

OXFORDSHIRE DELEGATED DECISIONS BY CABINET MEMBER FOR TRAVEL & DEVELOPMENT STRATEGY

MINUTES of the meeting held on Wednesday, 5 January 2022 commencing at 10.00 am and finishing at 11.15 am

Present:

Councillor Duncan Enright – in the Chair

Councillor Yvonne Constance

Councillor Dan Levy

Councillor Andy Graham

Councillor Liam Walker

Councillor Nick Field-Johnson

Officers:

Whole of meeting:

L. Tyrrell (Law & Governance)

N. Moore (Environment & Place)

O. Parsons (Environment & Place)

J. Cox (Environment & Place)

The Council considered the matters, reports and recommendations contained or referred to in the agenda for the meeting and decided as set out below. Except insofar as otherwise specified, the reasons for the decisions are contained in the agenda and reports, copies of which are attached to the signed Minutes.

1 DECLARATION OF INTEREST

(Agenda Item 1)

There were no declarations of interest.

2 QUESTIONS FROM COUNTY COUNCILLORS

(Agenda Item 2)

Councillor Dan Levy

“It is probable that Oxfordshire will be awarded some money by central government as part of Tranche 3 of the Active Travel Fund. Can I ask whether the County Council has plans to spend such money in the absurdly short timescales such funding normally requires, and if the Botley to Farmoor to Eynsham B4044 route is included in those plans, in part or in whole. It is desperately needed, and must link to the equally vital Eynsham/Salt Cross to Hanborough Station active travel route that is also needed by people to encourage them out of private cars. Has the authority considered building the facility in parts?”

Cabinet Member for Travel Development & Strategy

“The T3 bid has not yet been announced. The bid was submitted on 9 August 2021. A response from DfT was expected by the end of 2021 but it is quite typical of the DfT to take longer to announce successful bids.

The funding is to be spent by March 2023, so over the next financial year. The bid included funding for the Eynsham to Botley cycle path, split into different sections. Funding to build the first sections were included in the bid (£4,650,000) from Oxford to Farmoor. Because of greater challenges over the next section, the bid included £430,000 for feasibility/preliminary design from Farmoor to A40 Eynsham.”

Councillor Dan Levy

“Can Cllr Enright give an update on the progress of the HIF2 scheme, please. There are still a number of details which will need to be sorted out, including such things as the same area of land in Eynsham simultaneously having existing planning permission for vehicle access to new housing from the centre of Eynsham and being planned to be a part of the walking and cycling facilities to the Park and Ride. In addition, the report of the Inspector on WODC’s proposed Area Action Plan for the Garden Village area is expected quite soon – will the County be willing or able to reflect in the A40 plans any of his recommendations relating to infrastructure if they impact on the County’s plans.”

Cabinet Member for Travel Development & Strategy

“Good progress continues to be made with the delivery of the A40 HIF2 Smart Corridor project. The planning application has been submitted and validated in December 2021 with the statutory consultation period due to commence in early January, with determination targeted for late spring 2022. A report is due at Cabinet in January to seek authority to make the compulsory purchase and side roads orders required to underpin delivery of the scheme. The orders will be progressed in parallel with the ongoing land acquisition discussions now in place with a large number of affected landowners.”

Councillor Dan Levy requested that Oxfordshire County Council and their contractors take care to ensure the interests of the residents of Eynsham, South Leigh and Cassington are taken into account as they will bear the brunt of the work without less benefit to their village.

3 **PETITIONS AND PUBLIC ADDRESS**
(Agenda Item 3)

Item	Speaker
Item 4. Burford Experimental Weight Limit	WIVTAG (Mark McCappin & Jan de Haldevang) John White (Burford Town Council) Ken Gray (Technical Adviser, Burford Town Council) Hugh Ashton (Technical Adviser, Burford Town Council) Rhys Williams - Road Haulage Association Paul Needle - Smith & Sons (Bletchingdon) Ltd Paul Street - Chris Hayter Heidi Skinner – Logistics UK Councillor Nicholas Field-Johnson (Local Member) Councillor Yvonne Constance Councillor Dan Levy (Local Member) Councillor Andy Graham (Local member) Councillor Liam Walker (Local member) Councillor Stefan Gawrysiak (Local member)

4 **BURFORD EXPERIMENTAL WEIGHT LIMIT**

(Agenda Item 4)

The Cabinet Member for Travel Development and Strategy had before him a report which detailed the impact of the Burford Experimental Traffic Regulation Order (ETRO) which placed a 7.5t weight restriction on roads within Burford including the A361. The report advised that the scheme had brought benefits to Burford and its neighbouring areas, but the consultation had highlighted the impact of the dispersal of rerouting Heavy Goods Vehicle (HGV) traffic on other communities. It reported that an areawide weight restriction is likely to remedy many of the issues but will take time to implement and a decision is required on whether to make the Burford ETRO permanent until this is in place, otherwise, an expansion of the current permit system would be required if the Burford restriction is made permanent.

Also attached to the report was the background paper 'Burford Experimental Traffic Regulation Order (ETRO) Final Report, December 2021' and the following annexes:

Annex A: Map of Burford ETRO Study Area

Annex B: Consultation responses received related to the permit area

Annex C: ETRO

Annex D: Burford Town Council Burford Weight Limit Exemption Permit Scheme

Annex E: Burford HGV Weight Restriction Exemption Permit Application From

Annex F: Burford ETRO Consultation responses by theme

Annex G: Burford ETRO Consultation responses – originals

Annex H: Additional representations received since July 2021

Annex I: Directional Tracsis Traffic Flow Data and proportion of slow moving traffic

Annex J: Officer note of meeting with Farmers and Hauliers

The report recommended the Cabinet Member to

- a) APPROVE officers to consider the costs and benefits of developing area wide restrictions across Oxfordshire including close working with neighbouring authorities, as part of the county wide freight strategy, as soon as practicable. Noting any future approval of area wide weight restrictions would likely see existing environmental weight restrictions revoked subject to consultation.

- b) EITHER:
 - i. REVOKE the Burford Experimental Traffic Regulation Order of 7.5t weight restriction. Therefore, not making a permanent order.
OR
 - ii. APPROVE the Burford Traffic Regulation Order of 7.5t weight restriction with associated Permit Scheme, subject to Burford Town Council committing to indefinitely run the Permit Scheme outlined in this paper. Should the Permit Scheme be revoked the county council will re-evaluate the impacts of the order.

The following requests to speak were received, of which all were allowed by the Cabinet Member. These were considered by the Cabinet Member as follows:

Mr Mark McCappin and Mr Jan de Haldevang presented on behalf of WiVTAG (Windrush Valley Traffic Action Group) which represents 14 parish and town Councils, 1 district council, several farms and 51 businesses in Oxfordshire and Gloucestershire. Mark McCappin spoke in support of the first recommendation, however he requested that a zonal weight restriction for the West Oxfordshire area is developed and implemented as a matter of urgency and advised that they had outlined such a scheme in their Final Report to OCC and noted that Gloucestershire CC had submitted a strong formal objection to the Burford ETRO requesting that it is not extended beyond the 18-month trial period. He further requested that a zonal scheme be developed jointly with Gloucestershire CC, in order to find a solution acceptable to both counties.

Mr Jan de Haldevang spoke in support of recommendation b)i, and advised that WIVTAG were adamant that the current scheme failed on pre-defined criteria, and following the 95 responses to the OCC consultation, all but one

objected to the current restrictions, the single response in favour coming from Burford Town Council. In summary, he advised that WiVTAG would support decisions to accept recommendations (a) and (b) (i). This would open the door to a better regional solution with a zonal restriction in the Windrush Valley and a 7.5t weight restriction in Burford.

Mr John White, Burford Town Council, spoke on behalf of that Council, and, by extension, on behalf of the people of Burford advising the Cabinet Member of the residents' anger and frustration, and indeed occasionally desperation, of the depredations caused by Heavy Goods Vehicles in their towns and villages. Damage to their environment, their properties, their economy and their mental and physical health. These were substantially the factors which persuaded OCC to impose the Burford Weight Limit in 2020, and they have not changed.

Mr White advised that since the restriction was put in place, conditions in Burford have changed, with clearer and cleaner air, less threatening traffic and a safer pedestrian environment which has transformed Burford's economy. The Council had disputed the original data obtained by OCC, and at the Council's own cost, had implemented an Automated Plate Recognition Camera placed at strategic sites, of which the data was incontrovertible, and which he said had been rejected out of hand by OCC Officers (Paragraph 8 on page 3 of the report), which cannot be right.

Mr White advised that, although the Council fully support the recently announced proposal to seek urgently a regional solution, for all the reasons submitted, felt that the proper course is to extend the Burford Weight Limit for a further period, at the Cabinet Member's discretion, to allow time for proper consideration of the ANPR data and time to determine whether a regional solution is possible.

Dr Ken Gray, Burford Town Council Technical Advisor showed a slide presentation which sought to address the inadequate information supplied by OCC Officers in their report. He advised there were two traffic measuring techniques used simultaneously across five sites, and the data obtained from the technique ATC, should be used with caution as it overestimates the number of HGVs in vehicle classifications by up to 1000%. Unfortunately, the before and after ETRO traffic measurements data obtained in Burford was only supplied via ATC, and therefore this data should be analysed with caution.

The ANPR data identifies the number and weight of HGVs going through Leafield, Crawley, West End and Bridge Street. It can also identify municipal HGVs, which are not diverted from Burford. Secondly, the data from these sites were linked. They could identify which HGVs went through more than one site. Thirdly cameras were used at two key junctions on the Leafield Road determining the use of each junction arm. Again, this data and its analysis was omitted in the report. Also missing were the recent air pollution measurements. They show no indication whatsoever of any impact of the ETRO.

There is, though, an issue with farmers and deliveries into the area around Burford and Burford Town Council agrees to implement a major increase in the Permit Zone size and to change permit conditions allowing deliveries within the enlarged zone from locations from afar.

Dr Gray concluded that the OCC Officers' report had serious flaws, and there is plentiful proof that the ETRO has been successful

Mr Hugh Aston, Burford Town Council Technical Advisor and resident of Burford presented his slides to the Cabinet Member which evidenced the minimal diversion of HGVs to routes east of Burford. He presented evidence of data collected from the Crawley and Leafield sites using ATC surveys which showed an inaccurate picture of the level of HGV use being high, which was in contradiction to the use of ANPR surveys.

Mr Aston concluded that there is no evidence of material BWL diversion to roads east of Burford:

- any diversions from Burford through Crawley and Leafield are very small (less than one vehicle every one and two hours respectively)
- there is no evidence of diversions on the B4022 or A4095 north of Witney
- and therefore, any changes in HGV flows at West End or Bridge Street are as a result of data variability or other influences.

Mr Rhys Williams of the Road Haulage Association spoke in support of revoking the ETRO as he did not believe the current permit scheme fit for purpose, as it did not accommodate local and national hauliers' businesses in and around Burford.

Mr Williams proposed that all the ban had done was to displace large vehicles onto less suitable roads, diverted traffic onto a different group of Oxfordshire residents, added mileage and time to lorry journeys and increased costs for local businesses moving goods." He also highlighted a report from Thames Valley Police Joint Operational Unit, dated 13 September 2017, clearly stating TVP formally objecting to the Burford Weight Limit, citing many reasons, including the fact that the A361 is an A Class road and the ban could disperse HGV traffic onto less suitable roads, which in their opinion could have road safety and environmental consequences.

Mr Williams suggested that Oxfordshire County Council had failed to consider the Key Principles of the Connecting Oxfordshire: Local Transport Plan 2015-2031 - Oxfordshire Freight Strategy in implementing the ETRO, and emphasised the need for lorries as essential for delivering goods required every day. He had submitted a response from the Road Haulage Association dated 17 August 2020 within his written statement for the Cabinet Member's attention.

Mr Williams advised that in summary, the Burford restriction diverts lorries from one set of residents and moves them to another set of residents on less

suitable roads and at significant environmental and business cost. The solution is to remove the Burford lorry ban and return to the rules applying before the ban was introduced.

Mr Paul Needle, Transport Manager at Smith & Sons spoke of the adverse effect of the ETRO in reducing the amount of HGV traffic using the A361 as a shortcut through Oxfordshire, as local businesses attempting to transport goods to local destinations using a key A road between the A40 and A44. Although the business had successfully gained permits for their HGV fleet of 36 vehicles, it only covered vehicles moving materials from small quarries near Shilton and Burford, and movement of materials from the largest and busiest Gill Mill quarry near Ducklington were not exempt as is outside the permit area.

Mr Needle advised that all vehicles use the most suitable and direct routes to deliver to customers, often in remote rural locations, whilst trying to minimise fuel usage and impact on the environment and submitted his view that the County Council should revoke the current Burford ETRO and consider the costs and benefits of developing area wide restrictions across Oxfordshire, allowing local companies to carry out their legitimate business within the County whilst encouraging National carriers to use the major road network.

Mr Paul Street, Commercial Director at Chris Hayter Transport Ltd refuted the Burford council claims that it has tried to work with the industry (according to a quote from John White on 2nd November) and had only attempted to engage with one of the trade bodies, paying lip service with no real effort employed. He reported that many local companies have now suffered a detrimental effect from these restrictions, on increasing journey times at a significant increase in company costs of both wages and fuel and a detrimental impact to the environment.

Ms Heidi Skinner, Policy Manager at Logistics UK called on Oxfordshire County Council to revoke the Burford ETRO citing the significant impact on local hauliers and believes that the order has in fact done the opposite of what it sought to do in promoting road safety, reducing congestion and improving the environment of the area. She advised that Logistics UK believe that a patchwork of local regulations is emerging, therefore making it difficult for businesses to grow. She proceeded to highlight the importance of the A361 as an A road and therefore suitable for HGV use with a reinforced bridge, designed to take very heavy traffic at the reduced 20mph speed limit, and urged that for the logistics sector to work as efficiently as possible, hauliers who are operating nationally must not be penalised for travelling on A roads.

County Councillor Yvonne Constance spoke of her support of the trial in 2016, which was implemented in August 2020 following careful consideration and to allow Burford Town Council to raise funds and take over monitoring and enforcement thereof. She advised that although A roads may well be built for heavy goods traffic, our towns and villages are certainly not and felt that wider consideration for our environment should take precedence.

Since the Clean Air Act of 1956, air quality has been monitored with weight and speed restrictions, traffic pollution and congestion charges and considering pioneering ways of tackling these. Parish and Town Councils have always been encouraged to pay for their own projects.

Councillor Constance applauded Officers on the impressive details of their report, however the absence of ANPR data is unexplained and unacceptable and observed the much finer level of supporters to the scheme than objectors following the Oxfordshire County Council consultation, not clearly shown within the Officer's report. Councillor Constance also applauded the Officers for their submission of ANPR data that would support future analysis for a county or nationwide scheme.

Councillor Constance summarised that the importance of a regional and county wide scheme has been highlighted throughout this process, of which she would fully support, and for it to be successful should be in collaboration with Gloucestershire and the wider Windrush Valley, supported by all parties and be a model for a new scheme. She urged the Cabinet Member to make the Burford ETRO permanent.

Councillor Dan Levy spoke in support of Councillor Constance's statement and added that it is inevitable that there would be offset in neighbouring villages to any change and advised of increased traffic in his own area. He hoped that in the future there could be a freight strategy that covered the whole county and adjacent counties which detailed dedicated roads for specified HGV use, with local haulage use in smaller vehicles.

Councillor Levy summarised that all are having to adapt to a new environment of reducing carbon emissions and warmly welcomed that OCC are looking at freight movements that will be part of our forward strategy.

Councillor Andy Graham spoke of the costly decision made by the previous administration in implementing the temporary ETRO, a cost most borne by the neighbouring villages of increased HGV usage caused by this diversion. He advised that in his own area of Woodstock and Bladon, where the roads are no different to Burford, however with much narrower pavements, of which this diversion has caused increased danger to residents, with children walking to school at their peril.

Councillor Graham advised that the objections raised by residents within his division are real, and are based on first-hand experience, and not just on increased traffic and damage to historical buildings but also on pedestrian safety made worse by this traffic order.

Councillor Graham summarised that in creating a more equal society we cannot perpetuate the decision of the past, we should share the burden it presents by not making a temporary decision of folly permanent, however well meaning, and urged the Cabinet Member to revoke the Burford ETRO.

Councillor Stefan Gawrysiak submitted a statement which supported the recommendation to make the Burford ETRO permanent which is supported by the report and substantive data supplied.

Councillor Gawrysiak advised of a substantive reduction in numbers of 3 Axle HGV in Burford without a consequent increase for surrounding villages and that Burford, a traditional large village with historic building is impacted by large HGV's. It is noted in the report that AQ has improved, and pollution has been reduced and noted from the World Health Organisation that they are indicating that PM2.5 particulates should not exceed 5 and indeed the Minister for Agriculture has stated that NO level for MP 2.5 is safe. Therefore, to ensure that people, residents, families, mums and dads come first, the freight industry must adjust to modern times and thinking.

Councillor Liam Walker spoke on behalf of Long Hanborough division, to the east of Burford, and thanked all those who had spoken at the meeting about the ban that has affected their businesses, but also to the hundreds of residents who have continued to campaign and provide evidence on the impact this ban is having on neighbouring villages. He also wished to thank the Officers who have worked incredibly hard, not just on the final report, but also engaging with the wider community.

Councillor Walker spoke of the impact on the neighbouring village of Leafield including damage to verges, lorries stuck outside the primary school and damage to water pipes requiring visits from Thames Water. He advised of the same damage to the Crawley parish, which has narrow roads, not compatible to HGV use. The report clearly shows that displacement has taken place, with an increase in Witney, Leafield and Crawley in particular.

Councillor Walker criticised the use of Burford Town Council being able to issue the permit schemes which was detrimental to some business, and felt that this should have been controlled by OCC. He concluded that OCC has attempted this trial, however the report clearly shows that the reduction wanted has not been met, and urged that lessons be learnt from this project which has shown that scatter gun approach to HGV restrictions and schemes awarded to those Councils that can afford them to the detriment of neighbouring communities and fully support the first recommendation as the most reasonable way forward.

Councillor Nick Field-Johnson, the local member of Burford, spoke in favour of the Burford ETRO being made permanent and gave background to the discussion regarding the ban of heavy HGV's in Burford over the last 15 years. He advised that the decision to impose a Weight Limit was not taken lightly and was due to significant complaints from the residents and Burford Town Council. Constant traffic queues in the High Street and damage to several buildings were all reasons that the BWL was imposed.

On referring to page 111 of the report, Councillor Field-Johnson reported that the data has shown a significant reduction (-60%) of large (3-5 axis) HGVs in Burford. The data also shows that there had not been significant increases in the surrounding areas, despite Councillor Walker's claims, and that

furthermore, much of the data was questionable as the Tracis data clearly has been unable to distinguish between the type of 2 axle vehicles, such as delivery: Sainsburys, Parcelforce etc, and local fuel deliveries. The ANPR data had been much more accurate and clearly showed the over emphasis of the ATC/Tracis method. The ANPR data was not included in the Officer report which is a glaring omission and questions the validation of the conclusions drawn.

He added that there have been significant improvements in air quality in addition to Burford, in Chipping Norton and Witney, which seemed to have been over-looked in the report. Of the number of complaints received, a significant number were received from Leafield, of which he had already submitted a report of the survey undertaken in Leafield, and as repeatedly stated, is due to the by-pass at Charlbury, which has its own weight limit, and is not caused by Burford. The sightings of HGV use in Leafield had been shown to be minimal. Also, Crawley, another complainer, has an industrial estate at the South end of the Village and this road also leads to the Witney Industrial estate so HGVs service these industrial estates. Again, this has nothing to do with the Burford ban.

Councillor Field-Johnson concluded that the decision to make the ETRO permanent is of course not permanent and could be revoked at any time by the Cabinet when a regional HGV policy has been agreed. Councillor Field-Johnson supports a regional HGV policy, and a review will be made in the coming months. The Burford ETRO should be made permanent – and then reviewed pending the regional/County recommendations.

Councillor Duncan Enright, Cabinet Member for Travel Development & Strategy thanked everyone for their contributions today and hard work over a number of years. Councillor Enright, like Councillor Walker wished to thank Natalie Moore and the officers for their hard work in this area. Turning to recommendation a), he advised that it is clear that within both this meeting and county wide, there is support for developing area wide restrictions across Oxfordshire and indeed the Council voted unanimously in December to support this move. Therefore, Councillor Enright resolved to adopt recommendation a), and by looking at the work completed in West Oxfordshire, should have the opportunity to look at a zonal restriction across the western edge of the county, and perhaps beyond, working with neighbouring authorities. Councillor Enright acknowledged that facilities for lorry drivers on the main roads are not up to standard, and we should be working with Logistics UK to ensure that they are.

In turning to the second recommendation, Councillor Enright thanked everyone for their detailed work on the data in this regard, and, on directing members to page 122 of the report which detailed the criteria of success, for which the ETRO have not been met either in the decreased levels in Burford High Street, or the increase in other roads, and would also point out that data is coloured by a back drop which includes a whole series of different influences as well as the ETRO, such as the pandemic which has distorted traffic directions and volumes, HGV driver shortage, and Brexit which has changed the nature of movement across our area.

Councillor Enright concluded that in light of this data, the best option available to him is to revoke the existing ETRO, with a view to engaging communities across the county and beyond in a more strategic and regional weight restriction freight strategy to reduce freight traffic in our towns and villages.

..... in the Chair

Date of signing