***
  - (8) Ask officers to develop a more robust process for informing councillors of local road improvements in their division, so that they can advise on works that need to be prioritised and support early communication with residents.***
  - (9) Ask officers to ensure all responses to highways enquiries / reports through Fix My Street include a named officer contact.***
  - (10) Ensure direct points of contact are communicated and established for key stakeholders (e.g. town and parish councils) to ensure that local highway priorities can be followed up and dealt with more***

*efficiently.*

- (11) ***Support the Council's ambition to become a Permitting Authority and request a report on the expected impact of this in mid-2019.***
  - (12) ***Support the development of a comprehensive out of hours traffic management provision to ensure effective management of the impact of major incidents and network failures at these times.***
  - (13) ***Support the principle of a having greater focus on enforcement.***
  - (14) ***Ask the Cabinet to instruct officers to explore a case for employing dedicated resource for enforcement across all Highways services/functions.***
  - (15) ***Ask the Director of Infrastructure Operations to ensure that a structured and robust approach to managing community engagement is in place.***
- (c) ***Note that the Performance Scrutiny Committee have asked officers to report back to Performance Scrutiny in 6-9 months on the impact of a refreshed approach to community engagement, including evidence of the effectiveness of the Fix My Street Superusers pilot project.***

## **7. Staffing Report - Quarter 3 - 2018 (Pages 35 - 44)**

*Cabinet Member:* Deputy Leader of the Council

*Forward Plan Ref:* 2018/152

*Contact:* Sarah Currell, HR Manager – Business Systems Tel: 07867 467793

Report by Director of Human Resources (**CA7**).

The report gives an update on staffing numbers and related activity during the period 1 October 2017 to 31 December 2017. It gives details of the actual staffing numbers at 31 December 2017 in terms of Full Time Equivalents. These are shown by directorate in Appendix 1. In addition, the report provides information on the cost of posts being covered by agency staff and an Agency Trend analysis in Appendix 2.

***The Cabinet is RECOMMENDED to note the report***

## **8. Forward Plan and Future Business (Pages 45 - 48)**

*Cabinet Member:* All

*Contact Officer:* Sue Whitehead, Committee Services Manager Tel: 07393 001213

The Cabinet Procedure Rules provide that the business of each meeting at the Cabinet is to include “updating of the Forward Plan and proposals for business to be conducted at the following meeting”. Items from the Forward Plan for the immediately forthcoming meetings of the Cabinet appear in the Schedule at **CA8**. This includes any updated information relating to the business for those meetings that has already been identified for inclusion in the next Forward Plan update.

The Schedule is for noting, but Cabinet Members may also wish to take this opportunity to identify any further changes they would wish to be incorporated in the next Forward Plan update.

***The Cabinet is RECOMMENDED to note the items currently identified for forthcoming meetings.***

## 9. Exempt Item

In the event that any Member or Officer wishes to discuss the information set out in Annex B to Agenda Item 10, the Cabinet will be invited to resolve to exclude the public for the consideration of that Annex by passing a resolution in relation to that item in the following terms:

***"that the public be excluded during the consideration of the Annex since it is likely that if they were present during that discussion there would be a disclosure of "exempt" information as described in Part I of Schedule 12A to the Local Government Act, 1972 and specified below the item in the Agenda".***

**NOTE:** The report does not contain exempt information and is available to the public. The exempt information is contained in the confidential annex.

**The ANNEX TO THE ITEM NAMED HAS NOT BEEN MADE PUBLIC AND SHOULD BE REGARDED AS 'CONFIDENTIAL' BY MEMBERS AND OFFICERS ENTITLED TO RECEIVE THEM.**

**THIS IS FOR REASONS OF COMMERCIAL SENSITIVITY.**

**THIS ALSO MEANS THAT THE CONTENTS SHOULD NOT BE DISCUSSED WITH OTHERS AND NO COPIES SHOULD BE MADE.**

## 10. Tank Farm, Chipping Norton - Development Site (Pages 49 - 62)

*Cabinet Member:* Transformation

*Forward Plan Ref:* 2019/001

*Contact:* Andrew Fairweather, Asset & Investment Team Manager Tel: 07825 790242/Karen Lister, Head of Estates & Strategy Tel: 07875 441940

Report by Director for Capital Investment & Delivery (**CA10**).

*The information contained in the annex is exempt in that it falls within the following prescribed category:*

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

*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, in that disclosure would undermine the process to the detriment of the Council's ability properly to discharge its fiduciary and other duties as a public authority.*

Approval was given on 21 December 2018 by The Leader of the Council with the agreement of the Director of Finance, to authorise the Strategic Director of Communities to negotiate, up to a specified maximum value, the purchase of Pearman's land, being 13.32 ha (32.91 acres) adjoining the Council's land at Tank Farm, in order to ensure the County Council's control, influence and deliverability of the programmed capital receipt for Tank Farm.

The negotiations are now complete and this report details the provisionally agreed terms of acquisition.

**The Cabinet is RECOMMENDED to**

- (a) authorise the Strategic Director of Communities in consultation with the Portfolio member to complete the purchase, for the value specified in Annex B, of Pearman's land, being 12.51 ha (30.91 acres) adjoining Tank Farm.***
  - (b) authorise the Director of Law & Governance in conjunction with the Director of Capital Investment & Delivery and Director of Finance to undertake appropriate due diligence and prepare the necessary legal agreement on the terms referred to in Annex B.***
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## CABINET

**MINUTES** of the meeting held on Tuesday, 22 January 2019 commencing at 2.00 pm and finishing at 3.50 pm

### Present:

**Voting Members:** Councillor Ian Hudspeth – in the Chair  
Councillor Mrs Judith Heathcoat  
Councillor Lawrie Stratford  
Councillor Ian Corkin  
Councillor Steve Harrod  
Councillor Lorraine Lindsay-Gale  
Councillor Yvonne Constance OBE  
Councillor David Bartholomew  
Councillor Mark Gray  
Councillor Eddie Reeves

**Other Members in Attendance:** Councillor Liz Brighthouse (Agenda Item 6)  
Councillor Glynis Phillips (Agenda Item 6)  
Councillor Laura Price (Agenda Items 7 and 9)  
Councillor John Sanders (Agenda Item 8)  
Councillor Richard Webber (Agenda Item 9)

### Officers:

Whole of meeting Yvonne Rees, Chief Executive; Lorna Baxter, Director of Finance; Nick Graham, Strategic Director of Resources Interim; Sue Whitehead (Resources Directorate)

Part of meeting  
Item Name  
7 and 10 Ben Threadgold, Policy & Performance Service Manager  
8 Bev Hindle, Strategic Director for Communities; Peter Day, Minerals Principal Officer

*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.*

### 1/19 **MINUTES** (Agenda Item. 3)

The Minutes of the meeting held on 18 December 2019 were approved and signed as a correct record.

## 2/19 QUESTIONS FROM COUNTY COUNCILLORS

(Agenda Item. 4)

Councillor Howson had given notice of the following question to Councillor Lindsay-Gale

'With the introduction of the new 16-18 railcard, announced by the Secretary of State for Transport, how much would a monthly pass to travel to college in Oxford be for a 17 year old, either by train from Radley Station to Oxford Station using the new railcard or by bus from anywhere in central Abingdon to central Oxford?'

Councillor Lindsay-Gale replied:

'I researched the question below to find that the new railcard announced by Secretary of State isn't effective until September and the benefits of it are not going to be announced until August 2019. With this in mind, I can't make the calculations that are requested by Cllr Howson as no train websites are set up for this as of yet.

However, I have made the calculations using what is existing currently. A Railcard for 16-25 year old costs £30 annually. Using this Radley to Oxford would be £6.50 return daily. Having a monthly card would be £69.20.

Bus travel from Abingdon to Oxford with a key card aged 18 and under would cost £42.75 monthly.'

Supplementary: Responding to a further question Councillor Lindsay-Gale undertook to speak with Councillor Howson about the possibility of writing jointly to the Secretary of State to point out the dependence on bus services for children travelling to school in rural areas and seeking a similar scheme for buses to the 16-18 railcard scheme.

Councillor Johnston had given notice of the following question to Councillor Constance:

'Further to the motion on East to West Rail passed at the last Full Council meeting could the Cabinet Member for Transport explain how she intends to monitor the progress of the project and in particular can she tell us when she meets with those responsible for the project, at what time intervals and who does she meet with?'

Councillor Constance replied:

As Cabinet Member for the Environment I am our Council's nominated representative on the East West Rail Consortium Board, which oversees the progress of the project on behalf of all the partner authorities. The Department for Transport, Network Rail and the East West Rail Company are all represented on this forum. The Board meets quarterly, with the next meeting in March, John Disley also attends as the Oxfordshire Lead Officer.

Councillor Johnston had given notice of the following question to Councillor Constance:

‘In the absence of a firm route for the Oxford to Cambridge Expressway, can she explain how the Council will manage the transition from LTP4 to LTP5 given the range of possible knock on effects of the Expressway?’

Councillor Constance replied:

‘We do not yet have a confirmed project plan and timescale for LTP Update, but it clearly needs to reflect the latest position on the Expressway and other strategic work programmes, including for example East West Rail, our Housing Infrastructure Fund Bids and the Oxfordshire 2050, the county’s Joint Statutory Spatial Plan.’

### **3/19 PETITIONS AND PUBLIC ADDRESS**

(Agenda Item. 5)

The Leader had agreed the following requests to speak:

Item	Speaker
Item 6 – Service & Resource Planning Report 2019/20	Councillor Liz Brighthouse, Chair of Performance Scrutiny; Councillor Glynis Phillips, Shadow Cabinet Member for Finance; Dr Judith Wardle, Local Resident; Mr Dan Knowles, Oxfordshire Mind CEO; Mr Stuart Bell CBE, Chief Executive of Oxford Health NHS Foundation Trust Service User of Oxfordshire Mind (did not speak); Mr Joe Wilson, Teaching Assistant St. Ebbes Primary School regarding support workers.
Item 7 – Corporate Plan 2019-22	Councillor Laura Price, Opposition Deputy Leader
Item 8 – Revision of Oxfordshire Minerals and Waste Development Scheme	Councillor John Sanders, Shadow Cabinet Member for Environment
Item 9 – Governance Review	Councillor Laura Price, Opposition Deputy Leader

**4/19 SERVICE & RESOURCE PLANNING REPORT 2019/20 - JANUARY 2019**

(Agenda Item. 6)

Cabinet considered the final report in the series on the service & resource planning process for 2019/20 to 2022/23, providing councillors with information on budget issues for 2019/20 and the medium term. The report set out the draft council tax precept for 2019/20, the revenue budget for 2019/20, the Medium Term Financial Plan (MTFP) to 2022/23, the Capital Programme to 2028/29 as well as supporting strategies. Cabinet noted that information outstanding at the time of the Cabinet meeting would be reported to Council when it considers the budget on 12 February 2019.

Cabinet's budget proposals took into consideration the latest information on the council's financial position outlined in the report; comments from the Performance Scrutiny Committee meeting on 13 December 2018 and 10 January 2019 as well as comments of the Transformation Sub-Committee held on 17 January 2019; and comments from the public consultation on the budget. As final notification of some funding streams is awaited, some further changes may be made to the budget proposals ahead of full Council on 12 February 2019.

Councillor Brighthouse, Chairman of Performance Scrutiny Committee and Joint Audit & Governance and Performance Scrutiny (Transformation) Sub-Committee referred to the comments from those meetings included in the papers before Cabinet. She commented that members had spent over 8 hours over three meetings in scrutinising the budget proposals. Members had done a magnificent job as seen by the changes in the papers today. Councillor Brighthouse highlighted issues that would be a continuing focus for scrutiny including the need to understand third party spend and the changed public service and local democracy landscape. No-one could consider the savings that were necessary to be a good thing, so it was important to ensure that we as a Council understood that we are getting value for money for our most vulnerable people and that the public are able to understand how services are being provided. On transformation a real concern had been about keeping staff during the change process.

Councillor Bartholomew, Cabinet Member for Finance responded to Councillor Brighthouse thanking her for her diligence. The issue of third party spend was one that would be looked at. He noted that the proposals relating to mental health had been proposals and that following comments they had been amended. He agreed that everyone was concerned for the vulnerable and disadvantaged and that the transformation programme was not just about savings but was about doing things better to help those people. Councillor Reeves, Cabinet Member for Transformation added that staff were front and centre of the transformation programme and the aim was to have better motivated, better franchised staff.

Dr Judith Wardle, Carers Voice, spoke against the proposals affecting carers and care packages for the elderly living at home. Dr Wardle asked Cabinet to

consider whether they were meeting the requirements of the Care Act Guidance 2018, stressing the obligation for a person-centred approach. Dr Wardle questioned the Community Impact Assessment that did not mention family carers, many of whom had gone through reassessment last year and were themselves often elderly. The proposals could lead to more people being dependent on the care system and so not effective in making the savings. Dr Wardle expressed concern at the information excluded due to commercial sensitivity which she had not seen in budget proposals before.

Mr Dan Knowles, Oxfordshire Mind CEO and Mr Stuart Bell CBE, Chief Executive of Oxford Health NHS Foundation Trust were speaking on behalf of the Oxfordshire Mental Health Partnership. Mr Knowles thanked Cabinet for listening and amending the proposals for mental health referring to the really good work that was underway. However, Mr Knowles whilst welcoming the deferral of the £600k reduction expressed concern at the impact it would have when implemented. Mr Bell highlighted the role of social workers within multi-disciplinary teams and noted that with the £600k social workers could care for 400 people with mental health issues. They urged Cabinet to reconsider the proposal whilst welcoming the year to engage positively.

Responding to a question on the funding granted to CAMHS Mr Bell emphasised that the £5.4m of additional funding was about increasing access to the service from a very low base of 25% to 30%. He noted that Oxfordshire was making good progress and that access was better than elsewhere but still left 70% without access.

Councillor Stratford, Cabinet Member for Adult Social Care responded to the comments made acknowledging that any changes to mental health funding was likely to be sensitive. That was the reason for the consultation and he had been pleased to receive a robust response. Cabinet had listened, but it would still be difficult. He looked forward to the future discussions and recognised the work of the voluntary sector.

Mr Joe Wilson, Teaching Assistant St. Ebbes Primary School referred to the situation faced by those in poverty or destitute including the working poor. This included those in support role at schools. They were locked into a cycle and he commented that austerity was not working. He urged councillors to join the National Education Union network, and for Cabinet to set a living wage and to refuse to set a budget that harms the poorest. Councillor Lindsay-Gale, Cabinet Member for Education and Cultural Services responded that she had sympathy and that the Council was lobbying hard to get more funding for Oxfordshire schools. She worked closely with the Schools Forum to ensure the best outcome for people working in our schools.

Councillor Glynis Phillips, Shadow Cabinet Member for Finance, commented that the budget demonstrated that austerity was not over. She highlighted the cut to the Public Health Grant. Referring to the investing to save agenda in relation to LED street lighting she queried what strategies there were for other areas. Councillor Phillips, referred to uncertainties caused by still

awaiting government information, uncertainty over Brexit and uncertainty in the medium term due to the government spending review. Councillor Phillips welcomed the review of charges but made a number of detailed comments including in relation to street parking charges and the need to monitor the effect on take up of lessons of the increase in charges for the music service. Referring to the proposals for mental health, Councillor Phillips welcomed the response to comments made by Performance Scrutiny Committee and during public consultation but remained concerned at the planned cuts for 2020/21. She welcomed the new Transformation Sub-Committee that would add rigour to the transformation programme. Councillor Phillips noted the issues facing CEF in terms of delivering savings and emphasised that the needs of children were vital, and that assessment and reassessment should not be driven by costs. Finally, Councillor Phillips thanked the Finance Team for the work involved in delivering a balanced budget.

Councillor Bartholomew responding to the points raised, commented that he shared Councillor Phillip's sentiments on late notification from government and would continue to encourage government to be quicker. The position for 2020/21 was high on the agenda and he was concerned to address it as soon as possible. Councillor Bartholomew agreed that the Transformation Sub-Committee was an important part of the process of transformation. A number of proposals were being looked at in relation to charges to manage congestion and the overriding principles would be that any changes must be combined with benefits. Councillor Bartholomew commented that he was very much a believer in the benefits of music as a transformative process and would like to look at that further. Councillor Lindsay-Gale, Cabinet Member for Education and Cultural Services added that there was already a scheme in place where by children on free school meals could access the service for free.

Cabinet Members responded to other points made.

Councillor Bartholomew, introduced the contents of the report and moved the recommendations. Lorna Baxter, Director for Finance, highlighted the additional funding for Adult's and Children's Social Care in 2019/20 and future NHS funding for mental health. In relation to the status on savings it was not expected that all would be achieved, and this was included in the contingencies referred to at paragraph 60 of the report.

During discussion Cabinet:

- Thanked the Finance Team for the tremendous job they were doing, noting that the Council was legally obliged to have a balanced budget. They commented on the lengthy iterative process of setting a budget that was refined as clearer government figures became available.
- Councillor Reeves particularly thanked finance officer for working with those involved in transformation to ensure robust governance processes that were essential to the programme's success.
- Highlighted the high levels of investment in Oxfordshire.

- Noted that the spending review was currently a block. They welcomed the short term funding they had received from government but longer term stability would be good.

**RESOLVED:** to approve:

- The Review of Charges for 2019/20
- The Financial Strategy for 2019/20
- The Earmarked Reserves and General Balances Policy Statement 2019/20.

to **RECOMMEND** Council to approve:

- in respect of revenue:
  - a budget for 2019/20 and a medium term plan to 2022/23, based on the proposals set out in Section 4.2;
  - a council tax requirement (precept) for 2019/20;
  - a 2019/20 council tax for band D equivalent properties;
  - virement arrangements to operate within the approved budget;
- in respect of capital:
  - the Capital & Investment Strategy for 2019/20 - 2028/29 including the Prudential Indicators and Minimum Revenue Provision Methodology Statement;
  - a Capital Programme for 2018/19 to 2028/29 as set out in Section 4.9.1 including:
    - (i) the new capital proposals as set out in Section 4.9.2;
    - (ii) the Highways Structural Maintenance Programme 2019/20 and 2020/21 as set out in Section 4.9.3;
- in respect of treasury management:
  - the Treasury Management Strategy Statement and Annual Investment Strategy for 2019/20 incorporated in the Capital & Investment Strategy in Section 4.9;
  - to continue to delegate the authority to withdraw or advance additional funds to/from external fund managers to the Treasury Management Strategy Team;
  - that any further changes required to the 2019/20 strategy be delegated to the Director of Finance in consultation with the Leader of the Council and the Cabinet Member for Finance;
  - the Treasury Management Prudential Indicators;
  - The Specified Investment and Non Specified Investment instruments as set out in Appendix A and B of Section 4.9;
- to delegate authority to the Leader of the Council, following consultation with the Director of Finance and the Cabinet Member for Finance, to make appropriate changes to the proposed budget.

**5/19 CORPORATE PLAN 2019-22**

(Agenda Item. 7)

Cabinet had before them a report setting out the revised Corporate Plan 2018-2021 that had been reviewed and updated to ensure it continued to accurately reflect the Council's future direction, strategic priorities, and key outcomes and indicators by which progress can be measured and reported.

Councillor Heathcoat, Deputy Leader of the Council, introduced the contents of the report, commenting that it had been considered by the Performance Scrutiny Committee and she had been in attendance to hear their comments. In moving the recommendations Councillor Heathcoat stated that following a thorough review for 2018/19 the current review for 2019/20 was not extensive. The document highlighted key issues, the vision, priorities and future direction of travel. Ben Threadgold, Policy and Performance Service Manager advised that the foreword and financial section was still to be completed and the final version so far as possible would go to Council. Work was ongoing on detailed targets and these would come back to Cabinet as part of the monitoring report.

Cabinet was advised of a typo on page 38 of the Plan where it should refer to 21,000 houses having been built since 2011.

**RESOLVED:** to:

- (a) note the Draft Corporate Plan 2019- 2022;
- (b) **RECOMMEND** that the Draft Corporate Plan be agreed by Council;
- (c) Delegate authority for final additions and changes to be agreed by the Leader and the Chief Executive on behalf of Cabinet.

**6/19 REVISION OF OXFORDSHIRE MINERALS AND WASTE DEVELOPMENT SCHEME**

(Agenda Item. 8)

The County Council must prepare and maintain a Minerals and Waste Development Scheme, setting out the programme for production of the Oxfordshire Minerals and Waste Local Plan. The most recent revision of the Oxfordshire Minerals and Waste Development Scheme was approved in December 2017. Part 1 of the Plan, the Core Strategy was adopted in September 2017. Part 2, the Sites Plan, was commenced in September 2017 but consultation on issues and options was delayed and consequently the timetable for the Sites Plan in the December 2017 Development Scheme is now out of date and needs to be revised. In addition, changes in legislative requirements for Statements of Community Involvement (SCI) mean that the Oxfordshire SCI should be revised and a timetable needs to be set for this. A further revision of the Development Scheme is therefore now required.

Cabinet considered a report setting out the revised Oxfordshire Minerals and Waste Development Scheme (Ninth Revision) 2019.



Councillor John Sanders, Shadow Cabinet Member for Environment, referred to the previous delays and the current timetable, seeking assurances that the Secretary of State would accept the SCI and that the Council was committed to providing sufficient resources to ensure adoption in the current timeframe.

Councillor Constance, Cabinet Member for Environment stated that the commitment was there with consultants in place. Peter Day added that the Secretary of State was no longer involved in the SCI

**RESOLVED:** to:

- (a) approve the Oxfordshire Minerals and Waste Development Scheme (Ninth Revision) 2019 at Annex 1, subject to final detailed amendment and editing, to have effect from 5 February 2019;
- (b) authorise the Director for Planning & Place to:
  - (a) carry out any final detailed amendment and editing of the Oxfordshire Minerals and Waste Development Scheme that may be necessary, in consultation with the Cabinet Member for Environment;
  - (b) take the necessary steps to bring the revised Scheme into effect from 5 February 2019 and publish the revised Scheme, in accordance with Sections 15 and 16 of the Planning and Compulsory Purchase Act 2004 (as amended).

## **7/19 GOVERNANCE REVIEW**

(Agenda Item. 9)

Following a Council motion to consider changing to a committee structure of governance, Cabinet set up a Governance Review Task Group to examine this as well as considering potential improvements to the current system. Cabinet had before them a report setting out the recommendations of the Task Group.

Councillor Laura Price, Opposition Deputy Leader, welcomed the proposals before Cabinet and indicated that Labour had brought the motion to Council and had supported the introduction of a committee system that they believed would bring about greater engagement and savings. However, everyone in the Task Group had agreed to consider options with an open mind. As a group they had visited other councils and been willing to listen and discuss various options. The recommendations were a positive move for Oxfordshire. The hybrid model would build on the positive aspects around the budget discussions and was part of transformation as it would embed that understanding of service. Councillor Price did not believe that a cross-party approach would undermine the opposition role as it would encourage informal debate.

Councillor Richard Webber spoke as Leader of the Liberal Democrat Group and member of the Task Group. He had unfortunately missed one meeting which had been the meeting that pulled together the recommendations. He was concerned that this had been done in haste. He was concerned that a hybrid model would lead to a great deal of work and please no-one. Councillor Webber expressed concern over whether the Group could be said to be genuinely independent when there were vested interests. Councillor Webber acknowledged the unhappiness with the current system and that the proposal is very much an improvement. He liked the flexibility being proposed. However, Councillor Webber felt that the recommendations were far from getting it right and more time was needed to get the new model right

Councillor Judith Heathcoat, Deputy Leader of the Council introduced the work of the Governance Review Task Group detailing the context for the Review and noting that members had committed a considerable amount of time to the work of the Group. The work had included surveys and workshops with all members and had been an open and transparent piece of work, resulting in a unanimous set of recommendations. Councillor Heathcoat thanked everyone involved in the Task Group. Councillor Heathcoat detailed the general agreement that Councillors should be more involved and engaged in the decision-making process and noted that although there were recommendations relating to structures it was clear that some aspects could be achieved through a change of culture rather than through structural change. She commended particularly the work and proposals around localities. Councillor Heathcoat also recognised that there was a greater role for councillors in developing policy for Cabinet to consider. Done correctly this would engage all councillors in the formulation of a common approach to problems. She believed that this was already beginning to be seen in the work of the Cabinet advisory Groups and the Cherwell partnership Working Group.

Councillor Heathcoat commented that since the report had been formulated the extent of the work on transformation had become clear. For this reason Councillor Heathcoat stated that she was reluctant to recommend the implementation of one of the main recommendations of the Task Group that concerned cabinet Committees. Although having no objection to Cabinet Committees Councillor Heathcoat felt that it was not the correct time to be embarking on significant constitutional change. She suggested that this proposal be reviewed at a future date when the Council had worked through a substantive part of the transformation programme.

Councillor Heathcoat proposed amended recommendations.

During discussion Cabinet supported the amended recommendations making the following points:

1. It was possible to change culture without the need to change structure. It was a long-term process and it was not suggested that what was suggested was the end.

2. There were examples of the change in culture evident in examples such as Councillor Brighthouse being Vice-Chairman of the Cherwell Partnership Working Group.
3. The disappointment of the Task Group members was understandable but it was for Cabinet to consider and decide on the recommendations before them. It was self-evident that a lot of good work had been undertaken by the Task Group and at least 3 of the 7 substantive recommendations were being recommended for acceptance.
4. There was concern at the ability of the Council to deliver further change alongside the substantial programmes already underway.
5. Councillor Webber's honest assessment was welcomed.
6. The role of, and work needed to support Cabinet Committees was questioned.

**RESOLVED:** to:

- (a) Request the Task Group to explore further the idea of establishing Area Committees with budgets addressing how they relate to City and District Councils;
- (b) And to give consideration to how we can better improve the work of locality groups;
- (c) Request the Chairmen of Scrutiny Committees to ensure that time is allowed in their work programmes to discuss policy development matters;
- (d) Request facilities management to draw up plans to reformat the rooms on the members' corridor to provide some shared members' facilities in place of political group rooms; and
- (e) Request that the Task Group come back to Cabinet on the implementation of these changes.

## **8/19 BUSINESS MANAGEMENT & MONITORING REPORT FOR QUARTER 2 - 2018/19 - JANUARY 2019**

(Agenda Item. 10)

Cabinet considered a report that demonstrated the state of Oxfordshire County Council's progress towards Corporate Plan priorities at the end of Quarter 2 2018-19.

Councillor Heathcoat, Deputy Leader of the Council, in moving the recommendations stated that this was the second report using the new format. She noted that there had been some positive movement with items moving from amber to green: the numbers of children subject to protection plans, the level of energy used and developments secured through Section 106. Paragraph 6 set out where there had been a decline. Councillor Heathcoat added that for 2019/20 the Business Management & Monitoring Report would be joined with the quarterly staffing report to take on board the work in transformation. Ben Threadgold, Policy and Performance Service Manager added that the timeliness of these reports was also being looked at.

**RESOLVED:** to note the performance reported.

**9/19 DELEGATED POWERS - JANUARY 2019**

(Agenda Item. 11)

Cabinet noted a quarterly report on executive decisions taken under the specific powers and functions delegated under the terms of Part 7.2 (Scheme of Delegation to Officers) of the Council's Constitution – Paragraph 6.3(c)(i). It is not for scrutiny to call in.

<i>Date</i>	<i>Subject</i>	<i>Decision</i>	<i>Reasons for Exemption</i>
7 January 2019	Request for exemption from Contract Procedure Rule ("CPR") 20 in respect of a Contract providing Care Services for People with a Learning Disability provided by MacIntyre Care	Approved an exemption from the tendering requirements under OCC's Contract Procedure Rules in respect of the award of a contract for provision of support services located in Witney for four people with a learning disability for a period of 104 weeks (plus a 26-week extension option) at an estimated value of £468,622.	To transfer services provided under indefinite term spot contracts to a block contract of finite duration and to ensure there is service continuity and provision for the four current tenants.

**10/19 FORWARD PLAN AND FUTURE BUSINESS**

(Agenda Item. 12)

The Cabinet considered a list of items for the immediately forthcoming meetings of the Cabinet together with changes and additions set out in the schedule of addenda.

**RESOLVED:** to note the items currently identified for forthcoming meetings.

..... in the Chair

Date of signing .....

Division(s): N/A

## CABINET – 26 FEBRUARY 2019

### Highways Deep Dive

Report by Councillor Jenny Hannaby, Deep Dive lead member

#### RECOMMENDATION

1. The Cabinet is RECOMMENDED to:

- (a) Consider the findings of the Performance Scrutiny Committee's deep dive into highways.
- (b) Agree which of the following recommendations the Cabinet will accept:
  - (1) Ensure there is councillor input into the review of the Highways Asset Management Plan, and that this includes consideration of flexibility for local prioritisation.
  - (2) Ask Cabinet to ensure there is a smarter process for developing a programme of work to utilise the additional capital investment in highways and that a robust capital governance process is in place to help shape this and improve risk management.
  - (3) Ensure officers consider the impact on public perception when developing a programme of work and improve opportunities for councillors to influence this based on local priorities.
  - (4) Ask officers to work with SKANSKA to explore a business case for greater levels of supervision that will ensure the quality of work remains high, including a consideration of how in-house resources could be utilised differently.
  - (5) Ensure that opportunities to utilise staff in flexible ways are explored further with SKANSKA, so that the maximum benefit of having staff on site can be realised.
  - (6) Encourage officers to explore more innovative maintenance methods and tools.
  - (7) Ask Cabinet to ensure an effective approach to publicly publishing and communicating the highways programme of work is in place.
  - (8) Ask officers to develop a more robust process for informing councillors of local road improvements in their division, so that they can advise on works that need to be prioritised and support early communication with residents.
  - (9) Ask officers to ensure all responses to highways enquiries / reports through Fix My Street include a named officer contact.

- (10) **Ensure direct points of contact are communicated and established for key stakeholders (e.g. town and parish councils) to ensure that local highway priorities can be followed up and dealt with more efficiently.**
  - (11) **Support the Council's ambition to become a Permitting Authority and request a report on the expected impact of this in mid-2019.**
  - (12) **Support the development of a comprehensive out of hours traffic management provision to ensure effective management of the impact of major incidents and network failures at these times.**
  - (13) **Support the principle of a having greater focus on enforcement.**
  - (14) **Ask the Cabinet to instruct officers to explore a case for employing dedicated resource for enforcement across all Highways services/functions.**
  - (15) **Ask the Director of Infrastructure Operations to ensure that a structured and robust approach to managing community engagement is in place.**
- (c) **Note that the Performance Scrutiny Committee have asked officers to report back to Performance Scrutiny in 6-9 months on the impact of a refreshed approach to community engagement, including evidence of the effectiveness of the Fix My Street Superusers pilot project.**

## **Executive Summary**

2. The condition of roads has a significant impact on levels of public satisfaction with the Council and their local area. As a result, the Performance Scrutiny Committee commissioned a deep dive into the factors affecting public perception and experience of highways and the Council's approach to improving this. From July to November a small group of councillors worked with officers to identify opportunities for improving the condition of the road network, tackling congestion, better managing the impact of street works and adapting our approach to maintenance contracts and partnership working on highways. This report has been considered by the Performance Scrutiny Committee and is now presented to Cabinet for them to consider and respond to its recommendations.

## **Introduction**

3. The condition of Oxfordshire's roads (just under 3,000 miles) has a significant impact on the quality of people's lives and affects the local economy. Roads provide access to jobs, services, schools, the delivery of goods and enable people to make the most of their free time and leisure activities – the road network is key to supporting thriving communities and a thriving economy and affects most people every day.

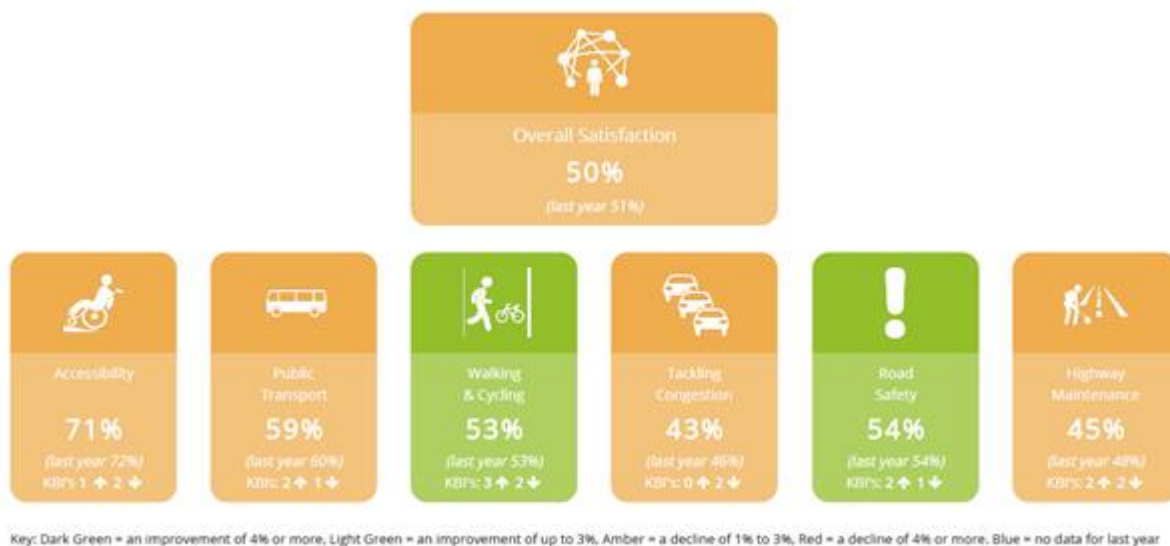
4. With a growing population, expanding economy, increased pressure on housing and infrastructure, and shrinking local government budgets Oxfordshire's roads are inevitably becoming more congested and deteriorating more quickly, requiring more of a focus on repair and maintenance. The challenge for the County Council is to maintain the county's high-demand road network and ensure that Oxfordshire delivers the services residents need, within reduced public funds.
5. Recent national customer satisfaction surveys and correspondence from residents have shown a high level of dissatisfaction with the condition of the county's roads. This is in part also affecting how the public perceive the Local Authority as a whole.
6. In response, the Performance Scrutiny Committee agreed to establish a deep dive to explore what could be done to address this, with a focus on what the County Council is doing to maintain, repair and invest in Oxfordshire's road network.
7. The objectives of the working group were to:
  - Develop a greater understanding of smart traffic management approaches and the prevention of road deterioration.
  - Understand the impact of heavy goods vehicles and other large vehicles on the condition of roads.
  - Explore how the Council works with third parties, e.g. utility companies, to ensure roads are properly reinstated after works.
  - Scrutinise the ways in which councillors and residents can stay informed about work on the county's highways.
  - Explore the Council's relationship with Highways England, particularly the impact of diversions from main arterial routes on secondary roads that are the responsibility of the Council.
8. I have led this deep dive with the support of Councillors Liam Walker and John Sanders. Officer support has been provided by senior staff in the Community Operations team, and a Senior Policy Officer. I thank them for their input, ideas and guidance throughout this process.
9. This report presents our findings and recommendations for consideration and response from the Cabinet.

### **Residents' perception and experience of highways**

10. Local intelligence and feedback from residents to councillors indicates there was a particularly high level of dissatisfaction with the condition of Oxfordshire's roads and levels of maintenance over the winter 2017 / spring 2018 period.

11. The outcomes of the 2018 National Highways and Transport (NHT) survey for Oxfordshire show that overall satisfaction with the road network has decreased since 2017<sup>1</sup>.

*Figure 1: 2018 NHT survey results – Year on Year comparison (Oxfordshire 2017/2018)*



12. The factors most affecting this downward trend are the condition of highways, ease of access and management of roadworks.
13. When compared nationally, the NHT satisfaction rates for Oxfordshire are above average for accessibility, but 4% below the national average for tackling congestion and highway maintenance<sup>2</sup>.
14. The focus of this deep dive has been on highway maintenance and how traffic is managed on the network, but not how congestion is being dealt with in the longer term. We focused on four key lines of inquiry:
- A) The condition of Oxfordshire's roads, including:
- The prevention, identification and repair of pot holes and other road defects,
  - How the 'Dragon Patcher' is used and whether it delivers good value for money,
  - How the Council communicates with residents and councillors about its road infrastructure,
  - How the Council works with district councils and the city to maintain its road network,
  - Benchmarking local customer satisfaction rates nationally.
- B) Congestion, including:
- The county's strategic road networks,

<sup>1</sup> NHT survey based on a survey size of 3,300 and a response rate of 33%

<sup>2</sup> 2018 NHT survey results – Benchmark comparison with NHT average



- How road diversions are managed on main arterial routes,
- The Council's relationship with Highways England.

C) Street works, including:

- How works on highways are prioritised and programmed,
- The impact of third-party work and significant events on the road network, and the Council's legal rights and duties.

D) Highway maintenance contracts / agreements, including:

- The extent of maintenance work delegated to town and parish councils,
- How successfully highways contracts are monitored and the specific responsibilities of contractors.

## **The Council's highway infrastructure responsibilities**

15. Under the heading of 'Community Operations' the Council manages the maintenance and operation of Oxfordshire's highways and transport system. This includes network management; highway maintenance and minor schemes of work; management of trees and public rights of way; traffic and road safety; and supported transport (see Annex A for a brief overview). Whilst these teams do not lead on major infrastructure projects or the planning process, they are a key contributor to these as and when required.
16. Although extensive guidance on highway maintenance is set out in a Code of Practice<sup>3</sup>, there is no statutory minimum for standards of repair and maintenance set out in legislation, just a 'duty to maintain'<sup>4</sup>. Whilst there is also no statutory definition of a 'pothole', the Council follows a system of categorisation for defects and risks, as laid out in the Code, which informs the nature and speed of the Council's response.
17. The Code of Practice was refreshed in 2016 and now promotes an integrated asset management approach to highway infrastructure based on local levels of risk-based assessment. The new Code includes a series of recommendations that Authorities must adhere to and as such, the Council's Highway Policy Statements and priorities have recently been revised, in conjunction with members of a Transport Cabinet Advisory Group and the Council's main highway maintenance provider.

## **The Council's current approach and future opportunities**

### Highways policy and plans

18. At present 10% of Oxfordshire's roads are categorised as having less than 5 years residual life remaining, with a further 45% considered to have between 5 and 15 years remaining. Current rates of deterioration indicate that the

<sup>3</sup> 'Well Managed Highway Infrastructure: A code of practice', October 2016, UK Roads Liaison Group

<sup>4</sup> S.41 Highways Act 1980

number of potholes in the county will increase by 32% over the next 5 years, although severe weather, as seen during the winter of 2017, is likely to accelerate this.

19. To ensure a strategic response to the deterioration of the county's road network, the Council has a Highways Asset Management Plan (HAMP)<sup>5</sup> that was developed in 2014 through a councillor working group. This Plan outlines overarching principles in relation to levels of service, highway life cycle plans, asset valuation and an asset register. It is seen as fundamental for demonstrating the value of highway maintenance, as well as delivering on wider corporate objectives and transport policy.
20. We recognise the value of having a HAMP for ensuring minimum standards and a consistent approach to road maintenance, but also see the importance of local discretion and prioritisation by managers and councillors. Officers provided assurance that this already happens to a degree through officer liaison with the main highway maintenance provider, but we believe there is greater scope for councillors to be involved in helping to prioritise local works. With the current HAMP expiring in 2019, there is an opportunity for councillors to be involved in reshaping the next iteration, so that a greater level of local flexibility and influence can be incorporated into planned maintenance work.

**Recommendation: Ensure there is councillor input into the review of the Highways Asset Management Plan, and that this includes consideration of flexibility for local prioritisation.**

#### Funding and investment

21. Officers reported that budgets for maintaining the county's highways have reduced by 50% in real terms over the last 10 years, whilst at the same time construction and technical costs have significantly increased. Reductions in central government funding have led to a deterioration in the condition of Oxfordshire's carriageways and footways as local spending has been prioritised elsewhere. In addition, major growth in the county is leading to a greater need for the asset base to be maintained and adding potential liabilities if the condition of roads does not improve.
22. Comparatively Oxfordshire spends less than other Authorities on maintaining its road network, with a total annual spend on highways of c. £21m in recent years, linked to levels of central government funding. We are concerned that the current Department for Transport (DfT) funding formula is having a detrimental effect on the level of funding Oxfordshire receives, as it is based on route length and not road use or condition. It is widely accepted that current spending levels are insufficient to maintain road conditions. Officers assured us that as a Local Authority we are challenging the DfT on how fit for purpose their funding formula is.

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<sup>5</sup> Oxfordshire HAMP 2014-2019 is available online at: <https://www.oxfordshire.gov.uk/residents/roads-and-transport/transport-policies-and-plans/highway-maintenance/highway-asset-maintenance>

23. We were also informed that funding can be increased through bids to various DfT grant funds, but we fear this is not a sustainable solution. Despite this, officers confirmed that the County Council has been the most successful Authority in bidding for the DfT challenge fund, securing £12.5m of additional funding in 2016, which has significantly increased spending on maintenance per kilometre of road over the last 3 years.
24. Following the initiation of this deep dive, the Cabinet approved a business case for significant levels of additional capital investment in highway assets that will come forward as part of the capital budget proposals for 2019/20. We are supportive of this decision, but recognise there will be a balance to strike between investing in the best maintenance approaches and doing what the public and councillors believe to be an effective use of public funds. There will be opportunities to consider investment in a range of areas that will affect the public's perception of Oxfordshire's roads to differing degrees. Whilst we appreciate that the additional investment will be considerable, it will still not bring the county's road network up to an optimal condition.

**Recommendation: Ask Cabinet to ensure there is a smarter process for developing a programme of work to utilise the additional capital investment in highways and that a robust capital governance process is in place to help shape this and improve risk management.**

**Recommendation: Ensure officers consider the impact on public perception when developing a programme of work and improve opportunities for councillors to influence this based on local priorities.**

#### Contract management

25. We explored in some detail the contract arrangements the Council has with its main highway maintenance provider, to understand how value for money is being achieved and to seek assurance that there is robust monitoring in place. Our contracted provider, SKANSKA, is undertaking work on the highway on our behalf and the quality and timeliness of their work directly impacts on public perception and customer satisfaction.
26. Through discussion with officers we learnt about the collaborative approach taken to our contract with SKANSKA. The approach reflects a relationship based on mutual cooperation, where contract extensions are linked to how well the partnership is working and both parties share an element of risk and reward (e.g. where a target cost for work is agreed, the Council shares the gains if the work costs less, but shares a portion of the additional costs if the work costs more). A number of the strategic performance indicators are designed to be delivered jointly to justify extensions to the contract and only if the provider is meeting their overall operational performance indicators will the Council pay a dividend.
27. We were also reassured that the Council takes a robust approach to contract management and the monitoring of SKANSKA's work. When there have been unresolved issues or performance targets have not been met, the Council has

been strict on withholding contract extensions or reducing the level of dividend paid. The Council also adopts a policy of not paying for work unless the contractor can evidence that it has been undertaken and there are conditions built into the arrangement which mean SKANSKA is liable for the cost of repair works if a road begins to fail following maintenance or construction work.

28. Officers shared that it can be difficult for SKANSKA to attract good quality workers in Oxfordshire because of the many alternative opportunities in the construction industry. The approach taken by SKANSKA is to employ sub-contractors from local supply chains; they directly employ less than 50 frontline staff and the value of sub-contracted work is approximately four times as much as what is delivered by directly employed crews. We recognise this is an area of risk, particularly with the unknown effects of Brexit on the horizon.
29. The Council pays SKANSKA to supervise their sub-contractors, but officers report that this is currently very stretched because of the volume of work being commissioned. With the additional planned investment in highway maintenance the volume of work will continue to increase, so officers are considering options for utilising and growing the Council's in-house workforce to help supplement this direct supervision. A greater level of involvement is one that officers think could be sustained and will ensure value for money in the longer term.

**Recommendation: Ask officers to work with SKANSKA to explore a business case for greater levels of supervision that will ensure the quality of work remains high, including a consideration of how in-house resources could be utilised differently.**

30. To a lesser extent, we also discussed the Council's contract for the provision of street lighting, given that another source of residents' complaints is the repair of street lights. We were informed that in many cases the issue is often related to the power supply, which is the responsibility of Scottish and Southern Electricity, and the Council is only able to issue a fine for non-repairs after 58 days. We are therefore, pleased that the Council has committed to upgrading all street lights to LED lighting, involving considerably less upkeep, and will be reviewing the maintenance contract as a result.

*Repairing defects*

31. To see first-hand how maintenance work is undertaken and to understand the costs and benefits of different approaches, we were given a demonstration of the 'Dragon-Patcher' and visited Drayton depot where Council staff and SKANSKA employees are co-located. Officers shared that there are now more than 50 distinct defect categories based on more than just safety-related concerns. Repairs will only be made when defects have reached certain depths and widths, but area managers have the flexibility to authorise and prioritise work in higher risk areas, e.g. near schools, care homes, or on zebra crossings. This also reflects the new risk-based approach to inspection that has been incorporated into the recent review of Highway policies.

32. The number of reported defects has remained below 25,000 during the last four years, but they are predicted to increase significantly by the end of 2018 because of repeat episodes of freezing and thawing during the winter. The repair methods used in some cases have exacerbated the challenges the Council faces over the winter period. Working with SKANSKA the Council has now changed some of its working practices to improve the longevity and quality of repairs, including more saw cut repairs, rather than sweep and fills<sup>6</sup>, and using hotboxes to keep materials warm. This has also enabled SKANSKA to adopt a 'find and fix' approach, not always waiting to be instructed by the Council to fill a pothole. Safety defects continue to be repaired within 2 hours, 24 hours or 28 days depending on an assessment of their severity, whereas other defect works are planned and considered as part of an annual programme.
33. Officers highlighted the benefits of using the Dragon-Patcher over traditional crews, namely that it costs c. £15 per square metre to repair stretches of road using the Patcher, as opposed to c. £60-80 per square metre for a crew to fill potholes. The Patcher is often used where there are a series of defects that need attention, as it can patch up to a kilometre of road defects in a day, whereas crews can usually fill eight to ten potholes per day and are used in more targeted areas. As such, the Patcher is normally utilised on rural roads because of ease of access and the likelihood of the road having more defects due to heavy use. It is not used in more urban areas because of the level of disruption it would cause and the risk of damaging nearby parked cars.
34. During the demonstration of the Dragon-Patcher we were impressed by the speed at which repair work is completed, the quality of the finish, and that only two members of staff are required to operate it. However, we noted there were other issues which could have been resolved at the same time, but were out of the scope of the work order, e.g. gully clearing and grip repair.

**Recommendation: Ensure that opportunities to utilise staff in flexible ways are explored further with SKANSKA, so that the maximum benefit of having staff on site can be realised.**

**Recommendation: Encourage officers to explore more innovative maintenance methods and tools.**

*Communications and customer focus*

35. Whilst the proposed additional investment in highway maintenance will help to build and repair more roads, we acknowledge that this alone will not address levels of public dissatisfaction – we also need to ensure residents are well informed about planned works, as well as how they can report faults. We are pleased to learn that the directorate is already considering how best to provide residents with timely information about works in their area and how to share new approaches being trialled.

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<sup>6</sup> The sweep and fill method involves placing compacted material with the pothole, whereas saw cut repairs involve removing a section of the road around the pothole.

36. As part of this it will be important to ensure the public understands the way that highway works are undertaken and how much it costs the public purse. We also see that a key step will be regular and wide publication of planned work, coupled with the Council delivering against the commitments it makes.

**Recommendation: Ask Cabinet to ensure an effective approach to publicly publishing and communicating the highways programme of work is in place.**

37. In respect of communicating more widely, we believe more could be done to utilise the contacts and networks that councillors possess. Officers confirmed that councillors can receive regular updates on issues in their area through automated reports from 'Fix My Street', as well as highways work planned via the regular operations reports for their locality. Despite this, councillors often reflect that they do not have timely information about local road improvements in their division, in order to share positive messages about the work or support early engagement with residents.

**Recommendation: Ask officers to develop a more robust process for informing councillors of local road improvements in their division, so that they can advise on works that need to be prioritised and support early communication with residents.**

38. On a day-to-day basis the online tool Fix My Street is used prolifically by residents, staff and partners to report, update and manage a multitude of highway defects and issues. This provides vital intelligence which informs the programme of work for Community Operations teams; however, discussion with officers about the effectiveness of this tool, identified some key areas for improvement. Whilst it was considered helpful to include a feature that would enable people to 'track' the Dragon-Patcher, we believe a useful development would be the addition of a named contact on responses to members of the public, so that further contact on reported issues can be dealt with more efficiently.

**Recommendation: Ask officers to ensure all responses to highways enquiries / reports through Fix My Street include a named officer contact.**

39. To this end, we are concerned that the Council's level of anonymity through Fix My Street and by directing enquiries to a single customer contact centre is not helpful for councillors and key stakeholders, such as town and parish councils, who want to discuss and report local concerns. An overview of 'who does what' for councillors and town and parish councils could be a helpful starting point. Longer term, we acknowledge that any changes to the way that people can contact the Authority, will have to fit with the Council's new operating model.

**Recommendation: Ensure direct points of contact are communicated and established for key stakeholders (e.g. town and parish councils) to**

**ensure that local highway priorities can be followed up and dealt with more efficiently.**

*Traffic management*

40. The level of congestion on Oxfordshire's roads, caused by road works, accidents and heavy traffic flows, is a factor that significantly affects residents' experience of the road network. As such, we visited the Council's Traffic Control Centre to see first-hand how the county's strategic road network is managed, understand the Council's relationship with Highways England, and scrutinise our approach to managing the impact of third party works and significant events on Oxfordshire's roads.
41. As part of the Council's role in network coordination our officers coordinate all requests for work on the highway, including utility works; council-commissioned road works; temporary traffic signals; and developer works. Currently the Council manages this through a Noticing process (25,000 notices were issued in 2017/18), which represents a passive approach to handling requests. Officers shared their ambition for the Council to become a Permitting Authority, which would mean that we have greater control over when and where work is undertaken, as third parties and our own highway contractors would need to seek permission to undertake work. Officers shared that a feasibility study is underway and the Council will be submitting a proposal to the DfT by March 2019 that supports the implementation of this approach. As yet, the resource implications of moving to a Permitting approach are unknown.

**Recommendation: Support the Council's ambition to become a Permitting Authority and request a report on the expected impact of this in mid-2019.**

42. In conjunction with network coordination, the Council also processes requests for Temporary Traffic Regulation Orders (TTROs), including requests for road closures. In 2017/18 more than 700 orders were processed, generating approximately £1m of income for the Authority. With an expected increase in the number of planned highway improvements, officers anticipate this number will be much higher in future and without appropriate levels of resource there is likely to be a greater risk of emergency road closures. We are assured that a business case for more resource is being developed, alongside a benchmarking exercise with Cambridgeshire County Council, to review processes and service standards against available resources. This project will be complete in January 2019.
43. Similarly, when works are being carried out on major roads, Highways England put forward their preferred diversion routes, which often have a considerable impact on the deterioration rates of minor roads and levels of congestion. Going forward we are keen for councillors and the Highways team to have a greater influence over these diversion routes, particularly to minimise the impact on rural areas and historic towns, as well as to manage the costs of maintenance.

44. The Traffic Control Centre plays a vital role in providing advance warning to stakeholders and the public when there are issues on the highway, helping to manage levels of congestion. This is done through monitoring a network of 63 fixed cameras at key junctions (linked with the Highways England major road network), publishing online alerts, adjusting traffic signals and providing data to broadcasters for transmission.
45. Our tour of the Centre gave us a useful insight into how the team works to ensure messages are communicated in a timely way, but we were surprised to learn that 10-15% of the cameras do not currently work because of poor connections or faulty hardware. There is also no link between the existing network and traffic signals to help control traffic flow. We are reassured to learn that significant investment has already been secured to upgrade the camera network, but understand there are further opportunities that could be pursued, e.g. asking developers to install new cameras when they connect to existing infrastructure.
46. Officers also shared their ambition to provide traffic control services out of hours, to better manage the impact of major road incidents and network failures, and to mirror the service provided by Area Operations and SKANSKA teams. Currently, staff providing out of hours cover have good working relationships with Emergency Planning, but this is an arrangement based on goodwill, which is therefore not a resilient approach.

**Recommendation: Support the development of a comprehensive out of hours traffic management provision to ensure effective management of the impact of major incidents and network failures at these times.**

Enforcement

47. Throughout discussion with officers, enforcement was raised as a key focus for improvement across a number of areas. Currently enforcement activity is only part of the role of network coordinators and they predominantly focus on ensuring utility companies working on the highway have the correct notices in place and are not working on the roads for longer than intended. Unless a notice extension is negotiated or the additional time required is reasonable, the Council has the power to issue a fine.
48. The Council also has a licencing team that processes thousands of applications for skip, scaffolding, vehicle access, temporary storage and private road opening licences every year. Although we generate an income from these applications, there is limited resource to enforce the licencing scheme and a risk that the Authority is missing out on further income. Officers reported that they also have limited capacity to work with landowners to ensure responsibility is taken for drainage, gully clearing and grips on their land to reduce the amount of standing water on the road and the risk of potholes developing.
49. With a proposed move towards becoming a Permitting Authority we believe the Council has an opportunity to tighten up its approach to enforcement and



take a stricter stance on fines, penalties and charges. This would encourage third parties to take greater responsibility for the quality of their work and acknowledge their duties in relation to the highway.

50. As such, we are particularly supportive of the motion recently passed at Council asking for mechanisms to be developed that require developers to mitigate the damage caused by their construction works to Oxfordshire's highways by returning them to their former condition.
51. We are also encouraged to learn that officers are updating the licence charging schedule to ensure sufficient penalty charges are in place for enforcement. However, we recognise the main barrier to effective enforcement is a lack of resource to staff this. We believe there is a case to be made for specifically resourcing enforcement, as this would be offset by the increased level of income generated through fines and charges.

**Recommendation: Support the principle of a having greater focus on enforcement.**

**Recommendation: Ask the Cabinet to instruct officers to explore a case for employing dedicated resource for enforcement across all highways services/functions.**

*Partnership working and community engagement*

52. Through the 'Oxfordshire Together' (OXTOG)<sup>7</sup> initiative the Council is already working with parish and town councils individually or in clusters to support them in managing and delivering a variety of local highway services. As part of a service agreement each town or parish is offered an annual budget based on the community-led service they are running. Whilst this approach has been successful in some areas, e.g. grass-cutting, there are many more areas that local councils express an interest in having control over, whether to attract further funding or help better utilise their directly employed staff.
53. With continuing pressures on resource and the Council's drive to work more locally, officers are looking at ways to refresh and broaden the initiatives under OXTOG. Work is being done with practitioners from Cranfield University and officers are visiting other Local Authorities to map and learn from alternative approaches. Instead of publishing a list of services that town and parish councils can deliver on our behalf, we are encouraged to learn that officers are listening to what local councils tell us they want to be involved in, and what they would like to see done. We are supportive of this approach, but as part of this we would also encourage officers to explore options for further integration and joint work on highways with district and city council partners, not least through the Cherwell Partnership arrangements.
54. A particular initiative being piloted as part of a new OXTOG is 'Fix My Street Superusers'. Officers described this as a scheme which aims to empower

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<sup>7</sup> Further information on Oxfordshire Together can be found online at: <https://www.oxfordshire.gov.uk/residents/community-and-living/our-work-communities/oxfordshire-together>

local communities and support the Council to deliver its services: a competent and trusted local volunteer is trained to order low-category defect correction works directly from SKANSKA, in line with the Council's intervention criteria. Twelve volunteers have already been trained and are now able to commission works. Timescales for the pilot project are still being defined and officers plan to assess whether real efficiencies can be realised from this kind of approach.

55. Whilst we are supportive of the Council exploring innovative approaches to community engagement and considering ways to manage demand on our resources, we have some concerns about this approach. We have reservations about the use of unpaid volunteers to commission work that is funded by the Council and fear that there is not yet a robust monitoring process in place to provide assurance that public money is being spent in the right areas. Similarly, we have concerns about the parity of such an approach across the county, particularly where some communities are more willing to engage than others. Following the pilot, we believe a business case to evidence the potential efficiencies from this approach is required, before such an initiative can be scaled-up and rolled out.

**Recommendation: Ask the Director of Infrastructure Operations to ensure that a structured and robust approach to managing community engagement is in place.**

**Recommendation: Ask officers to report back to Performance Scrutiny in 6-9 months on the impact of a refreshed approach to community engagement, including evidence of the effectiveness of the Fix My Street Superusers pilot project.**

## Conclusions

56. We recognise there are a wide range of factors affecting the public's perception and experience of highways and not all of these are within the scope of the Council's control or influence. However, where the Council has specific responsibilities, our deep dive has shown that officers are continually seeking ways to improve what they do and searching for innovative approaches.
57. There are many promising changes planned or being piloted that we are confident will have a positive impact. We are particularly supportive of the significant capital investment proposed to improve highway infrastructure, the move towards becoming a Permitting Authority and the promising approaches being explored around community engagement.
58. However, our investigations also highlighted some key opportunities that we believe are being underutilised, namely the benefits of increased enforcement activity (which would generate more income for the Authority) and a more effective and coordinated approach to communication. We also believe there is scope for greater levels of local prioritisation of planned works and for the Council to review its arrangements with SKANSKA to ensure the full utilisation of staff and development of innovative maintenance methods and tools.

### **Monitoring progress**

59. These recommendations have been endorsed by Performance Scrutiny Committee.
60. If Cabinet are minded to accept some or all of the recommendations to them in this report then a review of progress will be requested by the Performance Scrutiny Committee at a future meeting.

### **Financial and Staff Implications**

61. The financial and staffing implications arising from this deep dive are dependent on whether and how each recommendation is progressed, however, we recognise that a number of the areas identified as future opportunities are likely to have resource implications. Annex B contains officer comments with greater detail about the potential impact if Cabinet are minded to accept the recommendations.

### **Equalities Implications**

62. No equalities implications have been identified through the course of this deep dive or in the recommendations made to the Committee.

### **Acknowledgements**

63. We would like to thank the officers who met with us for giving up their time and helping us to understand the factors that are affecting residents' perception and experience of highways. In particular, we would like to thank senior managers in the Community Operations team, members of the Service Improvement Team, and the staff at Drayton Depot and the Traffic Control Centre.

**Councillor Jenny Hannaby**

**Lead member – Performance Scrutiny Committee Highways Deep Dive**

**Contact Officer: Lauren Rushen, Policy Officer**

**January 2019**

## Overview of Community Operations

## Annex A

The responsibility for the operation and maintenance of Oxfordshire's highway and transport system sits within Community Operations, which is part of the county council's Communities directorate.

It has responsibility for the operation and maintenance of the Highway, Public Rights of Way, and Transport Network. Ensuring that people can move around safely and minimise any disruption experienced as much as possible.

The core services within Community Operations are; Highway Maintenance (including trees and Public Rights of Way), Network Management, Parking Enforcement & Operation, Community Engagement (incl. Road safety and Countryside), and Supported Transport.

**Highway Maintenance** is a significant function and consists of three main teams. Asset Renewals, Area Operations - South, and Area Operations - North. Collectively responding to public enquiries, delivering repairs or improvements to the highway network to ensure it is suitable maintained, and Winter preparation & management

**Asset Renewals** directly manages large maintenance schemes and oversees the whole highway maintenance programme. Is responsible for the Highway Asset Management Plan that sets out our policy and approach to maintenance. Supports the area operations team and has direct responsibility for streetlighting, structures and traffic signals.

**Area Operations (North & South)** Manages the reactive, cyclical and small scale planned maintenance for roads, pavements, drainage, trees and public rights of way. Is also responsible for coordination and approval of local roadworks, and delivery of minor new infrastructure schemes. There are three main teams:

- Highway & Drainage – managing cyclical and planned highway and drainage works as well as investigating problems.
- Inspections – routine and reactive inspections as a result of customer enquiries, ordering works as necessary to ensure the safe operation of the roads, pavements or public rights of way.
- Traffic – responsible for maintenance of signs and lines, investigate general traffic issues and enquires, and deliver minor improvements schemes.

**Network Management** manages our highway network to ensure it is operating effectively and key travel information messages get out to the public. The team have oversight of all roadworks on our network and works with the Area Operations teams to ensure suitable coordination of works and events. All Temporary Traffic Regulation Orders are processed through the team. There are three main teams:

- Streetworks approval and co-ordination
- Traffic Control Centre
- Filming and Events

**Parking** manages the operation and enforcement activity of the parking service which covers:

- Oxford bus lanes

- Oxford On-Street Parking
- Oxford Rising Bollards
- County Council-managed Park and Rides

**Community Engagement** is a multifunctional group covering a number of activities and functions:

- Road Safety Team – Provides road safety and accident data and analysis along with engineering expertise. Provides Traffic Order Regulation advice and manages the consultation.
- Countryside Access – responsibility for public rights of way and tree activity, providing advice and support to area teams. Direct responsibility for managing our in-house maintenance task team and providing support. Includes managing the Thames Path & Ridgeway National Trails on behalf of all partnership authorities.
- Community Engagement – managing and developing volunteering type activity. Has responsibility for management and supervision of the School Crossing Patrol service and enumerators who carry out traffic monitoring surveys, along with developing the offer under Oxfordshire Together (OXTOG) initiative.

**Supported Transport** provides and enhances the ability to access transport services, enabling people of all ages to play an active part in the community and live life to their full potential. This is done by supporting and/or arranging school, community, social care, public transport, whilst placing the resident at the heart of everything we do.

Supported Transport are responsible for the following:

- Home to School Transport – Primary, Secondary, Special Educational Needs (SEN) and Post 16 SEN and Meadowbrook College
- Home to School Transport Spare Seat Scheme
- Social Care Transport
- Oxfordshire Comet Service
- Taxi and coach driver Safeguard Training and DBS checks
- Community Transport
- Payments of concessionary fares to commercial bus providers
- Quality Monitoring of all contracts and managing complaints and issues
- Managing the Council's fleet

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## Annex B

### Officer comments on deep dive recommendations for Cabinet

Cabinet Recommendations	Officer Comments
<p>i. Ensure there is councillor input into the review of the Highways Asset Management Plan, and that this includes consideration of flexibility for local prioritisation.</p>	<p>Previous plans have always been developed with Councillor input and this is good practice that should and will continue. As there is an established transport Cabinet Advisory Group it is suggested this is utilised to achieve this.</p> <p>Local prioritisation is important and needs to be built into programme development, but must be considered and balanced with good asset management using condition data and deterioration modelling.</p>
<p>ii. Ask Cabinet to ensure there is a smarter process for developing a programme of work to utilise the additional capital investment in highways and that a robust capital governance process is in place to help shape this and improve risk management.</p>	<p>The effectiveness and focus of the maintenance programme is influenced by the scale of funding available. With greater investment this year and next, we are able to deliver more effective permanent fixes and carry out preventative work - reducing the need for reactive repairs. The Capital Investment proposal that Cabinet approved has provided a big step forward, but further sustained funding will be required to continue build on what we have started.</p> <p>The approval of the maintenance programme follows county council capital governance process and procedures.</p>
<p>iii. Ensure officers consider the impact on public perception when developing a programme of work and improve opportunities for councillors to influence this based on local priorities.</p>	<p>It is recognised and accepted that local impact and priorities need to be better factored into programme decisions. However, as previously mentioned, this needs to be considered and balanced with good asset management using condition data and deterioration modelling.</p>
<p>iv. Ask officers to work with SKANSKA to explore a business case for greater levels of supervision that will ensure the quality of work remains high, including a consideration of how in-house resources could be</p>	<p>The current partnership and working arrangements with Skanska are working well, with the core arrangement being part of contractual requirements that can't easily or sensibly be altered.</p> <p>Skanska provide the formal supervision, but it is</p>

<p>utilised differently.</p>	<p>accepted that we could and should provide greater on-site support and quality checks on works especially those of sub-contractors, particularly as we move toward doing more walk &amp; talk type maintenance schemes (meaning less time spent on desktop design).</p> <p>The focus for this recommendation should be consideration of how a new highway contract might be structured and operated.</p>
<p>v. Ensure that opportunities to utilise staff in flexible ways are explored further with SKANSKA, so that the maximum benefit of having staff on site can be realised</p>	<p>Covered in response to recommendation iv.</p>
<p>vi. Encourage officers to explore more innovative maintenance methods and tools.</p>	<p>The Dragon Patcher has proved successful, but as we have a varied network this is not the right solution in all situations or locations. Officers are starting to work with Skanska to explore and identify other potential equipment to pilot. Support to do this, accepting the risks around testing new methods, would be welcomed.</p>
<p>vii. Ask Cabinet to ensure an effective approach to publicly publishing and communicating the highways programme of work is in place.</p>	<p>It is accepted and acknowledged that this is a requirement. A good forward programme and ability to publish in a user-friendly format is required. Work to achieve this is currently being undertaken. Additional Communications support has been provided in the short term to help with this.</p>
<p>viii. Ask officers to develop a more robust process for informing councillors of local road improvements in their division, so that they can advise on works that need to be prioritised and support early communication with residents.</p>	<p>The Locality structure and meeting schedules should provide this. It is accepted they probably don't with the current reporting method. Consideration can be given as to how best to achieve this through this existing forum at future meetings. This is also related to recommendation iii and vii.</p>
<p>ix. Ask officers to ensure all responses to highways enquiries / reports through Fix My Street include a named officer contact.</p>	<p>A simple request that can be actioned, but consideration on the broader council direction on aspects like this probably needs to be given and applied. For example, the Transformation programme future ICT solutions will need to be taken into account.</p> <p>In addition, we will need to be careful that</p>



	<p>providing a name doesn't then mean people try to bypass use of fix-my-street.</p>
<p>x. Ensure direct points of contact are communicated and established for key stakeholders (e.g. town and parish councils) to ensure that local highway priorities can be followed up and dealt with more efficiently.</p>	<p>The new operational structure should and was intended to make more frontline staff accessible and visible within local communities. The structure and resource is there to achieve this, but it needs to be better communicated and applied.</p> <p>All County Councillors and Parish Councils should now have a document that explains who does what, and provides email and phone numbers of team leaders. Communication to confirm the local inspector should also have been received by all councillors and parish councils. All issues on the highway that need to be assessed and fixed must continue to be reported through FMS to ensure efficient assessment and prioritisation.</p>
<p>xi. Support the Council's ambition to become a Permitting Authority and request a report on the expected impact of this in mid-2019.</p>	<p>This is a request by DfT and is in progress. Confirmation of support is welcomed though. The process requires a formal consultation and consideration at the appropriate council meeting will be held.</p>
<p>xii. Support the development of a comprehensive out of hours traffic management provision to ensure effective management of the impact of major incidents and network failures at these times.</p>	<p>This was developed as part of the wider Communities, and in particular, Infrastructure Operations reorganisation. Out-of-Hours cover is now happening. Further development of the Council's Network Control Centre is currently underway, enhancing both the way it is operated and the control tools available, to improve management of the network and people using.</p>
<p>xiii. Support the principle of a having greater focus on enforcement.</p>	<p>Greater ability to enforce and to have Oxfordshire known as an authority who enforces would provide many highway maintenance and network management benefits. Many concerns do not relate to highway maintenance, but are associated with developers.</p> <p>Consideration will need to be given to pooling all the enforcement resources to deliver the real benefit of this proposal.</p>

<p>xiv. Ask the Cabinet to instruct officers to explore a case for employing dedicated resource for enforcement across all Highways services/functions.</p>	<p>This will need to be fully considered and business case prepared to understand resource and funding requirements.</p>
<p>xv. Ask the Director of Infrastructure Operations to ensure that a structured and robust approach to managing community engagement is in place.</p>	<p>The Director of Infrastructure Operations can confirm there is specific resource to manage volunteer engagement to ensure those who sign up are trained, have signed an agreement, and have their competency assessed.</p> <p>Information is being collected for any pilots conducted to help refine offer and understand any benefits or burdens.</p>
<p>xvi. Ask officers to report back to Performance Scrutiny in 6-9 months on the impact of a refreshed approach to community engagement, including evidence of the effectiveness of the Fix My Street Superusers pilot project.</p>	<p>This is a recommendation for the Performance Scrutiny Committee</p>

## CABINET – 26 FEBRUARY 2019

### STAFFING REPORT Q3 2018/2019

Report by County HR Manager

#### Recommendation

1. The Cabinet is **RECOMMENDED** to note the report.

#### Executive Summary

2. This report provides an update on staffing numbers and related staffing activity for the period 1<sup>st</sup> October – 31<sup>st</sup> December 2018. Monitoring is carried out throughout the year on the movement of staffing numbers from those reported at 31 March 2018.
3. We also continue to track staffing levels since 1 April 2010 to reflect the impact on staffing numbers via the delivery of our Business Strategy and Transformation programme.

#### Current Workforce Data

4. The staffing number as at 31 December 2018 (excluding schools) was 4930 employees equivalent to 3729.9 FTE. This represents an increase of 87.2 FTE during the quarter. The workforce is made up of 2684 full time and 2246 part time employees.
5. Workforce data and trends are published in more detail on the Council's intranet including a breakdown of staffing numbers and trends over the past five quarters by Directorates and Schools, including temporary and part time employees, turnover and sickness rates along with diversity and salary profiles. Over the coming months this data is being redesigned to provide information by service and will include the spend and use of agency workers.
6. A breakdown of movements by directorate and services is provided at Appendix 1 together with agency spend for the quarter.
7. Since 31 March 2010 the Council's workforce has reduced by 29.41% (1554.1 FTE).

#### Quarter 3 Update

##### Redeployment

8. We remain committed to redeploying staff affected by redundancy. There were two redeployments in the last quarter. There are currently no employees on the redeployment register.

##### Turnover

9. In Q3 there were 134 leavers across all directorates. 16% of these were from social care, 14% catering, 11% retained/uniformed fire fighters and 10%

administrators. The Council's turnover rate for the last 12 months was 13.6% which is comparable to the mean figure for councils in England of 13.7% (Source: Local Government Workforce Survey June 2018)

### **Spend on agency workers**

10. Agency workers are used for a variety of reasons including to provide cover for short term absence; peaks in workload and cover pending permanent recruitment. The use of agency workers can be the most cost-effective way of meeting temporary resourcing needs. Prudent use of agency staff is deployed to ensure continuity of service. Demand for agency workers is also sometimes due to the need to cover hard to fill vacancies such as children's social workers and in these circumstances, can be more costly than direct employment. Measures continue to be taken through recruitment initiatives to keep this number to a minimum.
11. The total spend on agency workers for the last quarter was £3,694,397 (2.2% of the annual staffing budget) compared to £3,340,614 in the previous quarter. Increases are mainly due to rising demand in children's and adult services. It is important to note that many agency staff used within adult services are funded from additional monies from central government and from partner organisations to support operational delivery.
12. The new arrangements for the supply of agency workers introduced by the Council in February 2018 provides more accurate management information of all demand and expenditure across the Council. This improved visibility allows leadership teams to monitor their use of agency workers more effectively and helps us identify where other resourcing solutions may be more cost effective or where targeted recruitment initiatives need to be introduced.
13. A breakdown of agency spend is included in Appendix 1 and shows total spend by each Directorate and main service areas. Appendix 2 shows the trend analysis of agency spend per quarter since 2016.

### **Top five reasons for using agency workers**

<b>Reason</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>
Covering a vacancy	52.3%	47.8%	42.76%	
Interim Cover pending recruitment	15.5%	15.72%	11.72%	
Unplanned demand	8%	7.55%	11.03%	
Project work	5.75%	9.43%	8.97%	
Long-term sickness	5.17%	6.29%	5.52%	

### **Top five job categories of agency staff**

<b>Job Category</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>
Admin and clerical	22.99%	37.03%	22.08%	
Social Care qualified	21.84%	29.63%	32.50%	
Engineering and surveying	7.47%	7.41%	8.75%	
Interim	-	-	5.83%	
Catering and hospitality	23.56%	5.55%	5.42%	
Procurement & Logistical	-	4.63%	-	
Manual labour	9.77%	-		

14. Hiring agency workers through the new arrangements has allowed us to negotiate more competitive pay rates, reduced fees to agencies and avoid fees when agency workers take up permanent employment with the Council.

### **Apprenticeships**

15. We have offered over 450 apprenticeships across 19 different frameworks since 2006. Details of our larger schemes can be found [on our website](#).
16. In 2017-18, we doubled the number of apprentices in our workforce from 22 to 45. Seven of these were in schools. As well as supporting apprenticeships for new entrants to the workforce, we are using apprenticeships as a route for continuous professional development for existing employees.
17. During 2018-19 the number of apprentices increased, with 115 actively completing apprenticeship training. 32 are based in schools. The number of new apprenticeships each quarter this year is shown in the table below. Please note that some of the current 115 apprentices mentioned above began their apprenticeship training during 17/18.
18. The range of apprenticeships taken up this year is more diverse than ever and includes Business Administration, Legal, HR, Surveying, Supported Teaching and Learning, IT, Management and Leadership, Digital Marketing, and Civil Engineering.

Quarter	No of Apprenticeships commenced in Quarter Directorates	No of Apprenticeships commenced in Quarter Schools
1	6	0
2	17	22
3	27	2
4		

19. We have a success rate of 90%, and at least 75% of our apprentices move on into further employment with ourselves or others.

### **Risk Management**

20. As we move forward with our transformation programme greater controls have been introduced to manage recruitment to help minimise the risk of redundancies. While some front-line roles are exempt from these controls such as social workers, all other recruitment will require authorisation.

FIONA PERCIVAL  
County HR Manager

4 February 2019

Contact Officer: Sarah Currell, HR Manager (Business Systems),  
Tel: 07867 467793.

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## STAFFING REPORT 31 DECEMBER 2018 - DIRECTORATE TOTALS

DIRECTORATE	FTE Employed at 31 December 2018 Q3	FTE Employed at 31 March 2018	Changes in FTE Employed since 1 April 2018	Cost of Agency Staff £ Q3
<b>ADULTS</b>	<b>735.7</b>	<b>683.6</b>	<b>52.10</b>	<b>£788,305</b>
Adult Social Care	620.60	572.3	48.30	£572,688
Joint Commissioning	115.10	111.3	3.80	£215,618
<b>CHILDREN</b>	<b>1221.6</b>	<b>1156.6</b>	<b>65.00</b>	<b>£1,112,035</b>
Children's Social Care (inc ATV)	425.85	390.9	34.95	£704,924
Safeguarding	348.62	339.5	9.12	£209,986
Education	276.22	281.9	-5.68	£94,520
Admin and Director's Office	170.90	143.8	27.10	£102,605
<b>PUBLIC HEALTH</b>	<b>22.54</b>	<b>23.08</b>	<b>-0.54</b>	<b>nil</b>
<b>COMMUNITIES*</b>	<b>996.9</b>	<b>986.2</b>	<b>10.74</b>	<b>£1,396,912</b>
Planning and Place	140.34	143.1	-2.76	£359,320
Infrastructure*	465.76	169.6	296.16	£443,388
Capital Investment & Major Infrastructure Delivery	56.41	344.1	-287.69	£535,306
FRS and Community Safety	334.44	328.4	6.04	£58,897
<b>RESOURCES and TRANSFORMATION**</b>	<b>752.24</b>	<b>775.7</b>	<b>-23.46</b>	<b>£397,146</b>
Finance	112.42	97.1	15.32	£141,002
HR	36.88	33.8	3.08	£3
Law and Governance	208.30	210.1	-1.80	£55,687
Policy	49.94	58.1	-8.16	£55,095
Customer Experience	225.54	249.8	-24.26	£93,701
Digital and ICT	119.16	126.8	-7.64	£51,657
<b>TOTAL</b>	<b>3729.0</b>	<b>3602.1</b>	<b>126.88</b>	<b>3,694,397</b>

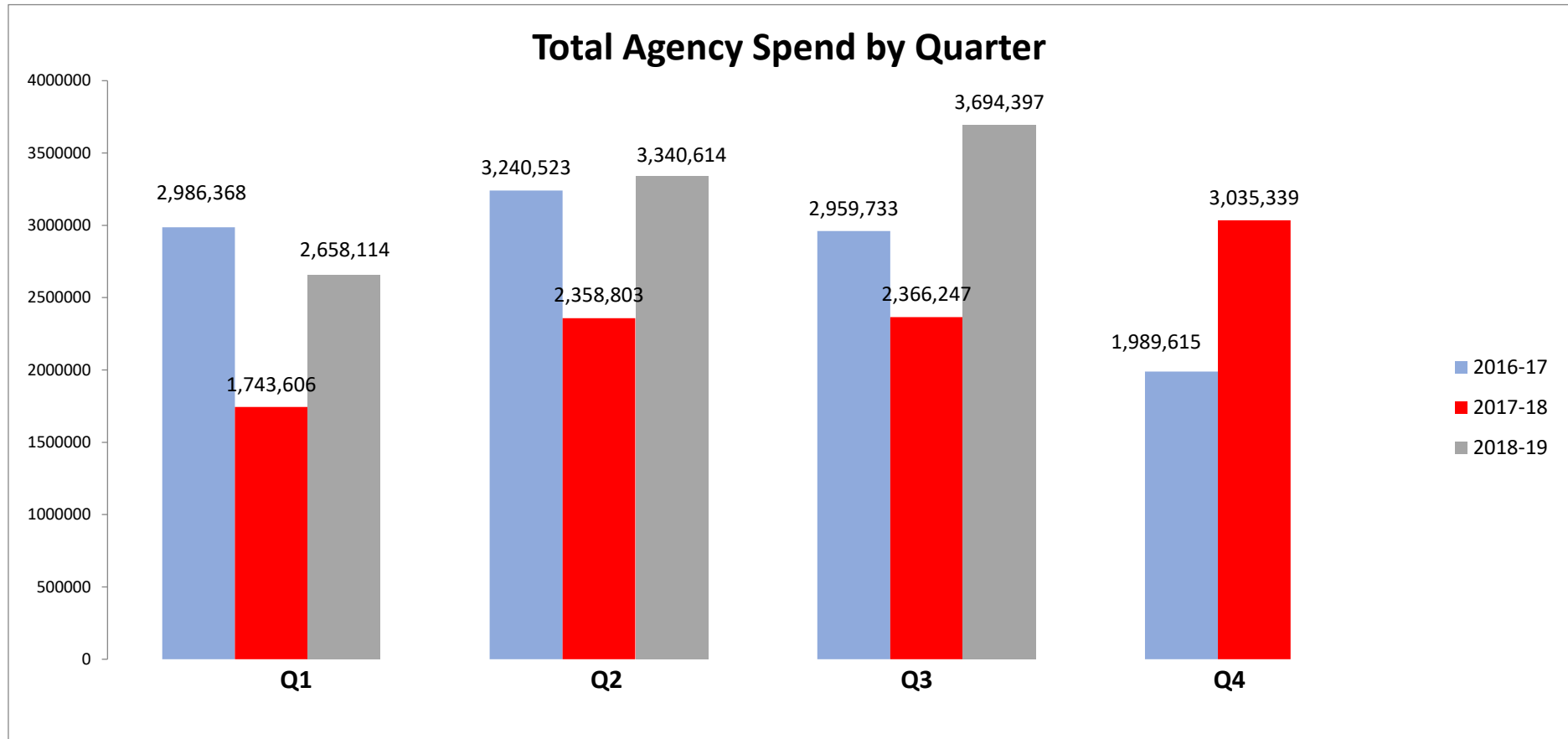
Please note: Where employees are absent eg on maternity leave or long term sick and have been temporarily replaced, both the absent employee and the temporary employee will have been counted.

\*Restructure between in-Directorate services

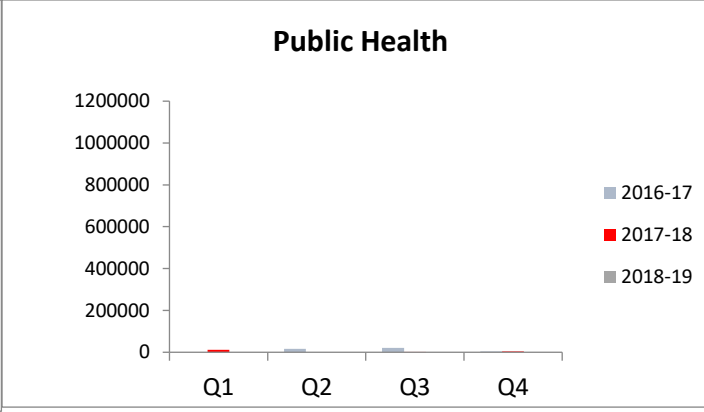
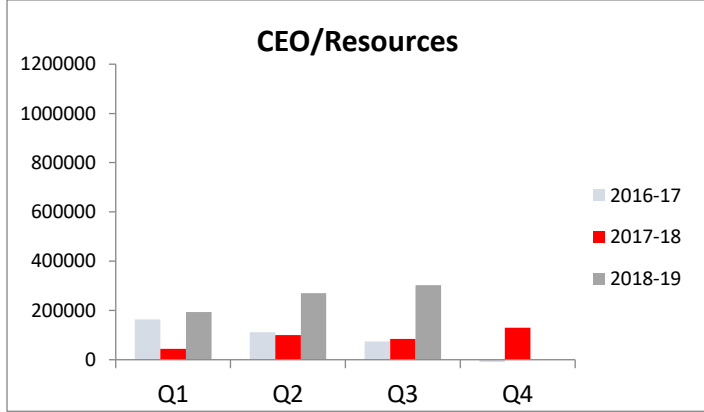
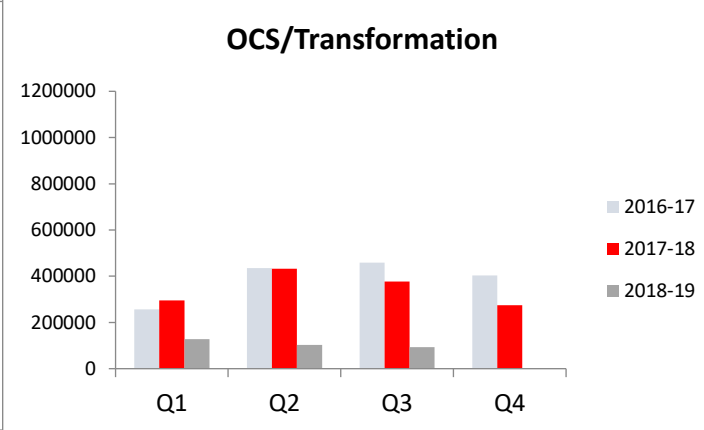
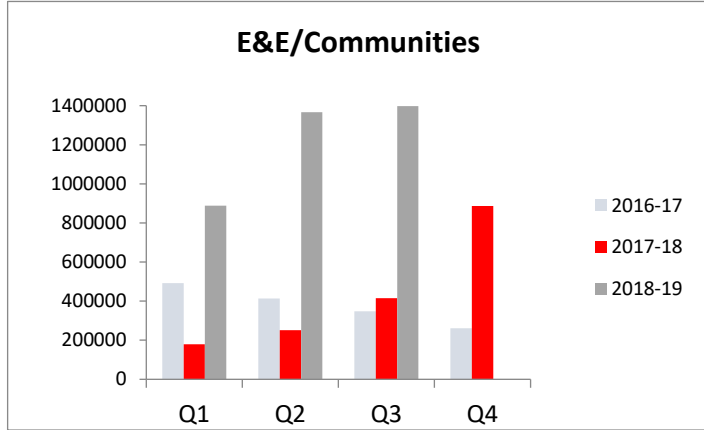
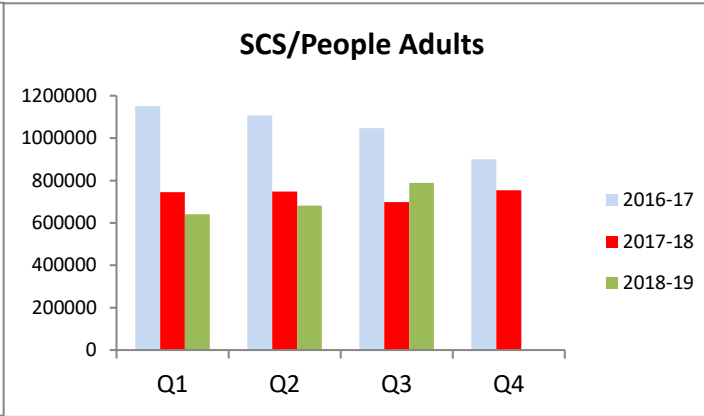
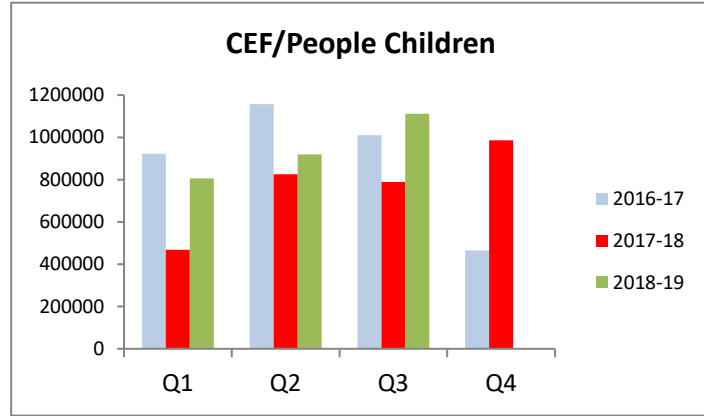
\*\*Will be split between Resources and Transformation for Q4

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Division(s): N/A
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## CABINET – 26 FEBRUARY 2019

### FORWARD PLAN AND FUTURE BUSINESS

#### Items identified from the Forward Plan for Forthcoming Decision

Topic/Decision	Portfolio/Ref
<b>Cabinet, 19 March 2019</b>	
<p>▪ <b>Community Risk Management Plan (CRMP) Action Plan 2019-20</b> To approve the final CRMP Action Plan 2019-20 following consultation.</p>	Cabinet, Deputy Leader 2018/153
<p>▪ <b>Business Management &amp; Monitoring Report for Quarter 3 - 2018/19 - March 2019</b> To note and seek agreement of the report.</p>	Cabinet, Deputy Leader 2018/179
<p>▪ <b>Corporate Performance Measures 2019-20</b> To seek agreement of the performance measures and targets that underpin the strategic outcomes framework in monitoring progress in implementing the Council's vision and priorities.</p>	Cabinet, Deputy Leader 2019/003
<p>▪ <b>Innovation Fund for Daytime Support Grant Awards - March 2019</b> To agree grant awards to community and voluntary sector groups following award recommendations by cross party panel.</p>	Cabinet, Adult Social Care & Public Health 2018/171
<p>▪ <b>Older People's Strategy</b> To seek approval of the Older People's Strategy.</p>	Cabinet, Adult Social Care & Public Health 2018/197
<p>▪ <b>Home Care Options Appraisal</b> To seek approval of the Home Care Options Appraisal.</p>	Cabinet, Adult Social Care & Public Health 2019/006
<p>▪ <b>Permit Scheme for Oxfordshire</b> To seek approval of a permit scheme to manage street works across Oxfordshire.</p>	Cabinet, Environment 2019/019
<p>▪ <b>Reg 18 Consultation on the Oxfordshire Plan 2050 - County Council Response to the Consultation</b> To discuss and seek agreement of the County Council's response to the Oxfordshire Plan 2050 Reg 18 consultation.</p>	Cabinet, Environment 2019/011

- **Oxford: Pay & Display and Park & Ride Fee Changes** Cabinet,  
To seek approval of the proposals. Environment  
2018/194
- **Capital Programme Monitoring Report - January 2019** Cabinet, Finance  
Financial report on capital spending against budget allocations, 2018/170  
including any necessary capital programme approvals.
- **Financial Monitoring and Medium Term Financial Delivery Report - January 2019** Cabinet, Finance  
Financial report on revenue spending against budget allocations, 2018/169  
including virements between budget heads.

### **Cabinet Member for Education & Cultural Services, 13 March 2019**

- **Oxfordshire County Council's Recommended Sponsor for the New Primary School Located at Graven Hill, Bicester** Cabinet Member  
To seek approval as to whether to formally support OCC's choice of recommended sponsor to run the new primary school located in the Graven Hill, Bicester. for Education & Cultural Services,  
2018/181

This report may contain confidential information.

### **Cabinet Member for Environment, 28 March 2019**

- **Cumnor: Cumnor Hill - Proposed Extension of 30mph Speed Limit** Cabinet Member  
To seek approval of the proposals. for Environment,  
2018/148
- **Cholsey: Wallingford Road - Proposed Traffic Calming Measures** Cabinet Member  
To seek approval of the proposals. for Environment,  
2018/190
- **Wallingford: A4130 Wallingford Bypass - Proposed Turning Restrictions at New Access** Cabinet Member  
To seek approval of the proposals. for Environment,  
2018/195
- **Oxford: B480 Garsington Road Roundabout - Proposed Waiting Restrictions** Cabinet Member  
To seek approval of the proposals. for Environment,  
2018/198
- **Abingdon: Dunmore Road - Proposed Signalled Crossing** Cabinet Member  
To seek approval of the proposals. for Environment,  
2018/200

- **Ascott Under Wychwood by Evenlode Bridge - Traffic Calming Build Out**  
To seek approval of the proposals. Cabinet Member for Environment, 2019/007
- **Didcot: Station Road/Foxhall Road - Proposed Cycle Track**  
To seek approval of the proposals. Cabinet Member for Environment, 2019/008
- **Sydenham - Proposed Traffic Calming Build Out**  
To seek approval of the proposals. Cabinet Member for Environment, 2019/010
- **Oxford: All Bus Lanes - Exemption for 'Blood Bikes'**  
To seek approval of the proposals. Cabinet Member for Environment, 2019/012

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Division(s):
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**CABINET – 26 FEBRUARY 2019****TANK FARM, CHIPPING NORTON – DEVELOPMENT SITE****Report by Strategic Director Communities****RECOMMENDATION**

1. **The Cabinet is RECOMMENDED to**
  - (a) authorise the Strategic Director of Communities in consultation with the Portfolio member to complete the purchase, for the value specified in Annex B, of Pearman's land, being 12.51 ha (30.91 acres) adjoining Tank Farm.
  - (b) authorise the Director of Law & Governance in conjunction with the Director of Capital Investment & Delivery and Director of Finance to undertake appropriate due diligence and prepare the necessary legal agreement on the terms referred to in Annex B.

**Executive Summary**

2. An opportunity arose, in late 2018, for the County Council to acquire land which adjoins Tank Farm, a Council owned former smallholding. Both parcels of land form part of the East Chipping Norton Strategic Development Allocation. The benefits of acquiring the land are two-fold:
  - i. It will enable the Council to take control of the timing of the planning application in relation to the Strategic Development Allocation thereby reducing the risk to delivery of the programmed capital receipt for Tank Farm;
  - ii. It will protect the value of the Council's existing land ownership at Tank Farm of 35.01 ha (86.5 acres).
3. Due to the fast-moving nature of the opportunity, approval was given by The Leader of the Council and Chief Finance Officer, on 21 December 2018, to negotiate the freehold purchase of the land within an agreed maximum threshold.
4. The rationale for this decision and full supporting information is given in the December 2018 Report, see Annex A - 'Report for Leader of the Council and Chief Finance Officer – 18/12/18'
5. Negotiations have now been concluded and provisional terms agreed within the maximum price, details of which are in the Exempt Annex B.

## **Introduction**

6. Now that negotiations have been concluded and provisional terms agreed within the maximum price, this brief report seeks authority from Cabinet to conclude the land purchase.
7. Given that all of the supporting information remains consistent with the December 2018 Report (Annex A), except where specifically stated below, efforts have been made to minimise duplication of information across the two reports.

## **Exempt Information**

8. Annex B contains exempt information. The information contained in the annexes is exempt in that it falls within the following prescribed category:
  3. *Information relating to the financial or business affairs of any particular person (including the authority holding that information);*

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, in that disclosure would undermine the process to the detriment of the Council's ability properly to discharge its fiduciary and other duties as a public authority.

## **Key Issues**

9. All key issues remain the same as those presented in the December 2018 Report (Annex A), with the following exception.
10. Located to the eastern boundary of the northern part of Pearman's land is an access road leading to a property known as "The Woodlands" which comprises a house and garden of 0.81 ha (2 acres). During the course of negotiations, Pearman decided to exclude this property from the sale, as it is occupied by family. Therefore, the land to be acquired has reduced to 12.51 ha (30.91 acres), although the access road leading to the property will form part of the transaction, with the appropriate rights of access being granted as necessary. Excluding this property from the land forming part of the wider development is inconsequential given that there has been an appropriate reduction in the price to account for the reduced area. The Council will therefore seek to purchase land comprising 12.51 ha (30.91 acres).

## **Proposed Acquisition**

11. Please see Annex B for Proposed Acquisition Terms, the details of which are confidential and must remain exempt.
12. Securing a planning permission following on from the adoption of the Local Plan will not be without risk. It should be noted that compatibility with the development described in the adopted Local Plan policy does not mean that permission will necessarily be forthcoming although it would be difficult for the Local Planning Authority to refuse planning permission unless the development was felt to be unacceptable for other reasons (e.g. landscape impact, lack of off-site traffic mitigation, ecological impacts, etc). The risk is therefore anticipated to be low.
13. Acquiring Pearman's land will also protect the value of the Council's existing land holding of 35.01 hectares (86.5 acres). The cost of the development infrastructure, to include upgrading sewage provisions, a link road and a primary school, are shared equally amongst the total number of dwellings. With Pearman's land circa 1000 dwellings will be achievable in the overall masterplan, however, if Pearman's land was excluded from the overall masterplan (due to his inability to proceed) then the number of dwellings would reduce by at least 200.
14. A reduction in dwellings will not significantly reduce the infrastructure costs. Therefore, without Pearman's land this would result in higher average infrastructure costs per dwelling, the effect of which would be to reduce the amount that a future developer would pay to the Council for its existing land holding.
15. The acquisition price for Pearman's land is based on comparable transactions for land allocated within the Local Plan but without planning permission. Once planning permission has been granted for the East Chipping Norton SDA the value of the site being acquired will increase.

## **Financial Implications**

16. The Capital & Investment Strategy approved by Council in February sets out that in relation to commercial activity the Council may acquire land, where the intention of the purchase is to increase land value rather than contribute towards service delivery objectives. In relation to these activities the strategy states that due diligence processes will be carried out and decisions made in accordance with the stated governance processes.
17. Tank Farm is within the disposal programme and the capital programme funding assumes a capital receipt from the sale of land in the Council's ownership of £16m. The delivery of the receipts is likely to be phased from 2024 onwards.

18. The necessary funds to acquire the Pearman land would need to be made available on completion of the transaction, anticipated in April 2019. Funding is available through the cashflow of the capital programme. i.e. capital is payable upfront, with the return of capital plus an additional uplift upstream, all within the 10 year timespan of the capital programme.
19. The acquisition of Pearman's land will attract Stamp Duty Land Tax, which has been factored into the estimated costs as set out in Annex B.
20. The Council have now obtained competitive quotations, following the Council's procurement rules, for the associated costs of the planning application and the Council's share assuming an 80% liability, remains in line with the original estimate of £600k (which was for a 60% liability).

### **Equalities Implications**

21. None / Not Applicable.

### **Risk Management**

22. Pearman's land is vital for landscaping and open space for the East Chipping Norton SDA, its mere presence cannot be relied upon. It is therefore crucial to ensure it falls under the control of the planning applicant, as the ongoing protection of these areas will be tied up in a legal agreement as part of the planning process.
23. If a third party was to acquire the interest in Pearman's land holding it would further delay the Council's ability to proceed with a planning application on its existing land holding and delay delivery of the capital receipt. If the party was not willing to enter into a Collaboration Agreement, based upon the terms as recommended by the Council's external legal advisors, this could jeopardise the entire scheme.
24. There is a risk that, given the number of allocated sites in West Oxfordshire, there may be an oversupply of residential sites with planning permission in the future, thereby reducing demand and consequently result in a fall in land value. If this occurred then the Council could defer selling until land values increased.

### **Legal Implications**

25. The Council can acquire property under s.120 of the Local Government Act 1972, provided the acquisition is supported by a rationale which is either (i) in line with any function of the Council, or (ii) that the purchase is for the benefit, improvement and development of the County. It is felt that acquiring Pearman's land to speed up delivery of housing, a new primary school and a link road would fall within the second category.

## **Timescales**

26. It is expected that the land purchase would be completed in April 2019 enabling a planning application to be submitted by summer 2019. Capital receipts from phased land sales would be received in due course after grant of planning permission.

BEV HINDLE  
Strategic Director for Communities

Background papers:  
Annex A - *'Report for Leader of the Council and Chief Finance Officer – 18/12/18'*  
Exempt Annex B

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**February 2019**

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Division(s): Chipping Norton
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## **LEADER OF THE COUNCIL – 21 DECEMBER 2018**

### **TANK FARM, CHIPPING NORTON – DEVELOPMENT SITE**

#### **Report by Strategic Director Communities**

#### **RECOMMENDATION**

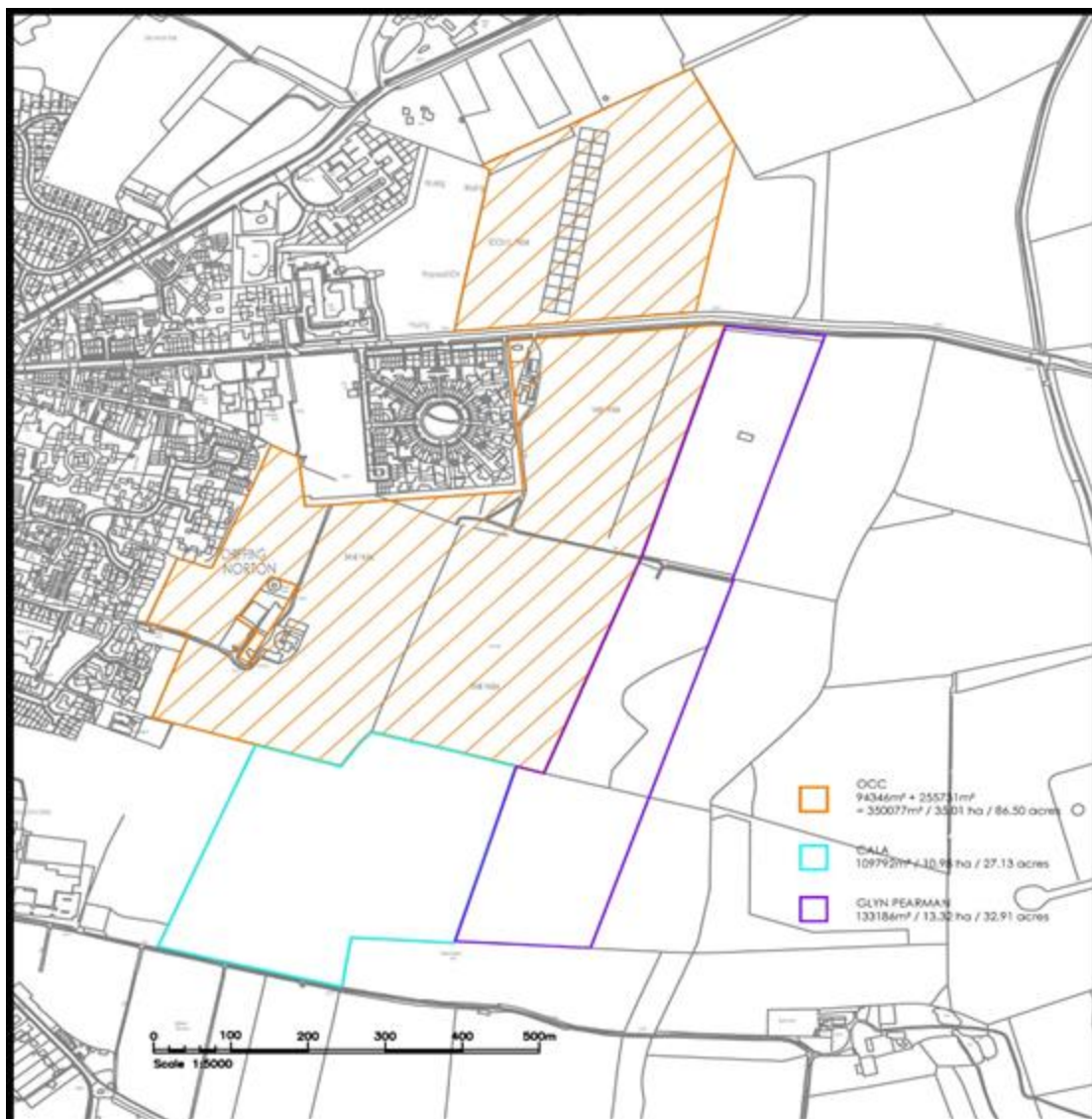
1. **The Leader of the Council, with the agreement of the Director of Finance as the Section 151 Officer is RECOMMENDED to:**
  - (a) authorise the Strategic Director of Communities to negotiate, up to the maximum value specified in Annex A, the purchase of Pearman's land, being 13.32 ha (32.91 acres) adjoining Tank Farm.
  - (b) agree that any agreed purchase price and Heads of Terms be subject to contract.
  - (c) delegate to the Director of Law & Governance in conjunction with the Director of Capital Investment & Delivery and Director of Finance to undertake appropriate due diligence and prepare the necessary legal agreement up to the maximum value referred to in Annex A.
  - (d) note that consideration of the formal approval of the purchase will be undertaken by Cabinet on the 22 January 2019.

#### **Executive Summary**

2. The chosen format of the Collaboration Agreement between the three land owners at Tank Farm has inadvertently complicated tax and financial considerations for one of the land owners, Pearman. These issues have started to affect progress on the development. As a result of the above, an opportunity has just arisen whereby the Council can purchase the Pearman land, which adjoins its holdings. The Council has an exclusivity option with Pearman to agree to purchase the land until 31<sup>st</sup> December 2018. Purchasing the land would ensure OCC's control and influence of the site is not diminished, by sale of the land to the third landholder, CALA Homes, or another party. If another party purchases the land and does not want to enter into the current format of the Collaboration Agreement this could jeopardise the overall development. The purchase is also anticipated to produce a net return for the Council (see Annex A).

## Introduction

3. The Council owns 35.01 hectares (86.5 acres) at Tank Farm. The entire development site is currently held under three separate ownerships, the others being CALA/HG2 Limited (10.96 ha / 27.13 acres) and Pearman (13.32 ha / 32.91 acres).
4. Approval was given to enter into a Collaboration Agreement between landowners to submit a planning application with associated costs and planning fees where OCC's share was estimated to be £600k. See attached Delegated Decision by Cabinet Member for Property & Cultural Services – Monday, 22 January 2018.
5. Following representations by the landowners, the West Oxfordshire Local Plan (2011 – 2031) was subsequently adopted by WODC on 27 September 2018. This confirms the land (County Council, CALA/HG2 and Pearman) as part of the East Chipping Norton Strategic Development Allocation for circa 1000 dwellings.





## **Exempt Information**

6. Annex A contains exempt information. The information contained in the annexes is exempt in that it falls within the following prescribed category:
3. *Information relating to the financial or business affairs of any particular person (including the authority holding that information);*

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, in that disclosure would undermine the process to the detriment of the Council's ability properly to discharge its fiduciary and other duties as a public authority.

## **Key Issues**

7. In light of the Local Plan allocation, it is now timely to proceed with a planning application based upon an outline consent for the entire site. In principle it had been agreed between the parties that the associated costs would be split approximately by land holding, OCC to pay 60%, CALA/HG2 20% and Pearman 20% and to proceed with land equalisation through the use of Cross Options (as recommended by OCC's external legal advisors, Pinsent Mason).
8. However, whilst CALA/HG2 are able to proceed immediately and enter into a Collaboration Agreement, for a variety of reasons and despite the best efforts of OCC, Pearman (a local farmer) has been unable to proceed. He has now confirmed that he is not able to proceed at the same pace, and subsequently has decided to sell his land by way of a freehold sale.
9. OCC have been granted an exclusive opportunity to purchase Pearman's land comprising 13.32 ha (32.91 acres). This would enable OCC to gain control of circa 80% of the overall development site and therefore allow OCC to proceed with a planning application on its preferred terms and to its preferred timescale - a planning application could be submitted by summer 2019.
10. If OCC declines the opportunity then CALA is expected to agree an option to purchase Pearman's land – they have already tabled an offer. This would reduce OCC's overall control of the development and provide CALA with a 40% share in total.

## **Proposed Acquisition**

11. Please see Annex for Proposed Acquisition Strategy, the details of which are confidential and must remain exempt.
12. Securing a planning permission following on from the adoption of the Local Plan will not be without risk. It should be noted that compatibility with the development described in the adopted Local Plan policy does not mean that permission will necessarily be forthcoming although it would be difficult for the

Local Planning Authority to refuse planning permission unless the development was felt to be unacceptable for other reasons (e.g. landscape impact, lack of off-site traffic mitigation, ecological impacts etc). The risk is therefore anticipated to be low.

13. Acquiring Pearman's land will also protect the value of OCC's existing land holding of 35.01 hectares (86.5 acres). The cost of the development infrastructure, to include upgrading sewage provisions, a link road and a primary school, are shared equally amongst the total number of dwellings. These infrastructure costs will not significantly reduce even if the total number of dwellings were to fall from 1000 (estimated number achievable when including Pearman's land in the overall masterplan) by at least 200 dwellings (the estimated number in the event that Pearman's land must be excluded from the overall masterplan).
14. Consequently, the average per dwelling cost of all infrastructure will be significantly higher for a scheme of less than 1000 dwellings, thereby significantly reducing the amount that a future developer will pay to OCC for its existing land holding.

### **Budgetary Implications**

15. Tank Farm is within the disposal programme and the capital programme funding assumes a capital receipt from the sale of land in OCC's ownership of £16m. The delivery of the receipts is likely to be phased from 2024 onwards.
16. The necessary funds to acquire the Pearman land would need to be made available on completion of the transaction, anticipated in early 2019. Capital Finance have advised that funding can be made available through the cash flow of the capital programme. i.e. capital is payable upfront, with the return of capital plus an additional uplift upstream, all within the 10 year window of the capital programme.
17. The acquisition of Pearman's land will attract Stamp Duty Land Tax.
18. OCC have now obtained competitive quotations, following the Council's procurement rules, for the associated costs of the planning application and OCC's share assuming an 80% liability, remains in line with the original estimate of £600k (which was for a 60% liability).

### **Staff & Equalities Implications**

19. None / Not Applicable.

### **Risk Management**

20. Pearman's land is vital for landscaping and open space for the East Chipping Norton SDA, its mere presence cannot be relied upon. It is therefore crucial to

ensure it falls under the control of the planning applicant, as the ongoing protection of these areas will be tied up in a legal agreement as part of the planning process.

21. If a third party was to acquire the interest in Pearman's land holding it would further delay OCC's ability to proceed with a planning application on its existing land holding and delay delivery of the capital receipt. If the party was not willing to enter into a Collaboration Agreement, based upon the terms as recommended by OCC's external legal advisors, this could jeopardise the entire scheme.
22. There is a risk that, given the number of allocated sites in West Oxfordshire, there may be an oversupply of residential sites with planning permission in the future, thereby reducing demand and consequently result in a fall in land value. If this occurred then OCC could defer selling until land values increased.

### **Legal Implications**

23. The Council can acquire property under s.120 of the Local Government Act 1972, provided the acquisition is supported by a rationale which is either (i) in line with the function of the Council, or (ii) that the purchases are for the benefit, improvement and development of the County. It is felt that acquiring Pearman's land to speed up delivery of housing, a new primary school and a link road would fall within the second category.

### **Timescales**

24. Pearman has indicated that the exclusive opportunity for OCC to purchase will only be held open for a limited time, until the end of December 2018.
25. It is expected that the land purchase would be completed in early 2019 enabling a planning application to be submitted by summer 2019. Capital receipts from phased land sales would be received in due course after grant of planning permission.

**Bev Hindle**  
**Strategic Director for Communities**

Background papers: Exempt Annex

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December 2018

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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