

Notice of a Meeting

Growth & Infrastructure Scrutiny Committee **Monday, 27 February 2012 at 10.00 am** **County Hall**

Membership

Chairman - Councillor David Nimmo-Smith
Deputy Chairman - Councillor Nicholas P. Turner

Councillors:

Anne Purse	Pete Handley	John Tanner
Michael Gibbard	Charles Mathew	David Turner
Patrick Greene	Keith Strangwood	

Notes:

Date of next meeting: 23 April 2012

What does this Committee review or scrutinise?

- Transport; highways; traffic and parking; road safety (those areas not covered by the Safer & Stronger Communities Scrutiny Committee); public passenger transport
- Regional planning and local development framework; economic development; waste management; environmental management; archaeology; access to the countryside; tourism
- The planning, highways, rights of way and commons/village greens functions of the Planning & Regulation Committee

How can I have my say?

We welcome the views of the community on any issues in relation to the responsibilities of this Committee. Members of the public may ask to speak on any item on the agenda or may suggest matters which they would like the Committee to look at. **Requests to speak must be submitted to the Committee Officer below no later than 9 am on the working day before the date of the meeting.**

For more information about this Committee please contact:

Chairman	-	Councillor David Nimmo-Smith E.Mail: david.nimmo-smith@oxfordshire.gov.uk
Committee Officer	-	Michael Varrow, Tel: (01865) 323611 michael.varrow@oxfordshire.gov.uk



Peter G. Clark
County Solicitor

February 2012

About the County Council

The Oxfordshire County Council is made up of 74 councillors who are democratically elected every four years. The Council provides a range of services to Oxfordshire's 630,000 residents. These include:

schools	social & health care	libraries and museums
the fire service	roads	trading standards
land use	transport planning	waste management

Each year the Council manages £0.9 billion of public money in providing these services. Most decisions are taken by a Cabinet of 9 Councillors, which makes decisions about service priorities and spending. Some decisions will now be delegated to individual members of the Cabinet.

About Scrutiny

Scrutiny is about:

- Providing a challenge to the Cabinet
- Examining how well the Cabinet and the Authority are performing
- Influencing the Cabinet on decisions that affect local people
- Helping the Cabinet to develop Council policies
- Representing the community in Council decision making
- Promoting joined up working across the authority's work and with partners

Scrutiny is NOT about:

- Making day to day service decisions
- Investigating individual complaints.

What does this Committee do?

The Committee meets up to 6 times a year or more. It develops a work programme, which lists the issues it plans to investigate. These investigations can include whole committee investigations undertaken during the meeting, or reviews by a panel of members doing research and talking to lots of people outside of the meeting. Once an investigation is completed the Committee provides its advice to the Cabinet, the full Council or other scrutiny committees. Meetings are open to the public and all reports are available to the public unless exempt or confidential, when the items would be considered in closed session

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, giving as much notice as possible before the meeting

A hearing loop is available at County Hall.

AGENDA

1. Apologies for Absence and Temporary Appointments

Apologies were received from Cllr Charles Mathew, with Cllr Ian Hudspeth substituting. Cllr David Turner, with Cllr Roz Smith substituting and Cllr Anne Purse, with Cllr Jean Fooks substituting.

2. Declarations of Interest - see guidance note on the back page

3. Minutes (Pages 1 - 16)

4. Speaking to or petitioning the Committee

5. Director's Update

6. Local Enterprise Partnership/Enterprise Zone

10:15

A verbal briefing will be given to members on progress with the Local Enterprise Partnership and in particular delivery of the Oxfordshire Science Vale Enterprise Zone. The briefing will update the Committee on the arrangements being put in hand by the Partnership in respect of the Growing Places Fund: it will also touch on the potential implications of proposed changes to the allocation of investment in major transport schemes

7. Minerals and Waste Local Development Framework (Pages 17 - 28)

10:35

The meeting will be invited to consider and comment on proposed changes to the policies in the Minerals and Waste Local Development Framework. The proposed changes are in response to comments submitted as part of the public consultation on the draft policies in advance of these being considered by the Cabinet.

This matter will be considered in 2 parts;

- a.) minerals
- b.) waste

8. Bicester: Masterplanning

12:00

A verbal briefing will be given to members on the emerging conclusions of master planning work commissioned to look at the longer term potential of Bicester as a focus for sustainable economic growth.

9. Close of Meeting

12:45

Declarations of Interest

This note briefly summarises the position on interests which you must declare at the meeting. Please refer to the Members' Code of Conduct in Part 9.1 of the Constitution for a fuller description.

The duty to declare ...

You must always declare any "personal interest" in a matter under consideration, i.e. where the matter affects (either positively or negatively):

- (i) any of the financial and other interests which you are required to notify for inclusion in the statutory Register of Members' Interests; or
- (ii) your own well-being or financial position or that of any member of your family or any person with whom you have a close association more than it would affect other people in the County.

Whose interests are included ...

"Member of your family" in (ii) above includes spouses and partners and other relatives' spouses and partners, and extends to the employment and investment interests of relatives and friends and their involvement in other bodies of various descriptions. For a full list of what "relative" covers, please see the Code of Conduct.

When and what to declare ...

The best time to make any declaration is under the agenda item "Declarations of Interest". Under the Code you must declare not later than at the start of the item concerned or (if different) as soon as the interest "becomes apparent".

In making a declaration you must state the nature of the interest.

Taking part if you have an interest ...

Having made a declaration you may still take part in the debate and vote on the matter unless your personal interest is also a "prejudicial" interest.

"Prejudicial" interests ...

A prejudicial interest is one which a member of the public knowing the relevant facts would think so significant as to be likely to affect your judgment of the public interest.

What to do if your interest is prejudicial ...

If you have a prejudicial interest in any matter under consideration, you may remain in the room but only for the purpose of making representations, answering questions or giving evidence relating to the matter under consideration, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

Exceptions ...

There are a few circumstances where you may regard yourself as not having a prejudicial interest or may participate even though you may have one. These, together with other rules about participation in the case of a prejudicial interest, are set out in paragraphs 10 – 12 of the Code.

Seeking Advice ...

It is your responsibility to decide whether any of these provisions apply to you in particular circumstances, but you may wish to seek the advice of the Monitoring Officer before the meeting.

GROWTH & INFRASTRUCTURE SCRUTINY COMMITTEE

MINUTES of the meeting held on Thursday, 22 September 2011 commencing at 10.00 am and finishing at 12.05 pm

Present:

Voting Members: Councillor David Nimmo-Smith – in the Chair

Councillor Nicholas P. Turner (Deputy Chairman)

Councillor Anne Purse

Councillor Roger Belson

Councillor Michael Gibbard

Councillor Pete Handley

Councillor A.M. Lovatt

Councillor John Tanner

Councillor David Turner

Officers:

Whole of meeting Liz Johnston
Arzu Ulusoy-Shipstone

Part of meeting Sue Kent
John Disley
Joy White

The Scrutiny 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/the following additional documents:] and agreed as set out below. Copies of the agenda and reports [agenda, reports and schedule/additional documents] are attached to the signed Minutes.

26/11 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS
(Agenda No. 1)

Cllr Sandy Lovatt was present as a substitute for Cllr Keith Strangwood.

27/11 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE ON THE BACK PAGE
(Agenda No. 2)

There were no Declarations of Interest.

28/11 MINUTES
(Agenda No. 3)

The minutes of the meeting on 14 July were signed and approved.

29/11 SPEAKING TO OR PETITIONING THE COMMITTEE
(Agenda No. 4)

There were no requests to speak to or petition the Committee.

30/11 COMMUNITY TRANSPORT
(Agenda No. 5)

John Disley (Strategic Manager, Highways and Transport) updated the Committee on work with the Community Transport Strategy. In particular, the scope of the project has been difficult to agree as it ties into a number of broad cross-cutting issues. Cllr David Turner was concerned with the proposed timetable and requested that Officers progress the work regarding Dial-a-ride with particular urgency.

The Committee RESOLVED to have a Q&A session with providers and other local authorities at the next Scrutiny Committee meeting to consider possible options.

31/11 ENERGY MANAGEMENT STRATEGY
(Agenda No. 6)

Sue Kent (Environment & Climate Change Manager) introduced the Committee to Oxfordshire County Council's approach to energy management, which takes into consideration the significant likely increases in energy costs and flexibility required to deal with these fluctuations. The Committee were informed of the ways the Council is trying to cut its energy use, and how it is supporting and encouraging schools to cut theirs.

The Committee RESOLVED that a communication to all Councillors setting out what they could do, as individuals and as community leaders, to reduce energy consumption would be created.

32/11 DELIVERING DIRECTORATE SAVINGS
(Agenda No. 7)

Arzu Ulusoy-Shipstone (Capital, Strategy & Transformation Manager, E&E) updated the Committee on progress on delivering savings in E&E. 82% of planned savings for 2011/12 have already been delivered. The only area where savings are not going to be achieved is under Street Lighting, due to a change in costing structures from our energy provider. These savings will be met from elsewhere in the E&E budget.

The Committee RESOLVED to receive further updates on progress against savings targets at appropriate intervals in the scrutiny work programme going forward.

33/11 FORWARD PLAN

(Agenda No. 8)

Cllr Charles Mathew suggested an item on the planning Committee and its role in planning enforcement be considered for future meetings.

Cllr Nimmo-Smith requested that an item on potential new government planning policy comes to the Committee at an appropriate time.

34/11 CLOSE OF MEETING

(Agenda No. 9)

12:05

..... in the Chair

Date of signing

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GROWTH & INFRASTRUCTURE SCRUTINY COMMITTEE

MINUTES of the meeting held on Thursday, 20 October 2011 commencing at 10.00 am and finishing at 1.30 pm

Present:

Voting Members: Councillor David Nimmo-Smith – in the Chair

Councillor Anne Purse
Councillor Michael Gibbard
Councillor Pete Handley
Councillor Charles Mathew
Councillor Keith Strangwood
Councillor John Tanner
Councillor David Turner
Councillor Patrick Greene (In place of Councillor Nicholas P. Turner)

Other Members in Attendance: Councillor Peter Jones (for Agenda Item 8)

By Invitation: Philip Newbould - OCTAP (Oxfordshire Community Transport and Accessibility Partnership)

Emily Lewis - Community Transport Adviser at ORCC,

Phil Clark – manager of FISH

Pat Chirgwin – manager of West Oxfordshire Volunteer Link-up

Victoria Freeman – Community Transport Association

Andy Stokes – Public Transport Manager at Warwickshire County Council,

Liam Tatton-Bennett, Community First, the rural communities council for Wiltshire,

Nick Small, Northamptonshire County Council,

Officers:

Whole of meeting Liz Johnston, Scrutiny Officer

Part of meeting Martin Tugwell, Deputy Director Growth & Infrastructure (Item 6)

Huw Jones, Director, Environment & Economy (Item 7)
Agenda Item Officer Attending

The Scrutiny 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/the following additional documents:] and agreed as set out below. Copies of the agenda and reports [agenda, reports and schedule/additional documents] are attached to the signed Minutes.

35/11 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

(Agenda No. 1)

Apologies were received from Cllr Nicholas Turner, with Cllr Patrick Greene substituting. Apologies were also received from Cllr Roger Belson.

36/11 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE ON THE BACK PAGE

(Agenda No. 2)

There were no declarations of interest.

37/11 MINUTES

(Agenda No. 3)

Cllr Handley could not support the signing of the minutes of 22 September 2011 as they did not reflect comments in relation to energy saving benefits of changing school terms. The Committee agreed that this should be reflected in the minutes of the last meeting, and that they should only be signed when this had been incorporated. The Chairman agreed and asked for the minutes to be brought back to the meeting in February 2012.

38/11 SPEAKING TO OR PETITIONING THE COMMITTEE

(Agenda No. 4)

There were no requests to speak to or petition the Committee.

39/11 BRIEFING ON THE COUNTRYSIDE SERVICE AND PARTNERSHIP WORKING

(Agenda No. 5)

Due to Officer availability this item was postponed to the meeting in February 2012.

40/11 INFRASTRUCTURE PLANNING AND FINANCING

(Agenda No. 6)

Martin Tugwell (Deputy Director, Growth & Infrastructure) updated the Committee on work ongoing to develop the Strategic Infrastructure Framework across Oxfordshire. The Committee reinforced the need to work closely with District and Parish Councils to ensure the best outcomes for residents. Cllr Handley wanted to remind Officers that there needs to be a lot of work with other partners, including the chambers of commerce and businesses to ensure the best use of infrastructure funding. Cllr Purse

wanted clear evidence of biodiversity and the natural environment being considered in future plans.

Cllr Mathew proposed designing a questionnaire for all Councillors so the right partners are contacted in each local area during the development of the Framework. This was supported by the Committee, and Cllrs Purse and Handley in particular wanted to feed into the process. Martin Tugwell agreed to work with the Members named above to ensure Member involvement.

The committee RESOLVED that this should come back to Scrutiny in February.

41/11 COMMUNITY TRANSPORT - Q&A SESSION

(Agenda No. 8)

The Chairman invited the panel to come to the table. The members of the panel were introduced as:

Philip Newbould – officer responsible for OCTAP (Oxfordshire Community Transport and Accessibility Partnership, based at ORCC (Oxfordshire Rural Communities Council)

Emily Lewis – Community Transport Adviser at ORCC, supporting and advising 64 CT schemes in Oxfordshire,

Phil Clark – manager of FISH volunteer scheme at Sonning Common – a car scheme with a minibus for social and shopping trips. Pure charity manned 100% by volunteers.

Pat Chirgwin – manager of West Oxfordshire Volunteer Link-up, a community car scheme with 60 volunteer drivers serving West Oxfordshire.

Victoria Freeman – Community Transport Association, a membership organisation providing legal and technical advice to help develop community transport services.

Andy Stokes – Public Transport Manager at Warwickshire County Council, managing a wide range of community transport projects.

Liam Tatton-Bennett, Community First, the rural communities council for Wiltshire, managing a range of schemes and delivery of the overall CT strategy for Wiltshire and Swindon.

Nick Small, Northamptonshire County Council, responsible for a wide range of transport provision including their new demand responsive service that meets needs formerly met by subsidized rural bus services.

Cllr Peter Jones also joined the committee at this stage as a representative of the Adult Services Scrutiny Committee.

Cllr Nimmo-Smith opened the discussion by asking the Oxfordshire scheme representatives about **problems faced by schemes that relied on volunteers**.

Phil Clark said that FISH in Sonning Common benefited from the fact that the majority of trustees and volunteer drivers have lived in the village for most of their lives, and therefore there is a strong commitment to the local community. They have also been fortunate with funding, including bequests and donations from well-to-do residents. The donations from users of the car scheme enable them to subsidize the minibus. He compared this fortunate situation with other areas with a transient population and a different age profile.

With regard to specific problems, he highlighted the difficulties of operating a bus service, in particular with the complexity of claiming for concessionary fares.

Andy Stokes agreed that it was easier to run volunteer schemes in some types of area than others. In rural south Warwickshire it seems easier, with schemes such as Shipston Link having little trouble in recruiting volunteer drivers. In other areas the county council has felt it needed to put in more funding to provide necessary services, particularly where public bus services were being withdrawn. There was a concern about depending completely on volunteers to provide a basic level of service for everyone's needs.

Nick Small from Northamptonshire echoed this, saying that in affluent areas like South Northants schemes had little difficulty in recruiting volunteers, although some schemes do not want to get involved in the complexity and risk of bidding for a service providing a minimum service level. He added that in Northamptonshire, the lack of sustained support and commitment to community transport has made it difficult for officers to commit to long term funding arrangements.

Progress relative to other local authority areas

Cllr David Turner said he admired the innovation of Wiltshire and the progress they had already made with their strategy. He asked Victoria Freeman how it was that other local authorities were ahead of the game compared with Oxfordshire.

Victoria answered that Oxfordshire is not behind. Initially CTA had been in contact with 76 local authorities, but uptake of consultancy services has been slow. Some local authorities have already spent their DfT grant money, she believes, on things not necessarily relevant to the development of community transport. Others, like Oxfordshire, are thinking more strategically. She pointed out that the grant funding is not time limited.

Recruiting unemployed people as volunteers

Cllr Jones asked whether the volunteer sector used job-seekers, who are entitled to do some voluntary work without losing their benefits. Phil Clark said FISH advertise regularly in the local paper, but in 5 years only one unemployed person has come forward. Patricia Chirgwin said West Oxfordshire Volunteer Link-up was one of only 15 projects that had recently received lottery funding to recruit jobseekers into volunteering. From September, they will be employing someone in JobCentre Plus to do this. She has given talks to JobCentre Plus staff about the value of volunteering experience and how people could be made more aware of opportunities.

However, Nick Small said that it was not always easy to find suitable volunteers from among unemployed people, particularly with the need for CRB checks, and the fact that they may not have the long term commitment necessary to deliver frontline services (they would be looking for paid work).

Setting up a 'Hub' to deal with all transport needs, and consolidate provision

Cllr Jones asked for more information about this type of approach. Nick Small said that in Northamptonshire some parish based minibus schemes have been set up to include delivery of SEN home to school and Social and Community Services, but it has been difficult aligning procurement processes. They are looking at joint commissioning with PCTs, but there are big challenges to align the different regulatory frameworks of different packages of commissioned work. He mentioned Norfolk, which has progressed furthest along this route, although they have been working on it for three years.

Problems for CT schemes in dealing with 'red tape'

Cllr Strangwood asked whether schemes felt this held them back. Phil Clark said that FISH used CTA for advice, but the scheme does not always comply with the absolute letter of the law, and a certain amount of trust is involved (although he did confirm that all drivers were CRB checked). In particular, volunteers should legally be treated as employees, but this is not always feasible in practice. Patricia Chirgwin said that dealing with 'red tape' did take up staff time but they have not lost volunteers because of it. Emily Lewis said that a number of schemes in Oxfordshire have remained informal to avoid having to get involved in red tape.

Nick Small said that proportionately, regulation is a greater burden to voluntary organisations and added that in his view, the Government has failed to address this as part of the Big Society agenda. It is a barrier to entry which makes it difficult to 'seed' new CT schemes.

Vicky Freeman agreed that there were difficulties, but new schemes were appearing. Some local authorities are investing more in helping CT schemes than others, including helping existing schemes by making sure they can compete to win contracts. CT forums can help achieve this. Philip Newbould said that ORCC has provided that service, and added that voluntary groups need help to understand Government and council language.

Philip also added that if any staff are paid, they must receive minimum wage, and this has been a problem for some organisations.

Winter weather

Cllr Strangwood also asked whether CT schemes had vehicles that could continue to operate in snow conditions. Phil Clark pointed out that 4-wheel drive vehicles were not necessarily safe to operate in snow unless they were fitted with snow tyres. He added that FISH do not go out in snowy conditions, due to the safety risk of getting elderly and disabled people from their door into the vehicle. Patricia Chirgwin said her scheme erred on the side of caution and would cancel trips if necessary – very often the appointment the person wanted to get to would be cancelled in any case. Andy Stokes said getting around in snow conditions was an issue for scheduled

buses too, and the ability to travel depended largely on the county's gritting policy. Nick Small said it was sometimes difficult to decide which Northamptonshire village would get a service and which would not.

How to start up new schemes

Cllr Purse asked what was being done to take advantage of any aspirations to start up schemes, and help them become a reality.

Andy Stokes said that in Warwickshire not much was being done to start up new schemes due to budget problems. Pat Chirgwin said that Emily and ORCC had been a great support to all schemes in Oxfordshire. Emily said schemes have tended to start at parish or community group level, or from church groups or Good Neighbour schemes. The West Oxfordshire scheme started off as a FISH scheme.

Nick Small said that in Northamptonshire, many schemes have started as general volunteering schemes, e.g. Thrapston Volunteer Bureau. They succeed more easily where the people involved happen to have a lot of relevant experience (e.g. former experience with a bus operator) and are commercially astute. Organisations like ORCC and Community First can engage strategically with all schemes, large and small, to expand the capacity and provide strategic focus. He added that looking to replace public provision with CT may not always work out well. Liam Tatton-Bennett added that it must be borne in mind that a volunteer cannot be compelled to do anything.

Liam said that when Community First started to build community transport in Wiltshire, there were 15 schemes, and that now there are 67. There is complete coverage of the county, and he feels there is no more potential for new schemes – the focus is now on developing capacity in existing schemes. Community First has a good practice guide, describing how they have worked at community level, involving community led planning, and setting up charities.

Potential for centralization, centralized control and consolidation

Cllr Handley queried whether there should be a national CT scheme. Emily Lewis said that local knowledge is really important, and there is a lot of goodwill at local level, including lots of informal lift giving. Vicky Freeman said she had been working with some local authorities who wanted to centralize CT provision. They have encountered resistance, and it can result in loss of local knowledge and the comfort of users. Phil Clark warned against trying to centralize, but said that small villages could and should work together, because schemes are only really viable for a population of around two to three thousand. In Sonning Common, the scheme covers the local health centre catchment.

Cllr Mathew said he would like to know what the total cost of all 64 schemes was, and what could be set up across the county with an equivalent cost. Nick Small said it was very hard to put an output value on community transport. Emily said the large number of schemes had grown up because they are locally led. Also, the majority of the car schemes receive no council funds at all. Vicky said that in some areas schemes were working collaboratively. Liam Tatton-Bennett said groups sometimes share resources but often do not want to merge..

Insurance

Cllr Handley asked whether getting insurance was a problem for volunteer drivers. Emily said that Volunteering England have secured a pledge from insurers that they won't increase premiums if drivers say they are providing a volunteer driving service. Vicky said that CTA's website lists all the insurers who don't charge an additional premium.

Linking public transport and community transport

Nick Small advised against rushing into new arrangements and said that it can be difficult to resolve the boundary between public transport and community transport. The two must complement one another – public transport meeting the basic needs of all settlements, with community transport offering a more personalised service. Both need to be supported.

Supporting community transport

Cllr Mathew asked what Vicky Freeman felt was the best way for a county council to support the wide variety of community transport schemes. Vicky said she would reply later in writing as there were a number of different options.* Liam Tatton-Bennett and Emily Lewis both said that there were some models which could potentially be rolled out, but they would not suit all schemes and all areas.

Fuel costs

Cllr Green asked to what extent increasing fuel prices were having on services, and whether the Government could be helping. Philip Newbould said that fuel rebate was available to all bus operators including community transport, but not car schemes. However, the tax free amount that volunteer drivers can claim to cover their expenses has recently been increased to 45p per mile (although users would not necessarily want to pay this).

Liam Tatton-Bennett said that Government was proposing to reduce bus operators' fuel duty rebate by 20%. The CTA would welcome support from the county council for their campaign against the reduction.

* Answer subsequently provided by Victoria Freeman:

A very broad question, which a lot of the answers will revolve around funding, a few are listed below;

- *Make funding available to support office costs and co-ordination costs*
- *Provide funding towards fares to reduce the costs to passengers*
- *Help with providing a small accessible vehicle to some organisations who have the capacity*
- *Help with marketing of services*
- *Help and guidance on putting volunteer drivers through the MiDAS MPV scheme*
- *Provide support with back office functions*
- *Set up a car scheme forum with council representation to discuss best practice*
- *Provide clear information on website*
- *Mapping of service areas to identify the current service provision*

Cllr Tanner left the meeting at 12:20pm.

42/11 DIRECTOR'S UPDATE

(Agenda No. 7)

Huw Jones (Director, Environment & Economy) gave the Committee an update on delivering the Business Strategy in 2011/12. This year the Directorate is likely to deliver more efficiencies than planned. This is despite the increased costs in the Highways Contract due to high levels of inflation.

Cllr Tanner left the meeting at 12:20pm.

The Committee received an update on the Capital programme from Arzu Ulusoy-Shipstone (Capital Strategy and Transformation Manager). Although actual spend is lagging slightly behind predicted spend, we are likely to be on track by the end of the year.

Cllr Mathew left the meeting at 1:25pm.

Cllr Greene requested that the presentation be circulated electronically to allow Members to consider issues for future Scrutiny.

43/11 FORWARD PLAN

(Agenda No. 9)

No further items from the Forward Plan were identified.

Cllr Purse reinforced that there were a number of items that should be coming up to meetings shortly, so meetings could last a fully day or start earlier if necessary. Cllr Handley supported the idea, as rushed items don't produce meaningful outcomes.

44/11 CLOSE OF MEETING

(Agenda No. 10)

1:30pm.

..... in the Chair

Date of signing

GROWTH & INFRASTRUCTURE SCRUTINY COMMITTEE

MINUTES of the meeting held on Thursday, 15 December 2011 commencing at 8.00 am and finishing at 10.00 am

Present:

Voting Members: Councillor David Nimmo-Smith – in the Chair

Councillor Nicholas P. Turner (Deputy Chairman)
Councillor Anne Purse
Councillor Michael Gibbard
Councillor Charles Mathew
Councillor Keith Strangwood
Councillor David Turner

Other Members in Attendance: Councillor (for Agenda Item)

By Invitation:

Officers: Liz Johnston, Scrutiny Officer

Whole of meeting

Part of meeting

Agenda Item Officer Attending

The Scrutiny 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/the following additional documents:] and agreed as set out below. Copies of the agenda and reports [agenda, reports and schedule/additional documents] are attached to the signed Minutes.

45/11 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

(Agenda No. 1)

Apologies were received from Cllr Peter Handley and Cllr Roger Belson.

Substitutes were Cllr Patrick Greene and Cllr Peter Skolar.

46/11 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE ON THE BACK PAGE

(Agenda No. 2)

There were no declarations of interest.

47/11 SPEAKING TO OR PETITIONING THE COMMITTEE

(Agenda No. 3)

There were no speakers or petitions.

48/11 SERVICE AND RESOURCE PLANNING 2012/13 - 2016/17

(Agenda No. 4)

The Committee received a presentation from Officers outlining progress that has been made since the Business Strategy was agreed by Council in February 2011. They also set out the new pressures and variations to the Medium Term Financial Plan that are proposed for next year's budget.

The Committee raised a number of areas of concern that should be monitored by Scrutiny throughout the year:

- Cllr Nimmo-Smith and Cllr Purse stressed the need to monitor the impact of changes on smaller services, such as the Countryside Service when they are supporting voluntary organisations. This should come to a future scrutiny meeting.
- Cllr Mathew asked how performance on planning applications and enforcement will be affected by the proposals, which should come to a future scrutiny meeting. Cllr Mathew requested further information on the Growing Places Fund. Huw Jones agreed to provide to the Committee. Cllr Mathew suggested that efficiencies could be made through a more effective process for contacting Area Stewards, which should come to a future scrutiny meeting. Cllr Mathew urged officers to consider charging utilities companies for digging up highways and charging for commercial parking at park and ride sites.
- Cllr Nimmo-Smith was concerned that the announcement on the likely changes to solar panel tariffs would have an adverse effect on the budget; new plans should be considered at a future scrutiny meeting. Martin Tugwell described how the implications of the announcement will be unclear for a while.
- Cllr Greene urged that funding for infrastructure projects that will encourage business growth across Oxfordshire should be prioritised.

The committee were concerned with how accurate the plans could be beyond 2012/13 and reinforced the need to monitor upcoming national policy changes that will affect local government funding, responding and influencing as much as we can.

Cllr Skolar was concerned by the reduced budget for the schools capital programme, which has been caused by a change in the funding received from central government.

Cllr Strangwood challenged Officers to find bigger savings on contracts and re-negotiating with suppliers.

The Committee broadly supported the Business Strategy.

Cllr Nicholas Turner proposed that Officers and Cabinet members explore

- **Amalgamating the Natural History Service with the Countryside Service**

- **Amalgamating the Business Skills Bureau with the Connexions Service**
- **Robust monitoring arrangements for road repairs to ensure extra money can be diverted quickly if necessary**

The recommendation was seconded by Cllr Strangwood and carried unanimously.

..... in the Chair

Date of signing

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**GROWTH AND INFRASTRUCTURE
SCRUTINY COMMITTEE**

ITEM 7

27 February 2012

OXFORDSHIRE MINERALS AND WASTE PLAN: CORE STRATEGY

Purpose

- 1. The Committee is invited to advise the Cabinet on the proposed amendments to the policies for the Minerals and Waste Plan.**

Background

2. The County Council is preparing a new Minerals and Waste Plan for Oxfordshire. The draft Minerals and Waste Planning Strategies were agreed by Cabinet on 20 July 2011 and were published for consultation in September.
3. Responses were received from 779 individuals and organisations. Most of these were on minerals, including 548 objections to a proposed new mineral working area at Cholsey. The responses have been published in full on the Council's website.
4. Overall the consultation has not resulted in any substantive issues being put forward that call into question the principles on which the draft strategies were prepared. However, through the consultation process a number of detailed issues were raised that require amendments to be proposed to the draft policies.
5. The revised Minerals and Waste Planning Strategies will be considered by the Cabinet at its meeting on 13 March, prior to seeking the approval of the full Council on 3 April to submit them to Government.
6. This committee is invited to consider the proposed amendments to the draft policies (set out in Annex 1) prior to their consideration by the Cabinet.
7. A summary of the responses was reported to the Minerals and Waste Working Group on 21 December. The proposed amendments to the policies will be considered at a further meeting of the group scheduled for 24 February.

Key Issues

Minerals Policies

Policy M2 - Provision for Sand and Gravel

8. There was a mix of objections received with regard to the use of locally-derived figures with some respondents arguing the proposed were too low and others arguing that there were too high. Some respondents suggested that there was insufficient consideration given to the potential for secondary/recycled aggregates to reduce the need for primary aggregates. Finally, there was concern expressed that insufficient weight had been given to cross-boundary movements and the need to take into consideration the needs of adjoining areas.
9. The figures in the draft strategy were based on a report prepared by consultants Atkins. This report has been reviewed further in light of the comments made; at the same time account has been taken of 2009 data on inter-authority movements which shows that Oxfordshire has been a net importer of sand and gravel in recent years. Notwithstanding the concerns expressed, no other figures were put forward through the consultation that can be demonstrated as being more soundly based than the evidence base prepared by the County Council.
10. On balance it is recommended that the figures set out in the draft strategy remain a sound basis for the Plan and that as a consequence there is no need to change the draft policy. The figures have sufficient flexibility to allow production to increase to allow local production to meet local needs and reduce the need to import material.
11. Whilst the Plan needs to provide a long-term framework, it will be reviewed on a regular basis (in keeping with other statutory planning frameworks. Those reviews provide the opportunity to take account of changes in local circumstances (for an example an increase in economic activity) and the implications this may have on the figures.
12. We have written to other mineral planning authorities in response to their comments explaining the reasoning underpinning the figures in the draft Plan. Some authorities have accepted our position, whilst others continue to express their concern.

Policy M3 - Strategy for the location of mineral working

13. The key issues raised through to the consultation in respect of this policy can be summarised as being:
 - General comments – the distribution of mineral workings was considered by some to have over-reliance on sand and gravel working in west Oxfordshire; concerns were expressed that the identification of only one new area (Cholsey) meant that the Plan lacked flexibility; the

level of assessment undertaken in respect of potential sand and gravel areas was considered by some to be inadequate (particularly in relation to Cholsey).

- Habitats Regulations Assessment – Natural England expressed concern in their response as to the possible impact of working on Oxford Meadows and Cothill Fen Special Areas of Conservation.
- Archaeology – English Heritage expressed concern in their response about the potential for further loss of archaeology in parts of the Lower Windrush Valley.
- Areas of Outstanding Natural Beauty (AONBs) – the AONB Board expressed concerns about potential visual impact of mineral workings at Cholsey and Caversham on adjacent AONBs.
- Flooding – objections to mineral workings in the Caversham area were put forward on the basis that the national policy on flooding had not been correctly applied; separately the Environment Agency raised a question as to whether the assessment of groundwater vulnerability had been undertaken fully.
- Birdstrike – the MoD in their response raised a concern about the lack of information on and feasibility of restoring mineral workings in an acceptable way for sites within airfield safeguarding areas (particularly at Cholsey).
- Cholsey area – the objections submitted suggested that there had been inadequate consultation on the proposal; expressed concern that the draft Plan was site-specific and lacked the detailed assessment that would be expected to support such a proposal; expressed concern as to the impact the proposal would have on residents in Cholsey and Wallingford (including new proposal for housing at Winterbrook); expressed concern as to the potential impact of mineral workings on the local economy and tourism.

14. In response to the issues raised the following actions have been undertaken:

- The proposed distribution of sand and gravel supply between west and southern Oxfordshire has been reviewed in relation to the locations of demand across the county and the availability of least constrained resources.
- Our approach to the application of the assessment methodology has been checked: the conclusion of that review has been to confirm that the methodology has been consistently applied and that all relevant strategic issues covered, including groundwater vulnerability.

- Consultants have undertaken further work on the application of the Habitats Regulations Assessment, the scope of which was agreed with Natural England. That has concluded that, subject to the exclusion of parts of the Eynsham/Cassington/Yarnton area and the inclusion of appropriate safeguards in the policy framework, the Special Areas of Conservation should not be adversely impacted.
 - Clarification has been received from English Heritage as to the areas in the Lower Windrush Valley that they wish to see protected from mineral working: we have established that the remainder of the area could be worked without affecting important archaeology.
 - A landscape assessment of the Cholsey and Caversham areas has been undertaken, in consultation with AONB Officers: this assessment has concluded that future mineral workings would not adversely impact on the AONBs.
 - Confirmation has been received from the Environment Agency that national flooding policy has been correctly applied in the preparation of the Plan.
 - The MoD has confirmed they have no fundamental concerns about the proposed strategy and that any concerns they might have with regard to the potential for birdstrike can be adequately addressed as part of specific planning applications.
 - The consultation process to date has been reviewed; we have reconsidered the suitability of the Cholsey area for inclusion within the Plan as a strategy and considered whether the housing proposal at Winterbrook has any implications for the Plan.
15. As a result of the work set out above, it has been concluded that the strategy set out in the draft Plan is soundly based and forms an appropriate base for submitting the Plan to Government.
16. As a consequence there is no substantive change proposed to the draft policy: the only change being that part of the Eynsham/Cassington/Yarnton area is taken out of the policy to reflect the outcome of the work undertaken in accordance with the Habitats Regulations Assessment.

Waste Policies

Policy W2 - Waste Imports

17. Representations made through the consultation suggested that the proposals for dealing with the provision for waste from elsewhere was too inflexible, was not compliant with national policy and demonstrated a lack of concern for the need to co-operate with other authorities.

18. In light of the comments received we have reviewed the draft policy with the Environment Agency and sought the views of other waste planning authorities.
19. As a result of this work we have concluded that the policy needs to be amended. The revised policy wording emphasises the need for any proposal for a new facility dealing with waste from outside the county (including London) to be able to demonstrate that either there is no prospect of a site nearer to the source of the waste or that there are wider benefits to Oxfordshire arising from the proposal.

Policies W3 & W4 - Waste Management Targets and Provision of Additional Waste Management Capacity

20. Representations to the draft policies argued that the recycling targets were too low and that the landfill reduction targets were unrealistically high. Objections were received suggesting that the need for additional residual waste treatment facilities (e.g. waste to energy or mechanical biological treatment) was overstated and that inadequate consideration had been given to the implications of non-delivery of already permitted facilities.
21. The recycling targets have been reconsidered in the light of proposals emerging through the review of the Joint Municipal Waste Management Strategy and in consultation with the Environment Agency.
22. As a result we have concluded that the recycling and composting targets for municipal and commercial and industrial wastes should be increased, to 70% by 2025 and that the maximum landfill target should be increased to 5%. This reduces the residual waste treatment target to 25%.
23. As a consequence of these changes there is a need to increase the provision made for additional recycling capacity (particularly for commercial and industrial waste). This in turn removes the need to make provision for additional residual waste treatment capacity.

Policy W5 - Provision for Waste Management

24. Objections to the draft policy highlighted concerns that the strategy was too prescriptive and lacks flexibility with regard to the siting of facilities (particularly for recycling) and to allowing for provision to be made for contingencies. Representations also highlighted the need for more focus on facilities to serve Oxford and that the need for a waste treatment plant in southern Oxfordshire was not proven.
25. We have reconsidered the strategy for provision of waste facilities in the light of the amended requirements for new capacity and locations of existing and planned facilities in relation to where waste will arise.

26. As a consequence it is proposed that policy W5 is amended so that it sets out a broad approach to the provision of strategic facilities, with emphasis given to serving the Bicester-Oxford-Abingdon-Didcot area and other facilities being provided to serve the other main towns and small-scale facilities elsewhere.
27. A statement will be included within the supporting text of the final document that gives general encouragement to the provision of additional recycling and composting facilities.
28. It is proposed that the requirement in the draft policy for a treatment plant in the Abingdon-Didcot-Wantage/Grove area has been replaced by a more general requirement that the need for any new facility has to be demonstrated on a case-by-case basis.

Policies W8 & W9 - Hazardous and Radioactive Waste

29. Objections were received that the draft policies were too restrictive policy on facilities in Oxfordshire. In particular concerns were expressed that the policies failed to appreciate the need to consider the storage and management of radioactive waste in the wider context of national policy on disposal of such material.
30. We have reviewed the draft policies with the Nuclear Decommissioning Authority – the Government agency responsible for the storage and management of radioactive waste. This work has considered at greater length the expected waste arisings and storage requirements, together with the availability of facilities in Oxfordshire and elsewhere in the Country. The proposed changes to policies W8 and W9 reflect the outcome of this work.
31. The revised policy framework would enable new facilities to be constructed to accommodate waste from outside the county only where there is no adequate provision elsewhere.

Sustainability Appraisal/Strategic Environmental Assessment
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32. A sustainability appraisal (incorporating strategic environmental assessment) of proposed changes to the policies is currently being carried out by consultants. This is scheduled to be completed by 22 February: the Committee will receive a verbal briefing on the outcome of the appraisal at the meeting.

Report by: Martin Tugwell, Deputy Director (Growth & Infrastructure)
February 2012

Contact: Peter Day, Tel 01865 815544

Proposed Key Changes to Minerals and Waste Policies

Deletions shown by ~~strike through~~;
 Insertions shown by underline.

Policy M3: Strategy for the Locations ~~for~~ of mineral working aggregate minerals

The principal locations for sharp sand and gravel working, as ~~shown~~ indicated in figure 7, will be at:

- i. existing areas of working at:
 - Lower Windrush Valley;
 - Eynsham / Cassington / Yarnton;
 - Sutton Courtenay; and
 - Caversham;
 through extensions to existing quarries or new quarries to replace exhausted quarries; and
- ii. a new area of working at Cholsey, to replace Sutton Courtenay when reserves there become exhausted;

~~Permission for further working~~ Within the Lower Windrush Valley and Eynsham / Cassington / Yarnton areas further working will ~~not~~ only be permitted if it would not lead to an increase in the overall level of mineral extraction or mineral lorry traffic above past levels within these areas combined.

Within the Eynsham / Cassington / Yarnton area further working will only be permitted if it can be demonstrated that it would not lead to changes in water levels in the Oxford Meadows Special Area of Conservation; and land to the east and north east of the River Evenlode will not be identified as specific sites for mineral working in a site allocations development plan document.

The principal locations for soft sand working, as ~~shown~~ indicated in figure 7, will be:

- East and south east of Faringdon;
- North and south of the A420 to the west of Abingdon; and
- Duns Tew.

Within the area north and south of the A420 to the west of Abingdon further working will only be permitted if it can be demonstrated that it would not lead to changes in water levels in the Cothill Fen Special Area of Conservation.

The principal locations for crushed rock working, as ~~shown~~ indicated in figure 7, will be:

- North of Bicester to the east of the River Cherwell;
- South of the A40 near Burford; and
- East and south east of Faringdon.

Additional working of ironstone for aggregate use will only be permitted in exchange for revocation, without compensation, of an existing permission containing workable resources.

Preference will be given to extensions to existing soft sand and crushed rock quarries. New quarries will only be permitted if sufficient provision cannot be made through extensions.

Planning permission will not be granted for mineral working aggregate minerals outside the locations identified ~~above~~ in this policy unless the required provision cannot be met from within these areas.

Further working of minerals for aggregate use will not be permitted within Areas of Outstanding Natural Beauty.

Sites for mineral working will be identified in a site allocations document.

(Note: It is proposed that the parts of draft Policy M3 that relate to aother minerals be transferred to a new policy, leaving this policy to cover aggregate minerals only.)

Policy W2: Waste Imports of residual non-hazardous waste

Provision will be made for disposal of a declining amount of residual non-hazardous waste from London and elsewhere outside Oxfordshire at existing landfill sites. New facilities which provide substantially for the treatment of residual non-hazardous waste from outside Oxfordshire will not be permitted unless there is no prospect of a site nearer to the source of waste being identified or there are would be clear benefits within to Oxfordshire.

Policy W3: Waste management targets

Provision will be made for waste to be managed in accordance with the following targets, to provide for the maximum diversion of waste from landfill.

Oxfordshire waste management targets 2010 – 2030

Waste Management / Waste Type	Target Year				
	2010	2015	2020	2025	2030
Municipal waste:					
Composting & food	29 28%	30 31%	31 33%	31 35%	31 35%

waste treatment					
Dry Recycling	2524%	3131%	3132%	3135%	3135%
Treatment of residual waste	0%	3730%	3630%	3625%	3625%
Landfill	4648%	28%	25%	25%	25%
Total	100%	100%	100%	100%	100%
Commercial & industrial waste:					
Composting & food waste treatment	0%	5%	5%	5%	5%
Recycling and composting & food waste treatment	50%	5060%	5565%	6070%	6070%
Treatment of residual waste	0%	4315%	3825%	3325%	3325%
Landfill	50%	225%	210%	25%	25%
Total	100%	100%	100%	100%	100%
Construction, demolition & excavation waste:					
Recycling	50%	50%	60%	60%	60%
Landfill/Restoration	50%	50%	40%	40%	40%
Total	100%	100%	100%	100%	100%

MSW targets for 2010 approximate to actual performance for 2010/11

Policy W4: Provision of additional waste management capacity

Provision for additional waste management capacity will be made in accordance with the following guideline figures.

Oxfordshire: additional waste capacity required (tonnes per annum)

Waste Type / Management Type	2010	2015	2020	2025	2030
Composting:					
Municipal / Commercial & Industrial	–	–	–	–	–
Recycling:					
Municipal / Commercial & Industrial	–	–*	–*	50,000 190,000**	100,000 210,000
Construction, Demolition & Excavation	–	–	80,000	390,000	500,000
Residual Treatment:					
Commercial & Industrial	–	200,000	180,000	160,000	160,000

All figures rounded to nearest 10,000 tonnes.

Figures based on estimates of waste arising +10% contingency.

* Zero requirement assumes that facilities with permission but not yet built will be delivered; if permitted facilities are not built, there may be a requirement for additional recycling capacity in these years.
** The requirement for additional capacity begins soon after 2020.

Policy W5: Strategy for provision of additional waste management facilities

Strategic facilities will be located in a broad area around Bicester, Oxford, Abingdon and Didcot as identified in the key diagram (figure 7). Facilities to serve more local needs will be located in relation to the other main sources of waste (Witney/Carterton, Wantage/Grove and Banbury). Only small scale facilities, in keeping with their surroundings, will be located elsewhere in Oxfordshire.

Facilities for reuse, recycling and composting of waste and for food waste treatment will generally be encouraged in order to move the management of Oxfordshire's waste further up the waste management hierarchy. Provision will in particular be made for:

~~For municipal waste, provision will be made for:~~

- **A household waste recycling centre to serve Banbury;**
- **Two residual Municipal waste transfer stations in the Abingdon / Didcot / Wantage & Grove and the Witney / Carterton areas to serve the south and west of the county.**
- **Recycling plants for commercial and industrial waste and for construction, demolition and excavation waste (to produce recycled aggregates and soils).**

Additional plants for treatment of residual municipal and/or commercial and industrial waste arising in Oxfordshire will only be permitted if it can be demonstrated that there is a need for additional treatment capacity to divert residual waste away from landfill that cannot reasonably be met by existing capacity within the county.

Sites for waste management facilities will be identified in a site allocations document. Waste sites will be expected to meet the criteria in policy W6 and the Core Policies.

~~For the other main waste types, provision will be made for:~~

- ~~**Additional permanent recycling plants for commercial and industrial waste at or close to towns in the northern (Bicester) and southern (Abingdon; Didcot; Faringdon; Henley; Thame) areas of the county;**~~
- ~~**A plant for treatment of and recovery of resources from residual commercial and industrial waste (which is not recycled) in the Abingdon / Didcot / Wantage & Grove area;**~~
- ~~**Additional permanent recycling plants for construction, demolition and excavation waste (to produce recycled**~~

~~aggregates and soils) at or close to Oxford and the large and smaller towns in the rest of the county; and temporary recycling plants located at landfill and quarry sites across Oxfordshire.~~

~~Broad locations that are proposed for strategic waste facilities are identified in the key diagram (figure 7). Waste management facilities will be permitted at suitable sites within these broad locations.~~

~~Small scale facilities to serve local needs may be acceptable outside these locations where they meet the criteria in policy W6. Sites for new waste management facilities will be identified in a site allocations document.~~

Policy W8: Hazardous and non-legacy radioactive wastes

Permission will be granted for facilities for the management of hazardous waste where they are designed to meet a requirement for the management of waste produced in Oxfordshire. Facilities that also provide capacity for hazardous waste from a wider area should demonstrate that they will meet a need for waste management that is not adequately provided for elsewhere. ~~and they are reasonably required to meet a need for waste management that is not adequately provided for elsewhere.~~

Policy W9: Legacy radioactive waste

Provision will be made for:

- Storage of Oxfordshire's intermediate level legacy radioactive nuclear legacy waste from sites in Oxfordshire at Harwell Oxford Campus, pending its disposal at a planned removal to a national disposal facility elsewhere;
- Temporary storage (if required) of low level legacy radioactive nuclear legacy waste at Harwell Oxford Campus and Culham Science Centre pending its disposal.

~~Broad locations that are proposed for strategic waste facilities are identified in the key diagram (figure 7).~~

~~Permission will only be granted for the storage of intermediate level radioactive waste from outside Oxfordshire at Harwell if there is an overriding need and there would be clear benefits within Oxfordshire.~~

Permission will only not be granted for the management or disposal of low level legacy radioactive waste at existing landfill sites or at a new bespoke facility facilities at Harwell Oxford Campus or Culham Science Centre unless if it can be

demonstrated that no other suitable disposal facility is available elsewhere and there is an overriding need to dispose of the waste in Oxfordshire.

~~Permission will not be granted for the management or disposal of radioactive waste at other locations in Oxfordshire.~~